

Chair:

Daniel Kaufmann, Senior Manager, World Bank Institute, The World Bank

Panellists:

Ana Maria Campero, Defensora, Defensoria del Pueblo, Bolivia
Jose Guillermo Justiniano, Subjefe, MNR (Partido Politico), Bolivia
Teresa Riveros, Consejera de la Judicatura, Bolivia
Javier Reyes, Director, Proyecto Reforma Institucional, Bolivia
Teresa Chacon, Directora, CEPIB, Bolivia
Walter Guevara, Superintendente, Superintendencia del Servicio Civil, Bolivia
Alberto Leyton, Vice-Ministro, Coordinacion Gubernamental, Bolivia
Pablo Bustos, Director, Veedurias Ciudadanas, Colombia
Nubia Uruena, Directora, Universidad de los Andes, Colombia
Jorge A. Castillo, Presidente, Corte Suprema de Justicia, Colombia
Lorenzo Calderon, Director, Programa Presidencial Lucha contra la Corrupcion, Colombia
Santiago Pedraglio, Secretario Tecnico, INA, Peru
Pablo Checa, Director, Instituto Estudios Sindicales, Peru
Walter Alban, Defensor, Defensoria del Pueblo, Peru

Mr. Daniel Kaufmann, Senior Manager of the World Bank Institute, outlined the programme on the controlling of corruption. He also pointed out the most important findings ensuing from the results of surveys and methodological assessments, in an analysis and interpretation of their data and by using the formula: $AC = D+L+A$, based on three aspects:

- the power of data;
- political leadership; and
- collective action.

An example was given of the results obtained in several countries, among them Peru and Ecuador, where it has been determined that corruption causes particular damage to the poor, causing them to pay up to 4%. It has been established that the largest bribes go to high functionaries with large incomes.

Also determined on the basis of these diagnostics has been the level of administrative corruption and control of the functionaries' will, referred to as "state capture". As a result, the following questions arise concerning the principal challenges regarding the formulation of an anti-corruption strategy in terms of possible coalitions.

Action Plan

The chief factors to be considered:

- the existence of a political will among the leadership;
- the role of the private sector and the institutional framework;
- preliminary results, successes and obstacles;
- the absence of the practice of providing accounts and information mechanisms.

Contribution by the Mexican delegation

The two panellists presented their topics through the Power Point designed to synthesize their explanation. The relevant issues concern the measurement of corruption and the pursuit of government programmes incorporating both the subject of transparency and political and social representatives in the struggle against corruption.

Some of the challenges to be confronted:

- the difficulties entailed in measuring and diagnosing corruption by means of traditional methods;
- the resistance on the part of the bureaucratic apparatus caused by inertia and invested interests;
- the weakness of the system of procurement and execution of justice;
- the lack of practice in providing accounts and information mechanisms.

The second subject - more reliable measurement - deals with the growing interest in measuring the problem with the participation of the communication media, universities and institutions, investigative programmes in progress and comparative means in order to establish the relationship between the advances and regressions.

The challenges in measuring and diagnosing are related to:

- political willingness;
- independence of the investigation groups;
- the financing of the measurement tools;
- the expectations of the public and the media;
- the possibility of comparing the results;
- the permanence of the measurement tools.

Importantly, a graph was shown, demonstrating the control mechanisms of institutions presenting programmes in progress. Also explained were the mechanisms for the implementation of these measures. Moreover, an evaluation was made of the success factors and the restrictive factors, as well as a plan for the near future to be reflected in improved measurement tools, a national system of strong control, and a vigilant civic society.

Contribution by the Peruvian delegation

This presentation assessed the prospects of the civic society. The delegates made an analysis of the country's situation, which helped elucidate the dramatic events that occurred during the period of Fujimori's government in the preceding years, as well as its repercussions on the efforts realized by the civic society through all its activities.

The panellists analyzed the current risks entailed in the judgement of the past in an exclusive and unresolved manner, should the current government fail to manifest an express political determination to adopt measures, with a view to both the present and the future.

For this reason, the speakers recognized as important what has been declared by Fernando Oliveira, Minister of Justice, during the panel discussion, i.e. the appeal to the international community for the repatriation of ex-president Fujimori so that he can be tried in Peru. This appeal was based on the proposal elaborated by the National Anti-corruption Initiative, calling on the current government to declare its willingness to implement the above measures as soon as possible.

Pressure must be exerted by the civic society in order to secure a well-functioning National Anti-corruption Committee presided over by a designated authority; this is a strategy that emphasizes what is termed "the dissemination of transparency portals". Equally important is the use of information and communication that will result in an alert citizenship committed to ethical values.

The delegation also pointed out that Peru must confront the following subjects:

- the strengthening of the entities of control;
- reforms of the judicial power;
- transparency of local governments;
- independence of the communication media.

Contribution by the Colombian delegation

Similarly, the Colombian panellists characterized the difficult situation prevalent in Colombia, which is marked by various problems such as political violence, drug-trafficking and corruption. For this reason, an alliance was established in 2000, having an open, pluralist and democratic composition, intended to introduce new public ethical principles, as well as the consolidation and unification of information systems, for which they count on the support of the World Bank and of USAID.

In face of "state capture" as a phenomenon having a distinctive character in Colombia, the need has been voiced to reinforce the control mechanisms and interinstitutional balance in order to guarantee general welfare, which would propitiate the internal regeneration of political institutions and facilitate visibility and transparency through democratic choices.

The panellists emphasized the need to generate integrity-marked attitudes and values, and explained in detail the proposal related to the *information systems in a logical framework that determines three information systems*:

- the investigation of offences committed against public administration;
- the management of national and territorial entities;
- the decision-making of public functionaries, especially in relation to contracts.

Questions asked:

The question was asked as to why the extradition of Fujimori, including the Allan Garcia phenomenon, is failing to be performed. The answer given: Due to his evident public acceptance manifested through the sympathy of the electorate, despite the existing signals suggesting his corruption.

It was explained that the support of the international community is being requested in order that former President Fujimori may be tried, which should include the case of Allan Garcia. To a large degree, the comportment of the electorate was a compensation for the errors committed by the opposition candidate who performed an infelicitous designation vis-a-vis the current president at the time of his candidature.

It was concluded that in Peru no anti-Japanese manifestation has been made, and that Mr. Allan Garcia negotiated with the previous bureaucracy the annulment of the offences, since to date no offence has been proven to him.

Daniel Kaufmann discussed the qualitative and quantitative methods for analyzing the measure of corruption, pointing out that an error margin is estimated in this type of studies observing managers, functionaries and usufructuaries.

In conclusion, **the Mexican delegates** emphasized that in spite of the optimism demonstrated during the application of a series of anti-corruption measures, based on their own political experience as mayor and governmental official they believe it possible that these processes could be reversed by new political figures and owing to the overall weakness of the institutional framework.