

# **7<sup>th</sup> GLOBAL CONFERENCE OF PARLIAMENTARIANS AGAINST CORRUPTION**

**Doha Qatar 9-10 December 2019**

## **INTEGRITY MATTERS**

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Chairperson - GOPAC Samoa Chapter

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**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.

**OWNERSHIP**

# 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.
- Aug 17 UN-PRAC Workshop in Niue for the Niue Parliament.
- 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)

<b>Pacific Region</b>	<b>Signature</b>	<b>Ratification</b>
<b>Country</b>		<b>Accession</b>
1. Papua New Guinea	22/12/04	16/07/07
2. Fiji	-	14/05/08
3. Palau	-	24/03/09
4. Vanuatu	-	12/07/11
5. Cook Islands	-	17/10/11
6. Marshall Islands	-	17/11/11
7. Solomon Islands	-	06/01/12
8. FSM	-	21/03/12
9. Nauru	-	12/07/12
10. Kiribati	-	27/09/13
11. Tuvalu	-	04/09/15
12. Niue	-	03/10/17
13. Samoa	-	18/04/18

# UNCAC 14 Non State Parties

## 2 Signatories

Signed not Ratified

1. Barbados
2. Syria

6. Eritrea

7. Monaco

8. North Korea

9. SK & Navis

10. SV&Grenadines

11. San Marino

**12. Somalia**

13. Suriname

**14. Tonga**

## 12 Others NSP

3. Andorra

**4. Chad**

5. Eq Guinea

# 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

# 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