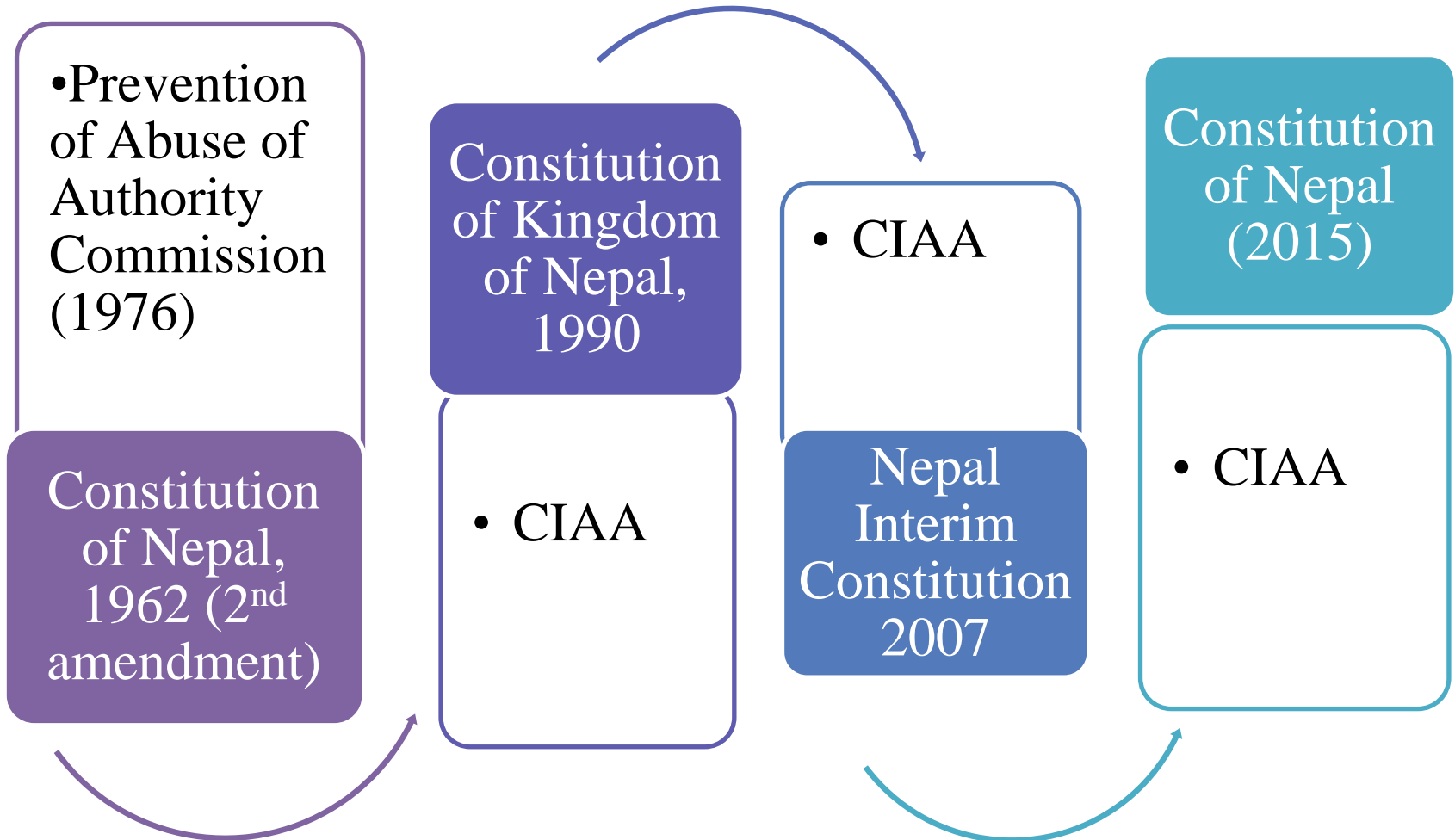


Commission for the Investigation of Abuse of Authority, CIAA (Nepal)



