

**GOPAC GLOBAL CONFERENCE,
Hosted by the Mexican Senate and GOPAC Mexico Chapter
MARCH 11-13 2011**

<p>Mexico Declaration, Summary of Resolutions and Secretariat Briefing Notes - Consolidation</p>

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MEXICO DECLARATION

We the members of parliament of forty-six countries gathered at the IV Conference of Global Organization of Parliamentarians Against Corruption (GOPAC) in Mexico City on March 11-13, 2011, recognize and thank the leadership of Mexico for kindly hosting our assembly.

Our meeting took place amidst the unprecedented and dramatic events occurring in North Africa and the Middle East, a popular upheaval rooted in misgovernment and corruption. These events exemplify the enormous adverse consequences of corruption and its impact on the poorest and on governance.

We understand the huge expectation and the rising demands of people everywhere for citizen participation, greater transparency and accountability. Hence, we recommit ourselves to prevent and fight corruption through every democratic means at our disposal.

We reaffirm the essential role of Parliaments and parliamentarians to reflect the will of the people, to hold government to account and enact legislation and policies to conform with the United Nations Convention Against Corruption (UNCAC).

We believe GOPAC is uniquely positioned to help parliamentarians build the political will for action and provide them with the necessary skills and tools to effectively prevent and fight corruption.

We in GOPAC have achieved significant results to date, and we have a plan of action, the key elements of which are the following:

1. broaden the network of GOPAC members, and help establish additional country chapters of active parliamentarians, enabling them to play an effective role in preventing and fighting corruption;
2. establish and enable a GOPAC network of women parliamentarians;
3. implement the substantive action plans developed by the five GOPAC global task forces (GTFs):
 - UNCAC Implementation and Monitoring
 - Parliamentary Ethics and Conduct System
 - Parliamentary Oversight
 - Anti-Money Laundering
 - Participation of Society
4. assist parliamentarians in evaluating the effectiveness of their performance based on the GOPAC developed benchmarks; and
5. engage the public through all available communication channels and strengthen GOPAC ties with partners in gaining understanding of the enormous cost of corruption and the role of Parliaments and parliamentarians in preventing and fighting corruption.

SUMMARY OF FINAL RESOLUTIONS

GTF-UNCAC should:

- pursue establishing chapters in countries that have ratified the UNCAC and where parliamentarians seek to contribute to its effective implementation;
- oversee GOPAC's global monitoring of parliamentary capacity and performance as related to GOPAC policy positions/benchmarks;
- engage GOPAC members and other parliamentarians in the formal UNCAC CoSP review process, as well as the review practices of related international conventions; and
- explore incorporation of international anti-bribery in the UNDP-GOPAC Toolkit and other ways to support the implementation of the OECD Anti-Bribery Convention.

GTF-PO should promote:

- oversight of the UNCAC;
- with regard to public natural resources and contract transparency, that:
 - final signed contracts for extraction of resources are disclosed to the public at large;
 - terms of extraction set in legislation and publicly available model contracts which contain only the key terms and conditions;
 - Parliaments consider strategies to routinely analyse contracts and monitor their implementation to ensure companies and governments uphold their commitments;
- at the regional and country level, the identification of oversight training needs on specific issues and build partnerships with experts and funders; and
- preparation of guidance for parliamentarians on the oversight of procurement.

GTF-PEC should:

1. welcome the publication of the Handbook on Parliamentary Ethics and Conduct (the Handbook) as resolved in Arusha and Kuwait;
2. encourage all parliamentarians, particularly GOPAC chapters and members, to use the Handbook and further develop or establish, where needed, appropriate and effective ethics and conduct regimes in their own countries;
3. maintain GTF-PEC to further develop its mandate, particularly to:
 - a. monitor the use of the handbook;
 - b. regionalize approaches and provide assistance where feasible;
 - c. develop an international "community of practice" for systems of parliamentary ethics and conduct;
 - d. expand the ethics and conduct library, including codes and legislation, good or bad practices and case studies;
 - e. further develop the Handbook based on experience; and
 - f. develop an evaluation tool to assess existing systems of ethics and conduct.

GTF-AML should:

- finalize the GOPAC AML Action Guide for Parliamentarians and the Strategic Plan to roll it out, incorporating conference workshop advice; and
- approve the updated GOPAC AML policy position and the related updating of the AML section of the UNDP/GOPAC UNCAC Monitoring and Assessment Toolkit.

On Greater Engagement of Members - GOPAC should establish:

- the GOPAC Monitoring Program as a continuing activity, beginning with seeking additional reports from countries that have not yet responded, and initiating an annual update process, which documents strengths, weaknesses, improvements and priority further initiatives; and
- full application of the GOPAC Code of Conduct and regular practices for membership renewal, where now not in place.

