

## [NCPA Newsletter June-July 2024](#)

### [ECUADOR - Comptroller general](#)

#### [Conflict of Interest Simulator](#)

The Office of the Comptroller General of Ecuador, in collaboration with the United Nations Office on Drugs and Crime (UNODC), created a tool named "Conflict of Interest Simulator", in the framework of the cooperation received by the States Parties to the United Nations Convention against Corruption (UNCAC). The simulator is a consultative, exploratory and didactic virtual tool that allows users to interact with different conflict of interest scenarios. It encompasses the prohibitions, incompatibilities, and disqualifications related to conflicts of interest as stipulated by various regulations within the Ecuadorian legal system.

This simulator is a non-binding, anonymous tool, which provides a free and easily accessible service to the community, allowing the public to clarify scenarios of conflicts of interest regulated by national law, and therefore, preventing acts of corruption.

#### [Abu Dhabi Program workshops](#)

Within the framework of the Abu Dhabi Program, Ecuador brought together all of its institutions with an anti-corruption mandate in a series of workshops developed in collaboration with UNODC. These events congregated, among others, entities in charge of criminal prosecution, police, tax and money laundering investigations, public procurement processes and control of public funds.

During the first workshop, held in November 2023, the Practical Guide for Enhancing Collaboration between Supreme Audit Institutions and Anti-Corruption Bodies in Preventing and Fighting Corruption was shared, so that institutions with anti-corruption mandates became familiar with this tool developed by UNODC, in order to improve institutional relations.

In the second workshop, which took place in April 2024, the different anti-corruption entities met face-to-face to apply the Practical Guide and address the main challenges faced by anti-corruption institutions when mutual collaboration is required.



## **JURISAI**

The forum of SAIs with jurisdictional functions has existed since 2015 under the leadership of France's SAI. The group comprised audit institutions from 10 countries that seek to share and carry out activities as well as cooperate with jurisdictional SAIs. However, due to the new challenges currently faced by supreme audit institutions worldwide, it has become necessary to strengthen and re-found this group, under the figure of JURISAI.

On June 25th 2024, the Ecuadorian SAI, along with several other control entities from different regions of the globe, gathered to sign the Statutes of the International Organization of Supreme Audit Institutions with Jurisdictional Functions (JURISAI).

The creation of JURISAI aims to provide a permanent and collaborative structure for SAIs with jurisdictional functions, enabling an exchange of information, better practices and experiences. The main goal of this organization is to strengthen the ability of SAIs to efficiently and effectively fulfill their jurisdictional role, ensuring quality, integrity and impartiality of audit and control processes worldwide. Currently, SAIs with jurisdictional functions amount to 25% of INTOSAI members.

### **Task Force for the Prevention of Corruption Linked to Wildlife Trafficking**

Since 2022, the Office of the Comptroller General of the State of Ecuador has been leading the Task Force for the Prevention of Corruption Linked to Wildlife Trafficking, whose activities are carried out within the framework of the Technical Commission for the Fight against Transnational Corruption (CTCT) of the Organization of Latin American and Caribbean Supreme Audit Institutions (OLACEFS).

The Task Force is integrated by the SAIs of Argentina, Chile, Ecuador, El Salvador, Panama, Paraguay and Mexico; its mission is focused on the development of a Regional Action Plan to implement measures for the prevention of crimes against wildlife.

In 2023, the Task Force created a site within OLACEFS' website under the name "Say No to Wildlife Trafficking", in which the public could access to information about this matter, as well as the role that SAIs play as oversight entities of public resources. In addition, during the months of August, September and October, an open public consultation was held for the co-creation of the aforementioned Regional Action Plan. This consultation was supported by German cooperation through GIZ, and with the technical support of the Wildlife Conservation Society (WCS).

To learn more about the Comptroller general of Ecuador: [CONTRALORIA GENERAL DEL ESTADO](#)

## [MOROCCO - The Moroccan national body for probity, prevention and the fight against corruption \(INPPLC\) co-organized the MOBIN plenary session with the OECD and AFA](#)

On July 2 and 3, France, Morocco and the OECD Directorate of financial affairs co-organized and led the MOBIN meeting.



### **A few facts about the MOBIN initiatives**

The MENA-OECD Business Integrity Network (MOBIN), founded in 2011 as part of the MENA-OECD Competitiveness Program (see Annex 1), provides a framework for regional dialogue between businesses, civil society organisations and anti-corruption officials, with the aim of promoting the fight against corruption and building a culture of business integrity.

The network has 18 members in the North Africa-Middle East (MENA) region: Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, the Palestinian Authority, Qatar, Saudi Arabia, Tunisia, the United Arab Emirates and Yemen.

