Integrity, Transparency and Accountability in Public Administration: Recent Trends, Regional and International Developments and Emerging Issues

Elia Armstrong
August 2005

United Nations
# Contents

I. Integrity, Transparency and Accountability in Public Administration ....................... 1

II. Resurgence of Integrity, Transparency and Accountability ........................................ 2

III. Developments in European, Arab, Sub-Saharan, Latin American and Asia-Pacific Countries ..................................................................................................................... 4

IV. Developments at the International Level ................................................................. 6

V. Emerging Issues .......................................................................................................... 8

VI. Conclusion ................................................................................................................. 8

References .................................................................................................................... 10
I. Integrity, Transparency and Accountability in Public Administration

The United Nations (UN) offers a unique vantage point from which to view developments in public administrations around the globe. The consensus of its membership on the state of and directions for public administration sets international norms. International cooperation among many of the 191 Member States allow the Secretariat to keep a finger on the pulse of developments around the world.

The concepts of integrity, transparency and accountability have been identified by the UN countries, collectively and individually, as part of the founding principles of public administration. As such, these principles need to be espoused and seen to be practiced by the leadership within the UN System and in all member countries. In public administration, integrity refers to “honesty” or “trustworthiness” in the discharge of official duties, serving as an antithesis to “corruption” or “the abuse of office.” Transparency refers to unfettered access by the public to timely and reliable information on decisions and performance in the public sector. Accountability refers to the obligation on the part of public officials to report on the usage of public resources and answerability for failing to meet stated performance objectives. But what do these terms mean, in the abstract and concretely, for the UN administration and for the administrations of its Member States?

In the abstract, for the UN’s own administration, integrity has been defined as “includ(ing), but not limited to probity, impartiality, fairness, honesty and truthfulness.” The need for transparency, though not defined explicitly, has been implied in the founding documents. More recently, the Organization has acknowledged the need to foster more transparency in access to information, procurement and senior level recruitment. The Organization’s staff regulations state that “staff members are accountable to the Secretary-General for the proper discharge of their functions,” highlighting the importance of accountability for performance.

Moreover, a sampling of the member countries turns up many abstract aspirations. For instance, in Yemen, to uphold integrity, “public servants must neither solicit nor accept anything from their fellow citizens to perform their duties, thus creating a climate of confidence in themselves and in the public service as a whole.” In South Africa, “transparency must be fostered by providing the public with timely, accessible and accurate information.” In the United Kingdom, accountability is a standard of public life, where “holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their offices.”

Thus at the abstract level, these principles are co-dependent. Integrity, by requiring that public interest be paramount, provides the basis for transparency and accountability. Transparency without accountability becomes meaningless and makes a mockery of sound public administration. Accountability depends on transparency or

---

2 The UN Charter states, “The paramount consideration in the employment of the (UN) staff … shall be the necessity of securing the highest standards of efficiency, competence and integrity.” (Article 101) In addition, many Member States identify integrity, transparency and accountability among core values or founding principles for their public administrations in their constitutions and relevant laws.

3 UN Staff Regulations 1.2 (b)
4 UN Fact Sheet on management reform measures, 08/04/05: http://iseek.un.org/LibraryDocuments/734-200504081624465908649.doc
5 UN Staff Regulations 1.3
7 Constitution of the Republic of South Africa, 1996, Chapter 10, Article 195 (g)
having the necessary information. And transparency and accountability without integrity may not end up serving the public interest.

Concretely, these concepts can be translated into an ethics infrastructure or a national integrity system of mutually reinforcing legislative standards, institutional structures and administrative procedures that ensure that public servants will put the interest of the public above their own. The Organisation for Economic Cooperation and Development (OECD) concept of an ethics infrastructure is a set of rules, institutions and practices that are in place to guide, manage and enforce good conduct in the public sector. It is composed of mutually reinforcing functions and elements to achieve the necessary coherence and synergy to support an environment to encourage high standards of behaviour. The Transparency International (TI) concept of a national integrity system describes the key institutions integral to combating corruption. The nine “pillars” of the system include the executive, civil society, private sector, champion of reform, judiciary, enforcement agencies, media, watchdog agencies, and parliament. They affect the three spheres of rule of law, sustainable development and quality of life.

