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TRANSPARENCY INTERNATIONAL
the global coalition against corruption



The Anti-Corruption Plain Language Guide

TRANSPARENCY INTERNATIONAL

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Acknowledgements:

TI would like to thank all the national chapters, members and partners that have helped make this guide a reality. With what began as an incipient idea among TI members, the guide has progressed quickly from its beginning as a small meeting prior to the International Anti-Corruption Conference (IACC) in October 2008. This early morning session gained tremendously from the contributions of Finn Heinrich, Christian Humborg, Pierre Landell Mills, Farzana Nawaz, Georg Neumann, Juanita Riaño, Bruno Speck, Codru Vrabi and Peter Wilkinson. It has helped to set the tone for all the work that has followed under the guidance of Craig Fagan (TI).

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Throughout this process, the work of TI's national chapters has been critical. TI would like to recognise the contributions of chapters in Bangladesh, Kenya, Lebanon, Romania, South Korea and Zambia that helped to pilot the guide with key stakeholders from the government, parliament, private sector, civil society and media. This guide reflects their valuable inputs and demand to have a practical tool to support locally and globally the anti-corruption work of TI.

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Foreword:

While the world is not free from corruption, it is a very different place than when Transparency International began its work more than 15 years ago. There has been a marked increase in the understanding of corruption's ills and the need to prevent, mitigate and combat it. Yet the financial and economic crisis in 2008 has served as a reminder of what can happen when transparency, accountability and anti-corruption become afterthoughts rather than the guide for one's actions.

Having a common understanding and language for the anti-corruption movement is one channel for ensuring that such breakdowns and abuses are prevented in the future. It is in this spirit that this plain language guide has been developed to capture the key terms and their meanings for TI and to provide the anti-corruption movement with a resource to work more effectively with government, private sector and civil society stakeholders.

Introduction:

Corruption and its effects are a global dilemma. From small bribes paid to police officers in Bangladesh to the holding of stolen assets by banks, the impacts from these abuses on states and citizens are the same: the undermining of the rule of law, the violation of rights, opaque institutions, lost public resources and weakened national integrity.

To effectively address these problems, anti-corruption solutions need to be pursued through coordinated and deliberate action by international, national and local partners that use the same language and agree on its meaning.

In response, TI has developed the first "Anti-Corruption Plain Language Guide". The Plain Language Guide offers a set of standardised, easy-to-understand definitions, providing readers with concrete examples in practice of how TI approaches these issues. Relevant links are also provided for further background information or research.

The aim of the guide is to provide clarity on the terms that the anti-corruption movement uses most in its daily work as well as those associated with new and emerging issues. The terms in this guide have been selected given their wide use in diverse forums and across the public and private sectors. Each term is intended to stimulate a dialogue — within academia, by the business community, among governments and parliamentarians, by NGOs and the media, and in international development circles — on how to address corruption.

The experiences of TI chapters in over 90 countries have formed the basis for this guide, the terms selected and the definitions used. The guide is the result of the collaborative efforts of a number of Transparency International chapters across different regions. It reflects the extensive consultations that they held with local stakeholders to devise a short list of terms and definitions that can be understood across different cultures, languages and contexts.

Many of these terms are in continual evolution as the anti-corruption movement works to better understand what is 'governance', 'civil society' or even 'corruption'.

The guide serves as a platform for continuing this discussion as the movement evolves, grows and continues to learn. It is a living document that will be debated, expanded and updated.

We look forward to your continued help in this process.

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Access to Information

Definition

The right by law – often through freedom of information legislation (acts or laws) – to access key facts and data from the government and any public body. Budgets, project approvals and evaluations are typically published although citizens can petition for more materials to be released.[1]

Example in practice

Canada's Access to Information Act allows citizens to request online any public record from a federal body,[2] with the exception of documents considered threatening to the security, economic, domestic, or international affairs of the country.

Relevant links

—— Article 19 Global Campaign for Free Expression.
www.article19.org/work/index.html

—— International Freedom of Expression.
www.ifex.org

—— UNDP Practical Guidance Note on the Right to Information.
www.undp.org/governance/docs/A2I_Guides_RighttoInformation.pdf

Accountability

Definition

The concept that individuals, agencies and organisations (public, private and civil society) are held responsible for executing their powers properly.[3]

In theory, there are three forms of accountability: ***diagonal***, ***horizontal*** and ***vertical***. The following examples apply to the public sector.

Diagonal accountability is when citizens use government institutions to elicit better oversight of the state's actions, and in the process engage in policy-making, budgeting, expenditure tracking and other activities.

Horizontal accountability subjects public officials to restraint and oversight, or 'checks and balances' by other government agencies (i.e. courts, ombudsman, auditing agencies, central banks) that can call into question, and eventually punish, an official for improper conduct.

Vertical accountability holds a public official accountable to the electorate or citizenry through elections, a free press, an active civil society and other similar channels.

Example in practice

In Costa Rica, the existence of three branches of government, as well as two autonomous state authorities with equivalent responsibilities (electoral and auditory branches), has created horizontal accountability and allowed for a separation of powers among state agencies, which are constitutionally empowered to take action against one another when required.

Relevant links

—— AccountAbility.
www.accountability21.net/

—— International Budget Partnership.
www.internationalbudget.org/

—— National Endowment for Democracy: Institutionalizing Horizontal Accountability.
www.ned.org/forum/reports/accountability/report.html

Asset Recovery

Definition

The legal process of a country, government and/or its citizens to recover state resources stolen through corruption by current and past regimes, their families and political allies, or foreign actors.[4]

Example in practice

In February 2009, the Swiss courts ruled that US$ 6 million in assets allegedly stolen by former Haitian President Jean-Claude Duvalier and held in Switzerland's banks should be returned to the island nation after the account holders failed to prove that their funds were acquired 'legitimately'. [5]

Relevant links

—— The Camden Assets Recovery Inter-Agency Network (CARIN).
www.europol.europa.eu/publications/Camden_Assets_Recovery_Inter—Agency_Network/CARIN_Europol.pdf

—— International Centre for Asset Recovery: Basel Institute on Governance.
www.baselgovernance.org/icar/

—— UNODC: Open-ended International Working Group on Asset Recovery.
www.unodc.org/unodc/en/treaties/CAC/working-group2.html

—— World Bank: Stolen Asset Recovery (StAR) Initiative.
http://siteresources.worldbank.org/NEWS/Resources/Star-rep-full.pdf

Audit

Definition

An internal or external examination of an organisation's accounts, processes, functions and performance to produce an independent and credible assessment of their compliance with applicable laws, regulations and audits.[6]

Example in practice

Indonesia's Supreme Audit Agency found US$ 40 million missing from post-Tsunami emergency funds and massive irregularities, including that the bulk of materials bought went unused and many purchases were made long after the emergency period was over.[7] 'Social' or community' audits, where local citizens tracked whether aid was delivered, were also conducted by recipient villages in Indonesia.

