7th GLOBAL CONFERENCE OF PARLIAMENTARIANS AGAINST CORRUPTION

Doha Qatar 9-10 December 2019

INTEGRITY MATTERS

Taefu Lemi Taefu MP
Chairperson - GOPAC Samoa Chapter
Deputy Chair – GOPAC Oceania
Associate Minister - Ministry of Natural Resources and Environment (MNRE) SAMOA
INTERGRITY

OWNERSHIP

ACCOUNTABILITY
Role of Parliamentarians

• As elected representatives, they have a unique individual legitimacy and credibility
• Upholding the principles of good governance holding the executive branch accountable
• To have a greater role in regional co-operation, unity and development;
• They advocate for executive support for important international treaties and give effect to these treaties in domestic law; eg UNCAC etc
• They are at the core of every properly functioning democratic system
Global Organisation of Parliamentarians Against Corruption (GOPAC)

- independent international institution made up of democratically elected legislators, working together to combat corruption, strengthen good government, and uphold the rule of law.
- seeks to achieve ethical and accountable governance throughout the world, through effective anti-corruption mechanisms & co-operation between parliamentarians, government leaders, and civil society.
GOPAC Core Values

Our vision and mission are built upon GOPAC’s commitment to certain core values. These core values are:

• **Integrity** - Integrity is at the heart of the anti-corruption agenda.

• **Accountability** - Accountability and transparency are the essence of good government.

• **Collaboration** - GOPAC recognizes that the fight against corruption is a fight by all of us, for all of us, and can only succeed when we work together.

• **Diversity** - GOPAC is an inclusive and diverse organization; open and non-partisan, and welcomes members who believe in the same core values, from all over the world regardless of age, race, religion, gender, or political affiliation.
CORRUPTION

Corruption - though not define in the convention, is well understood from its content

- It is the use of public office for private gain
- 
  abuse of office/power, unequal access to jobs, justice and opportunities; because of favoritism, nepotism, discrimination, etc
- Comes in difference forms; Bribery, Fraud, Forgery, Money laundering, embezzlement, theft, misappropriation, deception, perjury, etc.
- Everyone has a price ($)


CORRUPTION

• Restricting freedom of the press and Civil Societies from speaking out.
• It undermines democracy and the rule of law.
• It is counter productive and its the single greatest obstacle to economic and social development.
• It undermines a Government’s ability to provide basic services.
• The UNODC estimates that corruption costs over US$1 trillion for developing countries
Corruption & Parliament

- Parliament is the last place where we want to see Corruption
- It is the supreme house in the country and once involved with corruption, it becomes difficult to control.
- Mostly major and high level corruptions
- Parliamentarians are law makers; must put interest of people first.
- The role of Parliamentarians therefore is very crucial when it comes to the fight against corruption.
Accountability

Accountability - Accountability and transparency are the essence of good government.

Upholding the principles of **good governance** holding the **executive branch accountable**

**Accountability** is the state of being accountable, liable, answerable, ... ...

**AccountAbility** having the ability to account

**Accountability** - difference between success and failure

Generally Accepted Accounting Principles - **GAAP**
The road to accession for PICs

2012+ UN-PRAC - Pacific Regional Anti Corruption project

Sept 15 Tuvalu acceded to UNCAC

Nov 16 UN-PRAC GOPAC Workshop for the Samoa Parliament on UNCAC, setup the GOPAC Samoa Chapter.


Oct 17 Niue acceded to UNCAC

Apr 18 Samoa acceded to UNCAC

May 18 UN-PRAC Workshop in Tonga for the Tonga Parliament

20 months Still hoping for Tonga (fingers crossed)
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UNCAC 14 Non State Parties

2 Signatories
Signed not Ratified
1. Barbados
2. Syria

12 Others NSP
3. Andorra
4. Chad
5. Eq Guinea
6. Eritrea
7. Monaco
8. North Korea
9. SK & Navis
10. SV&Grenadines
11. San Marino
12. Somalia
13. Suriname
14. Tonga
The challenges to accession

Samoa does not have an established, independent preventative anti-corruption body (Article 6). But has existing integrity agencies that work for the same goals:

- The Controller and Auditor General
- The Office of the Ombudsman
- Office of the Public Service Commission
- Central Bank of Samoa
- Commission of Inquiry. COI Act 1964
- Ministry of Police
- Justice system
- Parliament and parliamentarians
National Legislations

• Anti-Money Laundering Act 2007
• Attorney General’s Office Act 2013
• Audit Act 2013
• Central Bank of Samoa Act 1984
• Central Bank of Samoa Amendment Act 2001
• Central Bank of Samoa Amendment Act 2015
• Commission of Inquiry Act 1964
• Community Law Centre Act 2015
• Companies Act 2001
• Conflict of Interest Guideline 2016 – Public Service Commission
• Constitution of the Independent States of Samoa 1960
• Co-operative Societies Ordinance 1952
• Crimes Act 2013
• Criminal Matters Act 2007
• Criminal Procedure Act 2016
• Defamation Act 1992/1993
• Election Candidate Regulations 2006
• Electoral Act 1963
• Electoral Amendment Act 2015
• Extradition Act 1974 and its Amendment Act 1994
• Financial Institutions Act 1996
Parliamentary Oversight

• Finance & Expenditure Committee (PAC)
  – Parliamentary oversight
  – Updating Annual Reports of SOEs

• Officers of Parliament Select Committee.
  – Controller and Chief Auditor’s Report, consider and investigate further

• Commission of Inquiries.
  – To investigate allegations etc made in Parliament

• Members of Parliament as members of Organizations of parliamentarians; eg GOPAC – Chair of GOPAC Samoa Chapter – a member of Audit Committee, Board member
Transparency International

• Transparency International ranked countries according to a Corruption Perception Index (CPI) (0MC – 100LC)
• New Zealand, Denmark and Finland as the three least corrupt.
• The average is 43
• 2/3 of countries are below 50 index
• The majority of countries sit in the bottom half of CPI.
• Poor performance can be attributed to unaccountable governments, lack of oversight, insecurity and shrinking space for civil society, pushing anti-corruption action to the margins.
SDG16 Peace and Justice

• 16.3 Promote the **rule of law** at the national and international levels and ensure **equal access to justice** for all

• 16.4 Significantly **reduce illicit** financial and arms flows, strengthen the recovery and return of stolen assets and **combat all forms of organized crime**

• 16.5 Substantially **reduce corruption and bribery** in all their forms

• 16.6 Develop **effective, accountable and transparent** institutions at all levels

• 16.7 Ensure **responsive, inclusive, participatory and representative** decision-making at all levels
Final Remarks

• Strengthen public confidence/trust in Parliament, Government, institutions and individuals with authority;
• Strengthen country’s national, regional, and international reputation.
• Boost investment, facilitates economic growth and promotes stability.
• Corruption vs freedom of the press, civil societies
• Corruption vs democracy
• Whistle blowers, journalists and investigators
CONCLUSION

• What some view as **Corruption** may be regarded as **Harmless** by others.
• In corruptions some choose to **speak**, others choose **silence**
• Corruption - is a sensitive word hardly spoken
• Preaching, not living by it
• Have some **integrity**, show some **accountability** and take **ownership**
• SDG16 Strong institutions, countries