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Rethinking strategies for an effective parliamentary role in combatting corruption

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Phil Mason

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Cover photograph: anti-corruption protest in Brazil, 2015. Credit: gaborbasch / [Shutterstock.com](https://www.shutterstock.com)

Acronyms

ACC	Anti-Corruption Commission
AG	Auditor General
ALAC	Advocacy and Legal Advice Centre
APPG	All Parties Parliamentary Group
CDF	Constituency Development Fund
CHOGM	Commonwealth Heads of Government Meeting
CSO	Civil Society Organisation
DFID	Department for International Development (UK)
EC	European Commission
EU	European Union
FATF	Financial Action Task Force
FCDO	Foreign, Commonwealth and Development Office (UK)
GIFT	Global Initiative for Fiscal Transparency
GOPAC	Global Organisation of Parliamentarians Against Corruption
HQ	Headquarters
HRC	Human Rights Commission
IBP	International Budget Partnership
IPU	Inter-Parliamentary Union
MP	Member of Parliament
NGO	Non-governmental Organisation
NIS	National Integrity System
NORAD	Norwegian Agency for Development Cooperation
OBE	Officer of the Order of the British Empire
ODI	Overseas Development Institute
OECD	Organization for Economic Cooperation and Development
OGP	Open Government Partnership
PAC	Public Accounts Committee
TI	Transparency International
UK	United Kingdom
UNCAC	United Nations Convention against Corruption
US	United States of America
WDR	World Development Report
WFD	Westminster Foundation for Democracy

Foreword

Corruption is an aspect of poor governance which negatively affects a country's economic development as well as the effective provision of public services in society.

As the awareness of the detrimental effects of corruption on development has grown, strategies to fight it are now a priority in international development and policy circles. To date, however, few successes have resulted from the investment. In fact, in some countries corruption even seems to have become more entrenched in step with the efforts to curb it. In current literature, it is argued that contemporary anti-corruption reforms in many transitional countries have largely failed because they are based on a mischaracterisation of the problem of corruption in contexts with systemic corruption.

Research on anti-corruption approaches emphasise that there is no 'one size fits all' solution to corruption, and that attempts to tackle corruption must be context specific.

Fully recognising the inter-institutional interaction required for an effective policy framework on anti-corruption, the National Integrity System (NIS) assessment approach is often suggested. This approach provides a framework to analyse the effectiveness of a country's institutions in preventing and fighting corruption. The assessment has a strong consultative component involving the key anti-corruption actors in government, civil society, the business community and other relevant sectors with a view to building momentum, political will and civic demand for relevant reform initiatives.

WFD operates in many countries around the world which have high levels of corruption. WFD's work with parliaments, political parties, civil society and other stakeholders has addressed anti-corruption through a number of approaches, such as strengthening parliament's role in reviewing the state's budget through Parliamentary Budget Offices, enhanced parliamentary oversight on expenditures through parliament (Public Accounts Committees) interaction with Supreme Audit Institutions, awareness raising and advocacy on "the costs of politics", and recently, new research on parliament's interaction with anti-corruption agencies.

As WFD aims at more adaptive programming, there is need for a framework on thinking and working politically to combat corruption. Adaptive programming requires understanding contextual factors much better, and it means recognising that corruption is inherently a political problem.

In any state where corruption is a major issue, a strong focus on building the capability of oversight institutions such as parliamentary committees, an Office of the Auditor General, and a civil society able to exercise effective oversight of the funding and activities of institutions is vital. Parliaments have a key role to play to tackle corruption.

However, anti-corruption frameworks and interventions are likely to be effective only if accompanied by an overall political approach which aims at shaping the overall operating context. Such a political approach goes way beyond capacity building and technical knowledge. The political approach needs to look at incentives and pressure points to nurture a shift towards more accountability; and will require thinking about indirect strategies. In summary: politicians and other stakeholders who are engaged in corruption won't change behaviour because they've seen the light, but because they feel the heat.

WFD commissioned this policy paper with a view to take stock of the theoretical and empirical approaches that have influenced the donor community's thinking on how to diagnose and fight corruption and promote integrity, including the tools for assessing governance systems and assessing corruption. The paper outlines a policy framework discussing how 'technical' solutions that add pressure (such as for instance asset declarations for MPs) can be more effective when aligned with political incentives (such as civil society or media exposure that changes politicians' calculations on transparency), thus politically maximising the effect of 'formal' control mechanisms. The policy paper outlines several options, conditions, incentives and obstacles for future anti-corruption programming in the area of governance and parliamentary functioning.

This policy paper has been written by Mr. Phil Mason, former DFID Senior Adviser on Corruption (until 2019) and a leading international researcher on anti-corruption policy making. WFD extends its appreciation to Phil Mason for his intensive engagement in rethinking strategies for an effective parliamentary role in combatting corruption.



Franklin De Vrieze,
Senior Governance Adviser
Westminster Foundation for Democracy

An elected national Parliament or Legislature is a fundamental pillar of any integrity system based on democratic accountability ... Watchdog, regulator and representative, the modern Parliament is at the centre of the struggle to attain and sustain good governance and to fight corruption.
Transparency International Source Book, 2000

*I entered Parliament with what I thought to be the lowest possible opinion of the average member.
I came out with one still lower.*
John Stuart Mill, Autobiography, 1873

Both parties are impossibly corrupt and the public thoroughly indifferent.
Henry Adams, on the US Congress, 1876

An honest politician is one who, when bought, stays bought.
Sydney E Mudd (1858-1911), US Congressman

Background

Parliaments are both recognised as an essential pillar in the architecture of good governance, and customarily condemned for failing to live up to their role. In current assessments of the regard in which national bodies are held, parliaments regularly emerge amongst the least trusted by citizens. But as the historical quotes above illustrate, this is nothing new.

Parliament sits at the heart of the dilemma for those combating corruption. The levers of authority in a state that rest in this institution give it a pivotal influence: if it works well, it can shape the national tone and drive change against corruption; too often though, due to the nature of the political process itself, it is captured by the same corrupt forces that need to be combatted.

The quality of a parliament matters. Much effort in recent years has gone into providing development assistance resources to improve the working of parliaments. This has focused particularly on enhancing their role in the citizen-state nexus, strengthening the accountability of a parliament's work and of its members, and accentuating its vital role in parliamentary democracy being a check on the executive as conceptual model.

While objectives of this kind are central to the anti-corruption agenda, this review was prompted by a recognition that, despite the significant effort that has been made over many years, there have not been, on the whole, appreciable improvements in parliaments' ability to be an effective brake on corruption. This exercise seeks to understand why, and to propose a different tack.

This report is structured in three parts. Part one sets out the conceptual argument for why the orthodox approach to supporting anti-corruption is sub-optimal and makes the case for re-thinking strategies. Part two summarises a scan of the academic literature and identifies some key lessons and pointers from the existing evidence base. Part three proposes ten options for future programming based on the foregoing analysis and experiences.

1. Rethinking strategies against corruption

1.1 A rationale for change

The orthodox approach to supporting parliaments' contribution to anti-corruption has been to regard the problem to be solved as inadequacies in the knowledge and skills of the relevant actors (parliamentarians, political party managers, and administrators or secretariat staff). Such shortcomings prevent these actors from using the formal mechanisms within their grasp to check corruption.

As a consequence of this orthodoxy, providers of assistance have generated activities that have as their central objective the building of 'capacity' in these parliamentary actors, classically through information awareness, education and training, typically for ends such as: making legislation; efficiently running parliamentary structures such as committees; educating them on the role(s) of MPs; improving their knowledge of technical issues required for performing their oversight functions, such as budgetary management; and exposing them to good practices elsewhere, through study tours and seminars with other practising parliamentarians.¹

This "knowledge capital" approach has been the common fare for most donor-funded anti-corruption programmes across the board. It is premised on the belief that corruption occurs because of failures in controls and processes. Corruption can therefore be corrected by having the right technical know-how on how to defeat it.

But such approaches have not fared well, either in anti-corruption in general or in work with parliaments. On the contrary, at the general level of anti-corruption interventions, there is compelling evidence that this orthodoxy has not worked.² And in the particular case of parliaments, citizens' views recorded in the 2019 African Corruption Barometer identified parliamentarians as the third most corrupt sector of African society (after police and government officials, out of ten societal sectors).³

The orthodox approach has, however, persisted.⁴

1. For example, as identified in a 2013 review of donor support of African Parliaments, GSDRC Helpdesk answer.

<http://www.gsdrc.org/publications/donor-support-of-african-parliaments/>

2. A 2012 U4 analysis for DFID showed a paucity of clear evidence for success from 22 different forms of donor intervention on anti-corruption, including in parliaments where the evidence base was found to be weak and the evidence of successful impact from the interventions 'contested'; that is, inconclusive (compared to clearly ineffective or clearly effective).

<https://www.u4.no/publications/mapping-evidence-gaps-in-anti-corruption-assessing-the-state-of-the-operationally-relevant-evidence-on-donors-actions-and-approaches-to-reducing-corruption/>

3. https://www.transparency.org/whatwedo/publication/gcb_africa_2019

4. Arguably, because it simply remains convenient to the donor suppliers for whom knowledge-based remedies represent a safe, neutral and administratively easy intervention to provide.