On Harmonizing Programming:

- the GOPAC Board should put in place procedures to harmonize programming, consistent with its global agenda and policy positions on one hand, and disciplined and informed annually updated country assessments on the other. Memoranda of Understanding outlining how this would work should be considered by the GOPAC Executive and operational regional chapters.
- GOPAC should seek deeper partnering relations with our principal partners that undertake governance improvement initiatives where they support or complement the harmonized global GOPAC plan, as this can support corrective measures that country chapters feel are helpful.
- GOPAC Executive Committee should provide active support of regional chapter proposals that respond to GOPAC's policy commitments and global plans.

On Country Chapter Development - GOPAC should:

- affirm the importance of country chapters and encourage regional chapters to support their creation.
- encourage the creation of country chapters where operational regional chapters do not yet exist; and
- establish a distinct component on its website for guidance on country chapter development.

On GOPAC Funding Issues, GOPAC should:

- maintain the financial independence of regional chapters, but develop an integrated global program demonstrating how regional and global activities support improvements in countries;
- pursue continuing support for basic global programming from the Canadian government; however if that proves unsuccessful, seek another country to sponsor the global secretariat and program; and
- include, within the global secretariat, expertise in supporting funding proposals of regional chapters, where they are aligned to the global plan (the plan which integrates global task forces and regional Chapters activities in support of country chapters □ consistent with the GOPAC).

For GOPAC Women's Network:

GOPAC resolves to pursue the creation and funding of a GOPAC Women's Network of current and former women parliamentarians and supporting partners, including men parliamentarians, international agencies, representatives from civil society and others such as academia.

Parliamentary Oversight of Public Procurement:

Parliamentarians in their oversight role have a responsibility to strengthen the confidence of their citizens in the public procurement process. They must ensure that public procurement

results in the full implementation of the principles of: fairness, openness and transparency. It must be carried out in an accountable and ethical manner and be able to withstand the test of public scrutiny. 3

The key decision points which require vigilance and intervention by Parliamentarians include:

- Legislation
- Regulations
- International Agreements
- Resource Allocation
- Reports from Oversight Bodies
- Parliamentary Committee Hearings, reports and follow-up.

GOPAC confirms its commitment to assist its members with guidance, training and methodology to carry out this responsibility.

Engaging Citizens - GOPAC should:

- review and make available successful existing and creative anti-corruption practices from various regions of the world involving the participation of society, in the form of a handbook, including assessing related information from the country assessments of the Monitoring Report;
- encourage each regional Chapter to develop an approach to engagement of society and outline how parliamentarians and parliaments can help prevent corruption; and
- encourage GOPAC chapters to form coalitions with society to have a structured way to work together in the fight against corruption.

BRIEFING NOTES

Global Task Force on UNCAC (GTF-UNCAC)

Description: This task force links UNCAC implementation, review and oversight to the implementation of GOPAC policy positions, the UNDP-GOPAC Toolkit and the monitoring program. This workshop is an opportunity for participants to get recent updates on UNCAC developments as well as to better understand what country delegations do at the Conference of States Parties on UNCAC (CoSP). Participants will be encouraged to comment on UNCAC implementation in their countries and the role that parliamentarians are playing. Presenters are expected from UNDP and DFAIT Canada.

Issues for discussion: Current challenges and issues for this task force are:

- ***Morocco CoSP 2011 and Panama CoSP 2013:*** How do we ensure that parliamentarians are knowledgeable about the UNCAC and are part of country delegations? Also, what topic(s) should be addressed at the side meeting of parliamentarians in Morocco?
- ***Oversight:*** How do we engage parliamentarians in the UNCAC review mechanism and consideration of the findings of this and related conventions reports?
- ***Parliamentary/parliamentarian performance:*** Legislatures are implicated in implementing UNCAC. How can the Toolkit and Monitoring program contribute to effective implementation – serving as a catalyst, a learning instrument, and a source of information?
- ***Partnerships and recognition:*** Although partnerships are evolving in a positive way with civil society and international agencies, GTF work is needed to engage and get recognition from governments for parliamentarians as part of the governance solution, other parliamentary organizations, the private sector and foundations. This implies an expanded PPP approach, i.e. public and private sector partnerships where public is expanded to include parliamentarians. How can this best be done?
- ***Harmonization:*** How can regional events be funded to link GTF work and regional and global efforts and establish networks of parliamentarians that can form coalitions for action? Such events have taken place in Latin America, West Africa and SE Asia. Other regions remain a challenge for funding. Also, APNAC has decided to create GTFs on a regional level. To what extent is this possible in other parts of the world?
- ***International Anti-bribery:*** The OECD Anti-Bribery Convention is an excellent complement to UNCAC and requires considerable attention according to OECD.

More informed and vigorous parliamentary oversight, particularly in developed countries, seems necessary.

- Our *monitoring* program confirms that very little support is available for parliamentary strengthening and training to support the UNCAC. How can we best work with international agencies and donors to strengthen parliamentary capacity in regions and countries?

