

ANTI-CORRUPTION SUMMIT PLEDGES AND OGP NATIONAL ACTION PLANS: HOW DO THEY STACK UP?

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INTRODUCTION

At the Anti-Corruption Summit held in London in May 2016, 43 governments made more than 600 pledges across a range of issues. From anti-money laundering regulation to open data to public sector integrity, ambitious ideas for tackling corruption were central to the Summit.¹ Transparency International evaluated the pledges made at the Summit and found many to be significantly new (generated by the Summit), ambitious (strong steps in the context of the country they are coming from) and concrete (actionable and measurable). But without any formal mechanism in place for follow up, the pledges are at risk of being forgotten or left behind.

Open Government Partnership Action Plans offer a key means of implementing and monitoring Anti-Corruption Summit pledges. In fact, the Anti-Corruption Summit communiqué² states:

“OGP participating governments among us will work with civil society to embed our Summit commitments into National Action Plans where appropriate and extend the invitation to others to join.”

By embedding the pledges from the Summit into National Action Plans the majority of the countries represented at the Summit would immediately have formal timelines and mechanisms in place to hold their government accountable. In addition, the implementation of these commitments can benefit from the peer learning and technical support that the Open Governance Partnership community provides.

534 of the pledges made at the Summit, or 82%, were made by the 32 Open Government Partnership member governments who attended³. Some OGP governments represented at the Summit have already worked with their OGP civil society partners to embed their existing anti-corruption commitments in their National Action Plans.

For example, Kenya and the UK⁴ have published their 2016 NAPs, which included Summit pledges on beneficial ownership, public procurement and other new initiatives. France has already submitted their 2018 NAP, and while previously including Summit pledges on open data and natural resource transparency, they have now included public procurement pledges in the most recent update. Having anti-corruption commitments embedded in OGP NAPs has allowed important civil society input and oversight on government efforts to tackle corruption domestically.

Additionally, several countries have successfully achieved Summit pledges which were embedded as NAP commitments. For example, Argentina and France have successfully implemented whistle blower protections.

1 'Was it worth it? Assessing Government Promises as the 2016 Anti-Corruption Summit' (12 September 2016), http://www.transparency.org/news/feature/43_countries_600_commitments_was_the_london_anti_corruption_summit_a_success

2 Anti-Corruption Summit Communiqué (12 May 2016), https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522791/FINAL_-_AC_Summit_Communique_-_May_2016.pdf

3 At the time of the Summit in May 2016, 34 countries were OGP members. Since that time, 2 countries have withdrawn from OGP.

4 We have included the UK National Action Plan 2016 because it was released to coincide with the Anti-corruption Summit and capture its ambition.

HOW MUCH DO THE ANTI-CORRUPTION SUMMIT PLEDGES AND THE OGP NATIONAL ACTION PLANS MATCH?

For the purposes of this analysis, we consider commitments that match those that appear in the Anti-Corruption Summit Statements and in OGP National Action Plans concluded since the Summit that completely or partially achieve the same output. The commitments need not have the same wording, or have the same level of specificity; however, if both statements indicate the same activity, they are considered matching commitments.

For example, a broad statement which commits to beneficial ownership transparency in the Anti-Corruption Summit Statement would be matched with the specific action of creating a public register on beneficial ownership on the OGP National Action Plan. We compared National Action Plans submitted between 1 May 2016 and June 2018.

Of the 32 OGP member countries which took part in the Summit, 28 of them submitted National Action Plans between May 2016 and June 2018⁵. From these, 85 out of 479 Summit pledges (18%) were included in National Action Plans⁷.

Of these 32 OGP member countries, the countries with the highest number of matching commitments are:

- **Colombia** had 12 matching commitments including public procurement, open data, and EITI.
- **France** had 7 matching commitments including public procurement, beneficial ownership transparency, and open data.
- **Kenya** had 7 matching commitments including EITI, UNCAC Implementation, beneficial ownership transparency, and public procurement.
- **Nigeria** had 7 matching commitments including tax reporting, public procurement, EITI, beneficial ownership transparency and asset recovery.