Relevant links

—— Institute of Internal Auditors (IIA).
www.theiiaa.org

—— INTOSAI (International Organization of Supreme Audit Institutions).
www.intosai.org/en/portal/

—— ISSAI (International Standards of Supreme Audit Institutions).
www.issai.org/composite-347.htm

—— PEFA (Public Expenditure and Financial Accountability).
www.pefa.org/

Bribery

Definition

The offering, promising, giving, accepting or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages (taxes, services, donations, etc.).[8]

Example in practice

More than 15 percent of respondents to a national household survey in Guatemala reported that they paid a bribe when trying to (re)connect to the public water system.[9] In Bangladesh, 64,5 percent of citizens in a national survey responded that they paid a bribe when interacting with law enforcement agencies. Bribery across all agencies in Bangladesh is estimated to reduce the country's national income by 3,84 percent.[10]

Relevant links

—— OECD Anti-Bribery Convention.
www.oecd.org/department/0,3355,en_2649_34859_1_1_1_1_1,00.html

——Transparency International's Bribe Payers Index.
www.transparency.org/policy_research/surveys_indices/bpi

——Transparency International's Business Principles for Countering Bribery.
www.transparency.org/global_priorities/private_sector/business_principles

Civil Society

Definition

The arena, outside of the family, state and market where people associate to advance a common set of interests. Voluntary and community groups, non-governmental organisations (NGOs), trade unions and faith-based organisations commonly are included in this sphere, making the term broader than an NGO.[11]

Example in practice

An assessment of Mali's civil society has shown that at the grassroots level, there are numerous parents' associations, community committees on health, women's associations and other groups that have come together to advocate for their members' interests vis-à-vis the government's provision of services. National-level groups, such as those representing journalists, have also formed, including to pressure the government to better and more systematically address corruption and poverty.[12]

Relevant links

—— Civicus.
www.civicus.org

—— BBC World Service: Civil Society - The Ultimate Third Way.
http://news.bbc.co.uk/2/hi/special_report/1999/02/99/e—cyclopedia/1156120.stm

—— European Commission: Justice and Home Affairs – Freedom, Security and Justice Glossary.
http://ec.europa.eu/justice_home/glossary/glossary_c_en.htm

—— UN Non-Governmental Liaison Service.
www.un-ngls.org

—— World Bank: Civil Society.
http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/CSO/0,,pagePK:220469~theSitePK:228717,00.html

Clientelism

Definition

An unequal system of exchanging resources and favours based on an exploitative relationship between a wealthier and/or more powerful 'patron' and a less wealthy and weaker 'client'.[13]

Example in practice

In Mexico, *caciques*, or local power brokers, provide peasants with plots of land, loans, security and a medium through which to sell their crops in exchange for the peasants' votes and support, often using strong-arm tactics to reinforce their power.

Relevant links

—— USAID: Clientelism, Patrimonialism and Democratic Governance - An Overview and Framework for Assessment and Programming.
http://pdf.usaid.gov/pdf_docs/Pnacr426.pdf

—— World Bank: Policy Research Paper, Democracy, Credibility and Clientelism.
www-0wds.worldbank.org/external/default/WDSContentServer/IW3P/IB/2005/02/02/000009486_20050202165259/Rendered/PDF/wps3472.pdf

Code of Conduct

Definition

Statement of principles and values that establishes a set of expectations and standards for how an organisation, government body, company, affiliated group or individual will behave, including minimal levels of compliance and disciplinary actions for the organisation, its staff and volunteers.[14]

Example in practice

The federal government of Nigeria has adopted a 'Code of Conduct for Ministers and Special Advisers' engaged in government business dealings to ensure that the actions and behaviour of public officers conform to the highest standards of public morality and accountability.[15]

Relevant links

—— EU Code of Conduct on Arms Exports.
www.consilium.eu.int/uedocs/cmsUpload/08675r2en8.pdf

—— UN International Code of Conduct for Public Officials.
www.un.org/documents/ga/res/51/a51r059.htm

—— World Bank: Fighting Judicial Integrity – Examples of Judicial Codes of Conduct.
http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTLAWJUSTINST/0,,contentMDK:20756643~menuPK:2036129~pagePK:210058~piPK:210062~theSitePK:1974062,00.html

Collusion

Definition

A secret agreement between parties, in the public and/or private sector, to conspire to commit actions aimed to deceive or commit fraud with the objective of illicit financial gain.[16] The parties involved often are referred to as 'cartels'.

Example in practice

The Ghanaian government has been accused of allegedly colluding with logging companies to allow them to operate without the proper licensing and certification standards, resulting in estimates by civil society organisations that only 5 of the 600 logging concessions in the country are legal.[17]

Relevant links

—— European Investment Bank: Anti-Fraud Policy.
www.eib.org/attachments/strategies/anti_fraud_policy_20080408_en.pdf

—— OECD: Glossary of Statistical Terms.
http://stats.oecd.org/glossary/detail.asp?ID=3159

—— US Department of Justice: An Antitrust Primer.
www.usdoj.gov/atr/public/guidelines/211578.htm

Compliance

Definition

Refers to the procedures, systems or departments within public agencies or companies that ensure all legal, operational and financial activities are in conformity with current laws, rules, norms, regulations and standards. [18]

Example in practice

In Bhutan, those who are found guilty of failing to comply with the Anti-Corruption Act of 2006, which requires public servants to accurately declare their assets and liabilities, are subject to penalties under the country's penal code.[19]

