# ’20년 제1차 G20 반부패실무그룹회의 참석 결과 보고서

2020. 2.

국민권익위원회
국제교류담당관실

## 목 차


1. 2020년 제1차 G20반부패실무그룹회의 참석 결과..... 3

2. 세부 회의 결과..... 7

붙임 1 회의 일정..... 17

붙임 2 정보통신기술(ICT)를 활용한 청렴성 제고 관련 고위급 원칙 합의안..... 23

붙임 3 국가적 반부패 전략 개발 및 이행 관련 고위급 원칙 합의안..... 31

붙임 4 민영화와 민관 협력 파트너십 청렴도 제고 관련 고위급 원칙 수정안..... 38

붙임 5 발표 자료..... 45

붙임 6 회의 사진..... 55

## 1 2020년 제1차 G20반부패실무그룹 회의 참석 결과

### □ 회의 개요

○ 회의명 : 2020년 제1차 G20 반부패실무그룹 회의

○ 일시/장소 : '20. 2. 3.(월)~6.(목)/사우디아라비아 리야드

Crowne Plaza Riyadh RDC 컨벤션 센터

○ 주관기관 : G20 반부패 실무그룹 공동의장국(사우디, 이탈리아)

○ 참석자 : G20 회원국 대표, 싱가포르, UAE 등 참관국 대표, OECD, UNODC, World Bank, FATF, Interpol, IMF 등 국제기구 대표

### □ G20 반부패실무그룹회의 주요 결과

○ 2020 제1차 G20 반부패실무그룹은 2020 G20 정상회의 선언문의 부속서로 채택될 **'정보통신기술(ICT)를 활용한 청렴성 제고 관련 고위급 원칙'** 및 **'민영화와 민관 협력 파트너십(PPP) 청렴도 제고 관련 고위급 원칙', '국가적 반부패 전략 개발 및 이행에 대한 고위급 원칙'**을 중점으로 논의하였으며 이 중 ICT 및 국가적 반부패 전략에 대한 고위급 원칙에 대한 합의가 이루어져, 회의 종료 후 약 3주간 침묵기간(Silent Procedure)을 가질 예정임.

- '민영화와 민관 협력 파트너십(PPP) 청렴도 제고 관련 고위급 원칙' 또한 대략적인 내용이 합의되었으며, 3월 9일(월)까지 이의제기 또는 수정 기간을 가진 후 침묵기간에 들어갈 예정임.



○ 전임 의장국인 일본은 내부고발자 보호와 관련하여 우수사례 모음집을 발간할 것을 제안하였고, 회원국들은 5-6월까지 관련 내용을 수집하도록 합의함.

○ '중대한 경제범죄 및 경제사범' 관련 페이퍼를 발간하기로 함.

○ 그간의 이행점검 보고서 형식을 개선하여 조금 더 발간된 형태의 보고서를 작성하기로 하였으며, 관련 초안은 2차 실무그룹회의 시 의장국인 사우디아라비아가 제안하기로 함.

○ 이번 G20 반부패실무그룹회의에는 C20과 더불어 지난번 회의 시 참석하지 않았던 B20과 함께, 최초로 W20(Women 20)이 참석하여 별도 발표 세션을 가짐.

### □ 정부 대표단 활동

○ 우리 대표단은 G20 반부패실무그룹에서 '민관 협력 파트너십 관련 고위급 원칙'에 대한 논의가 진행됨에 따라 권익위에서 민간협력 담당관실을 운영하며 축적한 노하우와 그간의 성과로서 청렴사회 민관협의회 등을 우수사례로 소개함.

- 참석자들은 중앙단위와 지역단위 민관협의회 운영과 더불어 청렴사회협약체결 등 지역사회에서의 청렴문화 확산을 위한 자발적 참여를 독려하는 프로그램, 또한 기업의 윤리경영 교육과정 등에 많은 관심을 표함.

○ 우리 대표단은 또한 주최측인 사우디측과 사전 협의를 통하여 2020.6월 서울에서 개최 예정인 국제반부패컨퍼런스(IACC) 홍보를 위한 별도 세션을 마련함.

- 동 세션에서 우리 대표단은 6월 개최 예정인 IACC를 소개하며 영어로 제작된 홍보 동영상을 상영하였으며, 홈페이지를 통해 관련 정보를 얻고 등록 링크로 연결될 수 있도록 안내함.

## □ 관찰 및 평가

○ 의장국은 10월 제3차 반부패실무그룹시 장관급 회의*를 개최할 예정이며 장관급 선언문 등 합의가 필요한 내용이 예년과 달리 추가적으로 발생한바 정상회의 선언문의 부속서로 채택될 고위급 원칙에 대한 합의를 신속하게 진행함.

- 고위급 원칙 3가지 중 2가지에 대한 합의를 완료하였으며 나머지 1가지에 대한 대략적인 내용도 합의에 이러 3월중 완료될 것으로 예상됨.

* 2020 G20 의장국인 사우디아라비아는 반부패실무그룹 설립 10주년을 맞이하여 장관급회의를 개최할 예정임을 발표함. 그러나 G20 회원국 중 반부패 장관이 있는 국가가 몇 안 되고, 대부분의 경우 외교부, 법무부 등에서 반부패 실무그룹 회의에 참석하고 있는바 (ex. 일본의 경우 외무성, 미국의 경우 국무부 참석) 해당 회원국의 장관급 인사 참석이 불투명한 상황임. 따라서 **우리측 장관급 인사 참석 여부는 향후 추이를 지켜본 후 결정해야 할 필요가 있을 것으로 관찰됨.**

○ 의장국은 이행보고서의 형식을 개선하여 지난 10년간 마련한 G20 고위급 원칙등에 대한 이행 점검을 강화할 것을 제안하였으며, 개선된 이행보고서 초안을 6월 로마에서 개최 예정인 제2차 실무그룹회의시 제시할 예정임을 소개함.

- 최근 몇 년간 이행보고서 형식 변경에 대해서 회원국들의 반대가 많이 있었던 점을 고려, 다음 번 회의에서 이행보고서 형식 변경이 어느 정도 이루어질 것인지 주목해야 할 필요가 있음.



## □ 향후 계획

○ 제2차 반부패실무그룹 회의는 6.15.(월)-17.(수) 또는 6.16.(화)-18.(목)간 이탈리아 로마에서 개최될 예정이며(tentative) 부대행사의 주제는 자산회복이 될 것임. 제3차 회의는 10.20.(화)-22.(목)간 사우디아라비아 리야드에서 열릴 예정이며, 특히 10.22에는 장관급 회의가 예정되어 있음.

## 2 세부 회의 결과

### □ 개회

○ 의장국인 사우디 아라비아의 Nassaer Abaalkhail, Assistant to the President for International Collaboration at the Control and Anti-Corruption Authority (Nazaha)와 공동의장국인 이탈리아의 Alfredo Durante Mangoni, Coordinator for Anti-Corruption Directorate General for Global Issues at the Ministry of Foreign Affairs 전권대사의 환영사가 있었음. 1차 회의가 열리는 2.4.-6. 기간 동안 금년 G20 정상회의 선언문의 부속서로 채택할 고위급 원칙 3가지 중 적어도 2가지에 대한 합의를 완료하는 것을 목표로 회의를 운영할 예정이라고 소개함.

- 고위급 원칙은 「국가적 반부패 전략 개발 및 이행 관련 고위급 원칙」,「정보통신기술(ICT)를 활용한 청렴성 제고 관련 고위급 원칙」, 「「민영화와 민관 협력 파트너십(PPP) 청렴도 제고 관련 고위급 원칙」등 총 3가지에 대하여 논의할 예정이며, 「자산회복 및 경제범죄」에 대한 문서(scoping paper) 및 장관급 선언문에 대한 논의도 진행할 예정임을 설명함.
- 이와 더불어 자산회복, 부패측정, 실소유자, 중대한 경제범죄, 내부고발자 보호, 해외뇌물방지, 부패범죄 조세회피 문제, 성 문제와 부패, 사법 공조 등이 논의될 예정임을 부언함.

### □ 국가적 반부패 전략 개발 및 이행 관련 고위급 원칙 논의

○ 참석자들은 유엔반부패협약을 효율적으로 이행하기 위해 국가적 반부패 전략을 효율적으로 개발하고 이행하는 것이 중요하다는 것에 의견을 같이함.



- 당초 초안에 전략(strategy) 및 정책(policy)가 혼용되어 사용되었던 것을 좀 더 폭넓은 개념인 전략으로 통일하여 사용하기로 함.

○ 다만 국가 반부패 전략의 개발 방법에 대한 단일 모델이 존재하지 않음을 인지하고, 국가 반부패 전략의 성공적 개발과 이행에 한 가지 방법만 있는 것이 아니라는 것을 이해할 필요가 있음을 강조함.

- 반드시 개별 국가의 문화적, 정치적, 법적 환경과 국가별 우선순위와 과제를 고려하는 것이 중요하다는 것에 공감함.

**< 국가적 반부패 전략 개발 및 이행 관련 고위급 원칙 개요>**

**A. 반부패 전략 개발**

원칙 l) 진단분석, 올바른 거버넌스, 정치적 지원을 보장한다.

원칙 2) 포용적인 설계 및 개발 프로세스를 위한 조치를 취한다.

원칙 3) 부패위험분석 수행과 필요시 데이터 수집 및 사용 시스템을 강화한다.

원칙 4) 상황에 맞는, 과감하지만 현실적인 범위를 설정한다.

원칙 5) 명확한 비전을 제시하여, 반부패 조치의 필요성과 그런 비전 달성에 계획된 조치가 어떤 도움이 되는지 상세히 설명한다.

**B. 효과적 이행, 모니터링, 평가, 보고 공고화**

원칙 6) 필요한 경우, 이런 반부패 전략에서 확인된 우선사항을 해결하기 위해 액션플랜을 개발한다.

원칙 7) 성공적인 이행을 보장하기 위해 충분한 전담 리소스를 할당한다.

