Combatting Corruption and Strengthening Justice Sector Transparency and Accountability: The Role of Civil Society

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JUSTRAC Advanced Rule of Law Training, June 2017
Pew Global Attitudes Survey

Most National Institutions Rated Positively, Especially Military

Is ____ having a good or bad influence on the way things are going in your country?

<table>
<thead>
<tr>
<th>Institution</th>
<th>Bad</th>
<th>Good</th>
</tr>
</thead>
<tbody>
<tr>
<td>Military*</td>
<td>18%</td>
<td>79%</td>
</tr>
<tr>
<td>Media</td>
<td>26%</td>
<td>70%</td>
</tr>
<tr>
<td>Religious leaders</td>
<td>20%</td>
<td>69%</td>
</tr>
<tr>
<td>Banks</td>
<td>27%</td>
<td>65%</td>
</tr>
<tr>
<td>Corporations</td>
<td>28%</td>
<td>62%</td>
</tr>
<tr>
<td>Nat'l government*</td>
<td>38%</td>
<td>59%</td>
</tr>
<tr>
<td>Civil servants</td>
<td>39%</td>
<td>54%</td>
</tr>
<tr>
<td>Court system</td>
<td>44%</td>
<td>47%</td>
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</table>
TI Global Corruption Barometer

Citizens who paid a bribe for public services

- Police: 31%
- Judiciary: 24%
- Registry: 21%
- Land: 21%
- Medical: 17%
- Education: 16%
- Tax: 15%
- Utilities: 13%

Globally, 1 out of 4 citizens on average has paid a bribe to the judiciary in 2012.¹
Roadmap

- International Frameworks and Standards
- Corruption in the Judiciary: Forms, Effects, Causes
- CSO Transparency and Accountability Functions
- Illustrative Programmatic Objectives and Activities
Goal 16

Promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable institutions at all levels.
Goal 16 Targets

16.3: Promote the **rule of law** at the national and international levels and ensure **equal access to justice**

16.4: Significantly reduce **illicit financial** and arms flows, strengthen the **recovery and return of stolen assets**

16.5: Substantially reduce **corruption and bribery** in all their forms

16.7: Ensure responsive, **inclusive, participatory and representative** decision-making at all levels

16.10: Ensure public **access to information** and protect fundamental freedoms
UNCAC

Adopted by the UN:
October 2003

Entry into force:
December 2005

States Parties:
181 as of December 2016
Relevant UNCAC Provisions

**Article 11:** Strengthen integrity and prevent opportunities for corruption among members of the judiciary

**Article 13:** Promote the active participation of individuals and groups outside the public sector in the prevention of and the fight against corruption

**Article 5:** Develop anti-corruption strategies that promote the participation of society and reflect principles of rule of law, integrity, transparency and accountability.
Doha Declaration Global Programme

The Doha Declaration: Promoting a Culture of Lawfulness

Judicial Integrity
Corruption in the Judiciary

Impacts of Corruption
• Due Process/Fair Trial
• Impunity/Grievances
• Checks and Balances

Main Forms of Corruption
• Bribery/Intimidation
• Political Interference
Civil Society Comparative Advantages

Local Knowledge and Issues

Legitimacy and Credibility

Internal Pressure for Reform

Social Accountability
## Civil Society & Social Accountability

<table>
<thead>
<tr>
<th>Category</th>
<th>Activities</th>
</tr>
</thead>
</table>
| Normative Frameworks            | • Constitutional and legislative provisions  
                                 | • Policies and procedures  
                                 | • Codes of conduct and performance standards |
| Advocacy, Awareness & Education | • CSO networking  
                                 | • Civic education  
                                 | • Open Courts |
| Monitoring & Oversight          | • Trial observation  
                                 | • Citizen report cards, surveys, and data collection  
                                 | • Advisory boards and selection |
| Enforcement                     | • Judicial ethics complaints  
                                 | • Strategic litigation for compensation  
                                 | • Name and shame reports |
Illustrative Program Objectives and Results

**Objective**: Increased public demand for improved transparency and accountability in the delivery of justice services

- **Result**: Justice Sector CSO network formed with a strategy and action plan for judicial monitoring and oversight

- **Result**: Civil society capacity and tools to provide oversight of judiciary increased

- **Result**: CSOs communicate citizen feedback to judiciary and policy makers
Illustrative Program Objectives and Results

Objective: Public support for and engagement in anti-corruption strategy and activities increased

- **Result**: Government outreach on anti-corruption reforms and successes improved
- **Result**: Engagement of citizens in the fight against corruption increased

Objective: Public tolerance of corrupt practices reduced

- **Result**: Public understanding of corruption and its costs increased
- **Result**: Youth increasingly reject corruption as a social norm