GTF-UNCAC should:

- pursue establishing chapters in countries that have ratified the UNCAC and where parliamentarians seek to contribute to its effective implementation;
- oversee GOPAC's global monitoring of parliamentary capacity and performance as related to GOPAC policy positions/benchmarks;
- engage GOPAC members and other parliamentarians in the formal UNCAC CoSP review process, as well as the review practices of related international conventions; and
- explore incorporation of international anti-bribery in the UNDP-GOPAC Toolkit and other ways to support the implementation of the OECD Anti-Bribery Convention.

Global Task Force on Parliamentary Oversight (GTF-PO)

Description: This GTF has a [Handbook](#) and a detailed policy position. The main focus now is to address specific oversight issues through multi-stakeholder regional workshops and training events using the Toolkit and monitoring program findings. These events are expected to lead to regionally sensitive versions of core and specialized guidance and tools. Participants in this workshop will be encouraged to comment on oversight in their countries. The workshop will focus in particular on the parliamentary oversight of contracts in the extractive industries (resource revenue transparency of publicly owned resources was added to this GTF in earlier events). Presentations will be given by Revenue Watch Institute and the World Bank Institute.

Issues for discussion:

- What is the best way for GOPAC to promote **oversight of publicly owned resources**? What type of training or guidance is needed for parliamentarians?
- Our monitoring report confirms **weak oversight** in many countries. How can this situation be addressed on a regional basis? Are special approaches and mechanisms needed in Presidential vs. Westminster systems?
- In addition to oversight of UNCAC and resource revenue transparency what other **key issues** should this GTF address at the global and in particular at the regional level? Participants will be asked to comment on the following list and add items for consideration. Our monitoring program findings show interest in independent budget offices among other issues. Other items noted in previous events are: oversight of development aid; procurement and other financial control frameworks issues; the role of Public Accounts Committees; and oversight of international treaties. A more detailed concept note on oversight will be available on the web closer to the date.
- What would be the best way to get an oversight initiative launched in Latin America?
- What partnerships are needed at country levels beyond RWI and WBI?

GTF-PO should promote:

- oversight of the UNCAC;
- with regard to public natural resources and contract transparency, that:
 - final signed contracts for extraction of resources are disclosed to the public at large;
 - terms of extraction set in legislation and publicly available model contracts which contain only the key terms and conditions;
 - Parliaments consider strategies to routinely analyse contracts and monitor their implementation to ensure companies and governments uphold their commitments;

- at the regional and country level, the identification of oversight training needs on specific issues and build partnerships with experts and funders; and
- preparation of guidance for parliamentarians on the oversight of procurement.

Annex: Public natural resources and contract transparency

Context:

GOPAC believes that the terms of resource extraction contracts for publicly owned resources need to be made available to citizens to ensure effective oversight of these finite resources and the revenues they generate, for the public good.

This note and resolutions build on the policy position adopted by GOPAC members in at the global conference Kuwait in November 2009, i.e. "GOPAC believes that any revenues generated by resources owned by the state should be used for the public interest and included in a transparent way in the public accounts of government."¹

The updated position statement that follows has benefitted from inputs by Revenue Watch Institute, an organization which has also been working with GOPAC chapters in African and the Middle East. Readers are invited to also see a site on Contracts Confidential for more information at

<http://www.revenuwatch.org/news/publications/contracts-confidential-ending-secret-deals-extractive-industries>

Analysis

Contracts establish the final terms for a country's gain from extraction; and also measures to mitigate the negative impacts of extraction on communities and the environment.

They contain terms and conditions that are usually not available in any other legal instruments such as laws and regulations or may even contravene national legislation, or contain stabilization clauses that allow approved extractive projects to ignore changes in national law, such as new tax or environmental requirements. These are particularly likely if contracts are kept secret. As a result, contracts are more akin to laws or treaties than commercial agreements, which makes contract secrecy deeply problematic in parliamentary democracies.

Full disclosure of the main contracts or relevant terms thereof is a practice in a number of countries including Liberia, Peru, and the USA. Unless contracts are disclosed, parliaments and citizens cannot adequately carry out oversight of extractive sectors and ensure that the country is earning a fair share of the profits made. The availability of model contracts with as few variables as possible could also help reduce suspicion about secret clauses and simplify the negotiation of individual contracts and the monitoring of these by parliament. Embedding model

¹ http://www.gopacnetwork.org/Docs/kuwait/Declaration_and_new_resolutions%20ENG.pdf

contracts in national law could help minimise the scope for inappropriate terms and conditions. Then, disclosure of contracts will be crucial to ensure that the law is followed, and resource revenues are maximised. Specifically, contract transparency will:

- facilitate the oversight of environmental compliance and the fulfilment of social obligations, areas that parliaments, civil society and citizens can monitor as well as the Executive Branch;
- provide the incentives to improve the quality of contracting: government officials will be deterred from seeking their own interest if contracts are subject to public scrutiny; over time, they will also increase their bargaining powers with companies by being able to access and reference contracts from around the world in their negotiations. This will reduce the risk of signing deals that substantially deviate from the best practices of other countries; and
- increase stability of investments for extractive companies by leading to more balanced deals at the start, thus reducing public pressure for contract renegotiation that arises in times of high commodity prices and company profits. Countries that publish extraction contracts like the USA and Peru have successfully secured substantial investment from, and long-term relations with, extractive companies.

