PNG IICAC

Anti-Corruption & Integrity Strategy

2023 - 2025

Interim Independent Commission Against Corruption, Port Moresby,
National Capital District

Publication date: December 2022

ACRONYMS

ACA   Anti-Corruption Agencies

CSO   Civil Society Organisation

CPI   Corruption Perception Index

NACPA   National Anti-Corruption Plan of Action

NACS   National Anti-Corruption Strategy

OLICAC   Organic Law on the Independent Commission Against Corruption

IICAC   Interim Independent Commission Against Corruption

ICAC   Independent Commission Against Corruption

TABLE OF CONTENTS

INTERIM CHAIRMAN'S STATEMENT

Mr. Thomas Eluh
MBE, DPS, QPM

My fellow Papua New Guineans and Partners, I humbly present to you the Interim ICAC Anti-Corruption and Integrity Strategy 2023 – 2025. The development of this document is indeed a milestone achievement for the Interim ICAC office.

As we know there is no one word to better define what corruption is, but we all know and can describe the effects it has and is having on our society; we have lived and continue to live with the pain and experience of corruption, some of which are extremely bad. The effects paints a gloomy picture of our future if the corruption rate is uncapped and left at liberty to thrive in organizations.

Looking at the extremities of corruption and how it can paralyze an organization, even an anti-corruption agency such as ICAC is at risk. In this regard, the Interim ICAC Office has embarked on establishing and implementing an anti-corruption and integrity framework and mechanisms to ensure a solid foundation for ICAC for the effective implementation of its mandate.

The primary goal for PNG ICAC is to become a leading anti-corruption agency in combating systemic corruption and ensuring a secure, safe, and just society for all Papua New Guineans.

The ICAC aims to achieve this through four (4) Key Action Areas of the PNG Interim ICAC Anti-Corruption and Integrity Strategy 2023 - 2025. These four key action areas focus on: (1) Promoting and practicing transparent ethical leadership and practices; (2) Ensuring a culture of high-performance standards to foster an anti-corruption culture; (3) Establishing comprehensive and workable anti-corruption systems and processes; and (4) Promoting and strengthening ethical utilization of technology to ensure confidentiality and information protection, thereby promoting trust and confidence among partners, stakeholders, and the public.

This strategy is not intended for the Interim ICAC alone. Rather it is a vehicle on which partner agencies can jump on through meaningful partnership arrangements with the Interim ICAC to creatively and wholistically make an impact in combating and reducing corrupt conduct.

I conclude by acknowledging the initiative taken by the TIPNG through the PAIS Project and the collective efforts of the Interim ICAC staff which have resulted in the development of this strategic document. I encourage you to take ownership of this strategy and implore that the same commitment is expanded in its implementation.

Thank you and God Bless.

Mr. Thomas Eluh MBE, DPS, QPM
Interim Chairman
Interim Independent Commission Against Corruption

KEY TERMS & DEFINITIONS

"Confidentiality Provisions" means a provision of a law that-
    a. prohibits a person from communicating, divulging, or publishing information; or
    b. protects the confidentiality of information.

"Corrupt Conduct" means;
1. The conduct of a public official is corrupt if –
    a. the conduct constitutes or involves, or is engaged in for the purpose of;
        i. dishonestly exercising official functions; or
        ii. abusing official functions
        iii. exercising official functions that is not impartial; or
        iv. misusing information or materials acquired in the course of official functions; or
        v. obstructing, interfering with, or preventing the administration or the course of justice; and
    b. the conduct could amount to a disciplinary offense or a criminal offense.

2. The conduct of a person (whether or not a public official) is corrupt conduct if –
    a. the conduct affects or influences, or could affect or influence, any of the conduct mentioned in Subsection (1) by a public official; and
    b. b. the conduct could amount to a disciplinary offense or a criminal offense.