Relevant links

—— Compliance Week.
www.complianceweek.com/

—— Ernst & Young: Corruption or Compliance - Weighing the Costs, 10th Global Fraud Survey.
www.ey.com/Global/assets.nsf/International/FIDS_Corruption_or_compliance_weighing_the_costs/$file/Corruption_or_compliance_weighing_the_costs.pdf

—— GTZ: A Comparison of Compliance Reviews Based on the UN Convention against Corruption.
www.igac.net/pdf/publications_gtz_compliance.pdf

Conflict of Interest

Definition

Situation where an individual or the entity for which they work, whether a government, business, media outlet or civil society organisation, is confronted with choosing between the duties and demands of their position and their own private interests. [20]

Example in practice

The Law on Conflict of Interest in Bosnia-Herzegovina restricts elected officials, executives and advisors in government institutions from certain activities if they result in private or material gain. These include acts related to the promising of employment, granting of privileges based on party affiliation, giving of gifts, and provision of privileged information on state activities. [21]

Relevant links

—— Center for Responsive Politics.
www.opensecrets.org/

—— Conflicts of Interest Board of the City of New York.
www.nyc.gov/html/conflicts/html/home/home.shtml

—— CorpWatch.
www.corpwatch.org/

—— OECD Guidelines for Managing Conflicts of Interest in the Public Service.
www.oecd.org/dataoecd/18/35/39691164.pdf

Conventions

Definition

International and regional agreements signed or formally adopted through ratification by multiple states that establish rules and standards on issues which are typically cross-border in nature and require a common approach for effective, multilateral cooperation. [22]

Example in practice

With 140 government signatories, the United Nations Convention against Corruption (UNCAC) is the first international anti-corruption instrument that legally binds acceding and ratifying countries to implement far-reaching reforms and establishes a common stance for efforts to combat corruption. Other multilateral conventions on corruption include the OECD Anti-Bribery Convention, the African Union Convention on Preventing and Combating Corruption and the Inter-American Convention on Corruption.

Relevant links

—— Interpol: Conventions Regarding Anti-Corruption.
www.interpol.int/Public/Corruption/Conventions/default.asp

—— Transparency International: Anti-Corruption Conventions and Other International Instruments.
www.transparency.org/global_priorities/international_conventions

—— U4 Anti-Corruption Resource Centre: Anti-Corruption Conventions – An Overview.
www.u4.no/themes/conventions/intro.cfm

—— UK Anti-Corruption Forum.
www.anticorruptionforum.org.uk/acf/fs/resources/instruments/

Corporate Governance

Definition

Procedures and processes for how private sector organisations are directed, managed and controlled, including the relationships between, responsibilities of and legitimate expectations among different stakeholders (Board of Directors, management, shareholders and other interested groups).[23]

Example in practice

The Board of Directors of General Electric (GE) oversees how management serves the interests of shareowners and other stakeholders on a variety of issues of corporate governance. In the past, the Board has received briefings on the company's controllership, compliance and litigation trends and environmental risk management.

Relevant links

—— European Corporate Governance Institute.
www.ecgi.org/

—— Global Compact: Business against Corruption.
www.unglobalcompact.org/docs/issues_doc/7.7/BACbookFINAL.pdf

—— Global Corporate Governance Forum.
www.gcgf.org/

—— International Corporate Governance Network.
www.icgn.org/

—— OECD Principles of Corporate Governance.
www.oecd.org/DATAOECD/32/18/31557724.pdf

Corruption

Definition

The abuse of entrusted power for private gain. Corruption can be classified as grand, petty and political, depending on the amounts of money lost and the sector where it occurs. Also see 'grand corruption', 'petty corruption' and 'political corruption'.[24]

Example in practice

According to a national survey in India, more than 70 percent of families that live below the poverty line have reportedly paid a bribe to law enforcement and local housing authorities.[25]

Relevant links

—— Asian Development Bank: Anti-Corruption Policies and Strategies.
www.adb.org/Documents/Policies/Anticorruption/anticorrupt300.asp?p=policies

—— OECD: Corruption - Glossary of International Criminal Standards.
www.oecd.org/document/2/0,3343,en_2649_34857_40460290_1_1_1_1,00.html

—— World Bank: Helping Countries Combat Corruption.
www1.worldbank.org/publicsector/anticorrupt/corruptn/cor02.htm

Debarment

Definition

Procedure where companies and individuals are excluded from participating or tendering projects. Governments and multilateral agencies use this process to publicly punish businesses, NGOs, countries or individuals found guilty of unethical or unlawful behaviour.[26]

Example in practice

The World Bank debarred Lahmeyer International, a German company, and Acres International, a Canadian-based firm, in 2004 and 2006, respectively. The decision was taken after a Lesotho court found the companies guilty of bribing officials to win contracts for a multi-billion dollar water supply scheme, the Lesotho Highlands Water Project. Lahmeyer has been suspended for seven years from doing business with the Bank while Acres has been made ineligible for three years.

Relevant links

—— Transparency International: Recommendations for EU Debarment System.
www.transparency.org/content/download/5661/32802/file/TI_EU_Debarment_Recommendations_06—03—28.pdf

—— U4 Anti-Corruption Resource Centre: Debarment as an Anti-Corruption Means.
www.u4.no/themes/debarment/main.cfm

—— UK Anti-Corruption Forum: Fair and Efficient Debarment Procedures.
www.anticorruptionforum.org.uk/acf/fs/groups/fair_efficient.pdf

—— World Bank: Listing of Ineligible Firms.
www.worldbank.org/debarr

—— World Bank: Sanctions Committee - Report Concerning the Debarment Processes of the World Bank.
http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/PROCUREMENT/0,,contentMDK:50002288~pagePK:84271~piPK:84287~theSitePK:84266,00.html

Disclosure

Definition

Provision of information as required under law or in good faith, regarding activities of a private individual, public official, company or organisation. Information can include a political candidate's assets, a company's financial reports, an NGO's donors or a whistleblower's accusations.[27]

Example in practice

Following a lobbyist scandal in the US, a total of 51 corporations – including American Express, Chevron, General Electric and Merck – agreed to adopt new rules that voluntary bind companies to disclose publicly any corporate funds that are used for political purposes, either at the state or federal level.[28]