Status, Achievements and Challenges

CIAA: Background



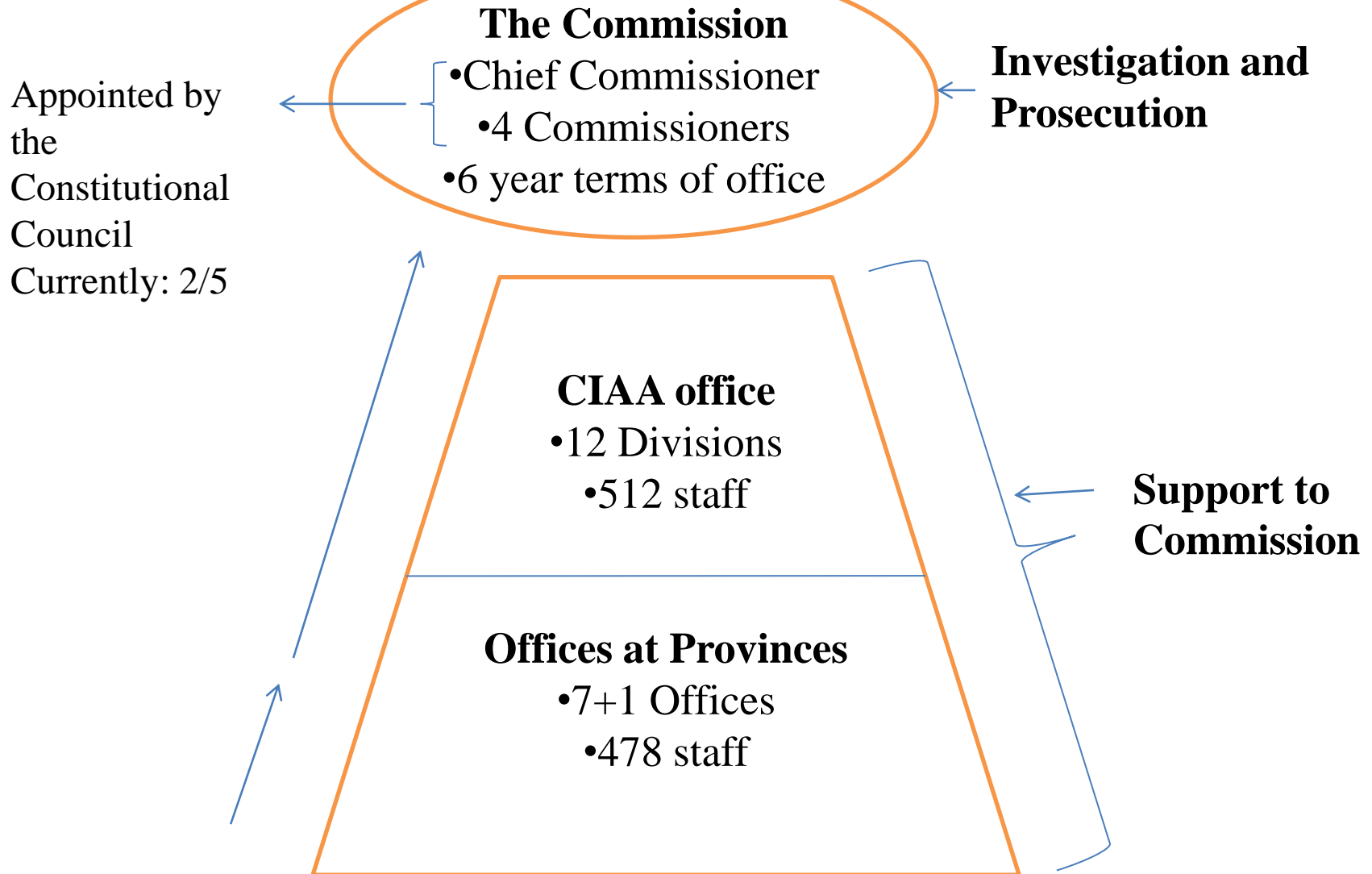
CIAA Background contd....

