

Overview of past discussions of CEPA on corruption prevention

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1. Background and mandate

The 2030 Agenda for Sustainable Development recognizes the need for good governance and for transparent, effective and accountable institutions as a basis to build peaceful, just and inclusive societies. In the Agenda, corruption prevention is addressed through three specific targets under SDG 16. Target 16.4 calls for reducing illicit financial and arms flows, strengthening the recovery and return of stolen assets and combating all forms of organized crime. Target 16.5 asks governments to reduce corruption and bribery in all their forms. Target 16.6 calls for the development of effective, accountable and transparent institutions at all levels.

Reducing corruption is also recognized as a critical issue in the Addis Ababa Action Agenda (AAAA) on financing for development. AAAA commits Member States to combating corruption at all levels and in all its forms through strengthened national regulation and institutions and increased international cooperation. Further, AAAA urges countries that have not yet done so to ratify and accede to the United Nations Convention against Corruption (UNCAC) as an effective instrument to deter, detect, prevent and counter corruption and bribery, prosecute those involved in corrupt activities, and recover and return stolen assets.

UNCAC was adopted in 2003 (A/RES/58/4) and entered into force in 2005 and was the first global legally binding instrument against corruption. The Convention obliges States Parties to strengthen their anti-corruption legal and regulatory regime (e.g., establishing anti-corruption bodies, improving transparency in public finance). It also establishes an innovative Implementation Review Mechanism, a peer review process that has promoted anti-corruption measures and served as a catalyst for technical assistance and collaboration among countries.

The United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ) is mandated to improve international action to combat national and transnational crime and the efficiency and fairness of criminal justice administration systems. CCPCJ has emphasized the connections between poverty, security, crime and corruption, and highlighted concrete efforts to implement UNCAC as well as the importance of effective international cooperation, promoting effective anti-corruption measures and sharing good practices. The Doha Declaration, endorsed at the 13th Crime Congress (2015), and the Conference of State Parties to UNCAC have been underscored as critical enablers for achieving SDG 16.

In its 1997 resolution “Action Against Corruption” (A/RES/51/59) the General Assembly requested the Secretary General to provide increased advisory services and technical assistance about “the establishment or strengthening of national capacities to prevent and control corruption.” More recently, the General Assembly (A/RES/68/195, 18 December 2013) recognised that “corruption is a serious barrier to effective resource mobilization and allocation and diverts resources away from activities that are vital for poverty eradication, the fight against hunger and sustainable development,” and acknowledged that “fighting corruption and illicit financial flows at both the national and international levels is a priority.”

The mandate of CEPA (ECOSOC resolution 2001/45 of 10 January 2002) recognizes the pivotal role of an efficient, effective and transparent public administration in promoting sustainable development. Further, CEPA has extensively discussed corruption as a development challenge, as well as the role of public administration in effectively preventing and curbing corrupt practices. Since 2015, issues of corruption prevention have been considered by CEPA in the context of achievement of the SDGs and the annual thematic reviews of implementation of the 2030 Agenda by the United Nations High Level Political Forum on Sustainable Development (HLPF).

2. CEPA work on corruption prevention

Achieving the SDGs requires addressing corruption (2013, 2015, 2016, 2017)

CEPA started an in-depth treatment of corruption as an impediment to development during the discussions about the post-2015/2030 Agenda. Since 2013, CEPA has emphasised that corruption is a significant impediment to development. In 2016, on the recommendation of CEPA, ECOSOC recognised that corruption will undermine the implementation of the SDGs and underscored that SDG policies, programmes and actions should be designed with a concern for accountability. Corruption's negative developmental impacts were highlighted in an expert group meeting held in New York in February 2016, which noted that corruption has a negative impact on the most vulnerable and undermines service delivery, thus affecting the achievement of all SDGs. Corruption diverts critical resources from their intended purposes, which in turn negatively undermines the effects of foreign aid on poverty reduction. The negative effects of corruption are also recognised in areas such as peace keeping and migration.

Based on assessments of several countries' efforts to prepare for SDG implementation, in 2017 CEPA identified public sector corruption as a major challenge in many countries. Corrupt practices often pervade public procurement and other core government processes. In some cases, public corruption can undermine the effective engagement of the public in SDG implementation, particularly at the local level, where the influence of corrupt elites may be stronger.