1.2 The working hypothesis

The framework proposed in this review suggests a shift in the core approach to a different and innovative tack. It recognises, as many political economy analysts have cogently argued,⁵ that corruption is an intensely political phenomenon, and needs a politically astute response. This has been missing from current technical approaches to helping parliaments be an effective agent for tackling corruption. The framework proposed here seeks to incorporate “political capital” elements into our collective response.

It is important to make clear that this approach does not completely abjure technical assistance responses. These still have their place - and can be extremely valuable methods of influence - but set in the right context. This approach places them in a wider political setting. Rather than seek merely to improve knowledge and awareness of how to combat corruption, a political capital approach seeks to shape the behaviours of actors by moulding the (largely political) incentives for (some) actors to change in favour of anti-corruption. It draws on the generic findings of past research and experiences in supporting parliamentary processes, but suggests qualitatively different ways of working and avenues to pursue.

Nor does this approach discount the importance of the range of frameworks for self-regulation that have been created - often by parliaments themselves - to control the potential for abuse. Tools such as codes of conduct for parliamentarians, and asset declaration regimes are important underpinning mechanisms. Without them, there would not be standards or available information on personal circumstances against which to hold members to account. The new approach simply recognises that these are not sufficient by themselves.

It also presents a modification to the usual contention that to succeed against corruption what is needed is the elusive phenomenon of “political will”.⁶ This proposed approach is based on adding an innovative shift to creating circumstances where taking action against corruption becomes less a choice of “will” to act and more one judged to be to one’s political advantage to act, or in extreme cases, one that ‘politically [I] can’t avoid’. It is grounded in moulding incentives for politicians and/or parliamentarians to act, rather than presuming that they somehow have to have been converted to good practice by “seeing the light”.

This is a quite distinctive addition to the prevailing methodologies which are heavily reliant on assuming that parliamentarians themselves are the willing proponents of the changes that are necessary. The orthodox technical assistance approach responds to this assumption by equipping these self-drivers of change with the only other factor they are deemed to lack - the know-how on how to do it.

5. See for example the 2007 U4 study on the political economy analysis of anti-corruption policymaking.

<https://www.cmi.no/publications/2914-anti-corruption-policy-making-in-practice>

6. For example, ‘Where corruption is most endemic, political will is often weakest and most fragmented. Political will involves the recognition that a healthy system of governance is essential to national well-being. The concept also implies that key leaders recognize the need to work together constructively. Political will against corruption is a necessary condition ...’ in ‘Building Political Will’ from Controlling Corruption: A Parliamentarian’s Handbook, GOPAC, 2005 (p39-40) http://www.gopacnetwork.org/Docs/CCH_Final_EN.pdf

The current modus operandi can be illustrated by the recommended list of anti-corruption activities that parliaments are expected to engage in that were set out in 2001 by the Inter-Parliamentary Union.⁷ An overriding characteristic of these recommendations is an apparent presumption that parliamentarians themselves have internalised and accepted the need for these actions and are doing so selflessly in their role as acting purely in the general public interest. These recommendations bear little recognition of the many political forces that will be operating on members from the opposite direction.

Box 1: Traditional list of anti-corruption activities for parliaments

Law-making

- Vote for appropriate anti-corruption legislation.
- Vote for integrity legislation for members of parliaments.
- Ensure that appropriate oversight legislation is adopted.
- Lobby their governments to sign and/or ratify relevant international instruments.
- Promote the passage of freedom of information legislation.
- Promote party funding and electoral campaign legislation that fosters transparency.

Oversight

- Reinforce mechanisms within parliament for bringing government to account.
- Ensure that the process for preparing and executing the national budget is transparent and provides for safeguards against government misuse of public funds and resources.
- Promote the creation of watchdog agencies such as the Auditor/Controller General, Ombudsman, etc.
- Ensure that the opposition is adequately represented in the parliamentary structures.
- Institute transparent and stringent mechanisms for the approval of senior government and public officials.

Representation (interaction with civil society)

- Encourage the public to denounce and condemn corruption.
- Promote or participate in the promotion of high standards of probity and moral integrity through public awareness campaigns.

Significant amounts of external assistance have gone, and are still going, into encouraging parliamentarians around the world to do these things. But, in the words of one critical assessment,⁸ they '*assume parliamentarians are technocrats -- fulfilling their deontological or technocratic duty -- rather than politicians ...*' The critique goes on to suggest that advance is, however, possible - if the political realities are acknowledged: '*Parliamentarians will generally act if such action is in their political interest.*'

7. Cited in *The Role of Incentive Design in Parliamentary Anti-Corruption Programmes*, Bryane, M & Kasemets, A, *Journal of Legislative Studies*, 2006.

8. Ibid.

This more political approach has increasingly been recognised and adopted within the development assistance community. For example, most recently, it was reflected in revisions to the governance orthodoxy that emerged from the World Bank's 2017 World Development Report refreshing the development community's appreciation of 'governance for development'. This proposed a three-way rethink that firmly recognises the politics involved:

Box 2: Three principles for rethinking governance for development

Traditional approach	Principles for rethinking governance for development
Invest in designing the right form of institutions.	Think not only about the form of institutions, but also about their functions .
Build the capacity of institutions to implement policies.	Think not only about capacity building, but also about power asymmetries .
Focus on strengthening the rule of law to ensure that those policies and rules are applied impersonally.	Think not only about the rule of law, but also about the role of law .

Source: WDR 2017

The proposed framework rests on generating conditions favourable to addressing corruption, and combining their effects to mutually reinforce each other. These favourable conditions include:

- citizens wanting and expecting integrity from (at least some of) their parliamentarians;
- (at least some) parliamentarians finding political value in having integrity and calling out corruption;
- parliament, as an institution, exerting its position as a key social hub in the national political constellation;
- overcoming the usual fate of MPs being captured by a corrupt system - willingly or not - which makes being prominent on anti-corruption political suicide;
- combining the interests of multiple groups tackling corruption, and the effects of doing so reinforcing each other;
- such energy incentivising (at least some) parliamentarians to see political reward in taking action on corruption.

1.3 Context, caveats and cautions

This review has to come with important warnings. Despite a wealth of research conducted on the general experience of strengthening parliaments, we do not have many findings specifically on anti-corruption efforts. A U4 paper reviewing donor support for anti-corruption warns: *'Evidence of what works when engaging with parliaments is very scarce ...'*⁹ And more generally, recent work on anti-corruption "success stories",¹⁰ while drawing the conclusion that to secure change on corruption *'everything indicates that political agency matters'*, cautions that *'cases yield no reform toolkits or recipes'*.

9. U4 (2017) What works in working with parliaments against corruption? - Expert Answer (2017:7)

<https://www.u4.no/publications/what-works-in-working-with-parliaments-against-corruption>

10. *Transitions to Good Governance: Creating Virtuous Circles of Anti-Corruption* Mungiu-Pippidi & Johnston (eds), Elgar Publishing, 2017

Furthermore, parliaments are also one of the most vulnerable of state institutions with parliamentarians often high on the list of 'problem bodies' in assessments by citizens. A NORAD evaluation of donor support to legislatures in 2010 succinctly sets out the typical state of affairs:

In general, parliaments are weak in most developing countries, partly as a reflection of their operation in political systems with a strong presidency but also for other reasons. ... The executive in many African countries still largely overpowers the legislature. (...) [and] may use various methods, including intimidation, financial squeeze and patronage to subdue the legislature. ... Legislative committees in many countries are also very weak due to low educational standards of members, the lack of a professional team to serve those committees and the fact that political patronage is often a key determinant of who serves in a committee and in what capacity.

So, we are not dealing with a natural reservoir of nascent solutions just waiting to be brought into operation. There are also limits on the scope for developing parliament as an institution to be a genuinely autonomous influence in society (unlike other institutions that are granted, at least formally, an independent role, such as oversight bodies, media or the judiciary), since parliament's room for manoeuvre is almost always highly constrained: the party that controls the executive also controls parliament. Hence, the strategy contemplated here explores how parliament can perhaps become a hub for action by being the focal point of a constellation of joined-up forces that, together, are able to bring influence to bear on corruption.

In sum, this report is not a compilation or synthesis of best (or even good) practice since so very little experience is documented. We are in largely uncharted territory, but can build on the clues that are available.

1.4 The structure of the approach

The intention is to build anti-corruption responses that stem from the four functions that parliaments are held to perform:

- **Legislators** - creating the conducive legal framework to anti-corruption, creating the [formal] "rules of the game".
- **Overseers** - performing their stewardship functions, on public resources and on the working of the executive.
- **Coordinators** - maximising collective effect of national institutions.
- **Exemplars** - seeing MPs' own integrity as a model, and "setting the tone".

