

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

Conference Conclusions

Corruption is a multifaceted problem that requires a multidisciplinary solution. This Conference has shown how more than ever governments, the private sector and civil society, need to work together to address corruption in Asia-Pacific in a holistic and inclusive fashion. This Conference has also shown how opportunities for collective anti-corruption efforts in the Region are increasing, with recognition that corruption harms everyone in society, and everyone has a role to play to tackle it effectively. The following conclusions from the Conference represent the collective commitment of the 28 governments and economies in the ADB/OECD Anti-Corruption for Asia and Pacific (Initiative) to achieve its goals in this direction.

1. Since corruption does not stop at countries' borders, the Initiative is encouraging new and effective ways to conduct multi-jurisdictional corruption investigations and prosecutions. Informal channels, such as police-to-police contacts, and foreign liaison offices are used increasingly, where possible to start investigations. Joint investigations by all the jurisdictions involved in cross-border cases help bring the full extent of corrupt schemes to light and their perpetrators to justice. Where formal channels to obtain legal assistance are necessary, they must not be subject to undue delays. The Initiative could be an avenue for providing further technical assistance to members that are trying to enhance their formal MLA capacities in multi-jurisdictional investigations. The Initiative could also encourage international and regional police agencies to focus more on helping members share information in multi-jurisdictional corruption cases.
2. Non-criminal law enforcement agencies, such as tax agencies, could also help provide leads in corruption cases. In addition, through new provisions in model tax codes, such as the OECD Model Tax Convention, Initiative members could enable tax agencies to share information about corruption received from foreign tax authorities with their law enforcement authorities. Members could also enter Memorandums of Understanding for the exchange of information in corruption investigations between their law enforcement authorities and the World Bank and other multi-lateral banks that have adopted this measure. The Initiative's members recognise that grass-roots civil society watch dog organisations can often be a source of investigative leads in cross-border corruption cases, particularly in the field of natural resource exploitation.
3. Public Procurement in the Asia Pacific is prone to corruption. New technologies, such as e-procurement could simplify procurement procedures, and ensure the highest level of transparency, without compromising the fairness of the bidding process. Anti-corruption and fair competition agencies should work together closely to address the links between corruption and bid-rigging. Comprehensive procurement laws that recognize the role of citizen participation in the whole procurement process would be an important step to increase transparency and accountability in procurement processes. The adoption of integrity pacts contribute to enhancing transparency and accountability in public procurement. The capacity of procurement institutions needs to be strengthened, as well as co-operation and collaboration with international agencies.

7th Regional Conference - New Delhi, India

- 2 -

4. The private sector in Asia Pacific has to share more responsibility for tackling corruption in business transactions through the adoption and implementation of appropriate corporate compliance frameworks. International standards on establishing such frameworks issued by, for instance, the OECD, in the form of its Good Practice Guidance, can serve as a model in this respect and can be adopted by companies of all sizes, including SMEs. A channel for blowing the whistle is an important part of such a framework. Governments and business associations have an important role to play in encouraging the adoption of corporate compliance measures, particularly amongst SMEs, which often face significant challenges dealing with bribe solicitations and affording preventive measures.

5. Efforts by civil society including vigilant media often lead to important anti-corruption reforms in Asia-Pacific, including improved access to information, and legislation to prevent conflicts of interest in the public sector. To support these efforts, there is a need to ensure an environment in which civil society organisations can thrive, including effective access to information laws, safe and reliable channels to report allegations of corruption to the law enforcement authorities, such as an independent ombudsman.

The Conference, which took place in Delhi on 28-29 September 2011, was organized by the Government of India, the ADB and the OECD, and hosted by the Government of India. The Conference was inaugurated by Her Excellency, Smt. Pratibha Devisingh Patil, Honourable President of India. Shri V. Narayanasamy, Honourable Minister of State in the Ministry Personnel, Public Grievances and Pensions & Prime Minister's office and the following senior Government of India officials were present: Alka Sirohi, Secretary, Ministry of Personnel, and S.K. Sarkar, Additional Secretary, Ministry of Personnel. The opening ceremony was also attended by Xiaoyu Zhao, Vice President of the ADB, and Richard A. Boucher, Deputy Secretary-General of the OECD.