원칙 8) 이행 모니터링과 평가를 위한 프로세스를 수립한다.

원칙 9) 효과적인 이행 보고를 보장한다.

▶ 국가별 의견

ㅇ (영국) 국가적 반부패 전략과 정책을 설립하자는 의장국 취지에는 동의하나, 전략과 정책은 별개의 개념으로 정책 마련을 위해 필수적으로 전략이 전제되어야 하는지에 대해서는 고민할 필요가 있음. 전략과 정책 두 개 중 하나에 집중해야 할 것으로 보임.

ㅇ (호주) 영국의 의견에 찬성함. 정책은 국가별 법적 체제가 다르므로 일괄적으로 공통된 문서를 도출하기는 어려운 반면, 전략에 공통된 핵심 가치를 넣는 것은 가능할 것으로 판단됨.

ㅇ (독일) 불필요한 단어나 문장을 줄여 실질적인 내용만을 담은 문서로 다듬을 필요가 있음.

ㅇ (인도) draft와 design이라는 단어가 혼용되어 쓰이고 있으나, draft는 전략을 design 하고나서 다음 단계에서 이루어지는 과정으로, 처음 단계에서는 반부패 전략을 design 하는 것에 대한 논의가 전제되어야 함.

ㅇ (미국) 국가적 반부패 전략 개발이 UNCAC 상에 의무로 규정된 내용이 아님을 명확히 밝히고, 동 원칙이 다른 국가들이 반부패 전략을 개발할 때 참고자료로 활용되는 것에 제한됨을 명시해야 할 필요가 있음.

ㅇ (스페인) 작년 G20 정상회의에서 성문제와 관련된 부패척결에 대한 결의를 다진 것과 연계하여 동 원칙에 관련 내용을 포함시킬 것을 요청함.



□ 정보통신기술(ICT)를 활용한 청렴성 제고 관련 고위급 원칙 논의

ㅇ 참석자들은 정보통신기술(ICT)의 활용이 부패 행위에 대한 예방, 적발, 조사와 관련하여 주요한 도구가 될 수 있다는 것에 공감하였음.

- ICT는 정보 공유와 시민 참여 부문에서 대중의 접근성을 향상시켜 국민이 반부패 문제에 직접 참여할 수 있도록 할 수 있음.

ㅇ 다만 ICT가 범죄에 활용될 위험성, 공공분야에서의 오용 가능성, 안보와 접근성에 대한 우려를 간과해서는 안 되며, 범죄사용 예방, 인권을 비롯한 기본권 보호, 특히 불법적 사생활 침해 등과 관련하여 안전조치를 마련할 필요가 있음에 동의함.

- 또한 ICT 활용과 관련하여 모든 국민 층이 접근할 수 있도록 하여 소외되는 계층이 없도록 다양한 채널을 마련해야함.

ㅇ G20 반부패 행동계획 2019-2021은 반부패실무그룹이 “공공/민간 분야의 청렴성과 투명성을 강화하고 도모하기 위한 구체적인 행동을 취할 것”과 “부패 관련 신기술의 기회 및 위험과 관련하여 경험과 모범사례를 공유할 것”을 촉구하고 있는바, 이에 대한 이행의 일환으로 동 고위급 원칙을 마련하는 것에 동의함.

ㅇ 의장국인 사우디아라비아는 정보통신기술의 사용을 통한 공공분야 청렴 제고를 최우선 과제로 선정하고, 기술의 활용이 공공분야의 효과성과 효율성을 증진시키고, 투명성과 정부 정보 공개, 대중의 신뢰를 강화시키며 부패를 예방하는데 어떤 도움이 되는지 경험을 공유할 예정임을 소개함.

**< 정보통신기술(ICT)을 활용한 청렴성 제고 관련 고위급 원칙 개요 >**

**A. 효과적이고 투명한 공공행정과 디지털 공공서비스**

원칙 1) 효율성을 높이고 부패 기회를 줄이기 위해 디지털 공공서비스 제공

원칙 2) 청렴을 강화하고 공정 경쟁을 도모하기 위한 전자 조달과 오픈 데이터 기준 도모

원칙 3) 부패 기회를 줄이고 투명성과 추적 가능성을 강화하기 위해 전자 결제 시스템 활용

원칙 4) 반부패 정책의 효과성 강화를 위해 혁신 ICT 시스템 사용 포용 조치

**B. ICT와 반부패 국민 참여**

원칙 5) 열린 정부 기준 채택 및 이행 도모

**C. 부패 적발/신고/수사에서의 ICT**

원칙 6) 부패 위험 예방, 적발, 대응 강화를 위한 정보 교류와 네트워킹 도모

원칙 7) 부패 적발, 예방, 수사를 위해 새로운 기술 사용 고려

원칙 8) 공공재정 모니터링 개선

원칙 9) 부패 신고 도모

원칙 10) 국제 반부패 협력에서의 ICT 사용 도모

원칙 11) 효과적인 역량 구축 도모

**▶ 국가별 의견**

○ (미국) 정보통신기술 관련 내용은 반부패실무그룹 뿐만 아니라 G20 내 다른 실무그룹에서도 주요하게 다루어져야할 주제로서, 반부패실무그룹의 전문성을 넘어서는 내용에 대해서는 신중하게 접근해야 할 필요가 있음.

- 환경, 데이터 프라이버시, 사이버 보안 등은 ICT와 밀접하게 연관된 주제이며, 반부패실무그룹이 주도해 나갈만한 주제가 아니라고 판단됨.



○ (영국) 감사(audit)에 관련된 내용을 제외하기를 희망함.

○ (이탈리아) 어플리케이션뿐만 아니라 온라인 플랫폼 활용 방안도 추가하기를 희망함.

○ (일본) 지난해 G20 반부패실무그룹이 도출한 인프라 청렴성 제고를 위한 우수사례 모음집이 조달 등 분야에 있어 ICT 활용에 대한 지침이 되도록 G20 회원국과 비회원국 모두에게 제공하는 것이 의미 있다고 생각함. 이러한 내용이 추가되기를 희망함.

○ (미국) ICT의 영역에 대해서 언급하려면 가상자산 및 블록체인, 인공지능에 대한 언급도 필요함. 기술의 발전과 진화속도를 고려하면 이 외에도 새로운 기술이 가까운 시일내에 활용될 가능성이 높은 바, 동 고위급 원칙의 활용성을 유지하기 위하여 구체적 기술을 언급하는 것을 지양할 필요가 있다고 생각함.

**□ 민영화와 민관 협력 파트너십(PPP) 청렴도 제고관련 고위급 원칙 논의**

○ 동 고위급 원칙과 관련하여 실무그룹회의 사전에 이메일을 통한 의견 교환 시 회원국 간 의견 차이를 비교적 크게 보임.

○ 영국, 호주, 미국 등의 국가는 민영화와 민관협력 파트너십이 비슷한듯하나 완전히 다른 주제인바, 둘 중에 하나의 주제에 집중하여 고위급 원칙을 도출하는 것이 효율적이라고 의견을

제시하였으나, 추가적인 펀드, 혁신, 위험 분산 등 많은 분야에서 공통된 특성을 가지고 있다는 사우디측 설명에 하나의 원칙을 도출하는 것에 합의함.

**< 민영화와 민관 협력 파트너십(PPP) 청렴도 제고 관련 고위급 원칙 개요>**

**A. 민영화와 PPP 청렴도 제고를 위한 프레임워크 구축**

원칙 1) 부패를 줄이기 위한 민영화와 PPP에 대하여 명확한 프레임워크를 정의한다.

원칙 2) 신뢰성 제고를 위한 투명성과 대중의 이해도를 강화한다.

원칙 3) 부패 위험에 대응하여 예방, 적발 등을 원활히 할 수 있도록 각 분야의 규정과 경쟁 프레임워크를 강화한다.

원칙 4) 부패 위험성을 효율적으로 보여주기 위하여 투명한 거버넌스와 청렴성을 강화한다.

**B. 대중의 이익을 보호하고 부패위험을 줄이기 위하여 판매와 조달 과정을 정의한다.**

원칙 5) 부패 척결을 위하여 자산의 이동, 전환, 평가 등에 대한 모드와 투명한 방법을 활용한다.

원칙 6) 참여자들의 청렴성에 대한 높은 기준을 적용한다.

원칙 7) 조달 및 판매 과정에 있어서 신뢰성, 투명성, 경쟁성을 제고하기 위한 매커니즘을 이행한다.

**C. 부패를 더욱 원활히 예방, 적발, 조사할 수 있도록 평가와 모니터링 과정을 도입한다.**

원칙 8) 투명성과 신뢰성을 도모하기 위하여 민영화와 민관협력을 평가하고 모니터링하는 매커니즘을 설치한다.

원칙 9) 효율적인 반부패 측정을 위하여 이해관계자들이 필요한 정보를 모을 수 있도록 도모한다.



**□ 내부고발자 보호**

○ 전년도 의장국인 일본은 '19년 G20 정상선언문의 부속서로 채택된 '내부고발자 보호 고위급 원칙'의 후속조치로서 회원국들에게 관련 설문지를 제시하여 작성해 줄 것을 요청할 예정임을 소개함.

- 이를 수집, 요약하여 각국의 내부고발자 우수사례를 모은 모음집을 발간할 예정이며, 3월중 설문지 초안을 작성하여 5월중 회람하는 것을 목표로 함.

- 회원국 의견을 6-7월 중 수집하여 모음집 작성에 착수할 예정임.

**□ 성 문제와 부패**

○ W20 (Women 20)은 2020년도에 노동, 재정, 디지털, 의사결정 등 4가지 항목에 대한 여성의 참여를 주요한 과제로 선정하였음을 소개함.

- 부패방지에 대한 논의시 성에 민감한 접근 방식이 적용되어야하며, 성적 착취를 포함하여 여성에게 영향을 미칠 수 있는 부패의 형태를 정확하게 밝히고 정의 내려야하며, 부패방지 노력에 여성이 참여할 수 있도록 해야 한다고 언급함.