Global Task Force on Parliamentary Ethics and Conduct (GTF-PEC)

(This task force includes Parliamentary Immunity)

Description: In partnership with the Westminster Foundation for Democracy (WFD) the [Handbook on Parliamentary Ethics and Conduct](#) was launched in November 2009. More recently, the Chair of this GTF welcomed GRECO's initiative to include the prevention of corruption in parliamentary assemblies in the scope of its Fourth Evaluation Round. A concept note on the partnership with WFD and others is in preparation and will be available before the Conference. In this workshop participants will be provided with an overview of the handbook and will be encouraged to comment on ethics and conduct regimes in their country.

Issues for discussion:

- One GOPAC objective is to increase **public trust** in parliamentarians – an important step if parliamentarians are to play an effective role in preventing corruption. Ethics can play an important role in increasing this trust. However also important is evidence on conduct i.e. that parliamentarians understand and play their core democratic roles – representation, oversight and legislation. GOPAC members have noted that some parliamentarians do not understand well these roles. Should this task force add conduct of democratic roles to its work?
- To date successful events have taken place in the Arab and African regions on the handbook. The challenge for this GTF is to **organize and fund workshops** on the handbook at the regional level so that the handbook can be 'domesticated' to better meet country needs. How can this best be done and what other partnerships are important?
- How can ethics and conduct developments be best be monitored?
- At the regional level, how can **public outreach** and education take place? Our monitoring report suggests that citizens do not have a good understanding of this area and the actual role of parliamentarians in some countries.
- What specific **other areas** should be pursued that are not addressed in the handbook to expand the ethics and conduct library? Examples are: rules relating to the personal demeanour of parliamentarians and relationships between political groups which could be covered by parliamentary rules of order; or shielding parliamentarians from undue influence - as is advocated in the Handbook – rather than seeking to regulate on relations with lobbyists or even to prohibit such relations as was the case in some countries.²

² At the GRECO event, the Chair noted that lobbying is part of political life and it is important to bear in mind that not only lobbyists and other interest groups, but also governments, which would not be covered by regulations applicable to lobbyists, exerted pressure on and seek to influence parliamentarians.

GTF-PEC should:

1. welcome the publication of the Handbook on Parliamentary Ethics and Conduct (the Handbook) as resolved in Arusha and Kuwait;
2. encourage all parliamentarians, particularly GOPAC chapters and members, to use the Handbook and further develop or establish, where needed, appropriate and effective ethics and conduct regimes in their own countries;
3. maintain GTF-PEC to further develop its mandate, particularly to:
 - a. monitor the use of the handbook;
 - b. regionalize approaches and provide assistance where feasible;
 - c. develop an international "community of practice" for systems of parliamentary ethics and conduct;
 - d. expand the ethics and conduct library, including codes and legislation, good or bad practices and case studies;
 - e. further develop the Handbook based on experience; and
 - f. develop an evaluation tool to assess existing systems of ethics and conduct.

Global Task Force on Anti-Money Laundering (GTF-AML)

Description:

GOPAC is committed to combating the laundering of corrupt money, and to repatriating stolen assets, both as integral components in its fight for corrupt-free governments. In that regard, a strengthened GTF-AML met at OECD headquarters in Paris, France (hosted by the FATF Secretariat) on September 29-30, 2010 to launch a major effort to develop tools, techniques and materials to assist parliamentarians around the world establish and monitor effective anti-money laundering regimes in their respective jurisdictions. Representatives of the FATF Secretariat, World Bank AML/StAR team, IMF, UNODC and INTERPOL briefed task force members on their activities and assisted GTF members in their deliberations. The September 2010 GTF meeting achieved a number of outputs, including: an Agreement to produce an ***Action Guide for Parliamentarians on Combating the Laundering of Corrupt Money***; and a strengthened working partnership with expert agencies.³ Work on the ***Action Guide*** and on an ***AML Strategic Plan*** for task force members to roll it out began as soon as possible after the September 2010 GTF meeting, so that drafts would be ready for review at the Global Conference.

The ***Action Guide*** is intended to be used by Parliamentarians: i) in countries where anti-money laundering legislation does not exist, to assist in the development of such legislation, in the design and implementation of a Financial Intelligence Unit (FIU) and in establishing effective law enforcement and judicial regimes to combat this increasingly challenging criminal activity; ii) in countries where anti-money legislation is in force, but not working effectively and/or not accompanied by a mandated and adequately resourced FIU or other key stakeholders in the anti-money laundering (AML) regime, the Guide can be a source of information that Parliamentarians can use to question Ministers, and to hold their respective governments to account; and iii) in countries that are signatories to the United Nations Convention against Corruption (UNCAC), the Guide and the related sections of the GOPAC/UNDP UNCAC Monitoring and Assessment Toolkit can assist Parliamentarians ascertain to what extent their government has complied with the anti-money laundering provisions of the UNCAC, and assist in efforts to promote this agenda.

