



## **G20 High-Level Principles on Preventing and Combating Corruption in Emergencies**

Under the Saudi Presidency and in the context of the first G20 Anti-Corruption Ministerial Meeting in 2020, G20 countries stressed the “heightened threat from and serious impact of corruption on economic growth, sustainable development, quality investment and innovation, and trust between governments and citizens”.

The Ministerial Declaration also stated that the speed and scale of the economic response to the crisis and recovery may increase the risk of corruption, misappropriation, fraud, money-laundering and other related crimes, thus hampering the effectiveness and efficiency of the relief efforts. In this context and following the “Call to Action on Corruption and COVID-19”, the development of strategies and policies to strengthen the prevention of and fight against corruption in emergency contexts, particularly in the COVID-19 aftermath, has become paramount.

The COVID-19 pandemic is affecting economies globally and the accompanying national responses have increased the political, social and economic challenges for governments around the world.

In general, during crisis and emergencies, there is a heightened risk that corrupt actors exploit legal and regulatory frameworks, which may be unfit for times of urgency, governing public procurement and other assistance distribution channels in order to divert emergency aid and other resources intended to address the emergencies and sustain recovery.

G20 countries, under the Italian Presidency, are therefore adopting the following high-level principles for better preventing and combating corruption in emergencies, leading by example also in this area.

In particular, countries’ efforts to combat corruption in emergencies should be designed and implemented along the following dimensions:

- I. Preparedness, focused on planning and training for future disruptive events, so that each country is ready to promptly react to corruption in case of an emergency.
- II. Mitigation, including the adoption of measures to prevent or reduce the impact and consequences of corruption and related crimes and to safeguard transparency, accountability, justice, fairness, and the rule of law when a crisis or emergency occurs.
- III. Response and recovery, including implementing corruption prevention and detection measures to ensure efficient cooperation among competent governmental authorities, and allow for improved governmental anti-corruption responses to and the effective recovery from crisis and emergencies.

### *Principle 1*

*“Enhance legislation, administrative and financial rules and regulations in preparation for crisis and ensure their maintenance during emergencies”*

Planning and preparedness for crisis and emergencies should be developed before they occur, including the adoption of effective anti-corruption measures and contingency plans.

G20 countries will endeavour to apply this principle by:

- Effectively implementing the obligations set forth in global anti-corruption agreements, including the United Nations Convention against Corruption (UNCAC), particularly those contained in chapter II (prevention) and chapter III (criminalization and law enforcement), as well as individual obligations in other anti-corruption agreements to which we are parties to, including the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.
- Establishing a strong legal, administrative and regulatory framework that ensures robust anti-corruption safeguards that are able to withstand stress during crisis and emergencies.
- Leading by example by promoting laws and regulations – informed by international standards – that contribute to the effective prevention of corruption and facilitate the identification, traceability and prosecution of individuals suspected of being involved in corruption and related offences, including money-laundering and organized crime, consistent with domestic laws and frameworks.
- Ensuring the monitoring of spending and of use of public funds, particularly those dedicated to the crisis or emergency response through appropriate domestic record-keeping obligations.
- Ensuring that adequate policies and resources are in place to allow administrative, audit and enforcement authorities to continue their operations, ensure effective controls during crisis and emergencies, and deal with potential cases of corruption and fraud, including by ensuring, where appropriate or as per established due procedures that audits of emergencies spending can be conducted and published.
- Ensuring the protection of reporting persons by effectively implementing relevant domestic whistle-blowing related legislation, especially during crisis and emergencies.

## *Principle 2*

*“Ensure transparency, integrity and accountability of the public sector to better prevent and combat corruption in times of crisis”*

During crisis and emergencies, the public sector may face increased risks of corruption and fraud. There is a need to enhance vigilance measures to ensure public sector accountability, integrity and transparency and uphold those values during crisis and emergencies, as well as in the following recovery phase, while safeguarding data protection.

