

Building Multidisciplinary Frameworks to Combat Corruption

7th Regional Anti-Corruption Conference of the
ADB/OECD Anti-Corruption Initiative for Asia and the Pacific
Hosted by the Government of India

New Delhi, India, 28-29 September 2011

Opening Ceremony Speech Shri V. Narayanasamy, Honourable Minister of State (Prime Minister's Office and Personnel, Public Grievances and Pensions)

Your Excellency, The President,

Mrs. Alka Sirohi, Secretary, DoPT

Mr. Xiaoyu Zhao, Vice President, ADB,

Mr. Richard A Boucher, Dy Secy General, OECD,

Shri Pradeep Kumar, CVC,

Chairman, UPSC,

Shri A P Singh, Director, CBI

Mr. Sarkar, Addl Secretary, DoPT

Distinguished guests,

Eminent personalities,

My colleagues from the Government of India,

Delegates,

Ladies and Gentlemen.

I am grateful to the Hon'ble President of India for the kind inaugural address in the 7th Regional Conference of ADB/OECD today. I wish to convey my sincere thanks and gratitude to all the members of the delegation and participants who have assembled here today from different parts of the world.

I extend a very warm welcome to each one of you on behalf of the Government of India and congratulate the ADB/OECD Initiative and its team for having chosen India and making this seventh regional conference possible here in Delhi.

The United Nations Convention Against Corruption is a legally binding universal international Instrument to deal with corruption. The preamble of the Convention, while describing the circumstances which resulted in the birth of the universal instrument, highlighted the pernicious effects of corruption. The Convention's recognizes that :

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- “Corruption is a serious problem and threatens the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law.
- There are close links between corruption and other forms of crime, in particular organized crime and economic crime, including money laundering.
- Corruption is no longer a local issue but a transnational phenomenon, making international cooperation and a comprehensive and multidisciplinary approach.
- Illicit acquisition of personal wealth can be particularly damaging to democratic institutions, national economies and the rule of law”.

The international ramifications of the evils of corruption cannot be denied. It is this global dimension of the problem that brings all of us again and again to deliberate various aspects in international co-operation. Such conferences strongly undermine the realisation amongst us that we all need to collaborate and co-operate more effectively with the common objective of weeding out the evil called corruption in various fields.

One of the important elements, in any anti corruption framework, involving multiple jurisdictions is the effectiveness of co-operation amongst the agencies involved in pursuing the common goal of punishing the guilty and recovery of proceeds of crime or the assets created out of the proceeds thereof. There are issues of detail which at the ground level create serious difficulties in ensuring effective co-operation between jurisdictions. The difficulties for jurisdictions to act in a concerted and co-ordinated manner may be many. There is thus a need to look at the existing mechanisms of institutions and instrumentalities of international co-operation in cross border investigations and the necessity to evolve mechanisms for addressing the flaws. 9

I am happy that the Conference would be discussing all these issues including the importance of information exchange in one of the Plenary and Break Out Sessions on ‘Strengthening frameworks in Multijurisdictional Corruption Investigation Cases’ and on the ‘Strengthening of the Exchange of Information’. I am sure that the experts who have gathered here will come out with ideas and suggestions which can be built upon to address the irritants in building an appropriate anticorruption framework to ensure more effective international co-operation in cross border investigations and issues in cases involving multijurisdictional investigations.

We have recognised that Public Procurement is a fertile area for corruption to breed. Measures aimed at bringing total transparency in the procurement process and ensuring promotion of integrity of individuals are two big areas which will go a long way to address the preventive angle in public procurement.

The General Financial Rules, manual on Policies and Procedures for Purchase of Goods, instructions on the subject issued from time to time by the Central Vigilance Commission help to achieve the objective of making the process of public procurement very transparent and fair. The promotion of concept of ‘Integrity Pacts’ and use of e-governance mechanisms in public procurements are some of the significant initiatives.

In order to bring out procurement under a legal framework, we have decided to bring in a comprehensive legislation on Public Procurement. I am happy that the conference will also deliberate on this subject.

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There are two important areas, namely, involvement of Private Sector and role of citizens in combating and strengthening the framework of corruption. I will now deal with them.

The United Nations Convention Against Corruption requires State parties to put in place measures within its means and in accordance with fundamental 13 principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness. The Convention envisages measures for enhancing transparency and promoting contribution by the public in the decision making process, ensuring effective transparency, involvement and creating awareness. The Right to Information Act 2005, a landmark legislation passed by the Parliament under the able guidance of the Hon'ble Chairperson, United Progressive Alliance Government Smt. Sonia Gandhi and Hon'ble Prime Minister Dr. Manmohan Singh which will ensure compliance with the requirements of the Convention.

The role of Private Sector has increasingly come into focus as one of the key players in the Anti corruption framework. The United Nations Convention Against Corruption requires State Parties to provide for measures to ensure transparency, accountability and ethics in corporate governance. It also encourages the State Parties to criminalise private sector bribery. India's domestic laws governing the functioning of corporate bodies is robust and it has substantive provisions to ensure transparency, accountability and audit as the basic elements of corporate governance. Steps have also been initiated to cover private sector bribery within a legislative framework.

Combating corruption is a continuous process. A multi dimensional approach is required to tackle the menace of corruption. India is fully committed towards its policy of 'zero tolerance to corruption'. We will continue to work to fulfil these objectives in association with various stakeholders and countries.

I hope that the deliberations in the conference will help the policy makers and practitioners to tone up their knowledge and skills benefitting the Governments across the region.

Thank you.