

**Akaash Maharaj, Global Organization of Parliamentarians Against Corruption
Address to the
United Nations Committee of Experts on Public Administration**

United Nations General Assembly Chamber
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Check Against Delivery

Your Excellencies, representatives of the UN Member States, UNCEPA Bureau and Committee Members, civil society institutions, colleagues, and friends

I am grateful for the opportunity to address this chamber, on behalf of the Global Organization of Parliamentarians Against Corruption, or GOPAC. We are a worldwide alliance of legislators who have come together to combat corruption, strengthen public institutions, and uphold the rule of law.

Our members come from different cultures, speak different languages, profess different faiths, pursue different political philosophies, and have been on opposite sides of history and warfare. But we are united by a common conviction: that corruption is now the single greatest threat to the development of societies, to the security of nations, and to the rights of all mankind.

To set the context: more than a \$1 trillion are paid in bribes every year, according to the World Bank; more than \$2.1 trillion are siphoned away every year through illicit transnational financial flows, according to the UN Office on Drugs and Crime; more than \$3.1 trillion are stolen from citizens every year through tax evasion, according to the Tax Justice Network. These three metrics alone amount to \$6.2 trillion.

By contrast, the UN Millennium Project estimated that the total cost of achieving all eight Millennium Development Goals by 2015 would have been \$481 billion.

What the world loses to corruption every year is enough to achieve the Millennium Development Goals more than a dozen times over, to end the worst forms of human misery and to transform human civilisation itself, more than a dozen times over. There is a better world within our grasp: a world free of the human race's most ancient enemies; a world without hunger, without thirst, without needless disease; and corruption is stealing that world from us.

The means of thwarting political corruption and building public confidence in public institutions is seductively easy to describe, but fiendishly difficult to implement: a vigilant, relentless, and fearless coalition of citizens and parliamentarians, standing together between the corrupt and the levers of power.

Parliamentarians are the watchdogs of democracy, and it is tragic that so many citizens of so many nations perceive our watchdogs as having muted their bark, muzzled their bite, and been neutered by the very powers they are meant to hold at bay.

Citizen organisations and movements are the most directly accessible outlets for the popular will, and it is just as tragic that so many parliamentarians of so many nations perceive them to be unaccountable forces that threaten to trample representative democracy in their haste to press their agendas.

Ultimately, if we are to build trust, legitimacy, and effectiveness in public institutions, then parliamentarians must inspire cynical citizens to believe that the political process can be part of the solution, not just part of the problem. And citizens must stir courage in timorous legislators to stare down those who know no restraint.

We believe that there are three critical areas where legislators and citizens must press forward together: enforcing integrity amongst public officials; establishing transparency in public institutions; and ending impunity to bring the worst offenders to justice.

In our experience, effective systems for public integrity share common features. They are initiated by a public call for change, often prompted by a crisis but sometimes flowing out of a broader social movement. They build political will through a wide debate on the ethical principles a given culture believes should be embedded in public institutions and upheld by public officials. They are embodied in written rules that meet international norms and that bind public officials, and which cover issues such as conflicts of interest, declarations of assets and income, and limits on political contributions. They are enforced by an independent body empowered to identify and discipline those who break the rules. They are no respecters of rank, and cast aside any notion of immunity for wrongdoing.

An instructive case is that of the United Kingdom's Independent Parliamentary Standards Authority, created in the wake of the 2009 expenses scandal.

However, the effectiveness of integrity systems is intimately tied to the transparency of their broader political systems. Some 69% countries in receipt of World Bank funds have codes of conduct that require senior political officials to declare their assets, but only 21% of such countries make that information public. Corruption breeds in the dark, and withers under the glare of public scrutiny.

Effective systems for state transparency also share common traits. They are grounded in legal and enforceable rights of citizens and legislators to access to information. They require the state to produce timely data on revenues, expenditures, and contracts, published in intelligible open formats. They have autonomous courts or regulatory bodies able to compel the production of

state records, and independent audit institutions able to test the veracity of those records. They have meaningful parliamentary public accounts committees able to review, rebuke, and restrain the government. They are situated in a broader context of a free and independent media and free association of citizens in civil society organisations.

An ambitious effort towards state transparency is Brazil's *Portal da Transparência*, an online portal that publishes a near real-time accounting of all federal government expenditures and cash transfers, all the way down to individual Family Allowance payments to specific citizens.

But all the integrity and transparency in the world come to nothing, if the laws that bind the weak and the powerless do not also bind the great and the powerful. The hard reality is that around the world, public institutions and the hope of public action are most apt to forfeit public confidence, not because of a want of legislation or process, but because of a culture of impunity that has accreted around political and economic leaders, in both wealthy and poor nations.

This impunity has led to widespread public cynicism about the ability of public institutions to advance the public good. It has also enabled the most egregious crimes of corruption. The fight against impunity is one that citizens and parliamentarians must take up together at a national level. But there is also a critical call to action on the international stage.

We believe that there are some forms of corruption so grave, whose effects on human life, human rights, and human welfare are so catastrophic, that they should shock the conscience of the international community and mobilise the will of nations to act across borders.

Too often, the perpetrators of Grand Corruption are able to use their illicit wealth and power to pervert and co-opt the national institutions that should call them to account. As a result, the worst offenders are always the least likely to face domestic justice. In such cases, when national authorities are unwilling or unable to act, we believe that the international community has a responsibility to step forward.

GOPAC's most recent Global Conference was the single largest anti-corruption gathering of legislators in history. It included parliamentarians from India and Pakistan, from Iran and Iraq, from Russia and Ukraine, from South Sudan and Sudan, from countries that have a history of agreeing on almost nothing. Yet, those parliamentarians – in the presence of any almost equal number of citizens – voted unanimously for GOPAC to seek to establish Grand Corruption as an international crime, to enable international institutions and alliances to apprehend, prosecute, judge, and sentence the guilty.

We are now pursuing four parallel tracks to give effect to their declaration.

The first is to expand the number of national courts asserting universal jurisdiction over Grand Corruption. The second is to make use of regional courts in Africa, Europe, and Latin America. The third is to press for an expansion of the jurisdiction of international institutions, or the creation of a new international anti-corruption court. The fourth is a series of civil actions

beginning in 2016, against identified kleptocrats, to compel them to surrender the assets they have pillaged, and to make an example of them that will chill the spines of their fellow-travellers.

Each of these approaches has its strengths and weaknesses, and each strikes a different balance between the ideal and the feasible. We know that the path will be hard, that the journey will be long, and that we will be beset at every step by those served by the *status quo*.

And I know that several of the kleptocrats we have in our sights are watching the broadcast of this session. To them, I have a simple message: enjoy the money and the power while you can, because we are coming for you. There is no corner so dark, no hole so deep, that you will be able to hide from us.

The world is littered with women and men who feed on the misery of entire societies, who have grown fat in their spoils and comfortable in their impunity, sheltering behind national jurisdictions and national institutions they have been able to twist to their benefit.

But there is a higher law. There is a deeper justice. And we will stand up for it.

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