As the framework is predicated on trying to mould the political "weather" for parliamentarians, it proposes three angles of approach to exert influence:

- Society engagement or pressure - "bottom up", using the interests of civic organisations who seek to secure accountability from their representatives' actions.
- Institutional engagement or pressure - enabling the formal horizontal accountability bodies to be more effective in fulfilling their roles regarding anti-corruption.
- External engagement or pressure - "top down", identifying those influences from outside the country that have a potential for shaping attitudes and behaviours of parliamentarians.

1.5 A note on terminology

“Corruption” covers a wide range of abuses.¹¹ There is no single accepted definition, although the longstanding formulation proposed by Transparency International of ‘the abuse of entrusted power for private gain’ has wide currency. (Applied in the context of this study, the concept of ‘private gain’ can be read to include ‘party gain’ as well as personal, individual gain. The essence of the definition is the attempt to secure a gain that is not available to other parts of the public sphere.)

It is not necessary in this review to disaggregate ‘corruption’ too finely into its many forms since the approaches proposed here are capable of responding to a wide variety of types of corruption. None of the proposals are so limited in design that they are applicable for only one type of corruption. Moreover, it would not be appropriate to base designs on approaches only capable of addressing one specific form, since every country context will face different specific corruption priorities.

There is, however, one general distinction that can be helpful to keep in mind and which may shape choices of approach. This is the often-made contrast between ‘petty’, or ‘bureaucratic’, corruption and ‘grand’ corruption. This is based largely on the level in society at which corruption takes place and the actors who take part.

The former broadly encompasses the corruption encountered by citizens in their daily transactions with officialdom: having to pay small bribes for services that should be free (such as medicines or school books), to speed up or complete official processes (such as obtaining permits) or to avoid the proper requirements of the law (such as paying a tax or customs official to undervalue income or assets, or paying off regulatory inspectors). It can also include misappropriation of public resources by an official for private gain (such as health workers stealing stock and selling it privately).

The latter encompasses corruption operating at the highest levels in government. The label ‘grand’ refers as much to the level in society at which it happens as to the volume and its value. It can take the form of raw theft of state funds by those in high office or can be the distortion of decision-making on major issues affecting the national economy, such as conspiring to sell land and natural resources at below their true value for personal benefit through kickbacks.

11. Chapter 3 (Criminalization and enforcement) and Chapter 2 (Prevention) of the UN Convention against Corruption provides a good summary of ‘corruption’ through its detailing of the acts that should be criminalised and prosecuted and the systemic weaknesses that preventive action should counter. Together they can be seen to provide a working ‘definition’ of corruption.

Criminal behaviour: Bribery (public and private sector); **Embezzlement** (misappropriation of public funds); **Public procurement abuses** (bribery; favouritism / distortion of bidding process; collusion); **Abuse of function** (abuse of official position for giving undue advantage); **Trading in influence** (giving undue advantage through abuse of influence); **Money laundering** (concealing and disposing of the proceeds of corruption); **Administrative behaviour: Public administration** - inadequate internal controls; inadequate financial management; inadequate public service standards and ethos; distorted decision-making / lack of transparency of operations; nepotism and purchase of posts; conflicts of interest; **Judiciary** - bribery or influence of judge/magistrate or court officials to delay proceedings or loss of documentation; **Political party and election financing; Private sector** - Inadequate corporate governance and accounting standards.

Those considering choices of focus should not see these two aspects in crude terms as competing alternatives.¹² However, there will be some important differences to be considered in the kinds of operational activity that will be needed for each.



Above: Dr. Al Khanif, Director of the Centre for Human Rights, Multiculturalism and Migration of the University of Jember (Indonesia) speaking about integrity, anti-corruption and accountability at a WFD parliamentary conference in Myanmar in 2019.

12. 'Petty' corruption is often assumed to be less serious from its title, yet affects magnitudes more people directly in their daily lives, and the poor disproportionately. Evidence shows that the poor often spend a higher proportion of their income on such payments than the better off. To address only grand corruption would not change materially the lives of the vast majority. To address only petty corruption could send a signal that impunity in high office is condoned and acceptable, encoding disastrous implications for the political system in the long term. While the routes to addressing each of these domains will be different, and this needs to be recognised, the temptation to regard one as more serious or costly than the other should be resisted.

2. The evidence base

2.1 Factors for success and pointers from the literature

There are some clues emerging from the general literature on parliamentary support that will be valuable in shaping this fresh approach to anti-corruption. Annex 1 provides a digest of the most relevant findings. Its order of organisation flows from the only systematic review available that assesses practical experience of donor efforts on working with parliaments on anti-corruption (from U4), to findings on generic parliamentary support, and then to particular aspects of parliamentary involvement on anti-corruption. It follows with findings on experience of civil society engagement and concludes with some broader political analysis findings that are relevant.

To begin with, there are some **high-level factors** that can be drawn from the literature should shape our overall perspective. (Letters refer to the works cited in Annex 1.)

It is vital to understand the local political context [B, C, D] and therefore to use local partners in delivering the response. [B, D] A longer time horizon (ideally over more than one electoral cycle) is likely to reward better than short-term interventions [B, C, D], and the literature gives a particular warning against activities such as seminars and study visits as being 'rarely effective'. [A, B] The best channels for influence appear to be those that are peer-to-peer, rather than technical expert-to-parliamentarian. [A, B]

One review [F] concludes that *'the single most important determinant of overall effectiveness is the relative level of popular demand for good governance and transparency'*. This finds support elsewhere: *'... groups outside parliament can exert pressure for change and in particular influence values and attitudes that govern the political behaviour of parliamentarians in the medium and longer term. In politically more developed environments it is not uncommon that bottom-up influences have major impact on reform'*. [B, O]

These findings suggest that stimulating and channelling such demands can shift the incentives for parliamentarians to respond [G, R], especially where the impact is visible to the populace as a real-world change, rather than a more "abstract" reform (such as more elegant laws) [G]. The importance is also stressed of developing a critical mass of "independent-minded" members, complemented (or, perhaps, actually generated) by external factors on the demand side. [U] This suggests a potential route for civil society influencers is by making themselves attractive to relevant members through the quality of the information they can produce. [U]

The aforementioned analysis of corruption "success stories" [R] distils three key factors lying at the heart of success. These are worth bearing in mind as critical organising and communications clues to frame our overall effort:

- I. Key figures, interest groups and significant numbers of citizens realise they have a stake in effective, credible and accountable government.
- II. Political legitimacy needs to be invested in institutions and political processes, not just in a particular leader or party.
- III. Recognition that corruption is not just a set of undesirable actions and exchanges or bundle of cases to be detected and punished, but instead seen as a cause and effect of basic weaknesses in ability to govern. [R]

At the next level, some **practical lessons** can be seen. Parliamentary processes have worked more effectively where their autonomy is high (for example, PACs are able to decide their investigations), where outside pressures (such as civil society or media) have pushed for progress and where support staff has been strengthened [A, J, L]. External pressure on parliamentarians can be effective [A, E, F, L] and a key factor for influence is the quality of information: it needs to be freely available and reliable [F]. Furthermore, communications opportunities are poorly exploited. Media is often regarded as 'event-oriented' rather than 'issue-oriented', explaining, for example, the difficulty in attracting their attention to complex findings from audits. A pro-active effort that helps shift media's receptivity can build 'citizen literacy' on anti-corruption themes [H, L].

Impact is enhanced where a symbiotic relationship can be built between parliament and relevant oversight bodies, such as SAIs - where parliaments can rely on solid external analyses and reporting, and oversight bodies can rely on parliament enforcing accountability issues arising from their reports. [H, K] Impact is further strengthened when civil society also becomes involved in the oversight process. [I, K] It is further improved when civil society can engage in ways that appreciate the needs and perspectives of parliamentarians, and is adaptable enough to perform multiple roles (watchdog; think tank; advocate; organiser) [P]. More broadly, successful civil society mobilisation comes from convincing citizens they have a stake in a government performing basic tasks effectively. [R]¹³

Success will often not require an increase to formal powers, rather the effective use of powers already available, but which are currently not exercised due to political disincentives [K]. Evidence from reviews of the training of parliamentarians suggests that their turnover means focusing on strengthening (more permanent) support staff may give better value. [M]

Finally, at the tactical level, some **specific illustrations** of potentially fruitful approaches have emerged. Seemingly successful mechanisms for holding public authority to account include the long-running Public Sector Accountability Monitors programme in South Africa¹⁴ [I] which has over 20 years' experience in public service oversight. This type of approach appears to offer greater influence than traditional "formal" systems of public accountability such as asset declarations by officials, which are reported to be slow to take effect, if at all, and are dependent on effective verification systems which are often lacking. [O]

Opening up formal parliamentary processes (such as PACs and Committees) to the public, including through the broadcasting of proceedings, have appeared to increase the profile, technical awareness and impact of the parliamentary actors involved. [L, O, Q]

TI Kenya and South Korean NGOs have used audit reports to identify ("red card") election candidates with integrity questions against them [P, R]. Momentum in some milestone anti-corruption episodes (Georgia, Indonesia, Tanzania and Zambia) all stemmed from a groundswell of popular unrest over the ruling elite's behaviour [S]. Critical contributions from civil society helped to channel popular pressure included generating meaningful measurements to indicate progress, analysing and communicating the costs of corruption and being a communications channel between the public and parliamentarians. [S]

13. The importance of creating strong connections accords with other evidence on social accountability that stresses that civic "voice" is, by itself, a weak source of accountability unless accompanied by strong top-down measures. IDS research (An Upside Down View of Governance, 2010) suggests the power of linking citizen demand with the levers of top-down change where political interests in specific circumstances see advantages in joining with civil society groups campaigning for reform. What appears to work is 'an effective combination of initiatives that change behaviour among both suppliers and users of services'. [Cited in Citizens Against Corruption, Landell-Mills, 2013 (p 222)]

14. www.psam.org.za

The advocates of pursuing an “indirect” approach to anti-corruption [T] suggest that focus should be given to any of five ‘institutional devices’ as the critical domains where progress is likely to deliver a significant anti-corruption dividend, on the grounds that each has at their heart ‘*the principle of impartiality in the relation between states and citizens*’. The domains are: taxation, meritocracy, universal education, gender equality, and good auditing. These could offer some pointers for priority themes of any action with parliamentarians.

