Anti-corruption policy making in practice:
Lessons Learned for implementing Article 5 of UNCAC

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Article 5: A gateway to UNCAC implementation

"Each State Party shall... develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability."
AC Policy Approaches

- **Broad national strategy/policy**

- **Focus on legislation-only**
  i) for ex. to meet EU accession obligations

- **Targeted on key areas**
  i) Sector reforms – civil service, education, etc.
  ii) Zero tolerance policies through law enforcement

- **Embedded in public sector reform**

- These concepts are not mutually exclusive and can complement / reinforce each other
Background to the U4 report

- **Purpose**: Inputs for policy debates on the implementation of UNCAC Policy debate of multiple actors: governments, parliamentarians, CSO, donors

- **Focus**: Explicit national anti-corruption policies or strategies

- **Questions**: How were anti-corruption policy frameworks developed? What were the driving forces and who opposed the efforts? How were priorities set? How were these strategies linked with core governance reforms? How were they implemented? What role did donors play?

- **Case studies**: Georgia, Indonesia, Nicaragua, Pakistan, Tanzania and Zambia
What do the findings tell us (I)?

**National ownership**

- AC strategies → often political tools for superficial change
  - Reinsurance of public demand
  - Demonstration to create trust of donors
- Lack of high-level political agreements across parties
- Initial political will & necessity fade away quickly
- Lack of diagnostic or acknowledgement of the problems at hand

**Content and priorities**

- Mismatch: technocratic solutions for political problems do not work
- (Selective) crack down on corruption → loss of credibility
- Dilemma between holistic approach and prioritization unresolved
- Focus on norms & institutions → performance & accountability neglected
What do the findings tell us (II)?

**Implementation & coordination**

- Big challenge → inappropriate implementation arrangements
- Leadership & oversight → mismatch between authority and goals
- Insufficient information & communication → inaction & loss of trust

**Monitoring & evaluation**

- Self-reform through self-assessments → how can this work?
- Insufficient monitoring → no sustained public debate & pressure

**International dimensions**

- Donors → asset and liability
- International conventions → legal reform yes, but change in practice?
Institutional roles change during policy and government cycle

- **Highly political**
  - Scandals
  - Elections
  - Loss of trust

- **Technical & political**
  - lack of buy-in
  - lack of political agreements

- **Mostly technical**
  - few directions
  - little accountability
  - no info/communication

- **Political but non-existent**
  - no public debate
  - no political pressure

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**Political will for AC**

**Resistance to be held accountable**

**Government Cycle**
What are the potential options for “effective and coordinated anti-corruption policies”?

- Single broad anti-corruption strategy
- Integration with core governance reforms
- Sector approaches as substitute or complement of broad strategies
- Can effective monitoring of governance reforms strengthen AC prevention?

Important to ask before developing a national strategy/policy:

- What are core reforms already underway?
- Do they address prevention/enforcement in any way?
- What is missing, where is reform most needed, where most impact?
- How and with what approach are ends best brought together?
- Which institutional arrangements are needed (UNCAC article 6)
- Fighting corruption by fighting corruption – the right approach?
Thank you
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