3. The conduct of any person (whether or not a public official) is corrupt conduct if the conduct –
    a. allows, encourages, causes, aids, abets, incites, induces, counsels or procures, or assists to conceal corrupt conduct; or
    b. is an attempt, preparation, or conspiracy to commit corrupt conduct; or
    c. is directly or indirectly connected with or is a part of a course involving corrupt conduct.

4. The conduct may be corrupt conduct regardless of whether the conduct or part of the conduct occurred before the commencement of this Organic Law.

"Disciplinary Offence" means any act or omission which forms the grounds for –
    a. disciplinary actions against; or
    b. terminating the service of; or
    c. removal from office of, a public official under any law, including a breach of the Leadership Code.

"Integrity Agency" means –
    a. the Ombudsman Commission;
    b. the Office of the Auditor-General;
    c. the Public Service Commission; or
    d. the Judicial and Legal Services Commission.

"International Agency" means an agency or body outside of Papua New Guinea that has similar functions to the Commission, an integrity agency, a law enforcement agency, or a regulatory agency.

"Serious (Indictable) Corrupt Conduct" means corrupt conduct engaged in by a person that constitutes-
    a. a criminal offense punishable, on conviction, by a term of imprisonment for 12 months or more; or
    b. a disciplinary offense punishable by the termination of the person's services, or the removal or dismissal from office of the person.

"Service" means the Independent Commission Against Corruption Staff Service established by Section 115.

"Service Guidelines" means the guidelines made by the Commission under Section 126.

"Systemic Corrupt Conduct" means instances of corrupt conduct (which may or may not constitute a series of corrupt conduct) that reveal a pattern of corrupt conduct in one or more public bodies or by one or more public officials.

MANDATE & ENABLING ACTS

Mandate

The Interim ICAC Office is to fully establish an ICAC proper pursuant to the National Executive Decision No. 187/2018. With support from relevant state agencies, its organizational and management structures including its supporting guidelines are to be adequately developed and aligned for operations as PNG ICAC.

Once fully established it will implement its role as mandated by Division VIII.3, Section 177 of the Constitution. The purposes of the Commission are to contribute and cooperate with other agencies to prevent, reduce and combat corrupt conduct.

Enabling Legislations

This anti-corruption strategy is empowered by other Acts and regulations that grant power and meaning to the functions of the Organic Law on the Independent Commission Against Corruption (OLICAC).

BACKGROUND

Combating corruption is a worldwide movement. However, despite efforts by countries against corruption, the threats remain high[1]. This is illustrated in PNG where despite passing OLICAC in 2020, the country dropped 5 places in rank in the 2020 Corruption Perception Index (CPI).

Corruption occurs at all levels of government and public sector organizations[2]. Lack of good governance is considered one of the root causes of corrupt practices within our societies, leading to the collapse of public systems, disintegration, and malfunctioning, of essential mechanisms[3]. Hence, resources are cut off consequently suppressing the rights of citizens for better service delivery leading to inequality and instability.

Papua New Guinea has been battling corruption via a 'silopiecemeal' approach until the drafting and implementation of the National Anti-Corruption Strategy (NACS). The NACS is aligned with Vision 2050 and centralizes all anti-corruption resources in a coordinated approach[4].

However, even with the introduction of the NACS giving a boost in the anti-corruption and integrity efforts, the Interim ICAC Office (IICAC) still faces challenges. Due to the agency being in its formative stage, there have not been any anti-corruption efforts initiated externally. This is particularly so, in the areas of investigation and prosecution[5].

Challenges of establishing IICAC include drafting instructions for the regulations write-up, development of a code of ethics, an administration and operations manual and the drafting of an appointments procedural manual to facilitate the Commissioners' appointment. Moreover, minimal efforts have been extended to IICAC's awareness work detailing anti-corruption and integrity. The awareness drive focuses more on educating the public on the diverse functions of the OLICAC and how these functions can work harmoniously with other state agencies. This activity has been further hampered by the disruptions caused by COVID-19[6].

The ICAC Office, being in its early stages, is susceptible to corruption. This being the case, developing an anti-corruption and integrity strategic document is a significant step in paving the way forward for this newly established anti-corruption Office.