Relevant links

—— International Chamber of Commerce: Commission on Anti-Corruption. Combating Extortion and Bribery - ICC Rules of Conduct and Recommendations.
www.iccwbo.org/uploadedFiles/ICC/policy/anticorruption/Statements/ICC_Rules_of_Conduct_and_Recommendations%20_2005%20Revision.pdf

—— International Finance Corporation: Disclosure Policy.
www.ifc.org/ifcext/disclosure.nsf/Content/Disclosure_Policy

—— Shell: Financial Disclosure Policy.
www.shell.com/home/content/om—en/about_shell/our_performance/financial_disclosure/financial_disclosure_1512.html

—— U4 Anti-Corruption Resource Centre: Query - Corruption, Political Party Financing and Electoral Campaigns.
www.u4.no/helpdesk/helpdesk/queries/query8.cfm

—— World Bank: Disclosure Glossary.
http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/INFORMATIONDISCLOSURE/0,,menuPK:199023~pagePK:213743~piPK:213746~theSitePK:222993,00.html

Embezzlement

Definition

When a person holding office in an institution, organisation or company dishonestly and illegally appropriates, uses or traffics the funds and goods they have been entrusted with for personal enrichment or other activities.[29]

Example in practice

Chung Mong Koo, former chairman of Hyundai Motors Co., was convicted in 2007 of embezzling US$ 110 million from company funds, a portion of which was allegedly used to pay off politicians and government officials.[30]

Relevant links

—— Transparency International: Global Corruption Report 2004 – Political Corruption.
www.transparency.org/publications/gcr/download_gcr/download_gcr_2004

—— U4 Anti-Corruption Resource Centre: Embezzlement of Donor Funding in Health Projects.
www.cmi.no/publications/file/?3031=embezzlement-of-donor-funding-in-health-projects

Ethics

Definition:

Based on core values, a set of standards for conduct in government, companies and society that guides decisions, choices and actions.[31]

Example in practice

The state minister of Turkey, Hayati Yazici, has argued that previous failures in the country to deal effectively with and prosecute corruption has allegedly tainted the public's perception of ethics, making it seem that corrupt individuals benefit from their actions.[32]

Relevant links

—— Institute of Internal Auditors: Code of Ethics.
www.theiia.org

—— Sarbanes-Oxley Act (2002): Section 406 - Code of Ethics.
www.sec.gov/news/press/2002—150.htm

—— Society of Corporate Compliance and Ethics.
www.corporatecompliance.org/

—— U4 Anti-Corruption Resource Centre: Corruption and Possible Cures - Corporate Ethics.
www.u4.no/helpdesk/faq/faqs3d.cfm#7

—— World Bank: Corporate Corruption and Ethics Index.
www.worldbank.org/wbi/governance/pubs/gcr2004.html

Extortion

Definition

Act of utilising, either directly or indirectly, one's access to a position of power or knowledge to demand unmerited cooperation or compensation as a result of coercive threats.[33]

Example in practice

A member of the Tamil Tigers separatist group was deported from Canada after he used violence and intimidation to extort money from Sri Lankans living in Canada to support the group's military campaign at home, with some victims being forced to mortgage their homes.

Relevant links

—— European Bank of Reconstruction and Development (EBRD): Fraud and Corruption Definitions.
www.ebrd.com/about/integrity/fraud.htm

—— International Chamber of Commerce: Combating Extortion and Bribery.
www.iccwbo.org/uploadedFiles/ICC/policy/anticorruption/Statements/ICC_Rules_of_Conduct_and_Recommendations%20_2005%20Revision.pdf

Facilitation Payments

Definition

A small bribe, also called a 'facilitating', 'speed' or 'grease' payment; made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement.[34]

Example in practice

Saudi Arabia's Control and Investigation Board charged eight health officials in 2008 with taking bribes to facilitate the granting of licences to open new pharmacies. Investors claimed the licensing department purposely delayed the work and forced them to make facilitation payments in order to advance the approval procedure.[35]

Relevant links

—— Basel Institute on Governance: Facilitation Payments.
www.baselgovernance.org/fileadmin/docs/pdfs/Events/OHADA_Grobety_EN.pdf

—— Ethical Corporation: Facilitation Payments.
www.ethicalcorp.com/content.asp?ContentID=4471&rss=43.xml

—— OECD Anti-Bribery Convention.
www.oecd.org/document/20/0,2340,en_2649_34859_2017813_1_1_1_1,00.html

—— United States Foreign Corrupt Practices Act (FCPA).
www.usdoj.gov/criminal/fraud/fcpa/

Fraud

Definition

To cheat. The act of intentionally deceiving someone in order to gain an unfair or illegal advantage (financial, political or otherwise). Countries consider such offences to be criminal or a violation of civil law.[36]

Example in practice

During the 2004 Ukrainian presidential elections, reports of alleged fraud from election-rigging (e.g. ballot box stuffing and voter intimidation) led to the annulment of the winning candidate's victory and a run-off in which independent monitors declared the opposition leader Viktor Yushchenko the winner.

Relevant links

—— National Democratic Institute: Election Monitoring.
www.ndi.org/globalp/elections/programselc/manuals.asp

—— UK Electoral Commission.
www.electoralcommission.org.uk/

—— UK Serious Fraud Office.
www.sfo.gov.uk/

Governance

Definition

A concept that goes beyond the traditional notion of government to focus on the relationships between leaders, public institutions and citizens, including the processes by which they make and implement decisions. The term can also be applied to companies and NGOs. [37]

'Good' governance is characterised as being participatory, accountable, transparent, efficient, responsive and inclusive, respecting the rule of law and minimising opportunities for corruption.

