



ACA Forum

Anti-Corruption Agency Forum



Anti-Corruption &
Civil Rights Commission



8TH

ANTI —
CORRUPTION
AGENCY
FORUM

24TH MAY
25TH 2017

KUALA LUMPUR,
MALAYSIA

VENUE :

PULLMAN KUALA LUMPUR CITY CENTRE HOTEL & RESIDENCES,
JALAN CONLAY, KUALA LUMPUR,
MALAYSIA

PROGRAMME
8th ANTI-CORRUPTION AGENCY (ACA) FORUM
24th – 25th May 2017
Pullman Kuala Lumpur City
Centre Hotel & Residences, Jalan Conlay,
Kuala Lumpur, Malaysia

<i>24th May 2017 (Wednesday)</i>	
09:00-09:30	Registration Venue: Pullman One, 3 rd Floor, Pullman Hotel
09:30-10:30	Opening Ceremony Venue: Pullman One, 3 rd Floor, Pullman Hotel Recital of Prayers Remarks By: <ul style="list-style-type: none"> • Honourable Mr. Gaeok Park, Standing Commissioner of Anti-Corruption and Civil Rights Commission (ACRC), Republic of Korea Keynote Address By: <ul style="list-style-type: none"> • Honourable Datuk Dzulkifli bin Ahmad, Chief Commissioner of the Malaysian Anti-Corruption Commission (MACC)
10:30-10:45	Group Photo Venue: Pullman One, 3 rd Floor, Pullman Hotel
10:45-11:15	Coffee Break Venue: Foyer of Pullman One, 3 rd Floor, Pullman Hotel
11:15-13:00	Venue: Pullman Two, 3 rd Floor, Pullman Hotel Session 1: Opening of the Meeting <ul style="list-style-type: none"> • Opening Remarks by Honourable Dato' Shamshun Baharin bin Mohd Jamil, Deputy Chief Commissioner (Prevention) of the Malaysian Anti-Corruption Commission (MACC) • Introduction of Participants Session 2: Overview of the ACA Forum and Report on Conclusions of the 7th Meeting Session 3: Approval of New ACA Membership Session 4: Recent Activities and Achievements of Members & Observers (5 minutes per Agency)

13:00-14:30	<p>Lunch</p> <p>Venue: Eccucino Cafe, Ground Floor, Pullman Hotel</p>
14:30-15:15	<p>Session 5: Paper Presentations by Members (15 minutes per Agency)</p> <p>Theme: <i>The Role of Society Towards The Fight Against Corruption and Building Integrity</i></p> <p>Venue: Pullman Two, 3rd Floor, Pullman Hotel</p> <ul style="list-style-type: none"> i. Malaysian Anti-Corruption Commission (MACC) <i>"The Compliance and Monitoring Mechanism in Pursuit of a Corrupt Free Organization through the Placement of Certified Integrity Officers: Its Role, Effectiveness, Challenges and Its Future."</i> ii. Corruption Eradication Commission (CEC), Indonesia <i>"Fighting Corruption in the Natural Resources Sector: A Lesson from Indonesia's Experience."</i>
15:15-15:30	<p>Coffee Break</p> <p>Venue: Foyer of Pullman Two, 3rd Floor, Pullman Hotel</p>
15:30-16:15	<p>Session 5: Paper Presentations by Members (cont.) - (15 minutes per Agency)</p> <p>Theme: <i>The Role of Society Towards The Fight Against Corruption and Building Integrity</i></p> <p>Venue: Pullman Two, 3rd Floor, Pullman Hotel</p> <ul style="list-style-type: none"> iii. Anti-Corruption & Civil Rights Commission (ACRC), Korea <i>"Introduction of the Improper Solicitation and Graft Act"</i> iv. Corrupt Practices Investigation Bureau (CPIB), Singapore <i>"Combating Corruption in Singapore's Experience: Anti-corruption Effort Beyond CPIB's Enforcement."</i>
19:45-22:00	<p>Welcoming Dinner</p> <p>Hosted by the Malaysian Anti-Corruption Commission (MACC)</p> <p>Venue: Pullman Two, 3rd Floor, Pullman Hotel</p>

25th May 2017 (Thursday)

09:30-10:30	Session 6: Paper Presentations on (Theme: <i>The Role of Society Towards The Fight Against Corruption and Building Integrity</i>) Venue: Pullman Two, 3rd Floor, Pullman Hotel <ol style="list-style-type: none">i. Tunku Abdul Aziz bin Tunku Ibrahim, Chairman of Anti-Corruption Advisory Board, MACCii. Mr. Adnan Topan Husodo, Coordinator, Indonesia Corruption Watch (ICW)iii. Mr. Sang-hak Lee, Standing Board Member of Transparency International (TI) Koreaiv. Dr. Anga Timilsina, Programme Manager, UNDP's Global Anti-Corruption Initiative (GAIN), Bureau for Policy and Programme Support
10:30-10:45	Coffee Break Venue: Foyer of Pullman Two, 3 rd Floor, Pullman Hotel
10:45-11:45	Session 7: Closing of the Meeting <ul style="list-style-type: none">• Free Discussion• Proposal to Host the 9th ACA Forum
11:45-12:00	Closing Remarks by Honourable Dato' Shamsun Baharin bin Mohd Jamil, Deputy Chief Commissioner (Prevention) of the Malaysian Anti-Corruption Commission (MACC)
12:30-13:30	Lunch Venue: Eccucino Cafe, Ground Floor, Pullman Hotel
14:30-18:00	Official Visit
18:30	Farewell Dinner Hosted by the Anti-Corruption & Civil Rights Commission (ACRC) Venue: B's - All Day Dining, Pullman Putrajaya Lakeside Hotel

26th May 2017 (Friday)

All Day	Farewell to Participants
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7th ANTI-CORRUPTION AGENCY FORUM

2 September 2013, Seoul, Korea

Minutes of the 7th ACA Forum meeting

1. The 7th meeting of the Anti-Corruption Agency (ACA) Forum was hosted by the Anti-Corruption and Civil Rights Commission of the Republic of Korea on 2 September 2013 in Seoul, Korea. The meeting was chaired by Sungbo Lee, Chairman of the ACRC, and was attended by 9 anti-corruption agencies from 8 countries, consisting of seven member agencies including the Independent Commission Against Corruption (ICAC) of Australia, the Independent Commission Against Corruption (ICAC) of Hong Kong, Corruption Eradication Commission (KPK) of Indonesia, the Anti-Corruption and Civil Rights Commission (ACRC) of Korea, Malaysian Anti-Corruption Commission (MACC), the Corrupt Practices Investigation Bureau (CPIB) of Singapore, and the Office of the Ombudsman of the Philippines, and two observer agencies including the Australian Commission for Law Enforcement Integrity (ACLEI) and the Government Inspectorate of Vietnam.

Opening of the meeting

2. The Chair welcomed the participants and briefed the participants on the background and the objectives of the ACA Forum. He said that the ACA Forum was established in November 2002, and has been aimed at promoting the exchange and cooperation among anti-corruption agencies in the Asia-Pacific region and seeking ways to strengthen the roles and enhance the anti-corruption capacities of those agencies. He also mentioned that the ACA Forum has provided a venue for policy dialogue among the heads of anti-corruption agencies that have been leading collaborative efforts for the fight against corruption in the region. The Chair explained that it has seven member agencies, and that the ACRC of Korea has served as the Secretariat of the ACA Forum since December 2007.

Report on the conclusions of the 6th meeting

3. The Secretariat gave a summary of the discussions made at the previous meeting. The Secretariat stated that one of the most significant outcomes of the 6th meeting had been the adoption of the Terms of Reference (TOR). According to the final draft of the TOR, the ACA Forum is a policy dialogue among the heads of anti-corruption agencies in the Asia-Pacific region; the attendance of the forum is restricted to government agencies; it is organized on a voluntary and flexible basis and can be held in connection with major international meetings on anti-corruption; and it will focus on sharing the experiences, best practices and training programs among member agencies.

Approval of new ACA membership

4. The Chair informed the participants that the ACLEI had expressed its interest in becoming an ACA Forum member in June 2013. The participants approved the ACLEI's joining the ACA Forum member, and welcomed the ACLEI as a new ACA member. The Chair stated that the ACLEI would join the next eighth meeting as a full member. Philip Moss, Integrity Commissioner of Australia, gave a speech about joining the ACA Forum.

Presentation of recent activities and achievements

5. The member and observer agencies presented their recent anti-corruption efforts and future plans.

Theresa Hamilton, Deputy Commissioner of the **ICAC, New South Wales of Australia**, introduced the ICAC's latest investigations on corruption cases related to coal mining exploration licences, bribery of the employees of universities, and bribery of the employees of the secretariat of a local council, and recommendation on legislative changes to improve the oversight of NGOs and IT contracts. She also invited the participants to the Australian Public Sector Anti-Corruption Conference to be held in November 2013.

Ricky Yau, Acting Director of Investigation of the **ICAC, Hong Kong**, shared the ICAC's recent activities including the creation of the forensic accounting unit and the confiscation of crime proceeds team, assignment studies to prevent corruption, corruption prevention advice to private organisations, and production of the Reference Package on Conflict of Interest for Managers in the Civil Service.

Adnan Pandu Praja, Commissioner of **KPK of Indonesia**, informed the participants that the Presidential Decree on National Strategy on the Prevention and Eradication of Corruption was enacted, KPK was in the process to ratify the Agreement for the Establishment of the International Anti-Corruption Academy as an international organization, and KPK won the 2013 Ramon Magsaysay Award. He also shared the results of the meeting of the APEC Anti-Corruption and Transparency Working Group (ACTWG), and invited the participants to the preparatory meeting of ACT-NET, a network of law enforcement authorities in the Asia Pacific region under the umbrella of the ACT, to be held on 18-19 September 2013.

Jin-young Kwak, Vice Chairperson of the **ACRC of Korea**, shared information on the result of the 2012 Integrity Assessment, the current status of the reports on corruption and public interest violations, opening of the Anti-Corruption Training Institute under the ACRC, and the ACRC's efforts to enact the Improper Solicitation and Graft Act and to amend the Act on the Protection of Public Interest Whistleblowers.

Dato' Ahmad Khusairi Yahaya, Deputy Commissioner of the **MACC of Malaysia**, stated that the MACC hosted the APEC Train-the-Trainer Workshop for Voluntary Codes of Business Ethics and established Project Management Office (PMO) Operation and Human Resources under Transformation Executive Committee to enhance organizational professionalism and effectiveness, and that the Executive Summary of Malaysia's implementation of UNCAC Chapter III and Chapter IV C was adopted.

Conchita Carpio Morales, **Ombudsman of the Philippines**, shared information on the Office of the Ombudsman's investigation and prosecution of corruption cases involving the former President, generals, and the employees of the Development Bank of the Philippines, anti-corruption training for public officials and civil society organizations, and development of anti-corruption education modules for elementary schools.

Ang Seow Lian, Deputy Director of the **CPIB, Singapore**, shared information on the activities to promote the CPIB's 60th anniversary, increase in staff members, creation of the unit for financial investigation, and investigation of a corruption case involving the Commissioner of the Singapore Civil Defence Force and a soccer match fixing case.

Philip Moss, **Integrity Commissioner of Australia**, shared information on the ACLEI's investigation of a corruption case involving the employees of the Australian Customs and Border Protection Service, increase in the number of the agencies subject to the Integrity Commissioner's jurisdiction, and creation of a meeting to share experience and knowledge among anti-corruption practitioners in Australia.

Nguyen Van Thanh, Deputy Inspector General of the **Government Inspectorate of Vietnam**, stated that the Government of Vietnam issued the Decree to guide the implementation of the revised Anti-Corruption Law 2012. He added that the Anti-corruption Dialogue between the Government of Vietnam and the international development community would take place in November 2013.

Open discussion

6. During the open discussion, **KPK of Indonesia** and the **ICAC of Hong Kong** made presentations on "policies and practices on gifts and gratuities excluding typical forms of bribery." The representative from KPK underlined the importance of public-private partnership, monitoring by civil society, and codes of ethics as well as strict punishment to prevent the improper acceptance of gifts and gratuities. The representative from the ICAC of Hong Kong explained that under the Prevention of Bribery Ordinance the acceptance or offer of benefits including gifts may constitute a bribery offence, however, hospitality including meals is not regarded as bribery. After their presentations, the participants shared their respective countries' experiences and exchanged views in relation to gifts, hospitality and gratuities.

Proposal to host the 8th meeting

7. The Chair informed the participants that the **MACC of Malaysia** had proposed to host the 8th Forum in 2015, and expressed his appreciation for the MACC's proposal. The representative from the MACC invited the participants to the next meeting in Malaysia.

Closing of the meeting

8. The Chair declared the closing of the meeting, and thanked the participants for their attendance and contribution.

Annex I: List of Participants

MEMBERS

Australia: Independent Commission Against Corruption

Ms. Theresa Hamilton
Deputy Commissioner

Hong Kong: Independent Commission Against Corruption

Mr. Shu Chun, Ricky Yau
Acting Director of Investigation (Private Sector)

Ms. Wai Fan, Monica Yu
Executive Director
Hong Kong Ethics Development Centre

Indonesia: Corruption Eradication Commission

Mr. Adnan Pandu Praja
Commissioner

Mr. Sujanarko
Director of Fostering Network Between Commission
and Institution

Mr. Roni Dwi Susanto
Director of R&D

Ms. Miranda Hotmadia Tanjung
International Cooperation Specialist

Ms. Syafira Putri Larasati
International Cooperation Specialist

Mr. Bey Arifianto Widodo
R&D Specialist

Korea: Anti-Corruption & Civil Rights Commission

Mr. Sungbo Lee
Chairman

Ms. Jin-young Kwak
Vice Chairperson (Anti-Corruption)

Mr. Sang-sik Kim
Assistant Chairman

Mr. Gae-ok Park
Director General for Anti-Corruption

Mr. Hyung-sok Kwak
Director General for Report Inspection

Mr. Kisun Kim
Director of International Relations Division

Ms. So-yeong Yoon
Deputy Director of International Relations Division

Mr. Eunsoo Jung
Deputy Director of International Relations Division

Ms. Yoolin Choi
Deputy Director of International Relations Division

Malaysia: Malaysian Anti Corruption Commission

Mr. Hon Dato' Hj Zakaria Jaffar
Deputy Chief Commissioner
(Management and Professionalism)

Mr. Abdul Razak Hamzah
Head of International Studies Center
Malaysian Anti-Corruption Academy

Mr. Hon Dato' Ahmad Khusairi Yahaya
Director of Policy Planning and Research Division

Mr. Yuhafiz Mohd Salleh
Senior Superintendent

Philippines: Office of the Ombudsman

Ms. Conchita Carpio Morales
Ombudsman

Ms. Evelyn Baliton
Assistant Ombudsman

Singapore: Corrupt Practices Investigation Bureau

Mr. Ang Seow Lian
Deputy Director

Ms. Jill Tan
Senior Executive

OBSERVERS

**Australia: Australian Commission for Law
Enforcement Integrity**

Mr. Philip Moss
Integrity Commissioner

Mr. William (Bill) Bannear
A/D Corruption Prevention

Ms. Tara Richards
Intelligence Analyst

Vietnam: Government Inspectorate

Mr. Nguyen Van Thanh
Deputy Inspector General

Mr. Le Kha Thanh
Deputy Director General
Anti-corruption Bureau

Ms. Nguyen Thi Huong Giang
Head of Protocol Division
Department for International Cooperation

Annex II: Agenda of the International Forum on Anti-Corruption Best Practices

INTERNATIONAL FORUM ON ANTI-CORRUPTION BEST PRACTICES

"Public lectures by the leaders of major anti-corruption agencies"

Date & Time: 09:00-16:20, Tuesday, 3 September 2013
Venue: 3F, Grand Ballroom, Seoul Royal Hotel, Seoul, Korea
Host: Anti-Corruption & Civil Rights Commission (ACRC), Korea
Participants: Anti-corruption agencies in the Asia-Pacific region, government organizations, civil society organizations, and academic experts

Draft agenda

09:00-09:05	Welcome speech	Sungbo Lee, <i>Chairman, ACRC, Korea</i>
09:05-09:50	1. G20 Anti-Corruption Action Plan & Jakarta Statement on Principles for Anti-Corruption Agencies	Adnan Pandu Praja, <i>Commissioner, Corruption Eradication Commission, Indonesia</i>
09:50-10:35	2. Investigation of corruption cases & protection of whistleblowers	Theresa Hamilton LLB, <i>Deputy Commissioner, Independent Commission Against Corruption, Australia</i>
10:35-10:50	Coffee break	
10:50-11:35	3. CPIB's public education & preventive efforts	Seow Lian Ang, <i>Deputy Director, Corrupt Practices Investigation Bureau, Singapore</i>
11:35-12:20	4. Anti-corruption training: Malaysian Anti-Corruption Academy	Hon Dato' Hj Zakaria Jaffar, <i>Deputy Chief Commissioner, Malaysian Anti-Corruption Commission, Malaysia</i>
12:20-13:45	Lunch (2F, Royal Ballroom)	
13:45-14:30	5. Korea's anti-corruption strategies & experiences	Sungbo Lee, <i>Chairman, ACRC, Korea</i>
14:30-15:15	6. Partnership against Corruption: the Hong Kong Experience	Ricky Yau, <i>Acting Director of Investigation (Private Sector), Independent Commission Against Corruption, Hong Kong</i>
15:15-15:30	Coffee break	
15:30-16:15	7. Improving Public Service Integrity: The Integrity Management Program	Conchita Carpio Morales, <i>Ombudsman, Office of the Ombudsman, Philippines</i>
16:15-16:20	Farewell speech	Sungbo Lee, <i>Chairman, ACRC, Korea</i>



“The Compliance and Monitoring Mechanism in Pursuit of a Corrupt Free Organization through the Placement of Certified Integrity Officers: Its Role, Effectiveness, Challenges and Its Future.”

P/TPj Junipah binti Wandu
Director
Agency Integrity Management Division (AIMD)
Malaysian Anti - Corruption Commission (MACC)

PRESENTATION OUTLINE

1

OUR ROLE

2

INTEGRITY UNIT: A
JOURNEY OF
ACHIEVEMENT &
CHALLENGES

3

WAY FORWARD

PRESENTATION OUTLINE

1

OUR ROLE

2

INTEGRITY UNIT: A JOURNEY OF ACHIEVEMENT & CHALLENGES

3

WAY FORWARD

CHRONOLOGY OF THIS EFFORT

August 2013

1 year

2014

2 years

2016

• 2017

Circular on Establishing Integrity Unit in Public Sector

AIMD was established as a division in MACC with the role to monitor Integrity Unit in Public Sector

New policy and mechanism takes place to ensure suitability of this effort in promoting integrity and eradicating corruption in Malaysian Public Sector in the future

Role of AIMD

To monitor 887 Integrity Units in Public Sector by virtue of Service Circular No. 6 Year 2013

Directive and Circulars on Integrity Management in Malaysia



Prime Minister's Directive No. 1 of 1998 - Integrity Management Committee



Prime Minister's Directive No.1 of 2009 - Establishment Of Committee On Integrity Governance



Prime Minister Directive No. 1 of 2009, Series 1 No. 1 of Year 2011- Implementation of Certified Integrity Officer (CeIO) Programme



Service Circular No. 6 Year 2013 - Establishment of Integrity Unit in Government Agencies

SP4/SPAM
Email: sp4spam@sp4.gov.my

Service Circular No. 6 Year 2013



Service Circular No. 6 Year 2013
Effective On August 1, 2013

An Initiative To Continue Strengthening Civil Servants for Determining Integrity And Uphold the Principles of Integrity As Well As Accountability For Curbing Corruption, Misconduct, Violations of Code of Conduct and Organizational Ethics in order to achieve an Excellent Public Delivery System.

