

This will be annexed to a draft resolution to be considered at the Executive Council and adopted at the APA Plenary in Tehran in November, in which a mechanism (a body, an open-ended APA Committee or...) for operationalization of this plan of action will be defined.

Provisional Draft Plan of Action

to Combat Corruption and Enhance Integrity

Introduction

We, representatives of the Asian Parliamentary Assembly, announce our deep concern about the spread of corruption, and believe that corruption is a phenomenon that seriously undermines governments, rule of law, economic growth, domestic and foreign investment, ethical values of the society, confidence of the citizens in the government and the private sector and leaves a destructive impact on human rights and the civil society. Corruption precludes equal opportunities and thus further widens the gap between the poor and the rich.

We believe corruption is no longer merely a national problem, but an international phenomenon and that combating corruption requires not only the cooperation of all domestic sectors of the society, including the government, private sector and the civil society, but also a strong political will, cooperation and coordination at international level.

We express our support for the UN Convention against Corruption.

We condemn all forms of corruptions and are aware of our responsibility to reduce and eventually eliminate it within our region and at international level.

We believe Parliaments can play a significant role in enhancing the integrity of the administration of governance and in reducing corruption through enactment of appropriate legislations, effective oversight, representation and accountability, and financial control.

We underline the need for cooperation, assistance, coordination as well as exchange of knowledge and sharing of experiences and best practices on combating corruption between Member Parliaments of the APA.

We urge the governments of Member Parliaments to extend the necessary cooperation to the parliaments as well as the regional and international organizations active in fighting corruption and to promote transparency in their activities.

Acknowledging the significance of regional cooperation in preventing and combating corruption and of the need for enactment of laws on combating corruption for all sectors of the society, including the government, public and private, as well as the civil society.

We, members of Asian Parliamentary Assembly (APA), approve the establishment of a "body" to implement the following plan of actions to combat corruption:

1 – Legislation

Since legislation is the most significant and fundamental function of the parliaments and that this function aims to legislate public regulations representing the sovereignty of the people and developing the frameworks within which other activities of the government should be carried out, and taking into account our duty

to fight corruption and enhance the integrity of administration of governance, we do resolve to:

- Encourage the study and approval of the UN Convention against Corruption,
- Legislate effective, comprehensive and transparent laws in accordance with the UN Convention and to revise and harmonize the existing laws on combating corruption with the UN Convention,
- Legislate laws to promote transparency and accountability at all levels, including in government, public, and private activities,
- Legislate the necessary laws for enhancing the integrity of Legislature: from setting the criteria and conditions for being elected to the parliament, to the structures, processes and functions of this branch of government,
- Legislate the necessary laws for safeguarding the integrity of the Judiciary: from setting the criteria and conditions for the election or appointment of judges to the structures, processes and functions of this branch of government as well as protecting the independence of the Judiciary,
- Legislate the necessary laws for safeguarding the integrity of the executive: from setting the criteria and conditions for the election, appointment or recruitment of the high, mid and low management personnel and the regular employees to the structures, processes and functions of the executive,
- Legislate the necessary laws to criminalize the following actions:
 - Bribery of national public officials,
 - Bribery of foreign public officials and officials of public international organizations,
 - Embezzlement, misappropriation or other diversion of fund or property by a public official,
 - Trading in influence,

- Abuse of authority and functions,
- Illicit enrichment,
- Bribery in private sector,
- Embezzlement of property in private sector,
- Money-laundering, transnational organized crimes, human trafficking, etc,
- Legislate the necessary laws to support those who expose corruption or bear witness in this regard to encourage the culture of reporting corruption,
- Exchange information and share experiences among Member Parliaments in the field of effective legislation on combating corruption.