More immediately, these principles can translate into improved lives of the poor and vulnerable. Then can assist daily actions for achieving internationally agreed-upon goals such as the outcomes of major UN conferences and summits, including the Millennium Development Goals (MDGs). The MDGs are the concrete targets set by the international community in 2000 to halve world poverty by 2015. The eight goals include: eradicating extreme poverty and hunger, achieving universal primary education, promoting gender equality and empowering women, reducing child mortality, improving maternal health, combating HIV/AIDS and other diseases, ensuring environmental sustainability and a global partnership for development.

To date, the world is falling short in reaching these targets. Although achievement rates vary from region to region and country to country, South East Asia leads the pack and Africa trails. The reasons for poor performance in achieving these goals are governance weaknesses, poverty traps—false diagnoses and unrealistic expectations, uneven development—access to and distribution of resources, and policy gaps. Included among governance weaknesses are the issues of trust in government that provides social cohesion and the existence of a national ethos and commonly shared core values. A service-oriented public sector, basic to meeting the MDGs, depends on the integrity, transparency and accountability of public institutions.

In the rest of this Discussion Paper, I identify some emerging issues around safeguarding integrity, transparency and accountability in public administrations around the world. In doing so, I will very briefly highlight some recent trends in the integrity, transparency and accountability “movement” and broadly describe some developments at the regional and international levels, focusing more on those initiatives in which the UN has been more directly involved.

II. Resurgence of Integrity, Transparency and Accountability

The values of integrity, transparency and accountability in public administrations have enjoyed a resurgence within the past three decades or so. Sound public administration involves public trust. Citizens expect public servants to serve the public interest with fairness and to manage public resources properly on a daily basis. Fair and reliable public services and predictable decision-making inspire public trust and create a level playing field for businesses, thus contributing to well-functioning markets and economic growth. The integrity, transparency and accountability of public administrations are a prerequisite to and underpin

---

Integrity, Transparency and Accountability in Public Administration

public trust, as a keystone of good governance. Corruption and maladministration in this context could be seen as not only individual acts but also the results of systemic failure and indication of “weak governance.” Publicized corruption and administrative failure cases have had a major negative impact on trust in public decision-making.

Since the end of the Cold War, the world has witnessed spreading democratization, a shift in balance between the state and market forces as more countries seek to integrate into global capitalism, and changes in social mores that inevitably accompany such political and economic transformations. “The world has more democratic countries and more political participation than ever, with 140 countries holding multiparty elections. Of 147 countries with data, 121—with 68% of the world’s people—had some or all of the elements of formal democracy in 2000.”

It can be argued that globalization, the term coined in the 1980’s for describing “a new context for and a new connectivity among economic actors and activities throughout the world,” is the main driver of change of our times. Globalization—through the increasing interpenetration of markets, the interdependence of sovereign states, and the fostering of a civil society at the global level—is bringing home the reality of the notion, the global community. No nation can stay an “island” and remain untouched. Globalization has made possible a rapid diffusion of ideas and practices, enabling the public to demand higher standards of integrity, transparency, accountability in the public sector.

Within this context, roughly three phases in the resurgence of integrity, transparency and accountability in public administration can be discerned from a global perspective. First, from the late 1980s into the 90s, the taboo on discussing about corruption—or the absence or distortion of these values—was broken as public debates began on the problem. Mass mobilizations took place against corruption, voicing opposition towards its harmful effects in countries such as the Philippines, Bangladesh, China, Brazil and Venezuela. Transparency International, the global non-governmental advocacy organization for fighting corruption, was established in 1993.

Second, from the mid-1990s to 2003, the international community began to set regional and international standards. Often spurred by the desire to create a “level playing field” in international trade, some of these standards were aimed at prohibiting bribery of foreign public officials. These standards were introduced in conventions such as the Organization of American States (OAS) Inter-American Convention Against Corruption (1996), Organization for Economic Cooperation and Development (OECD) Convention Against Bribery (1997), Council of Europe’s Criminal and Civil Conventions (1999), African Union Convention on Preventing and Combating Corruption (2003) and the UN Convention Against Corruption (2003).