1

To introduce Integrity Unit and its establishment in all Federal and state government agencies and its core functions.

2

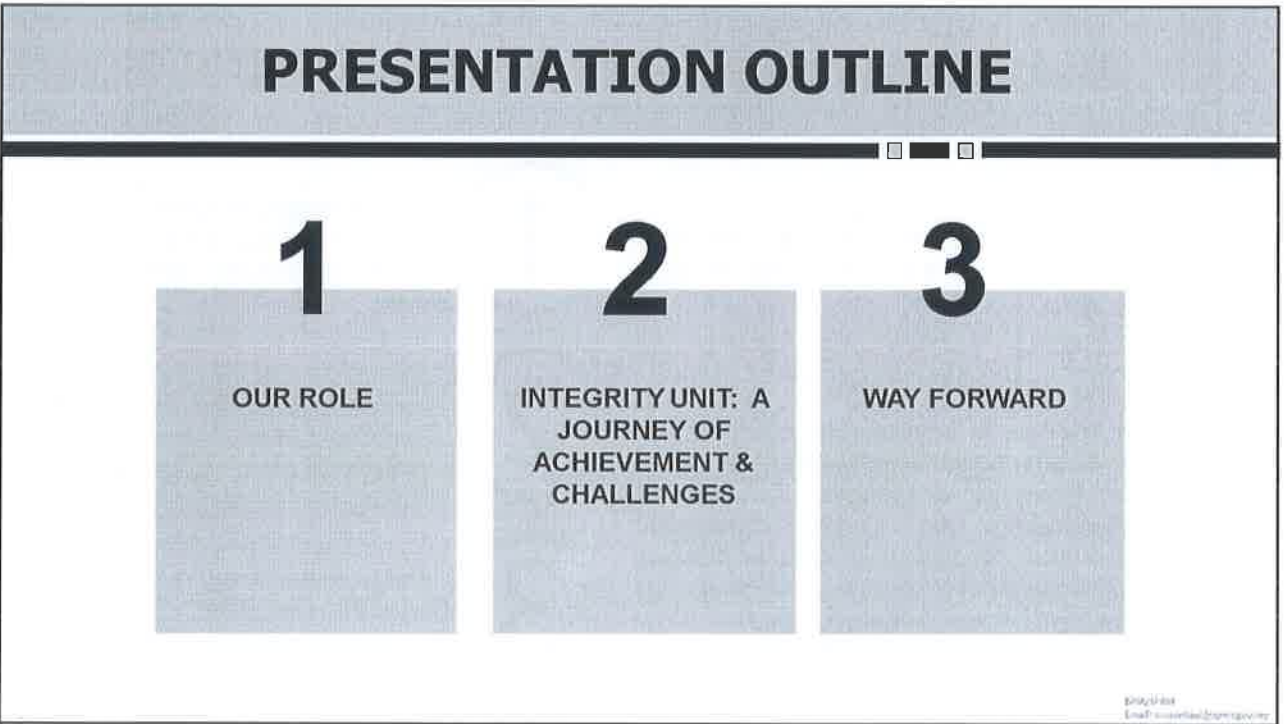
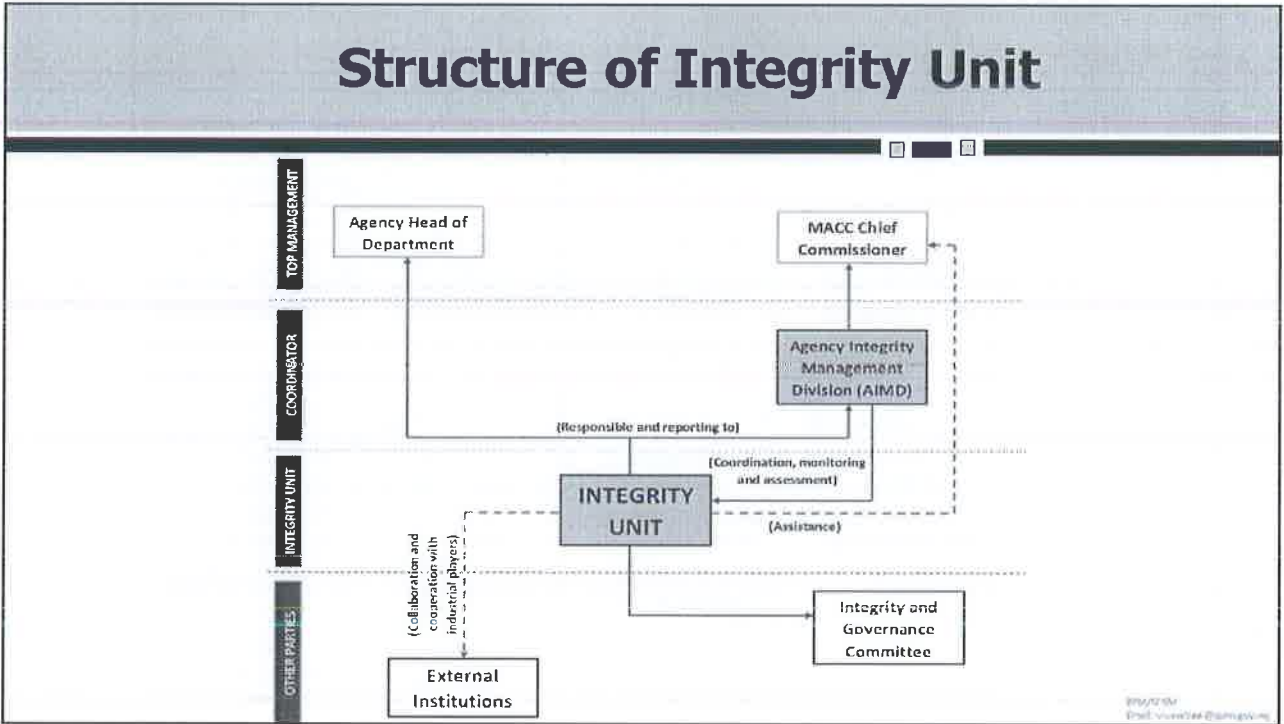
To promote the integrity and accountability of public and private sector administration.

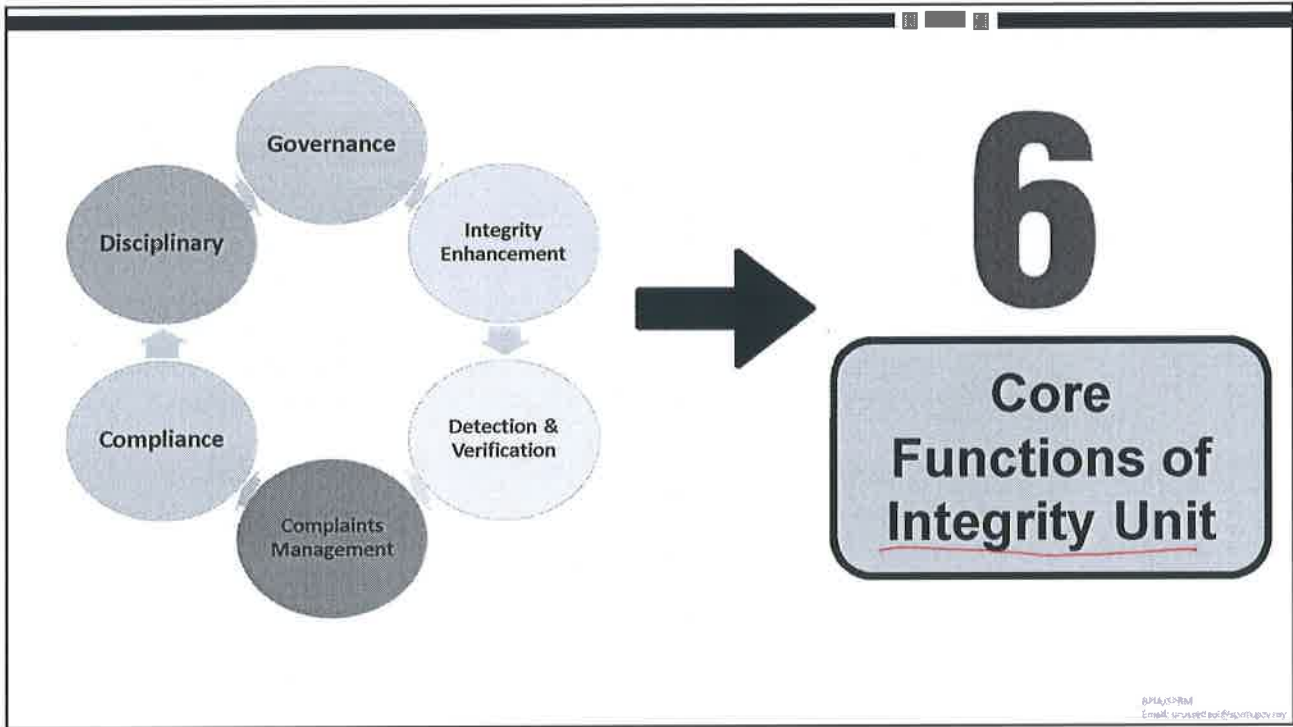
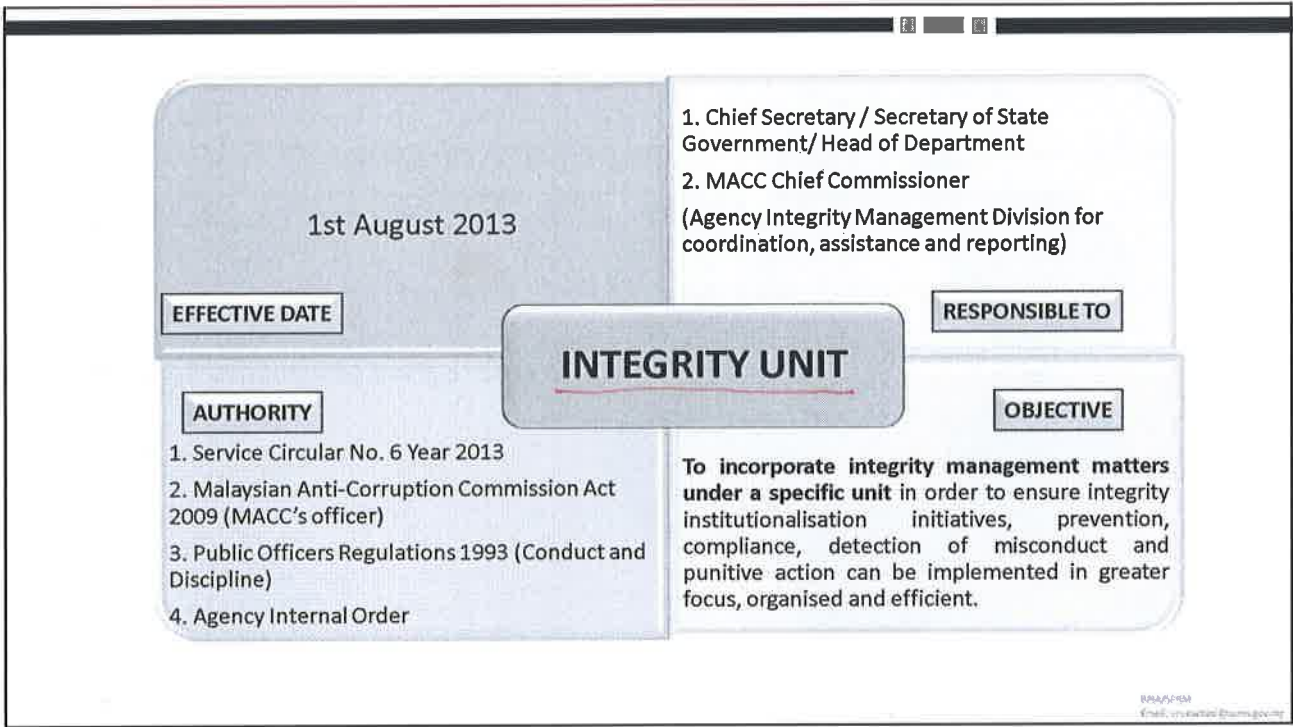
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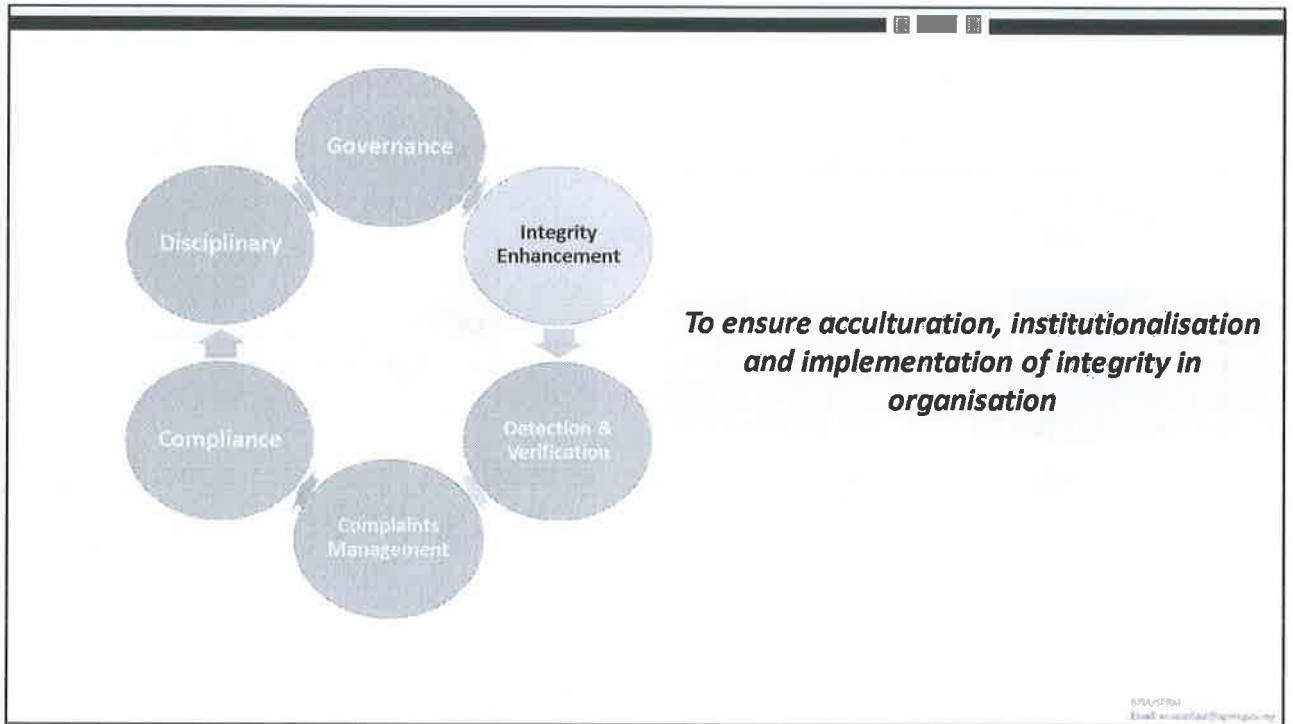
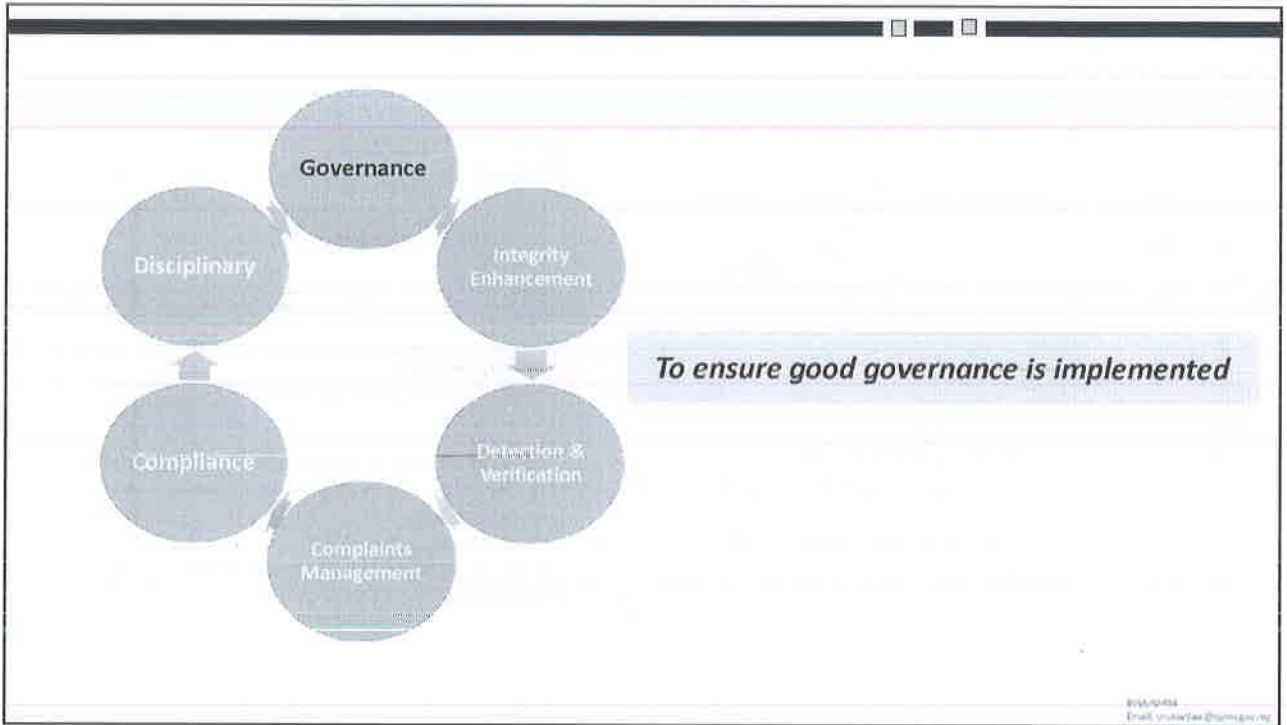
To further enhance the efficiency and mitigate corruption risk in both public and private sectors

