

## Welcome Address by the Fiji Independent Commission Against Corruption Commissioner, Rashmi Aslam



# IACD 2022 International Anti-Corruption Day



*It gives me great pleasure to welcome you all to celebrate the International Anti-Corruption Day. In fact, it calls for double celebration for FICAC as we also celebrate our 15th Anniversary. FICAC was established in 2007, 15 years ago, by way of the Fiji Independent Commission Against Corruption Promulgation as a powerful response to the one of most daunting issues of the nation. Corruption was rampant for decades but yet had no sign of decreasing. It was the need of the hour to establish an independent commission to save the nation from the evils of corruption.*

Fiji acceded to the United Nations Convention Against Corruption (UNCAC) in 2008. Section 6 of the Convention specifically mandates State Parties such as Fiji to establish an

independent body to fight corruption. In addition, article 36 of the Convention mandates the countries to ensure the existence of a body specialized in combating corruption. As such, FICAC is Fiji's pride in fulfilling its international obligations under the United Nations Convention Against Corruption.

The existence of FICAC was further fortified under Section 115 of the 2013 Constitution and again in 2016, FICAC was conferred further powers to investigate and prosecute proceeds of crime and money laundering offences.

Fighting Corruption is a multifaceted and complex task. Corruption comes in various forms, shapes and sizes. Corruption within different sectors brings out different consequences. In my past messages, I had spoken enough about the crippling effects of corruption on the economy. But it is not only the economy that suffers, but also the democracy of the nation. I think this is an opportune time to remind us about corruption in politics as we prepare for the upcoming general election.

This year, for the first time in the Fijian history, we saw serving Members of Parliament being successfully prosecuted for corruption. Such corruption within politicians elected to represent the people have detrimental effects on a democratic society. The loss of public trust and lack of credibility of parliamentarians means a sickening democracy. It must be nipped in the bud and we must protect our democracy from corruption.

As I welcome you all to celebrate this day, I also take this opportunity to thank each and every FICAC Officer from every department, for your hard work, passion, commitment and most importantly, believing in the Commission's mission. Today we celebrate your hard work. Combating corruption is not an easy task. I know for a fact the sacrifice you do in committing yourself as a FICAC officer. Your sleepless nights, sacrificing your family time and pleasure activities are not wasted. When the rest of the world was sound asleep, you were wide awake chasing away the evils of corruption and keeping this beloved nation safe and clean. Your contribution to this nation is greatly appreciated.

Many times, you have been subjected to various abuses and false allegations. But you never failed me in upholding your professionalism and curtesy. Very often, we deal with powerful people who are suspected of committing corruption. We all know the stakes of fighting corruption. We dive with sharks and we know how desperate they can become to attack us and escape when we cast the net. Despite all these challenges, you were resolute in your mission with an unwavering commitment. I think this is a great time to recognize your commitments.

I also must take this opportunity to acknowledge the support given by our stakeholders. UNDP and UNODC have been long term partners with FICAC and we are grateful for your never-ending support and guidance. The Government Departments and Statutory bodies, the academics and staff from the Fiji National University, Non-Governmental Organizations, particularly Integrity Fiji,

we are thankful for your invaluable contribution to this noble cause of fighting corruption. For me, it is a sense of achievement to see that we are gathered here today to jointly celebrate the International Anti-Corruption Day.

Having said that, there is a pivotal issue I would like to address and omitting so, would be unfair on the Commission and its hard-working officers. The need and existence of FICAC has been the subject matter of political debates time and again. This year again, fighting corruption has been severely politicized.

We, with keen interest, observe those political propagandas to 'phase out' or 'dismantle FICAC'. The reasons given for this purported policy is that the Police and DPP can do the same work that FICAC undertakes. This is with the specific intention to instill within public minds that FICAC's work is merely a duplication of the work undertaken by other law enforcement agencies. Such a propaganda is nothing but a delusional fallacy. On behalf of the Commission and its Officers, it is my statutory duty to debunk this fallacy.

On the other hand, those who breed this propaganda demonstrate their own ignorance and the shallowest understanding on the complexity of combatting corruption. It's nothing new to FICAC as we continue to debunk such shallow thinking time and again.