Example in practice

To strengthen Nepal's governance system, its parliament passed four bills in 2002 aimed at constructing an anti-corruption legal framework and established a unit under the prime minister's office to monitor and advocate for anti-corruption initiatives. The changes also required that all public officials submit documented statements of their wealth and property.[38]

Relevant links

—— Freedom House.
www.freedomhouse.org

—— Ibrahim Index of African Governance.
www.moibrahimfoundation.org/the-index.asp

—— International Property Rights Index.
www.internationalpropertyrightsindex.org/

—— UNESCAP: What is Good Governance?
www.unescap.org/pdd/prs/ProjectActivities/Ongoing/gg/governance.asp

—— World Bank: Governance Matters 2008.
http://info.worldbank.org/governance/wgi/index.asp

Grand Corruption

Definition

Acts committed at a high level of government that distort policies or the central functioning of the state, enabling leaders to benefit at the expense of the public good. See 'corruption', 'petty corruption' and 'political corruption'.[39]

Example in practice

In Kenya, the Anglo Leasing scandal, which dates to 2002, reportedly involved 18 corruption offences in the government procurement of security-related services. Many of the companies that won the contracts were fictitious or over-billed the Kenyan government for goods and services that often were non-existent. It is estimated that approximately US$ 1 billion might have been lost in these deals.

In 1996, two former South Korean presidents, Roh Tae-woo and Chun Doo-hwan, were found guilty in a corruption case linking them to the *chaebols* (large family-owned businesses with strong political ties), which had paid off top political leaders in exchange for unfair business advantages.

Relevant links

—— CIPE: The Costs of Grand Corruption.
www.cipe.org/publications/ert/e22/E22_05.pdf

—— U4 Anti-Corruption Resource Centre: Grand Corruption in the Regulation of Oil.
www.cmi.no/publications/publication/?3034=grand-corruption-in-the-regulation-of-oil

—— Water Integrity Network: Lesotho - A Precedent for Prosecution of Grand Corruption Committed by Multinational Companies.
www.waterintegritynetwork.net/content/download/4128/77172/file/5_BestPract_LHWP_Lesotho.pdf

Integrity

Definition

Behaviours and actions consistent with a set of moral or ethical principles and standards, embraced by individuals as well as institutions, that create a barrier to corruption. See 'ethics'. [40]

Example in practice

According to the constitution, the Integrity Commission of Trinidad and Tobago is to ensure that all public officials comply with relevant national laws. The Commission also is mandated to review the practices and procedures of public bodies and monitor the receipt of officials' declarations (income, assets and liabilities).[41]

The TI national chapter in Bangladesh has been successful at substantially improving the quality and integrity of the public services delivered at the local level after introducing the concept of 'Islands of Integrity', community-based oversight mechanisms that cover sectors such as health, education and land administration.

Relevant links

—— Global Integrity: Report.
http://report.globalintegrity.org/

—— TIRI: Making Integrity Work.
www.tiri.org/index.php?option=com_content&task=view&id=170&Itemid=118

—— Transparency International: National Integrity System Approach.
www.transparency.org/policy_research/nis

—— Water Integrity Network.
www.waterintegritynetwork.net/

Lobbying

Definition

Any activity carried out to influence a government or institution's policies and decisions in favour of a specific cause or outcome. Even when allowed by law, these acts can become distortive if disproportionate levels of influence exist – by companies, associations, organisations and individuals.[42]

Example in practice

American lobbying expenses have almost doubled over the last decade, reaching US$ 2.8 billion in 2007 and swelling the ranks of lobbyists to a record 16,000 in 2008. The U.S. pharmaceutical and health products industry is one of the top lobbying groups whose investments have resulted in successfully blocking regulated price controls, restricting importation of drugs from countries that cap drug prices, and influencing industry-friendly policies at the U.S. Food and Drug Administration.

Relevant links

–– Alliance for Lobbying Transparency and Ethics Regulation.
www.alter-eu.org/

–– Center for Public Integrity: LobbyWatch.
www.publicintegrity.org/projects/entry/290/

–– Open Secrets.
www.opensecrets.org/lobbyists/

Money Laundering

Definition

The process of concealing the origin, ownership or destination of illegally or dishonestly obtained money by hiding it within legitimate economic activities.[43]

Example in practice

Europe's largest money laundering operation was discovered in Spain, where an international network was accused in 2005 of laundering € 250 million through real estate investments in the Costa del Sol. The money had been illegally obtained from drug trafficking, prostitution rings, international arms trading, kidnapping, blackmail and tax evasion.

Relevant links

—— The Asia/Pacific Group on Money Laundering.
www.apgml.org/

—— ESAAMLG (Eastern and Southern Africa Anti-Money Laundering Group).
www.esaamlg.org/

—— European Union: Freedom, Security and Justice Section - Money Laundering.
http://ec.europa.eu/justice_home/fsj/crime/laundering/fsj_crime_laundering_en.htm.

—— Financial Action Task Force (FATF).
www.fatf—gafi.org/pages/0,3417,en_32250379_32235720_1_1_1_1_1,00.html

—— IMoLIN (International Money Laundering Information Network).
www.imolin.org/imolin/index.html

—— Wolfsberg Anti-Money Laundering Principles.
http://www.wolfsberg-principles.com/

National Integrity Systems

Definition

A holistic approach to analyse both the extent and causes of corruption in a particular country by looking at the system of checks and balances and institutional pillars that form a society, including the executive, legislature, judiciary, ombudsman, media, civil society and business sector. [44]

Developed by Transparency International, this framework is useful for evaluating a country's institutional strengths and weaknesses and developing an anti-corruption strategy.

Example in practice

The Netherlands' most recent National Integrity System report reveals that its modern civil service system deters corruption. The parliamentary system holds government accountable; administrative law guarantees decision-making is in the public interest; and a free press works to expose public corruption. However, the lack of public disclosure and rules for elites, as well as other institutional weaknesses, demand an independent body be created to protect public integrity and promote related policies.

