

Introduction

The *2019-2021 Action Plan* of the G20 Anti-Corruption Working Group provides that the Group will "share experiences and best practices on developing and implementing national anti-corruption strategies and actions". Amongst the core principles underlying the United Nations Convention against Corruption (UNCAC) is the significance of a holistic, inclusive and transparent approach to anti-corruption policy development. States have taken many approaches to the successful implementation of UNCAC, including, among others, through the development of dedicated national anti-corruption strategies.

While many States have sought to address corruption, and promote the principles of integrity, transparency and accountability through the development of such strategies, a failure to adequately account for challenges during both the development and implementation stages often undermines the effectiveness of the activities undertaken. The Kingdom of Saudi Arabia set the development and implementation of national anti-corruption strategies as a priority issue for the 2020 G20 Presidency with the aim to share experiences on good practices in methodology and approach on these issues, and how the successful implementation of anti-corruption actions can foster the achievement of the 2030 Agenda for Sustainable Development. The Saudi G20 Presidency tabled an innovative program aiming for pragmatic outputs, working with international organizations in developing, among others, the following:

- *High-Level Principles for the Development and Implementation of National Anti-Corruption Strategies.*

These High-Level Principles build on existing international instruments and good practices. The aim is to identify a set of key principles that governments can consider during the development and implementation of national anti-corruption strategies.

Applicability and Scope

Globally, there is a wide variety of examples and experiences in the drafting and implementation of national anti-corruption strategies. A single model does not exist for how to develop such strategies, nor are there any set norms for how extensive such strategies should be, the level of detail it must reflect, or which substantive elements should receive the highest priority. The successful development and implementation of national anti-corruption strategies requires the understanding that there is not a "one-size fits all approach" and that national strategies for anti-corruption must take into consideration the cultural, political and legal context, as well as the priorities and challenges unique to each individual country.

While formal, written strategies are not required for compliance with article 5 of UNCAC, many countries may decide that drafting, publicizing and implementing such dedicated national anti-corruption strategies could provide a comprehensive policy framework for planned actions to combat and prevent corruption. National strategies could also be a useful tool for mobilizing and coordinating the efforts and resources of the government and other stakeholders for policy development, implementation and monitoring.

National anti-corruption strategies will therefore necessarily vary according to the national context and should align with other existing policies or strategies (such as development, crime prevention, cross-border criminal justice cooperation etc.). In addition, there has

been considerable diversity in the degree of effectiveness of different countries' approaches to developing and implementing effective anti-corruption strategies. This is exemplified in the publication *National Anti-Corruption Strategies: A Practical Guide for Development and Implementation (2015)* by the United Nations Office on Drugs and Crime (UNODC), which has sought to share good practices and lessons learned and to develop practical guidance for States parties to UNCAC that wish to develop national anti-corruption strategies.

In accordance with resolution 7/5 of the Conference of the States Parties to UNCAC, its subsidiary body, the Open-ended Intergovernmental Working Group on the Prevention of Corruption, examined the topic of lessons learned in the development, evaluation and impact of anti-corruption strategies under article 5 of UNCAC in September 2019. The working group concluded the examination of the topic by encouraging States parties to continue to exchange good practices and lessons learned on the development and implementation of anti-corruption strategies. Moreover, the Conference of the States Parties to UNCAC in its resolution 8/8 encouraged States parties to develop, revise and update, where appropriate and in accordance with the principles of their legal systems, national anti-corruption strategies and/or action plans, addressing, inter alia, the needs identified during their UNCAC country reviews.

Although there are multiple approaches States can take once they decide to develop anti-corruption strategies, a common core set of identified guiding principles or good practices can help inform future efforts, in accordance with national principles of domestic laws and regulations. These principles are intended to provide guidance to States that have decided to develop dedicated national anti-corruption strategies. They are meant to enhance and complement and not to weaken or replace existing anti-corruption commitments.

A. Developing Anti-Corruption Strategies

Principle 1: Ensure diagnostic analysis, appropriate governance, and political support.

Measures to achieve these ends may include, inter alia:

- a. G20 countries are encouraged to ensure, at the design stage, that national anti-corruption strategies are based on a preliminary diagnostic of the strengths and gaps of the existing anti-corruption framework. This diagnostic could analyze, for instance: the existing legal and institutional framework; international commitments (for example, conventions, other G20 High-Level Principles, standards, results of review mechanisms such as UNCAC and, where applicable, other mechanisms); national policies or strategies on related issues (for example, asset recovery, combating organized crime, cross-border corruption, foreign bribery, money laundering); as well as resources and capacity available. The preliminary diagnostic would support the identification and prioritization of existing challenges in the country.
- b. The design process is an important stage for the development of national anti-corruption strategies. In accordance with their national needs and priorities, G20 countries should assign clear responsibilities for the design process, as appropriate under domestic legal systems. Those responsible should be provided with the necessary highest level of political support to be effectively autonomous from undue influence during the design process.

- c. Acknowledging the variety of approaches which countries may pursue, G20 countries are encouraged to ensure that, if applicable, any appointed leader(s) or chair(s) for the body or bodies has the mandate to maintain the required political momentum for the design process to ensure that any set targets or timelines are met, while ensuring effective communication with other senior political leaders, heads of ministries and institutions.

Principle 2: Take steps to ensure an inclusive design and development process.