The ***AML Strategic Plan*** is intended to be used by task force members and Parliamentarians in country chapters and at the regional and global level, in partnership with the FATF, the FATF style regional bodies (FSRBs), and other expert bodies, to roll out the guidance in the ***Action Guide***.

Issues for discussion:

Workshop participants are invited to provide comments and advice on:

³ The full report of the meeting and the other activities of the GOPAC AML GTF are available on the GOPAC web site: <http://www.gopacnetwork.org/>

- 1) the draft *Action Guide for Parliamentarians on Combating the Laundering of Corrupt Money*;
- 2) the draft *Strategic Plan* for task force members and others to roll out the guidance in the Action Guide; and
- 3) an updated *GOPAC AML policy position* intended to provide better linkage with i) the UNCAC (UNODC)⁴, ii) the FATF and FATF style regional bodies (FSRBs) 40 + 9 Recommendations that are used by countries to establish an effective anti money laundering regime and as the framework for country assessments, as well as ii) those of other expert bodies.

Position Statement

- Parliamentarians play a vital role in combating money laundering through their influence on legislation, by vigorous oversight of government activity and support of parliamentary auditors, and perhaps most effectively through personal leadership.
- They engage the public and help to build the political will to act.
- By engaging parliamentarians in the fight against money laundering we can strengthen the international regime globally thus impeding the flow of illegal funds across international borders.
- Further, parliamentarians on both sides of the RAA equation – those that have been stolen from and those countries profiting – need to be engaged in order to ensure global cooperation and the reduction of barriers.

GTF-AML should:

- finalize the GOPAC AML Action Guide for Parliamentarians and the Strategic Plan to roll it out, incorporating conference workshop advice; and
- approve the updated GOPAC AML policy position and the related updating of the AML section of the UNDP/GOPAC UNCAC Monitoring and Assessment Toolkit.

⁴ The GOPAC/UNDP ['Toolkit for Parliamentarians'](#) is based on the **five key Policy Positions** and priorities that parliamentarians identified to improve their capacity and performance in preventing corruption that were approved by GOPAC members at their November 2008 Global Conference in Kuwait.

On Greater Engagement of Members

Issue: *Only engaged members contribute to GOPAC results.* Engagement implies an awareness of GOPAC policy positions and initiatives, as well as a commitment to GOPAC mission and objectives. The GOPAC Executive as well as partnering organizations have identified membership engagement as a weakness in several parts of the world. Active Country Chapters and appropriately funded Regional Chapters engage individual members. Conferences occur only every two years and not all members can find funding to participate. What are the additional steps the GOPAC Global Board, Executive and Secretariat should take to enhance engagement?

Considerations and current actions:

- The preparation of country assessments for the GOPAC ***Global Monitoring Report*** provides a good opportunity for engagement. Members, in consultation with colleagues, experts, and civil society, assessing the strengths and weaknesses regarding their capacity and performance (re GOPAC policy positions) provides for learning, and building consensus around practical improvements. GOPAC, with UNDP, has provided a self-assessment toolkit to support the analysis. Where it has been used, it seems to play a useful learning and engagement role. As noted in the Monitoring Report, coverage of countries chapters has been good. But, there is scope for both better coverage and greater participation.
- There is a ***UNDP initiative*** to engage their country offices in working with parliamentarians for a more structured assessment using the GOPAC-UNDP Toolkit. Such a more elaborate assessment would further expand members' knowledge of corruption prevention through improved governance.
- GOPAC ***GTF Website*** documentation: Over the last 12 months the programming part has been developed, focusing on the 4 GTFs that have been active. In addition to GTF activities, these sites provide links to related information and tools of partnering organizations. The site also provides personal links to the GOPAC GTF Secretaries for interested members. With Newsletters to all members highlighting new material, this provides an additional means of engagement.
- ***Membership Code of Conduct, Renewal of Membership Fee***: Not all chapters have formal membership renewal practices and consistent application of Members Code of Conduct.
- ***Other parliamentary networks***: There likely is considerable value in engaging GOPAC members to the knowledge, skills and initiatives of other parliamentary organizations.

On Greater Engagement of Members - GOPAC should establish:

- the GOPAC Monitoring Program as a continuing activity, beginning with seeking additional reports from countries that have not yet responded, and initiating an annual update process, which documents strengths, weaknesses, improvements and priority further initiatives; and
- full application of the GOPAC Code of Conduct and regular practices for membership renewal, where now not in place.