OBJECTIVES

SP4/SPAM
Email: sp4spam@sp4.gov.my





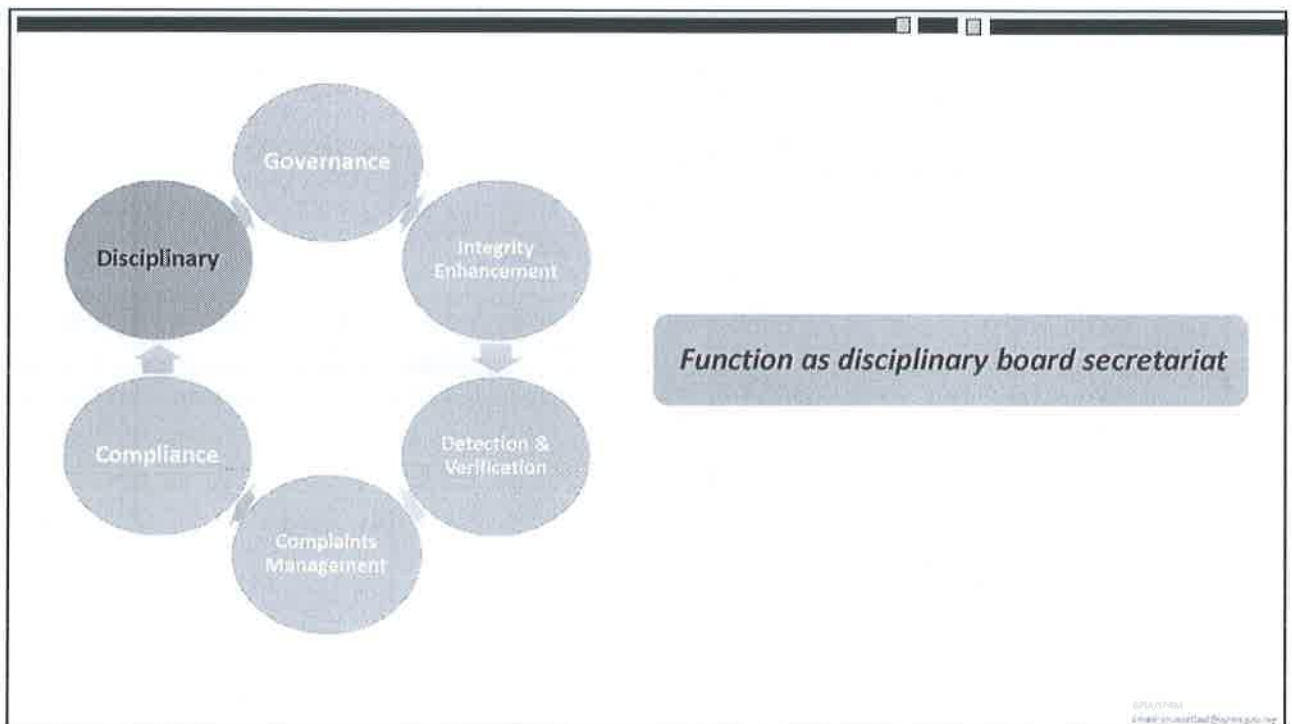
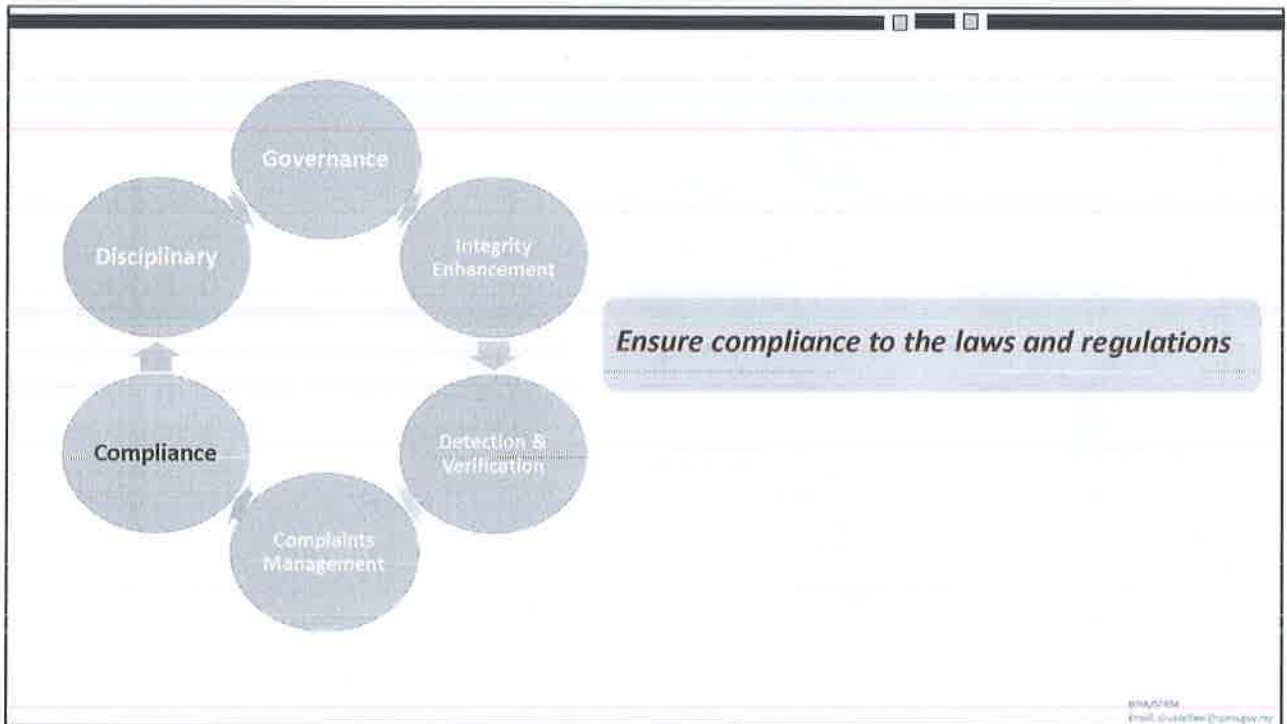


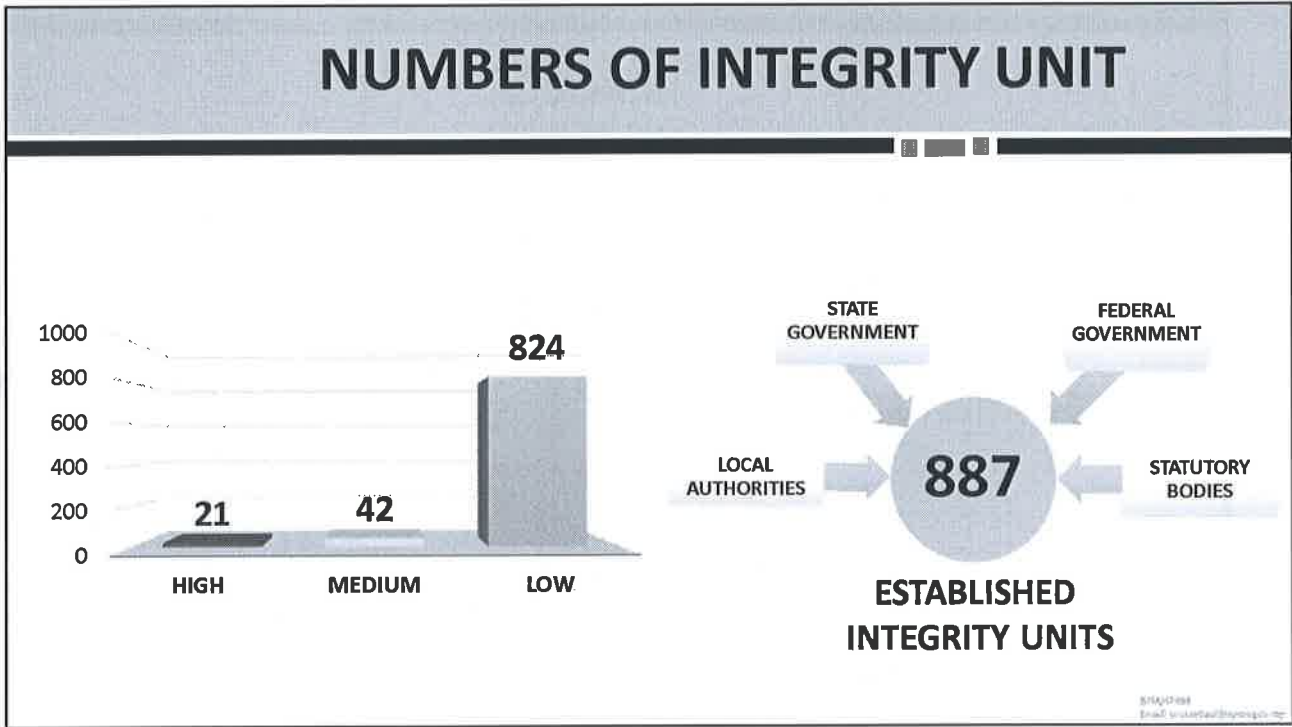
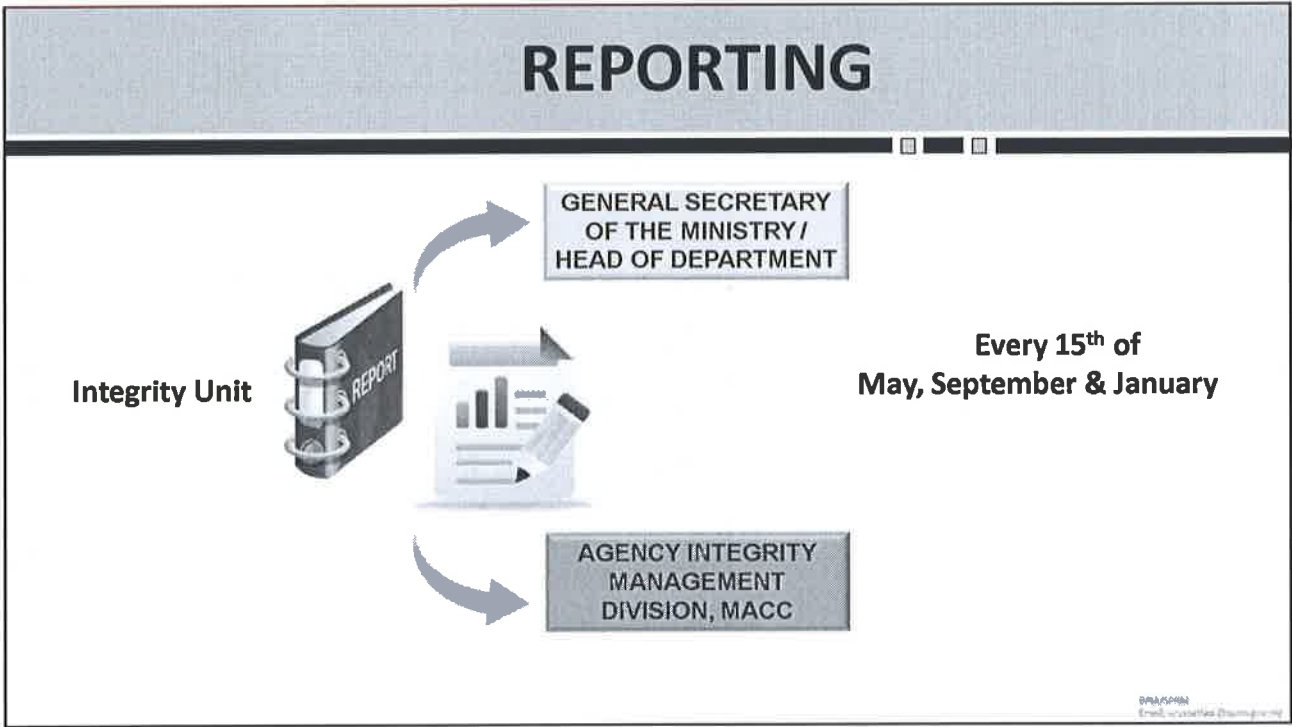
Detect and verify complaints on criminal misconduct and breach in code of ethic and code of conduct and ethics and ensure appropriate action is taken

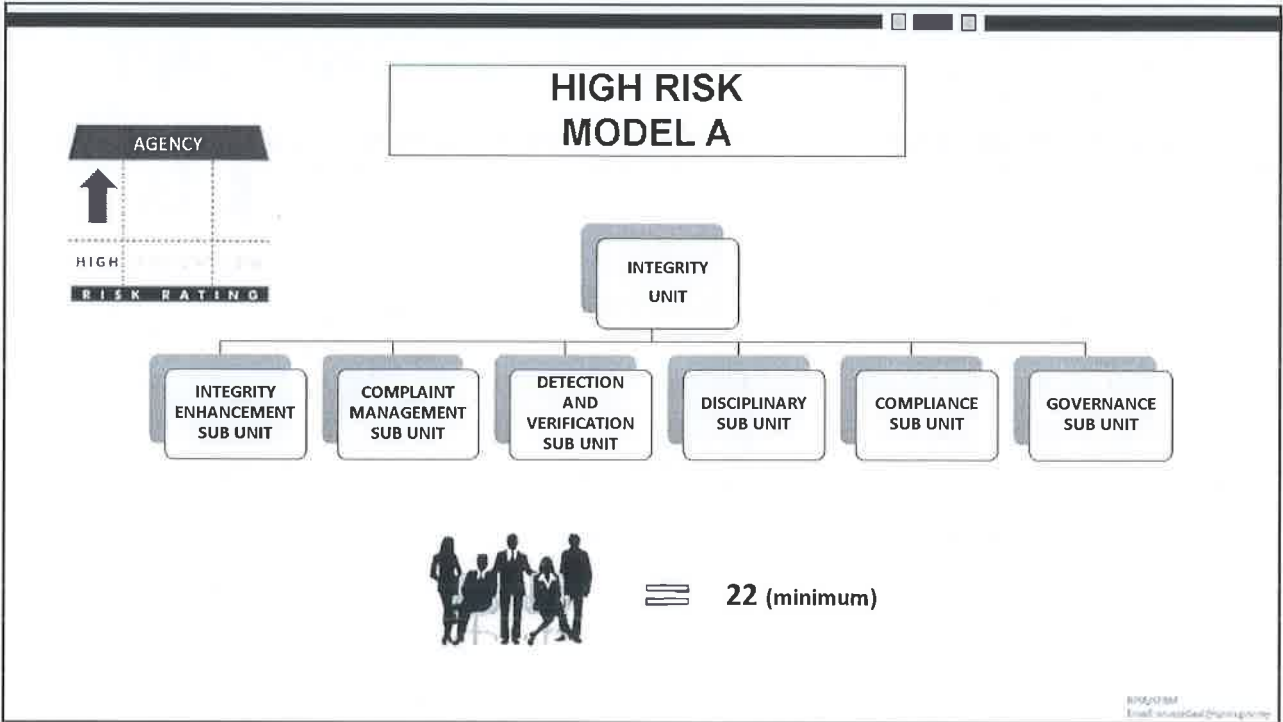
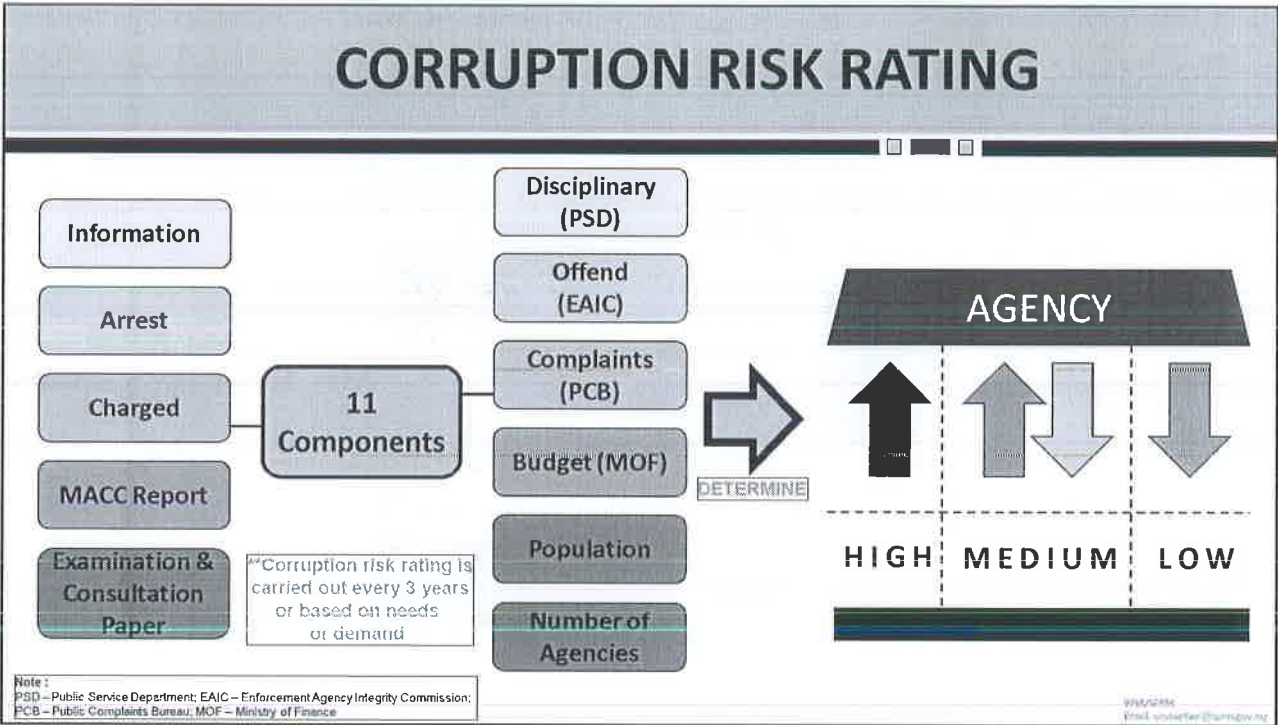
ENH/IFM
Email: enquiries@enh.gov.uk

