5th regional anti-corruption conference for Asia and the Pacific
Reducing Inequality and Promoting Growth –
Driving Down Corruption
Beijing, People's Republic of China, 28-30 September 2005

Conclusions and recommendations for further actions

Systems to fight corruption are vital elements to reduce inequality and nurture and sustain economic growth and prosperity. Conference participants commended Asian and Pacific societies for the important efforts undertaken since the previous conference to enhance legal and institutional mechanisms and strengthen capacity to prevent, investigate and prosecute corruption and bribery. They welcomed the opportunity provided by the Beijing conference to discuss issues of key concern to the Asia-Pacific region with experts from all involved sectors, and expressed the wish to further advance this multi-stakeholder dialogue over the coming years.

They agreed that continuous and targeted efforts to implement the standards and principles of the ADB/OECD Anti-Corruption Action Plan for Asia-Pacific and other relevant international instruments are required to progress on the region's anti-corruption agenda. Discussing such future reform efforts, participants acknowledged that the focus of anti-corruption reform must be unique to every country and reflect the countries' distinct needs, level of economic development, and administrative, social and political structures. At the same time, they agreed that certain trends are prevalent throughout the region and that certain problems require equal attention by all Asian and Pacific countries and should be addressed as a priority to further advance the region's fight against corruption over the next two years:

Priority measures

1. Designing effective anti-corruption reform

Participants agreed that anti-corruption reforms are most effective if they are the result of an overall strategic approach, properly sequenced and coordinated, and if all involved stakeholders, including donor organizations, work in close coordination.

Public opinion surveys

Considering the importance of a comprehensive anti-corruption strategy and public support for it, participants recognized that:

- Public opinion surveys conducted by governments, while not a substitute for policy, have proved to be useful tools to advance reforms and frame key policy issues, raise awareness and foster public support for and discussion of anti-corruption reform;
- Surveys provide for a degree of public participation and can be an element of participatory democracy;
- Public opinion polls are used to gather views about all aspects of administration but they are rarely systematically coordinated by governments; a key aspect to their effectiveness is that results be clearly communicated to politicians and senior officials;
- Public opinion surveys conducted by non-government actors such as academia or citizen groups can motivate the public discussion of corruption and of potential remedies, and as such may serve to increase pressure for change and trigger reform; and
- Challenges remain in the use of public opinion surveys, including increasing knowledge of available opinion survey tools and developing capacity in their use; converting research results into concrete policy recommendations; strengthening research in diagnostic indicators; and supporting the use of survey tools over time.

Donor support

Given the need to deepen anti-corruption capacity in the region, the role of the donor community remains crucial. Participants:

– Recognized the value of establishing joint recipient-donor vision and partnership structures involving the government, civil society, private sector and the donor community for the sharing of diagnostics, knowledge and analysis, the promotion of policy development, and to foster donor coordination and independent project implementation;
– Emphasized the role of NGOs and civil society to complement donor assistance in anti-corruption reform;
– Urged donors to take into account local contexts and challenges in developing responses to countries' development assistance needs, and to make use of domestic capacity in anti-corruption reform; and
– Encouraged the ADB/OECD Initiative to discuss the concepts of multi-stakeholder development partnership structures and of independent audit and monitoring mechanisms for project implementation at the next regional conference or in a capacity building workshop.

2. Focusing on corruption risk zones

Participants agreed that, depending on the degree of interaction between public and private actors or the potential level of bribery, certain sectors or activities within a public administration are by their very nature more vulnerable to corruption than others.

Preventing corruption in humanitarian relief operations

In light of the recent experience with the tsunami relief operations, participants agreed that humanitarian relief and reconstruction following natural disasters is particularly vulnerable to corruption and in this context suggested that

– Guidelines and tools to curb corruption in humanitarian relief operations should be developed, building on the *Conclusions and Framework for Action for Preventing Corruption in Humanitarian Relief Operations*, developed at the expert meeting on corruption prevention, organized by the ADB/OECD Initiative and Transparency International in April 2005 in Jakarta, Indonesia;
– Specific work is needed to develop lighter and swifter instruments for financial management, administrative procedures and anti-corruption safeguards;
– Donors and NGOs should both enable and reward transparency, quality management and fraud reporting; and
– Stakeholders should consider the establishment of independent and adequately resourced monitoring facilities.