Harmonizing Programming

Issue: To obtain the greatest collective results from parliamentary capacity and performance improvement (related to preventing corruption), it is important that both global and regional chapters programming ultimately support the country initiatives identified through disciplined country assessments, such as provided through the country assessments supporting the global monitoring report. While in practice the programming has been largely complementary, there were procedures for ensuring useful harmonization. There also is a concern that more formal harmonization might imply that regions are not both financially and managerially independent of the Global Board and Executive of GOPAC. How can harmonization be strengthened, without losing the advantages of regional independence?

Considerations and current actions:

- Note that the GOPAC global agenda and policy positions emerge from the Biennial Conferences and that the key source for identifying needed actions are proposed to emerge from country assessment – a global needs oriented process.
- The GOPAC *Core Global Program* supports such alignment in two ways:
 - a) Secretaries to GOPAC Global Task Forces document the activities, information and tools of each area of programming in a separate resource centre on the GOPAC website – ensuring that all GOPAC members have convenient access to relevant information; and
 - b) Global Task Forces encourage application of the GOPAC policy positions and GTF prepared guidance in regions. This can be done by first “domesticating” the guidance to regional realities where that is useful and complementary regional implementation initiatives. GTFs are beginning to take these steps.
- Our *principal partners* have, to a degree, used GOPAC policy positions and GOPAC members in their own programming with parliaments and parliamentarians. If the assessment process were enhanced and maintained, it might encourage development organizations to align their parliamentary initiatives towards the initiatives proposed.
- There is no need for harmonization to preclude initiatives in countries or regions not well aligned with the global agenda and policy positions.

On Harmonizing Programming:

- the GOPAC Board should put in place procedures to harmonize programming, consistent with its global agenda and policy positions on one hand, and disciplined and informed annually updated country assessments on the other. Memoranda of Understanding outlining how this would work should be considered by the GOPAC Executive and operational regional chapters.
- GOPAC should seek deeper partnering relations with our principal partners that undertake governance improvement initiatives where they support or

complement the harmonized global GOPAC plan, as this can support corrective measures that country chapters feel are helpful.

- GOPAC Executive Committee should provide active support of regional chapter proposals that respond to GOPAC's policy commitments and global plans.

Country Chapter Development

Issue: Perhaps the greatest limitation of the current approach to effective programming is the lack of operational country chapters.

Considerations and current actions:

- The *assessments* prepared by country chapters for the Global Monitoring report provide a good vehicle for learning, identifying needed actions and developing parliamentary and other stakeholder support for corrective measures, related to GOPAC Policy Position.
- *UNCAC* has been ratified in many countries where GOPAC does not have members, including many countries where global assessments of corruption indicate significant negative effects. Ratification by a country's government suggests a commitment to preventing corruption and an additional measure of openness to improving the contribution of parliamentarians to its effective implementation. GOPAC could assign priority to the creation of chapters in these countries.
- *Regional chapters:* The operational regional chapters (APNAC, ARPAC, LAPAC and SEAPAC) have been the most active in creating country chapters where they have the resources to do so. This is a good approach and GOPAC should continue to urge the creation of similar chapters in other regions, its Core Global Program could be augmented to include a chapter development activity – something that is not part of its current programming.
- While most country chapters are in two regions – APNAC and ARPAC – there is considerable diversity and experience in how they are organized and their links to civil society organizations and their parliaments. Therefore, there is a considerable body of experience to draw from. A recent section has been added to the GOPAC website to capture these **lessons learned**. This could be expanded.
- *Formal, but unfunded, regional chapters also can be effective.* They can encourage country chapter formation, provide links to complementary regional initiatives and provide members for international initiatives.

On Country Chapter Development - GOPAC should:

- affirm the importance of country chapters and encourage regional chapters to support their creation.
- encourage the creation of country chapters where operational regional chapters do not yet exist; and
- establish a distinct component on its website for guidance on country chapter development.

GOPAC Funding Issues

Issues: Parliamentary capacity and performance reforms in preventing corruption occur predominantly in countries. Therefore, operational country chapters are essential for GOPAC results. To date country chapters have found different ways to become active; that is they have been successful in getting the support needed to undertake the needed learning and coalition building.

To become equally active, regional chapters and the global entity require funding from development organizations, foundations, the business sector or other organizations that see corruption as a major impediment to development, and who see parliamentarians as having an essential role sustaining corruption prevention. (Some foundations and other organizations may require a tax exemption for their funding. However, it is not possible under Canadian law for GOPAC, an organization of parliamentarians, to provide this benefit.)

Finally, individual governments, such as Canada and others have supported broad global and regional initiatives as supporting their international objectives. GOPAC's Global Task Forces have developed partnering relationships with expert organizations in preparing global guidance and tools for use primarily by Parliamentarians in country chapters. However this requires basic funding to establish and maintain those task forces. To date, Canada, through its Official Development Assistance funding has been the principal sustaining source of funding for GOPAC's global activity, as well as the African regional chapter. The United States has been a similar source of support for the Arab region chapter, through its Middle East Partnership Initiative.