**□ 이행보고서**

○ 이행보고서는 G20 회원국들이 반부패 실천 의지를 이행하는 과정을 확인하기 위해 작성하고 있음. 사우디측은 이에 대하여 기존의 형식에서 벗어나 지난 10년간 도출한 고위급 원칙 중 매년 1-2개의 고위급 원칙을 주요 주제로 정하여 자가 평가를 할 수 있도록 할 것을 제안함.

- 지금까지의 이행보고서는 시민사회 등 G20 회원국 외부의 시각에서 보았을 때 이행점검을 충실하게 하고 있지 못하다는 의견이 있었으며, 이에 대한 자성적 논의가 수차례 있어왔음을 고려함.

○ 참석자들은 사우디측의 제안에 공감을 표하였으나, 자가 평가의 구체적 형식에 대하여 의문을 표한바 의장국이 초안을 작성하여 6월 중순 로마에서 개최될 예정인 제2차 실무그룹회의에서 제시하기로 함.

○ 최근 몇 년간 G20 회원국들은 이행 점검 수준을 강화할 필요가 있다는 것에 공감하였으나, 형식을 바꾸는 것에 대해서는 비교적 소극적인 반응을 보였음.

- 또한, 관련 내용이 언급되었던 작년 실무그룹회의에서도 동 내용이 반대의견에 부딪혀 시행되지 못한바 있음.

**□ 제19차 국제반부패회의 개최**

○ 우리 대표단은 한국의 반부패 5개년 계획과 국정과제에 반부패 관련 내용이 우선사항에 속해있음을 소개하며 2020 G20 고위급 원칙중 하나인 국가적 반부패 전략과 연계하여 의미 있는 논의에 참여할 수 있을 것임을 설명함.

○ 또한 한국정부와 시민사회(TI)가 공동으로 주최하는 회의인 만큼, 또 다른 G20 고위급 원칙인 민관협력에 대한 내용도 많이 논의될 것으로 예상하는바 많은 관심과 참여를 바란다고 부언함.

**□ (부대행사) 민관협력 파트너십(PPP) 경험과 시사점 발표**

○ (한국) 우리나라는 다음과 같이 3단계의 민관협력형 부패방지 체계를 갖추어 추진해왔음. 1) 국민 참여 반부패 정책 추진 및



점검(온-오프라인 국민 참여 체계 구축 및 운영, 반부패 정책에 대한 국민 모니터링 추진), 2) 사회각계가 참여하는 반부패 의제(중앙단위 및 지역단위 청렴사회 민관협의회 구축), 3) 함께하는 범사회적 청렴운동(청렴사회협약 체결, 청렴사회 만들기 범국민 운동, 기업의 윤리경영 교육과정 운영, 윤리경영정보 제공)

- '청렴사회민관협의회'가 개혁을 주도하여 국민적 관심을 견인하였고, 동 협의회에서 나온 제안이 정부 정책에 반영되어 정부에 대한 국민의 신뢰도가 향상되는 성과를 거둠.
- 또한 반부패 민관 거버넌스에 대하여 국내외에서 긍정적인 평가를 받고 있음.

## 붙임 1 회의 일정

### Agenda for the 1st ACWG Side Event
### February 3rd 2020

| 8:00- 9:00 |
|---|
| Welcome coffee & Registration |

| 9:00- 9:15 |
|---|
| Opening Remarks: |

- **Welcome remarks by the President of the Control and Anti-Corruption Authority (H.E. Mazen Alkahmous)**

| 9:15 – 10:45 |
|---|
| Session One: Promoting Public Sector Integrity Through the Use of Information and Communications Technologies (ICT) |

Technological innovations have opened new doors for the prevention, detection, investigation, prosecution and reduction of corruption. These innovations provide enormous opportunities for key actors in the fight against corruption, including state institutions, civil society organizations, academia, the media, and the private sector. This session will explore how various government and non-government actors can contribute to the joint work on promoting public sector integrity through the use of Information and Communications Technologies (ICT).

**Moderator: Markus Busch**

- **U.S.**
- **C20**
- **World Bank**
- **France**
- **Saudi Arabia (MCIT)**

| 10:45 – 11:00 |
|---|
| Coffee Break |

| 11:00 – 12:30 |
|---|
| Session Two: Promoting Integrity in Privatization and Public Private Partnerships (PPPs) |

The privatization of state-owned enterprises (SOEs) across different sectors strengthens the role of the private sector and encourges investment through privatizing govenrment services that bring innovative solutions to improve the quality of services andreduction of government spending, while maintaining the interest of citizens. This session will explore promoting integirty in privatization and public-private partnerships and how it may further bring solutions for sustainability and conservation of economic growth and prosperity.

**Moderator: Christine Cline**

- **Saudi Arabia (NCP)**
- **Korea**
- **Russia**
- **OECD**



- **B20**
- **C20**

| 12:30 - 13:30 |
|---|
| Lunch Break |

| 13:30 – 15:00 |
|---|
| Session Three: Development and Implementation of Anti-Corruption Policies or Strategies |

The development and implementation of anti-corruption policies or strategies promotes the principles of governance, integrity, transparency and accountability. That is, in order to succeed in the implementation of projects that contribute to innovation, people and earth; a good strategy with good governance is necessary to be in place for the successful implementation of such projects. Thus, coordinating actions and policies to achieve the desired objectives of such aims is essential for success. This session will explore various experinces and lessons learnt by government and non-government stakeholders in the development and implementation of anticourrtion strategies or policies.

**Moderator: Andrei L Avetisyan**

- **U.K**
- **Brazil**
- **UNODC**
- **Indonesia**
- **B20**

| 15:00-15:15 |
|---|
| Coffee Break |

| 15:15-16:45 |
|---|
| Session Four: Measurement of Corruption |

Cross-country analysis and effective measurement of coruuption through legal frameworks and judicial standards deepens the knowledge of the phenomenon, and refines both prevention and repression tools. This session will focus on deepening the analysis of corruption measurement and its mechanisms and how can government and non-government stakeholder contrubite to the improvement of data and sources.

**Moderator: (Dr. Nasser Abaalkhail)**

- **Italy**
- **U.S.**
- **OECD**
- **UNODC**
- **Russia**
- **PRS**
-

| 16:45-17:00 |
|---|
| Closing Remarks by the Assistant to the President for International Collaboration (Dr. Nasser Abaalkhail) |

**Agenda**

**First Meeting of the G20 Anti-Corruption Working Group**

**Riyadh – Feburary 4-6, 2020**

| | |
|---|---|
| **Day 1** **February4th,2020** | |
| **8:00-9:00** **(60 min)** | **Welcome Reception and Registration** |
| **9:00-9:30** **(30 min)** | **Opening Remarks**<br>•Welcome remarks by the Co-chairs<br>1.1. Dr. Nasser Abaalkhail<br>1.2. Alfredo Durante Mangoni |
| **9:30-11:15** **(105 min)** | **Seesion 1:** Development and Implementation of Anti-Corruption Policies or Strategies<br>-Discussion on the concept note |
| **11:15-11:30** **(15 min)** | **Coffee Break & Family Photo** |
| **11:30-13:15** **(105 min)** | **Session 2:** Development and Implementation of Anti-Corruption Policies or Strategies<br>Continue |
| **13:15-14:15** **(60 min)** | **Lunch** |
| **14:15-15:00** **(45 min)** | **Session 3**: Partnership with Business 20, Civil 20 and Women 20 Representatives of **B20**, **C20** & **W20** will brief on developments in their work streams<br>discussion on developments of the work streams |
| **15:00-15:30** **(30 min)** | **Session 4:** Protection of Whistleblowers<br>Presentation by **Japan** |
| **15:30-15:45** **(15 min)** | **Coffee Break** |



| | |
|---|---|
| **15:45-16:45** **(60 min)** | **Session 5:** Serious Economic Crime Offenders and Crime Offences<br>Presentation by **India**<br>Presentation by the **UK**<br>Presentation by the **OECD**<br>Discussion of Economic Crime Offenders |
| **16:45 – 17:00** **(15 min)** | **Closing Remarks** |
| **18:30 -21:30** | **Welcome Reception and Cultural Event** |
| **Day 2** **February5th,2020** | |
| **8:30-9:00** **(30 min)** | **Welcome Reception and Registration** |
| **9:00-10:45** **(105 min)** | **Session 6:** Promoting Public Sector Integrity through the Use of ICT<br>Discussion on the concept note |
| **10:45-11:00** **(15 min)** | **Coffee Break** |
| **11:00-12:45** **(105 min)** | **Session 7:** Promoting Public Sector Integrity through the Use of ICT<br>Continue |
| **12:45-13:45** **(60 min)** | **Lunch Break** |
| **13:45-15:00** **(75 min)** | **Session 8:** Continued discussion on ICT/Strategies<br>Continue |
| **15:00-15:30** **(30 min)** | **Session 9:** Gender and Corruption<br>Presentation by **UNODC**<br>Presentation by **W20** |
| **15:30-15** | **Coffee Break** |

| | |
|---|---|
| :45<br>(15 min) | |
| 15:45-16:05<br>(20 min) | **Session 10:** Foreign Bribery<br>Presentation by **United States**<br>Presentation by the **OECD** |
| 16:05-16:25<br>(20 min) | **Session 11:** Mutual Legal Assistance<br>Presentation by the **UNODC** |
| 16:25 – 16:45<br>(20 min) | **Session 12:** Hosting the 19th International Anti-Corruption Conference, June 2020.<br>Presentation by Republic of **Korea** |
| 16:45 – 16:55<br>(10 min) | **Closing Remarks** |

