

ANTI-CORRUPTION EFFORTS IN THE LAO PDR: THE LEGISLATIVE AND PRACTICAL MEASURES FOR INTERNATIONAL COOPERATION

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The Lao government maintains an open policy on international cooperation. Specifically, anti-corruption measures have been embedded in the nation's governance policies and strategies. These include practical and legislative measures. The goal is to strengthen mutual cooperation and assistance in this field to the degree that sovereign countries and international organizations can share relevant information and exchange experience in the most effective manner to limit and prevent corruption in the world.

In 1999, the Lao government saw a huge increase of corruption in society, especially in the public sector. Hence, an anti-corruption decree was issued. State budgetary auditing and inspection were expanded, more so in the government employee salary calculation and distribution. In 2001, the State Inspection and Anti-Corruption Authority was established. The agency answers directly to the nation's prime minister.

In 2003, the Lao PDR began to receive support and assistance from the United Nations Convention against Corruption (UNCAC). Since then, the anti-corruption decree had been developed into a law, which was officially enacted in May of 2005. Currently, the government is vigorously promoting the use of this law's manual, hoping to create public awareness and understanding of the law. The State Inspection and Anti-Corruption Authority, as well as provincial inspection bodies, is actively and responsibly enforcing the anti-corruption law.

The government emphasizes the importance of public employee interaction on an ethical basis. The Decree on Public Employees has been developed into a law with the aim to effectively govern public employees by law, guiding them to stay honest and transparent. The law prohibits activities deemed as conflicts of interests and/or abuse of power by some government individuals for personal gain, or to favour their loved ones. It also contains provisions to safeguard state administrative bodies and officials overseeing public employee ethical principle enforcement.

The Lao government views corruption as a parasite that continues to bore holes in society, harmfully damaging and delaying our communal development progress, while creating wealth for some powerful opportunists and their minions. Understanding this situation, the government came up with measures to limit and prevent corruption in the country. The body directly in charge is the

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State Inspection and Anti-Corruption Authority. Despite all the efforts, however, we still lack experienced human resources, modern technical devices, and budget.

Starting from 2009, the Lao government opened itself to cooperation with countries within the region and afar. We became a member of SEA-PAC and joined the United Nations Review Programme. In 2011, the Lao PDR and Montenegro were assigned to conduct a review in the Republic of Croatia. In 2012, Laos was reviewed by Mongolia and Luxembourg. During the review process, we emphasized the need for technical assistance.

I would like to take this opportunity to inform you that the Lao PDR signed UNCAC in October 2003. The Convention entered into force in December 2005. The Lao PDR ratified the Convention in September 2009 following approval by our National Assembly. Since then, concerned government agencies have been performing their duties in the Implementation Review, namely taking prevention measures, criminalizing offences and enforcing the law, repossessing criminal properties, and cooperating with international organizations and other nations by exchanging information and sharing experiences.

I would like to present some activities we define as criminal and actions we take to enforce the law:

1. Government officials taking bribes;
2. The act of bribing foreign officials and officials of international organizations;
3. The use of government position and power to intervene in something;
4. Bribery within the private sector;
5. The act of laundering money derived from criminal actions;
6. The seizure, retention, and/or confiscation of goods/properties;
7. Obstruction of justice; and
8. Witness protection.

Anti-corruption is a complicated job. The road to its success is filled with obstacles. Opportunists, power-abusers as well as business people seeking favouritism all despise anti-corruption agencies and officials. They will try every possible way to buy themselves out of trouble. This resistance poses challenges to concerned officials in their implementation duties. It is critical that the inspectors stay true to their professional values. If a crime has been committed, it must be found; and the criminal(s) must be brought to justice. One more important step – the inspection process – must be transparent. The public must be informed via media. Only by following these steps will anti-corruption officials gain trust, support and cooperation from the public.

Having said that, in the Lao PDR we still lack many components required to succeed in anti-corruption efforts. Currently we still need qualified human resources, modern technology and equipment. This is why we work closely with international organizations and countries who have been for years garnering experience and knowledge in these matters. We learn not only from these countries' practices, but also from their effective legislative tools.

We recognize that corruption cases are unique, depending on business practices, cultures and environments of each country and region. While learning from others' experiences, we have to adjust the lessons to our own conditions and environments.

Corruption never stands still. Criminals continuously improve and develop their tactics so they do not get caught. Therefore, we too have to keep improving ourselves, so we can catch them in the act. Corruption must be stopped and prevented!

I note more about the monitoring of administration and the prevention and combating of corruption of Laos. General and specific inspection is conducted and monitored by the government in ways such as routine inspection, inspection order and check request – the request of organizations and citizens. The government also conducts key monitoring practices of the roles, rights and responsibilities of organizations, monitors implementation of laws and implementation of the budget, to build oil union infrastructure, management and use of resources such as land, mining and wood businesses, and surveying mineral resources.

For prevention and anti-corruption, government is one job which shows that we have to improve legislation on this task in accordance with the actual situation. We have to disseminate information to employees, government, military, police and other people to allow them to understand this legislation broadly. Together we run this property and income levels of workers can actually find the law and practice in administrative proceedings and to a statement filed to the court condemned.

Abuses of power and abuses of position have negative impacts on society. The problem is caused by a mechanical system, regulating and managing the mechanical system, the administrative oversight is not strong, functional coordination is also good, lack modern work also overlaps and discursive quality of some officials is still high. Government the economy social law is not strict also use and abuse the law, sole inequality occurred delayed. The action role, rights and responsibilities at the central and local levels are also good, some also use excessive power and corruption such as building infrastructure, the project used enormous investment, but the law quality promoting products that the state is less, some also have a project plan the revenue target mostly still thrives on exploitation of natural resources such as wood, fossil fuels, silver, and gold.

Also, budget regulations are not strict, taxes and other duties are collected incorrectly due to a lack of transparency in the sector. Commercial sales are planned to circumvent the rules. Real estate transactions are also structured to benefit the employees related to people through bribery, stealth custom-taxes, counterfeit standard construction techniques, design, click charges, bidding, procurement-employment, exploitation, and so on. Thus, inspection by the Lao government has resulted in a summary report to the government identifying many inconsistencies.

Lessons learned from foreign experience have been very helpful, so the government has sent officials to attend meetings and seminars on preventing and combating corruption in order to train staff and learn from invited experts from international organizations like the UNODC to discuss investigation and take lessons from abroad that are applied in developed nations. In 2020 Laos plans to develop a stratagem to make the country enhance development with the hope that corruption will decline and disappear from the country.

I have presented anti-corruption efforts in the Lao PDR to you. Please forgive me, if you find the presentation not adequately informative. Our country's experience in this field of work is rather green. Our main goal at this meeting is to learn from other's experience. Thank you for giving me the opportunity to speak in front of you today.