Preventing conflicts of interest

Preventing and managing conflicts of interest is increasingly becoming a priority throughout the Asia-Pacific region and worldwide, as the emergence of new models of public-private cooperation and increased mobility of personnel between the public and private sectors have multiplied grey zones where conflicts of interest situations may arise. While the level of regulation of conflict of interest varies from country to country, participants agreed that certain challenges are similar in each country and therefore suggested that:

– Every country should, in accordance with its own domestic jurisdictional and other basic legal principles, and in line with relevant international standards and guidelines, establish ethical and administrative codes of conduct that proscribe conflicts of interest and provide for an appropriate framework to identify, manage and resolve conflict of interest situations where they may arise;

– Given the difficulties and controversies related to the definition of conflict of interest, instruments such as the *OECD Toolkit for Managing Conflict of Interest in the Public Sector* may be useful to help overcome difficulties in the application of conflict of interest policies in daily practice; and
– Measures should be taken by countries to enable the assessment of the actual impact of conflict of interest policies.

3. Working together for change

As corruption impacts all groups of society, and because criminals increasingly exploit systemic weaknesses to hide proceeds of corruption in foreign jurisdictions and escape from prosecution, working together across sectors and borders is central to effectively combating it.

Creating a Supporting Environment for Business Integrity

Recognizing the role of the private sector both in acts of corruption as in the prevention of such acts, participants highlighted the urgent necessity to ensure that businesses operate with the highest level of integrity and implement effective anti-corruption measures through:

– The development and enforcement of accounting standards prescribing transparent public and private corporate accounts and prohibiting practices such as accounting omissions, falsification and fraud for the purpose of bribery of public officials or of hiding it, as well as the strengthening of independent external auditing controls;
– The promotion, development and adoption of adequate internal company controls, including standards of conduct prohibiting the giving of bribes;
– Education and training programs on business ethics, conducted in close cooperation with professional organizations and community based organizations, and civil society monitoring of corporate compliance with business integrity standards;
– Systems ensuring that all areas of government, identified by the respective governments as presenting a potential for abuse through bribery or attempted bribery of public officials, are transparent and that information is made readily available to the public in a manner that would serve the purpose of ensuring fairness and compliance with rules and standards; and
– The strengthening of banking practices and banking supervision.

Denying Safe Haven to Officials and Individuals Guilty of Corruption

Given the vital importance of effective international judicial assistance to effectively prosecute corruption, and recognizing that international cooperation in terms of asset recovery is a time consuming procedure albeit that ultimately it produces results, participants agreed that:

– International judicial assistance requires a holistic approach and the cooperation of all countries;
– The exchange of information on investigative procedures, and the establishment of a compendium of legislation and rules relevant to seizure, confiscation and recovery of illegal assets and extradition, can help overcome difficulties in international judicial assistance caused by the differences in legal systems and cultures;
– Countries should ensure the existence of bilateral and multilateral treaties and agreements for the mutual provision of judicial assistance; and
– regional mechanisms such as the ADB OECD Anti-Corruption Initiative for Asia-Pacific, the OECD Anti-Bribery Initiative, and other international initiatives may be used by countries for mutual legal assistance in criminal matters.

Follow-up action

To support the implementation of the conclusions of the 5th regional anti-corruption conference for Asia-Pacific, participants called upon the conference organizers, in the framework of the ADB/OECD Anti-Corruption Initiative for Asia-Pacific and, where appropriate, in coordination with other international and regional anti-corruption initiatives such as the United Nations, the OECD Working Group on Bribery, the Financial Action Task Force on Money Laundering, and the Asia-Pacific Economic Council (APEC) Anti-Corruption Task Force, to:

– Assist countries in identifying weaknesses in their domestic anti-corruption framework with respect to the findings of the Beijing conference and in formulating and implementing corresponding reform measures; and
– Support capacity building efforts of endorsing countries in areas identified by the Beijing conference as being of particular concern to the region;

Participants urged that another conference be held within two years in the framework of the ADB OECD Anti-Corruption Initiative to review progress in advancing the priority anti-corruption reform measures identified in the present conclusions of the Beijing anti-corruption conference.