Workshop approach:

Part 1: Country Chapter Practices - Brief presentations of different country chapter models:

- Charge parliamentary members a modest monthly fee;
- Partnership with an NGO;
- Align with a parliament;
- Discussion: including other approaches

Part 2: Funding Regional Chapters and the Global Activities:

- Trends in Development agencies funding related to Corruption and Parliamentary capacity building
- Overview of funding global activities
- Discussion: including other approaches

Part 3: Review of Draft Resolution

On GOPAC Funding Issues, GOPAC should:

- maintain the financial independence of regional chapters, but develop an integrated global program demonstrating how regional and global activities support improvements in countries;
- pursue continuing support for basic global programming from the Canadian government; however if that proves unsuccessful, seek another country to sponsor the global secretariat and program; and
- include, within the global secretariat, expertise in supporting funding proposals of regional chapters, where they are aligned to the global plan (the plan which integrates global task forces and regional Chapters activities in support of country chapters - consistent with the GOPAC).

GOPAC Women's Network

Description: This workshop will consider the introduction of a women's network of current and former parliamentarians and its potential roles. Participants will be invited to share empirical evidence from their own experiences regarding, but not limited to:

- women parliamentarian roles in different national political systems and governance structures⁵;
- incentives and barriers for women parliamentarians in preventing corruption and dealing with specific issues⁶; and
- how to move from advocacy and lobbying to political results which requires political processes, engagement and coalitions.

The aim of the workshop is therefore to:

- test the proposal and get feedback from GOPAC members and potential partners;
- provide an initial list of issues for consideration and an early work plan; and
- adjust this document as needed on an ongoing basis.

This document has been prepared by GOPAC Secretariat in consultation with parliamentarians, UNDP and others although a more significant consultation will be required to identify partners and further engage GOPAC membership.

1. Objective of GOPAC Women's Network

Although there are many women parliamentarian networks⁷, there does not appear to be one global network focussed solely on the prevention of corruption through good governance and oversight.

The idea for this initiative came out of the GOPAC Global Task Force on the UNCAC (UN Convention Against Corruption) in Manila in October 2010. Parliamentarians discussed the fact that in Africa especially that the voice of women parliamentarians in some cases garnered greater political attention. There are also a number of related ideas, that corruption has a greater impact on women and children and also that the perspective of women parliamentarians could be an important addition on certain issues related to corruption.

It is therefore proposed to create the GOPAC Women's Network (GWN) that will **bring together women parliamentarians and supporting partners including male parliamentarians, international agencies and**

⁵ E.g. democracies vs. other models or hybrids, centralized vs. decentralized states including various resource allocation approaches, national leaderships styles – including liberal, autocratic.

⁶ Examples of specific issues in terms of corruption could include: representation, and resources for education, healthcare.

⁷ A Google search on 'women parliamentary networks' produced 6.5 million links. The networks vary with many at the regional and national levels including national caucuses of women.

representatives of civil society, media and academia who have the common goal of furthering the integration of gender considerations in the prevention of corruption. The work of GWN will be aligned with the UN Convention Against Corruption or other conventions where appropriate.

2. Secretariat

Subject to funding availability, the Secretary for this network could be provided by the GOPAC Global Secretariat to build additional links to GOPAC programming.

3. Approach and Potential Impacts

The proposed approach includes multi-stakeholder regional workshops and training events with parliamentarians and others. The aim of these events would be to establish regional strategies that are linked to changes in specific countries by working with GOPAC chapters at both the regional and country level. It is therefore expected that a number of products will also be developed, e.g. handbooks and toolkits of various types at the global and regional levels to support parliamentarians in this effort.

The potential impacts or results of the network include but are not limited to the following:

- provide women with training and tools to raise corruption issues in Parliament;
- establish women's' caucuses on anti-corruption issues to support the implementation and review of the UNCAC where such an approach is feasible;
- create an additional voice to press for parliamentary committee hearings on corruption;
- increase the likelihood that women parliamentarians can use their knowledge and skills in national GOPAC chapters;
- increase the likelihood that state budgets reflect gender concerns; and
- increase female representation in Parliaments in selected countries.

4. Partnerships

Partnerships are seen as a key aspect of GWN at the global, regional and country level. The GOPAC Global Secretariat and individual GOPAC members could contact organizations on the international and national levels respectively such as UNDP, WBI, USAID, Westminster Foundation for Democracy, Hansard Society, TI, OECD and iKNOW politics to name just a few.

5. Strategy

- Develop or identify general products and tools that can serve as a starting point to regionalize or nationalize the ideas.
- Regionalize products and approaches through initial workshops and other events and build formal and informal networks in regions and countries with

links to GOPAC chapters to support the implementation and review of UNCAC. Also one GOPAC objective is to ensure chapters have more women members.

- Monitor and evaluate and share lessons learned.