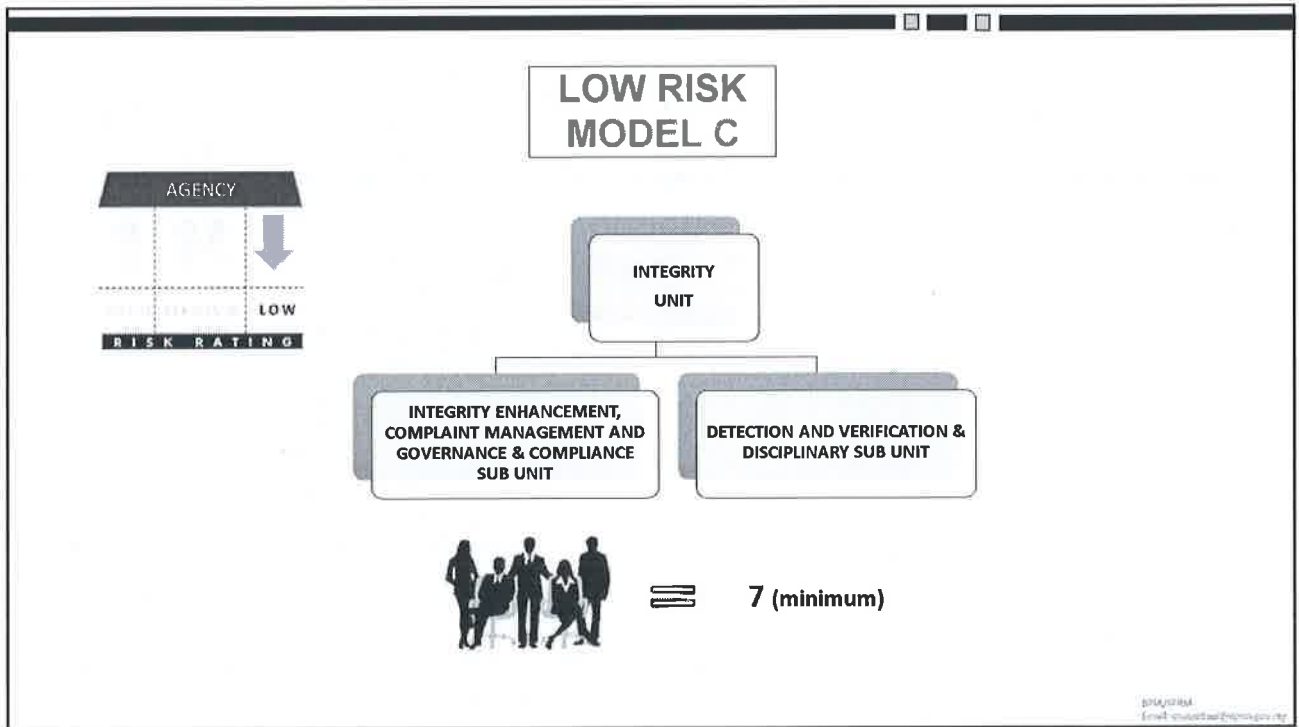
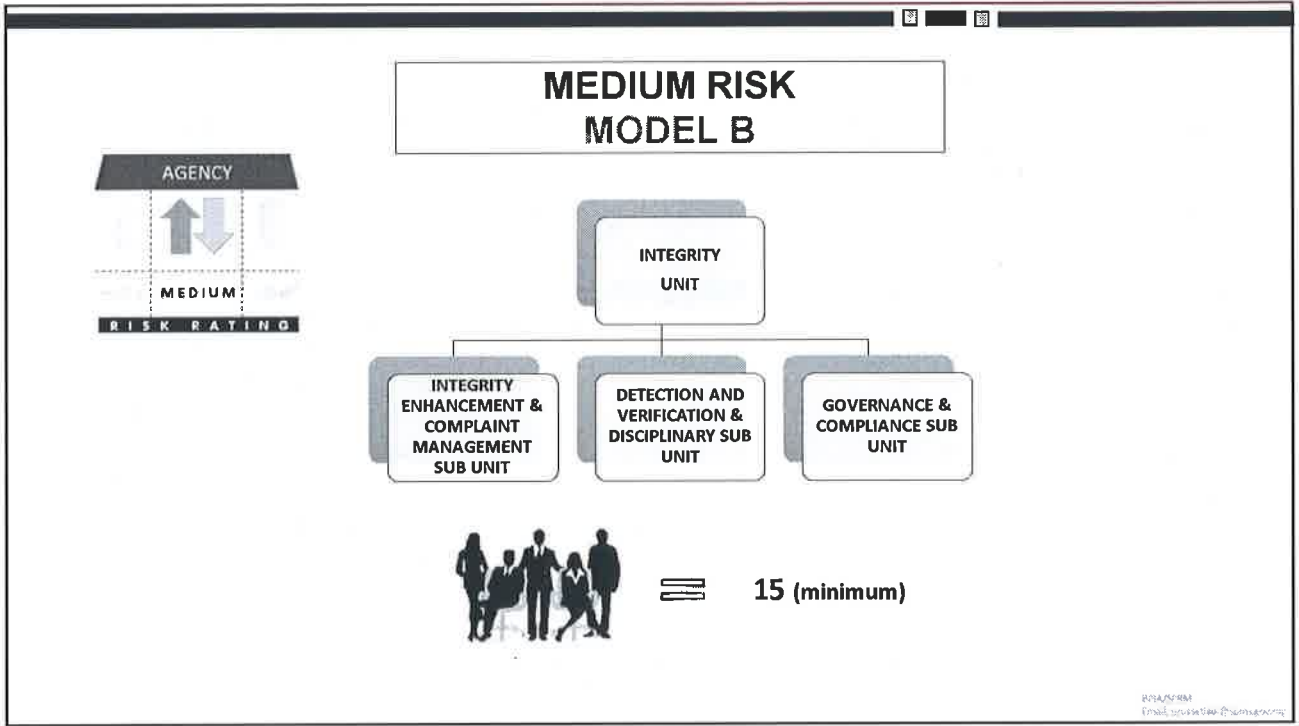
Receive, assess and take necessary action on all complaints/information received pertaining to criminal misconduct and breach of conduct and ethics of the organisation

ENH/IFM
Email: enquiries@enh.gov.uk



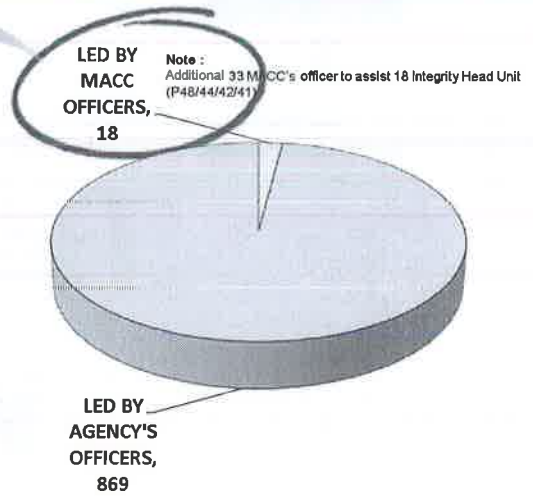






PLACEMENT OF MACC OFFICER AT INTEGRITY UNIT

	Grade	No. of MACC's Officers
Integrity Head Unit	JUSA C	2
	P54	12
	P52	4
Investigating Officers	P48	2
	P44	23
	P41/42	8
	Total	51



8/16/2016
Email: corruption@pm.gov.my

ACHIEVEMENTS

Number of Core Functions Activities Implemented (2014-2016)

Functions	2014	2015	2016
1. Governance	101	254	203
2. Integrity Enhancement	1,596	918	842
3. Detection and Verification	908	964	1199
3.1 Distributed information to MACC for further actions	157	168	144
4. Complaint Management	1,902	10,813	5507
5. Compliance	384	614	798
6. Completion of disciplinary cases	1,937	1,229	1646

8/16/2016
Email: corruption@pm.gov.my

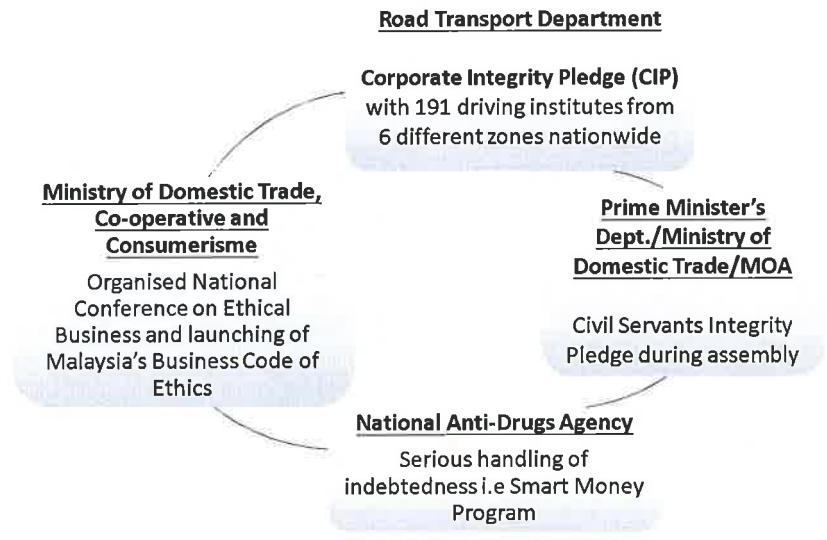
**558
Governance
Initiatives**



HIGHLIGHTS

PMU/IFM
Email: unicat@pm.gov.my

**3044
Integrity
Enhancement
Programs**



HIGHLIGHTS

PMU/IFM
Email: unicat@pm.gov.my

2634

Actions on
Detection &
Verification

Forestry Dept. Peninsular
Malaysia

Arrestment of loggers with
bribes value worth RM260,000
in Tasek Banding, Gerik case

HIGHLIGHTS

National Registration
Department

Temporary Resident
Identification Card Case
in Melaka with bribe
valuation of RM110,000.

Forestry Dept. Peninsular
Malaysia

Logging Operations in Kuala
Kangsar with corruption
value worth RM60,000

BINA/2018
Email: bin@nrcf.mpa.gov.my

Paper Cuttings on Reported Detection & Verifications activities

BINA/2018
Email: bin@nrcf.mpa.gov.my

18222
**Information-
Complaint
Management**

**Establishment of Reporting
System Centre**

Complaints received include
issues of corruption,
embezzlement, abuse of power
and administrative weakness

HIGHLIGHTS

1796
**Actions on
Compliance**

**Ministry of Domestic Trade,
Co-operative and
Consumerism**

Inspection of handling and use
of Pre-signed Controlled
Scheduled Goods Permit

MOE

Inspection of Policies
and Circulars e.g
declaration of
property ownership

Ministry of Home Affairs

Create smart partnership
with Internal Audit Unit to
execute Mystery Shopping

Ministry of Works

Monitoring of behind
scheduled/sore projects and
highway maintenance by
Malaysian Highway Authority

MOSTI

Monitoring of
government information
leaking by civil servants

HIGHLIGHTS

4812
Disciplinary
Cases Solved

**4812 (89%) out of
5358 disciplinary cases
solved**

(from 2014 -2016)

HIGHLIGHTS

07/05/2017
Email: susan@ed@pim.org.au

CHALLENGES ON THE WAY TO BETTERMENT

```
graph TD; IC[Internal Control] --> L[Leadership]; L --> A[Ability to identify risks]; A --> IC;
```

07/05/2017
Email: susan@ed@pim.org.au

PRESENTATION OUTLINE

1

OUR ROLE

2

IINTEGRITY UNIT: A JOURNEY OF ACHIEVEMENT & CHALLENGES

3

WAY FORWARD

IPAU/IFIM
Email: unit@ipau.gov.my

WAY FORWARD

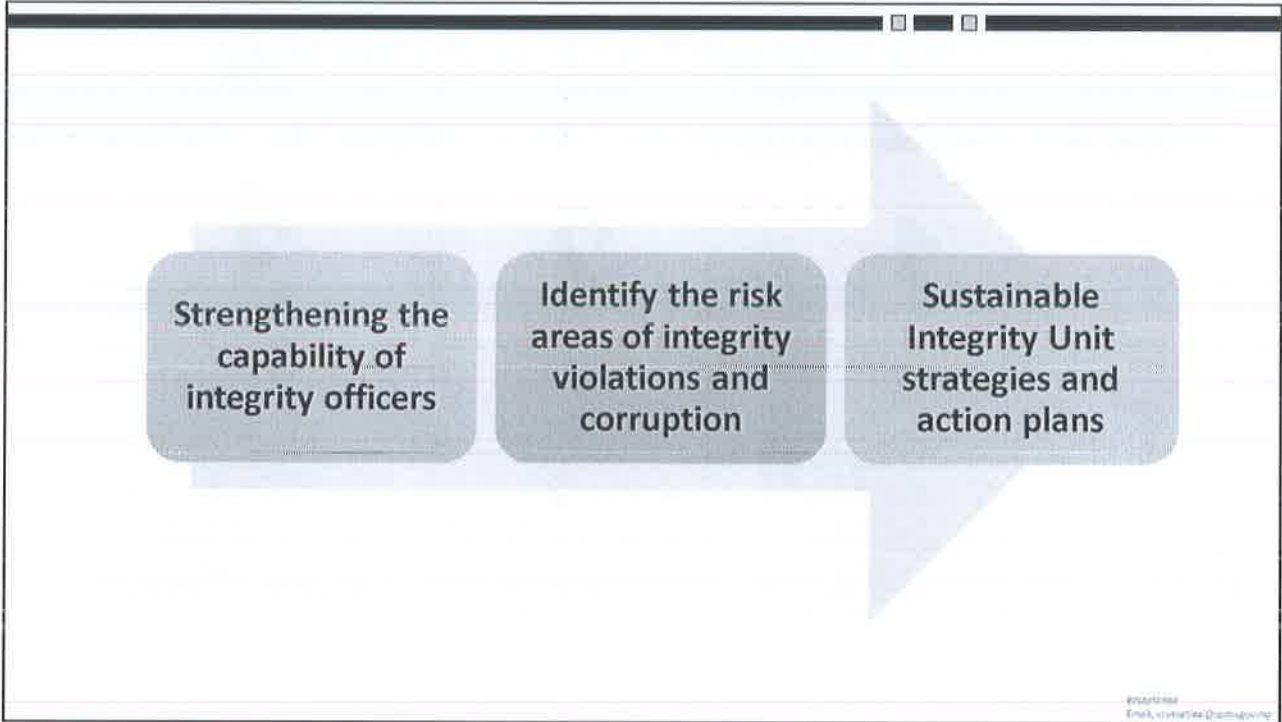
PEOPLE

SYSTEMS **PROCESSES**

➔

**Public Sector
Integrity
Institutionalization**

IPAU/IFIM
Email: unit@ipau.gov.my



THANK YOU

© 2014/2015
Email: vi@iacta.org

1.
2. AAC.



Fighting Corruption in the Natural Resources Sector

A LESSON FROM INDONESIA'S EXPERIENCE



ACA Forum - Kuala Lumpur, Malaysia
24 – 25 May 2017



KPK's Functions and Authorities



Studies on the management system within state and governmental agencies, with a view to improve transparency and reduce corruption risks.

Provides recommendation to the state and governmental agencies.

Reports to the President, the House of Representative and the Supreme Audit Board.



Corruption Cases

Based on KPK Investigations:

No.	Corruption Case	2004 to 2016	%
1	Bribery	262	51%
2	Procurement	148	29%
3	Misuse of state finances	44	9%
4	Illegal charges/Extortion	21	4%
5	Licensing	19	4%
6	Money laundering	15	3%
7	Obstruction of justice	5	1%
Total		514	100%

- 12 case in natural resource especially in forestry sector
 - **Bribery in forest licenses**
 - **Bribery related to forest conversion**
 - **Bribery in public procurement**
- Aug 2016, mining case in KPK
 - **Bribery in mining licenses**

No.	Occupation	2004 to 2016
1	Member of Parliament (Central and Regional)	119
2	Head of Ministry/Agency	24
3	Ambassador	4
4	Commissioner of State Institution	7
5	Governor	15
6	Mayor/Head of Regencies	50
7	Government Official	129
8	Judge	14
9	Private Sector	142
10	Others	67
Total		571

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Corruption in the Forestry Sector : *The Indonesian Experience*



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Preventing corruption in forest planning

Weak control criteria governing forest conversion allows transactional process.

- *In general all forest area are allowable to be converted, without specific deliberate decision making process.*



Weak forest area designation, both legally (11%) and legitimately.

- *Conflict resolution and access to natural resource and land are not considered in the process of forest area delineation and designation.*

No single standard map in forest area.

- *There are no clear legal instrument to designate forest area in one single map.*

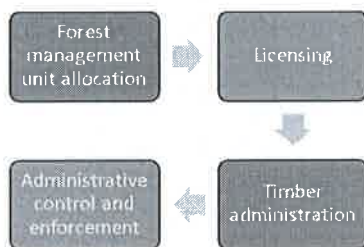
In 2010, the KPK conducted a study on forest planning, on the basis that loopholes brought by forest area uncertainty have led to discretionary licensing process. Common practices on licensing forest area was to obtain illegal forest resources' economic value – whereas then the conversion became also uncontrollable. Key recommendations from this study are:

(1) Ensure rational and deliberate decision making in forest conversion.

(2) Improve forest area legal and legitimate status, in order to close the 'loophole' in transactional land-based licensing.



Preventing corruption on licensing bureaucracy



Every phase of licensing is recognized as hotspot for bribery and extortion.

- *Bribery and extortion occur with various policy loopholes, including abstract decision making criteria, unregulated standard of public service, and overlapping norm between the laws.*

'Every illegal cost encourage also illegal sourced income.'

- *Admittedly, respondents of the study mentioned that such informal costs are often compensated with more revenue – even more often in illegal manner. The study found that the transaction cost would cover at least IDR 680 million to IDR 22 billion annually for each concession holder.*

While engaging reform in forest planning, KPK used the 'policy window' to also reform the bureaucracy in forest exploitation and licensing. From various on-site monitoring and evaluation in previous process, KPK found even more information about corruption in licensing bureaucracy. Using the variable from Corruption Impact Assessment developed by ACRC (Korea Anti Corruption and Civil Right Commission), the KPK study (2013) found at least 18 out of 22 regulations in licensing administration are prone to corrupt.

Key recommendations to this study are:
 (1) Reduce bureaucratic loophole and cut informal costs of licensing administration.
 (2) Encourage rational and deliberate decision making in licensing process and control.



Preventing corruption in non-tax revenue policy

Rent-seeking behavior as an underlying factor for corruption in forestry sector might still prevail despite reducing regulatory loopholes. With low risks of enforcement, the superfluous rent provide larger incentives to corruption. The study on forest resource based revenue (2015) found that the policy in collecting revenue not only provides perverse incentives to rent-seeking behaviour but also conditions for disincentives in governing forest resource sustainably. This study recommended on:

- (1) Preventing corruption by reducing uncaptured rent value by the state.
- (2) Encourage rational and deliberate decision making in fiscal policy to allows a positive incentives on managing the forest sustainably.

The government provides no credible data to verify revenue collection and set policy target.

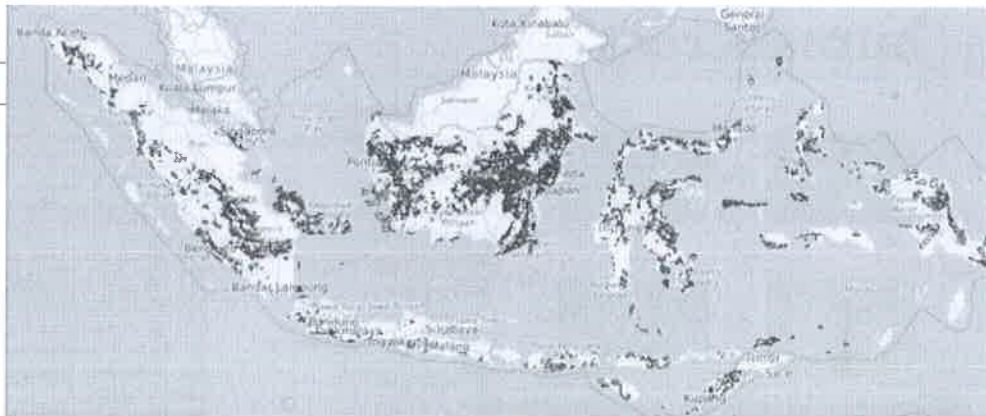
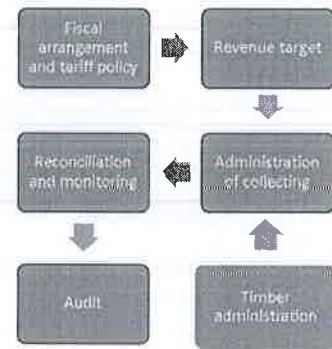
Almost all information on forest resource are provided by concessionaire, asymmetrical information occurred due to weak verification process for the reported data.