National Anti-Corruption Legislation & Policies

- **Constitution of Nepal** : Provision for composition and rights and responsibilities of the CIAA
- **The Prevention of Corruption Act, 2002** : Clearly defines corruption offences and punishment.
- **CIAA Act, 1991 & Regulations, 2002**: Rights, processes and procedures relating to investigation of corruption committed by any public official.
- **Good Governance Act, 2007 & Regulations, 2008**: Provisions for making administration more accountable and people-centric.
- **Right to Information Act, 2009 and Regulations, 2009**: Provisions for disclosure of information and promoting transparency.
- CIAA has proposed amendment to the existing laws overseeing corruption, namely, CIAA Act and The Prevention of Corruption Act.

CIAA Background contd....

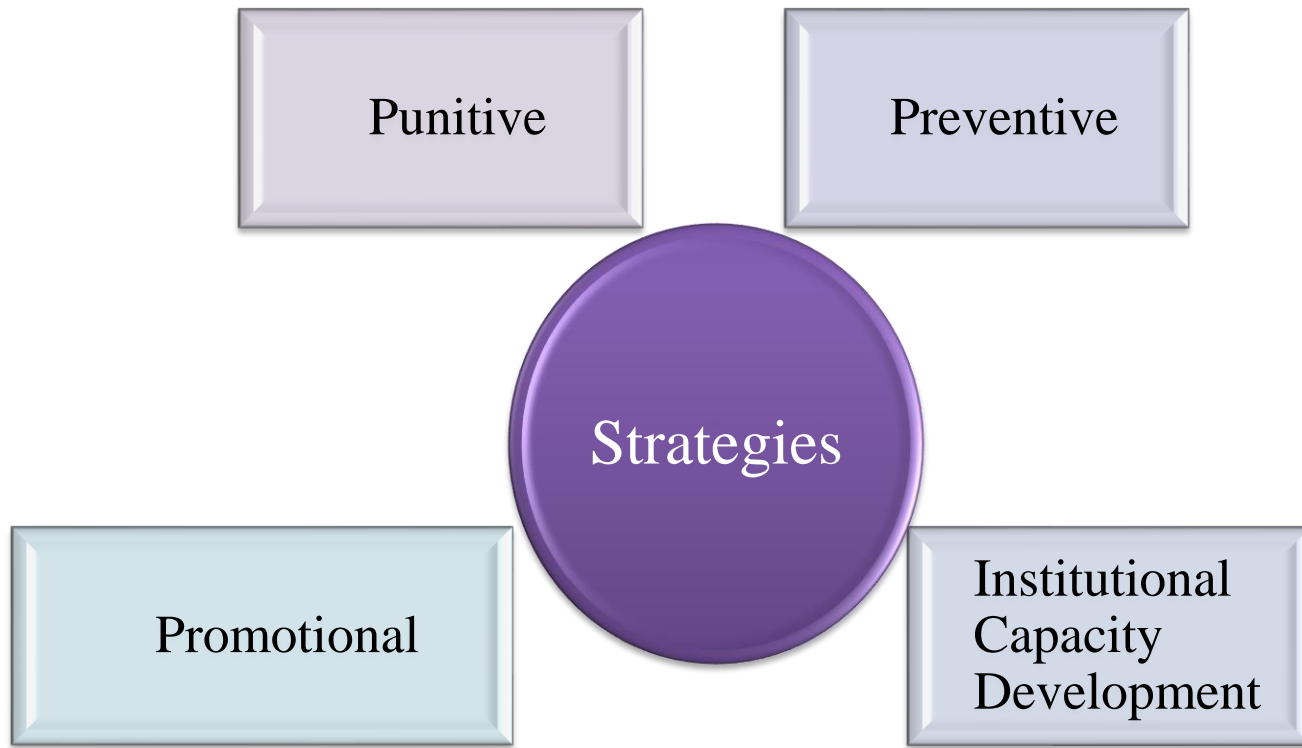
CIAA: Composition and Organization



Institutional Strategic Plan (2020-2025)

Vision: To maintain integrity and build a corruption free society

Goal: To combat corruption by enhancing the access of people to public service and development works.



