

## Annex to G20 Leaders Declaration

# G20 High Level Principles on Organizing Against Corruption

Corruption hampers the efficient and effective operation of government, its fairness and impartiality of decision-making and the delivery of government services. A public administration, resilient against corruption, underpinned by a culture of integrity, accountability and transparency not only fosters citizens' trust but can also affect the attractiveness of a country as a business location. Goal 16 of the United Nation's 2030 Agenda for Sustainable Development also includes as a target the substantial reduction of corruption and bribery in all their forms.

At the Brisbane summit in 2014, G20 leaders reiterated their commitment to improve the transparency and integrity of the public and private sector. The G20 Anti-Corruption Action Plan 2017-2018 identifies public sector integrity and transparency including organizing against corruption (i.e. structuring the public administration to detect and minimize corruption risks) as a priority. Fighting corruption in public administrations should not only focus on measures targeting individual employees, responses to reporting of corruption and effective law enforcement, but also on building a comprehensive, transparent and accountable organizational structure that makes public administration more resilient against corruption.

G20 countries have already committed themselves to a number of measures to strengthen transparency and integrity in the public sector, including requirements for the conduct of public officials.<sup>1</sup> However, corruption prevention measures with regard to the organizational structure and workflow management are also essential for the fight against corruption. As one of the most recent contributions, the OECD Recommendation on Public Integrity provides an up-to-date guidance for building resilient public organizations and mitigating corruption risks.<sup>2</sup> The OECD Recommendation has a much broader approach than the following High Level Principles that concentrate on the structural organization of public administration against corruption.

<sup>1</sup> Cf. G20 High Level Principles on Asset Disclosure by Public Officials, G20 Guiding Principles to Combat Solicitation, G20 Anti-Corruption Open Data Principles, G20 Principles for Promoting Integrity in Public Procurement, the G20/OECD Compendium on Whistleblower Protection, [the G20 High Level Principles on Countering Corruption in Customs].

<sup>2</sup> See <http://www.oecd.org/gov/ethics/Recommendation-Public-Integrity.pdf>.

G20 countries agree that certain organizational measures should be taken in order to tackle corruption risks. They should not only focus on administrative procedures, but also on awareness-raising amongst public officials at all levels and on human resources management.

The G20 is committed to leading by example by endorsing a set of core principles on organizing their public administration in a way that helps to detect and minimise corruption risks. The following principles build on UNCAC (in particular Articles 5, 6 and 7). Acknowledging the diversity of legal systems among G20 countries, the Principles are broadly framed and flexible so that countries can apply them in line with their domestic legal principles. They are intended as guidance to enhance and complement existing anti-corruption commitments and not weaken or replace them.

### **General Principles**

1. States should promote and continuously support a culture of integrity and impartiality in their administrations.
2. States should consider corruption prevention as a key factor when deciding how to organize or reform public agencies or bodies.
3. Consistent with their domestic legal systems, States are encouraged to apply and promote these principles also on the local and regional level.
4. States should ensure that bodies (including autonomous and independent ones) with a responsibility for the development, implementation, enforcement and/or monitoring of elements of the corruption prevention system are provided with appropriate training<sup>3</sup>, mandate and resources to effectively fulfil their responsibilities.

### **Administrative measures**

5. States should define clear responsibilities for designing, leading and implementing corruption prevention measures across the public administration at all relevant levels.
6. States, through appropriate institutions, should conduct periodic risk analyses to identify positions, tasks and processes in the public administration which are particularly vulnerable to corruption.

<sup>3</sup> Cf. Article 6 (2), 2<sup>nd</sup> sentence of UNCAC.

7. States should take appropriate and effective measures to address the risks identified without creating disproportionately burdensome processes. Depending on the identified risks and the domestic context, such measures could include, but are not limited to
  - a. approval of decisions involving corruption risks by at least two individuals (“four eyes principle”),
  - b. detailed documentation to allow scrutiny and accountability of decision making,
  - c. risk-based human resources management including segregation of duties and rotating functions<sup>4</sup>,
  - d. regular audits of high-risk processes, decisions and work areas.
8. States should consider providing as much as possible public services online, particularly in areas with high corruption risks, thus not only improving both effectiveness and efficiency of public service delivery through e-services, the use of electronic tamper-proof workflows and automated procedures, but also helping to minimise opportunities for corrupt behaviour.
9. States should consider reducing the risk of corruption by fostering, in their public administration, the transition from cash payments to secure and traceable digital payments including, as far as possible, by using non-cash in- and out-payments.
10. If appropriate, States may also consider defining fixed processing periods for the completion and delivery of public services.