Increasing trust through effective anti-corruption efforts (2014, 2015)

Persistent corruption undermines the credibility of institutions and people's trust in institutions. Over the years, CEPA has emphasized the ways in which public administration can contribute to regain public trust. They include strengthening public integrity and accountability, as well as effective anti-corruption measures, including preventive measures (such as citizen engagement, a professional civil service, open government, and information for decision making).

Corruption as a multi-dimensional phenomenon with multiple causes and effects (2012, 2015, 2016)

CEPA has underscored that corruption takes many forms and is a multi-dimensional phenomenon with several causes (both structural and individual) that require multi-layered, coordinated responses. The underlying causes of corruption include low salaries of civil servants, red tape and excess regulation, low risk of detection and punishment of corrupt practices, conducive values (e.g., family values) and challenging governance environments. The expert group meeting held in February 2016 contributed to more in-depth discussions on the nature of public corruption problems and the most effective ways to

prevent them.¹ Discussions underscored that the normalization of corruption (i.e., corruption that permeates all aspects of daily life and occurs frequently rather than occasionally) may result from the failure of anti-corruption measures due to lack of political will, inability to effectively and impartially administer anti-corruption laws, poor coordination, and limited capacity of state watchdogs, including anti-corruption agencies.

Measures for preventing corruption and ending impunity (2012, 2013, 2015, 2016)

In its 11th, 12th, 14th and 15th sessions, CEPA stressed the need of adopting corruption prevention measures and ending corruption impunity, and analysed anti-corruption measures. Building on this work, in 2015, ECOSOC noted that promoting integrity and transparency and ending impunity are essential for the prevention of corruption by public officials, and encouraged Member States to strengthen collaboration with civil society, the private sector and the media, as appropriate, in exposing and addressing illicit practices.

CEPA has encouraged increased access to public information, including financial and budgetary information, openness in public discourse, access to open government data and improved data collection, leveraging ICTs, and public availability of audit reports. It has emphasized the need of strengthening accountability institutions such as anti-corruption agencies and supreme audit institutions, and underscored the importance of participatory and transparent SDG decision-making, implementation and monitoring. The disclosure of assets of officials, deputies and family members should also be subject to independent review and open to public scrutiny. The institutionalization and regulation of lobbying to ensure proper oversight is also important. CEPA has also noted the role of specific legislation that incentivizes individuals engaged in corruption to assist in fighting it, protects those who are willing to expose corruption, removes impunity from prosecution of those holding political office and provides assurances for the safety of journalists who investigate and/or report corrupt practices.

CEPA has noted that combating corruption requires a rules-based, professional, efficient, transparent, accountable and responsive public service. An adequate level of remuneration for public servants, together with education and training, could counter corruption. The importance of public awareness, enhanced civic education and capacity development, particularly among public servants and youth, was also noted. In some countries, simple improvements in governance and accountability, for example in carefully selected performance indicators, could reduce opportunities for corruption.

CEPA has also highlighted the importance of international cooperation and information-sharing for countering corruption and assist efforts to track and return stolen assets. Such mechanisms could include national registries of beneficial ownership of corporations and monetary and physical assets

¹ Another expert group meeting organized by the Secretariat on preventing corruption in public administration had also explored the causes and consequences of corruption in public sector institutions and its impact on development in 2012.

held by corporate entities, with information exchange among corruption prevention agencies, as well as leveraging UNCAC's Implementation Review Group for technical assistance and collaboration.

Public integrity as a critical dimension of effective governance (2017)

In the context of discussions on adopting a set of universal and operational principles of effective governance aligned to the 2030 Agenda, CEPA identified accountability as a key principle of effective governance for sustainable development. Discussions stressed the importance of adopting frameworks based on the intended development outcome, rather than rule-based ones, which are more easily circumvented in practice and may lead to corrupt practices. Issues of public integrity, transparency and independent oversight are included under the principle of accountability. Strengthening public integrity and accountability is relevant for institutions at both national and local levels.