2.2 Bringing it all together

Drawing from this, the core elements of our approach should be activities that will help to connect, amplify and impel; and in their operation, be focused on strengthening the formal structures of the state and be capable of following an incremental pathway (there being no magic bullet or short cut to success):

- **Connect** interest groups that have objectives on anti-corruption, both from within parliament and from outside
- **Amplify** the prominence and profile of anti-corruption as a societal issue that “matters”, to both citizens and parliamentarians
- **Impel** change by generating persuasive information and momentum
- Operationally focus on getting the formal agencies and channels of accountability to be more effective, thus boosting parliamentarians in their recognised functions¹⁵
- Structure the approach in each country to allow phased development, taking advantage from opportunities as they arise, and building up from the (relatively) less controversial and non-threatening over time.¹⁶

15. At the centre of this initiative lies an objective of strengthening the centrality of parliament’s position in oversight and control processes relevant to combatting corruption. Activities are therefore seen through the lens of how they will enhance the role of parliamentarians, and parliament as an institution.

16. The approach relies on gradually building up the incentives for more and more parliamentarians to adopt behaviours conducive to anti-corruption. This will, inevitably, be a long-term exercise.

3. Options for action

Drawing on the evidence emerging from the literature, this section presents a range of approaches WFD might consider for promoting activities that could strengthen the contribution of parliament (as an institution) and of parliamentarians (as leading influences in national society) in tackling corruption.

The range of political and parliamentary contexts that can be anticipated and the variable nature of the corruption challenge any country will be facing mean that we should be wary of over-prescription. In every case, WFD locally needs to have a close understanding of the political environment and its dynamics, ideally through the assistance of local expertise. The options that follow, therefore, are presented under categories of focal area, with indications of factors that would be particularly relevant in considering their feasibility.

The options are organised around four centres of gravity, although it will be clear quite quickly that there are multiple overlaps in practice:

- a) Strengthening a parliament's own internal workings and processes;
- b) Building the impact of external influencers on parliament and parliamentarians;
- c) Channelling influence on parliamentarians at the local level in their role as constituency representatives;
- d) Focusing activity at local legislative level which might offer learning examples to replicate.

A summary of the options is set out below. Each is then further dissected to address questions of feasibility in particular circumstances.



Youth political participation conference - North Macedonia

3.1 Strengthening a parliament's own internal workings and processes

3.1.1 Committee strengthening

Committees can be the lifeblood of a parliament for individual members, providing channels for aspiring ones to raise their profile and achieve public prominence. They also offer vast opportunities for interested CSOs to get issues of their own concern into the public discourse. Where media can be induced to get involved, the prospect is raised of three relevant interest groups potentially being able to satisfy their individual interests by coming together in a mutually advantageous collaboration.

For anti-corruption, the obvious body is the PAC, but other sectoral committees are also relevant depending on the corruption profile of the country. Issues of high citizen concern will usually be social sectors - health, education, employment - or crucial economic sectors, such as extractives.

3.1.2 Strengthening the parliamentary rules of the game

There are often a range of formal rules of conduct for individual parliamentarians to protect against integrity-related abuses. These may relate to behavioural practices expected of members going about their duties as MPs (such as codes of conduct), as well as extending to ensuring transparency over the relevant backgrounds of members so that outside interests and influences are recognised and can be monitored (such as asset declaration regimes). These can be important benchmarks for maintaining standards and holding members to account, but they can only be effective if the rules are properly enforced. Developing clear processes for ensuring the rules are both clear and abided by could help contain corruption risks within the body of parliament.

3.1.3 Maximising the value of international commitments

Adherence to international conventions on anti-corruption is a prominent feature of most countries' approach. These instruments create a wide range of policy commitments (many carrying a legal obligation under international law) that the governments sign up to. Many come with formal monitoring and reporting requirements that provide an opportunity, if effectively exercised, for parliament to assess how well the executive is implementing its commitments. Developing strong parliamentary processes for reviewing and scrutinising progress could give these international instruments more traction at the national level.

3.1.4 Thematic groupings - APPGs

Beyond formal committees, a supplementary or alternative route to engage parliamentarians could be anti-corruption themed groupings, ideally on a cross-party basis, akin to the UK model of All Party Parliamentary Groups. These could raise the profile of issues of importance to CSOs, serve to identify members from across parliament who show an interest in anti-corruption and build informal alliances of mutual interest. They could provide fruitful platforms for gaining media attention, as well as for attracting international engagement (which might be less possible through a formal committee approach).

3.1.5 Citizens understanding parliament

This route seeks to build both sides of the demand-supply equation through a CSO-led drive to educate both citizens on what their expectations of parliament should be, and parliamentarians on what their obligations towards the citizens should be. This will contribute to raising civic expectations on the functions of the state and on service delivery. It can be seen effectively as a “citizen’s charter” regarding the public’s expectations of parliamentarians. A focus on corruption is both likely to align with those issues of highest concern to ordinary people, and to be a clear subject for members to made aware of the formal functions of parliament and their own obligations within it.

3.2 Building the impact of external influencers on parliament and parliamentarians

3.2.1 Create key anti-corruption “channellers” towards parliament

This option focuses on building a coherent demand side in regard to anti-corruption to exert pressure on parliamentarians. This would be most relevant where the CSO landscape is less developed or at a nascent stage. It would aim at maximising the roles that CSOs can play in anti-corruption: watchdog; think tank; advocate; organiser. Active and attuned CSOs are important for being able to signal corruption-related issues to society, galvanise and channel public opinion and produce salient information at the right time to influence political momentum. Having a strong “AC channeller” can make the difference between a corruption episode that arises and simply passes, and one that turns into a pivotal moment of fundamental change.

3.2.2 Foster community groups on specific local issues

This approach would aim to work where conditions at the local level provide stronger opportunities for action (for example because civic energy on an issue already exists). The option works on the known evidence that in some circumstances a corruption issue resonates locally because the issue is more concrete for a smaller group of citizens than national level problems. To turn a locally resolved episode into an exemplar for replication elsewhere requires that there be a good capacity for documenting, interpreting and communicating the success alongside the activity itself.

3.3 Channelling influence on parliamentarians at the local level in their role as constituency representatives

3.3.1 Integrity report cards

This route uses a traditional accountability tool in anti-corruption, through supporting CSOs to maintain and publicise a record of parliamentarians’ actual behaviour and performance against expected norms and standards. This most directly challenges parliamentarians in their roles, and can be used flexibly to monitor activities within the locality as well as their function to represent the locality at the national level.

3.3.2 Constituency development funds

This option centres on a topic of frequent controversy in many developing country parliamentary settings.¹⁷ The use of these funds can be a mark of a member's professionalism ... or their corruption. It uses traditional social accountability tools of audit, report card and publication, but could be made use of at a national level where a capable CSO was able to marshal and aggregate information from multiple constituencies.

3.4 Focusing activity at regional legislative and municipality level which might offer learning examples to replicate

3.4.1 A 'Clean Cities' or 'Clean Region' strategy

This option adopts a system-wide approach, but at the regional or municipality level. It is also built on the evidence that in some contexts local grievances can be powerful drivers of civic action. It would replicate the types of actions proposed earlier at the national level, but would ensure, in addition, a strong lesson learning and communication component that can synthesise local experiences and document them in forms that inspire replication elsewhere. This option would be of particular value in settings where the national level currently offered little or no prospect of traction.