Third, the world has entered a decade characterized by the need to implement and enforce these standards and other legal and administrative instruments. This current stage is perhaps the most daunting for public administration, as successful implementation and enforcement require the introduction of new or major modifications to existing institutions and their organizational cultures. Thus all actors—government, private sector and civil society—face this challenge at all levels—international, national and sub-national. These trends provide the context for the emerging issues.

---

13 http://www.transparency.org/faqs/faqs_intro.html#faq11
III. Developments in European, Arab, Sub-Saharan, Latin American and Asia-Pacific Countries

At the risk of oversimplifying, some developments in introducing or improving practical measures to safeguard integrity, transparency and accountability within regions can also be noticed. The developments within the regions demonstrate that despite their differing geopolitical and cultural situations, the administrations face similar challenges. The challenges include age-old role conflicts of public servants as they navigate between the obligations of their public office and private interests and a better-informed public, demanding more voice and responsiveness from the government.

For OECD countries, wealthy and mainly located in western Europe and North America, the adoption of the Anti-Bribery Convention in 1997 criminalized the bribery of foreign officials. The OECD countries also adopted the Principles for Managing Ethics in the Public Service in 1998 and issued Guidelines for Managing Conflict-of-Interest in the Public Sector in 2003. The 12 Principles form the basis for recommendations to member governments for strengthening their national “ethics infrastructures,” through the periodic review of related policies, incorporating an ethical dimension into management frameworks and reviewing the impact of various reforms on the integrity of public sector employees. The OECD further refined its work by issuing the Guidelines to assist governments to keep under control the conflicts-of-interest that public sector employees face in their increased interactions with the private sector. Currently, the member states are developing an assessment framework for evaluating the effectiveness of ethics programs.

Following the fall of the Berlin Wall in 1989, many countries in Central and Eastern Europe are at different stages of transition from socialist to market-based economies. There are the ten countries that joined the fifth enlargement of the European Union (EU) in 2004, having fulfilled the Copenhagen Criteria that contribute to institutionalizing EU standards for governance and public administration. The next round of candidate countries is also preparing to adopt the acquis communautaire of the EU which will impact on institutional measures to protect integrity and accountability in their public administrations. In addition, under the leadership of Netherlands, the EU prepared a Ethics Framework for the Public Sector. It was adopted in 2004. The Framework, based on the state-of-the art practices, includes four sections for guiding member countries: general core values, specific standards of conduct, actions for implementing and promoting integrity values and standards and methods and procedures to report integrity related offences.

The Arab Region is currently home to a number of geopolitical developments that threaten the stability of the region such as the ongoing Israeli-Arab conflict and an externally imposed regime change in Iraq, among others. These “hot spots” require additional attention in preventing leakages and monitoring the usage of public resources. Currently, there is no regional standard setting instrument. However, a number of countries, supported by United Nations Development Programme (UNDP) and the OECD, have been raising the importance of integrity, transparency and accountability. The initiative on Good Governance for Development in Arab Countries was launched in 2005 that will promote technical cooperation to improve institutional measures for promoting these goals. The UN Department of Economic and Social Affairs (DESA), in partnership with the Government of Italy, is also supporting the improvement of governance systems. Launched in 2003, the Programme for Innovation in Public Administration in the Euro-Mediterranean Region (InnovMed) has identified the need for greater innovations in the areas of transparency and accountability.

A study on transparency and accountability in public sector management for the region, was conducted in 2003/4 by UNDESA with the financial support of UNDP Regional Bureau for Arab States. The study compared the public

\[\text{United Nations (forthcoming), Public Sector Trans-} \]
sector institutional capacity to promote transparency and accountability in financial, human resources and information management of six countries. Among and within the three areas of public sector management, first, the policy framework and institutionalisation of good practices is the most solid in financial management, followed by human resources management, then information management. This overall finding is not surprising, given that financial management is given the greatest scrutiny by government decision-makers, development partners and the public at large. Second, policy frameworks seem to be in place for human resources management, but the information we collected show there are still gaps between policies and daily practices. These gaps seem to vary for recruitment upon merit to fairly and consistently applied disciplinary procedures. One gap in the policy framework that some countries in the sample are beginning to address is the introduction of conflict-of-interest declarations and protecting public interest disclosures (whistleblower protection). Third, information management—some aspects of which have only been recently introduced even among affluent countries—has the least developed policy framework. Given that transparency is about the sharing of information about government decisions and activities, good records management and access to information are of interest to all segments of society: investors, the research and development community, the media and ordinary citizens.