Relevant links

—— Manila Standard Today: A National Integrity System.
www.manilastandardtoday.com/?page=adelleTulagan_aug3_2007

—— TIRI: Mozambique Reconstruction National Integrity System Survey.
www.tiri.org/docs/rniss/rniss_mozambique.pdf

—— Transparency International: National Integrity System.
www.transparency.org/policy_research/nis

Nepotism

Definition

Form of favouritism based on acquaintances and familiar relationships whereby someone in an official position exploits his or her power and authority to provide a job or favour to a family member or friend, even though he or she may not be qualified or deserving. Also see 'clientelism'.[45]

Example in practice

In the European Commission, one of the most sensational cases of corruption involved allegations that the Commissioner of Research and Education from 1995-1999, Edith Cresson, a former French prime minister, used nepotism in hiring her dentist to produce reports on AIDS research, although he lacked any background or qualifications for the position.[46]

Relevant links

—— Global Security: Afghanistan - Nepotism, Cronyism Widespread in Government.
www.globalsecurity.org/military/library/news/2003/05/mil-030506-rfel-155449.htm

—— Transparency International: Global Corruption Report 2007.
www.transparency.org/content/download/18702/255302

—— USA Today: Don't Let Jobs Grow on Family Trees.
www.usatoday.com/news/opinion/editorials/2003-07-29-turley_x.htm

0ffshore Financial Centres

Definition

Countries or jurisdictions, some times called 'fiscal paradises' or 'tax havens', that provide financial services to non-residents on a disproportionate scale to the domestic economy as a result of financial incentives, such as minimum government interference and very low or zero tax rates.[47]

Example in practice

Citigroup, an American-based bank and recipient of US$ 45 billion in federal bailout money,[48] operates 427 subsidiaries in offshore financial centres such as the Cayman Islands, British Virgin Islands and Switzerland – countries which have been documented as offering incentives allegedly to evade or defer tax bills.[49]

Relevant links

—— IMF: Background Paper - Offshore Financial Centres.
www.imf.org/external/np/mae/oshore/2000/eng/back.htm

—— Global Financial Integrity.
www.globalfinancialintegrity.org

——Tax Justice Network.
www.taxjustice.net/cms/front_content.php?idcat=2

—— World Bank: Stolen Asset Recovery (StAR) Initiative.
http://siteresources.worldbank.org/NEWS/Resources/Star-rep-full.pdf

Oversight

Definition

The process of independently monitoring and investigating – internally or externally – the operations and activities of a government agency, company or civil society organisation to ensure accountability and efficient use of resources.[50]

Example in practice

Timor Leste's independent oversight mechanism, the Office of the *Provedor de Direitos Humanos e Justiça*, operates outside the government, reports to parliament and is responsible for investigating government and citizen complaints against state agencies or private contractors, who manage or operate public goods and services.

Relevant links

—— European Partners against Corruption.
www.epac.at/favicon.ico

—— Project on Government Oversight.
www.pogo.org

—— ProPublica: Journalism in the Public Interest.
www.propublica.org

Pacts

Definition

Voluntary agreement among different parties (i.e. businesses, government agencies, contract bidders) to formally commit to mutually-agreed 'rules of the game', including the refusal to engage in bribery and the promise to uphold human rights.[51]

Example in practice

In Pakistan, an Integrity Pact on Public Procurement Procedures has been signed as part of the Greater Karachi Water Supply Scheme, representing a binding commitment by the local water authority and bidders to not engage in bribery or collude with other bidders, to disclose all payments, and to report any violations by signatories.

Relevant links

—— Transparency International: Integrity Pacts.
www.transparency.org/global_priorities/public_contracting/integrity_pacts

—— United Nations Global Compact.
www.unglobalcompact.org/

—— World Bank: Business Fighting Corruption.
http://info.worldbank.org/etools/antic/index.asp

Patronage

Definition

Form of favouritism in which a person is selected, regardless of qualifications or entitlement, for a job or government benefit because of political affiliations or connections.[52]

Example in practice

In Kenya, *harambee* – voluntary contributions to community development projects – has reportedly become a tool for patronage used by politicians to garner votes, maintain the loyalty of their electorate, and solidify and shape political leadership at the local level.[53]

Relevant links

—— CMI: Autonomy, Incentives and Patronage - A Study of Corruption in the Tanzania and Uganda Revenue Authorities.
www.cmi.no/publications/publication/?1688=autonomy—incentives—and—patronage

—— U4 Anti-Corruption Resource Centre: What is Political Corruption?
www.u4.no/themes/political—corruption/introduction.cfm

Petty Corruption

Definition

Everyday abuse of entrusted power by low- and mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services in places like hospitals, schools, police departments and other agencies.[54] See 'corruption' and 'grand corruption'.

Example in practice

In Bangladesh, a study revealed that 44 percent of those surveyed reported being a victim of petty corruption in public health centres, while 39 percent had reportedly suffered similar problems in dealing with the public education system.[55]

Relevant links

—— Corruption and Poverty: A Review of Recent Literature.
http://library.thinkquest.org/05aug/00282/econ_corrupt.htm

—— Tanzania: Prevention of Corruption Bureau - Examples of Petty Corruption.
www.tanzania.go.tz/pcb/corruption/petty.html

—— Transparency International: Africa Education Watch Project.
www.transparency.org/content/download/23457/349918/file/Africa_Education_Watch_2007-2010.pdf

Political Contribution

Definition:

Any contribution, made in cash or in kind, to support a political cause. Examples include gifts of property or services, advertising or promotional activities endorsing a political party, and the purchase of tickets to fundraising events.[56]

Example in practice

In Costa Rica, a political scandal linked former presidents Miguel Angel Rodríguez and José María Figueres to the French company Alcatel, which had allegedly given them bribes and political contributions in exchange for awarding the telecommunications giant the country's cell phone network.[57]

Relevant links

—— Global Organization of Parliamentarians against Corruption (GOPAC).
www.gopacnetwork.org/

—— Open Secrets.
www.opensecrets.org/lobbyists/

—— Transparency International: Standards on Political Funding and Favours.
www.transparency.org/publications/publications/policy_papers/ti_pp_pol_funding

—— U4 Anti-Corruption Resource Centre: Political Corruption Cases.
www.u4.no/themes/political-corruption/cases.cfm

Political Corruption

Definition

Manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status and wealth.[58] See 'corruption', 'grand corruption' and 'petty corruption'.

Example in practice

In 2000, Daniel Ortega and Arnoldo Alemán, the two leaders of Nicaragua's principal opposition parties, reached an informal pact to push through a constitutional change that enhanced their control of government institutions and constitutional leverage, including life-long immunity from prosecution.