| Day 3<br>February6th,2020 | |
|---|---|
| 8:30-9:00<br>(30 min) | **Welcome Reception Coffee and Registration** |
| 9:00-10:45<br>(105 min) | **Session 13:** Promoting Integrity in Privatization and Public Private Partnerships<br>Discussion on the concept note |
| 10:45-11:00<br>(15 min) | **Coffee Break** |
| 11:00-12:45<br>(105 min) | **Session 14:** Promoting Integrity in Privatization and Public Private Partnerships (Continued) |
| 12:45-13:45<br>(60 min) | **Lunch break** |



| | |
|---|---|
| 13:45-15:15<br>(90 min) | **Session 15:** International Cooperation on Corrupt Persons and Asset Recovery<br>. Presentation by **China**<br>. Presentation by **U.K**<br>. Presentation by **U.S.**<br>. Presentation by **Saudi Arabia**<br>. Presentation by **UNODC**<br>. Presentation by **StAR**<br>. Presentation by **Interpol**<br>. Discussion on the International Cooperation on Corrupt Persons and Asset Recovery |
| 15:15-15:45<br>(30 min) | **Session 16:** Accountability Report<br>. Presentation by **Saudi Arabia**<br>. Discussion on the Accountability Report |
| 15:45-16:00<br>(15 min) | **Coffee Break** |
| 16:00-16:30<br>( 30 min) | **Session 17:** Introduction to a Ministerial Declaration<br>. Presentation by **Saudi Arabia**<br>. Discussion on the Accountability Report |
| 16:30-17:00<br>(30 min) | **Session 18:** International Organizations<br>Update by the **UNODC**<br>Update by the **OECD**<br>Update by the **IMF**<br>Update by the **World Bank**<br>Update by the **FATF**<br>Update by the **ISDB**<br>Update by the **Interpol** |
| 17:00 – 17:10<br>(10 min) | **Closing Remarks/ Wrap Up** |

**붙임 2** 정보통신기술(ICT)를 활용한 청렴성 제고 관련 고위급 원칙 합의안

# G20 High Level Principles for Promoting Public Sector Integrity Through the Use of ICTs

**Final Draft as of 06/02/2020**

**Introduction and context**

Technology and the increased availability of data have evolved rapidly in the last decades, transforming the public and private sectors in numerous ways, raising expectations of citizens, and elevating the importance of responsible digital innovation for governments around the world. The use of ICT in public administration and in the delivery of public services, if harnessed appropriately, can reduce opportunities for corruption and increase transparency and accountability across the public sector. ICT can also be used to support public engagement on the topic of anti-corruption, for example allowing wider public reach when sharing information and seeking public engagement. Finally, ICT can be leveraged directly by the public sector, private sector and civil society, working separately and jointly, to improve the effectiveness of detection, reporting and investigation of corruption. Embracing responsible ICT innovations in anti-corruption can enhance cooperation and partnership in the fight against corruption and in the protection of government integrity, by enabling cross-sector collaboration among state institutions, citizens, civil society, academia, and private sector organizations.

It should also be considered that ICT opportunities bring associated risks, including criminal misuse, potential misuse by public entities and security and accessibility concerns. The use of ICT for anti-corruption purposes should include safeguards against criminal misuse and for the protection of human rights and fundamental freedoms and in particular the right to be free from arbitrary or unlawful interference with privacy, including as related to the protection of personal data. In addition, some people may have limited or no access to digital solutions (e.g. no internet or smart phone) and therefore traditional channels should be maintained (e.g. Town Hall, radio etc.). In this sense, multichannel approaches should be embraced to secure that all segments of the population are included, and ensure that no one is left behind.



The relevance of ICT has been recognized in five resolutions adopted by the Conference of the States Parties to the United Nations Convention against Corruption (UNCAC): resolution 6/7 entitled "Promoting the use of information and communications technologies for the implementation of the United Nations Convention against Corruption"; resolution 6/8 entitled "Prevention of corruption by promoting transparent, accountable and efficient public service delivery through the application of best practices and technological innovations"; resolution 7/6, entitled "Follow-up to the Marrakech declaration on the prevention of corruption"; resolution 8/5 entitled "Enhancing integrity by raising public awareness"; and resolution 8/13 entitled "Abu Dhabi Declaration on enhancing collaboration between the supreme audit institutions and anti-corruption bodies to more effectively prevent and fight corruption". These resolutions provide a framework on the use of ICT for achieving the goals of the Convention.

The G20 Anti-Corruption Action Plan 2019-2021 calls for the ACWG to "take concrete actions to strengthen and promote integrity and transparency in the public and the private sector", and "share experiences and best practices relating to opportunities and risks of new technologies in relation to corruption." As part of its anti-corruption effort, the ACWG, under the Japanese G20 presidency, agreed on the compendium of good practices for promoting integrity and transparency in infrastructure development, which identified specific measures to be taken by G20 and non-G20 members to strengthen integrity and transparency of public infrastructure projects by utilizing ICT. Therefore, the Kingdom of Saudi Arabia has identified promoting public sector integrity through the use of information and communications technologies as a priority issue for the 2020 G20 Presidency, with the aim of sharing experiences on how the use of technology could enhance effectiveness and efficiency in the public sector; strengthen transparency, government data, and public trust; and help prevent corruption. The Saudi G20 Presidency tabled an innovative program aiming for pragmatic outputs, working with international organizations in developing, among others, the following:

- *High-Level Principles for Promoting Public Sector Integrity through the use of Information and Communications Technologies (ICT).*

**Applicability, scope and definitions**

The High-Level Principles focus on three core pillars: A. Effective and transparent public administration and digital public services; B. ICT in public engagement on anti-corruption; C. ICT in the detection, reporting and investigation of corruption.

These Principles build on existing international standards and recommendations by

international organizations, including the Introductory Note to the G20 Anti-Corruption Open Data Principles and G20 Principles for Promoting Integrity in Public Procurement. The High-Level Principles offer flexibility to enable countries to effectively apply them in accordance with their respective legal systems.

The Principles do not seek to be prescriptive about any specific technologies to be used given that the most suitable technologies will vary over time, and between countries depending on national priorities, resources and digital maturity. There is no 'one size fits all' solution. Instead, these High-Level Principles support identification of opportunities to use ICT in the fight against corruption and provide pragmatic guidance for developing anti-corruption ICT solutions.

For the purposes of these Principles, the following definitions and references will be used:

"Transparency" refers to disclosure of government information, data, rules, plans, processes, and actions. It ensures that public officials act visibly and understandably, and report on their activities. It also means that the public can easily perceive and understand what actions are being performed by the government.

"Accountability" refers to holding individuals, agencies and organizations responsible for reporting their activities and executing their powers properly. Typical approaches to transparency and accountability as enablers of government openness focus on reducing information asymmetries. Transparency and accountability are essential principles of guarding against corruption and help increase trust in the institutions. Both are amongst the fundamental purposes of the United Nations Convention against Corruption (UNCAC) – the global Anti-Corruption legal framework.

"Information and Communications Technologies (ICT)" refers to existing and emerging digital technologies including the Internet, mobile technologies and devices, as well as data collection and data analytics used to improve the generation, collection, exchange, aggregation, combination, analysis, access, searchability and presentation of digital content, including for the development of services and software.

"Financial inclusion" means that individuals and businesses have access to useful and affordable financial products and services that meet their needs – transactions, payments, savings, credit and insurance delivered in a responsible and sustainable way.



## A. Effective and Transparent Public Administration and Digital Public Services

**Principle 1: Provide digital public services in order to improve efficiency and reduce opportunities for corruption**

a) G20 countries should explore the ways in which ICT can facilitate programmes that are consistent with United Nations Convention against Corruption (UNCAC) for the proper management of public affairs and public property.

b) G20 countries should introduce or enhance the use of such technologies, where appropriate, to provide government services, such as identity documents for citizens, company registration, taxation, customs clearance, licensing, etc. Since, corruption often occurs in, and is masked by, slow and non-transparent bureaucratic processes, such digital innovations can reduce corruption risks by improving efficiency and reducing opportunities for corruption in the delivery of government services by restricting where appropriate, the discretion of public officials. It can also enhance through automation, the measurement of productivity and accountability for service delivery.

c) In doing so, G20 countries should ensure that adequate measures are introduced to address the risk that these technologies can be used for illicit purposes and ensure that the use of ICT does not weaken the enforcement of other anti-corruption measures.

**Principle 2: Promote E-Procurement and Open Data Standards to enhance transparency and promote fair competition**

E-procurement and open data standards are a means of preventing corruption, enhancing transparency and promoting fair competition. Online platforms facilitate access to public tenders, reduce direct interaction between procurement officials and companies, increase outreach and competition, and allow for easier detection

of irregularities, such as bid rigging. The digitalisation of procurement processes strengthens internal anti-corruption controls and detection of integrity breaches, and it provides audit trails that may facilitate investigation activities. G20 countries should develop and promote, within available resources, the use of electronic tools for the provision of managing and publishing the public procurement processes, including planning, tendering, awarding, and post awarding. G20 countries are also encouraged to develop and implement open data standards (such as the Open Contracting Data Standard) across government, including in budget expenditure for public procurement. G20 countries should also consider as appropriate leveraging big data, and exploring new technologies, to better identify risks and red flags in procurement, expose corrupt practices, and enhance preventive measures.

**Principle 3: Use electronic payment systems to reduce opportunities for corruption and increase transparency and traceability**

In line with the G20 High-Level Principles on Organizing Against Corruption, G20 countries should consider expanding the use of electronic payment tools to reduce cash transactions in public administration. This can reduce opportunities for corruption and increase transparency and traceability. This should be done with due attention to adequate provision of data security and financial inclusion.

**Principle 4: Ensure an inclusive approach to the availability of innovative ICT systems in order to increase the effectiveness of anti-corruption measures**

When providing digital public services, G20 countries should ensure that digital applications and tools are easily accessible to the widest range of users (e.g. by considering ease of access, language options, digital literacy of users, etc.) and that privacy and security of personal data are protected. This may encourage greater use of services and therefore may increase effectiveness of the anti-corruption measures (e.g. by increasing use of online grievance redress mechanisms, digital government services etc.). G20 should welcome responsible innovation that could improve efficiency, enhance competition, and expand access, however, such innovation must not come at the expense of national security and other public policy objectives. As appropriate, G20 countries are encouraged to consider gender-specific issues in this inclusive approach.