Sub-Saharan Africa is home to many of the world’s poorest countries and is associated with endemic diseases and protracted conflicts. Two thirds of the challenges in meeting the MDGs exist in Sub-Saharan Africa alone. In 2003, the African Union (AU) adopted its Convention on Preventing and Combating Corruption, with 35 out of 53 countries signing and nine ratifying to date. The objective of the Convention is promoting and strengthening measures to prevent and combat corruption in Africa. This includes co-operation for anti-corruption measures and the harmonization of anti-corruption policies and legislation among States Parties. The Convention needs 15 ratifications to come into force. An Advisory Board on Corruption shall be established within the African Union to review implementation and facilitate activities. In addition, the Southern African Development Community (SADC) has developed a programme for the implementation of the SADC Protocol against Corruption. The provisions of these African agreements are in line with those of the UN Convention Against Corruption.

Integrity and accountability in public administration are inherent among the principles laid out in the New Partnership for Africa’s Development (NEPAD), formed in 2001. To measure conformity with these principles, the African Peer Review Mechanism was introduced in 2003, but less than half of the 53 AU member states have acceded to the process. Also under the auspices of NEPAD, and in collaboration with CAFRAD, the African Capacity Building Foundation (ACBF) and the South African Department of Public Service and Administration (DPSA), a project directed at documenting and sharing experiences in public sector reform across Africa was launched.

The project shows that although governments have different cultural, political and administrative environments, they face similar ethical challenges. Their ethics management approaches have similar traits. High standards of conduct in the public service have become a critical issue for governments in Africa. Preventing misconduct is as complex as the phenomenon of misconduct itself, and a range of integrated mechanisms are needed for successful ethics management systems. The interface dynamics between the public sector and the business and non-profit sectors have changed, giving rise to increasingly close forms of collaboration such as public/private partnerships, self-regulation, and interchanges of personnel. New forms of employment in the public sector have also emerged and had an impact on traditional employment obligations and loyalties. There is emerging potential for new forms of conflict of interest involving an individual official’s private interests and public duties.
In addition to the instruments and initiatives mentioned above, the Charter for the Public Service in Africa was adopted in 2001 at the 3rd Pan-African Conference of Public Service Ministers. The Charter is a reference, including fundamental principles for public administration, for signatory countries to voluntarily conform their civil service laws, regulations, institutions and practices with its provisions. The Charter incorporated the findings from a UN DESA study in 1999/2000 that showed that, at the national level, legislative and administrative standards for public servants were in place but were often outdated, not well communicated and not well institutionalized. The need for dissemination of information, institutional capacity-building and training were identified.

For Latin America, there is a range of countries that are now in institution building phase (e.g. Argentinian Anti-Corruption Unit in the Ministry of Justice, Public Ethics Commission in Brazil, etc.) while others have administrations introducing reforms in the civil service (e.g. Mexico, Peru, etc.). The region has also recently witnessed some grand political corruption cases such as in Peru, under the previous administration. For the region, the OAS Inter-American Anti-Corruption Convention went into force in 1997, the first of its kind of international legal instruments. The Convention requires its parties to not only criminalize corrupt activities by public officials but also requires governments to take on preventive measures that safeguard integrity and accountability. Adopted in 2003 at the Fifth Ibero-American Conference of Ministers for Public Administration and State Reform, the Ibero-American Charter for the Public Service complements the Convention by serving as reference for countries to modernize and professionalize their public administrations.

The Asia and Pacific region is also characterized by countries with a range of institutional development in safeguarding integrity and accountability in their administrations. Some countries have highly developed and effective anti-corruption institutions that serve as a model for other countries (e.g. Hong Kong, Singapore, etc.). Other central and northeast Asian countries have recently introduced legislation and are setting up institutions (e.g. Mongolia, etc.). Now, with the recent tsunami disaster relief aid being given with calls for greater accountability, affected South Asian nations will have to demonstrate integrity and accountability in their reconstruction activities.

