



**Bird's eye review on
“Anti-Corruption bodies and efforts in Arab countries”**

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1. Introduction

The subject of combating corruption in the world gained a major importance in the recent years, in the light of the growing negative impact of corruption on development efforts, and the increased understanding that combating corruption and strengthening the concerted efforts to prevent it, are the main pillars for many of the reform titles in the region.

Corruption crimes became a matter of concern to many countries, given their dangerous economic, social and political effects on the status and standing of these countries. Therefore, the recent years witnessed the growth of a broad international consensus on the need to exert utmost efforts for addressing these crimes. In the light of this international consensus, most countries of the world started extensive works in order to strengthen their capacity to combat corruption, through legislative, regulatory, and institutional reforms, and by upgrading human resources, strengthening international cooperation, and raising awareness regarding the dangers of corruption and the need to combat it in the various segments of society, based and in line with the world governments' commitment to strengthen the rule of law¹.

The "United Nations Convention against Corruption"² reflected this international consensus and these international efforts, and constituted a comprehensive framework, enabling the development of an international unified and comprehensive mechanism for combating corruption, and of appropriate strategies for preventing and combating its various manifestations.

However, the efforts of the Arab region to combat corruption face some obstacles. The absence of any modern observational approach of institutional frameworks to combat corruption in Arab countries, is reflected negatively on the abundance of information about anti-corruption efforts. This perhaps, highlights the importance of conducting an observational study regarding bodies involved in combating corruption in Arab countries. Such studies could lead to reform projects based on the well established knowledge of the needs in this context, and therefore facilitate comparative studies of institutional frameworks prevailing in the Arab region for combating corruption.

¹ The United Nations Millennium Declaration specifies that "Governments will spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development." Published on <http://www.un.org/millennium/declaration/ares552e.htm>

² United Nation Convention against Corruption was adopted by the General Assembly of the United Nation on the 31st of October 2003 and entered into force on the 14th of December 2005.

Several initiatives emerged in this trend, most important of which are the works of the Organization for Economic Co-operation and Development-OECD and the United Nations Office on Drugs and Crime-UNODC, in an attempt to establish a joint and comprehensive international anti-corruption effort, and to strengthen the foundations of good governance based on transparency, integrity and accountability. Among the goals envisaged in this context, supporting the implementation of the UN Convention against Corruption in the Arab countries, and conducting an observational study of the institutional frameworks for combating corruption in Arab countries, both with respect to the development and the implementation of policies related to preventing and combating corruption, or to prohibiting and preventing corruption, or with respect to investigations, prosecutions and law enforcement.

2. Arab efforts to combat corruption

The Arab region became heavily involved in these international efforts, and this was clearly revealed through the Good Governance for Development in Arab countries Initiative³, which represented a major turning point towards a comprehensive and participatory Arab effort in fighting corruption. This Arab will to fight corruption was materialized through the Regional Conference held at the Dead Sea (Jordan) on January 21 to 23, 2008. This Conference launched the project to "Support the implementation of the United Nations Convention against Corruption" in the Arab countries, in the presence of ministers of justice, government officials, high-level representatives from the judiciary and stakeholders from 19 Arab countries, in addition to representatives from civil society, media and the private sector, as well as regional and international experts. This conference revealed the Arab countries' commitment to activate their efforts to combat corruption, by building their capacities to implement the UN Convention against Corruption. The States participating in the conference adopted a coordinated mechanism, to create a regional network that serves as a regional forum to support the efforts to implement the Convention, at the national and regional levels. This was discussed on the sidelines of the second session of the Conference of States Parties to the Convention, held in Bali (Indonesia) from January 28th to February 1st, 2008. This was also addressed in the third session of the Conference of States Parties, held in Doha (Qatar) at the end of 2009.

³ The Arab regional initiative on good governance for development was launched in February 2005 in the Dead Sea (Jordan) under the patronage of His Majesty King Abdullah II., and in the presence of 18 Arab countries represented by prime-ministers and ministers, with the support of the United Nations Development Program (UNDP) through its Program on Governance in the Arab Region (POGAR), and the Organization for Economic Cooperation and Development (OECD).