## B. ICT in public engagement on anti-corruption

**Principle 5: Promote the adoption and implementation of open government standards**

a) G20 Countries are encouraged to publish and to give access to government information, unless there are clearly circumscribed exceptions, as provided by national legislation and in line with UNCAC article 13 1d, including through the creation of government information platforms.

b) Taking into account standards pertaining to security, privacy, confidentiality, and protection of personal data, G20 countries should promote secure online platforms to facilitate public consultation in order to encourage a wide range of participation and citizens' feedback on essential public services, public policies, and legislation.

c) G20 countries should explore the possibility of using ICT to encourage the effective, proactive engagement of civil society, academia, and the media, in order to increase public awareness of corruption risks, for instance, through existing or new online platforms, or exploring the possibility for upcoming consultation opportunities on social media.

## C. ICT in the detection, reporting and investigation of corruption

**Principle 6: Facilitate the exchange of information and networking to better prevent, detect, and respond to corruption risks**

a) G20 countries should, consistent with the fundamental principles of their domestic legal systems, explore the possibility of utilizing ICT systems which facilitate electronic sharing of relevant information (i.e. that which can assist in the prevention, detection, investigation and response to corruption risks) between public sector organizations with anticorruption responsibilities. The protection of privacy rights and other legal protections attaching to data should be ensured, including clear and strong rules on the limits for storing and exchanging data.

b) Recognising increasing digitisation in both the public and private sector, G20 countries are encouraged to explore how ICT can facilitate cooperation between national authorities and the private sector in line with article 39 of the UNCAC.

**Principle 7: Consider the use of new technologies to detect, prevent, and investigate, corruption**

G20 countries should, consistent with the fundamental principles of their domestic legal systems, consider utilizing new technology-based systems to identify possible instances of corruption. This may help public sector organizations to identify and manage corruption and money-laundering risks. When developing and using these tools, G20 countries should ensure full respect of individual rights, including in terms of privacy.

**Principle 8: Improve the monitoring of public finances**

G20 countries should consider, where appropriate, utilizing ICT, and innovative technologies, to monitor public finances and projects in order to better detect corruption risks and inefficiencies. This may contribute to more transparent, accountable and effective public financial management. This could include partnering with stakeholders outside of the public sector to develop innovative technologies and/or methods to monitor public finances.

**Principle 9: Encourage reporting on corruption**

G20 countries should establish ICT-based communication channels, measures and systems to facilitate public reporting of corruption offences in line with the G20 High-Level Principles for the Effective Protection of Whistleblowers and in accordance with articles 13 & 33 of the UNCAC. G20 countries should require that such public reporting is appropriately followed up by the competent authorities.

**Principle 10: Promote the use of ICT in international anti-corruption cooperation**

G20 countries should consider utilizing ICT to facilitate and improve the efficiency and effectiveness of international anti-corruption cooperation. For example, by utilizing online platforms for the communication and exchanges of information between anti-corruption law enforcement officials from different jurisdictions.

**Principle 11: Promote effective capacity-building**

G20 countries should make efforts to ensure that anti-corruption investigators, prosecutors and public officials with anti-corruption responsibilities are equipped with sufficient knowledge, appropriate digital skills, tools, guidelines, and broad-based education. This will allow them to operate in the rapidly changing world of technology to tackle corruption related risks more effectively.

## 붙임 3 국가적 반부패 전략 개발 및 이행 관련 고위급 원칙 합의안

**G20 High-Level Principles**
**for the Development and Implementation of National Anti-Corruption Strategies**

Final Draft as of 6th February

–

**Introduction**

The 2019-2021 Action Plan of the G20 Anti-Corruption Working Group provides that the Group will "Share experiences and best practices on developing and implementing national anti-corruption strategies and actions". Amongst the core principles underlying the United Nations Convention against Corruption (UNCAC) is the significance of a holistic, inclusive and transparent approach to anti-corruption policy development. States have taken many approaches to the successful implementation of UNCAC, including, among others, through the development of dedicated national anti-corruption strategies.

While many States have sought to address corruption, and promote the principles of integrity, transparency and accountability through the development of such strategies, a failure to adequately account for challenges during both the development and implementation stages often undermines the effectiveness of the activities undertaken. The Kingdom of Saudi Arabia set the development and implementation of national anti-corruption strategies as a priority issue for the 2020 G20 Presidency with the aim to share experiences on good practices in methodology and approach on these issues, and how the successful implementation of anti-corruption actions can foster sustainable development and the achievement of the 2030 Agenda. The Saudi G20 Presidency tabled an innovative program aiming for pragmatic outputs, working with international organizations in developing, among others, the following:

- *High-Level Principles for the Development and Implementation of National Anti-Corruption Strategies.*



These principles build on existing international instruments and good practices. The aim is to identify a set of key principles that governments can consider during the development and implementation of national anti-corruption strategies.

**Applicability and Scope**

Globally, there is a wide variety of examples and experiences in the drafting and implementation of national anti-corruption strategies. A single model does not exist for how to develop such strategies, nor are there any set norms for how extensive such strategies should be, the level of detail it must reflect, or which substantive elements should receive the highest priority. The successful development and implementation of national anti-corruption strategies requires the understanding that there is not a "one-size fits all approach" and that national strategies for anti-corruption must take into consideration the cultural, political and legal context, as well as the priorities and challenges unique to each individual country.

While a formal, written strategies are not required for compliance with article 5 of UNCAC, many countries may decide that drafting, publication and implementation of such dedicated national anti-corruption strategies could provide a comprehensive policy framework for planned actions to combat and prevent corruption. National strategies could also be a useful tool for mobilizing and coordinating the efforts and resources of the government and other stakeholders for policy development, implementation and monitoring.

National anti-corruption strategies will therefore necessarily vary according to the national context and should align with other existing policies or strategies (such as development, crime prevention, cross-border criminal justice cooperation etc.). In addition, there has been considerable diversity in the degree of effectiveness of different countries' approaches to developing and implementing effective anti-corruption strategies. This is exemplified in the UNODC publication National Anti-Corruption Strategies: A Practical Guide for Development and Implementation (2015) which has sought to share good practices and lessons learned and to develop practical guidance for States parties to the UNCAC who wish to develop national anti-corruption strategies.

In accordance with resolution 7/5 of the Conference of the States Parties to

the United Nations Convention against Corruption, its subsidiary body, the Open-ended Intergovernmental Working Group on the Prevention of Corruption examined the topic of lessons learned in the development, evaluation and impact of anti-corruption strategies under article 5 of the Convention in September 2019. The working group concluded the examination of the topic with encouraging States parties to continue to exchange good practices and lessons learned on the development and implementation of anti-corruption strategies. Moreover, the Conference of States Parties to the Convention in resolution 8/8 encouraged States parties to develop, revise and update, where appropriate and in accordance with the principles of their legal systems, national anti-corruption strategies and/or action plans, addressing, inter alia, the needs identified during their country reviews.

Although there are multiple approaches States can take once they decide to develop anti-corruption strategies, a common core set of identified guiding principles or good practices can help inform future efforts, in accordance with national principles of domestic laws and regulations. These principles are intended to provide guidance to States who have decided to develop dedicated national anti-corruption strategies. They are to enhance and complement and not to weaken or replace existing anti-corruption commitments.

## Principles

## A. Developing Anti-Corruption Strategies

**Principle 1: Ensure diagnostic analysis, appropriate governance, and political support. Measures to achieve these ends may include, inter alia:**



a) G20 countries are encouraged to ensure, at the design stage, that national anti-corruption strategies are based on a preliminary diagnostic of the strengths and gaps of the existing anti-corruption framework. This diagnostic could analyze, for instance: the existing legal and institutional framework; international commitments (for example, conventions, other G20 HLPs, standards, results of review mechanisms such as UNCAC and, where applicable, other mechanisms); national policies or strategies on related issues (for example, asset recovery, combatting organized crime, cross-border corruption, foreign bribery, money laundering); as well as resources and capacity available. The preliminary diagnostic would support the identification and prioritization of existing challenges in the country.

b) The design process is an important stage for the development of national anti-corruption strategies. In accordance with their national needs and priorities, G20 countries should assign clear responsibilities for the design process, as appropriate under domestic legal systems. Those responsible should be provided with the necessary highest level of political support to be effectively autonomous from undue influence during the design process.

c) Acknowledging the variety of approaches which countries may pursue, G20 countries are encouraged to ensure that if applicable, any appointed leader(s) or chair(s) for the body or bodies has the mandate to maintain the required political momentum for the design process to ensure that any set targets or timelines are met, while ensuring effective communication with other senior political leaders, heads of ministries and institutions.

**Principle 2: Take steps to ensure an inclusive design and development process. Measures to achieve these ends may include, inter alia:**

a) G20 countries should strive to ensure a broad range of voices have the opportunity to contribute to the design and development process, particularly from institutions and entities that will be responsible for some part of the implementation process. Such institutions and entities are not limited to the public sector or government bodies, but should also consist of individuals and groups outside the public sector, such as civil society and the private sector. Ensuring inclusiveness of the design process, for example through public consultations, will strengthen the quality and scope of the strategies under development. It will also impart a degree of ownership to these stakeholders in the strategies, which can support the effective and successful implementation process. As appropriate, G20 countries are encouraged to consider gender specific issues in the design and development of national anti-corruption strategies.

b) G20 countries should ensure that adequate measures are taken to foster cooperation by key implementation partners, institutions and entities at all levels. Such cooperation can be made more likely by including these implementation partners, where appropriate, in the design and development phase of the process, and also during the implementation stage.