This document also helps pave the way for the country to initiate the fight against corruption from an institutional perspective. Further, NACS calls for the development of internal anti-corruption plans by state agencies to further reinforce the anti-corruption agenda.

Therefore, in partnership with the TIPNG Chapter, the Interim ICAC Office aspires to take the initiative amongst other state agencies through this Internal Anti-Corruption Strategy to develop internal systems, processes, and programs and to ensure these controls and actions are used appropriately to prevent and curb corrupt practices internally. Establishing effective anti-corruption mechanisms and controls internally is crucial and can go a long way in protecting public funds and providing access to basic services[7].

The successful implementation of this document will result in the accomplishment of several key objectives. These objectives include building and practicing transparent ethical leadership within ICAC, and promoting it to other public sector agencies. Ethical leadership resonates well with good governance and anti-corruption efforts are indicators of such practices.

Moreover, the strategy calls for high-performance standards to be developed and to build an anti-corruption culture within the Interim ICAC Office. The Interim ICAC Office also anticipates promoting these initiatives across partner state agencies to be shaped and adapted into their organizational culture.

The Interim ICAC recognizes that technology is an enabler in the fight against corruption, hence this strategic document will promote and strengthen the ethical utilization of technology by means of information security through the drafting and implementation of Acceptable Use of Technology (AUT) Guidelines.

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1   Global Corruption and International Efforts in the Fight against Corruption.
2   National Integrity Systems 2003, page 6
3   United Nations Economic and Social Commission for Asia Pacific "What is Good Governance?"
4   Papua New Guinea NACS 2010-2030, page 1.
5   https://postcourier.com.pg/icac-not-ready/
6   ibid
7   https://www.un.org/en/164185ending corruption is key in increasing prosperity

VISION, MISSION, CORE VALUES

VISION

The PNG ICAC aspires to become a leading anti-corruption agency in combating systemic corrupt conduct and ensuring a secure, safe, and just society for all Papua New Guineans.

MISSION

To promote high standards of transparent and accountable service delivery through partnership, prevention, education, and investigation for a secure, safe, and just society for all Papua New Guineans.

CORE VALUES

01 Integrity
We desire to conduct our business with good moral principles that uphold the spirit of anti-corruption among our partners and stakeholders.

02 Honesty
We owe it to our people to be objective, sincere and truthful in all our dealings with our stakeholders, partners, and the people of PNG.

03 Impartiality
Having the courage to make unbiased (including unconscious bias) decisions that promote fairness and equality for all citizens, regardless of race, gender, ethnicity, and religion.

04 Accountability
We strive to hold ourselves answerable for our conduct so that our actions are challenged to restore and maintain public trust and confidence in the public service.

04 Transparency
We strive to work with our partners and stakeholders in a manner so that there is no room for corrupt conduct.

OBJECTIVE 1

PROMOTING AND PRACTICING TRANSPARENT ETHICAL LEADERSHIP AND PRACTICES

OUTCOME

Providing and practicing ethical leadership at all management levels in ICAC and promoting it externally to other government agencies and the public. This builds trust in ICAC as a leading agency in anti-corruption practices.

INITIATIVE

1. Establish an ethical leadership capacity-building committee with relevant stakeholders.

2. Develop and endorse an ICAC Appointments and Removal Process by NEC.

3. Develop Ethical Leadership Training Modules.

INDICATORS

- Number of consultations and meetings with relevant partners and stakeholders.
- Internal Committee is established.
- Draft and develop ICAC Leadership Training Modules
- Draft and develop Appointments and Removal Procedure

OBJECTIVE 2

ENSURING A CULTURE OF HIGH-PERFORMANCE STANDARDS TO FOSTER ANTI-CORRUPTION CULTURE

OUTCOME

Anti-corruption and integrity are at the core of the ICAC culture and operations and embedded within the agency through guidelines and practices.