### **Human Resources**

11. States should take into account corruption risks when selecting staff, particularly if the staff member is designated to perform tasks that are prone to corruption. States should consider conducting pre-employment screening when recruiting staff.
12. States should create a merit based professional public administration based on public service values and good governance. They should consider appropriately recognizing behaviour of integrity amongst their officials.
13. States should promote adequate remuneration that provides a secure livelihood to their public officials. States should be accountable for the composition of salaries including for

<sup>4</sup> Cf. Art. 7 (1) (b) UNCAC.

top-level management and for any additional payments or non-cash benefits by the employer, including bonuses and allowances.

### **Training – Awareness-raising**

14. States should invest in developing leaders with integrity and the capacity to promote a culture of integrity within their organisations through personal leadership, appropriate training, guidance and advice for their staff.
15. States should ensure that public service staff members are provided throughout their career with clear and up-to-date information about their organization’s policies, rules and administrative procedures relevant to corruption prevention. They should be given sufficient information, training, guidance and timely advice on corruption risks and on how to avoid or minimize them.
16. States should, where appropriate, inform the public about their corruption prevention measures including administrative measures and integrity policies.

### **Monitoring – Accountability – Transparency**

17. States should provide senior officials with training on how to identify and manage corruption risks within their organization, and hold them accountable for doing so as well as for reporting incidents of suspected corruption and measures taken in response.
18. States should establish systems and methods to regularly monitor the implementation of their corruption prevention rules and the performance of their corruption prevention programs by collecting relevant data and other information from all relevant agencies. For monitoring purposes, States may also rely on external audit institutions such as Supreme Audit Institutions (SAIs), other autonomous national audit or ombudsman offices or private companies. States should make this information available to the public.
19. To allow public scrutiny and to build public trust, States should promote the transparency of relevant public data in line with the G20 Anti-Corruption Open Data Principles where appropriate, consistent with data protection and subject to national security considerations.
20. States should ensure that all credible allegations of corruption are followed-up to establish the facts of the case in a timely manner and take appropriate action in line with their domestic legal and administrative system.
21. States should consider working towards the concept of open governments to counter corruption risks and strengthen transparency and accountability.

### **Coordination Unit / Contact Person**

22. States should strive towards a coherent and coordinated integrity system across the public administration, for example by designating contact persons for corruption prevention or establishing a specific unit or units responsible for coordinating corruption prevention measures within public entities. States may wish to task contact persons with advising, training and keeping management, staff and the public informed about corruption prevention measures and integrity policies.
23. States should consider strengthening the function of these contact persons or units. They should grant them the necessary independence, in accordance with the fundamental principles of their legal system, to enable them to carry out their function effectively and free from any undue influence.<sup>5</sup> The person or units should be enabled to directly report to the head of the agency and to comply with any domestic privacy or whistleblowing provision concerning the source of their information. States should also consider providing a mechanism for anonymous reporting where appropriate.

### **International Cooperation**

24. The G20 commit themselves to continue the international exchange of best practices on corruption prevention, and to provide other countries, especially States Parties to the UNCAC with technical assistance, where requested and required and within available resources, particularly with a view to any technical assistance need identified in the Second Cycle of the UNCAC review process on the implementation of the prevention chapter of UNCAC (Chapter II) and to the overall aim of achieving Target 16.5 of the SDGs. Establishing and enforcing the liability of legal persons is critical to the global fight against corruption. Recognising this, the G20 have highlighted the importance of the liability of legal persons in their Anti-Corruption Action Plans since 2013–14. Following the G20 Leaders' commitment in September 2016 to "lead by example in combating bribery" including by "establishing and, where appropriate, strengthening the liability of legal persons for corruption offences", G20 countries agreed to the following high-level principles on the liability of legal persons for corruption.

<sup>5</sup> Cf. Art. 6 (2) 1st sentence, UNCAC.