Anti-government protests in Sofia, Bulgaria in July 2020.
Credit: Ju1978/Shutterstock.com

17. See for example a critical review by the International Budget Partnership - *What Is Wrong With The Constituency Development Funds* at <https://www.internationalbudget.org/publications/brief10/>

4. Detailed assessment of the options

4.1 Committee strengthening

Description of activity

- Assist committee(s) with (i) strategically planning work; (ii) strategically publicising their role, including innovative models for meetings, such as holding sessions in regional locations; (iii) strategy for attracting active and committed membership; and (iv) opening up workings to external actors who can provide evidence useful to the committee.
- Assist secretariat(s) in capability to analyse corruption issues in-country and prioritise the focus of enquiries.
- Assist relevant CSOs (including academia) to actively engage with committee work by submitting corruption-related analyses and material to committee proceedings.
- Assist in the strengthening of CSOs to do the above if they do not currently exist.
- Improve connections: for example, to Auditor-General staff to produce succinct digests of A-G findings; to other relevant integrity institutions - ACC, HRC, Ombudsman - to give wider understanding to their work, reports and findings.
- Develop stronger media interest in committee work and capacity to cover it.
- Jointly with CSOs and media, help to generate social media coverage of issues and outcomes, where possible making information very localised to strengthen its relevance, and provide explanatory role to public on role of parliament.
- Strengthen CSO influencing skills to broaden parliamentary interest in anti-corruption; for example, push for greater use of chamber for debates on relevant issues, providing members with research and speaking points.
- Help committees to press, where needed, for autonomy in decisions on enquiries and powers for summoning witnesses and papers, and for public hearings (and, where feasible, the televising of proceedings).
- Create a peer support group - perhaps as a formal sub-committee, if feasible - to be vocal in promoting the importance of parliament giving attention to anti-corruption. This can be domestic in membership (such as local academic, media and civil society opinion-shapers) or, innovatively, international, such as that created by Ukraine's parliament.

Target group(s)

PAC first and foremost, but also Budget or Public Administration Committees and those engaged in pre- and post-legislative scrutiny. Depending on the context, sectoral committees with high potential public interest - especially health, education, employment - could also be targets.

The ideal CSO target(s) would be a national-level body with a strong existing pedigree and credibility in anti-corruption investigations and public communications. It should also have a reputation for its quality of work (this aspect of its work is likely to be more influential in gaining receptivity, confidence and trust from parliamentarians than its attributes for vocal and strident lobbying).

Conducive factors

Where these committees are formally in place and working *to some degree*.

Where there has been previous external assistance to committees.

Where there is evidence for (some) parliamentarians having autonomy to carve personal political careers (in other words, where party discipline is not too suffocating).

Where parliament is generally an open rather than closed or pro forma institution.

Where media and other external scrutiny operates and CSOs are broadly able to work without excessive restriction.

Where a high-profile scandal has recently occurred, raising public interest.

Assistance could then help take a nascent or sub-optimal state of affairs to a higher level of activity and impact.

Challenges

Needs to be seen as a long-term exercise over several sessions of parliament.

Committee chairs may be reluctant to embrace any reform that could be construed as threatening to their control - political incentives need to be constructed and presented accordingly.

Role in long-term plan (how this action could be built upon for longer-term progress)

Focusing on support to secretariats may be crucial at the outset for embedding a longer-term impetus. Secretariats can then play a role in identifying both issues for the committee and potential candidates for membership. Gaining an early symbolic 'win', perhaps through a low profile but materially significant inquiry and outcome, could be crucial to show success in reality. Strengthening one committee, and getting members to show to colleagues the political advantages, could be used to inspire others across the parliament to follow suit. Stronger committees and exposure by media or CSOs raise profile of parliamentarians in eyes of citizens, and a stronger secretariat is able to channel more prominent and significant enquiries into the future programme.

Examples (if any)

Strengthening of committees has been a common approach over many years - but has been traditionally focused on improving procedural understanding. There is little practice on the more expansive approach proposed here.

The successful impact of holding sessions of parliamentary committees at a local level is reported from the health sector in South Africa and Zambia, in:

[Q] Mataure, M. (2003) *Parliamentary functions and reforms and their application in promoting health equity in southern Africa*'

<http://www.equinet africa.org/sites/default/files/uploads/documents/DISSPAPER16MATAURE.pdf>

Ukraine's international experts' committee is referenced here:

<https://ti-ukraine.org/en/news/world-experts-in-fighting-top-level-corruption-to-participate-in-the-parliamentary-anti-corruption-committee-tomorrow/>

Most recent contacts with one of the members point to some waning of the initial momentum behind the committee in the latter days of the old regime. There is fresh optimism after the recent change of government.

4.2 Strengthening the parliamentary rules of the game

Description of activity

- Where a parliament does not have an existing framework of integrity-related rules for members, assist in their development. This should draw, wherever possible, either on models produced by regional bodies, or existing examples from regional neighbours to ensure, as far as is possible, alignment with local norms.
- Instruments should include a code of conduct for members' behaviour in regard to duties as a parliamentarian, standards of propriety in working relationships with other members and officials, and integrity standards in regard to personal conduct in relation to gifts, hospitality and outside interests which may conflict with their duties. To supplement these arrangements for transparency of members' interests, a formal arrangement for asset declaration can supplement a code by going beyond those interests specifically related to members' duties as parliamentarians and provide a broader scrutiny.
- Encourage consideration of additional provisions in codes that relate to the specific circumstances of ministers.
- Where a code of conduct is put in place, assist in establishing arrangements that ensure breaches have consequences. This requires an effective system for reporting breaches (including by those outside parliament such as CSOs and media), adjudging them and enforcing sanctions. It may also need to address the issue of immunities.
- Where an asset declaration regime is put in place, assist in ensuring that follow-up processes are also established, in particular ensuring that declarations are filed, there is proper vetting of declarations to ensure accuracy and that deficiencies in declarations, or subsequent failures to update, have consequences.
- Assist in running sensitisation sessions for members to introduce the concepts of the rules and promote their acceptance. This could benefit from the involvement of peers from other parliaments where such rules have been operated effectively.
- Establish standing arrangements for regular review and assessment of implementation. This is designed to ensure that the rules retain a prominence in national life.
- Assist in the wide publication of the rules in order that citizens are aware of the standards to which members are to be held, and preferably develop mechanisms that enable citizens to play a role in overseeing effective implementation.

Target group(s)

This option focuses on equipping parliaments themselves with the control framework to self-regulate behaviour. It requires engagement both with the authorities running parliament and representatives of the political interests (such as party organisations). The rules should not, however, be seen as exclusively owned by the political class. Wider society has a significant stake in both setting standards and holding those bound by them to account. The process should be as open as possible both in constructing the rules and the arrangements for implementing them.

Conducive factors

Where parliament already has a (relatively) strong tradition of good institutional management, and where house authorities have broad competence and enjoy respect from members.

Where a critical mass of members is considered to be supportive of rules of this kind, or there is strong expectations from wider society that such rules should be followed, in particular support from media.

Where there is a (relatively) strong tradition of effective application of sanctions for breaches, either by the parliament itself or through the court system.

Challenges

Such rules effectively rely on self-regulation. In global terms, there is probably more evidence of the existence of formal codes that are not abided by than there is of examples of truly constraining regimes. Formal rules are relatively easy to adopt (indeed, there is usually enthusiasm to do so in order to signal virtue). Most come up short when it comes to enforcing them.

Hence the importance of building in added incentives that keep the rules prominent in public life and do not allow breaches to go unpunished. Such rules only work where there is a reasonable prospect of consequences following for breaking them. If this does not happen, such rules can quickly fall into disrepute and cease to be seen as meaningful controls.

Role in long-term plan (how this action could be built upon for longer-term progress)

Adoption of formal rules on conduct and transparency of interests is the first building block. They can be seen as essential tools that enable other options below to operate, such as citizen groups overseeing performance of members.

Examples (if any)

The fourth evaluation round of the Council of Europe's anti-corruption review mechanism under GRECO looked specifically at the prevention of corruption in respect of members of parliament. This covered salient issues such as rules of conduct, conflict of interest, asset declarations and enforcement of rules (in regard to conflict of interest). The findings of the national reviews would provide useful information on the experience of successes and challenges:

<https://www.coe.int/en/web/greco/evaluations/round-4>

This policy note by Transparency International provides helpful guidance on the factors contributing to the effectiveness of codes of conduct for parliamentarians:

https://www.transparency.org/files/content/corruptionqas/The_Effectiveness_of_Codes_of_conduct_for_Parliamentarians.pdf



EU election day observers outside a polling station

4.3 Maximising the value of international commitments

Description of activity

- Assist the establishment of a parliamentary sub-committee (or APPG - see option 4) for monitoring anti-corruption commitments and obligations deriving from international instruments, and help produce a reference compilation of them.
- Assist in developing a programme of influencing for the committee or group that raises the profile of the commitments publicly, identifies key shortfalls in compliance and presses for remedial action.
- Assist in developing a strong secretariat capacity in research and communications, most likely through establishing effective collaboration with external expertise such as anti-corruption CSOs.
- Assist the development of a programme of public hearings for the committee or group to review progress on key areas. This can be particularly valuable around the time of peer review processes and for ensuring strong follow-up to the recommendations of these external reviews.
- Assist in fostering operational collaboration between the parliamentary committee or group and relevant institutions in the country (for example, anti-corruption commission, auditor general, government inspectorate, ombudsman) to press for follow-up, and to prioritise the work of those institutions.
- Assist development of strategic approaches to meeting commitments which can, where relevant, shape a strategic approach to harnessing external financial and/or technical assistance.
- Where a national anti-corruption strategy does not exist, consider the merits of developing, and leading oversight on, an overall programme for meeting anti-corruption commitments (for example an 'UNCAC delivery plan' that would, if implemented, achieve compliance with all the requirements of UNCAC, the most comprehensive of international AC instruments). Where a national strategy already exists, parliament's role could be to ensure that it adequately covers all the commitments the government has assumed.

