

ADB/OECD Anti-Corruption Initiative for Asia and the Pacific



Capacity Development and
Governance Division
Asian Development Bank



Anti-Corruption Division
Organisation for Economic
Co-operation and Development

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10th Steering Group Meeting
Bali, Indonesia, 3-5 September 2007

Minutes of the 10th Steering Group Meeting held on 3-5 September 2007 in Bali, Indonesia

Participants

Member countries and jurisdictions: Australia; Bangladesh; Bhutan; People's Republic of China; Cook Islands; Fiji Islands; Hong Kong, China; Indonesia; Japan; Republic of Korea; Kyrgyz Republic; Macao, China; Malaysia; Mongolia; Nepal; Pakistan; Republic of Palau; Papua New Guinea; Philippines; Samoa; Singapore; Sri Lanka; Thailand; Vietnam.

Advisory Group: American Bar Association–Rule of Law Initiative (ABA); Australian Agency for International Development (AusAID); United Kingdom Department for International Development (DFID); German Ministry of Economic Cooperation and Development (BMZ); German Technical Cooperation (gtz); Pacific Basin Economic Council (PBEC); Transparency International (TI); World Bank.

Observers: Afghanistan; Brunei Darussalam; Canada; France; Mexico; Netherlands; Switzerland – APEC Anti-Corruption and Transparency Task Force (ACT); Commonwealth Secretariat; United Nations Office on Drugs and Crime (UNODC); OECD Secretariat; OECD Working Group on Bribery.

Secretariat: Asian Development Bank (ADB); Organisation for Economic Co-operation and Development (OECD).

Not attending: Cambodia; India; Kazakhstan; Vanuatu – Swedish International Development Cooperation Agency (SIDA).

Summary of the discussions

1. Opening

The meeting was opened by H.E. Mr. Boediono, Coordinating Minister for Economic Affairs, Government of Indonesia. Opening remarks were delivered by Mr. Patrick Moulette, Head of the OECD Anti-Corruption Division and Ms. Kathleen Moktan of the Secretariat of the ADB/OECD Initiative for Asia-Pacific. The meeting agenda was adopted. The Steering Group welcomed the Kingdom of Bhutan as the Initiative's 28th member.

2. Country reports on recent anti-corruption measures, and reports by observer countries

The Steering Group heard Delegations from the Initiative's members report their recent anti-corruption reforms and their progress in implementing the Action Plan since the Group's 9th meeting in Bangkok in November 2006. Observer countries outlined their anti-corruption efforts and reported on their intentions to endorse the Anti-Corruption Action Plan for Asia-Pacific and to join the Initiative as full members. A detailed summary of the discussion is in the annex to this document.

3. Reports by the Advisory Group and by observer organizations

Members of the Advisory Group, the APEC Anti-corruption and Transparency Task Force, the Commonwealth Secretariat, and the United Nations Office on Drugs and Crime (UNODC) provided information on their activities in support of Asia-Pacific countries' anti-corruption efforts. A detailed summary of the discussion is in the annex to this document.

4. Activity report by the Secretariat

The Secretariat reported the activities to support the implementation of the Initiative's Strategy and Work Plan 2007-2008 undertaken since the 9th Steering Group meeting:

Policy dialogue and policy analysis:

- publication of the preliminary report of the thematic review on mutual legal assistance, extradition and recovery of proceeds of corruption;
- updating and enhancing the report; and
- preparation of relevant treaties and legislation to be published on the Initiative's website.

Capacity building

- Regional Seminar on 'Conflict of Interest', held in Jakarta, Indonesia on 6-7 August 2007 and hosted by KPK Indonesia and Department of Foreign Affairs of the Republic of Indonesia;
- Regional Seminar on 'Asset Recovery and Mutual Legal Assistance', to be held on 5-7 September 2007 at the venue of the Steering Group meeting and hosted by KPK Indonesia;
- under preparation: Regional Seminar on Fighting Bribery in Public Procurement', to be held in Bali, Indonesia on 5-7 November and hosted by KPK Indonesia.

Strengthening partnerships

- The Secretariat has engaged in discussions with the Commonwealth Secretariat, the United Nations Office on Drugs and Crime (UNODC), and the Asia-Foundation to identify the potential to strengthen synergies and cooperation further.
- Formalization of the cooperation with APEC ACT has not yet led to the result of permanent guest status of the Initiative in APEC ACT; cooperation hence continues on the basis of an *ad hoc* observer status.

Funding of the work of the Initiative

- The Governments of Australia, Japan, and Germany made pledges to support the work of the Initiative.

5. Thematic review on extradition, mutual legal assistance, and recovery of proceeds of corruption

The Steering Group, observer countries, members of the Advisory Group and observer organizations discussed the draft report on the Thematic Review on Mutual Legal Assistance, Extradition and the Recovery of Proceeds of Corruption in 27 Jurisdictions in Asia and the Pacific. The discussion was moderated by four experts: Alan Bacarese (Senior Asset Recovery Specialist, International Centre for Asset Recovery, Basel Institute on Governance, Switzerland), Sylvia Grono (Assistant Director, Criminal Assets, Commonwealth Director of Public Prosecutions, Australia), Bernard Rabatel (Avocat Général, Cour d'Appel de Lyon, France), and Jean-Bernard Schmid (Investigating Magistrate, Financial Section, Geneva, Switzerland). The Steering Group:

- noted the amendments to the draft report suggested by the Delegations;
- requested that the Secretariat incorporate these suggestions and any additional information submitted by the Steering Group members; and
- decided to adopt the revised report via the written procedure for eventual publication.

6. Upcoming work and meetings of the Group

The Steering Group mandated the Secretariat to collect suggestions for priorities for future capacity building and thematic reviews from members of the Initiative in writing.

The Steering Group decided to convene the 11th Steering Group meeting in the second quarter of 2008, back to back with the ADB/OECD Initiative's 6th Regional Anti-Corruption Conference for Asia-Pacific.