**Principle 3: Undertake a corruption risk analysis and, if needed, strengthen systems for the collection and use of data.**

Based on the results of the preliminary diagnostic, countries can undertake a risk analysis of the different corruption threats and vulnerabilities faced. This may entail the identification of sectors or institutions at greater risk of corruption, as well as threats and vulnerabilities at the national and international levels, including those from related areas such as money laundering and economic crimes. Based on their

understanding of risks, countries can apply a tailored, risk-based approach to allocating resources and implementing measures to prevent or mitigate them. Taking into account the importance of data for such decision-making, and given the complexities and challenges of data collection, countries are encouraged to identify and address evidence gaps and put in place processes to strengthen the overall collection and use of anti-corruption related data.

**Principle 4: Adopt an approach that is tailored and ambitious but realistic in scope.**

G20 countries should make efforts to ensure that national anti-corruption strategies are ambitious yet realistic and comprehensively address identified key areas in a practical manner. Such identified objectives may be based on, but not limited to, the evaluation outcomes of UNCAC review cycles, and if applicable, other evaluation mechanisms. The existing political will, national resources, and capacity and training available to be employed in the design, development, and implementation process, should be taken into consideration when setting ambitions and, where possible, in the strategies, in order to manage political and public expectations for the successful implementation of the strategies.

**Principle 5: Articulate a clear vision, explaining why action against corruption is needed and how planned activities will contribute to the achievement of that vision.**

The final agreed strategies should be approved by the appropriate authority and made public, as appropriate. It is helpful to show why action against corruption is needed and how planned activities will contribute toward the achievement of that vision. This will support assessment of the effectiveness of the strategies' implementation. On publication, efforts to disseminate and build awareness of the strategies' aims may be undertaken.

## B. Ensuring Effective Implementation, Monitoring, Evaluation and Reporting

**Principle 6: Where appropriate, develop an action plan to address identified priorities of these anti-corruption strategies. Measures to achieve these ends may include, inter alia:**



a) G20 countries are encouraged to ensure, if relevant, that anti-corruption strategies are complemented by an action plan. This should be designed with the aim of producing concrete results and be grounded in the provisions of UNCAC and where appropriate, other relevant anti-corruption instruments.

b) In addition to reflecting the core objectives such as integrity, transparency, and accountability in public sector entities, any action plan should consider key factors which may include: relative prioritization of activities; the short, medium, or long term implementation timeframe for and ownership of identified activities; required phasing of activities; high-level resources requirements; and/or sector and context specific considerations. G20 countries are also encouraged to identify the needed instruments and tools to support implementation and where appropriate, ongoing reporting mechanisms.

**Principle 7: Dedicate sufficient resources to ensure successful implementation.**

G20 countries should ensure consideration is given to the allocation of resources that will be required for the achievement of identified outcomes in the strategies.

**Principle 8: Establish processes or mechanisms to monitor and evaluate implementation. Methods to achieve these ends may include, inter alia:**

a) G20 countries should consider identifying mechanisms to oversee the implementation process, which may, as appropriate, include mandating a body or bodies, in line with articles 6 and 36 of the UNCAC. The chosen mechanism is encouraged to cover the oversight and evaluation of implementation progress, coordination of stakeholders and identification of any required improvements or additional support.

b) G20 countries are encouraged to take steps to ensure transparency in the implementation process, including the implementation of reviewed existing strategies, which may not only provide encouragement when successes have been achieved, but may also be used to identify and resolve any challenges or barriers identified during the implementation phase.

c) G20 countries are encouraged to identify indicators that demonstrate progress against strategies and any associated implementation plans. Selected indicators, where possible, should be 'specific, measurable, achievable, relevant and timely', as recommended by the United Nations Development Programme (UNDP).Althoughitmaybedifficulttoshowtheattributionbetweenactivitiesinthestrategiesandtheachievementoftheoutcomes,clearindicatorsofimplementationprogress,whereapplicable,willaidthemonitoringbodyinreportingthestatusofimplementationandprovidebenchmarksofachievementovertime.

d) G 2 0 countriesareencouragedtoconsideradoptingandconductingregularoversightmonitoringandevaluationprocessesofanyidentifiedindicatorsrelatingtoimplementationprogress,inconsistencywiththerelevantprovisionsoftheG20High level Principles on Organizing Against Corruption.

**Principle 9: Ensure that implementation is effectively reported. Methods to achieve these ends may include, inter alia:**

a) G20 countries should make efforts to ensure that mechanisms or procedures are established to facilitate regular reporting on the progress of implementation to a wide range of stakeholders, potentially including political bodies or officials, and implementing partners. Reporting should be easily accessible to the general public where appropriate.

b) Reports may take various forms depending on the audience, including the use of an online platform. Taking this into account, G20 countries should consider whether reporting mechanisms or procedures include an aspect of public reporting to adequately inform the public of what is being done to prevent and counter corruption and to enhance overall public support in the fight against corruption.

United Nations Development Programme. (2009, P.58). *Handbook on Planning, Monitoring and Evaluating for Development Results*. New York, NY.

(2017, Principle.18) G20 High-Level Principles on Organizing Against Corruption.



**붙임 4** **민영화에서의 청렴도 제고 및 민관 협력 파트너십 관련 고위급 원칙 수정안**

**G20 High-Level Principles**
**for Promoting Integrity in Privatization and Public-Private Partnerships**
Fourth Draft as of 13 Feb 2020

## 1. Introduction

The rationale for state ownership and management of assets may change over time. In this regard, G20 countries may consider private sector engagement, either through privatization or through a public-private partnership (PPP), as an effective means of delivering the national policy objectives. For example, private sector engagement may improve the delivery of public services through additional investment, transferring and sharing risk, exchanging experience, technology and innovation, access to appropriate expertise, such as compliance, and use of more efficient delivery mechanisms. Therefore, countries may choose private sector engagement to deliver new or existing services in the form of privatizing state assets, and/or the transfer of activities to the private sector.

Despite the benefits privatization and PPPs may offer, both approaches pose inherent corruption risks, which must be considered and appropriately mitigated. Acknowledging the differences between privatization and PPPs, for example, in objectives and mechanisms, there are significant commonalities with regards to these corruption risks; hence, for the purpose of this document they are considered together. Both privatization and PPPs are highly complex in nature, involve large scale, long-term commitment of public funds, and engagement of a large number of stakeholders including public sector, private sector, and third-party advisors. As such, these engagements increase both opportunity and incentive for those wishing to direct the process for personal gain, either individually or collectively (i.e. increasing the corruption risk). Such risks could include, among other acts, improper or unclear rationale for the engagement, improper asset valuation, involvement of suspicious legal or natural persons, conflict of interest, and lack of transparency and accountability throughout the tendering process. While specific mechanisms to mitigate these corruption risks will vary depending on the exact nature of engagement (PPP, part-transfer of assets, privatization etc.) and the national frameworks and legal systems in place, a common set of High-Level

Principles can guide the engagement process.

The (2019-2021) Action Plan of the G20 Anti-Corruption Working Group (ACWG) recognizes the necessity to "address the risks of corruption in all identified high-risk sectors" and defines sharing of experiences and information on promoting integrity and transparency within privatization processes, as a priority issue for G20 countries. Based on this commitment, the Saudi Arabian G20 Presidency has tabled an innovative agenda aiming for pragmatic outputs, working with international organizations in developing among others, the following:

These High-Level Principles build on existing international standards, including the G20 Anti-Corruption Open Data Principles and G20 Principles for Promoting Integrity for Public Procurement, and the United Nations Convention against Corruption, in particular its articles 7(4), 9(1) and 9(2), 10, 12 and 13, as well as good practices. They are oriented towards identifying a set of key concrete actions that governments could consider undertaking when engaging the private sector in either privatization or PPP projects.

**2. Applicability, scope, and definitions:**

The present policy paper discusses the following activities: (1) privatization of state-owned assets; and (2) the transfer of activities to the private sector for delivery of new or existing public services. For the purpose of this paper, the word "privatization" generally refers to the sale of state-owned assets and rights either partially or entirely to private investors,while"Public-PrivatePartnership"referstothelongtermcontractualarrangementbetweenthegovernmentandaprivatepartnerwherebythelatterdeliversandfundspublicservicesusingacapitalasset,andsharestheassociatedrisks.However,eachcountryisencouragedtodefinetheterm"Privatization"aswellas"Public-PrivatePartnership"(PPP)andapplyitinlinewiththeirnationallawsandpublicsectorcontext.

**A- Establishing Frameworks to Promote Integrity in Privatization and PPPs**

**Principle 1: Define clear rationales and frameworks for privatization and PPPs to reduce opportunities for corruption**

*Privatization and PPP engagements can be subject to illicit interference, such as collusion and bribery. This interference could take place from the initial decision to engage, and/ or throughout subsequent decisions and can affect the assessment of related risks, expenses and timeframes. If decisions in the early stages of a privatization or PPP are subject to such interference the project may not reflect the national priorities (e.g. representing poor value for money, increasing project timelines or moving against the public or national interest). Clear objectives and appropriate tools and frameworks help to mitigate the risk of illicit interference and support effective, transparent decision making, reducing opportunities for corruption.*

a) G20 countries should take measures aimed at keeping decisions on privatization and PPPs and their implementation free from undue influence.

b)

c) G20 countries should identify the optimal form of private sector engagement (e.g. privatization,PPP)tobestmeettheobjectivesand support the integrity of the engagement.

d)

e) G20 countries should ensure that objectives of the sale or contractual arrangement are pre-identified, clear and measurable from the outset to support effective and transparent decision-making throughout the privatization or PPP process, and to allow ongoing evaluation. The specific needs should be demonstrated and plausible, and whenever possible backed by cost benefit analysis.

f)

g) G20 countries should ensure that existing or developed frameworks covering privatization and/or PPP processes are based on high standards of integrity. These should be coherent with any related frameworks (for example, but not limited to, public procurement or infrastructure investment) as well as national legal systems. Any gaps should be identified and addressed appropriately.

