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Dclaration of the 12th international anti-corruption conference

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DECLARATION OF
THE 12th INTERNATIONAL ANTI-CORRUPTION CONFERENCE
Guatemala City, Guatemala
November 18, 2006

"Towards a Fairer World: Why is Corruption Still Blocking the Way?"

Values Are Central to the Fight against Corruption

The central issue of the 12th International Anti-Corruption Conference[1] was respect for the law. Special emphasis was placed on education, because children must understand and respect core humanitarian values if the long-term fight against corruption is to be won. The conference issued a declaration in support of the engagement of young people in the fight against corruption.

The 12th IACC built on the accomplishments of the 11th IACC in Seoul, Korea, in May 2003. This year's meeting reaffirmed that leaders of faith-based institutions across the world must promote the cause of anti-corruption, consistent with the Seoul declaration that: "We renew our commitment to a global international order that protects the weak and vulnerable; that builds confidence among nations; that provides for sustainable development, particularly for the poor; and that serves as a dependable infrastructure for international commerce."

A consistent theme of this year's IACC's plenary sessions and workshops was the need to enhance the role of civil society as a partner with the public and private sectors in the implementation of programs to reduce corruption.

Dangers to Anti-Corruption Campaigners Grow

Delegates voiced grave concern about government threats to the rights of assembly and freedom of expression of civil society organizations, and the ability of individual citizens to speak out. Organizations under threat include those whose prime agenda is the fight against corruption.

The IACC stressed the need to act now to protect all civil society organizations. Governments should use their diplomatic skills to support non-governmental organizations in danger, and to develop agreements at regional and global levels to guarantee the independent voices of all who stand against corruption.

[1] The IACC Council comprises representatives from the public and private sectors and civil society. Transparency International, the civil society organisation leading the fight against corruption, acts as the Secretariat to the IACC Council.

This issue was highlighted on the eve of the meeting when authorities of Congo-Brazzaville arrested anti-corruption activist Christian Mounzeo for the second time this year. Mr. Mounzeo is a member of the international board of directors of the Extractive Industries Transparency Initiative (EITI), a coalition of governments, businesses and civil society organizations. He has championed clean government, a better business climate and greater justice for the people of Congo-Brazzaville.

Dr. Ana Cecilia Magallanes Cortéz of Peru was awarded the 2006 Transparency International Integrity Award at the IACC's opening ceremony. Dr. Magallanes, a fearless anti-corruption fighter, overcame enormous personal dangers to lead the force that successfully prosecuted 1,500 members of the criminal organization of General Vladimiro Montesinos, the collaborator of former President Alberto Fujimori.

Courageous individuals and organizations speak out in countries where government corruption is entrenched, and where corrupt individuals and organized crime capture the key organs of governance, including the judiciary. It is here where anti-corruption campaigners have the least protection and face the gravest threats. They must be supported.

Critical Challenges in the Anti-Corruption Battle

The conference identified key challenges to the anti-corruption movement. There is a rising awareness of the threats to global security posed by extensive corruption in the arms trade. Abundant evidence shows that corruption undermines international humanitarian assistance efforts in major natural disasters, such as the Indian Ocean tsunami and the earthquake in Pakistan. Hundreds of millions of people remain mired in poverty as the promises of many new governments to curb corruption fail to materialize.

The 12th IACC addressed ways to strengthen civil society – what has worked and what has failed - as well as lessons that will renergise the fight to curb corruption.

The conference took stock of the considerable progress on the anti-corruption front since the first IACC in Washington DC, in 1983. Today, as important research on corruption goes forward around the world, many public and private sector organizations are establishing new policies and management strategies to reduce bribe-paying and bribe-taking.

Corruption in Politics, Political Immunity, the Importance of Information

The 12th IACC builds on progress by a growing number of organizations around the world. Poor governance and corruption undermine efforts in the south to fight poverty, to improve access to basic services, to establish responsible government and to improve the quality of life for all. Corruption is an issue not only in the south; developed economies, too, are harmed by corruption, notably in politics. Corruption has featured prominently in recent elections in Western Europe and the United States.

