

## **Region-wide anti-corruption standards a Caricom priority**

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*As Caricom moves to establish full participation of its members in the single market and economy, universal anti-corruption standards should be high on the regional agenda.*

If the region is to realize the benefits of a seamless economic space under the CSME, region-wide anti-corruption standards and practices must be integrated into the system.

The proverbial playing field must be level to all. The problems with, and the perception of, high levels of corruption within Caricom member states have been the subject of discussions and debate ad nauseam. The time for concrete action is past due.

Anti-corruption is a priority. It is one of the prerequisites for progress for any country hoping to improve its economic and social conditions in order to advance from the developing stage to the developed. Under the CSME, this precept is now applicable across the region.

It is a well recognized principle in the development community that corruption - public and private sector corruption - is one of the major obstacles to maximizing economic and social development potential. Corruption is known to undermine the prospects for investments, undercut competition required to foster economic development, degrade governance and rule of law, and further marginalize the poor. Moreover, corruption impacts adversely national and regional security.

Increasingly, as governments of developed countries investigate and prosecute corrupt business practices, access to development resources will depend on the effectiveness of anti-corruption laws and the level of anti-corruption practices in developing countries.

The lack of effective legal and administrative anti-corruption practices is a known disincentive to national and foreign investments. Internationally accepted standards and practices will be the measures by which countries are evaluated.



Map of The Caribbean

The high international profile of Caricom member states belies their individual size and populations. Such recognition often provides significant political and economic advantages for the region. Many other developing countries and regions look to Caricom states for leadership on the world stage.

The region has been blessed in the past with leaders having the capacity and the will to provide such leadership. We expect no less in the future. However, our high profile could also work to the region's disadvantage. It is especially so when countries of the region fail to adopt and implement international standards and are perceived to be indifferent in their commitment to such standards.

The issue of corruption is a case in point. The United Nations Convention against Corruption, which was adopted by the General Assembly in October 2003, went into effect 14 December 2005. So far, 140 countries have signed, and 38 countries have ratified, the Convention.

No CARICOM member state has ratified, and only four - Barbados, Haiti, Jamaica, and Trinidad and Tobago - have signed the Convention. It is puzzling why there is such a lack of response by CARICOM states. One can understand where there is lack of resources - human and financial - to implement international conventions.

However, the problem seems to be far deeper. There is also a lack of dissemination of critical information and discussion in decision-making. There is a lack of engagement by the public in serious discussions on issues of national, regional and international importance. And, there is lack of sufficient institutional support and coordination at the regional level to ensure that member states have the information and tools they need to meet their international obligations.

The Convention focuses on prevention, prosecution, international cooperation, and asset recovery. Some Caricom states may need technical assistance in the drafting of legislation and policies, and in establishing administrative and judicial

mechanisms to enforce them. However, the lack of resources is not insurmountable. Those countries that need help to implement the provisions of the Convention should take advantage of the assistance offered by the United Nations through its Office on Drugs and Crime.

The measures on prevention are directed both at the public and private sectors. These include model preventive policies, such as the establishment of anticorruption bodies and enhanced transparency in the financing of election campaigns and political parties.

States must ensure that their public services are subject to safeguards that promote efficiency, transparency and recruitment based on merit. Public servants should be subject to codes of conduct, requirements for financial and other disclosures, and appropriate disciplinary measures.

Transparency and accountability in matters of public finance must also be promoted, and specific requirements established for the prevention of corruption, in the particularly critical areas of the public sector, such as the judiciary and public procurement.

Understandably, no matter how much preventative measures are in place there will be abuse and violations. Hence it is important that a wide range of activities are criminalized in the domestic laws.

The Convention requires countries to establish criminal offences for a wide range of acts of corruption. In addition to basic anti-corruption laws, the measures required include criminalizing trading in influence and the concealment and laundering of the proceeds of corruption. The measures also deal with private sector corruption.

On the occasion of the Convention coming into effect, the Executive Director of the UNODC made it known that the organization has been assisting countries in developing anti-corruption strategies, implementing prevention measures, and establishing institutions which they need to fight corruption effectively.

The UNODC's Global Program against Corruption (GPAC) has been in operation since 1999 under the UN Centre for International Crime Prevention (which has since merged into the UNODC). Until 2004, the GPAC has been involved in helping states build anti-corruption capacity, including by providing technical assistance to states in strengthening their legal and institutional anti-corruption framework; and in developing and disseminating anti-corruption policies and tools.

Since the signing of the new Convention in 2003, the GPAC has focused on measures aimed at preventing corruption. The technical assistance available now focuses on strengthening national anti-corruption policies and control mechanisms, enhancing rule of law by strengthening judicial integrity and capacity, promoting integrity in the public and private sectors, and asset recovery.

On the issue of asset recovery, the Convention breaks new ground. For the first time, bank secrecy laws cannot be used to impede asset recovery and nowhere in the world will be exempt from the obligation to return looted assets.

The anti-corruption Convention is not a panacea with regards to preventing and prosecuting corruption. However, it is a major response by the international community to a global problem that has serious and lasting effects on the economic development prospects of many countries. It is another important tool in the arsenal of the global community to help break the cycle of underdevelopment.

In the final analysis, it is governments that have the responsibility to enact anti-corruption laws and prosecute those involved in corruption. There is no better time to get the job done than right now.

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