For Asia and the Pacific, rather than adopt a regional legal instrument, 36 countries committed to the Anti-Corruption Action Plan for Asia and the Pacific, launched in 2000 and supported by the Asian Development Bank (ADB) and OECD. The Plan is composed of three pillars: developing effective and transparent systems for the public service, strengthening anti-bribery actions and promoting integrity in business operations and supporting active public involvement. For the public service, measures to strengthen the integrity and competence of public officials have targeted hiring and promotion practices, remuneration, regulation of conflicts of interest and conduct in office. Regarding the latter, conflicts of interest in the exercise of economic and political activities, gifts and hospitality, post-service employment, guidance and training on ethical conduct and the enforcement of codes of conduct have received particular attention. In the event that corrupt conduct has been detected, measures to strengthen the confidentiality and immunity for the whistle-blower as well as impeachment procedures and limitation of immunities for the offender have been advocated. The Action Plan centers around assisting countries to build up and sustain effective anti-corruption mechanisms.

---

15 United Nations (2000), Public Service Ethics in Africa
launched an Organizational Integrity Initiative in 2003. The World Bank and other international financial institutes have also received calls to improve their accountability systems.

The successful negotiation of the UN Convention Against Corruption by 2003 portends a new era of international cooperation in this area. The United Nations Convention Against Corruption was agreed on by an Ad Hoc Committee, established by the General Assembly in December 2000. As of May 2005, 120 countries have signed and 22 ratified the Convention. The Convention will enter into force when 30 countries have ratified it. A Conference of the States Parties has been established to promote and review implementation. The Conference will meet regularly and serve as a forum for reviewing the implementation and for facilitating activities required by the Convention.

The United Nations Convention Against Corruption is the first legally binding global instrument related to corruption. As mentioned above, previously existing instruments are regional and designed to operate in a more limited environment. From a substantive viewpoint, the Convention broke new ground with its provisions on asset recovery and prevention. Given these innovations, the Convention devotes an important part to fostering international cooperation with specific measures such as extradition and mutual legal assistance. It also recognizes that the problem of corruption goes beyond criminal conduct and contains a broad range of measures for preventive action at the national level, calling for harmonizing cross-border anti-corruption measures. Covering public and private sectors and civil society, it addresses all social actors and calls for wide-ranging legislative, administrative and institutional reforms. It also identifies many emerging issues and contributes to the international agenda for promoting integrity and accountability in public administrations. Finally, the Convention includes provisions on technical cooperation to strengthen the capacities of developing countries in implementing its provisions.

In the context of transparency mechanisms, Transparency International (TI) has focused on the drivers of corruption in construction in its 2005 Global Corruption Report, with a special feature on post-conflict reconstruction. Cleaning up procurement is a global TI priority. Construction is the most corrupt sector, according to TI’s 2002 Bribe Payers Index and many national polls. The size of the sector is globally US $3.2 trillion per annum. Construction infrastructure accounts for a high percentage of government investment budgets in all countries. Therefore, tackling construction can have a high overall impact on corruption.

Corruption in construction raises cost and lowers quality of infrastructure. It leads to bad investments, damages the environment, leads to deaths (through ignoring building codes), undermines economic and sustainable development and blows up external debt of poor countries. Unfortunately, financial institutions at all levels fund large-scale investment projects even when there is a suspicion of corruption. Risks for corruption in construction exist throughout design, planning, preparation, contracting and implementation. Risks include bribery, collusion, deception and abuse of unexposed conflicts of interest. These risks are exacerbated by process opacity. In addition, special risks enter through sub-contracting and the engagement of agents or intermediaries.