Corruption breeds impunity and distorts public policy. The 12th IACC recognized that corruption in politics relates not only to the manipulation of campaigns and political party finance, but also to networks of corrupt politicians, civil servants and business. The meeting considered a range of cases from countries where embedded networks have robbed a national treasury on a large scale. Governance reform must come from within countries through strong civil society organizations that demand change.

Delegates highlighted the need for change in countries where politicians enjoy special immunity from prosecution and punishment. They stressed the need to end the opportunity of corrupt politicians to extend their immunity through asylum in countries where they do not risk extradition.

In parallel, however, delegates noted the rising incidence of political corruption at the local and municipal levels as decentralization accelerates in many countries. Delegates considered effective ways of promoting transparency and accountability in politics and government at the local and municipal levels. They stressed the need for more transparent management and support at these levels.

A crucial tool for combating corrupt networks is public information. Transparency – exposing the facts for all to see – is a powerful tool in promoting accountability. Delegates noted that transparency must remain a top priority for campaigners for better governance. This takes several forms:

1. Maintaining a free and independent media.
2. Enacting and enforcing effective legislation to secure the right of access to public information (freedom of information laws), ensuring that governments respect the spirit as well as the letter of the law.
3. Resisting the dangerous trend to control and limit the flow of information on the internet.

The Action Agenda

A consistent theme of the conference's plenary sessions and workshops concerned practical actions to curb corruption. A constructive path lies in cooperation between the public and private sectors and civil society. The conference highlighted a broad range of issues where strengthening of initiatives is warranted. In many areas there is a pressing need for leadership by governments, business or civil society. The IACC's agenda for action embraces the following:

- **Conventions:** Delegates to the 12th IACC recognized the substantial achievements in this area. The coming into force of the United Nations Convention against Corruption is one; those of the Organization of American States and the Organization for Economic Cooperation and Development are others. At the Conference of States Parties in Jordan in December 2006, governments will have the opportunity to support effective monitoring of the U.N. convention. The delegates determined to press the States Parties to take action at this conference.

IACC delegates asserted that civil society must step up its own monitoring of the governments' compliance with the provisions of these conventions, and promote partnerships to stimulate compliance.

- **Humanitarian Assistance:** Corruption is often pervasive at times of natural disaster, when the first priority is humanitarian assistance. While specific experiences may vary, conditions often emerge that provide opportunities for criminals to extort and steal. Such opportunities have surfaced repeatedly because of insufficient coordination among donors, pressures for rapid disbursement and delivery that disregards safeguards, and the lack of local knowledge that would equip them to select partners of competence and integrity.

  The IACC called on the international community to focus on measures to ensure that the victims of natural disasters obtain the maximum benefits in ways that are transparent and efficient. Key actions should include a greater commitment by donors to coordination, enhanced priority to engaging civil society as a meaningful partner by governments and donors, and strengthening independent monitoring.

- **Human Rights:** The conference emphasized the important linkages between corruption and the abuse of human rights. To strengthen public awareness, the conference called for more research into these linkages, greater sharing of knowledge and approaches between civil society organizations engaged in these areas and closer attention to the implementation and monitoring of anti-corruption programs and protection of human rights.

- **Environment:** There is a lack of public understanding of the linkages between environmental destruction and corruption, and an urgent need to overcome this. Well-directed research that will highlight the full costs of corruption on the environment is called for, as is the wide dissemination of the results.

- **Natural Resources:** Delegates welcomed the formal establishment of the Extractive Industries Transparency Initiative. It will play an essential role in an industrial sector rife with bribery and kick-backs. The EITI has the potential to serve as a model for meaningful cooperation between its equal partners – governments, businesses and civil society organizations. Many countries rich in oil, gas and metals are beset by appalling poverty. Benefits that should accrue to their citizens from the extraction of their resources continue to be stolen by ruling elites, often in collusion with multinational corporations.