h)

**Principle 2: Ensure Transparency and public awareness to build accountability**

*Transparency and public consultation with concerned stakeholders regarding the costs and benefits of proposed projects can help to build accountability. This will also encourage citizens, (e.g. as "tax-payers" and/or "end-users") to provide input in early stages of privatisation and PPP projects. Being transparent to the public, moreover, can build public understanding and acceptance of sales or PPPs that can strengthen citizen's trust in the state's integrity, accountability, and trustworthiness when engaging with the private sector.*

a) G20 countries should ensure openness and transparency, and promote public awareness of the relevant frameworks, laws and processes. This could be achieved through clear and accessible online publication as appropriate. Transparent, fair, informed, and inclusive decision-making processes are the cornerstone of good governance.

b)

c) G20 countries should consider ensuring end-to-end transparency and public awareness, for specific privatization or PPP projects, including objectives, benefits in terms of financing and official support, risks and proposed mitigations, and economic implications, including for debt sustainability (e.g. any explicit or contingent liabilities including government expenditure to ensure the affordability of the public finance, or off-balance sheet debt). For example, countries should consider publication of project progress updates, and/or stakeholder consultation.

d)

**Principle 3: Ensure that the sector's regulatory and competition frameworks are sound to better prevent, detect, and respond to corruption risks.**

*The establishment of an appropriate regulatory framework for sectors is critical to reducing corruption risks that can otherwise arise in environments that are unregulated, heavily bureaucratic or subject to excessive discretionary power of officials. An appropriate regulatory framework covers all stages of the process, including ex-ante decision-making about private sector participation in state activities. An appropriate regulatory framework includes anti-trust or anti-corruption regulations to ensure a healthy degree of competition to avoid inappropriate purchases.*

G20 countries should ensure that appropriate regulations and frameworks for the relevant sector are in place prior to moving towards privatization and/or a PPP undertaking, such as appropriate anti-corruption and competition frameworks, and market regulations. This is particularly important where a sector is moving substantially away from public sector delivery. These regulations should be clear, transparent, and enforceable, as appropriate, to reduce corruption risks as a result of unregulated environments.

**Principle 4: Ensure clear governance and integrity to better address corruption risks**

*The multiplicity of participants involved in privatization and PPPs, each with their own vested interests, requires that related processes are well organized and backed by a strong institutional framework to help ensure clear governance with a high level of integrity. The absence of such measures for privatization and PPPs can provide a smokescreen for corruption, allowing for opaqueness in management and decision-making processes. This may reduce accountability, stakeholder engagement and prevent effective risk management.*

G20 countries should ensure that criminal and non-criminal legislative measures exist and are enforced to address corruption in frameworks applying to privatization and PPPs. These measures may include temporary or permanent debarment of actors engaged in corrupt or other illegal activities as defined in national legislation.

G20 countries should also ensure that, where applicable, policies and procedures are in place to eliminate, to the extent possible, or manage any potential conflict of interest on the part of those engaged in or having influence over a privatization or PPP.

G20 countries should ensure, where applicable, effective division of roles, responsibilities, and commitments among different supervisory, regulatory and enforcement authorities involved in privatization and PPPs to avoid risks that may create loopholes or opportunities for abuse (e.g. overlap, duplication, fragmentation and/or concealment).

G20 countries should promote integrity by ensuring, where applicable, that entities are separated, have clear lines of accountability, and have risk management functions



that mitigate corruption risks in privatization or PPPs, as provided in the G20 High-Level Principles on Organizing against Corruption or in other multilateral anti-corruption frameworks, instruments and knowledge products.

**B- Defining Processes for the Sale and Tendering to Safeguard Public Interest and Reduce Opportunities for Corruption**

**Principle 5: Use transparent methods to determine the modes of delivery, transaction and valuation of assets to help combat corruption**

*The methods used in determining modes of delivery, transactions and valuation of assets can have substantial impact on the project outcome (e.g. value for money) and can be prone to corrupt activities such as bribery, collusion or inappropriate discretion. Undertaking key measures and/or approaches to create transparency in the selection of these methods will combat such efforts to divert proceeds or power, and demonstrate credibility and legitimacy to stakeholders.*

G20 countries should consider which approaches most effectively meet the objectives identified at the outset in order to create transparency and accountability. In particular, clear justification should be provided where a noncompetitive transaction mode is used (as permissible by the legal framework). In the case of privatization, this may include mode of sale and valuation of the asset; for PPPs this should include evaluation of risk factors and, as appropriate, economic impact.

G20 countries should, when appropriate, have an impartial and independent expert opinion on valuation to facilitate legitimate pricing and an optimal outcome for the country and the protection of public interest. As appropriate, an economic assessment and/or feasibility study can be used to compare options and identify how to best meet project objectives (e.g. identifying the options which represent best value for money).

G20 countries should, where appropriate, have approval processes in place for decision making regarding the modes of delivery, transaction and valuation of assets to reduce opportunity for illicit interference. This could include, for example, multi-layered approval processes.

Principle 6: Ensure high standards of participants' integrity

*The execution of privatisation and PPPs occurs through a series of complex processes, which require a combination of data collection, analysis, technical activities, strategy formulation, and decision-making. These processes could be completed by using different participants (e.g.in-house resources and/or external advisors). Poor selection and management of participants, which fails to adequately manage integrity risks, can increase the risk of corrupt activities and biased decision*

*making (e.g. through compromised participants, conflict of interest etc.). As such, integrity risks associated with the involvement of participants (e.g. internal or external advisors) need to be managed.*

G20 countries should ensure participants involved in steering privatization and PPP transactions are selected based on competency, experience and adherence to high-standards of integrity apply, in accordance with fundamental principles of domestic law.

G20 countries should also establish appropriate measures aimed at preventing and managing any actual, potential, or perceived conflict of interest situations to safeguard the public interest and bring the intended impartiality to the process, as agreed in the G20 High-Level Principles for Preventing and Managing 'Conflict of Interest' in the Public Sector. G20 countries, where appropriate, and in accordance with fundamental principles of domestic law should promote the implementation of integrity mechanisms. They should also consider providing clear guidelines of what is expected in terms of integrity mechanisms. Within these measures, countries should ensure that conflict of interest provisions are in place for decisions made by government officials, state-owned enterprise employees, and private sector employees.

G20 countries should have appropriate risk management and due diligence processes in place for the engagement of external advisors, including taking measures aimed at ensuring that external advisors are free from undue influence.

**Principle 7: Implement mechanisms to promote accountability, transparency and competition in tendering and sale**

*The sale and tendering process of privatisation and PPPs like that of public procurement is vulnerable to corruption. Demonstrating accountability, transparency, and legitimacy in the sale or PPP process will serve to attract serious investors while deterring those with illicit intentions. This can offer potential investors comfort regarding the circumstances according to which the sale or tendering process will be implemented.*

In accordance with article 9 of the UNCAC and consistent with the G20 High Level Principles for Promoting Integrity in Public Procurement, G20countriesshouldapply procedures that ensure transparency and accountability in tendering and sale related to privatization and PPPs. This could include inter alia, fair and equitable treatment of prospective bidders during the tendering and sale process, aswell asguarantee for application of remedies and exclusion criteria for participants who are found guilty of fraud or corruption.

G20 countries can further enhance transparency efforts through effective implementation of international standards, including the Financial Action Task Force



standards regarding beneficial ownership.

**C- Assessing & Monitoring the Processes to Better Prevent, Detect, and Investigate Corruption**

**Principle 8: Establish mechanisms for monitoring and evaluating privatization and PPPs to promote transparency and accountability**

*Both privatisation and PPP projects include a large number of participants and a high volume of tasks. Establishing mechanisms, such as appropriate record keeping and auditing procedures, to assess the process during and after the transaction is made will help in safeguarding transparency and accountability, while preventing, detecting, and investigating corrupt activities.*

G20 countries should safeguard accountability and transparency during and after privatization and PPPs by ensuring that privatization and PPP projects are subject to a clear, comprehensive, independent, and efficient audit and evaluation process during and after the selection process, in accordance with fundamental principles of domestic legal systems, and based upon the objectives agreed at the outset.

G20 countries should further strengthen accountability and transparency by ensuring that the associated outcome of the monitoring and performance management systems may include auditing procedures or occasional or regular reporting to the national legislature or other elected or governing bodies.

G20 countries should ensure that mechanisms are in place for monitoring and evaluation systems aimed at preventing, detecting, and investigating corruption and related serious issues or concerns during and after the privatization or PPP processes.

