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High-Level Principles on Promoting Integrity and Effectiveness of Public Bodies and Authorities Responsible for Preventing and Combatting Corruption



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Introduction

Strong anti-corruption institutions are required to implement anti-corruption laws, policies, and practices that strengthen integrity of the public sector. Effective anti-corruption measures are necessary to strengthen public trust. The anti-corruption institutional framework of a country may encompass a range of bodies or authorities that have a role in preventing and combatting corruption. Ensuring the integrity of these bodies or authorities is critical to effectively prevent and combat corruption.

The United Nations Convention against Corruption (UNCAC) requires countries, in accordance with the fundamental principles of their legal systems, to ensure existence of a body or bodies, as appropriate, that prevent corruption, including by such means as implementing preventive anti-corruption policies and practices, and increasing and disseminating knowledge on corruption prevention. UNCAC also requires countries to ensure the existence and necessary independence of a body or bodies, or persons specialized in combatting corruption through law enforcement, in accordance with the fundamental principles of their legal systems, to carry out functions effectively and without any undue influence.

In 2021, in the political declaration adopted by the special session of the United Nations General Assembly against corruption, States pledged to grant anti-corruption bodies and specialized authorities with the necessary independence, in accordance with the fundamental principles of domestic law, as well as to strengthen their capacity and provide them with the necessary resources to carry out their oversight functions and to facilitate strong cooperation among them at all levels.

Acknowledging the contributions made in the past in this regard¹ and in line with Goal 16 of the 2030 Agenda for Sustainable Development, the G20 Anti-Corruption Working Group has adopted these high-level principles to promote integrity and enhance the effectiveness of public bodies and authorities responsible for preventing and combatting corruption, including by ensuring they operate with necessary independence, transparency, and accountability.

¹ The 2012 G20 High-Level Principles on Asset Disclosure by Public Officials; the 2017 G20 High Level Principles on Organizing Against Corruption; the 2018 G20 High-Level Principles for Preventing and Managing 'Conflict of Interest' in the Public Sector; the 2018 G20 High-Level Principles for Preventing Corruption and Ensuring Integrity in State-Owned Enterprises; the 2019 G20 High-Level Principles for the Effective Protection of Whistleblowers; the 2020 G20 High-Level Principles for the Development and Implementation of National Anti-Corruption Strategies; the 2022 G20 High-Level Principles on Enhancing the Role of Auditing in Tackling Corruption. Other than the G20 outcomes, OECD has developed recommendations and other tools on public integrity (the 2017 OECD Recommendation on Public Integrity, the OECD public integrity handbook, maturity models, indicators, etc.), UNODC has developed the Module Series on Integrity and Ethics (Module 13 of which is on Public Integrity and Ethics) as well as the 2020 Good Practices Guide on "Preventing and Managing Conflicts of Interest in the Public Sector (prepared by the World Bank, OECD and UNODC at the request of the G20 Anti-Corruption Working Group).



Scope and Applicability:

Article 6 of UNCAC requires that States parties shall, in accordance with the fundamental principles of their legal system, ensure the existence of a body or bodies that prevent corruption by, such means as, implementing, overseeing and coordinating the implementation of preventive anti-corruption policies, as well as increasing and disseminating knowledge about the prevention of corruption. Similarly, article 36 of UNCAC requires States parties, in accordance with the fundamental principles of their legal system, to ensure the existence of a body or bodies or persons specialized in combatting corruption through law enforcement. Countries may already have different existing bodies and authorities assigned with the responsibilities and functions envisaged under UNCAC articles 6 and 36. G20 countries may adopt diverse approaches consistent with domestic laws and anti-corruption strategies to achieve an effective institutional framework to prevent and combat corruption. Hence, the institutional framework may vary among G20 countries. Effective prevention and combatting of corruption requires these bodies and authorities² to be granted the necessary independence, in accordance with the fundamental principles of domestic legal systems, and resources to fulfill their mandate, along with ensuring strong internal integrity measures in such bodies and authorities. These High-Level Principles cover all relevant public bodies and authorities responsible for preventing and combatting corruption, in accordance with the fundamental principles of domestic frameworks, legal systems and law.

Principle 1: Take measures to ensure that public bodies and authorities responsible for preventing and combatting corruption have clear and appropriate mandates and the capacity to prevent and combat corruption

Mandates and capacity of public bodies and authorities responsible for preventing and combatting corruption can have a direct bearing on their effectiveness, thereby impacting their credibility and public perception. G20 countries should ensure that such bodies and authorities have clear and appropriate mandates and the capacity to effectively prevent and combat corruption.

G20 countries can achieve this by:

- i. Providing constitutional, statutory, or other clear and enforceable mandates to public bodies and authorities responsible for preventing and combatting corruption, while ensuring the necessary information on these mandates is publicly accessible.
- ii. Taking measures to ensure adequate powers, resources, and responsibilities for such bodies and authorities to achieve their mandates, including access to the required and accurate information to perform their functions, as appropriate.
- iii. Taking measures to ensure that such bodies and authorities have, in accordance with their corresponding mandates, the necessary powers to implement or oversee the implementation of their recommendations or directions. Clear and transparent follow-up and oversight mechanisms or processes should be available in relation to the implementation of such recommendations or directions, in accordance with the fundamental principles of domestic frameworks, legal systems and law.