  A core principle of the EITI is the need for companies to publish what they pay to public authorities. The EITI must focus on the companies that do not publish what they pay and on the governments that conceal their resource revenues. To ensure that natural resources are a blessing, not a curse, nations rich in natural resources should adopt transparent management and support the EITI.

- **Money:** As money is a prime driver of corruption, financial intermediaries who facilitate corruption and launder stolen funds are criminal collaborators. Vast sums are being stolen in developing countries and transferred to financial institutions headquartered in leading industrial countries. The conference called for vigilant application of existing international anti-money laundering laws, and a stepped-up campaign for the repatriation of assets. Nigeria, for example, has recovered more than US $5 billion in stolen assets over the last three years.

- **Specific Projects:** Small anti-corruption projects can yield direct benefits in the lives of the poor and the needy. These can often be promoted by volunteers and by small civil society organizations, where small financial outlays can produce impressive results. These organisations should take advantage of opportunities to obtain small grants to support their work.

- **Engaging Youth:** Many of the most effective recent anti-corruption small projects benefited greatly from the involvement of young people. Projects ranged from improving access to official information in Argentina, to ensuring the delivery of textbooks to rural schools at reasonable prices in the Philippines. Delegates recommended that youth be engaged in such projects.

- **The World Bank**: The conference welcomed the Bank's new global anti-corruption strategy. It called on the leadership of the World Bank to deepen its consultations with civil society over the content of this strategy. It called on the Bank to recognize that effective country strategies to curb corruption must involve dialogue not only with the executive branch of those countries, but also with parliament, the judiciary, business and trade associations, community leaders, civil society, academia and the media.

- **Private Sector**: Delegates emphasized the need for businesses adopting voluntary anti-bribery policies to implement detailed anti-corruption systems, and to move toward independent verification processes, to enhance the credibility of the systems. Such verified systems will reassure banks and business partners of the enterprise's integrity. The IACC called on the parties to major infrastructure projects to implement effective anti-corruption systems. They must include full transparency and expert independent monitoring involving civil society throughout the project cycle. Major businesses, including financial services firms, should create incentives throughout their supply chain and lending policies for small and medium enterprises that adopt integrity standards. The conference also called for greater efforts to clean up corruption in businesses and associations engaged in sports. The OECD structure of "National Contact Points" provides a mechanism for civil society to report on business behavior.

- **Defense**: Corruption in this sector is a major threat to global security and an enormous misuse of public funds. Delegates recognized the important initiatives taken by civil society to bring leading international defense contractors together to share experiences and develop approaches to curbing bribery. At the same time,

delegates underscored that much more must be done. There must be greater oversight of the sector by government and civil society, with stronger focus on the development of anti-bribery codes and policies that, for example, call for effective training of employees and greater vigilance of agents. At the same time, the conference recognized that major initiatives are needed to curb the propensity of public officials to seek bribes in the defense sector. Effective independent official oversight of ministries of defense, greater pro-active approaches by public prosecutors and an independent judiciary should be established.

- **Institutions**: Conference delegates noted that the essential functioning of public sector institutions is crucial. The institutions must be transparent and respond efficiently to the legitimate and appropriate demands of citizens. Strengthened parliamentary oversight will enhance the capability of parliaments to perform their key roles. Legislation is also needed in many countries to protect whistleblowers. At the same time, greater public understanding will strengthen the capacity of institutions to resist being corrupted. The media and civil society play a vital role.

- **Research:** Research in anti-corruption and the use of refined measurement tools at national and international levels are aids in the fight against corruption. Their value rests in their contribution to analyze problems and guide effective actions, but the results should not be used as the basis for denying donor aid. Delegates supported an increase in quality research to shape anti-corruption programs.

Towards A Fairer World

The IACC Action Agenda offers concrete steps to address the complex challenges facing the anti-corruption movement.

The conference concluded on a note of cautious optimism. This stemmed from shared values among delegates from many nations and cultures, a shared conviction that anti-corruption networks are gaining in strength, knowledge and expertise to build a fairer world.