Measures to achieve these ends may include, inter alia:

- a. G20 countries should strive to ensure a broad range of voices have the opportunity to contribute to the design and development process, particularly from institutions and entities that will be responsible for some part of the implementation process. Such institutions and entities are not limited to the public sector or government bodies, but should also consist of individuals and groups outside the public sector, such as civil society and the private sector. Ensuring inclusiveness of the design process, for example through public consultations, will strengthen the quality and scope of the strategies under development. It will also impart a degree of ownership to these stakeholders in the strategies, which can support the effective and successful implementation process. As appropriate, G20 countries are encouraged to consider gender-specific issues in the design and development of national anti-corruption strategies.
- b. G20 countries should ensure that adequate measures are taken to foster cooperation by key implementation partners, institutions and entities at all levels. Such cooperation can be made more likely by including these implementation partners, where appropriate, in the design and development phase of the process, and also during the implementation stage.

Principle 3: Undertake a corruption risk analysis and, if needed, strengthen systems for the collection and use of data.

Based on the results of the preliminary diagnostic, countries can undertake a risk analysis of the different corruption threats and vulnerabilities faced. This may entail the identification of sectors or institutions at greater risk of corruption, as well as threats and vulnerabilities at the national and international levels, including those from related areas such as money laundering and economic crimes. Based on their understanding of risks, countries can apply a tailored, risk-based approach to allocating resources and implementing measures to prevent or mitigate them. Taking into account the importance of data for such decision-making, and given the complexities and challenges of data collection, countries are encouraged to identify and address evidence gaps and put in place processes to strengthen the overall collection and use of anti-corruption related data.

Principle 4: Adopt an approach that is tailored and ambitious but realistic in scope.

G20 countries should make efforts to ensure that national anti-corruption strategies are ambitious yet realistic and comprehensively address identified key areas in a practical manner. Such identified objectives may be based on, but not limited to, the evaluation

outcomes of UNCAC review cycles, and if applicable, other evaluation mechanisms. The existing political will, national resources, and capacity and training available to be employed in the design, development, and implementation process, should be taken into consideration when setting ambitions and, where possible, in the strategies, in order to manage political and public expectations for the successful implementation of the strategies.

Principle 5: Articulate a clear vision, explaining why action against corruption is needed and how planned activities will contribute to the achievement of that vision.

The final agreed strategies should be approved by the appropriate authority and made public, as appropriate. It is helpful to show why action against corruption is needed and how planned activities will contribute towards the achievement of that vision. This will support an assessment of the effectiveness of the strategies' implementation. Upon publication, efforts to disseminate and build awareness of the strategies' aims may be undertaken.

B. Ensuring Effective Implementation, Monitoring, Evaluation and Reporting

Principle 6: Where appropriate, develop an action plan to address identified priorities of these anti-corruption strategies.

Measures to achieve these ends may include, inter alia:

- a. G20 countries are encouraged to ensure, if relevant, that anti-corruption strategies are complemented by an action plan. This should be designed with the aim of producing concrete results and be grounded in the provisions of UNCAC and, where appropriate, other relevant anti-corruption instruments.
- b. In addition to reflecting the core objectives such as integrity, transparency, and accountability in public sector entities, any action plan should consider key factors which may include: relative prioritization of activities; the short, medium, or long-term implementation timeframe for and ownership of identified activities; required phasing of activities; high-level resources requirements; and/or sector and context specific considerations. G20 countries are also encouraged to identify the needed instruments and tools to support implementation and, where appropriate, ongoing reporting mechanisms.

Principle 7: Dedicate sufficient resources to ensure successful implementation.

G20 countries should ensure consideration is given to the allocation of resources that will be required for the achievement of identified outcomes in the strategies.

Principle 8: Establish processes or mechanisms to monitor and evaluate implementation.

Methods to achieve these ends may include, inter alia:

- a. G20 countries should consider identifying mechanisms to oversee the implementation process, which may, as appropriate, include mandating a body or bodies, in line with articles 6 and 36 of UNCAC. The chosen mechanism is encouraged to cover the oversight and evaluation of implementation progress, coordination of stakeholders and identification of any required improvements or additional support.
- b. G20 countries are encouraged to take steps to ensure transparency in the implementation process, including the implementation of reviewed existing strategies, which may not only provide encouragement when successes have been achieved, but may also be used to identify and resolve any challenges or barriers identified during the implementation phase.
- c. G20 countries are encouraged to identify indicators that demonstrate progress against strategies and any associated implementation plans. Selected indicators, where possible, should be 'specific, measurable, achievable, relevant and timely', as recommended by the United Nations Development Programme (UNDP)¹. Although it may be difficult to show the attribution between activities in the strategies and the achievement of the outcomes, clear indicators of implementation progress, where applicable, will aid the monitoring body in reporting the status of implementation and provide benchmarks of achievement over time.
- d. G20 countries are encouraged to consider adopting and conducting regular oversight monitoring and evaluation processes of any identified indicators relating to implementation progress, in consistency with the relevant provisions of the *G20 High-Level Principles on Organizing Against Corruption*².

Principle 9: Ensure that implementation is effectively reported.

Methods to achieve these ends may include, inter alia:

- a. G20 countries should make efforts to ensure that mechanisms or procedures are established to facilitate regular reporting on the progress of implementation to a wide range of stakeholders, potentially including political bodies or officials, and implementing partners. Reporting should be easily accessible to the general public where appropriate.
- b. Reports may take various forms depending on the audience, including the use of an online platform. Taking this into account, G20 countries should consider whether reporting mechanisms or procedures include an aspect of public reporting to adequately inform the public of what is being done to prevent and counter corruption and to enhance overall public support in the fight against corruption.

¹ United Nations Development Programme. (2009, P.58). *Handbook on Planning, Monitoring and Evaluating for Development Results*. New York, NY.

² G20 Anti-Corruption Working Group. (2017, Principle 18) *G20 High-Level Principles on Organizing Against Corruption*.