Target group(s)

This option focuses on parliamentarians willing to champion national anti-corruption activity. Allying their interest and energy with competent external capacity from relevant CSOs could build impetus for action and greater publicity on AC issues.

Conducive factors

Where a critical mass of members exists that is judged to be able to mobilise and maintain energy over the long term.
Where parliament already has a good track record with effective committee or group organisation.
Where parliament is open to external influencing, especially media and CSOs.
Where strong organising skills can be called upon.
Where media is relatively free and is already covering parliamentary proceedings.

Challenges

Simply documenting the full range of anti-corruption obligations that a country has taken upon itself will be challenging. It is very unlikely they will as a matter of routine be collected in one place.

To illustrate the challenge of multiple instruments and commitments, a compilation of inter-governmental commitments on fighting corruption produced for the 2001 Global Forum (before the development of UNCAC) showed there were already 31 international and regional conventions, codes, or binding resolutions agreed since 1995. These will have multiplied still further. A useful starting point on the main instruments is here: <http://guides.ll.georgetown.edu/c.php?g=363494&p=2455875>.

The outcomes of UNCAC reviews are compiled here, but note that countries are not obliged to publish their full reviews, and many developing countries have chosen not to. This hampers a wider understanding of the specific needs and issues in these countries. <https://www.unodc.org/unodc/en/treaties/CAC/country-profile/index.html>

The FATF standards to counter money laundering [http://www.fatf-gafi.org/publications/fatfrecommendations/?hf=10&b=0&s=desc\(fatf_releasedate\)](http://www.fatf-gafi.org/publications/fatfrecommendations/?hf=10&b=0&s=desc(fatf_releasedate)) are often a critical piece of a country's anti-corruption framework, but can often be administratively handled separately from the broader anti-corruption obligations. A more holistic approach to oversight of commitments can help consolidate institutional co-operation. In addition to formal international conventions, there are likely to be other voluntary initiatives that a country engages in, for example the regional collaborative programmes sponsored by OECD under which countries volunteer non-binding commitments, and are reviewed on their progress. These currently cover Asia-Pacific, Eastern Europe and Central Asia, Latin America, and Middle East and North Africa. <http://www.oecd.org/corruption/regionalanti-corruptionprogrammes.htm>

Other high profile processes under which many governments make significant anti-corruption commitments include the Open Government Partnership (OGP) <https://www.opengovpartnership.org/>, the Extractives Industries Transparency Initiative <https://eiti.org/>, and the International Budget Partnership <https://www.internationalbudget.org/>.

The Commonwealth has made numerous declarations on measures to counter corruption through its Heads of Government Meetings (CHOGM). It is currently engaged on developing Anti-Corruption Benchmarks for formal endorsement at the next CHOGM in 2020. These could be useful measures against which parliaments could assess a government's progress: <https://www.commonwealthlawyers.com/europe/commonwealth-anti-corruption-benchmarks/>.

Role in long-term plan (how this action could be built upon for longer-term progress)

Knowing and publicising the commitments that a government has made on anti-corruption is a basic foundation for enabling both parliamentarians and the wider citizenry to hold administrations to account. This option could provide the foundation for broader and more in-depth oversight by other committees across parliament (such as the sectoral committees overseeing health, education or public service administration).

Examples (if any)

There is no immediately available evidence of any existing examples of comprehensive parliamentary monitoring of the totality of national anti-corruption commitments.

4.4 Thematic groupings - APPGs

Description of activity

- Foster anti-corruption-themed groupings along the lines of APPGs in the UK parliament, with a premium of securing them on a cross-party basis.
- Assist in developing strong secretariat capacity to manage groups, possibly drawing in relevant CSOs to steer.
- Draw on CSO capacity to generate analysis and materials on issues likely to attract public interest, such as the costs of corruption and its consequences.
- Conduct profile-raising meetings, with high media involvement, giving publicity to members supportive of the anti-corruption agenda.
- Assist Secretariat/CSO to provide:
 - support to willing parliamentarians to increase their message and influence with materials
 - communications capacity on social media and in mainstream media (print and/or online), to shift from an “individual event” approach to an “ongoing issue” approach -helping to make issues clear for the public and enabling members to see a politically productive channel for communicating with public.
- An APPG could develop a standing monitoring platform online of anti-corruption issues, raising the profile of parliamentarians who are taking an active role.
- An APPG would have the potential for linking parliamentarians to international fora and influences that bring global standards into the local dialogue.
- An APPG could develop and deploy in advocacy meaningful indicators of public integrity, for example the Index of Public Integrity¹⁸ or Global Integrity ratings.¹⁹
- It could also be a locus for promotion of follow-up action to external scrutiny findings, such as UNCAC and FATF.

Target group(s)

Individual parliamentarians with an anti-corruption interest and profile seeking a vehicle to drive their interest.

While large APPGs would offer sustainability over the longer term, at the beginning the premium may be to secure smaller groups led by committed agents of change to get momentum under way and avoid complications from managing over-sized bodies, in the early days of development, where energy should be focused on the issues being communicated.

CSOs that are capable of “working politically”, and able to draw on and use media, in all its forms, savvily.

18. <http://integrity-index.org>

19. <http://www.globalintegrity.org/>

Conducive factors

Parliaments where there is relatively high autonomy for members to pursue personal interests
Where cross party engagement is viable
Where issues-based approaches are viable
Where parliament is open to external influencing, especially via media and CSOs
Where strong organising skills can be called upon

Challenges

The CSO contribution to driving secretariats and the agenda is likely to be critical, so this approach is feasible only in locations where interaction with external civil society is accepted and encouraged

Role in long-term plan (how this action could be built upon for longer-term progress)

For many parliaments, an APPG could be the first venture into anti-corruption influencing. It has the benefit of being able to launch with a minimal number of active supporters, so avoids the formalism of traditional parliamentary committees. APPGs could then become a transmission belt for issues to reach the formal committee structure, the main chamber and other parliamentary outlets. Active members could establish their credentials in these groups, stepping up into more formal roles subsequently and be assets in future strengthening of the formal committees.

Examples (if any)

The UK parliament could be a valuable source of peer-to-peer expertise.

4.5 Citizens understanding parliament

Description of activity

- Develop CSO capability to raise understanding of role of parliament and parliamentarians amongst general population and parliamentarians themselves, through strengthening educational and influencing capabilities, and ability to communicate successfully to these audiences.
- Assist CSO to create outreach programme explaining to citizens what they should expect from their representatives, and to parliamentarians their responsibilities - using multiple media: online, radio, local print as most appropriate for reaching citizens.
- Assist CSO to understand and map citizen priority interests in relation to parliamentary action, and create agenda for influencing representatives.
- CSO can play role in making formal oversight processes impactful - for example, can generate publicity over compliance with asset declaration requirements (where applicable) scrutinising available information (for example, on status of returns; their content where accessible) and foster media examination.
- Develop role in exposing where anti-corruption issues 'get stuck' in parliamentary process and agitate for resolution using civic pressure.
- (Later in development phase) develop and maintain online accountability platform to monitor performance of ministerial portfolios - educating public on role of audit and oversight - and, for example, distilling Auditor-General reports into resonant cases or issues for public.

Target group(s)

Relevant CSOs judged capable of assuming a leading role on anti-corruption at the national level. Other critical characteristics will be: existing credibility, capacity for managing communication to, and relationships with, different audiences, and demonstrable independence from political influence

Target citizen audience would be whichever key demographic in society has shown potential for civic action, so may be youth, women, or particular service consumers.

Conducive factors

Likely to be a first step approach - relevant for countries where there are low levels of public understanding of, or interest in, parliament's workings and/or where there is substantial disconnect between parliamentarians and the electorate.

Challenges

These conditions are likely to be some of the most challenging contexts where strong parliamentary influence has yet to take root. In such places, CSO development will almost certainly also be rudimentary. This may require nurturing CSO capacity from a very low base.

Role in long-term plan (how this action could be built upon for longer-term progress)

This component would be an essential starting point to secure the basics of civic awareness about parliaments. It presumes a low level of existing public appetite and engagement, so ambition needs to be modest, patient and long-term in perspective. Once established, however, the CSO can be a bridgehead into more substantive engagement with parliamentary bodies.

Examples (if any)

In regard to online platforms for monitoring, the Public Sector Accountability Monitors programme in South Africa (www.psam.org.za) has run for over 20 years providing scrutiny of departmental performance.

