

ADB/OECD Anti-Corruption Initiative for Asia-Pacific

4th regional anti-corruption conference for Asia and the Pacific

Conference conclusions and recommendations

Building on the principles and standards laid out in the Anti-Corruption Action Plan for Asia and the Pacific, which has been endorsed by 21 countries of Asia and the Pacific since the Plan's initial launching in Tokyo in December 2001, and in continuation of endorsing countries' efforts to implement in domestic policy the principles of the Action Plan, over 150 senior representatives of governments, the private sector, non-governmental organisations and the international donor community met in Kuala Lumpur, Malaysia, from 3 to 5 December 2003 to review and discuss progress made by endorsing countries in this process, and to enhance capacity in a number of areas which in this context have been identified as particular challenges to the Asian and Pacific countries in their efforts to combat corruption.

The Kuala Lumpur conference was organized by the Asian Development Bank (ADB) and the Organisation for Economic Cooperation and Development (OECD) in co-operation with the Anti-Corruption Agency of Malaysia.

In their deliberations during the conference, delegates acknowledged that:

- Corruption continues to be a serious obstacle to social and political stability and to economic growth and development; impedes the rule of law and undermines trust in market places and in state institutions; thus is an important constraint to poverty reduction;
- Great efforts are being taken by endorsing countries under the Anti-Corruption Action Plan for Asia and the Pacific to achieve the region's declared goals to reduce corruption, bribery and related crimes, to enhance ethics in the public and private sectors, and to strengthen public support of the fight against corruption; and that
- Lack of political will, inadequate human and financial resources, and insufficient awareness of the negative impacts of corruption continue to hamper the effectiveness of reforms.

To counter these difficulties and sustain on-going anti-corruption efforts, delegates call for:

- Stronger regional cooperation and the continuous sharing of expertise and experience;

- Further efforts to strengthen and enhance capacities; and
- The strengthening of mechanisms to review the effectiveness of current anti-corruption efforts in order to take adjusting measures where required.

In this framework, participants agree that priority should be given to:

- The establishment of clear rules and supporting tools identifying and managing conflicts of interest in order to strengthen public confidence;
- The setting up in the law of good corporate governance standards, including standards relating to accounting and auditing, and to their effective implementation by companies.
- Ensuring the protection to whistleblowers in order to increase the detection rate of corruption through appropriate protection mechanisms;
- Reviewing public procurement systems in order ensure that they are corruption free;
- The strengthening of investigative and prosecutorial tools by enhancing expertise in areas such as forensic accounting and engineering in order to cope with complex corruption schemes;
- The swift provision of mutual legal assistance in light of the growing transnational nature of corruption, and in this context to exploring the possibilities of establishing internationally agreed criteria for the repatriation of proceeds of corruption

In reaction to the concerns identified in the framework of implementing the Action Plan in Asia and the Pacific, and the specific needs identified by participants of the conference, the ADB/OECD Initiative and endorsing countries of the Action Plan undertake to:

- Facilitate continuous policy dialogue to support the sharing of experience and knowledge throughout the region, both in the framework of Steering Group meetings, and sub-regional and regional gatherings;
- Foster capacity building through targeted training seminars and expert advise;
- Provide assistance in the establishment of domestic anti-corruption policies and projects in the framework of reform efforts under the Action Plan;
- Assist in adjusting and improving on-going anti-corruption efforts by providing for a benchmarking of existing legal and institutional anti-corruption frameworks and the regular review thereof; and

- Actively encourage countries of the Asian and Pacific region that have not yet endorsed the Action Plan to join this regional process
- Work through the Action Plan as a means of underpinning the commitments countries will take in the context of the new UN Convention on Corruption.

Kuala Lumpur, 5 December 2003