G20 countries will endeavour to apply this principle by:

- Reviewing and, where appropriate, strengthening existing public integrity systems to identify public sector areas particularly vulnerable to corruption in times of crisis and emergencies and through the adoption of targeted anti-corruption mitigation measures.
- Ensuring the systematic implementation of risk assessments in the sectors more exposed to corruption and fraud during crisis and emergencies to strengthen internal control activities and other preventive measures.
- Adopting codes of conduct and conflict of interest policies for public employees and decision makers and ensuring that such codes and policies are also implemented during crisis and emergencies to avoid inappropriate influence on public power.
- Enhancing transparency and accessibility of government data and strengthening, where appropriate, systems for financial disclosure of relevant public officials, in accordance with principles of domestic laws and regulations.
- Ensuring that the bodies competent in the area of preventing and combating corruption have the necessary independence and resources, in accordance with the fundamental principles of domestic legal systems.
- Facilitating, in accordance with domestic laws and international agreements or treaties, the use of new technologies, including information and communications technologies (ICTs), for anti-corruption enforcement bodies and relevant authorities, including for evidence gathering, information-sharing and collaboration, avoiding criminal misuse while safeguarding human rights and fundamental freedoms.
- Establishing effective internal audit functions and risk management capacities within public entities, in line with domestic auditing legislation.

- Encouraging and supporting the private sector, civil society, academia and all relevant stakeholders to participate in preventing and reporting acts of corruption during crisis and emergencies.

### *Principle 3*

*“Ensure transparency, integrity, and efficiency of public procurement processes and aid disbursement to enable prompt responses to crisis and emergencies”*

During crisis and emergencies, public procurement is central to government responses, yet the urgent nature of the response increases the risk of breaches of integrity and transparency standards in the procurement processes and aid disbursement. Therefore, such processes should endeavour to balance procurement standards and public accountability with the need for a rapid response.

G20 countries will endeavour to apply this principle by:

- Fully recognizing that public procurement and aid disbursement are crucial in responding to crisis and emergencies and acknowledging that accelerated and simplified procedures can present an increased risk of fraud, corruption and other related offences and should be restricted to the extent necessary.
- Promoting, in line with domestic frameworks, transparency throughout all stages of procurement processes and implementing measures to limit the opportunity for improper public contract transactions and corruption.
- Strengthening transparency in government responses to crisis and emergencies, and ensuring coordination among government entities responsible for procurement and those responsible for prevention and investigation of fraud, corruption, and other related crimes, in line with domestic laws.
- Strengthening integrity and accountability through internal control, risk management, procurement audits or other appropriate mechanisms to deter, prevent and detect fraud and inefficient public spending.
- Encouraging, where applicable and appropriate, the collection of complete and up-to-date public procurement and aid disbursement information, including as a minimum information on recipients of public contracts, and when in accordance with the legal frameworks, the associated beneficial owners; and recording this information in national e-procurement portals or databases, and accessibility of the data to the public to enable

analysis and support to the public accountability, with respect for national legislation also on data protection.

#### *Principle 4*

*“Ensure that competent anti-corruption authorities have the proper resources and means to continue performing effectively their duties during emergencies”*

Adequate human, technological and financial resources should be provided to competent anti-corruption authorities to allow for the prevention, detection, investigation and prosecution of corruption and other related illegal activities and the confiscation of associated proceeds of crime in times of emergencies.

G20 countries will endeavour to apply this principle by:

- Encouraging corruption risk assessments and enhancing detection measures in high-risk sectors for corruption while maintaining core services.
- Providing appropriate protection for persons who cooperate with judicial, anti-corruption and law enforcement authorities, consistent with domestic legal frameworks.
- Promoting beneficial ownership transparency as an essential tool in the fight against corruption and other related criminal conduct such as money-laundering and terrorist financing, by ensuring law enforcement authorities and other competent authorities have timely access to adequate, up-to-date and accurate information on the beneficial ownership of legal persons.
- Enhancing the capacities of supervisory authorities such as control and audit authorities to conduct distance monitoring and controls without the need to carry out on-site inspections in times of emergencies, including by using ICTs.
- Develop channels and mechanisms that enable and facilitate reporting in good faith and on reasonable grounds any facts concerning corruption and related offences to the competent authorities.