Let me address this issue once and for all. Combating corruption is not only about investigating and prosecution. Corruption does not stop by investigating and prosecuting alone. Investigation or prosecution is only the reactive aspect of combating corruption. That alone does not work. In order to eradicate corruption, the root cause of specific corrupt activity must be identified and then implement the necessary methodology to eliminate the root cause. This requires a consolidated effort through reactive and proactive measures. That is why the anti-corruption scholars call it 'a multi-dimensional response'. What you see during investigations and prosecutions is just the tip of the ice burg.

Proactive corruption prevention methods are a specialty of the body such as FICAC designed to combat corruption. Investigations or prosecutions would give some indications as to the root causes. But it is the corruption prevention methodologies that identify the issues in depth in order to put long lasting solutions. Let me explain this with an example. A bribery or fraud occurrence in a particular public body may require a thorough study of its financial procedures and practices, the gift accepting policies and the conflict-of-interest policy etc. There might be weaknesses and loopholes within the existing systems. Without remedying these root causes, and building a solid corruption proof system, one cannot expect to reduce corruption in that public body no matter how many investigations or prosecutions one may conduct.

Further, when a public body is neglected without issues conducive to corruption being addressed, that gives gradual rise to systemic corruption within that public body. When an organization is infested with systemic corruption, finding solutions to clean up such systemic corruption can be very challenging. At that stage, it requires robust and sophisticated solutions. For example, the institutions will have to go through an initial corruption impact assessment which is a specialized methodology. In addition, staff should also have to undergo integrity assessment. Once the methodologies are completed and when the root causes are identified, solutions can be designed to strengthen the organizational structure and eradicate systemic corruption. It does not stop there. It further requires periodical monitoring both internally and externally. What I have mentioned is just a segment

of one of the solutions to eradicate systemic corruption. Undertaking such a complex methodology undoubtedly requires specialized knowledge and skills.

This is not the area of work for Police or DPP. They do not possess such legal mandate or the expertise. They have a very specific mandate - investigations or prosecutions- which is a mere fraction of a large and complex mechanism of combatting corruption. So, anybody expecting to fight corruption by dismantling FICAC and investigating and prosecuting through Police and DPP alone is nothing but a delusion.

We, for a moment, do not believe that such attempts to dismantle FICAC is a mere political ignorance. It could be a part of bigger conspiracy to re-open the flood gates of corruption. Such propaganda is cowardice and unpatriotic. It will only help the self-serving corrupt minds.

Even investigations and prosecutions of white-collar crimes and complex corruption cases require specialized skills. This is in particular evident through the past global experience. One great example is the establishment of Serious Fraud Office in the United Kingdom. In 1970s and early 1980s, the UK experienced very dissatisfying outcomes of serious and complex fraud cases. The cases were of course handled by the Police and the Prosecuting body. In order to find root causes and remedy this complex issue, the UK government established the independent Frauds Trial Committee, Chaired by Lord Roskill. After a careful study and analysis, the Committee came with an important recommendation. That is to establish a new, independent organization responsible for the detection, investigation and prosecution of serious fraud and corruption cases. That is how the UK's Serious Fraud Office (SFO) was established. Three and half decades later, the organization has proven to be one of the best decisions the UK has made in combatting serious fraud.

There are similar examples from around the world. You can study the Hong Kong story, New Zealand or Australia which is now moving in the direction of establishing a Federal Anti- Corruption Agency. We also received many requests from our neighboring countries to assist them in building their anti-corruption agencies, which we gladly did. Establishing a specialized anti-corruption body is not only a global trend and an obligation under UNCAC, it is also the way forward in fighting corruption.

The long story short, there is no rapid response to fight corruption. There is no '100-day solution' that you might depend on to tackle serious and complex issues of corruption.

FICAC is clearly equipped with relevant expertise in all avenues of fighting corruption from investigations and prosecutions to corruption prevention. We have done this successfully for the last 15 years and managed to bring Fiji within the least 45 corrupt countries in the world. That is a remarkable achievement for the country. It is unfortunate to say, that any attempt to dismantling FICAC means reversing this whole process of success.

I thought it is important to highlight that on this remarkable day, so that we debunk the myths and misconceptions created by political propagandas.

With those words, I welcome all of you again to celebrate this special day and celebrate our success in fighting corruption for 15 years. We believe we have the requisite passion, skills, commitment and integrity. What we seek is your support to take a stand and say no to corruption.

VINAKA VAKALEVU.