INITIATIVE

1. Development of an ICAC Code of Conduct.

2. Development of a Standard Staff Induction program with focus on anti-corruption.

INDICATORS

- Number of research, consultations, and meetings held for the development of the CoC and Staff Induction Program.
- A draft Code of Conduct and a Staff Induction program developed.

OBJECTIVE 3

ESTABLISHING COMPREHENSIVE AND WORKABLE ANTI-CORRUPTION SYSTEMS AND PROCESSES

OUTCOME 1   Alignment with relevant legislations to help ICAC be a key agency in national and sub-national networks to improve systems and process for anti-corruption and integrity.

INITIATIVE   1. Conduct one-on-one consultations and workshops with relevant implementing agencies.

      2. Attend workshops on key legislations with other ant-corruption agencies.

INDICATORS
- No. of one on one consultations and workshops held with relevant implementing agencies.
- No. of anti-corruption workshops attended at the National Level.
- No. of anti-corruption workshops attended at the Subnational Level.

OUTCOME 2   Clear internal policies and processes that promote and implement anti-corruption and integrity.

INITIATIVE   1. Identifying and prioritizing immediate operational policies and procedures.

      2. Development of a Standard Operating Manual

INDICATORS
- Development of Draft Financial Management Guide and Procurement Guide within 1st quarter, Asset Management Guide within 2nd and Media & Communications and Telephone & Mobile user and Social Media Policies in 3rd quarter of 2023.
- No. of workshops held separately to expose each divisional staff of ICAC to the procedures in the 1st quarter of 2024.