Weak accountability in the forest governance.

Despite managing large areas of forest, the government has no specific mechanism to provide accountability of the targets and outcome. No verification on how much the government should have collected from managing the forest.

Revenue policy providing incentives for rent-seeking.

Forest business blessed with indirect subsidies as revenue tariffs have never been adjusted since the 1990s despite increasing market price.



Strategies To Mitigate Corruption In Mining Sector:

The Indonesian Experience

Coordination in Mining Sector



Preventive Action in Natural Resources Sector

1. Study on Indonesian Coal Management System
2. Study on Planning and Monitoring System of Forest Area
3. Study on Management of Tax and Non-Tax Revenue in mining
4. Study on Mining License
5. **Coordination and Supervision of Mineral and Coal, 2014-2015**
6. **National Movement to Rescue Natural Resources sector, 2015**

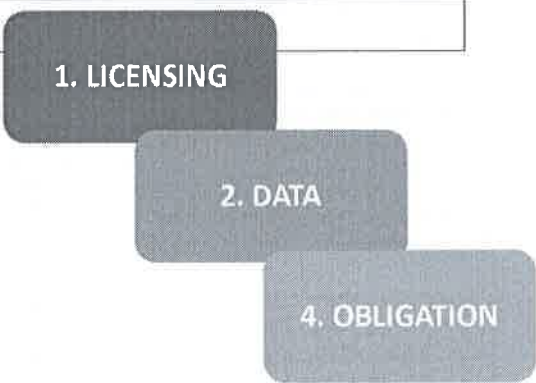


Coordination	Action
Building the trust	<ul style="list-style-type: none"> • Commitment to solve the problem • Support the Government
Improve the system	<ul style="list-style-type: none"> • Provide recommendation based on the study • Government to implement the action plan • Monitor the progress
KPK as Trigger mechanism	<ul style="list-style-type: none"> • High level meeting, ministry and head of institution • General meeting across government in central government • General meeting local and central government • General meeting government and CSO
Open Government Data & transparency	<ul style="list-style-type: none"> • Open transparency of data to public • Data share among government (central and local)
Compel to conduct law enforcement	<ul style="list-style-type: none"> • Support the government to follow the regulation • Encourage the government to impose the sanction (administrative and revocation), collect debt revenue • Meeting with law enforcement agency II
Involving Public Monitoring	<ul style="list-style-type: none"> • Coordinate the meeting with CSO • Ask CSO to monitoring the program

Mining Problem and KPK Intervention

Indonesia

- 1st largest exporter on coal
- 2nd largest producer of tin
- 4th world largest reserve of nickel
- 4th world largest producer of bauxite
- 40% of world geothermal resources



Mining Problem and KPK Intervention

1. Licensing

Mining Problem	KPK Intervention
Lack of regulation	Encourage Ministry of Energy and Mineral Resources to improve the regulations
The License Problem <ul style="list-style-type: none"> • Environmental permit • Overlapping • Licensing map • Border map • Reporting • Mine inspector 	Licensing arrangement to Clean and Clear (CNC). 40 % of mining license are Non-CNC (3772) from Total (10.172) <ul style="list-style-type: none"> • Administrative • Overlapping • Finance obligation • Asked the government to impose administrative sanctions to mining company (warning letter and revocation)

1967	Contract Regime	200 license
2002	Regional autonomy Law	
2009	License Regime	
2016		10.172 license

Follow up

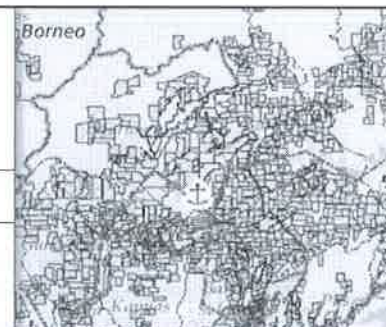
- 1254 mining company had been revoked
- Hundreds mining company had been sanctioned
- 3772 NON CNC mining company will be terminated in December

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Mining Problem and KPK Intervention

2. Data

Mining Problem	KPK Intervention
Map Problem <ul style="list-style-type: none"> • Not following the baseline maps • Overlapping map • 20% administrative border map • Not connected with other ministry map • 1836 mining permit/ 6.2million Ha mining in conservation/protected forest area 	<ul style="list-style-type: none"> • Encourage the Ministry of Energy to establish Mining One Map Data connected with other stakeholder • Support the one map data policy • Ask the local government to revoke /shrink the mining license in the prohibited forest area.
Data Problem <ul style="list-style-type: none"> • 90% mining company do not report mining activity to local government • 90% local government do not report to Min. of Energy and Mineral Res • Discrepancy between export and production data 	<ul style="list-style-type: none"> • Encourage mining company and local government to report mining activity to central government regularly • Coordinate export data with Customs and Ministry of Trade



Follow up

- Implementation of Minerba One Map Indonesia (MOMI)
- Local Government had revoked the mining in conservation and rehabilitation forest area.
- Significant increase of reporting data
- Reconciliation of data between central and local government

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Mining Problem and KPK Intervention

3. Obligation

Mining Problem	KPK Intervention
<ul style="list-style-type: none"> The tax reference number of 1.850 (24%) mining company are not identified 90% of mining license (IUP) do not pay post-mining and rehabilitation funds Outstanding payment of non-tax revenue from Mining Company USD 460 million 	<ul style="list-style-type: none"> To ask the Minister of Finance to collect and reconcile the tax reference number To ask the Minister and local governments to collect debt from mining company and impose administrative sanctions. To ask mining company to pay financial obligation and outstanding payment

Follow up

- All mining company have renewed tax reference number
- Significantly increased administrative sanction enforcement.
- Increased the state revenue from the mining sector by USD 0.8 billion in 2014.

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Coordination and Supervision – Results

- Encourage the coordination and supervision between 8 ministries in central government with local government, CSO and law enforcement.
- Improvement of regulations.
- Increase of Non-Tax Revenues IDR 10 trillion or \$ 0.8 Billion in 2014
- Revocation of 1254 mining business license.
- Endorsing spatial database management in Ministry of Energy and Mineral Resources - MOMI (*Minerba One Map Indonesia*).
- Monitoring the compliance of Mining Company obligations
- Encourage administrative sanctions to mining company

Building Partnership to Prevent Corruption

National Movement – Natural Resources Recovery

In 2015, KPK initiated the program involving President, all ministries and government institutions, especially in natural resources sector.

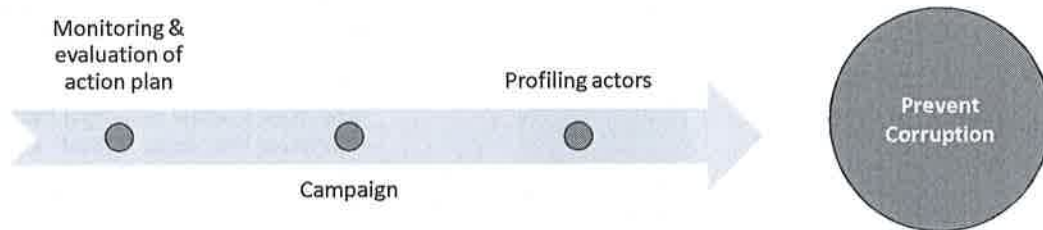
- At the same time, KPK initiated the Declaration of Law Enforcement Agency Commitment to rescue the natural resource by supporting a governance free from corruption, and commit to enforcing the law in natural resources cases.



Natural Resources Recovery – The Partners & Approaches



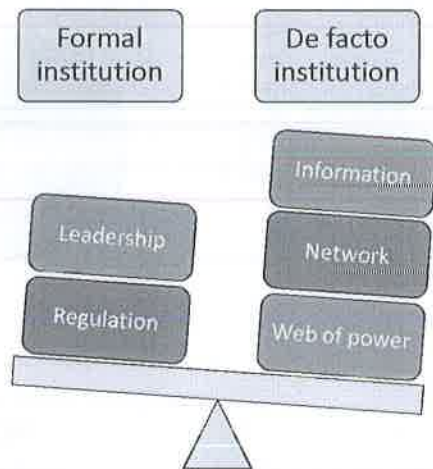
KPK & Civil Society Collaboration



Challenges

1. Lack of law enforcement
2. Lack of coordination between central and local government
3. Lack of supervision from the authorities

Lesson learned from preventing corruption in natural resources sector



Corruption shall not necessarily be defined as dysfunction of governance, rather an existence of alternate institution maintained by web-of-power which is de facto more superior than legal institution – whereas its social capital are also sourced from state administration.

Adapted from Ilariadi Kartodihardjo (2016) professoral scientific oration, "Diskursus dan Kebijakan Institusi Politik Kawasan Hutan"

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“Corruption in the natural resources sector is not merely related to the loss of state revenue, but also the failure of state in managing the natural resources for people sovereignty.

Kartodiharjo

Thank You





THANK YOU

KPK

Komisi Pemberantasan Korupsi


Website: www.kpk.go.id

Address and contact information:

- Jalan Kuningan Pirsada Kav. 4 – Setiabudi - Jakarta Selatan 12950
- Email: informasi@kpk.go.id
- Telephone: 6221-25578300

Shaping a new culture of integrity
to build a fair and transparent society

Introduction of the Improper Solicitation and Graft Act





- 1 Background
- 2 Main contents of the Act
 - Scope of application
 - Prohibition of Graft
 - Prohibition of Improper Solicitations
- 2 Reporting and handling of violations
- Performance Overview for Six months



I Background 2016.9

Background

● To secure public confidence in public institutions

 <p style="font-size: x-small; margin: 0;">Improper solicitations based on nepotism or favoritism breed corruption</p> <p style="font-size: x-small; margin: 0;">Impunity for huge bribery cases without proof of favors in return increases public distrust</p>		<p style="font-size: x-small; margin: 0;">Breaking the corruption chain by prohibiting improper solicitations</p> <p style="font-size: x-small; margin: 0;">Restoring public trust by punishing bribery regardless of duty-relatedness or any favors in return</p>
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● To protect public officials acting in good faith


 <p style="font-size: x-small; margin: 0;">Improper solicitations to public officials may undermine fair performance of duties</p> <p style="font-size: x-small; margin: 0;">Advantages received by a public official's spouse will be considered as advantages taken by the public official</p>		<p style="font-size: x-small; margin: 0;">Guaranteeing fair performance of duties by protecting public officials who reject improper solicitations from possible disadvantages</p> <p style="font-size: x-small; margin: 0;">No legal liability on a public official who reports and returns advantages received by his or her spouse</p>
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I Main Contents of the Act

Main Contents of the Act


1. Scope of application

● Organizations



- ✓ All the public institutions including constitutional institutions, central administrative agencies, local governments, municipal or provincial offices of education, and public service-related organizations
- ✓ Private and public schools of various levels, educational corporations, and media companies

● Individuals



- ✓ Public officials or relevant persons: Civil servants of national or local governments; heads and employees of public service-related organizations, public institutions, schools, educational corporations, and media companies
- ✓ Spouses of public officials
- ✓ Private persons performing public duties
 - * Members of various committees; private persons with an authority delegated from public institutions; those on assignment from the private sector to a public institution; individuals conducting deliberation or assessment in relation to public duties
- ✓ General public
 - (Private persons who improperly solicit public officials or who offer them financial or other advantages)

I Main Contents of the Act Main Contents of the Act

2. Prohibition of improper solicitations

● **14 types of improper solicitations**

1 Exerting influence over authorization, permission, etc.	2 Mitigating or exempting administrative dispositions or punishments	3 Intervening in personnel management such as appointment or promotion	4 Trading in influence over appointment to a position or intervening in the decision-making of public institutions	5 Intervening in selecting winners of award or prize granted by public institutions
6 Disclosing duty-related confidential information on tender, auction, etc.	7 Intervening in selecting contract winners, etc.	8 Violation of laws & regulations or abusing position or authority	9 Intervening in assignment or provision of subsidies or investment	10 Abnormal transaction practice of goods & services produced or provided by public institutions
11 Handling or manipulating admission or grades at schools	12 Handling matters related to military service including physical examination for conscripts	13 Intervening in assessments and judgments performed by public institutions	14 Manipulating the outcome of administrative guidance, control, etc. or ignoring discovered violations	15 Intervening in investigation, judgment, etc. of a case

I Main Contents of the Act Main Contents of the Act

2. Prohibition of improper solicitations




● **Sanction level by improper solicitation types**

Requirement		Sanction level
Subject	Types	
Stakeholders	Improper solicitation for oneself	No sanction
	Improper solicitation through a third party	administrative fine up to 10 mil. Won(\$ 10,000)
Third party	Improper solicitation for a third party	administrative fine up to 20 mil. Won(\$ 20,000)
Public officials, etc.	Improper solicitation for a third party	administrative fine up to 30 mil. won(\$ 30,000)
	Performing duties directed by improper solicitation	Imprisonment up to 2 years or fine up to 20 mil. Won(\$ 20,000)

I Main Contents of the Act Main Contents of the Act

3. Prohibition of graft

● **Unacceptable financial or other advantages**

Any financial interest: Money, securities, real estate, etc.	
Entertainment: Food, drink, golf, etc. Conveniences: Transportation, accommodation, etc.	
Other tangible & intangible financial benefits: Exemption of any debt, etc.	

I Main Contents of the Act Main Contents of the Act

3. Prohibition of graft

● **Acceptable financial or other advantages (as exceptions)**

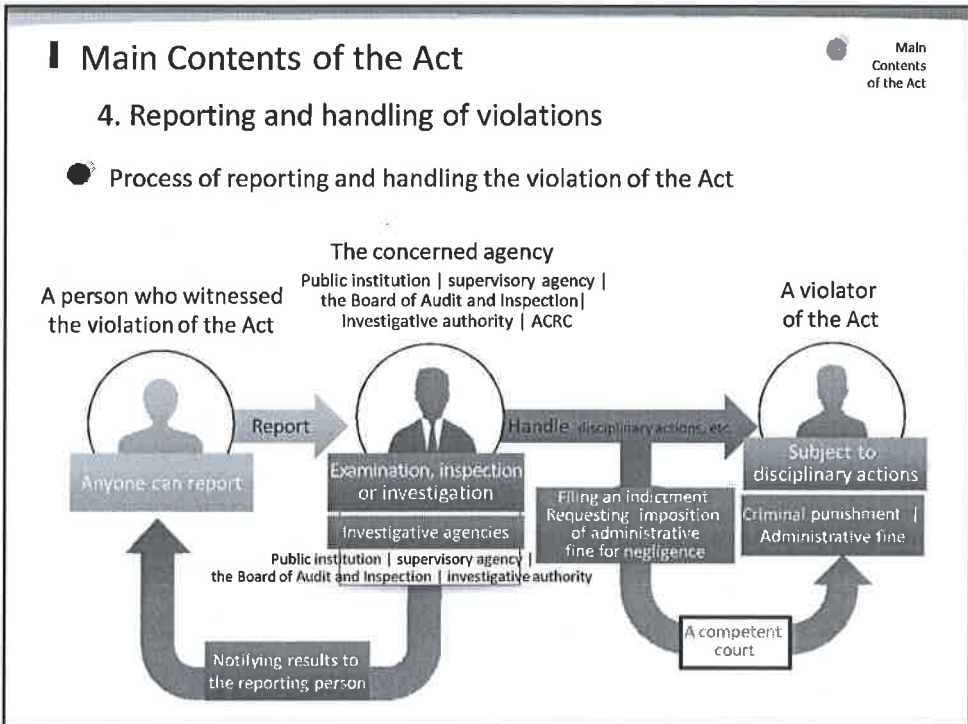
1. Financial or other advantages that a **public institution offers to its public servants**
2. **Food and beverages under \$30 and gift under \$50** offered for purpose of facilitating performance of duties, social relationships or rituals
3. Financial or other advantages **offered from a legitimate source of right**
4. Financial or other advantages **offered by relatives of a public official**
5. Advantages given to a public official who is in need by **those who have long-term, continuous relationships**
6. Transportation, accommodation, food, etc. **uniformly provided to all participants**
7. **Souvenirs or promotional goods distributed to many & unspecified persons, or prizes** given by a contest or lottery
8. Financial or other advantages **permitted by any other statutes, standards or social rules**

I Main Contents of the Act Main Contents of the Act

3. Prohibition of graft

● Sanction level by graft types

Graft types	Subject	Sanction level
Receipt of a financial or other advantage in excess of one million won(\$1,000) at a time or three million won(\$3,000) in a fiscal year from the same person, regardless of whether such offer is given in exchange of any favors	A public official who received the graft <u>regardless a connection with his or her duties</u>	Criminal punishment imprisonment for up to 3 years or a fine up to 30 million won(\$30,000)
	A person who provided the graft to a public official <u>regardless a connection with a public official' s duties</u>	
Receipt of a financial or other advantage not exceeding one million won(\$1,000), regardless of whether such offer is given in exchange of any favors	A public official who received the graft <u>in connection with his or her duties</u>	Administrative fine for negligence of 2-5 times the amount of the advantages
	A person who provided the graft to a public official <u>in connection with a public official' s duties</u>	



I Main Contents of the Act

Main
Contents
of the Act

4. Reporting and handling of violations

● Protection measures and rewards for reporting persons



I Performance Overview for Six months

Performance
Overview

Report status

- **547 report in the six months since the implementation of the law**
 - 412 cases of graft, 135 cases of improper solicitations
- 19 cases were referred to investigative authorities for criminal penalty
- 38 cases have been asked to courts for imposing administrative fines
- 51 cases are under investigation and 439 cases were closed for lack of evidence

● Performance Overview

I Performance Overview for Six months

Violation Cases

- **Improper solicitations** 不當利益.
 - ✓ A professor provided credits for an absent student residing overseas.
 - ✓ Public medical center allowed a certain patient to skip to the head of the line.
 - ✓ A chief of a fire station ordered a subordinate to overlook law violations of the station and a supplier requested an inspector to approve their product.

- **Graft** 賄.
 - ✓ A criminal suspect handed over \$20,000 to the investigator in charge of the case.
 - ✓ A school sports coach requested \$8,000 from students' parents as a retirement bonus.
 - ✓ A government official supervising a construction site accepted \$1,000 from a construction company.
 - ✓ A parent provided the homeroom teacher of his or her child with a gift certificate worth \$100


● Performance Overview

I Performance Overview for Six months

Changes in tradition and behavior

- **Decrease in entertainment costs for enterprises**
 - ✓ Corporate spending on entertainment down by 28% after the law

- **Changes in the way people their bills**



Government officials and lawmakers stand in line to pay their own bills after a lunch meeting.

- **Voluntary conformity of public officials**
 - ✓ Voluntary reports from government officials accounted for 62 % in the case of graft.
 - ✓ The officials who reported themselves returned various valuables ranging from liquor and gift certificates to \$20,000 in cash.