6. Projects

The GOPAC Women's Network, subject to interest and funding from partners, could undertake projects in the above strategic areas.

Products and Tools

- make linkages where appropriate to the UNDP-GOPAC Toolkit re gender based analysis and other aspects;
- identify useful tools from other organizations e.g. UNDP, WBI;
- develop a web site that among other things would capture what women parliamentarians have achieved and the lessons learned in preventing corruption and showing leadership and also work with partners, for example, there could be a dedicated section on iKNOW Politics (pending discussion); and
- build capacity for all GOPAC members in gender based analysis as part of the parliamentary oversight process, including tools and other guidance.

Regionalize

- hold multi-stakeholder events as stated under Approach above;
- advocate integration of women parliamentarians in corruption prevention initiatives and GOPAC chapters;
- identify and develop regional strategies and identify local partners; and
- identify lessons learned and build or strengthen capacity for women parliamentarians in countries where female representation is recognized as a need (e.g. Westminster Foundation for Democracy is working in Arab region in this regard – to be confirmed).

Monitor

- monitor developments and communicate information on parliamentary performance in this area; and
- adjust global and regional strategies as required.

For GOPAC Women's Network:

GOPAC resolves to pursue the creation and funding of a GOPAC Women's Network of current and former women parliamentarians and supporting partners, including men parliamentarians, international agencies, representatives from civil society and others such as academia.

Ensuring Integrity in Public Procurement

According to an OECD survey, Public Procurement accounts for about 15% of the GDP in OECD countries and is highly exposed to corruption. Both public and private actors in the procurement process may be tempted to divert goods and services or public funds for personal use.

While no reliable numbers exist, corruption in developing countries including those in Latin America is perceived to be widespread.

Corruption can have a highly detrimental effect on the rule of law, the economy and the social fabric of society. It is a cancer that eats away at the foundation of democratic institutions. But recent increased attention to strengthening governance, oversight and market based institutions may have started to stop the rot and speeded up the process for finding a cure.

But many challenges remain. Oversight institutions including Parliaments in particular have to show leadership by demonstrating that they are clearly not part of the problem but are part of the solution.

The demands for bribes by public officials negatively affect the fundamental principles of Fairness, Openness and Transparency in public procurement. It also discourages honest citizens who do not want to pay and small businesses who cannot afford to pay bribes from participating in public procurement.

The workshop will discuss some of the structural, policy and operational measures adopted by Canada to ensure the integrity of its public procurement process. It will also explore some of the more important areas where parliamentarians can interact with public officials and public institutions to fulfill their oversight responsibilities.

Resolution on Parliamentary Oversight of Public Procurement:

Parliamentarians in their oversight role have a responsibility to strengthen the confidence of their citizens in the public procurement process. They must ensure that public procurement results in the full implementation of the principles of: fairness, openness and transparency. It must be carried out in an accountable and ethical manner and be able to withstand the test of public scrutiny.

The key decision points which require vigilance and intervention by Parliamentarians include:

- Legislation
- Regulations
- International Agreements
- Resource Allocation
- Reports from Oversight Bodies
- Parliamentary Committee Hearings, reports and follow-up.

GOPAC confirms its commitment to assist its members with guidance, training and methodology to carry out this responsibility.

Engaging Citizens

Early Considerations for Global Task Force on Participation of Society (GTF-PoS)

Issue: Although this GTF was formally established June 2010 at the Ottawa GOPAC Executive Committee meeting, other priorities of the Task Force Leader, Hon. Musikari Kombo of Kenya, as well as the Global Secretariat did not allow it to proceed. This session will provide an opportunity for participants to share their experiences in engaging society to prevent corruption with a view of having the discussion contribute to GTF PoS planning in the future.

Considerations:

- There is a link to the UNCAC: Article 13 and GOPAC's initial policy position recognize the essential role of parliamentarians in increasing public demand for corruption prevention.
- The main mechanisms for parliamentarians to help increase public demand are: a) elections and political parties; b) the media; and c) civil society organizations.
- The impact and effectiveness of each of these mechanisms on the actions of the executive branch and the civil society individuals and organizations that participate in corruption can be different in different regions of the world.
- There are a number of well accepted practices that support the participation of society in the fight against corruption and effective oversight of government, including Access to Information legislation and administrative practices, and Parliamentary committee practices – open meetings, televised hearings, and inviting witnesses.
- There also are a number of creative anti-corruption initiatives such as the experience in Kenya with constituency development funds, where citizens have become directly involved in combating corruption or exercising oversight; and the "zero rupee note".

Engaging Citizens - GOPAC should:

- review and make available successful existing and creative anti-corruption practices from various regions of the world involving the participation of society, in the form of a handbook, including assessing related information from the country assessments of the Monitoring Report;
- encourage each regional Chapter to develop an approach to engagement of society and outline how parliamentarians and parliaments can help prevent corruption; and
- encourage GOPAC chapters to form coalitions with society to have a structured way to work together in the fight against corruption.