



INTERNATIONAL
ANTI-CORRUPTION
ACADEMY

**3rd Gathering of the
ParlAmericas Open Parliament Network - Peru 2018:
*Open States for Democratic Governance Against Corruption***

**On the occasion of the
VIII Summit of the Americas**

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CHECK AGAINST DELIVERY

Mister President,
Members of Parliaments,
Excellencies,
Ladies and Gentlemen,
Dear Colleagues and Friends,

It is a great pleasure to be in Lima again, and it is indeed an honour to speak at such a distinguished gathering on the occasion of the Eighth Summit of the Americas. So let me start by paying tribute to ParlAmericas, the host country, and all other stakeholders for forging and fostering this important discourse in such a prestigious forum.

Over the years I have had the privilege of addressing numerous international meetings devoted to anti-corruption efforts in this region, organized and hosted in Argentina, Brazil, Chile, Mexico, Panama, here in Peru, and in the United States of America, to name just a few.

This ParlAmericas gathering, and the fact that “Democratic Governance against Corruption” is also the main theme for Heads of State and Government, respectively, at the Summit, sends a very strong signal — not only to the nations and peoples of the Americas, but to the world. So let me pay further tribute here to the Organization of American States and its Member States, including the host country, for this achievement.

Anti-corruption and compliance developments in this region are making global headlines almost every day. And — as always — there are two sides of the coin, there is good news and bad news. I’m talking, on the one hand, about multi-billion dollar scandals such as the Petrobras/Car Wash and Odebrecht cases, and prosecutions at the highest levels of politics and business, generating huge popular demonstrations; and — on the other hand — about new momentum, new anti-corruption laws and institutions in several countries.

These are truly unprecedented times for the Americas, and the world is watching closely. Will this region become a global anti-corruption leader, a trendsetter to admire and follow? Or will it be overwhelmed by the sheer volume of corruption news, adding to the crisis of trust and leadership that we currently see all around the world?

The answer, Ladies and Gentlemen, depends partly on *your* actions as parliamentarians in these momentous, perhaps even defining, times.

Quite simply, you might never have a better opportunity to become anti-corruption leaders, and Sherpas of good governance within your countries and beyond.

In fact, I would put it more strongly. As parliamentarians, thus as representatives of your peoples, of your countries' *res publica*, you have the privilege *and responsibility* to assume this leadership role, to help build greater trust between parliaments and citizens, to inspire others to follow you, and to contribute to a better world for current and future generations.

This is an enormous responsibility, for sure. And now is the moment.
Will we, will you, seize it?

Now I know that very many of you are of course already doing brave and valuable anti-corruption work, so I have certainly not come here to lecture you in any way.

What I want to do this morning is offer you some perspectives and, I hope, words of encouragement about how we can move forward together, *viribus unitis*, and act collectively in the fight against corruption.

Ladies and Gentlemen,

I trust all of us in this room can agree that a strong and sustained fight against corruption is critical for peace and justice in a country, in a region; it is the *conditio sine qua non* for social, economic, and political prosperity, for fair and just societies.

As *Papa Francisco* from Argentina has said: "*The corruption of the powerful ends up being paid for by the poor, who because of the greed of others remain without what they need and deserve*".

So there is clearly a huge need for leadership in combating corruption.

However, as I just mentioned, there is a global crisis of leadership and a lack of trust in elites around the world, in all sectors and at all levels. This is closely related to the growing crisis of multilateralism and international cooperation, which is reflected in rising tensions between major geopolitical powers; the rise of a new cold war; the potential disintegration of formerly stable political environments and alliances; the

growing economical and societal divide within societies; the shrinking teleological appeal of the concept of liberal democracy; the surplus of simplistic, “black and white” language in public discourse; the preference for superficial superlatives over substance; and the spread of fake and “alternative” news at the expense of facts.

Ivan Krastev, a Bulgarian political scientist and frequent contributing opinion writer for the International New York Times, commented in one of his recent books: *“What we are seeing [...] today is not [...] a lack of solidarity, but it’s rather a clash of solidarities: national, ethic, and religious solidarities are chafing against our obligations as human beings. [...] Unsurprisingly then, it is loyalty — namely, the unconditional loyalty to ethnic, religious, or social groups — that is at the heart of the appeal of [... the] new populism”*.

These crises are weakening our collective ability to tackle serious global threats — not only corruption but also economic and social inequality and societal polarization; climate change; and populism and extremism, to name just three others.

But this is not the time to give up, to shrug our shoulders and say “It’s hopeless — things will never change”.

Conversely, this is precisely the time to roll up our sleeves and redouble our efforts to combat corruption. If we don’t, Ladies and Gentlemen, then future generations will judge us harshly.