Major Achievements (Fiscal Year 2019/20)

| Rank/Post of Prosecuted Persons | Number of Person Charged/Prosecuted | Remarks |
|---|-------------------------------------|--------------------------------------|
| Elected/Appointed Representatives | 73 | This number includes three Ministers |
| Special Class Officers | 9 | |
| Gazetted 1 st Class Officers | 18 | |
| Gazetted 2 nd Class Officers | 90 | |
| Gazetted 3 rd Class Officers | 247 | |
| Non Gazetted Employees | 440 | |
| Middlemen/Accomplices | 335 | |
| Total: | 1212 | |

Prevalent Corruption Tendencies

- Revenue leakage
- Misappropriation of public fund
- Damage or loss to public property
- Bribery
- Fake and falsified documents
- Fake educational certificates
- Illegal transfer of public land ownership to private
- Breaching of Public procurement laws
- Breaching of other laws and procedures
- Nepotism, Favoritism
- Policy corruption
- Illicit amassing of property

Effects of corona virus pandemic

- National Lockdown (24th March – 21st July, 2020):
 - Development works and service delivery was interrupted
 - Time and cost overrun of majority of projects
 - Difficulties in quality control: monitoring and evaluation, testing
 - Interruption in Supply Chain: Lack of adequate construction materials, human resource
- Crisis in Medical Equipment's Supply
- Loss of Employment
- Contraction effect on economic and social programs

Challenges

- Increasing number of complaints
- Limited resources and capacity
- Legal, institutional and procedural reform
- Applying innovative preventive strategies
- Resistance to change (collaborative action)

CIAA's functioning

- Despite the challenges and the pandemic, CIAA has been carrying out its duty.
- Investigations and Prosecution have continued.
- Promotional activities have suffered, but CIAA has started online training for its staffs.
- However, increasing number of complaints being received against either the availability or low quality of public service and goods.

Trainings Needs

- Integrity and Anti-Corruption (International best practices, lessons and experiences)
- Investigation and prosecution (new approaches, efficiency and objectivity)
- Training on new technology, approaches
- Governance strategies
- Business Integrity
- Anti-Money Laundering; Investigation of collusive corruption

UNCAC and Nepal

- Harmonization of domestic laws with UNCAC provisions on anti-corruption.
- Proposal to extend CIAA's jurisdiction to include private sector.
- Proposal to give the jurisdiction of Investigation of “Inappropriate action” back to CIAA.
- Ombudsman role should be strengthened (However, CIAA's ombudsman role has been expanded or contracted with successive constitutions).
- New legislations have been drafted and submitted for parliamentary approval.

Expectation from Global Network of Anti-Corruption

- Partnership in Capacity development (Training and exposure)
- Exchange of best practices and experiences
- Technical support (Technology, Techniques and Emerging Practices)
- Information and Knowledge Sharing

CIAA Recent Initiatives

(A) Use of Technology for Investigation

- Digital Forensic Unit
- Engineering Lab
- Office Automation
- Dedicated Intelligence Unit

(B) Policy and Procedural Reforms

- Prosecution Policy, 2018
- Guidelines for Preventive and Promotional Programs, 2018
- Detailed Investigation Procedure, 2018
- Asset Investigation Procedure, 2018
- Rapid Operation Task Force Procedure, 2019
- Citizen Jury Formation Procedure, 2019
- Draft for Amendment on CIAA Act and Corruption Prevention Act

Recent Initiatives Contd...