第1期 = Singapore

> = Malaysia s.a. (1) 賄 (2) 公取要申報)

~ 59:00

3. AAC

Performance Overview for Six months



Public Support

- 85% of South Koreans support the law
- 72% of South Koreans perceive to be improper the solicitations and graft that had been conventionally given and received in the past
- 85% of South Koreans think the law may have negative short term impact but will eventually help point society in the right direction

1 = 12 = 00

CORRUPT PRACTICES INVESTIGATION BUREAU



COMBATING CORRUPTION IN SINGAPORE'S EXPERIENCE ANTI-CORRUPTION EFFORT BEYOND CPIB'S ENFORCEMENT

MR PHUA MENG GEH
SENIOR ASSISTANT DIRECTOR
SPECIAL INVESTIGATIONS BRANCH (PRIVATE SECTOR)



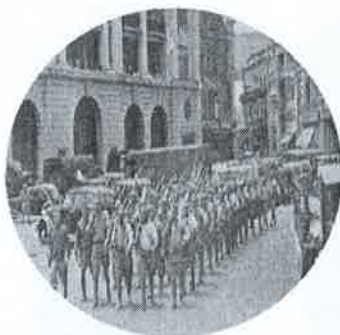
Early Years

Corruption was an endemic problem



Colonial Singapore
(1819 – 1942)

Corruption was a way of life as many local junior enforcement officers were routinely on the take.



Japanese Occupation
(1942 – 1945)

Corruption bred further into the social fabric as bribery was justified as a means of survival.



Post-war Period
(1945 – 1959)

Corruption spread amongst civil servants due to low detection risks and high rewards.



Political Will

The bedrock of the fight against corruption



FOUNDING PRIME MINISTER LEE KUAN YEW
(1959 - 1990)

We have succeeded in keeping Singapore clean and corruption free. This requires strong political will, constant vigilance and relentless efforts by CPIB to follow up every complaint and every clue of wrong doing

Excerpt from CPIB's 60th Anniversary Press Statement, 2012



Strategy for Success

4 key pillars built upon unwavering political will



Effective
Laws



Independent
Judiciary



Responsive
Public Service



Effective
Enforcement

Political Will



Top 7 Globally

Transparency International ranks Singapore within the top 7 least corrupt countries globally in 2016



Top 10 Countries

1. New Zealand/Denmark
3. Finland
4. Sweden
5. Switzerland
6. Norway
- 7. Singapore**
8. Netherlands
9. Canada
10. Germany/Luxembourg/UK

Source: 2016 Transparency International Corruption Perception Index



First in Asia

The Political & Economic Risk Consultancy (PERC) consistently ranks Singapore as the least corrupt economy in Asia

1 SINGAPORE



2 AUSTRALIA



3 JAPAN



4 HONG KONG



5 UNITED STATES

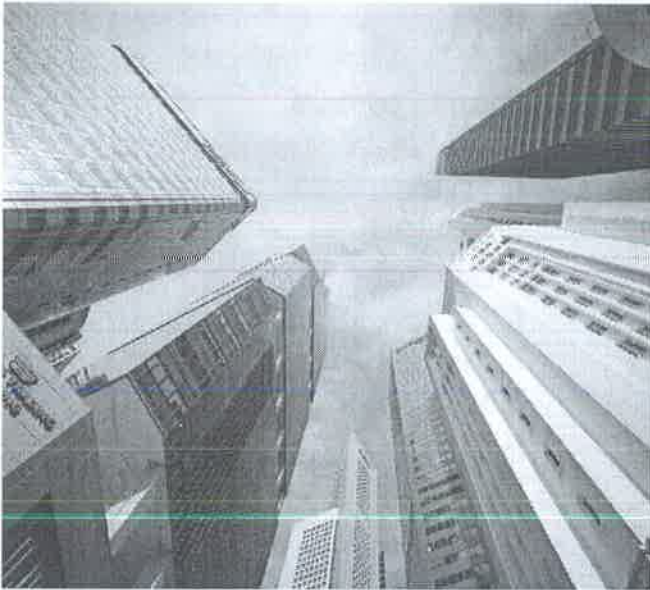


Source: PERC Annual Review of Corruption in Asia, the US and Australia 2017



Corruption Situation Today

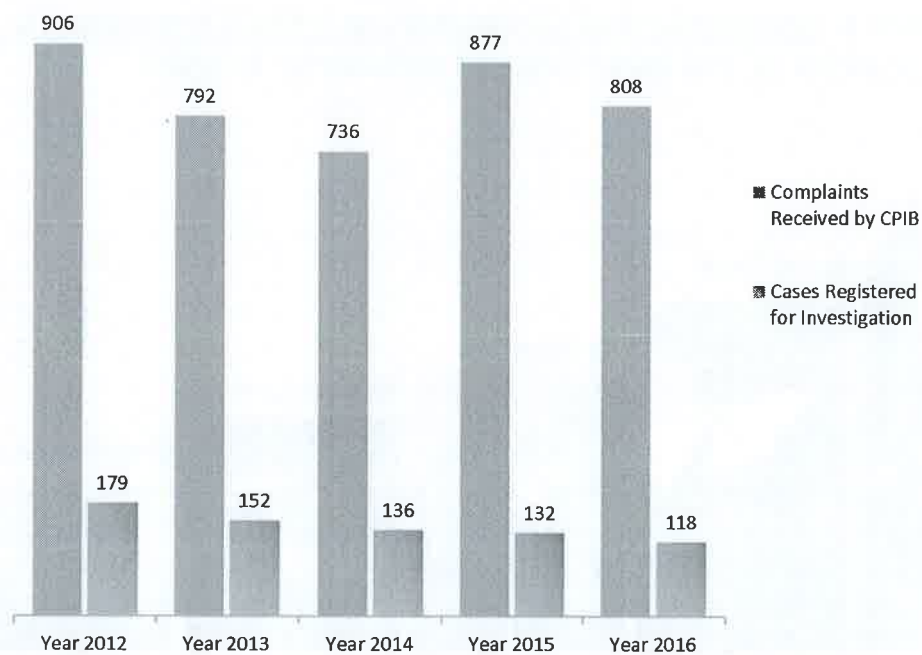
A fact of life, not a way of life



- 1 Singapore is among the least corrupt nations in the world
- 2 Our Public Sector is one of the cleanest in the world
- 3 Corruption exists in Singapore, but Singapore is not a corrupt society
- 4 Corruption in Singapore at low levels
- 5 Majority of corruption cases stem from the private sector



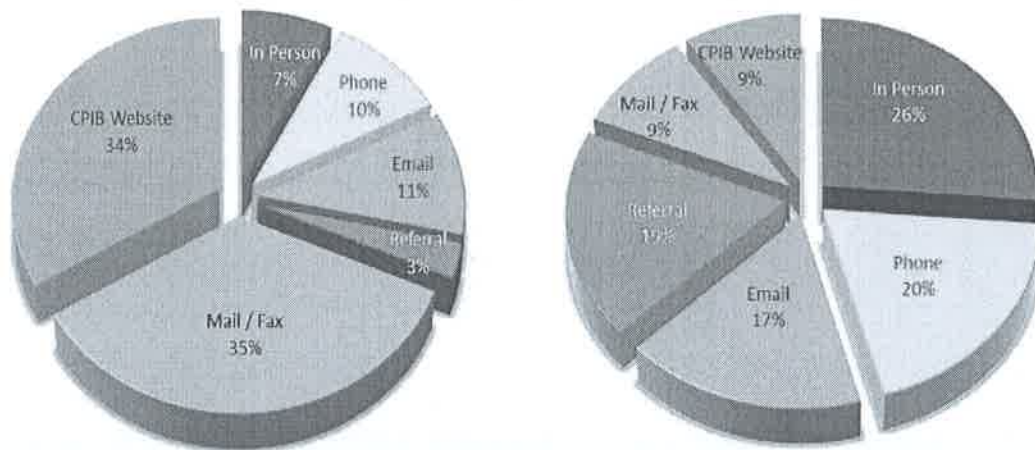
Corruption complaints received and number of cases registered for investigation reach record low



No. of Complaints Received by CPIB vs No. of Cases Registered for Investigation



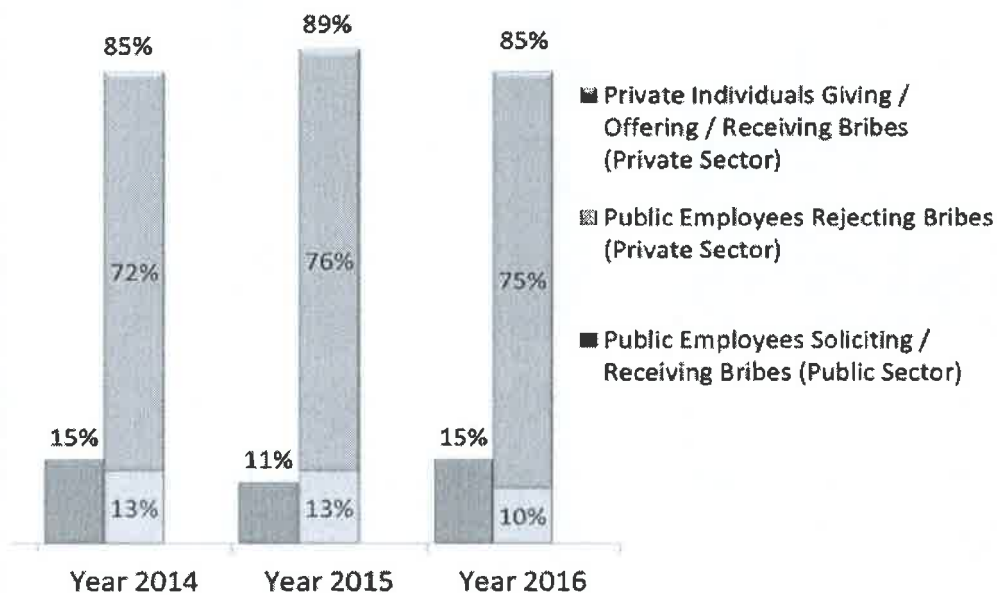
Corruption complaints lodged in person remains the most effective mode



Modes of Complaints Received vs Complaints Resulted in Investigation



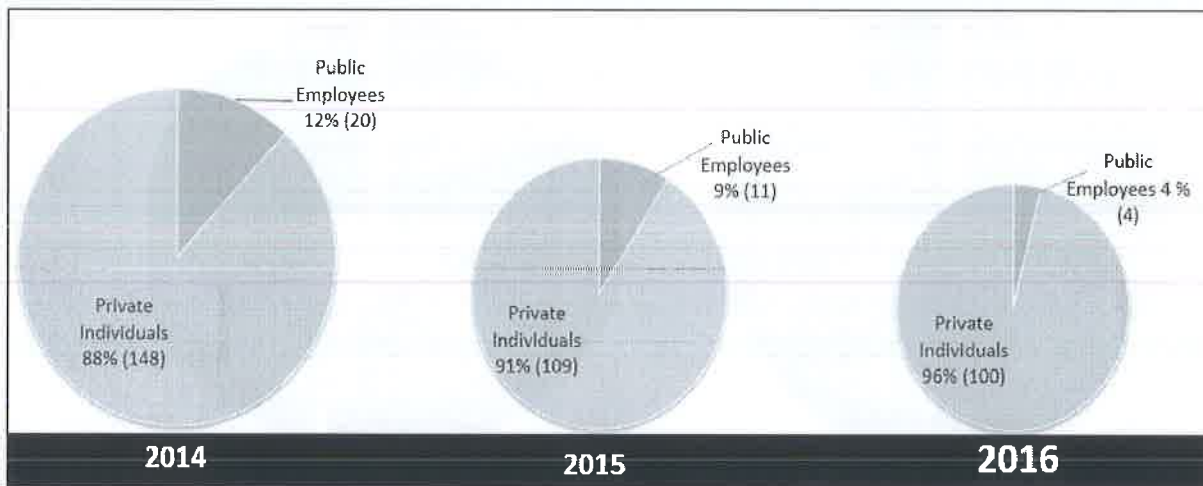
Private sector cases continue to make up majority of corruption cases in Singapore



Breakdown of the Cases Registered for Investigation by Private vs Public Sector



Custodial sentences are increasingly meted out to private sector employees



Public and Private Sector Employees Prosecuted in Court

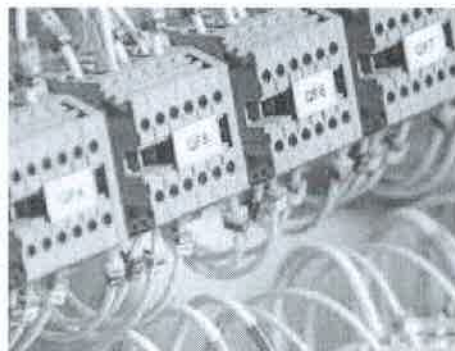


Areas of Concern



① Maintenance work

E.g. inspection of electrical equipment, removal of copper cables, cleaning and water-proofing services

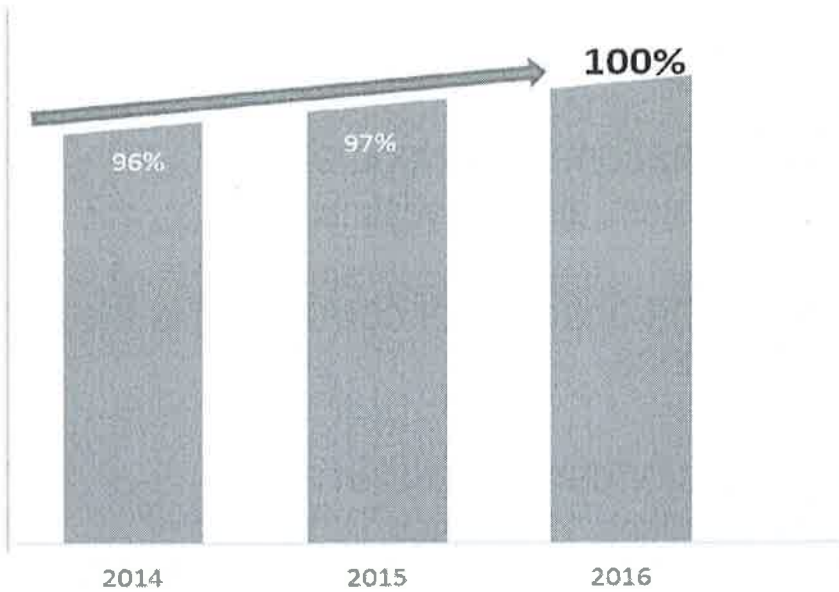


② Wholesale & retail businesses

E.g. purchase and supply of fire safety, electrical and mechanical equipment



Highest conviction rate for CPIB cases

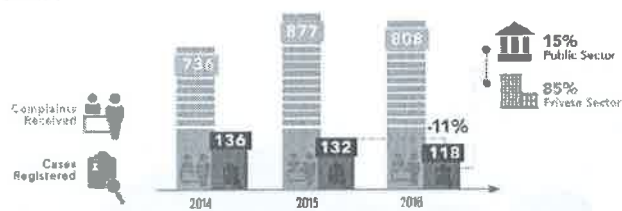


Conviction Rate

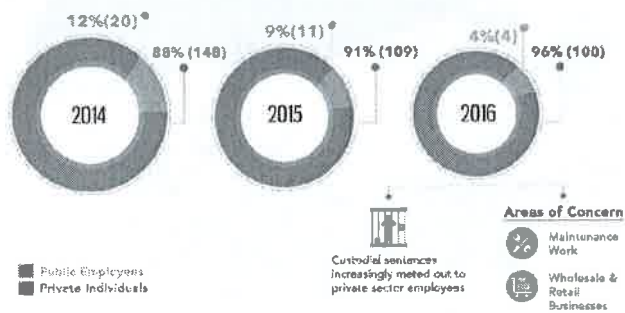


CORRUPTION IN SINGAPORE AT LOW LEVELS

Number of Cases Registered for Investigation Reach Record Low



Private Sector Employees Formed Majority of Persons Prosecuted in Court



New Private Sector Engagement Initiatives

PACT
A Practical Anti-Corruption Guide for Businesses in Singapore



Singapore Standard ISO 37001 Anti-bribery Management Systems

Why Deal with Private Sector Corruption?

- ✓ Corruption control is not viewed simply as a moral issue, but as an economic necessity with strategic significance for national development
 - lower business cost, attract investment
- ✓ Transparency (the opposite of corruption) is the basis of good governance
- ✓ Government sector cannot exist in silos,
 - fraudulent practices, for example in the area of procurement, can spread from private to public sector
 - private sector functions can influence public services

Corruption Controls



Self Regulation & Internal Control

✓ Challenges

- Morality, Ethics Vs Survival
 - “do we do as the Romans do in Rome?”
- Compliance Cost

✓ Raising Awareness

- Supporting the work of international anti-corruption fora like APEC ACT, ADB-OECD Anti-corruption Initiative for Asia Pacific
- PACT – Practical Anti-Corruption Guide For Businesses in Singapore
- Anti-corruption talks and industry-specific efforts
 - e.g. Bunkering, Building & Estate Maintenances Practices

PACT

- Guidebook to help reduce the risk of corruption in Singapore companies
- Simple and easy-to-use 4-step anti-corruption framework
- **PACT** Framework: Pledge, Assess, Control & Communicate, Track
- Guides business owners in developing and implementing an anti-corruption system in a clear and easy-to-understand manner, and
- Includes useful information on corruption and corporate governance (e.g. case studies and form templates)
- Available for download via CPIB website