In recent years, many MENA governments have implemented important reforms to improve the business climate, but additional efforts are needed to tackle persistent challenges, including corruption and lack of access to finance. Co-chaired by Morocco, represented by the **Instance nationale de la probité, de la prévention et de la lutte contre la corruption** (INPPLC), and France, represented by the **Agence française anti-corruption** (AFA), MOBIN provides a framework for peer learning, sharing of tools, standards and best practices, and data collection, and aims to:

- Support the reconciliation of MENA regulatory frameworks and regional companies through internationally recognized integrity standards, benchmarks and best practices;
- Strengthen international law enforcement cooperation (i.e. detection, investigation and prosecution of corruption cases) through information exchange and mutual legal assistance;
- Provide an effective platform for strengthening public-private dialogue, peer learning and the sharing of tools and best practices.

### **The last MOBIN plenary session**

This meeting was the fruit of a joint effort by the Middle East and Africa Division and the Anti-Corruption Division of the OECD, in cooperation with the INPPLC and the AFA.

Bringing together all relevant stakeholders, including public authorities, private sector representatives and civil society, this meeting aimed at continuing the dialogue around the latest advances and obstacles concerning business integrity in the MENA region, and included discussions on key topics aligned with regional priorities.

Following a presentation and discussions of the new MOBIN Network roadmap establishing future strategic directions, the meeting first addressed the issue of business integrity incentives

by taking stock of current practices in the MENA region, while examining the challenges and good practices identified by the OECD in this field.

Significant progress has been made on a global and regional scale in setting up compliance programs and preventing corruption within companies, thanks in particular to the various business integrity incentives offered by governments. This session provided a good opportunity to take stock of business integrity incentives in the MENA region,

The event, then, focused on the importance of adopting an inclusive and comprehensive approach to fighting corruption and promoting business integrity, ensuring that all segments of society are represented, taking advantage of public-private dialogue and collective action, while ensuring the active mobilization of civil society and educational institutions as pillars of the training of future generations.

Public-private dialogue (PPD) and collective action, two mechanisms that are becoming increasingly widespread both in the MENA region and beyond are emerging as essential tools for catalyzing initiatives aimed at strengthening business integrity. It has also been highlighted that educational establishments play a crucial role in transmitting fundamental anti-corruption values, and are privileged environments for instilling ethics and responsibility in future generations.

Finally, a session has been devoted to corruption risks and measures to promote business integrity, notably through collective action, in strategic areas such as renewable energies, the financial sector and SMEs, providing a platform for in-depth exchange on key issues for the MENA region and beyond.

To learn more about the MENA-OECD Initiative: [MENA - Organisation for Economic Co-operation and Development](#)

To learn more about the MOBIN work: [Business Integrity in the Middle East and North Africa - Organisation for Economic Co-operation and Development](#)

To learn more about the INPPLC work (in French and Arabic only): [Portail Institutionnel INPPLC](#)

## [BASEL INSTITUTE OF GOVERNANCE - The 5th International Collective Action Conference \(June 24-25\)](#)

The Basel Institute on Governance hosted the 5th International Collective Action Conference at the University of Basel in Basel, Switzerland from 24 to 25 June 2024.

### **Who are they?**

The Basel Institute on Governance is an independent not-for-profit competence center working around the world to strengthen governance and counter corruption. We have promoted Collective Action bringing together private and public sectors and civil society as an effective tool to address corruption risks and promote a fair and sustainable business environment since our foundation in 2003.

Following a mandate from the B20 group of business leaders, the Basel Institute has been home to the B20 Collective Action Hub since 2013. The hub serves as a global resource center offering a range of publications and tools aimed at practitioners from the private and public sectors and civil society. The Basel Institute supports companies, governments and civil society organizations worldwide with practical, independent and tailored guidance on how to use Collective Action to promote fair competition and strengthen business integrity.

### **A few elements of background on Collective action**

Recent years have seen an increased uptake of anti-corruption Collective Action, as a driving force to raise standards of business integrity and level playing field for fair competition, from international standard-setters, national and local governments as well as private sector actors.

Leading international organisations and standards have promoted and called for anti-corruption Collective Action. For instance, based on the [2021 OECD Anti-Bribery Recommendation](#), the [2023 OECD Guidelines for Multinational Enterprises on Responsible Business Conduct](#) recommend that member countries consider fostering Collective Action initiatives with private and public sector representatives, and civil society aiming to address foreign bribery and bribery solicitation.

Global business leaders have also been calling on governments to work together to address corruption risks through Collective Action, most recently, in the policy papers of the [2023 B20 Action Council on ESG in Business](#), the [2022 B20 Indonesia Integrity and Compliance Task Force](#), as well as in a [Call-to-Action on the occasion of the 20<sup>th</sup> Anniversary of the United Nations Convention against Corruption](#).

### **Themes and objectives of this 5th conference**



Panel discussions included speakers from multilateral development banks, national anticorruption agencies, multinational corporations, SMEs, and Collective Action facilitators from civil society and covered the following topics:

- Regulatory and normative approaches: How governments support Collective Action
- Incentives for business integrity: What role can development finance institutions and investors play?
- Taking stock of the evolution of a typology for anti-corruption Collective Action
- Assessing the effectiveness of compliance programmes
- Building a community of practice for Collective Action

This conference aimed to explore the role of the public sector in supporting and participating in Collective Action and share experiences, lessons learned and good practices.