4.6 Create key “anti-corruption channellers” towards parliament

Description of activity

- Create engagement capacity for one or more vanguard CSOs to lead and shape national dialogue on anti-corruption in/with parliament.
- Enable CSO(s) to establish a standing working relationship with supportive parliamentarians.
- Enable capacity to provide source material for members tailored to political or parliamentary need or use and influence their activities - producing compelling analysis and information; exemplifying the costs of corruption; monitoring and giving publicity to progress of reforms, legislation, commitments and so on.
- Develop the CSO(s) as a mediating bridge between parliamentarians and the public through more agile and resonant communications.
- Enable CSO(s) to be capable of performing critical multiple roles: (i) watchdog; (ii) think tank; (iii) advocate; (iv) organiser on anti-corruption themes.
- Improve CSO(s) role as an observatory for anti-corruption with the ability to signal cases to public attention, and increase influencing skills of CSOs so they can use corruption crises in a structured way to press for systemic change (rather than episodes going to waste because of responses that are largely ad hoc and unplanned).
- Equip CSO(s) to be able to identify issues that will resonate with citizens, that crystallise and reflect popular concerns (which will not necessarily be the largest or most high-profile scandals) and work with media to project in a captivating way.
- Equip CSO(s) to mine official information more effectively, link it to stronger advocacy and provide the access into parliamentary channels.
- CSO(s) could become a conduit for the public to log concerns to parliamentarians.
- Develop capability to monitor individual parliamentarians’ performance, behaviour or background through accountability platforms (like UK’s ‘Theyworkforyou’) or a parliamentary equivalent of a ‘Worldcheck’-style compilation of open-sourced integrity-related profiles on members.
- Develop capacity for monitoring ministerial performance on their portfolios.
- Develop capacity to draw and present international comparisons on performance or compliance with global or regional standards, and be a vanguard for follow-up to UNCAC review recommendations.

Target group(s)

This has some degree of overlap with the previous component. A key distinction is that the focus of Option 5 lies primarily in basic awareness raising in a context of low levels of civic engagement and appetite. This component works more to concentrate energy that is already emergent and capable of being harnessed and channelled, but where there is currently an absence of structured engagement towards parliament. (It contrasts with Option 1 in that this option will be the more appropriate where CSO capacity is insufficiently developed - it is predominantly about creating coherent demands on behalf of citizens.)

Conducive factors

Where society is broadly open and CSOs are generally allowed to operate without significant restriction
Where media is broadly unrestricted
Where internet connectivity is good
Where parliamentarians are open to engagement with citizen groups

Challenges

Securing a single CSO could foster divisions or competition within a local setting, so it may be more appropriate to look to develop more than one locus of energy. Coordination and avoiding dissipation of messaging then becomes a factor to be taken into account. Balancing the merits of a concentration of focused and organised energy with ensuring as broad a representative voice as possible will often be a tricky decision.

Role in long-term plan (how this action could be built upon for longer-term progress)

This will be an essential first step in settings where CSO capacity to marshal anti-corruption energy at a national level is not currently in existence. Once the core capacity is developed, options to broaden into more intensive relationships with parliament as an institution open up.

Examples (if any)

The modern global anti-corruption effort has generated an extensive range of civil society-based initiatives that could serve as collaborating partners with WFD to build on comparative advantages. Such initiatives will have deep networks in many countries, and offer avenues into operational relationships with national and grass roots level CSOs. These local partners could provide promising candidate organisations for specific parliamentary-focused activities.

Transparency International (TI) is already a strong partner with WFD. Its local chapters will often already be taking a leading role in advocacy at the national level, but many also have capacity for sub-national activity. Many chapters operate Advocacy and Legal Advice Centres (ALACs)²⁰ which could be vehicles for generating real-time data and examples of corruption episodes that can form the basis of an influencing strategy on parliamentarians.

Open Knowledge International coaches journalists and CSOs in data literacy and analysis skills²¹ and can bring to bear both global and national impetus on open government issues. Its *OpenSpending* platform²² provides ready-made source material that could serve as a foundation for advocacy, and its *School of Data*²³ offers tuition in data skills specifically for CSOs.

Open Contracting Partnership advocates globally and nationally to shine a light on corruption risks in public procurement.²⁴ It can be a source of data valuable to anti-corruption advocacy and helps drive active civil society 'demand' for more open government.

International Budget Partnership (IBP) supports networks of CSOs, media and parliamentarians to improve budget openness and analysis.²⁵ It has worked particularly at helping CSOs to influence parliamentarians, notably using local groups to target lobbying on elected members in marginal seats in South Africa.

20. <https://www.transparency.org/reportcorruption>

21. <https://okfn.org/>

22. <https://openspending.org/>

23. <https://schoolofdata.org/>

24. <https://www.open-contracting.org/>

25. <https://www.internationalbudget.org/>

Global Initiative for Fiscal Transparency (GIFT) also supports dialogue between governments, civil society and other stakeholders on key elements of budgetary accountability.²⁶

Infrastructure Transparency Initiative (formerly the Construction Sector Transparency Initiative (CoST)²⁷ uses a multi-stakeholder approach to open up major public procurement contracts to scrutiny in order to reduce risks of corruption, mismanagement or waste. It produces a vast amount of valuable data that could be used for civil society influencing of parliamentarians.

Extractive Industries Transparency Initiative likewise is a strong multi-stakeholder process that generates significant data with advocacy and civil society action potential.²⁸

Open Government Partnership (OGP) seeks to stimulate government action on making the workings of public administration more open to citizens.²⁹ It secures commitments from governments on the basis of transparent national action plans, which offer a platform for strong anti-corruption influencing by civil society towards parliamentary representatives. It potentially provides a strong channel into active anti-corruption CSOs across a wide range of countries (OGP currently has 79 member governments).

26. <http://www.fiscaltransparency.net/>

27. <http://infrastructuretransparency.org/>

28. <http://eiti.org>

29. <http://www.opengovpartnership.org>

4.7 Foster community groups on specific local issues

Description of activity

- Using local CSO knowledge, foster public energy where a particular localised issue galvanises civic momentum on anti-corruption. This could be either to influence a member of the national parliament (in respect of a constituency matter involving corruption) or to pursue a local corruption matter involving the local administration (regional or city authority).
- Help CSOs to identify localities with corruption issues that are both attracting public concern and appear amenable to resolution through a 'civic action' approach.
- Help build CSO skills to document the issue, identify the desired end solution, develop the plan to get to the solution and mobilise the civic action required.
- Identify the representative structures and administrative processes that need to be influenced. These may be elected individuals in authority or electively-responsible organs of the administration.
- Help build alliances with media and develop the framing of the story to be told.
- Help build CSO skills to aggregate examples for demonstration effect and develop communication and influencing skills (ideally at the national level) for wider dissemination.

Target group(s)

This is likely to be an option where the national level appears uncondusive - but does not necessarily have to be seen only as an alternative. In the right conditions, it can be a useful complement to work at the national level, particularly where local examples can provide a transmission belt of issues into a national decision- or policy-making process, and help strengthen national parliamentary development. It can, however, also stand alone as an entry point to channel social disquiet about corruption.

CSOs that have an established record for connections with local communities, monitoring and articulating social attitudes or opinion, and ones that have a network structure that enable them to operate both at the local and national level would be ideal candidates for support.

Conducive factors

An avenue to pursue where:

- a national level approach does not appear feasible, either because parliament is not, in practice, an influential locus for getting social change, or because members lack sufficient autonomy to engage as individual actors at this level;
- there are active civil society agents of change at the local level who show potential for driving change if given assistance;
- there is good potential for media coverage that can 'tell the story';
- local service delivery is problematic and likely, in the right conditions, to be capable of sparking a critical mass of the population to want to seek change (which may only need to be quite small in any example).

Challenges

Drawing wider national resonance from a specific local issue takes skill. The overall value of the option is as much, if not more, its demonstration and encouragement effect to the rest of the population as it is about solving the discrete problem at the local level.

The value of using the proximity of an issue as a lever to stimulate public action can be a mixed blessing. While there is good experience of how it can be easier to engage people if it is around a problem that is very close to their daily interests, it can also bring those involved more closely into contact with perpetrators responsible and increase risks of direct intimidation or reprisal. This may be relevant particularly to the use of local media (which itself may be especially subject to undue influence or capture at the local level).

Role in long-term plan (how this action could be built upon for longer-term progress)

This option can very much be a starter in an otherwise unconducive setting. It focuses on organising what may be quite latent stirrings of public discontent. By providing a channel for harnessing concerns into collective action, it can provide inspiration in contexts where little hope is usually seen. Each example can be presented as an illustration that change is, in fact, possible.

Building up a set of examples reinforces social confidence, and exemplars of success in one area can be used to inspire replication elsewhere across the country.

Examples (if any)

WFD's experience in the Western Balkans, where national parliaments are often not the locus of power in decision-making or in having significant influence over the executive, shows there can still be potential for anti-corruption activity. For countries where there may be general despair over the relevance of the national parliament, citizens may well be more disposed to channel their grievances at the local level.

Transparency International is well-versed in these approaches:

https://www.transparency.org/whatwedo/activity/strengthening_local_government_integrity

The EU's 'integrity cities' initiative in Ukraine focuses on engaging local CSO groups to concentrate on influencing city administrations on corruption issues, working with and developing the skills of investigative journalists:

<https://euaci.eu/who-we-are/about-programme>.