Tone from the top

1. Anti-Corruption Policy

2. Code of Conduct



Declarations

1. Gifts and entertainment

2. Conflict of interest

3. Contributions and sponsorships

Risk Assessment





Controls

- 1. Records**
- 2. Procedures**
- 3. Audits**

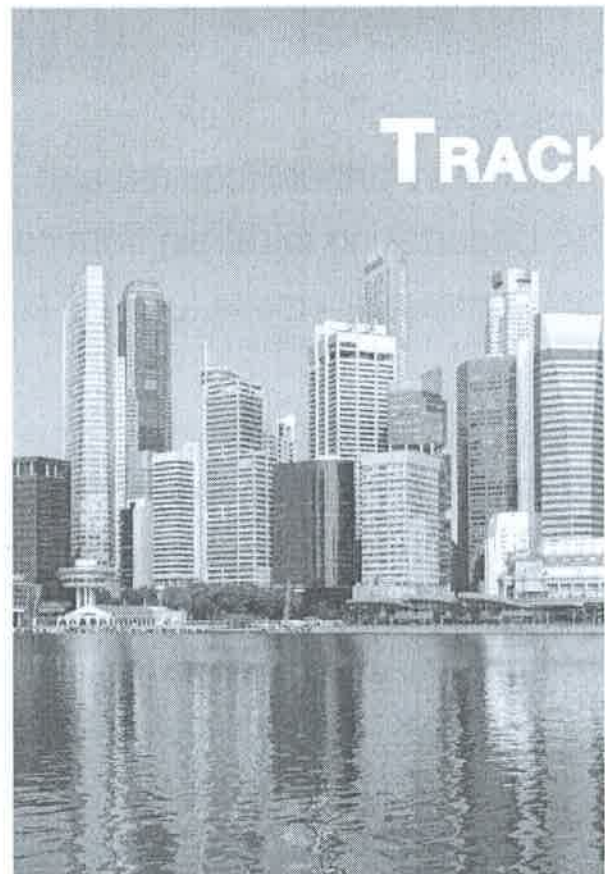
Communicate

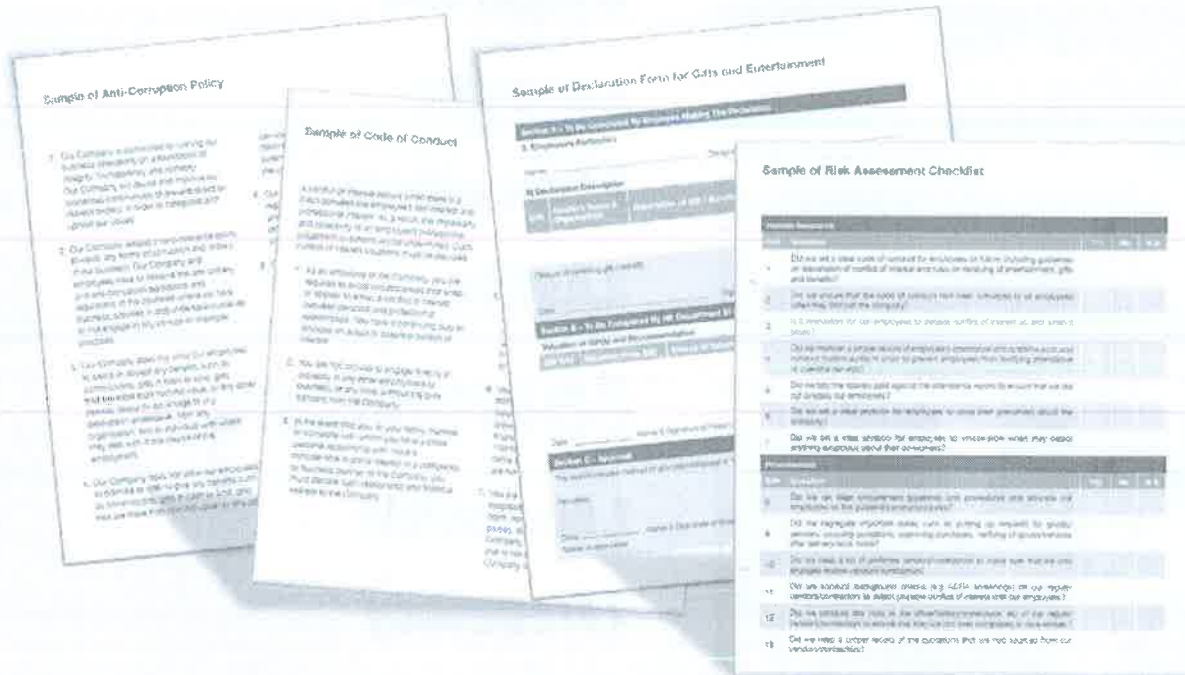
- 1. Accessible**
- 2. Frequency**
- 3. Follow-up**



Review

- 1. Changes**
- 2. Feedback**
- 3. Audit/Survey results**





Peer Actions/Sanctions

Business Partner Requirement

- ✓ Undertaking to refrain from corrupt practices
- ✓ Contractual clause to annul contracts due to corrupt practices

Business Certification

- ✓ Part of Corporate Social Responsibility
 - SQA/SQC – subsumed under company's leadership, values & mission
- ✓ ISO 37001 – Anti-Bribery Management Systems
 - check for presence of anti-bribery management systems
 - audit companies' commitment to the system

ISO 37001

Anti Bribery Management Systems Standard



- CPIB as National Convenor for the development of ISO 37001
- Led a national working group comprising reps from trade associations, industry players and businesses.
- Supported by SPRING Singapore
- Published on 15 October 2016, and adapted as a Singapore Standard (SS ISO 37001)
- *Seminar on Managing Corruption Risk in Business with the New Anti-bribery Standard and the Launch of SS ISO 37001 – Anti-bribery Management Systems on 12 April 2017*

ISO 37001

Anti Bribery Management Systems Standard

What is ISO 37001?

ISO 37001 is an anti-bribery management systems standard.

It is designed to help an organization establish, implement, maintain and improve an anti-bribery compliance program.

It includes a series of measures which an organization must implement which represent globally recognised anti-bribery good practice.

It is accompanied by supporting guidance.

ISO 37001

Anti Bribery Management Systems Standard

Who can use this Standard?

The standard is flexible and can be adapted to a wide range of organizations, including:

- i. Large organizations
- ii. Small & medium sized enterprises (SMEs)
- iii. Public and private sector organizations
- iv. Non-governmental organizations (NGOs)

The standard can be used by organizations in any country.

Statutory/Industry Specific Regulatory Actions

- ✓ Financial Sectors – Monetary Authority of Singapore
 - Conflict of Interest
 - Companies Act/Financial Security Act
- ✓ Licensing Regime
 - Maritime Port Authority of Singapore – bunkering activities
 - Council of Estate Agents – conflict of interest
 - Building & Construction Authority – mandated training for managing agent
- ✓ Professional Bodies/Council
 - Singapore Medical Council
 - Professional Engineers Board

Legislation

✓ Challenges

- Operational challenge - corruption crime is highly secretive
- Overlapping definition of corruption – kick-backs, bribery or theft?
- Differing standards and practices across different industry. When does it cross the line of criminality?

✓ Total Approach

- No case is too big or small
 - From simple cases relating to tipping to multi-million dollar case
- Deal with both givers and receivers of bribes
- Instill public confidence by:
 - effectively investigating all cases
 - make it easy for reporting
- Constant review of legislation
- Strong deterrence from the Court

“... ..clean and honest dealing is one of our key competitive advantages and corruption compromises the predictability and openness which Singapore offers and investors have come to expect. This is a hard won prize achieved through our collective efforts as a society and we must not allow these to be undone”

Chief Justice Sundaresh Menon in a 2015 judgment for the sentencing appeal of Public Prosecutor v Syed Mostofa Romel.

At the time of the offence, Syed Mostofa Romel was a Marine Surveyor. He had demanded a USD\$3000 bribe, in return for him to be lenient in his inspection of a ship seeking clearance to dock at one of Singapore's wharf. His sentence was increased from 2 months' imprisonment to 6 months' after appeal by prosecution.

Corruption Reporting and Heritage Centre

247 Whitley Road, Singapore 297830



The Centre is open from 10am – 7pm weekdays and 10am -4pm on Saturdays
(except public holidays)



Thank You



The Role of Civil Society in Fighting Corruption: Opportunities and Challenges

Adnan Topan Husodo
Coordinator
Indonesia Corruption Watch

National Landscapes

- The uncertainty of political stability due to:
 - ✓ Presidential system with multi-party
 - ✓ The fact that Jokowi won the presidential election only with 51% votes of total in 2014
 - ✓ Political and societal polarization have grown in the post presidential election
 - ✓ Jokowi is the current president who does not belong to elite military group, nor the chairman of political party and neither conglomerate, three criteria should be applied prior to 2014 election

Local Landscapes

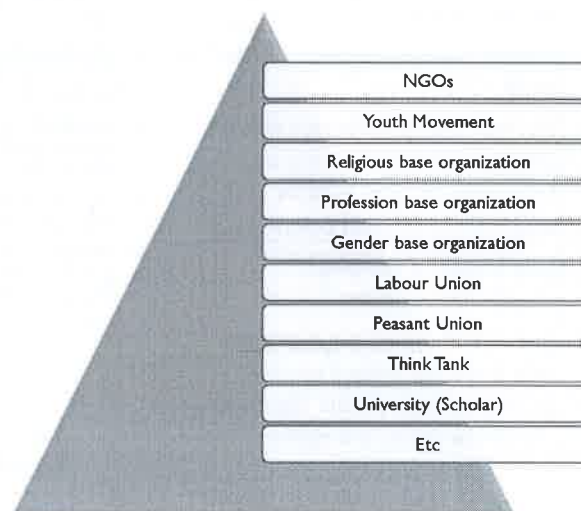
- Decentralization has been introduced since 2002 followed by direct local election
- The delegation of power into local government have increasing the incident of corruption in local level
- Hundreds of local leaders (major, regent, governor, and local MPs) have been prosecuted due to corruption
- Local bureaucracy among the corruption perpetrators
- However, the birth of local champions (good local leader) who really aware of citizen needs and have strong political will to reform the government is rising

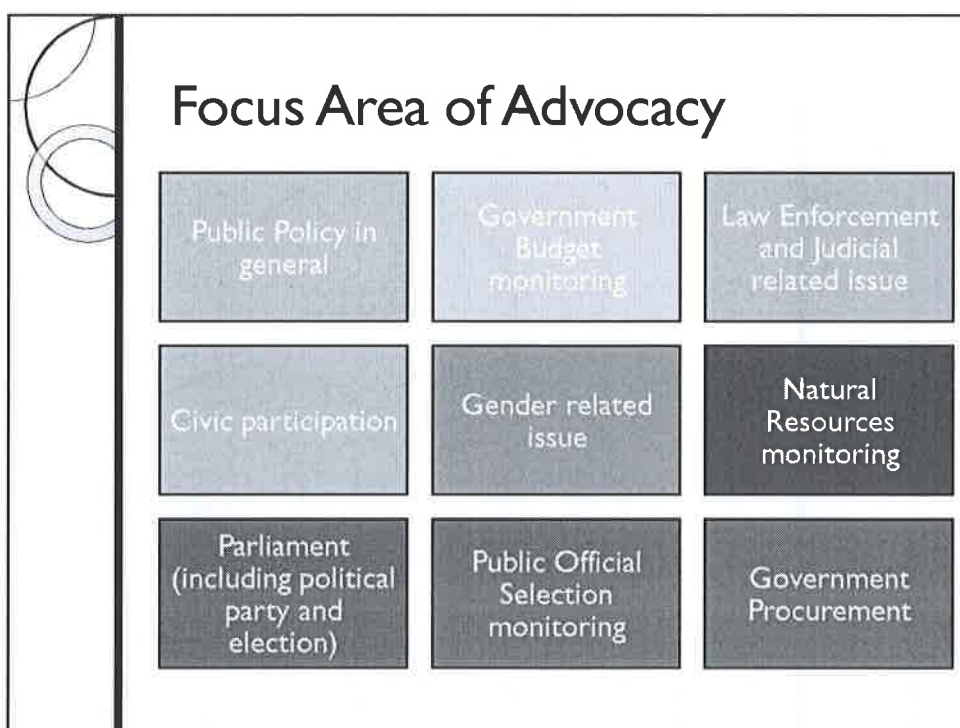
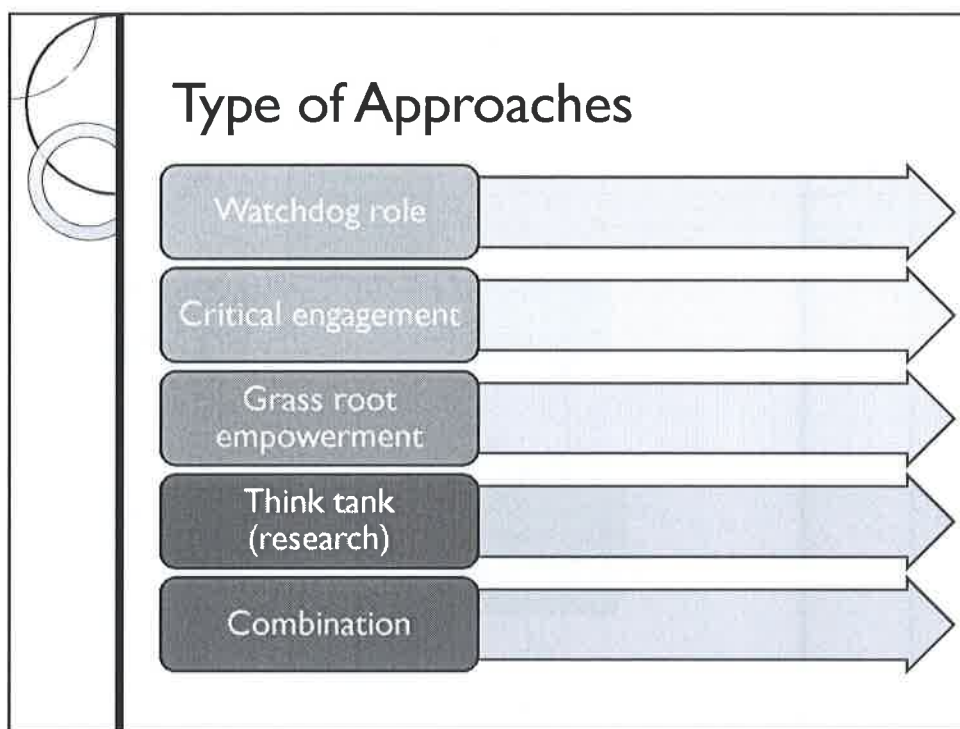
Context

In addition:

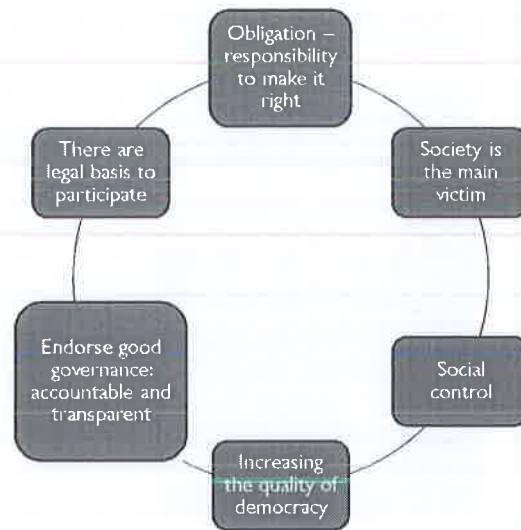
- Local political landscapes will also be shaped by concurrent local election in 2017 and 2018 and may result in:
- The growing number of political corruption in the form of money politics, candidacy buying, bribery to political elites, bribery to the election committee and oversight body, illegal campaign finances and money laundering
- Local election has also raise a national concern, particularly with regard to religious issue since some political elites employ this issue to undermine another candidates
- The threat of democratic core value since the new middle class in Indonesia (well educated, well income and well job) have becoming more puritan and disagree with democracy

Civil Society, Who Are They?

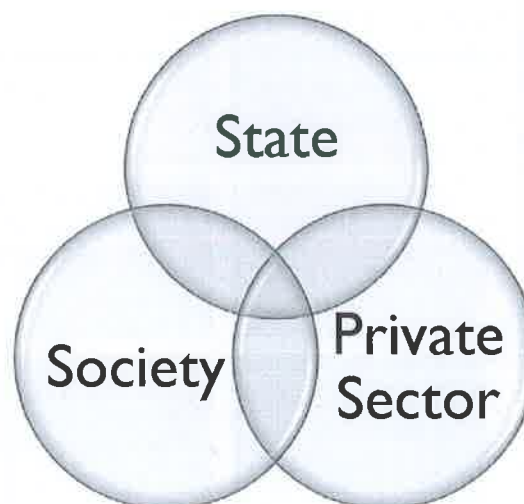




Why Does Civil Society Matter?



Governance Pillars



How Do We Play the Role? ICW experiences

- Report corruption cases to judicial institution
- Monitor the process of report handling
- Monitor the process of public policy making
- Review public policy planning and implementation
- Legal drafting → civil society version (Whistle Blower Bill, CEC Bill and Access to Information Bill)
- Monitor performance of public services and Judicial Institutions → Education, Health, Police, Attorney, CEC, Anti-Corruption Court
- Background check of public official selection

Main activity

- Investigation: findings fact
- Counter legal drafting
- Research
- Lobby / hearing
- Public campaign (Social Media, Press)
- Capacity building – training
- Publication
- Critical Engagement



Public Protest



Results

Year	Score	World Rank
2016	3.7	90
2015	3.6	88
2014	3.4	107
2013	3.2	114
2012	3.2	118
2011	3.0	100
2010	2.8	110
2009	2.8	111
2008	2.6	130
2007	2.3	144
2006	2.4	130
2005	2.2	137
2004	1.9	122

CORRUPTION
PERCEPTION
INDEX



Opportunities

- The freedom of press and the freedom to access public information
- The development of IT
- State institution established (KPK, Judicial Commission, Anticorruption Court, Ombudsman, Attorney commission and Police commission, Anti Money Laundering Agency, Human Right Commission, Whistle blower protection agency, Government Procurement Institution, Bureaucracy Commission, etc)
- Increasing of people awareness on the impact of corruption
- Increasing number of good local leaders
- Go Politics
- Increasing number of watchdog institution
 - national - local level - sector (issue based)



The challenges:

- In-effective freedom to access public information
- No enough protection for whistle blower and justice collaborator
- No legal right and precedence for society to sue corruptor → class action or legal standing
- Physical intimidation
- Criminalization against anti-corruption movement
- Corruptors Fight Back
- Lack of Skill and knowledge
- Lack of resources → Human, Funding



Strategic step

- Cross cutting issue (anticorruption spirit in any single issue of civil society)
- Campaign on corruption impact: poverty, environmental degradation, human right violation, economic injustice
- Collaboration action with government agency
- Enhancing the skill and knowledge of NGOs
- Collaboration with political actors/political party



Thank you

Any Question?