This panel discussion brought together public sector representatives, including from the US Department of State and the French Anti-Corruption Agency (AFA) director, to share their experiences in fostering Collective Action and translating commitments into action.

To know more about the Basel Institute of Governance and their events: [Home | Basel Institute on Governance](#)

## [NCPA welcomes new members – July 2024's Plenary meeting](#)

On July 9, 2024, the first plenary meeting of the NCPA under AFAs presidency (since March 2024), was held by videoconference.

Plenary meetings are designed to ensure coordination of the network's activities, but also to keep each member informed of developments and achievements, as well as involved in their implementation.



Firstly, this plenary was an opportunity to review the 2024 roadmap:

- Review past events: the webinar on preventing corruption in sport in the run-up to the Olympic Games, of which a recording will be published shortly;
- Discuss upcoming events: a webinar on collective action, a questionnaire on the fight against corruption and environmental crime.

Finally, this plenary was an opportunity for the NCPA to welcome new participants:

- The LIBYA National Administrative Control Authority as member. This authority is an independent government body in Libya responsible for investigating and prosecuting corruption cases.  
Website: <https://www.aca.gov.ly/>
- The Portuguese Anti-Corruption Mechanism MENAC as observer (more details below)  
Website: <https://mec-anticorruptcao.pt/>

## PORTUGAL - The creation of MENAC (Mecanismo Nacional Anticorrupção)

### Legal and statutory framework

MENAC is an independent administrative entity, with legal personality governed by public law and powers of authority, endowed with administrative and financial autonomy, and active at national level in the prevention of corruption and corruption-related offences. Decree-Law n.º 109-E/2021 of December 9th defines its mission, values, duties and governance.



Created in December 2021, MENAC entered in office in June 2022, been operational since 2023, succeeding former Corruption Prevention Council's duties and powers, which formally ceased its operation after 15 years of activity.

### Mission, duties & priorities

Guided by values such as Independence, Legality, Rigor and Integrity, MENAC's mission is to promote transparency and integrity in public action and to ensure the effectiveness of policies to prevent corruption and related violations.

As wide-ranging duties, MENAC intends to:

- Develop projects within the scope of citizenship education
- Collect, analyze and disseminate information relating to prevention and repression of corruption
- Analyze completed criminal cases relating to corruption and related offenses
- Support entities in the development and adoption of General Regime for the Prevention of Corruption (Regime Geral da Prevenção da Corrupção – "RGPC") and General Regime for the Protection of Whistleblowers of Infractions (Regime Geral de Proteção de Denunciantes de Infrações "RGPDI")
- Promote and control the execution of the RGPC

MENAC operates in the area of prevention, detection and repression, primarily by:

- Improve knowledge, training and institutional practices on transparency and integrity
- Prevent and detect risks of corruption in public action
- Commit the private sector in the prevention, detection and prosecution of corruption
- Strengthen coordination between public and private institutions
- Ensure a more effective and uniform application of the legal mechanism related to the prosecution of corruption, improve the response time of the judicial system and ensure the adequacy of the punishment
- Produce and disseminate from time to time reliable information on the phenomenon of corruption
- Cooperate at international level in the fight against corruption

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<sup>1</sup> physically located at Portugal's Supreme Audit Court



## **Strategic objectives**

Supported by its own technical and administrative staff, recruited on a temporary basis, among public administration, 2024 MENAC's strategic objectives are to enhance:

- Effectiveness of the General Regime for the Prevention of Corruption (RGPC) and its dissemination among public and private sectors
- Development of a Monitoring Information System for the National Anti-Corruption Strategy and begin regular collection, production and dissemination of data and information on corruption and related violations
- Promotion of a culture of integrity
- Complete its institutional infrastructure and operational capacity necessary to carry out its mission

## **Governance: menac's organizational model**

MENAC bodies, as defined in the Decree-Law n.º 109-E/2021 of December 9th, are: the President, the Vice-President, the Secretary General, the Advisory Council, the Monitoring Committee, and the Sanctions Committee.

For the time being merely as observer (without prejudice to becoming a member in future), please count on us in NCPA, for:

- uniting efforts to improve the systematic collection, management and exchange of information among anti-corruption authorities, including their respective experiences and good practices;
- supporting the members to enhance capacities and promote operational independence;
- recognizing and promoting international standards for the prevention of corruption;
- stimulating and partnering with other international stakeholders (Conference of States Parties to the United Nations Convention against Corruption, OECD Global Anti-Corruption & Integrity Forum (GACIF) and International Association of Anti-Corruption Authorities [IAACA] for the promotion of integrity.

From a continuous learning perspective, MENAC considers that being involved in NCPA's activities (exchange meetings, webinars, development of deliverables on various themes) as well as on instruments for measuring corruption, "Integrity in sport", Public procurement, Whistleblower protection and lobbying regulation, among others will have not only advantages but will also provide added value to our internal functioning.

To know more and to contact MENAC:

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