

REPORT
ON IMPLEMENTATION OF THE ANTI-CORRUPTION LAW
PRESENTED BY
Mr. SAR SAMBATH, Permanent Member of Anti-Corruption Unit
At
The 17th GDCC Meeting, Government Palace (CDC)
18th October, 2010
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Your Excellency Deputy Prime Minister, Minister of Economy and Finance
Excellencies, Distinguished Guests, Ladies and Gentlemen

It is my privilege and pleasure to be given the opportunity, on behalf of His Excellency Mr. Om Yentieng, President of Anti-Corruption Unit, to present a report on the progress of implementation Anti-Corruption Law at this 17th Government-Development Partner Coordination Committee- GDCC today.

As you all have been aware of the Anti-Corruption Law which was promulgated by His Majesty the King of Cambodia on 17 April, 2010 has been immediately entered into effect, except all provisions contained in Chapter 6 of this law shall go into force 12 (twelve) months after the full implementation of the Criminal Code in December, 2010.

By this Anti-Corruption Law, the Anti-Corruption Institution (ACI) was well established, comprising 2 new bodies within it to play important roles in fighting corruption - a National Council Against Corruption (NCAC) which has to set forth the Strategic Planning – that is the guideline for the country’s anti-graft policies and an Anti-Corruption Unit (ACU) is responsible to carry out the executive power for day-to-day services, public campaign for people’s awareness of the negative effect of corruption, investigations and curbing corruption offences. The ACU has, therefore, decided to pursue and adopt the Zero Tolerance Policy towards all forms of corruptions regardless of entities or political tendencies.

The law also provides the ACU to independently undertake its roles and duties as well as a special privilege given to staffs accredited as Judicial Police Officers in which 14 officers of the first contingent were already sworn at the Appeal Court in August 2010 and the second contingent will be organized by the end of this year 2010.

We acknowledge that there is no single solution to eliminate corruptions. A general consensus is, therefore, demonstrated that every successful anti-corruption strategy requires a three pronged approaches: Public Education and Prevention, Law Enforcement, Mass Support and backed by strategic partnership.

As elaborated above, the Strategic Planning finalized by the National Council Against Corruption has set out the national political guidelines for a period of 5 Year-Term (2011-2015) and the Anti-Corruption Unit formulates a concrete Action Plan for implementation within the period of 2 Year-Term (2011-2012).

In general, the ACU needs to build up all fundamental ground for works necessary before it resumes the duty in full capacity to tackle corruptions. For the time being, the ACU is actively engaged to draft a certain numbers of documents and to exercise its works as well:

1-Legal Papers and works:

- Sub-Decree for the Organizing and Functioning of the ACU (Organization Chart is attached)
- Sub-Decree on the establishment of Logo (ACI) and Stamps (NCAC, ACU)
- Sub-Decree on Uniform and Weapons equipped to officers
- Sub-Decree on Budget Management and Utilities
- Internal Code of Conduct (Internal Disciplinary Management)
- Formulation of Asset Declaration and Liabilities Form and Guideline in Principle how to fill in the Form
- Formulation of Complaint Form and Guideline in Principle how to fill in the Form
- Formulation of Interview, Interrogation, Report of Offences Form and their respective Guideline in Principle how to fill in these Forms
- Draft Complaint Record (Registration and Classification into category)
- Capacity Building by assistance of PACT Cambodia funded by USAID to organize 6 contingents of training courses in favour of ACU Staffs covering key areas, in particular, dealing with governance resources, and how investigative technique, law enforcement and financial controls can be put in place to prevent frauds and corruptions.
- Small Group of ACU investigation officers were assigned to monitor the process of Timber Auction Sessions organized by the Mixed Bidding Committee in the provinces of Kampong Cham, Koh Kong (2 times), Pursat, Siem Reap, Udon Meanchey, Mondol Kiri and Ratanak Kiri within the period from 28 May to 16 September, 2010.
- Figure out the planning for renovation the given building and put for bidding including all paper process...
- Recruitment of the new staffs and planning for next skill training courses, both locally and abroad
- Preparedness to launch the 1st Pilot Project on one Boulevard in Phnom Penh Capital as the Clean Street (Corruption Free). This project requires a few months of survey and hope to have it realized soon.
- Preparedness to organize the 6th Annual General Meeting of the Parties to the MOU on Preventing and Combating Corruption (SEA-PAC 6) as Cambodia is a host, to be held in Siem Reap Province, from 4 to 6 November, 2010 (i.e. a busy work which requires much strength, finance and time about 3 months prior the meeting in order to arrange it possible). Also the State-Civil Society-Media Seminar and the National Conference shall be followed by late this year, based on the ACU Working Agenda.
- Participation of the 15th Steering Group Meeting and the 10th Regional Seminar on Criminalization of Bribery of the ADB/OECD Anti-Corruption Initiatives for Asia and the Pacific, to be held in Kuala Lumpur, Malaysia from 22 to 25 September, 2010. Cambodia has been the full member of ADB/OECD among the 28 Initiative's Members since 23 March, 2003.

2-Proposal for Partners'Assistance:

In order to implement the ACL successfully, the ACU would highly appreciate for all supports given to the ACU the suitable materials and equipments as follow:

1. Polygraph Machine = Lie Detector (1 set)

2. Telephone Interception (Preferable an Active one rather than a Passive category which is very costly so far I know) = 1 set
3. A Soft Ware of a Program of Management (1 set) and a Program of Complaint Management (1 set)
4. Copy-Printer Machine (Brand Gestetner = 2 sets) including Master Roll and Ink
5. -Photo-Copy Printer Machine (Printer Colour = 2 sets; Printer Black and White = 4 sets),
-Computers, Printers (a complete set of Desk Top and Laser Printers = 10 sets), including Computer Servers for Management to safeguard the deposit of the Asset Declarations in the Asset Declaration Room. This operation is going to start as on 1st January, 2011
6. Equipments and materials for establishment a Studio, including 2 or 3 sets of Video Cameras for producing spots, documentary film, press conference, round table discussion and/or student debate forum and Camera Digital (Long Lenses) 10 sets, LCD Projector with a complete set = 2 sets as it deems necessary
7. One set of Telephone Station (Standard) installed at Head Office for connecting both internal and external lines, especially, for the Hot Line System. Also the IDD Secured Telecommunication (Motorola) = 100 Sets and the similar types for fixing on the vehicles = 25 sets.
8. Amplifier and Microphone for meeting rooms 2 sets, Earphones= 200 sets for 2 Meeting Rooms
9. Vehicles for public campaign of Anti-Corruption Law (ACL) at the localities and for immediate intervention actions to the sites when receiving reports on any corruption cases through the Hot Line System. The investigation and security team shall be permanently in alert for 24 Hours at the Head Office in position ready to intervene accordingly. (Pick Up = 6, Vans of 12 seats = 6). Motorcycles are also in need for the above purpose.

At last but not least, via this announcement, I am more than happy to look forward to hearing any positive response to support this newly borne ACU from all friends and partners to enable it in the fight against corruption, a global parasite as our common concern.

May I wish you all the best, further success and good health.

Thank You!

Done in Phnom Penh on the 15th . Day of October, 2010