OBJECTIVE 4

PROMOTING AND STRENGTHENING ETHICAL UTILISATION OF TECHNOLOGY TO ENSURE CONFIDENTIALITY AND INFORMATION PROTECTION, THEREBY PROMOTING TRUST AND CONFIDENCE AMONG PARTNERS, STAKEHOLDERS AND THE PUBLIC.
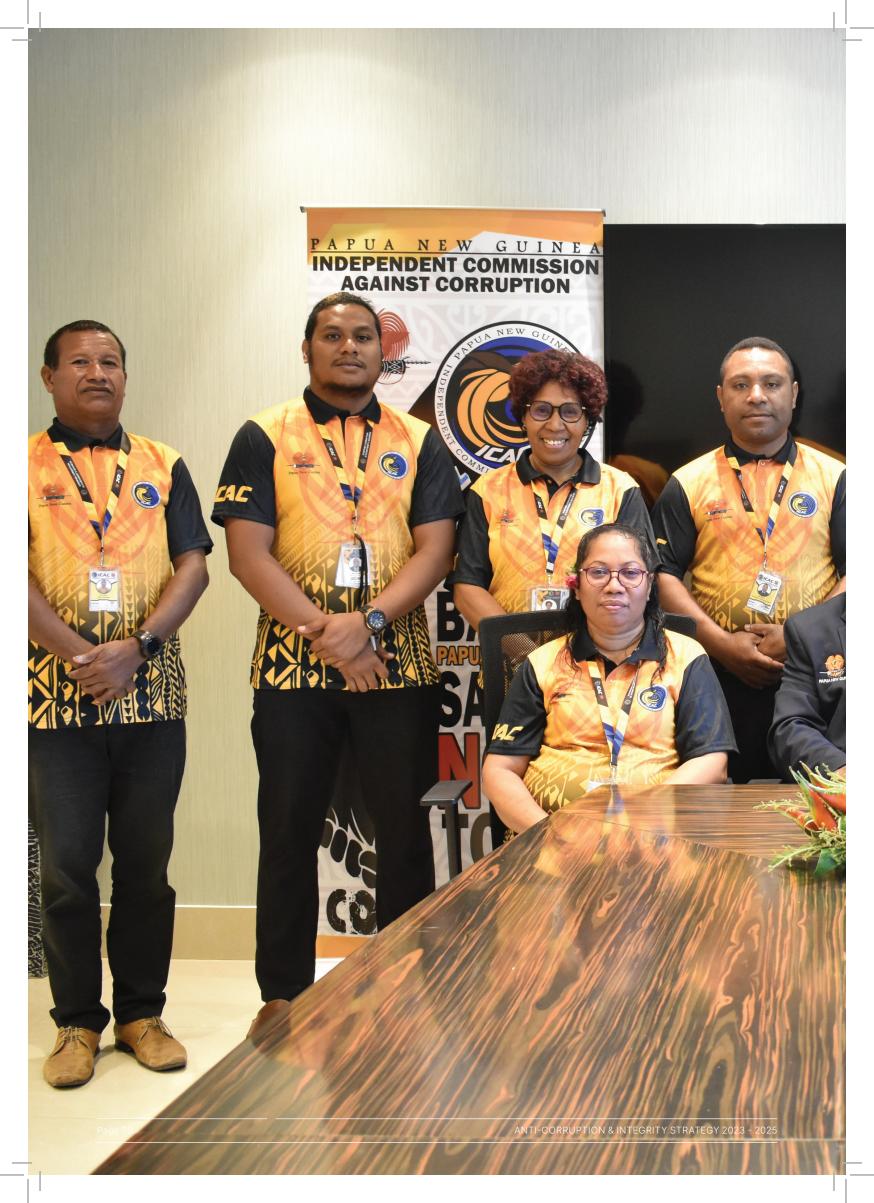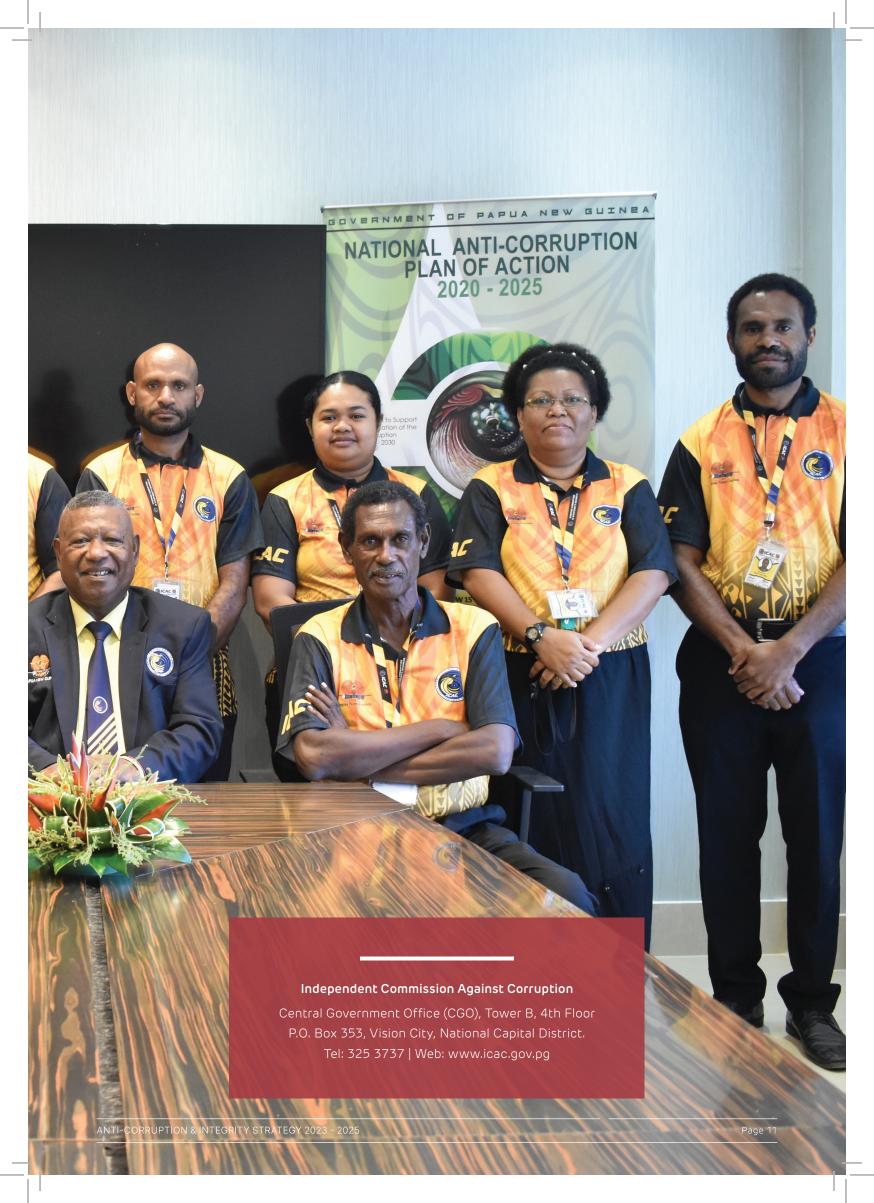
OUTCOME
ICAC employs the best ethical use of technology that promotes anti-corruption practices both internally and to its partners and stakeholders.
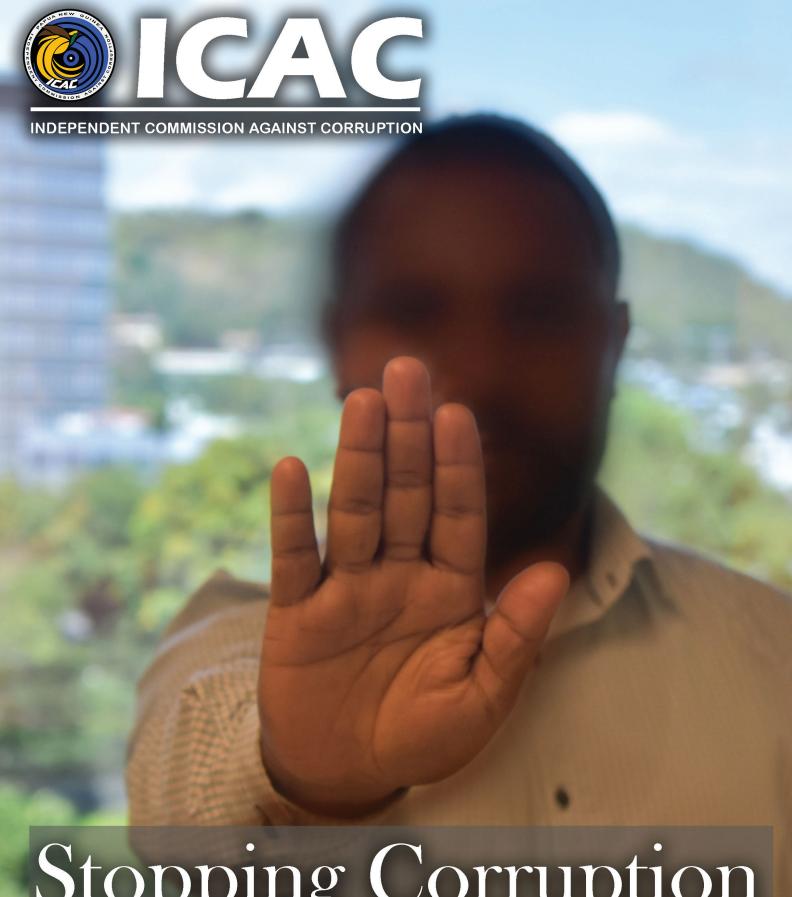
INITIATIVE
1. Development of Acceptable Use of Technology (AUT) Guidelines for the ICAC
2. Conduct in-house AUT Guidelines training for new staff and refresher training for existing staff.
3. Create an internal communications platform for information sharing specific on protecting information.

INDICATORS
- No. of consultation workshops held with relevant state ICT agencies on the relevant and ethical use of technology
- Draft AUT Guidelines developed.
- No. of in-house AUT training conducted quarterly for ICAC staff

Independent Commission Against Corruption

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