

Statement by Mr. Taufiequrachman Ruki,
Chairman, Corruption Eradication Commission, Indonesia

Rome, 21 November 2007

Excellencies, Distinguished Ladies and Gentlemen,

First of all, allow me to extend my gratitude for this valuable opportunity to speak at this event commemorating the 10th anniversary of the OECD Anti-Bribery Convention; which in the context of increasing globalisation has contributed to setting 'the rules of the game' in the way business is conducted internationally. Indonesia is eager to explore possibilities of co-operating with OECD countries, using OECD instruments, in combating corruption in the global context.

I speak to you today as the Chairman of the Corruption Eradication Commission (CEC) of the Republic of Indonesia and on behalf of the government of Indonesia. Thus, I may be able to give you a unique Indonesian perspective on anti-corruption measures.

Our Commission is an anti-corruption state agency equipped with special laws and authorities, and is a manifestation of real commitment by the Indonesian Government to ensuring the realisation of a corruption-free Indonesia, through, among others, good governance. While, the Ministry of Law and Human Rights is the Indonesian focal point for international legal cooperation, the Ministry will refer appropriate corruption cases to our Commission.

The nature of modern corruption in the global context means that corruptors use sophisticated means of transferring asset across jurisdictions, and obtain excellent legal advice or otherwise create legal obstacles in the transferee jurisdiction. Cooperation between countries is thus vital in combating such tactics.

Indonesia is committed to international anti-corruption cooperation efforts, as shown in our degree of involvement in international instruments that address corruption.

Indonesia has formally endorsed the Action Plan of the ADB/OECD Anti-Corruption Initiative for Asia-Pacific and is committed to its goals.

Indonesia has also ratified the UN Convention against Trans-national Crime (UNTOC) in March 2006, and has produced a gap-analysis to be used to better align Indonesian laws with the UNCAC.

Regionally, Indonesia has signed, but not ratified, the South East Asian MLAT (MLA Treaties).

The UN Convention against Trans-national Crime (UNTOC) is potentially a very significant instrument that as yet is also unratified.

These conventions are designed to facilitate member-state co-operation, and can bypass cultural and political obstacles accordingly.

In other words, they support the formation of specific co-operations between countries, such as MLAs in asset-tracing and recovery processes; in the criminal and civil context, including extradition; or among Financial Intelligence Units.

Excellencies, Ladies and Gentlemen,

To date, Indonesia has begun to form co-operations and Mutual Legal Assistance Treaties with other countries. Such agreements will rely on Indonesian laws that govern them, including the Law on Extradition, the Law on MLA in Criminal Matters, and the Law on Money Laundering. Based on these laws, the CEC is co-operating with agencies in Singapore, Brunei, Malaysia, Thailand, Vietnam, China, Nigeria, the UK, the US, and Germany.

The interaction with agencies from such a broad range of countries informs Indonesia's conception of an international standard to strive for, especially with respect to the level of operations carried out by the anti-corruption agencies of those countries.

Indonesia, through its agencies such as the CEC, the Indonesian Financial Intelligence Unit, the Attorney General's Office, the Police and the Department of Law and Human Rights, continues to be an active participant in the use of these international instruments.

Indonesia is confident that it will make good progress in this field, even as the global anti-corruption arena is still struggling with establishing proper methodologies in relation to the Corruption Perception Index; and with coaxing global financial institutions to give assistance to victim countries.

Most importantly, such visible activities strengthen the message to our national stakeholders (the public, the government and the private sector) that Indonesia's commitment to its anti-corruption effort is unwavering.

Indonesia is also prepared to participate in other international initiatives in the context of anti-corruption.

We reiterate that Indonesia is interested in co-operating with OECD countries, specifically exploring the possibility of taking an active part in the OECD Anti-bribery Convention, in support of the OECD countries that have ratified it.

Indonesia has been fortunate enough to have hosted international events that concern cross-border corruption and bribery, such as the recent series of seminars, all held in the past year in cooperation with the ADB/OECD Anti-Corruption Initiative, on: Conflict of Interests; Asset Recovery and Mutual Legal Assistance, which was held back-to-back with the 10th Steering Group Meeting; and on Fighting Bribery in Procurement.

Indonesia is also hosting future events such as the Second Session of the Conference of State Parties (COSP) to the UNCAC, to be held also in Bali from January to February 2008.

These events show that Indonesia is enthusiastic to be an active participant of the global war on corruption.

I am pleased to inform you that in the run-up to the Second COSP to the UNCAC in Bali, Indonesia, together with the World Bank and the UNODOC is organising a Symposium on the StAR (Stolen Asset Recovery) Initiative.

The results of the Symposium will contribute greatly to the deliberation in the second COSP, and will be very much relevant to the goals of the OECD Anti-Bribery Convention. We therefore hope that OECD members, especially those from Western Europe, will take part in the Symposium.

We also urge OECD members that have not yet ratify the UN Convention Against Corruption to do so as soon as possible. If we temporize in this regard, we are doing a big favour to international corruptors.

Excellencies, ladies and gentlemen,

Although Indonesia anticipates a long road ahead in our journey to fight corruption, we feel comforted by all the support we have received from our friends around the globe. It has given us much inspiration and courage.

Thank you.