Relevant links

—— CMI Paper: Political Corruption - An Introduction to the Issues.
www.cmi.no/publications/1999/wp/wp1999-7.pdf

—— Transparency International: Political Corruption.
www.transparency.org/global_priorities/corruption_politics

—— Transparency International: Global Corruption Report 2004 - Political Corruption.
www.transparency.org/publications/gcr/download_gcr/download_gcr_2004

—— U4 Anti-Corruption Resource Centre: Political Corruption.
www.u4.no/themes/political-corruption/main.cfm

Political Will

Definition

Demonstration and commitment by political leaders to address the challenges facing society or to fulfil a political pledge, such as fighting corruption or increasing political participation, by pursuing the appropriate policy responses, including wide-spread reforms.[59]

Example in practice

The British government has been criticised by the Organisation for Economic Co-operation and Development (OECD) for lacking the political will to prosecute foreign bribery following its decision to abandon a corruption investigation into BAE Systems, the largest UK arms dealer, which allegedly had paid hundreds of millions of pounds in full knowledge of British authorities to Saudi Arabia's former ambassador to the US.

Relevant links

—— CMI: The Helsinki Process - Mobilising Political Will.
www.cmi.fi/files/HP_report_HG.pdf

—— Singapore: Corrupt Practice Investigation Bureau – Political Will.
http://app.cpib.gov.sg/newcpib/user/default.aspx?pgID=101

—— USAID: Political Will, Constituency Building, and Public Support in Rule of Law Programs.
http://siteresources.worldbank.org/INTLAWJUSTINST/Resources/PoliticalWill.pdf

—— World Bank: Public Sphere – Political Will: People, Places, Deliberation.
https://publicsphere.worldbank.org/usertags/political—will

Private Sector

Definition

Any company, household and institution that is not controlled by the public sector and which is run for private profit. Private sector corruption is characterised by groups from this sector influencing decisions and actions that lead to abuses of entrusted power.[60]

Example in practice

In 2006, regional leaders attending the World Economic Forum on Africa listed among their top priorities the need to tackle corruption and crime. They expressed support for transparent, national-level institutions to ensure clear rules of the game and a stable business environment that would attract and keep companies operating in their countries.[61]

Relevant links

—— Global Compact.
www.unglobalcompact.org/

—— International Chamber of Commerce: Anti-Corruption.
www.iccwbo.org/policy/anticorruption/

—— Transparency International: Private Sector.
www.transparency.org/global_priorities/private_sector

Procurement

Definition

A multi-step process of established procedures to acquire goods and services by any individual, company or organisation — from the initial needs assessment to the contract's award and service delivery.[62]

Example in practice

The city of Buenos Aires found a very wide dispersion in the prices paid for basic, identical products to supply its hospital network, such as needles, syringes, intravenous solutions, x-ray film and sanitary materials, raising suspicion that corruption had tainted the procurement process.[63]

Relevant links

—— Transparency International: Procurement Handbook.
www.transparency.org/publications/publications/other/procurement_handbook

—— U4 Anti-Corruption Resource Centre: Corruption in Public Procurement.
www.u4.no/themes/procurement/main.cfm

—— UN Procurement Capacity Development Centre.
www.unpcdc.org/english/pcdc-home.aspx

Public Sector

Definition

The government and its decentralised units — including the police, military, public roads and transit authorities, primary schools and healthcare system — that use public funds and provide services based on the motivation to improve citizens' lives rather than to make a profit.[64]

Example in practice

Rwanda's ministry of education has implemented a policy of free primary education for all of its citizens, enacting a no-fee policy in which public school tuitions have been abolished as part of its public sector reform.

Relevant links

—— International Public Sector Accounting Standards Board.
www.ifac.org/PublicSector/

—— UN: World Public Sector Report.
www.unpan.org/dpepa_worldpareport.asp

—— World Bank: Public Sector Governance.
www1.worldbank.org/publicsector/index.cfm

—— World Bank: Public Sector Reform - What Works and Why?
http://web.worldbank.org/WBSITE/EXTERNAL/EXTOED/EXTPUBSECREF/0,,menuPK:4664077~pagePK:64829575~piPK:64829612~theSitePK:4663904,00.html

Revolving Door

Definition

An individual who moves back and forth between public office and private companies, exploiting his/her period of government service for the benefit of the companies they used to regulate.[65]

Example in practice

One member of Lockheed Martin's Board of Directors earned his position shortly after retiring from the United States government, where he served as Under-Secretary of Defence for Acquisition, Technology, and Logistics. During his time in this government position, he approved the contract to purchase Lockheed Martin's controversial F-22 fighter jets.[66]

Relevant links

—— Center for Responsive Politics.
www.opensecrets.org/revolving/index.php

—— Council of Europe Group of States against Corruption - Rules and Guidelines Regarding Revolving Doors/*Pantouflage*.
www.coe.int/t/dghl/monitoring/greco/meetings/Greco(2007)23E_TourdeTableGR34_en.pdf

—— Revolving Door Working Group 2005.
www.revolvingdoor.info/docs/matter-of-trust_final-full.pdf

Rule of Law

Definition:

Legal and political systems, structures and practices that condition a government's actions to protect citizens' rights and liberties, maintain law and order, and encourage the effective functioning of the country.[67]

Example in practice

Afghanistan has searched to re-establish the rule of law following the exit of the Taliban in 2001 from government, focusing on rebuilding state and non-state institutions that promote the application of public rules which are fair, independent and equally enforced.[68]

Relevant links

—— African Union Convention on Preventing and Combating Corruption.
www.africa-union.org/Official_documents/Treaties_%20Conventions_%20Protocols/Convention%20on%20Combating%20Corruption.pdf

—— American Bar Association: Rule of Law Initiative.
www.abanet.org/rol/programs/resource_anticorruption.html

—— European Institute of Public Administration: Rule of Law.
www.eipa.eu/files/repository/eipascope/20070622102127_pniSCOPE2007-1_internet-7.pdf

—— UN Convention against Corruption.
www.unodc.org/pdf/corruption/publications_unodc_convention-e.pdf

Solicitation

Definition

The act of a person asking, ordering or enticing someone else to commit bribery or another crime.[69]

Example in practice

A 2005 survey of 701 companies in the Philippines asked managers if they had solicited a bribe in the past year. Responses showed that more than one-fifth of the respondents had reportedly done so when dealing with government agencies, either to request a local government permit or license (36 percent), pay income taxes (30 percent), petition for a national government permit or license (28 percent), or import goods (21 percent).[70]