The Committee highlighted the importance of considering both the country and sector contexts (and their interactions) to identify feasible policy reforms for preventing and combating corruption. For example, in challenging governance environments, corruption prevention could focus on a basic service such as health care, and then consider the distribution of resources among actors to identify ways to change the system of incentives that influence their behaviour and, thus, health outcomes.

CEPA also underscored the importance of enhancing effective governance through public service professionalisation and ethics. Notions of social responsibility, motivation and incentives in the public sector, as well as merit-based selection processes are important. Efforts to promote public service professionalism and ethics are also necessary to improve trust in government. The Committee encouraged to learn from countries that have embarked on robust programmes to address corruption and improve civil servants' ethics and professionalization.

Combining broad and targeted approaches for effectively preventing corruption (2012, 2016)

In 2016, based on CEPA's discussions, ECOSOC stressed that combating corruption at all levels requires a broad approach to preventing, detecting and punishing corrupt practices at the social level, and targeted approaches to address the specific types of corruption that block the achievement of particular SDGs. It encouraged governments to ensure public access to information to allow citizens to hold institutions accountable for the use of resources and for their performance in implementing the SDGs.

CEPA indicated that combining broad and targeted anti-corruption approaches would require: identifying priority sectors and related corruption vulnerabilities, involving non-State actors in corruption prevention measures, and considering the institutional and political economy context in which corrupt practices occur. While political will is critical to anti-corruption efforts, so is enhancing the capacity of governmental and civil society watchdogs and the independence and capability of State oversight mechanisms such as anti-corruption agencies. This reflected previous discussions in CEPA's 11th session, which underscored that anti-corruption strategies that focused on public servants' individual incentives might not always be effective in developing contexts, and urged to focus anti-corruption efforts on outcomes and to identify pragmatic solutions to control corruption in the achievement of specific developmental strategies and targets.

Corruption as a constraint to poverty eradication efforts (2011, 2017)

On the basis of CEPA deliberations, ECOSOC underscored that corruption is a major governance weakness that hinders the effectiveness of poverty eradication strategies (e.g., by hampering social policies such as conditional cash transfers) and adequate resource allocation, and invited countries to redouble efforts in addressing this issue. Earlier, at its 10th session in 2011, CEPA had recommended to keep public records of the beneficiaries of social programmes to reduce corruption in social protection efforts.

3. Selected reference material

CEPA 16th session (2017)

Resolution adopted by the Economic and Social Council on 7 July 2017 (E/RES/2017/23)

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN97622.pdf>

Report of CEPA on its 16th session, chapter III.D on implications for public institutions of strategies for integrated action to achieve poverty eradication and promote prosperity

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN97291.pdf>

Towards a set of internationally recognized principles of responsible and effective governance (E/C.16/2017/6): note by the Secretariat

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN96937.pdf>

CEPA 15th session (2016)

Report of CEPA on its 15th session, chapter III.D on oversight and accountability in the implementation of the SDGs

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN96272.pdf>

Report of the expert group meeting on moving from commitments to results in building effective, accountable and inclusive institutions at all levels, New York, February 2016

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN96161.pdf>

Enhancing efforts to use good governance to prevent, expose and deal with corruption: two essential measures by Alexandre Navarro Garcia

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN95921.pdf>

Conference room paper on public and parliamentary oversight of State bodies in the fight against corruption by Palouki Massina

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN95970.pdf>

Conference room paper on addressing the normalization of corruption in public institutions

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN95874.pdf>

CEPA 14th session (2015)

Report of CEPA on its 14th session, chapter III.3 on prevention of corruption

For information only – not an official record

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN94626.pdf>

Promoting accountable institutions, ethical leadership and integrity to enhance confidence in efforts to deliver sustainable development by Najat Zarrouk

<http://workspace.unpan.org/sites/Internet/Documents/UNPAN94210.pdf>

CEPA 11th session (2012)

Report of the Expert Group Meeting on Preventing Corruption in Public Administration: Citizen Engagement for Improved Transparency and Accountability, New York, 25-28 June 2012

<https://www.researchgate.net/file.PostFileLoader.html?id=57da960e5b49523197014a81&assetKey=AS%3A406560787451908%401473943054112>