It is important to recognise that the Summit and the 2016 National Action Plan process overlapped in terms of timing. As co-creating processes were already ongoing in several countries, it was difficult in some cases to embed the Summit pledges. In other cases, such as Nigeria and Ukraine, the plans do contain Summit pledges. In subsequent planning phases, there has been greater progress. Of the 7 countries that have developed National Action Plans since 2016, all were able to embed at least one Summit pledge.

⁵ 4 countries (Malta, the Netherlands, Trinidad and Tobago, and the USA) have not produced new plans since May 2016, and are therefore not included in the analysis.

⁶ Countries analysed: Argentina, Afghanistan, Australia, Brazil, Bulgaria, Canada, Colombia, France, Georgia, Germany, Ghana, Indonesia, Ireland, Italy, Jordan, Kenya, Mexico, New Zealand, Nigeria, Norway, Republic of Korea, Romania, South Africa, Spain, Sri Lanka, Tunisia, Ukraine, and the UK.

⁷ For this analysis, all matching commitments were counted across all plans released since May 2016, not including commitments that were carried over to a second plan.

WHAT KIND OF ANTI-CORRUPTION SUMMIT PLEDGES CAN BE INCORPORATED TO OGP NATIONAL ACTION PLANS?

We found that around a third of the pledges made at the UK Anti-Corruption Summit could be included in National Action Plans. For the purposes of this analysis we consider pledges that are 'ready to include' to be those thematic commitments that some countries are already including in their NAPs (such as Kenya and the UK, as mentioned earlier), or commitments around other issues relevant to transparency, participation and accountability.

We can estimate that at least 165 pledges are, in their current form, relevant to OGP National Action Plans given that they have an element that seek to increase transparency, civic participation or accountability. Of these 165 commitments, 55 (35%) have already been included in National Action Plans, indicating that there are a significant number of commitments which could easily be included in upcoming NAPs.

Such commitments could be considered by OGP countries and feasibly incorporated into upcoming action plans with little amendment. There are also a large number of other anti-corruption issue areas that could potentially be relevant for OGP NAPs, but should be made OGP 'ready' by adding components of transparency, participation or accountability.

The following list shows the range of issues pledged to at the Summit which are ready to be included in National Action Plans, as well as listing some examples of other commitment themes which could be suitably included in NAPs.

ISSUE	SPECIFIC FOCUS THEME	
Anti-Corruption Environment	Anti-Corruption Strategy Public Engagement	Ready to include
	Anti-Corruption Bodies Leadership and Political Will Resources and Mandate	Potential to include
Beneficial Ownership	Access to Beneficial Ownership Information Central Register EITI Global Beneficial Ownership Register Information collecting, sharing, availability Property Public Contracting Public Register	Ready to include
	Access to International Law Enforcement Access to Domestic Law Enforcement Automatic Exchange of Information	Potential to Include
Innovation	Innovation Hub People Powered Anti-Corruption Technology	Ready to include
	Behavioural Science	Potential to include
Natural Resources	Commodities Trading Transparency Company Disclosure of Payments to Governments EITI	Ready to include

Open Data	Data Literacy	Ready to include
	G20 Open Data Principles	
	Open Data Charter	
	Transparency and Integrity	
Public Procurement	Open Contracting	Ready to include
	Open Contracting Data Standard	
	Open Contracting in Health	
	Open Data	
	Transparency and Integrity	Potential to include
	Auditing	
Public Sector Integrity	Corrupt Bidders	Potential to include
	Debarment	
	Asset Declarations	Ready to include
	Transparency	
Whistle-blowers and Civil Society Space Protection	Audit Institutions	Ready to include
	Capacity Building	
	Conflicts of Interest	
	Leadership and Political Will	
	Protecting Whistle-blowers	
Reporting Corruption	Ready to include	
Supporting Investigative Journalists		

NEXT STEPS

Looking forward there are several opportunities for more Summit pledges to be incorporated into OGP National Action Plans. For starters, a number of countries will be submitting new national action plans in 2018. These include: Australia, Brazil, Bulgaria, Canada, Georgia, Indonesia, Ireland, Italy, Jordan, Kenya, Mexico, New Zealand, Republic of Korea, Romania, South Africa, Tunisia, the UK and Ukraine. As they engage in their co-creation process, these countries should look through the Summit pledges for some ideas.