Relevant links

—— BIAC Program for Combating the Solicitation of Bribes.
www.10iacc.org/download/workshops/cs18f.pdf

—— OECD Guidelines for Multinational Companies.
www.oecd.org/dataoecd/56/36/1922428.pdf

—— Transparency International: Business Principles for Countering Bribery.
www.transparency.org/global_priorities/private_sector/business_principles

State Capture

Definition

A situation where powerful individuals, institutions, companies or groups within or outside a country use corruption to shape a nation's policies, legal environment and economy to benefit their own private interests. [71]

Example in practice

Since the 1990s, multinational corporations have allegedly pressured and bribed key politicians in the Solomon Islands to create a favourable operating environment for logging and to weaken national-level timber management, successfully gaining advantages such as decreasing export taxes, postponing the logging export ban and preventing moves to strengthen government oversight of foreign-controlled operations.[72]

Relevant links

—— Global Witness.
www.globalwitness.org/

—— World Bank: State Capture and Influence.
http://web.worldbank.org/WBSITE/EXTERNAL/WBI/EXTWBIGOVANTCOR/0,,contentMDK:20713499~menuPK:1976979~pagePK:64168445~piPK:64168309~theSitePK:1740530,00.html

Transparency

Definition

Characteristic of governments, companies, organisations and individuals of being open in the clear disclosure of information, rules, plans, processes and actions.

As a principle, public officials, civil servants, the managers and directors of companies and organisations, and board trustees have a duty to act visibly, predictably and understandably to promote participation and accountability.[73]

Example in practice

In Romania, all high-level government officials must disclose on a public website their financial and property holdings, as well as positions they hold in associations and businesses, any paid professional activities and their investments in companies.[74]

Relevant links

—— EITI (Extractive Industries Transparency Initiative).
www.eitransparency.org/

—— Open Society: Justice Initiative.
www.justiceinitiative.org/

—— Right 2 Info.
www.right2info.org/

Whistle Blowing

Definition

The sounding of an alarm by an employee, director, or external person, in an attempt to reveal neglect or abuses within the activities of an organisation, government body or company (or one of its business partners) that threaten public interest, its integrity and reputation.[75]

The term in English is largely positive although many languages lack a similar concept with the same connotation.

Example in practice

In 2006, advocate Jeanetha Brink blew the whistle on fraud occurring in the South African province of Guateng. According to her claims, the local anti-corruption hot line was not investigating tip-offs and was derailing investigations of cases against senior government officials. As a result of her charges, she was relieved of her duties and forced to resign. In 2008, a court declared her resignation was coerced and she was awarded compensation.[76]

Relevant links

—— Governmental Accountability Project.
www.whistleblower.org

—— The National Whistleblowers Center.
www.whistleblowers.org

—— Open Democracy Advice Centre.
www.opendemocracy.org.za

—— TIME Magazine, Persons of the Year 2002 (The Whistleblowers).
www.time.com/time/subscriber/personoftheyear/2002/poyintro.html

ENDNOTES

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2 Treasury Board of Canada Secretariat, Access to Information Request Form. Website. www.tbs-sct.gc.ca/tbsf-fsct/350-57-eng.asp.

3 National Endowment for Democracy, Institutionalizing Horizontal Accountability: How democracies can fight corruption and the abuse of power. Online. Accessed 15 July 2009. www.ned.org/forum/reports/accountability/report.html; Nordic Latin America Research Network (NOLAN), 'Latin American Futures' workshop, 4th NOLAN Conference, Bergen, Norway. 10-12 September 2008. www.nolan2008.uib.no/workshops/workshop8/index.html; Transparency International (TI), Combating Corruption in Judicial Systems (Berlin: TI, 2007). www.transparency.org/content/download/27437/413264/file/Judiciary_Advocacy_ToolKit.pdf; U4 Corruption Glossary. Website. www.u4.no/document/glossary.cfm; M. O'Brien and R. Stapenhurst, 'Accountability in Governance', Policy Note (Washington, DC: World Bank, 2006) http://siteresources.worldbank.org/PUBLICSECTORANDGOVERNANCE/Resources/AccountabilityGovernance.pdf; TI and United Nations Human Settlements Programme (UN-HABITAT), Tools to Support Transparency in Local Governance (Kenya and Berlin: TI and UN-HABITAT, 2004); UNDP, Human Development Report 2002 – Deeping Democracy in a Fragmented World (New York: Oxford University Press, 2002); D. Brinkerhoff and A. Goldsmith, 'Clientelism, Patrimonialism and Democratic Governance: An Overview and Framework for Assessment and Programming', Abt Associates prepared for USAID (Bethesda, MD: Abt Associates, 2002). http://pdf.usaid.gov/pdf_docs/Pnacr426.pdf.

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7 Michael Renner, 'Indonesia's Supreme Audit Agency Finds Massive Irregularities in the Use of Post-Tsunami Emergency Funds', Worldwatch Institute. 5 July 2006. See: www.worldwatch.org/node/4196.

8 TI, Business Principles for Countering Bribery (Berlin: TI, 2009); U4 Corruption Glossary. Website. www.u4.no/document/glossary.cfm; Transparency International (TI), Combating Corruption in Judicial Systems (Berlin: TI, 2007). www.transparency.org/content/download/27437/413264/file/Judiciary_ Advocacy_ToolKit.pdf; UNDP, Tackling Corruption, Transforming Lives: Accelerating Human Development in the Asia and the Pacific (New Delhi: Macmillan, 2008);The Lebanese Transparency Association (LTA), Youth against Corruption (Berlin: LTA and IREX, 2005); Black's Law Dictionary. Online. Accessed 15 July 2009. www.blackslawdictionary.com.

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10 TI Bangladesh, National Household Survey on Corruption in Bangladesh (Dhaka: TI Bangladesh, 18 June 2008). www.ti-bangladesh.org/research/HHSurvey07SubstSum180608.pdf.

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No. 03/2009 (Berlin,: TI, 2009).
www.transparency.org/publications/publications/policy_positions/pp_3_2009_corp_gov.

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