2 – Parliamentary Oversight

Since oversight is the second most fundamental function of the parliaments and stems from the people’s sovereignty, and parliaments exercise oversight on the activities of the governments and all other functionaries, and in order to fulfill this responsibility aimed at enhancing the integrity of the administration of governance and combating corruption, we do resolve to:

- Develop some mechanisms for monitoring the effective implementation of the UN Convention against Corruption, and reporting publicly on our findings and assessments,
- Create an oversight mechanism to assure compatibility of the legislations with the provisions of the UN Convention,
- Increase the capacity and effectiveness of the parliament as an oversight body encompassing the representatives, committees and the plenary of the parliament, through implementation of the following measures:
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- Revision, reform and if necessary, adoption of rules of procedure or other internal regulations for the Parliament,
 - Consolidation of the power of the Parliament to summon anybody it sees fit to the parliament and to effect the prosecution of those who decline to attend the parliament,
- Exercise oversight over the executive in order to ensure effective implementation of anti-corruption laws,
 - Ensure that those entrusted to implement anti-corruption laws have the integrity and capacity required to fulfill their obligations,
 - Ensure the transparency of fund raising by political parties and groups for their election campaigns to prevent corruption,
 - Exercise oversight over the performance of the Judiciary to prevent and fight corruption,
 - Exercise oversight over the proper implementation of anti-corruption laws in government, public and private sectors,
 - Expand cooperation and coordination between the parliament and other supervisory bodies,
 - Create platforms for oversight over governments at regional level through formation of regional anti-corruption boards consisting of representatives from Member Parliaments,
 - Cooperate actively with the regional and international anti-corruption organizations and institutions so that members of the UN Convention against Corruption could implement it effectively,
 - Exchange information and experience with Member Parliaments about the best practices in combating various types of corruption.

3 – Parliamentary Representation and accountability

As representatives of people with a fiduciary role, we do resolve to fulfill our obligation to our constituency by:

- Imparting the necessary information and knowledge to other parliamentarians regarding anti-corruption activities and the provisions of regional and international instruments on this issue, including the UN conventions against Corruption,
- Creating the necessary grounds for the institutions of civil society including the media, trade unions and NGOs to promote anti-corruption activities,
- Disseminating transparent information about the processes of legislation, oversight, representation and accountability, and financial controls,
- Releasing public reports on the results of anti-corruption activities,
- Preparing the suitable grounds for imparting the necessary information and education to the public to enhance its awareness of the level of integrity and promote people's participation in the campaign against corruption,
- Creating the necessary grounds for expansion of freedom of expression, particularly the freedom of the press, in order to enhance information dissemination to prevent and fight corruption,
- Supporting the victims of corruption vis-à-vis the three branches of government so that they receive a fair compensation,
- Supporting all APA inter-parliamentary efforts and cooperation aiming at fighting corruption in Asia,
- Promoting effective cooperation among Member Parliaments in the scientific, cultural, educational and research fields relative to fighting corruption,

4 – Financial Control

As parliament representatives with full power over allocation of budget for and its expenditure by the government, we do resolve to strengthen our financial control over the activities of the government by taking the following steps:

- To ensure that the budget is spent within the framework of the plans approved by the parliament,
- To ensure that the government allocates resources on the basis of the priority accorded different sectors when the budget was approved,
- to ensure that state financial resources and income are distributed justly and that the needs of the functionaries of the state are provided for in the budget,
- To ensure the non-interference of the parliament members in the executive affairs related to programs and to financial management,
- To make it mandatory for the government to provide to the Parliament precise and transparent information about its plans and expenditures,
- To establish and promote some mechanisms for government accountability to the parliament regarding the manner in which it earns income, particularly taxes, and its expenditures,
- To receive periodic and timely reporting about the implementation of national budget and the real performance of the executive bodies,
- To exercise control over and audit of the executive bodies regarding their spending of the budget,
- To promote and strengthen the following mechanisms in order to reduce corruption and enhance integrity:

- Upgrade the level of financial transparency of the executive bodies,
 - Enhance transparency in the privatization process,
 - Upgrade transparency in the banking system, particularly in areas of approving loans and credits,
 - Upgrade transparency in the customs and tariff systems
 - Simplify tax collection and its processes,
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- To ensure that the financial needs of the Judiciary, particularly those of the judges are met in order to prevent any form of corruptions,
 - To exercise the necessary controls to ensure that the properties of the heads of the three branches of the government are monitored,
 - To exercise the necessary control over income gained through money laundering,
 - To exchange information and experience in the field of effective financial control with other Member Parliaments in order to promote an effective campaign against corruption all over.

Annex 1: List of Current Anti-Corruption Arrangements

Annex 2: Corruption Self-Review