For further communication, please contact via email:

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icw@antikorupsi.org

Or visit to our website:

www.antikorupsi.org



'Role of Civil Society to Prevent Corruption'

- Korean Pact on Anti-corruption and Transparency(KPACT) -

SANGHAK, LEE

Transparency International-Korea

YONHAPNEWS

Introduction of 2005 KPACT

Background

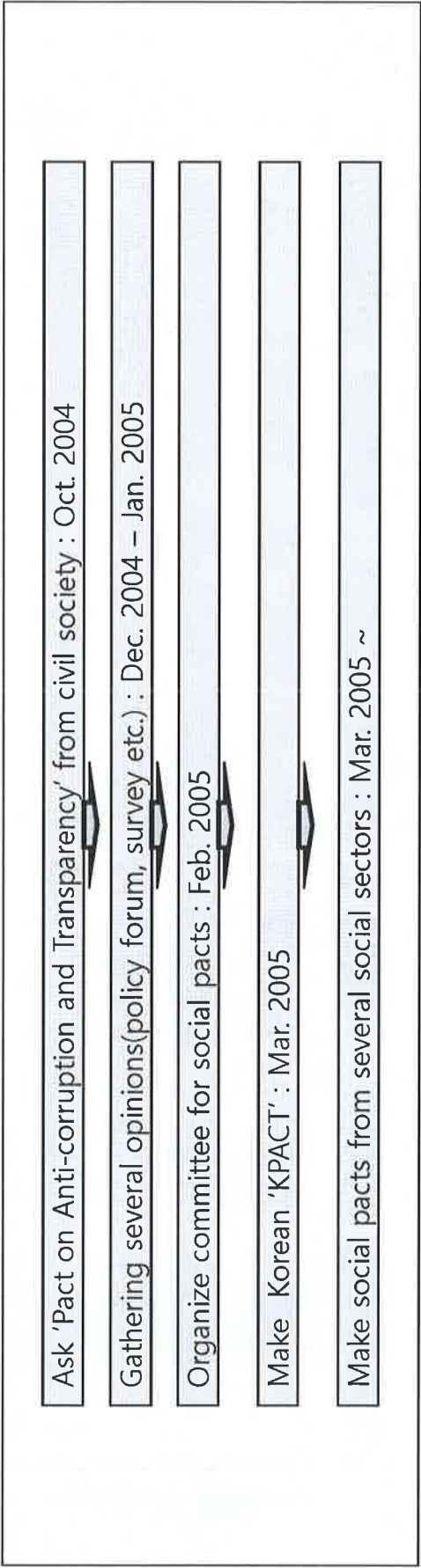
- Low integrity level : Bad effect to country image and national credibility
- Fall into trap of corruption : Stagnation of national income level
- Corruption become main obstacle to enhance social unification
- In order to upgrade Korean society and economy -> Intensive anti-corruption movement is crucial
- Joint activities of several social partners are essential

Main Contents

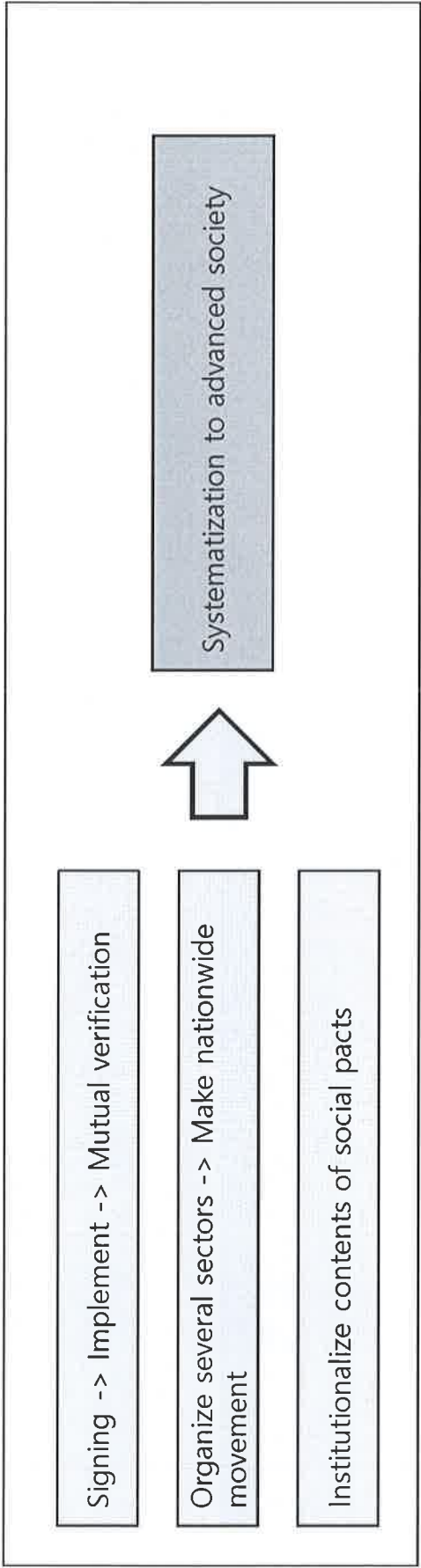
- Political sector
 - enhance level of ethics
 - build up responsibility of party and assembly
 - reform of political sector
- Business sector
 - enhance transparency and accountability
 - strengthen ethical management
 - reform corporate governance structure
- Public sector
 - reform corruption prevention system
- Civil society
 - get over culture of corruption
 - organize participation of people in order to make clean society

Introduction of 2005 KPACT

Process



Vision



Signing KPACT(2005.3.9)

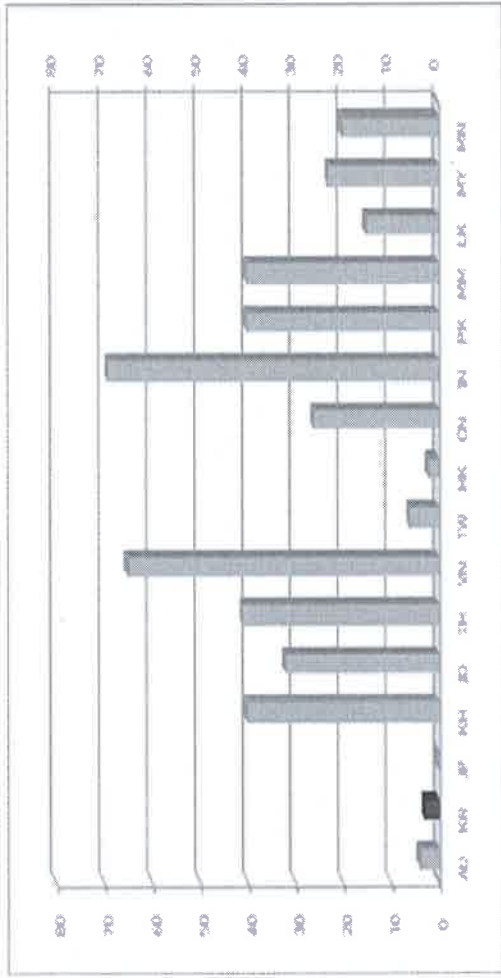
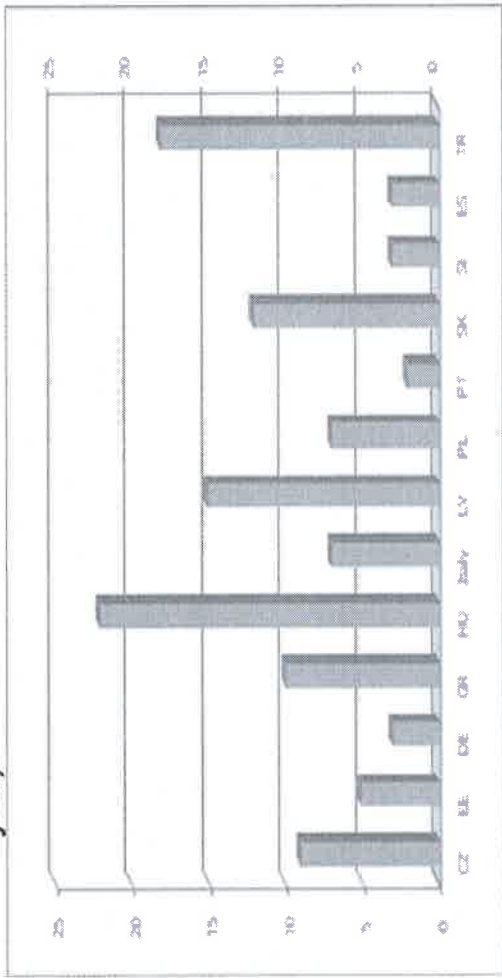


Government Efforts and Level of Bribe

Efforts of government

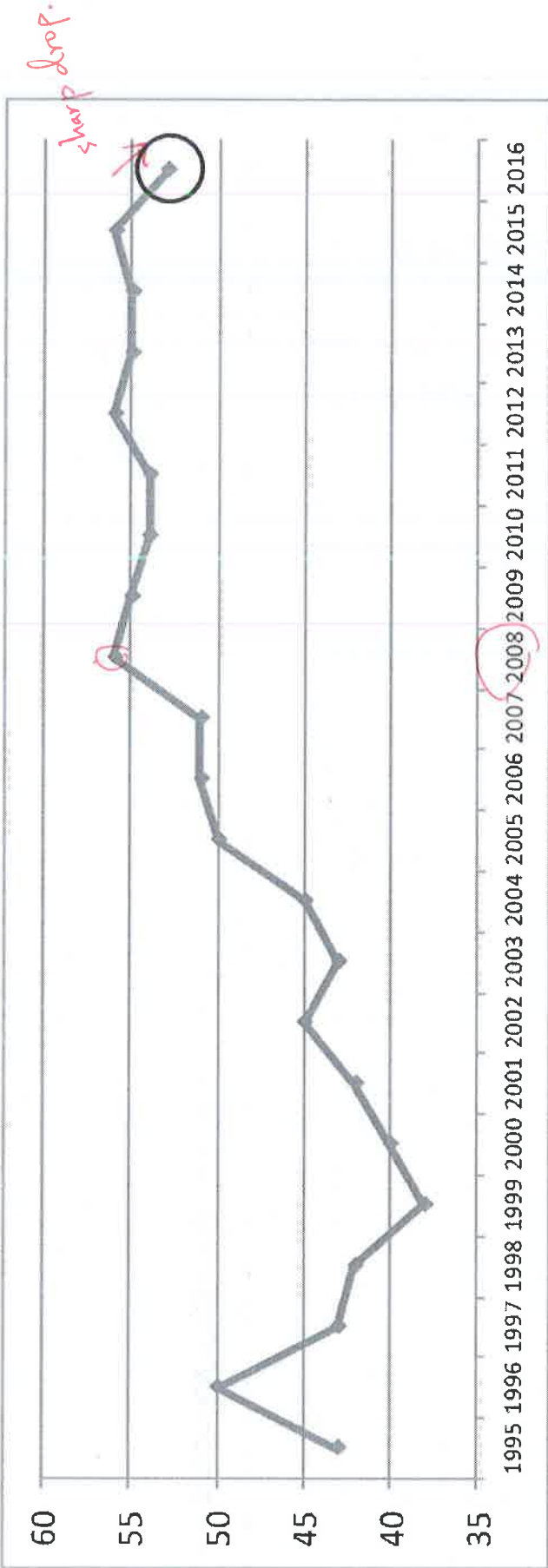
- Establishment of a code of conduct for public officials
- Establishment of protection Law of whistle-blower
- Strengthening the ethics law of public officials
- Establishment of Anti-Corruption Act
- Establishment of anti-corruption body(Corruption Prevention Committee)
- Establishment of information disclosure law
- Integrity evaluation of government and public institutions
- Establishment of Kim Young-Ran Act

Experience of paying bribe(% for 1 year)



Data : Global Corruption Barometer, 2017

CPI Score(point)

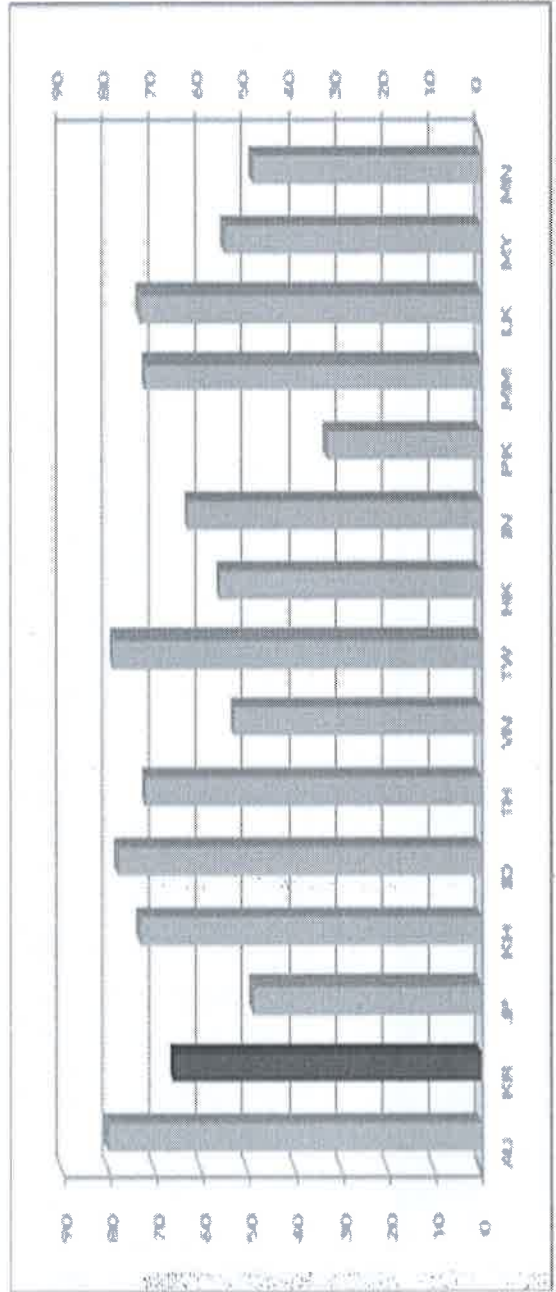
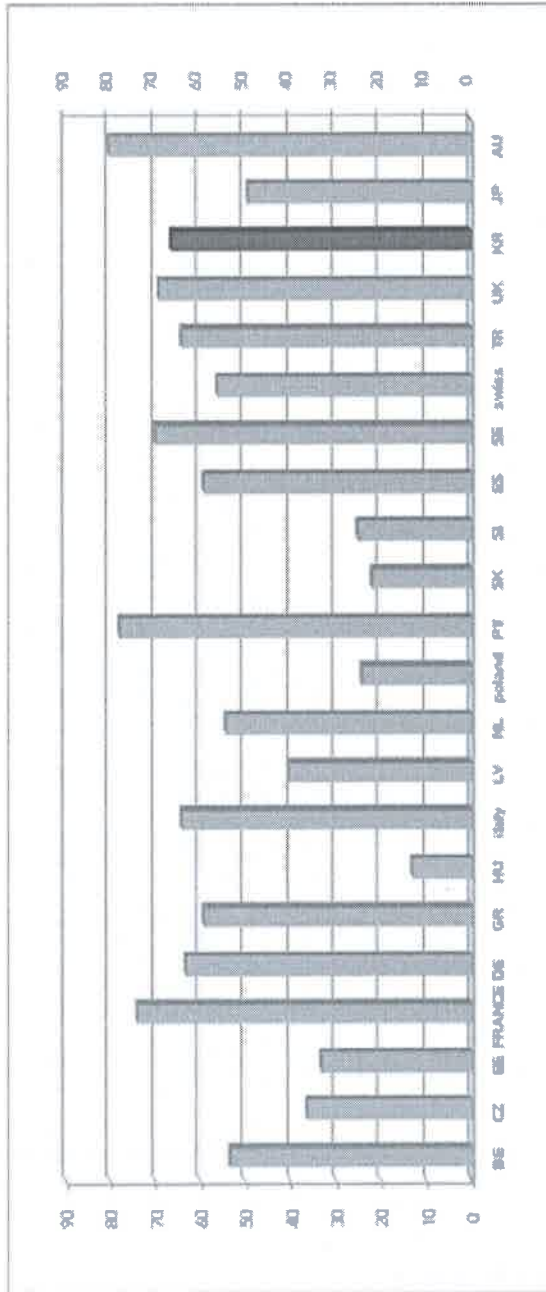


Data : Corruption Perception Index, 2016

CPI sharply dropped in 2016

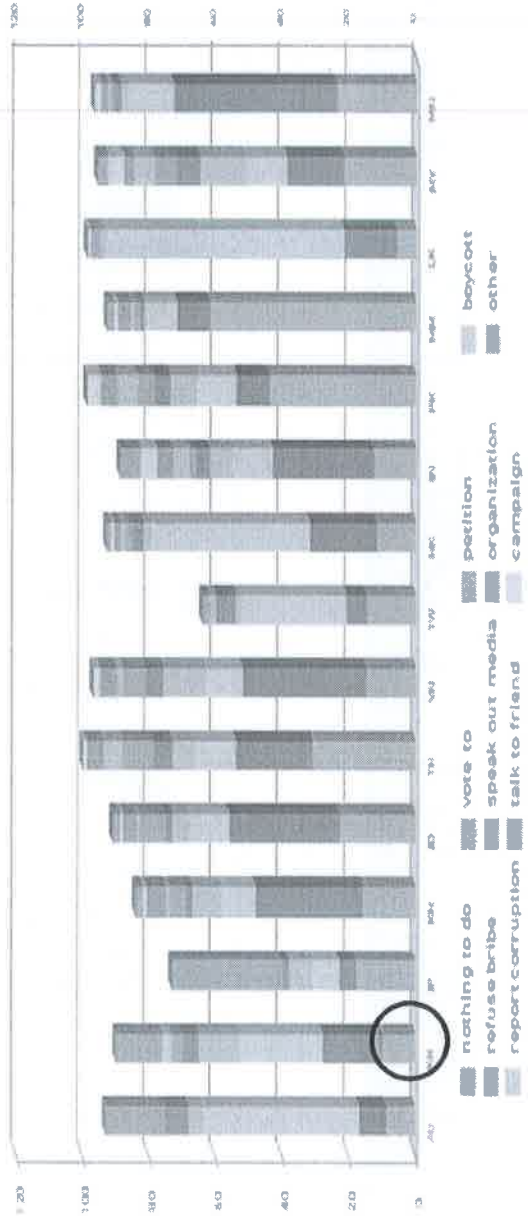
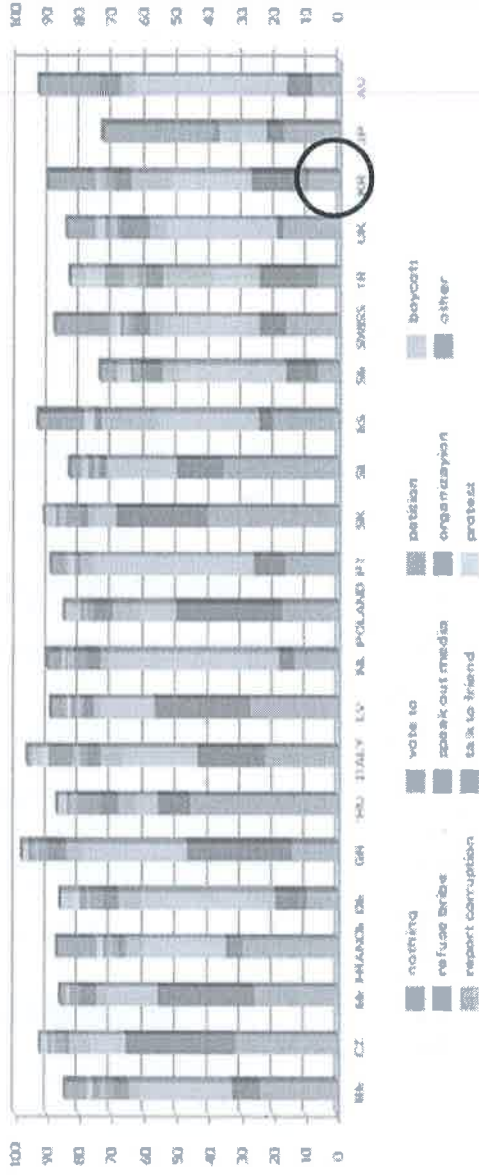
-score of CPI 53 point / 52th rank out of 176countries
-score dropped 3 point / the lowest rank since 1995

People's Power : Ordinary People's Ability Fighting against Corruption(%)



- Many people think ordinary citizens can contribute to block corruption
- Ranked 6th among 22 OECD countries
- Located midway among 15 Asia-Pacific countries

People's Power : Effective Thing Fighting against Corruption(%)



-Very active in fighting against corruption
 - Answer to 'nothing to do' is 5th lowest in OECD countries(Australia, Germany, Sweden, Korea, Turkey)
 - Among the AP region, answer to 'nothing to do' is 3th lowest level

Role of Civil Society : collective action

- **situation changed**
 - new president Moon set up anti-corruption policy as very important area
 - voices of people about social reform is very high
 - anti-corruption become a particularly important issue since last year
- **possibility of realization**
 - people's power erupted from last year
 - national consensus on anti-corruption measures in economic and social sector are made
- **collective action**
 - civil society needs to organize an active participation of general people
 - in order to change consciousness and culture, it is desirable that the civil society and government jointly conduct anti-corruption action
 - social pact politics is necessary to make anti-corruption atmosphere and to change culture

Thank you