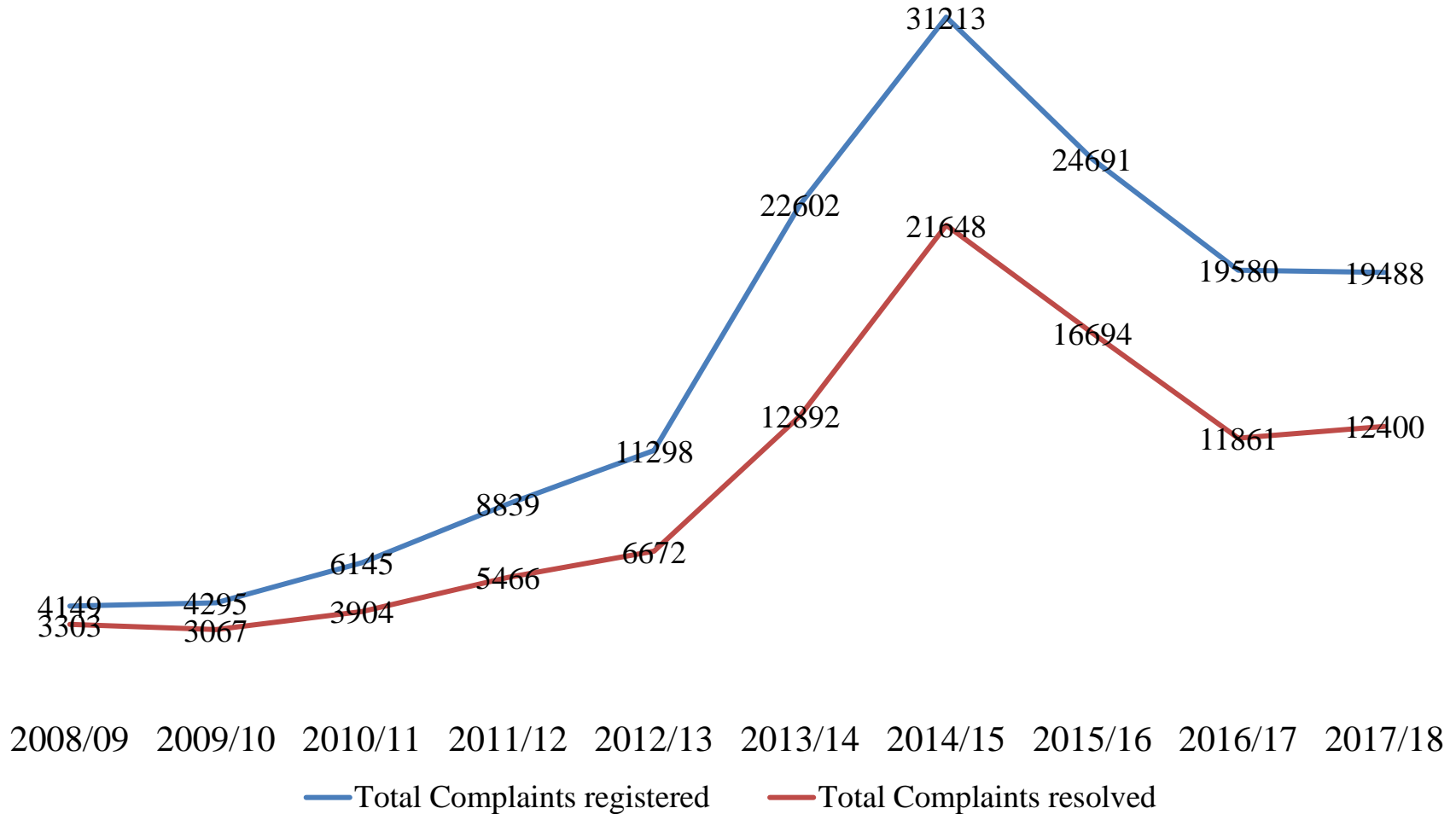
(C) Study/Evaluation

- Perception Survey on Corruption and Governance, 2018
- Study on Sick Projects/contracts and Recommendations
- Mid-Term evaluation of CIAA Strategic Plan
- Orientation programs on integrity, public ethic and anti-corruption for elected representatives of local bodies