Secondly, the Paris Declaration⁸ is another opportunity for countries to sign-up and propose relevant anti-corruption pledges to make significant steps towards accomplishing them. The Declaration provides an opportunity for countries to showcase and advance their work, and commit to support peers with practical tools and expertise to implement open government reforms. To date, there are at least 5 collective actions⁹ in the Declaration that match commitments made at the Summit, which include open public procurement, ending abuse of anonymous companies, and innovation and data driven approaches to expose and fight corruption, just to name a few.

Lastly, Transparency International is leading the OGP Anti-Corruption thematic area and is a resource for those countries looking to achieve better anti-corruption commitments and implementation. Transparency International will focus on two key components: increasing the focus on anti-corruption issues across OGP stakeholders and improving the ambition and implementation of anti-corruption commitments included in OGP National Action Plans.

Below are some suggested steps to take advantage of the Anti-corruption Summit to enhance your future OGP national action plan:

⁸ The OGP Paris Declaration can be accessed at: <https://paris-declaration.ogpsummit.org/> <https://paris-declaration.ogpsummit.org/>

⁹ The following are the collective actions that are considered to be strongly anti-corruption related: open public contracting, ending abuse of anonymous companies, Innovation and data driven approaches to expose and fight corruption, transparency on lobbying, and transparency on political party finance.

6 Anti-corruption Summit Pledges and OGP National Action Plans: How do they stack up?

If your government was at the Summit

- Look through the individual country statement¹⁰ to identify which commitments you could easily include in your next National Action Plan.
- Work with your national OGP partners to begin the process of including these existing commitments in your next National Action Plan.

If your government was not at the Summit

- Look through the commitments made by other governments at the Summit which we've said are 'ready to include'.
- Consider which high ambition commitments could sensibly be included in your next NAP, according to your country context.

Work with the OGP partners to make sure that proposed commitments to include in your next NAP are suitable.

¹⁰ Anti-Corruption Summit: country statements (12 May), <https://www.gov.uk/government/publications/anti-corruption-summit-country-statements>

ANNEX – OGP MEMBER COUNTRIES THAT ATTENDED THE ANTI-CORRUPTION SUMMIT

COUNTRIES	# OF SUMMIT COMMITMENTS	# INCLUDING IN NAPS	NAP DATE
Argentina	23	3	2017
Afghanistan	27	1	Jan-18
Australia	31	5	Dec-16
Brazil	8	-	Dec -16
Bulgaria	11	3	Jul-16
Canada	6	1	Jul-16
Colombia	32	12	2017
France	26	7	2018
Georgia	17	0	Oct-16
Germany	16	1	Jul - 17
Ghana	12	7	Oct-17
Indonesia	19	0	Oct-16
Ireland	10	4	Dec-16
Italy	23	1	Oct-16
Jordan	10	0	Oct-16
Kenya	18	7	Jun-16
Malta	9	0	2015
Mexico	30	1	Sep-16
Netherlands	14	0	Feb-16
New Zealand	8	0	Oct-16
Nigeria	25	7	Dec-16
Norway	21	5	Jun-16
Republic of Korea	12	0	Oct-16
Romania	15	4	Aug-16
South Africa	1	0	May-16
Spain	26	3	Jun-17
Sri Lanka	4	2	Oct-16
Trinidad and Tobago	11	0	Sep-14
Tunisia	14	2	Oct-16
UK	21	6	May-16
Ukraine	13	3	Dec-16
USA	21	5	2015