The launch of this project was preceded by and accompanied by several important steps, which expressed the serious commitment of Arab countries to strengthen their capacity to fight corruption, for example:

- 1- The signature by 17 Arab countries of the international convention and its ratification by 12 of them⁴.
- 2- The formation of the Arab Governmental Experts Group on the Convention's self-assessment in December 2007⁵.
- 3- The issuance by many of these countries of legislation on combating corruption and the establishment of specialized bodies to implement them⁶.

This project constituted a regional framework, to coordinate and support these efforts at the regional and national levels.

In fact, the process of developing effective frameworks to combat corruption in the Arab region started to gain momentum recently. The Arab League launched a broad consultative process to develop the Arab Convention against Corruption. Meanwhile, the United Nations Convention remains the legal instrument that complements regional agreements and the only multilateral document capable of providing a common threshold for all countries, including Arab countries, to develop an integrated legal approach to combat corruption.

3. An overview of the efforts to "support the implementation of the United Nations Convention against Corruption in the Arab Countries":

The project to "support the implementation of the United Nations Convention against Corruption" in the Arab States constitutes a subject of more than a single activity, some of which are:

⁴ The ratifying Arab countries are Jordan, UAE, Tunisia, Algeria, Djibouti, Qatar, Kuwait, Libya, Egypt, Morocco, Mauritania and Yemen. <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>
<http://www.pogar.org/arabic/countries/allratification.aspx?cg=3>

⁵ The Arab Governmental Expert Group (AGEG) on UNCAC Self Assessment constitutes the core of the exchange of knowledge at the regional level on anti-corruption issues and the strengthening of transparency within the scope of the good governance initiative. The Group is currently composed of experts from 17 Arab countries and it is expected to expand and include other countries in the near future. The experts will meet in many working sessions, events and forum, with the support of the UNDP and in cooperation with UNODC, during the three upcoming years, in order to contribute to the preparation for the Conference of State Parties to the UCAC, and to participate in the implementation of the UNCAC project in the Arab countries, which is considered a pillar of the second stage of the Initiative (2008-2010) launched in the Dead Sea in January 2008

⁶ Such as Jordan, Yemen, Algeria, Mauritania and recently Morocco.

1) Good Governance for Development Initiative⁷.

2) The multi-purposes efforts of the United Nations Office on Drugs and Crime-UNODC, particularly in terms of consolidating the Arab countries capacities for self analyzing their needs and monitoring their aspirations, and in terms of introducing national legislation in line with and translating the Convention's aspirations.

3) The intense activity carried out by civil society bodies, in particular:

- The Arab Center for the Rule of Law and Integrity⁸

- Arab Anti-corruption organization⁹

The Arab Center undertakes more than one project in order to build knowledge and institutional and individual capacities, especially in terms of anti-corruption policy-making.

All of these initiatives and activities in general aim at raising awareness and building knowledge and capacity for policy makers and practitioners in the Arab countries, through a range of regional activities that are being implemented through four strategic pillars, in order to support of Arab countries in their fight against corruption more effectively and according to the respective national priorities:

- **Self-assessment:** building a well established knowledge about the legal and institutional frameworks for combating corruption in Arab countries, in addition to existing practices in this area.
- **Understanding the needs:** explaining the requirements and the implementation elements of the Convention and providing the best practices in this regard.
- **Aids:** supporting the development of technical assistance programs at the national level for the Arab Countries wishing to do so.
- **Reviewing applications:** encouraging periodical re-examination of the efforts to implement the Convention and sharing successful experiences and lessons learned.

Finally, it is worth mentioning that agencies involved in combating corruption¹⁰ existed in the Arab countries before "the United Nations Convention against Corruption," however,

⁷ For more information about the initiative, visit the Initiative Website: <http://www.arabgov-initiative.org/>

⁸ ACRLI website: www.arabruleoflaw.org

⁹ Arab Anti-corruption Organization website: <http://www.arabanticorruption.org>

¹⁰ Attached hereto a schedule of the governmental bodies institutions concerned with combating corruption in the Arab countries

one may notice an almost complete absence of national policies based on scientific methodologies paving the way for the development of policies and the implementation of the Convention against Corruption. It is also worth mentioning that from time to time, one may witness in the Arab region few prosecutions of ongoing corruption acts, as well as an increased participation of Arab countries in the international efforts and conferences on combating corruption and on the implementation of the Convention.