To curb financial, environmental and human damage from corruption in construction, governments must assure transparency of preparation, procurement and execution process and enforce all relevant laws. Financial institutions must increase due diligence. Companies must stop bribing at home and abroad. Civil society and the media should monitor public construction projects. More specifically, the 2005 Global Corruption Report recommends that governments apply minimum standards for public contracting, including open competitive bidding, full transparency of the entire process, requiring bidders to have internal anti-corruption procedures, suitable sanctions when required and external monitoring. Governments should apply TI Integrity Pact for major investment projects. They should apply suitable safeguards to
corruption, including payment of adequate public sector wages. Companies should adopt and implement codes of conduct and compliance programs. The construction industry should adopt sector-wide integrity agreements. And investors should avoid joint ventures with companies that do not comply with anti-corruption laws and regulations. Finally, major construction projects should be subject to internal as well as external monitoring by civil society.

But treaties and transparency mechanisms would remain on paper only, as has happened in the past, without implementation and enforcement. The rapidly changing socio-economic environment, especially the growing demand for transparency, all around the world requires that governments review and adjust their laws and mechanisms to ensure that actual behaviour corresponds to what is expected.

V. Emerging Issues

Given the trends and developments described above, the issues that are emerging—that is, apart from the perennial ones—can be categorized by developed countries, developing countries and all countries:

For developed countries, demonstrating the effectiveness of public administration integrity programmes and accountability measures, through measurement is becoming a priority. This preoccupation is spawning a comparison of methodologies, more rigorous definitions of desired outcomes and cost-effectiveness of programme components. Next, given that countering terrorism seems high on the public agenda and many security functions are now being provided by private agents, integrity and accountability of the security sector must also come under scrutiny. Moreover, the recent calls for better accountability measures in overseas aid have become more vocal in the current international relief efforts of tsunami disasters in South Asia.

For developing countries, introducing targeted professionalisation and integrity programmes within public administrations are still relatively new and seen to be an important complement to enforcement activities. In terms of building institutional capacity for those agencies overseeing integrity and accountability (e.g. anti-corruption, external audit, investigative, etc.), a better definition of and strengthening their “independence” is necessary. Also, a more fundamental issue of whether it is more effective to create more institutions to reduce corruption or reduce corruption in more institutions must be considered. In addition, increasing citizen access to information about government programmes, activities and performance and informing citizens of their rights and responsibilities (e.g. civic education), creates or reinforces their “watchdog” function, a function which may be foreign or has been weakened in many countries. An important component of this function is involving more and better training the press to report on integrity and accountability of public sector entities.

Finally, for all countries, more cross-border cooperation for the prosecutions of corrupt or criminal acts and recovery of assets will hopefully result from implementing the UN Convention. By recovering state assets, preventing leakages and making services more accountable, the international community stands a better chance for meeting the basic needs of the poor. The State Parties realize the impossibility of reducing corruption at the national level when countries operate within a global framework. However, with international cooperation in fighting corruption, there may be dividends that can be applied to meeting the MDGs.

VI. Conclusion

Gaining and keeping public trust must be approached holistically, as the threads of integrity, transparency and accountability knit together to uphold all public administration and, ultimately, governance reforms. To this end, fighting corruption is not only an end in itself. It is of fundamental value in all government reform, which may require changes to legal and policy frameworks for the control and expenditure of public monies and improved procurement practices. It also requires attention to inculcating
public service values throughout the institution through education, training and enforcement. Therefore, there is the need for a coalition among the government, the business sector and civil society to seek a better understanding of the needs of society.

The devastating effects of the lack of integrity, transparency and accountability—leading to corruption and misconduct—cannot be underestimated. Unethical practices, bribery, and fraud have a very real human cost—whether it be in the lives and health of people who are robbed of quality health care and medicines or children who are not properly educated. The financial and even public safety costs of corruption are astounding. A lack of public trust undermines and even destroys political stability. And corruption remains the single most significant obstacle to achieving the MDGs.

As mentioned above, we are just now entering a period of real and hopefully sustained implementation of many anti-corruption measures. Within this context, we must not lose sight of the real investment needed in rebuilding and strengthening government institutions at both the political and public administration levels. After all, the clock is ticking as we race to reduce the misery of our neighbours around the globe, bringing hope for a better future for all.
References


Thank You for Donating to Transparency International! We've received your donation. Please check your email for a confirmation. Let the world know that you support the fight against corruption! Our Global Movement. Secretariat (Berlin). EU Liaison Office (Brussels).