

Responding to COVID-19: Ensuring Transparency and Accountability

UNCAC Coalition Statement to the first resumed 11th Session of the UNCAC Implementation Review Group

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The effective implementation of the UN Convention against Corruption (UNCAC) is now more important than ever.

The UNCAC Coalition calls on States Parties to ensure a high level of transparency in their response to the ongoing health and economic crisis caused by the COVID-19 pandemic in order to make their responses more efficient by reducing losses due to corruption, fraud and waste.

In a time where civil liberties are curtailed, and systems of checks and balances are weakened, it is more crucial than ever to ensure that key transparency and anti-corruption principles of the UN Convention against Corruption are effectively implemented both on a national and international level. Moreover, as many States Parties are mobilising extremely large sums of emergency funding to respond to the crisis, the public, civil society and the media must be able to monitor and evaluate how public resources are used.

Under the UNCAC, 187 States Parties around the world have committed to establishing procurement systems that are based on transparency, competition and objective award criteria. In their response to the COVID-19 pandemic, **States Parties should ensure the proactive publication of information regarding public procurement processes and public access to all relevant documentation, including bid evaluations, awarded contracts, their implementation and the closure of projects.** Crucially, this should apply to contracts awarded under emergency procedures, which should only be made use of as a last resort. Furthermore, the public needs to have access to information, to registration data of companies, their filings, as well as their direct and beneficial owners in order to monitor who benefits from public contracts.

It is also crucial that States Parties ensure transparency and accountability in the management of public finances, as they have committed to doing under the UNCAC: **States Parties should ensure full transparency and adequate oversight over the resources allocated to responding to the COVID-19 crisis.** In particular, the names and identities of companies and entities that receive emergency assistance or funding, whether in the form of grants, low-interest loans, guarantees or other financial support, should be publicly disclosed, as well as details of the support provided and any conditions linked to this aid.

Civil society organisations play an essential role in monitoring the use of public resources and in holding decision-makers accountable. States Parties have committed to promoting the active participation of civil society in the prevention of and the fight against corruption under Article 13 of the UNCAC. **It is thus essential that States Parties ensure adequate space for civil society organisations and the media to operate – even in times when civil liberties are temporarily curtailed to protect public health.**

In response to the COVID-19 pandemic, a number of States Parties have also taken measures to limit transparency and public access to information. Effective access to information is pivotal not only for preventing and detecting corruption and ensuring accountability, but also for promoting public trust and tackling misinformation. **During the coronavirus pandemic, access to information is more important than ever, as the public needs to know exactly what their governments are doing to respond to the crisis** so they can be held to account for their decisions. Above all, governments must not use the pandemic as an opportunity to cover up incompetence, corruption or wider human rights abuses.

Whistleblowers often play a critical role in uncovering cases of corruption, nepotism, fraud, waste and other problems of concern to the public. During the crisis, many have come forward revealing problems with the emergency responses, which has led to improvements. But many have been sanctioned or threatened for doing so. **It is thus critical that States Parties adopt and implement legal frameworks that ensure the full protection of whistleblowers who report wrongdoing, in both the public and private sector.**

The extraordinary circumstances caused by COVID-19 are also impacting how civil society organisations can participate in and contribute to anti-corruption efforts on the international level, including in the preparations of the first-ever UN General Assembly Special Session against Corruption. It is important to ensure that the crisis does not result in new restrictions on civic space. This can be avoided by ensuring that warning is given well in advance so organisations can register and prepare for meetings and that the necessary technical and personnel resources are allocated to allow for a wide, meaningful and effective participation of civil society.

The UNCAC Coalition also calls on all donors supporting States Parties in addressing the health and socio-economic crisis caused by COVID-19 – multinational organisations, States Parties, foundations as well as other private donors – to ensure the highest levels of transparency when providing assistance.

Donors should publicly disclose details on the financial and non-financial aid delivered, any conditions linked to this support, the names and other identifiers of companies that are awarded contracts, as well as their beneficial owners. Transparency is essential to enable civil society organisations and the public to monitor the delivery and use of aid in all its forms. Furthermore, donors should include anti-corruption measures in the emergency funding they provide to help ensure that funds are not inappropriately channelled, stolen or wasted, but effectively reach those most in need.

In times of crisis, more than ever, it is of utmost importance for transparency and participation to prevail. Using the crisis as an excuse for limiting civic space and oversight is unacceptable. The UNCAC Coalition and civil society organisations around the world urge

their local and national governments to uphold the international human rights and anti-corruption standards they have committed to and increase their efforts to fight corruption.

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