² These can include Supreme Audit Institutions (SAIs) and Financial Intelligence Units (FIUs), in accordance with the domestic framework.



- iv. Taking measures to ensure that an effective and comprehensive integrity framework which helps promote coherence between public bodies and authorities responsible for preventing and combatting corruption, is in place.
- v. Providing secure, accessible and confidential reporting channels for whistleblowers to report corruption to competent public bodies or authorities and further ensuring an effective framework for proper authorities to assess, investigate and take effective follow-up actions, while ensuring effective protection against any unjustified treatment.

Principle 2: Provide public bodies and authorities responsible for preventing and combatting corruption with the necessary independence and resources to enable them to carry out their functions effectively and free from undue influence

Ensuring the necessary independence of the bodies and authorities, responsible for preventing and combatting corruption, in accordance with the fundamental principles of domestic frameworks, legal systems and law, is vital to enable their effective functioning. Necessary independence may be understood as enabling the bodies and authorities to perform their functions without undue influence in any respect.

G20 countries can achieve this, in accordance with the fundamental principles of domestic frameworks, legal systems and law, by:

- i. Taking measures, where applicable, to ensure a transparent and merit-based selection process for the appointment of leadership³ positions in such bodies and authorities. The criteria for leadership appointments should be clear and objective based on qualifications, knowledge and experience.
- ii. Safeguarding, where applicable, security of tenure for leadership positions in such bodies and authorities, and outlining criteria for dismissal, that are adequately detailed and related to serious issues.
- iii. Taking measures, where applicable, to ensure open, transparent, merit-based systems of recruitment, hiring, retention and promotion, along with just and fair processes and procedures for removal of public officials, and empowering bodies and authorities responsible for preventing and combatting corruption to hire and appoint sufficient and capable staff, including women, while upholding the principles of accountability and transparency.
- iv. Taking measures to safeguard such bodies and authorities from arbitrary budgetary changes that could prevent them from effectively fulfilling their responsibilities.
- v. Empowering such bodies and authorities to establish and maintain their own policies, in accordance with their mandates, and procedures for managing their affairs, while upholding the principles of accountability and transparency.

³ This section applies to the highest level bureaucratic/technical positions filled in government. It does not extend to the system for political appointees in some G20 countries.



Principle 3: Ensure that public bodies and authorities responsible for preventing and combatting corruption are open and transparent and that they maintain accountability in the performance of their functions without affecting their necessary independence

Since public bodies and authorities responsible for preventing and combatting corruption may be dealing with investigations and inquiries relating to complaints or reports of a varied nature involving public officials, it is essential to promote impartiality, openness, transparency, and accountability in their actions, as well as ensuring oversight of their functions while respecting and protecting their necessary independence, in accordance with the fundamental principles of domestic frameworks, legal systems and law. The bodies and authorities should operate transparently in the interest of their necessary independence, fairness, and effectiveness.

G20 countries can achieve this principle by:

- i. Establishing standard operating procedures for the discharge of functions of such bodies and authorities such as in dealing with complaints, investigations, and inquiries, in order to better ensure fairness, objectivity, and timeliness in their functioning.
- ii. Taking measures to ensure that such bodies and authorities are subject to adequate oversight regarding their operational performance, in accordance with fundamental principles of domestic frameworks, legal systems and law⁴.
- iii. Taking measures to ensure that the budget management of such bodies and authorities are subject to audits, in accordance with domestic frameworks, legal systems and law.
- iv. Encouraging transparency and openness through public release of reports and key decisions by such bodies and authorities, subject to operational and domestic legal considerations.

Principle 4: Ensure high standards of integrity for officials or other persons engaged by public bodies and authorities responsible for preventing and combatting corruption and promote inclusiveness

Public bodies and authorities responsible for preventing and combatting corruption should have internal measures and systems in place to promote the highest level of integrity and inclusiveness. This should apply not only to the officials and to employees of such bodies and authorities but also to other forms of employment or contractual relationships that assist in delivering the mandate of such bodies and authorities.

G20 countries can achieve this principle by:

- i. Setting high standards of conduct for public officials of such bodies and authorities, including through codes of ethics or conduct with adequate guidance, internal reporting mechanisms and disciplinary measures.

⁴ In some national contexts this may include, but not be limited to, regular reporting to the national legislature or other elected, governing state bodies, and publication of regular reports on their performance.