4.8 Integrity report cards

Description of activity

- Equip CSOs to develop and maintain a public platform for scrutiny of the backgrounds of election candidates, requiring the skills to:
 - o research and compile relevant information, ensuring accuracy and avoiding misrepresentation
 - o create a communications format that captures and conveys important integrity messages in ways that grab public attention (for example, the 'red card' method to warn of suspicious personal backgrounds)
 - o publicise the information to as wide an audience as possible
 - o develop a proactive media campaign to broaden awareness of the information
 - o monitor impact of the information, including the outcomes from elections.
- Equip CSOs to continue to use the information as a monitoring and influencing tool post-election, and to produce regular updates, particularly linking activities as an elected member with previously identified concerns, such as membership of key committees or association with, or sponsorship of, key legislation.
- Mobilise local civic activity in the constituencies of those members whose backgrounds raise most concerns, perhaps through creating local 'committees of assurance' to hold members to account
- develop a strategy to gain national media recognition and credibility for the information to raise attention and prompt debate at the national level, and to maintain the campaign's prominence and relevance throughout the election cycle.

Target group(s)

The best documented examples (Kenya, South Korea) have been hard-hitting campaigns identifying the 'unfitness for office' of candidates, due to criminal records or credible suspicions of corruption. However, the approach can be a broader one, focusing on documenting candidates' (legitimate) business interests or relationships, to effectively create a watch list for potential conflicts of interest in the future. It can also be mounted at a variety of stages in the election cycle: at the point of candidate selection (to seek to prevent the adoption of questionable individuals in the first place); at election time itself, to inform those voting; or post-election, when the individual is now a sitting member or minister.

CSOs would ideally be capable of action at both national level and local, although if only the former, the capacity to forge alliances with constituency level groups to monitor or influence specific individuals would also be a feasible approach. National level capabilities would be essential in order to be effective at the candidate selection stage, especially if these processes are run wholly or partially at the party HQ level.

Conducive factors

The option would be suitable where:

- the electoral process is fairly open and contested (ie where public opinion actually can make a difference)
- civil society is fairly free and unrestricted
- media is active and relatively unrestricted
- information on relevant issues (such as business and land registration, beneficial ownership, public appointments) can be relatively easily accessed
- where elections are constituency-based. Although the approach is not completely disabled by party list systems, these would require a stronger national organisation for the approach than when conducting the work in geographical seats.)

Challenges

Any campaign based on collecting and publishing 'personal' information (albeit that which is publicly available) runs the risk of legal challenges for libel, particularly in litigious cultures. Even where strong effort is made to ensure data is accurate, politically-motivated legal action is always a risk for merely distractive purposes. CSOs would need to be coached to operate within strictly-observed information handling practices to minimise the opportunities for being derailed by politically-inspired legal threats.

Role in long-term plan (how this action could be built upon for longer-term progress)

This option could complement national-level parliamentary strengthening activities, or be a stand-alone choice where conditions were not conducive for direct parliamentary work. In the latter case, it could serve as ground-building work to stimulate and embed integrity consciousness in society, and as a prelude to moving on to the parliamentary institutions themselves.

Examples (if any)

TI Kenya has documented successful use of 'red card' approaches to publicise the backgrounds of election candidates:

<https://tikenya.org/wp-content/uploads/2018/07/Annual-Report-2016-2017.pdf> (p14-15)

and has won international plaudits for its results and impact on raising expectations on the level of integrity to be demanded from representatives.

<https://tikenya.org/the-red-card-campaign/>

4.9 Constituency development funds (CDFs)

Description of activity

- Develop capacity for CSOs to monitor and publicise the use of CDFs, through:
 - o documenting of allocations from a CDF budget
 - o itemisation of objectives of allocations and recipients of finance
 - o monitoring of use of allocations and validation of the achievement of intended outputs
 - o publicising progress on outputs and identifying issues of concern
 - o strengthening civic participation in decisions on allocations from the CDF
 - o providing a reporting channel for concerned citizens to raise concerns in regard to a CDF project
 - o providing a local public forum for citizens to raise concerns directly with the member
 - o providing a channel for raising specific concerns with the relevant national authorities (such as Auditor-General, Public Accounts Committee)
 - o providing a publicity channel to local and national media on issues of concern.
- Develop national level interest in accountability for CDFs, aggregating concerns from individual funds and generating a national communications drive to influence parliamentary bodies.
- Potentially develop a national scorecard for the quality of CDF management performance across all constituencies.

Target group(s)

This option could work through either a “collaborative” strategy - seeking out members who see political advantage for themselves in opening up their CDF for public scrutiny - or a more traditional “challenge” strategy of pressing reluctant members for more openness. Clearly there are possibilities for both approaches to operate side-by-side. Targeting efforts would be needed on both members and on capable CSOs.

Conducive factors

Clearly only relevant where CDFs are a feature of the political system.
More likely to be fertile ground the more there is already public anxiety or scepticism regarding CDFs (or real corruption episodes).
Given the local nature of CDFs, grass roots level CSO capacity will be necessary - either through multiple local organisations for different constituencies, or a national level CSO capable of reaching multiple constituencies. Ideally, the latter would offer a stronger likelihood of consistency of practice and standards of research and product, hence increasing credibility of the overall output. Such a CSO would also be better placed to run the national level influencing effort.

Challenges

Secretiveness of CDFs could be difficult to break down, especially if a tradition has evolved for members to become closely involved in their administration.
To be genuinely effective on the system as a whole, a wide number of constituency funds would need to be covered in any programme, meaning any intervention will need to be extensive.
The availability of CSO capacity to undertake this level of engagement may be limited (or take time to develop).
Given the local nature of CDFs, media interest may be more difficult to attract than for national level initiatives - although a communications strategy should be capable of addressing this.

Role in long-term plan (how this action could be built upon for longer-term progress)

As with Options 7 and 8, this option could work as a starting point where the prospects for national institutional influencing appears limited. It could, equally, serve as a valuable complement to national level work.

Examples (if any)

A Tear Fund review from Zambia (2012) identifies the kinds of issues that are at stake and need to be addressed.
<http://learn.tearfund.org/~media/files/tilz/research/constituency%20development%20funds.pdf>
(No information has been found on follow-up action.)

4.10 'Clean Cities' or 'Clean Region'

Description of activity

- Develop at the regional or municipality level, as conditions make appropriate, stronger operating of relevant representational bodies and constituent committees.
- Replicate the committee and/or institution strengthening concepts identified in the earlier option for the national level (Option 1), and/or where necessary educate citizens on the role of local bodies (Option 5).
- Develop and equip CSO capacities to:
 - o open up regional/municipal decision-making bodies to greater public scrutiny
 - o make oversight processes more systematic, effective and subject to public influence
 - o collect, analyse and present information to relevant parts of the representational body
 - o generate wider media involvement in, and scrutiny of, the proceedings of the representational body
 - o aggregate experiences across different regional or municipal bodies, document and present these and learn lessons from them.

Target group(s)

This option focuses on marshalling citizen energy at the local level. In this respect, it is also akin to Option 7 but is distinguished from that option by its focus on systemic institution strengthening, rather than on using individual corruption episodes as its starting point.

Conducive factors

Most likely to be a route if the national system appears uncondusive.
Offers the opportunity to go where the energy is or can be stimulated, below the national level radar.

Challenges

Local conditions and local issues, by their nature, are likely in any country to be more varied and therefore more complex to manage overall as a project than one focused at the national level.

Local energy may not match with availability of competent CSO capacity in the same place, forcing a judgement to be made on which element appears to offer the best foundation for eventual success - the strength of the civic impetus, to which a CSO can be developed to exploit, or the strength of the CSO, which can galvanise latent civic energy.

Role in long-term plan (how this action could be built upon for longer-term progress)

An advantage of taking a local approach is that there is likely to be wider choice in both scope of ambition and extent of location(s). Even in the most uncondusive environments, it will be likely that action might be worthwhile somewhere.

Where the national setting is not currently conducive, a start can be made through this option, creating the potential for creating and demonstrating innovative examples of success that can then be used for promoting activity more widely and at higher levels.

Examples (if any)

See above on Ukraine as one of the more structured approaches of recent years.

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Annex 2: About the author



Phil Mason was a UK civil servant for 35 years (31 years with DFID) until his retirement in 2019. He started DFID's anti-corruption work in 2000 under DFID's first Secretary of State, Clare Short. This, unusually for a development agency, focused equally on 'supply side' issues - the responsibilities of developed countries - as well as traditional technical assistance work in developing countries.

Under his guidance, DFID established aid-funded UK law enforcement units to investigate and recover stolen assets in the UK originating from developing countries and to pursue bribery by British companies in developing countries.

He helped negotiate the UN Convention against Corruption which was agreed in 2003. Between 2005 and 2009 he headed DFID's Overseas Territories Department. He returned to lead the Anti-Corruption team again in January 2010.

He was awarded an OBE in the Queen's New Year Honours list in 2015-6 for services to the UK's international anti-corruption policy.



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