What’s more, there are some quite hopeful signs on the horizon, signs of change for good governance — both globally and across the Americas. And parliaments are playing an important role.

At the *global* level, we have the United Nations’ 2030 Agenda for Sustainable Development, a road map for a better common future that was unanimously adopted by all 193 UN Member States in New York in September 2015.

A strong and sustained fight against corruption is essential if we are to realize this ambitious agenda, which I like to think of as a “new global social contract”.

In particular, working harder together to implement the United Nations Convention against Corruption (UNCAC) is crucial to fulfilling all 17 of the Sustainable Development

Goals. These include, of course, Goal 16 with its explicit target to “*substantially reduce corruption and bribery in all its forms*”.

Regionally, member countries of the Organization of American States — *Chapeau!* — adopted the first international anti-corruption legal instrument more than 20 years ago in the form of the Inter-American Convention against Corruption. This Convention came into force in 1997, more than eight years before the UNCAC; and since 2002 the MESICIC Follow-Up Mechanism has supported the States Parties in implementing the provisions of the Convention through a process of reciprocal evaluation.

The ParlAmericas Open Parliament Network is making its own significant contribution to the regional fight against corruption through education and training, peer exchanges, and practical tools for legislators among many other activities.

There is also a trend in the Americas and elsewhere towards more effective enforcement of anti-corruption laws with extraterritorial reach, including — as one of the first such pieces of legislation — the US Foreign Corrupt Practices Act. This is being helped by closer international cooperation between national regulators and law enforcement agencies.

At *national* level, meanwhile, parliaments in this region are increasingly holding governments to account on corruption-related issues, exercising the sort of checks and scrutiny that are essential to an effective separation of powers.

Legislatures are also passing laws aimed at tackling the huge problem of corruption in the business sector. We have seen this, for example — and to name just a few — in Bolivia, Brazil, Chile, Colombia, Mexico, Peru, and — most recently — in Argentina, where a new law introducing corporate criminal liability for bribery took effect only a few weeks ago.

Much will depend on how these new laws are implemented. And, as we have clearly learned over the past 20 to 25 years, we can’t tackle corruption through criminal law and enforcement alone. We also need prevention, education and awareness-raising, as well as regional and international cooperation.

Nevertheless, the passage of such legislation is itself an important step in the right direction.

So there are signs of progress and reasons to be hopeful and realistically expectant.

But as you all know, fighting corruption is extremely difficult and often dangerous. We have seen this, tragically, in countries on this side of the globe, but also in regions that are supposedly less prone to corruption than others: in two European countries, i.e. Malta and the Slovak Republic, investigative journalists have been brutally killed since last summer.

There will inevitably be further setbacks along the way, and sometimes simply keeping anti-corruption on the agenda is a victory in itself. Yet, this shall be the absolute minimum we seek.

So how can we rise to the challenge and responsibility of anti-corruption leadership? How can we maintain the momentum that we see here in the Americas, provide hope, and work towards a better future for all citizens?

I would highlight five priorities, each of them equally important.

They are inclusivity, transparency, independence, integrity, and curiosity.

By ***inclusivity*** I mean working together — and calling for joint responsibility — with all sectors and all stakeholders to prevent and combat corruption.

The participation of citizens and civil society, including non-governmental and community-based organizations, is vital, in accordance with Article 13 of the UNCAC. We have seen this for example in Mexico with the creation of the new National Anti-Corruption System, and in many other countries in the region.

Business has a big role to play too, as recent developments in the Americas and elsewhere have demonstrated. Engagement and commitment from the very top of the corporate world is essential if corruption is to be tackled in a meaningful way.

This inclusivity must apply to gender too, so it's great to see there will be a session this afternoon on the role of female parliamentarians in the fight against corruption. Ladies, may you greatly lead the way!

Second, **transparency** is essential for building trust in legal systems and political institutions — including parliaments — and, hence, maintaining and fostering public support for anti-corruption efforts and good governance.

That is why the work of the Open Parliament Network, and its close links with the Open Government Partnership, are so important. This includes the open parliament action plans created jointly with civil society in the region, which will be the focus of the first session tomorrow.

Independence must be another priority. And here I am talking not only about parliament *vis-à-vis* the executive branch, but also about the independence of anti-corruption institutions in line with UNCAC provisions, and other guidelines and recommendations.

Because — and let me be frank here — these bodies cannot perform their duties if their officials are subject to unjustified pressure, constant interference, and persistent threats of dismissal or retaliation. This happens far too often, and it seriously undermines the credibility of a country's anti-corruption commitments.