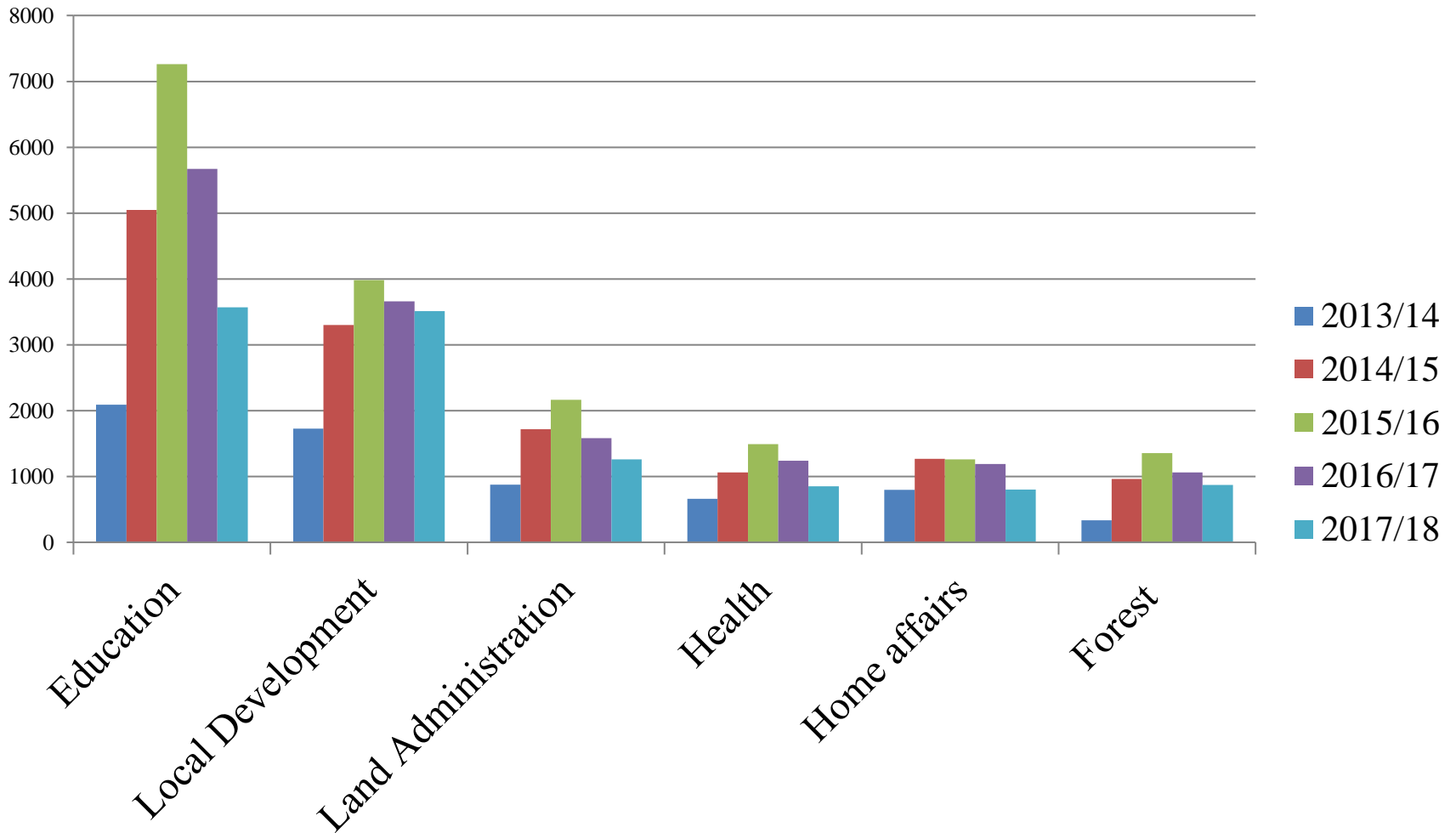
(D) Infrastructure Development/Capacity Building

- Construction of Office Buildings for CIAA Offices at different provinces
- Providing orientation and trainings to CIAA employees

Complaint Registration & Resolution Trend



Sector wise breakdown of complaints received



THANK YOU