- ii. Considering that such bodies and authorities develop detailed advice on common integrity risks and conflict of interest examples and options for avoiding or resolving those risks and conflicts of interest⁵.
- iii. Promoting that high-level management of such bodies and authorities demonstrate their personal commitment to integrity systems and high standard of propriety in the discharge of official duties, thus showcasing the commitment of high-level management to lead by example in clearly articulating that corruption in any form is not tolerated.
- iv. Assigning responsibility, where applicable, to such bodies and authorities to effectively manage the procedure to ensure integrity of their employees, including those under other forms of engagement or contractual relationships who assist in delivering the mandate of such bodies and authorities, in performance of their duties.
- v. Providing sufficient and tailored information, induction and on-the-job training, guidance and timely advice for public officials and authorities at all levels to develop a culture of integrity and ethical values in the workplace.
- vi. Promoting the communication and dissemination of integrity standards within such bodies and authorities and also to a wide variety of external stakeholders, including the private sector, with the expectation that they respect these standards in their interactions with public officials of these bodies and authorities.
- vii. In accordance with fundamental principles of domestic legal systems, proactively identifying and managing conflicts of interest; strengthening the existing systems of asset and interest declarations; promoting integrity and transparency of lobbying activities, where relevant and applicable; enhancing safeguards against undue influence including by establishing or strengthening adequate policies on gifts and hospitality; appropriate risk-based post-employment restrictions, such as cooling off periods.
- viii. Providing secure, accessible and confidential reporting channels within these public bodies and authorities for whistleblowers⁶ and further ensuring an effective framework for competent authorities to assess, investigate and take effective follow-up actions, while ensuring effective protection against any unjustified treatment including retaliation.
- ix. Encouraging full and equitable participation of women, including in leadership roles in public bodies and authorities responsible for preventing and combatting corruption.
- x. Establishing, applying and enforcing, in accordance with the fundamental principles of their domestic law, a range of timely and proportional remedial actions and/or proportionate and dissuasive sanctions in cases of breaches of integrity standards.

⁵ This builds on the G20 High-Level Principles for Preventing and Managing 'Conflict of Interest' in the Public Sector, under the G20 2018 Argentine Presidency.

⁶ G20 High-Level Principles for the Effective Protection of Whistleblowers, 2019.



Principle 5: Enhance effective cooperation among public bodies and authorities responsible for preventing and combatting corruption

Effective functioning of public bodies and authorities responsible for preventing and combatting corruption requires cooperation among such bodies and authorities, both within the country, and among G20 countries. This also includes taking appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector such as civil society, non-governmental organizations, and community-based organizations, in the prevention of and the fight against corruption.

G20 countries can achieve this principle by:

- i. Taking measures to ensure adequate coordination between relevant bodies and authorities, which could include SAIs and FIUs, involved directly or indirectly in preventing and combatting corruption, and their activities.
- ii. Facilitating cross-disciplinary learning and the identification and exchange of good practices and challenges among such bodies and authorities, including by way of training and capacity-building programmes within the country.
- iii. Taking measures to ensure that information regarding the structure and functions of such bodies and authorities is publicly available and easily accessible, including to foreign competent authorities, to enhance cooperation and information-sharing among them, in accordance with the fundamental principles of domestic frameworks.
- iv. Facilitating, where appropriate, participation of such bodies and authorities in international policy discussions⁷, training and capacity-building programmes to enhance mutual learning among bodies and authorities responsible for preventing and combatting corruption.
- v. Encouraging, as appropriate and in accordance with the fundamental principles of domestic law, engagement of stakeholders, including individuals and groups outside the public sector such as civil society, non-governmental organizations, and community-based organizations, with such bodies and authorities in the prevention and fight against corruption in order to improve the effectiveness of these bodies and in line with the principles of integrity, transparency and accountability.

Principle 6: Enhance the ability of public bodies and authorities responsible for preventing and combatting corruption to face new or emerging challenges and risks

Public bodies and authorities responsible for preventing and combatting corruption should effectively adapt to the circumstances and build their ability to fight emerging forms of commission of corruption offences.

G20 countries can achieve this principle by:

⁷ This includes fora such as the G20 Anti-Corruption Working Group, the Conference of the States Parties to the UN Convention against Corruption and its subsidiary bodies, and where applicable, the OECD Working Group on Bribery, the OECD Working Party of Senior Public Integrity Officials (SPIO) and other relevant fora.



- i. Establishing recurring processes for assessing corruption and integrity risks, analyzing trends; where applicable, adopting and implementing regular plans or strategies on the basis of such assessment and analysis; in accordance with the fundamental principles of domestic frameworks, legal systems and law to address new or emerging challenges.
- ii. Enhancing the use of information and communication technologies and digital approaches for analysis and capacity-building to enable better preparedness in addressing new and emerging challenges, in accordance with fundamental principles of domestic frameworks.
- iii. Encouraging the bodies and authorities responsible for preventing and combatting corruption to use research and knowledge-sharing mechanisms on anti-corruption and integrity from a broad range of stakeholders, in accordance with the fundamental principles of domestic frameworks.
- iv. Ensuring that the rules, regulations and/or guidance issued by public bodies and authorities responsible for preventing and combatting corruption are subject to effective review to keep up with emerging demands or scenarios.