### *Principle 5*

*“Implement international anti-corruption obligations and strengthen international cooperation to counter corruption risks in times of crisis and emergencies”*

Recognizing the injustice and other negative consequences caused by corruption and reiterating our commitment towards zero-tolerance and a culture of rejection of corruption at all levels, international cooperation between competent central authorities should be continued and strengthened, especially during times of crisis and emergencies, to ensure that transnational cases can be effectively investigated and prosecuted and that the proceeds of crime are confiscated.

G20 countries will endeavour to apply this principle by:

- Continuing to implement the existing international obligations and commitments and strengthening international cooperation during times of crisis and in case of future emergencies.
- Strengthening existing law enforcement networks such as, *inter alia*, the Global Operational Network of Anti-Corruption Law Enforcement Authorities (Globe Network), INTERPOL, Denial of Entry Experts Network, CARIN, ARINs, Egmont Group of Financial Intelligence Units and central authorities, to allow a more effective response to future crisis and emergencies, including prompt exchange of information and execution of mutual legal assistance in investigations, prosecutions and judicial, civil and administrative proceedings concerning corruption offences, including by facilitating, where legally possible and technically appropriate, the use of new technologies and data.
- Ensuring strong technical assistance, including capacity-building and sharing good practices and knowledge on methods, tools and technologies to prevent and counter corruption in connection with the specific risks posed by the crisis or emergency, also in partnership with other countries and through technical assistance, where needed.
- Encouraging central authorities to prioritize crisis-related mutual legal assistance (MLA) requests to the extent possible during and in the aftermath of emergencies, such as requests related to corruption and money-laundering in the procurement of medical and pharmaceutical services and products, in line with domestic laws.
- Accepting electronically transmitted MLA requests and responsive materials to facilitate formal cooperation during times of crisis and emergencies, where possible, in line with the applicable international legal frameworks and with the security and authenticity of the transmission guaranteed.

### *Principle 6*

*“Ensure transparency and integrity of the private sector to better prevent and combat corruption in times of crisis”*

During emergencies, the private sector can play a central role in effectively preventing and combating corruption and fraud. Governments should cooperate with the private sector to ensure their continued abidance by all applicable laws and regulations also during crisis and, where appropriate, engage in collective action to promote ethical business practices to guard against corruption while safeguarding data protection.

G20 countries will endeavour to apply this principle by strengthening the following anti-corruption measures in times of crisis and emergencies:

- Promoting an ethical business environment that champions the fundamental values of integrity, transparency, and accountability, and identifying, assessing and mitigating the risks of corruption also in times of crisis.
- Encouraging, where appropriate and in line with domestic laws, businesses to strengthen internal controls, ethics and compliance programmes, supply chain due diligence and ethical codes for effective corruption and fraud prevention and to ensure the adherence to integrity programmes and policies through periodic internal evaluations and reviews in order to address new risks that may emerge as a result of a crisis.
- Promoting the effectiveness of the compliance function within private entities, where appropriate, to ensure effective oversight of the anti-corruption programmes, policies and procedures.
- Encouraging businesses to strengthen and enforce anti-corruption programmes in case of non-compliance with anti-corruption policies and procedures.
- Encouraging the private sector to adopt and implement effective, easily accessible and secure mechanisms for internal reporting of violations and extending whistle-blower protection to persons reporting such violations in good faith and on reasonable grounds, in line with domestic legal frameworks.

### *Principle 7*

*“Support the positive role played by stakeholders outside the public sector in preventing and combating acts of corruption during crisis and emergencies”*

Anti-corruption efforts during crisis and emergencies can be strengthened when civil society, academia and media play a positive role by promoting transparency and accountability and identifying, detecting and reporting corruption related to or impacting government responses. Governments should continue to support these actors in the fight against corruption during crisis and emergencies.

G20 countries will endeavour to apply this principle by:

- Striving to minimize the impact of emergency measures on the active participation of civil society, academia, media and all other stakeholders outside the public sector in the fight against corruption, in accordance with domestic legal frameworks, also by ensuring that the public has effective access to information during crisis and emergencies. To promote such participation, G20 countries will also make efforts to allow for their effective contribution to the fight against corruption, including the ability to operate independently and without fear of reprisal in this regard, in accordance with domestic law and their respective international obligations.
- Committing to ensuring responsive, inclusive, participatory and representative decision-making processes during times of crisis and emergencies, in accordance with the domestic legal framework.