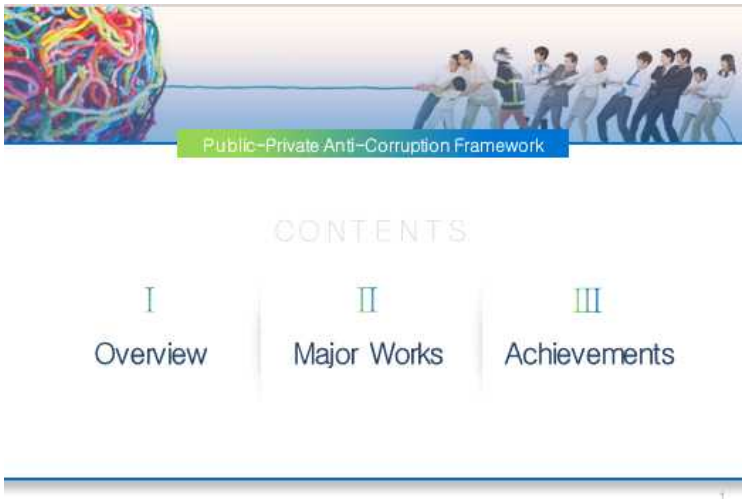
**Principle 9: Promote stakeholder scrutiny and enable access to information in order to enhance the effectiveness of anti-corruption measures**

*With reference to articles 10 and 13 of the United Nations Convention against Corruption (UNCAC), non-state stakeholders and the public can help prevent and uncover corrupt practices in privatization and PPPs. Easily discoverable, accessible, equal and simultaneous disclosure of information is key to facilitating inputs from concerned stakeholders.*

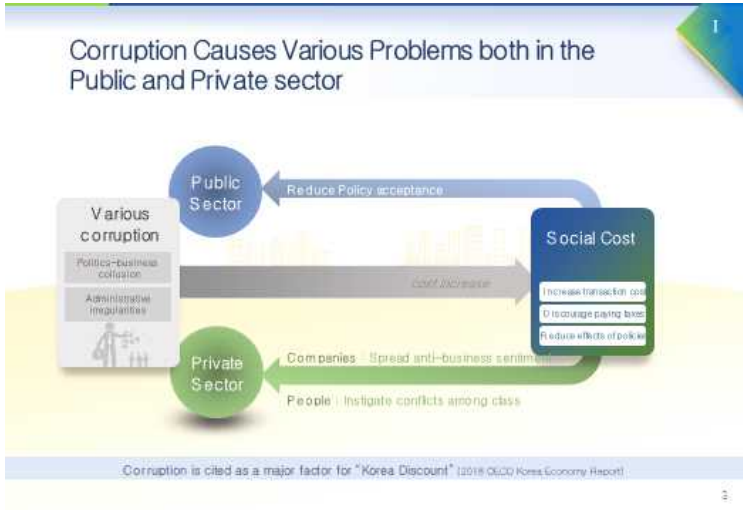
G20 countries should, where appropriate and in accordance with fundamental principles of their legal systems, promote opportunities for concerned stakeholders such as civil society, and private and public sector representatives to track the development of privatization and PPPs,and report any suspected corrupt conduct to the competent authorities.

**붙임 5** **발표 자료**

국민권익위원회
Clean Korea by the People
Public-Private
Anti-Corruption Framework
Citizen Participation
Public-Private Partnership
Integrity Culture


Public-Private Anti-Corruption Framework
CONTENTS
I Overview
II Major Works
III Achievements

Ⅰ.
Public-Private Anti-Corruption Framework
Overview


Corruption Causes Various Problems both in the Public and Private sector
Public Sector
Reduce Policy acceptance
Various corruption
Social Cost
Private Sector
Companies : Spread anti-business sentiment
People : Instigate conflicts among class
Corruption is cited as a major factor for "Korea Discount" (2016 OECD Korea Economy Report)

## Anti-Corruption Reform with Citizens

## II .

Public-Private Anti-Corruption Framework

# Major works

1 Establishment and monitoring of citizen-participatory anti-corruption policies

2 Anti-corruption council participated by all society members

3 Supporting nation-wide Integrity movement in private sector

## Citizen-Participatory Anti-Corruption Framework

2017
- 4.25 / 7.4: NGOs demanded the launch of public-private anti-corruption council
- 7.19: The government included public private anti-corruption framework in the Five Year national strategy and 100 policy tasks

2018
- 1.3: Legislation for the Public-Private Council for Transparent Society was implemented (Prime Minister's decree)
- 3.6: 1st edition of Public-Private Council for Transparent Society was held.

Citizen Participation

## 1 On/Off line Channel for Communication with Citizens

Offline

Integrity Policy Citizen Monitoring Group

from 2018

Searching 'daily-life irregularities'

Monitoring Anti-corruption policies

Online

People's Idea Box', citizen participation portal

Anti-Corruption/Integrity was added to the discussed topics on June 2018

## 2 Citizen Monitoring on Anti-Corruption Policies

### Monitoring on the Five-year Comprehensive Anti-Corruption Plan

Major reflected cases

- Improving the appointment of outside auditors in public-interest legal bodies
- Launching "An Integrity Administration/Management Movement for an Organization"
- Improving ordinances and internal rules on the Improper Solicitation and Graft Act
- Enhancing discretionary rules in special recruitment of state-owned enterprises

서울신문

"Corruption warning messages and pictures should be placed on Clean Card", Citizen Monitoring Group suggested

## 1 Public-Private Council for Transparent Society (central level)

Five-year Comprehensive Anti-Corruption Plan was completed through joint efforts by the Government and Public-Private Council for Transparent Society Announced in April, 2018

8 policy proposals were announced including 'Removal of special privileges to retired judges', 'Strengthening whistleblowers protection' 2018-2019

Open forum

- Conflict of Interest for Public Officials (Mar, 2019)
- Internal Audit and Realizing Social Values (Jun, 2019)
- Strengthening Whistleblower Protection (Jul, 2019)

아시아투데이

"Citizens themselves join the development of Five year Anti-Corruption Plan"

## 3 Citizen Suggestions against 'Daily-life Irregularities'

### Suggesting policy improvement through discussions and surveys

Major suggestions

- Fair selecting state scholarship recipients
- Transparent private school employment
- Blind recruitment
- Disclosure profile of people on the top

머니투데이

"Taxation / criminal records should be included in the profile of people on the top"

## 2 Public-Private Council for Transparent Society (local level)

Local Public-Private Council for Transparent Society by 17 provinces and cities

Forum by regions

+

Seminar and Onsite visit consulting

ACRC Chair-local Council Meeting

Distribute standard ordinances

NEWSIS

Opening ceremony of Chungbuk Public-Private Council for Transparent Society

Integrity Culture
II
1 Integrity Society Pact
Transparent Society Pact by regions
17 local government Councils
New driving forces for nation-wide integrity movement
Voluntary participation
Integrity pledges
Signing of South Georia Province Integrity Society Pact
Transparent Society Pact by industries
• SMEs
• State-owned enterprises
• National Defense sector
• Defense industry
• Accounting sector
Integrity Society Pact(30 Sept. 2019)
National Defense Integrity Society Pact
(22 Mar2019)
12

Integrity Culture
II
2 Support Nation-wide Campaign for Transparent Society
Discovering and supporting anti-corruption/integrity programs in the private sector
About 10 programs per year
Anti-Corruption Prev. Trial "SIA"
Integrity culture festival in local areas
About 10 regions
Suncheon city
North Chungchung province
Jeju city
Busan city
North Jeoria Province
Gwangju city, South Jeoria province
13

Integrity Culture
II
3 Ethical Management Training for Businesses
Onsite business ethics management training
20 times per year
Pungsan(25 Sept 2019)
Yesco(20 Jun. 2019)
Posco ICT(20 Mar. 2018)
S-Oil partner companies(20 Jun. 2018)
Train-the-Trainer course
Ethical management e-learning center
14

III.
Public-Private Anti-Corruption Framework
Achievements
15

III

## Leading Anti-Corruption Reform and Attracting Public Interest

✓ Leading a paradigm shift

Government

Government → Public-Private Council for Transparent Society ← Citizens

Opinions from citizens and experts → Private Entities

✓ Enhancing public interest

The Council was covered by the media 1,630 times a month(2018~2019)

2nd Edition of Anti-Corruption Policy Council by Public-Private Council for Transparent Society - Government

III

## The Council's Proposals Reflected in Government Policies

**Designating outside auditors in public-interest businesses**

*Nov. 2018 → 2019

An outside auditor should be designated for public-interest entities of certain size

**Improving system of government special activity expenses**

*Nov. 2011 → 2018

Special activity expenses were abolished in the organizations

**Removal of special privileges to retired judges**

*Nov. 2018 → Nov. 2019

Discussion was made at the President-chaired Anti-Corruption Policy Council

**Strengthening whistleblowers protection**

*Oct. 2019 → Nov. 2019

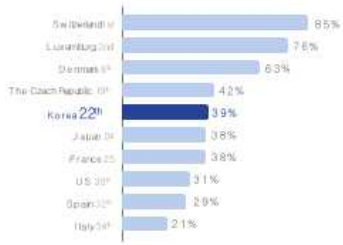
Amendment to Public Interest Whistleblower Protection Act was pre-announcement



III

## Public Trust in Government Enhanced

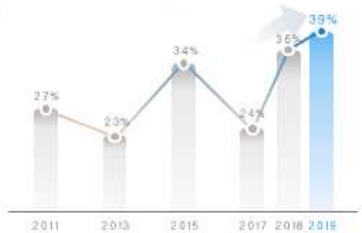
✓ Korea's 2019 ranking among the OECD countries surveyed in 'public trust in government' jumped by 10 notches from 2017's ranking




※ Source : OECD, World Gallup Poll

✓ According to OECD Survey,

Increase in government trust recorded the highest since the survey was started in 2007




※ Government Trust : rate of respondents who said "I trust the government"

18

III

## Positive Comments in and outside of Korea

✓ Korea is selected as a host country of

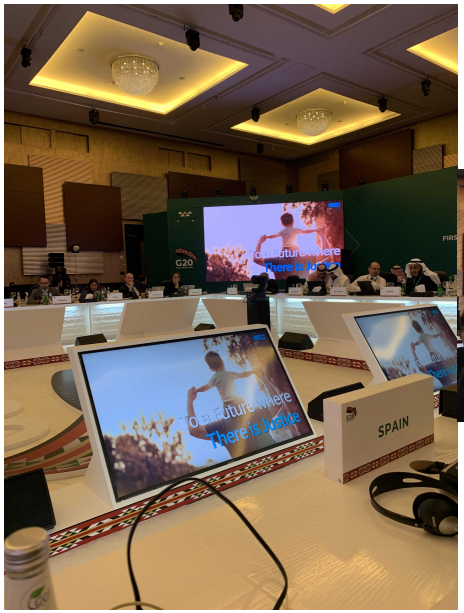
"International Anti-Corruption Conference (IACC) 2020

✓ UN Convention Against Corruption

Public-Private Anti-Corruption Framework of Korea was introduced as best case of corruption-prevention tool

Country report of 2nd cycle Implementation of UNCAC 2016~2020

✓ Public-Private Council for Transparent Society and Transparent Society Pact were cited as major achievement by NGOs

19

## 붙임 6 회의 사진