Fourth is **integrity**. I said earlier that as parliamentarians you have a responsibility to play a leadership role for good governance. As a matter of fact, this is at the very heart of your responsibility for the public good, the *res publica*. It also means you have an obligation to “walk the talk” and to comply with the standards and values we all advocate.

Mr. Thorbjørn Jagland, Secretary General of the Council of Europe, addressed its Parliamentary Assembly in 2013 by urging: *“Corruption is today’s biggest threat to democracy, and it undermines citizens’ trust in the rule of law. [...] Unfortunately, too many parliaments in Europe have immunities that make it attractive for powerful people, particularly those in business, to seek a seat in parliament and to hide there. [...] I appeal to you all, as an autonomous Assembly, to stand up and combat this evil in our democracies, because otherwise we run the risk of losing further confidence”.*

In a similar vein, I appeal to all of you here in the Americas to follow this advice and foster your roles as anti-corruption and compliance Sherpas. By displaying personal integrity, you can further strengthen the ethical culture of your legislatures and act as inspiring role models for your citizens. As the Chinese philosopher Confucius once said: *“The strength of a nation derives from the integrity of the home”.*

The final priority is *curiosity*, by which I mean constantly challenging your own anti-corruption thinking and that of others, by allowing and advocating for open and free debate and discourse. ParlAmericas certainly plays an important role here by providing parliamentarians with a forum for discussion and deliberations as well as the exchange of expertise and experiences.

More generally, I would strongly emphasize the valuable role of education in challenging the negative global developments and sharpening a critical mindset.

Indeed, IACA, the International Anti-Corruption Academy, which I have the honour to lead, regards the Americas as a key partner, following a steady increase in our activities in recent years.

To share just a few highlights with you:

In January of this year, students in our 2016 - 2018 Master in Anti-Corruption Studies — or MACS — programme were in Washington for the in-class part of their module on Corruption, Enforcement, and the Public Sector, which was hosted by the World Bank Group Integrity Vice Presidency.

An earlier MACS class did a module in Brasilia in 2016. And in late 2015 we delivered a successful IACA Regional Summer Academy — Latin America in Buenos Aires for professionals from ten countries in the region.

IACA has also provided several tailor-made trainings for organizations and corporations around the continent. Furthermore, expert lecturers from across the Americas — all of them distinguished academics and practitioners — frequently share their knowledge and experience in our classrooms with participants from all continents.

We are proud that a few hundred anti-corruption and compliance professionals from North, Central, and South America and the Caribbean have so far participated in our various trainings, including our academic master's degree programmes. These IACA alumni come from 23 Member States of the OAS, and around 155 countries in total.

In the words of one Mexican alumnus from our Regional Summer Academy — Latin America: *“This was one of the greatest professional experiences of my life and opened*

networking doors to a vast group of world-class lecturers, practitioners, and professionals”.

I am full of admiration for the energy and dedication of the Americas’ students and participants in our trainings and activities, and for their desire to act as multipliers in our common fight against corruption.

If I may quote the famous Brazilian thinker Paulo Freire, *“Education does not transform the world. Education changes people. People change the world”*.

Ladies and Gentlemen,

Like many of you, I have been involved in anti-corruption for quite a long time now. And I have learned never to be too optimistic. Corruption is as old as humankind itself, and the fight against it will continue long after all of us here are retired and gone.

But too much pessimism doesn’t help either. When we wake up each morning we must have the hope that the situation can improve. And, as anti-corruption leaders, we must believe that we can actively contribute to making things better.

Theodore Roosevelt, in one of his most famous quotes, advised us: *“It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena [...]; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat”*.

That is what leaders do. They take on daunting challenges, are resilient in the face of adversity, and inspire others to follow them and bring about change. In short, they make a difference.

I am convinced that by working together we *have* the power to make a difference in the fight against corruption — in this region and beyond.

Ladies and Gentlemen, so let us celebrate our successes and not be deterred by setbacks. And, in a spirit of partnership, let us redouble our collective efforts towards a better future.

And *carpe diem* — and I mean this not hedonistically but professionally, i.e. let us seize the day!

At the opening — on 25 September 2015 — of the UN’s SDG Summit in New York, I had the honour to address that distinguished forum. Let me repeat my concluding remarks then: *“Corruption is the antithesis vis-à-vis human rights, the venom vis-à-vis the rule of law, the poison for prosperity and development, the reverse of equity and equality. Investing in anti-corruption education and empowerment is therefore the smart way towards sustainable development, safeguarding human rights, and strengthening the rule of law”* on the road to 2030 and beyond.

On this note I pledge my full support to this conference, to the VIII Summit of the Americas. IACA and all of us stand ready at your disposal, and I wish all of you every success in your future endeavours.

Thank you!
¡Muchas gracias!
Merci!
Obrigado!