

## Custom Report Excerpts

# Australia

## Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively.

Corruption: Queensland, Western Australia, Victoria, South Australia, and New South Wales states have anticorruption bodies that investigate alleged government corruption, and every jurisdiction has an ombudsperson who investigates and makes recommendations in response to complaints about government decisions. These bodies actively collaborated with civil society, operated independently and effectively, and had adequate resources.

Northern Territory Police Commissioner John McRoberts resigned in January following allegations he interfered in a criminal investigation of a travel agent who had allegedly committed fraud in handling a government travel program. The Northern Territory Public Interest Disclosure Commission recommended the AFP investigate McRoberts' actions as a criminal matter, and the AFP was investigating as of November.

Financial Disclosure: The law requires all federal, state, and territory elected officials to report their financial interests. Failure to do so could result in a finding of contempt of parliament and a possible fine or jail sentence. Federal officeholders must report their financial interests to a Register of Pecuniary Interests, and the report made public within 28 days of the individual's assumption of office. In August federal house speaker Bronwyn Bishop resigned following controversy over taxpayer-funded travel to attend political party fundraising events.

Public Access to Information: Federal, state, and territorial governments have freedom-of-information (FOI) laws that provide the public access to government information. The federal government does not charge application fees, but some state and territorial governments charge application and processing fees.

Government information may be exempted from disclosure to protect essential public interests or the private or business affairs of others. An applicant, including foreign media, may appeal a government decision to deny a request for information to the quasi-legal AAT. An adverse AAT decision may be appealed to the Federal Court. FOI laws, including appeal mechanisms, generally functioned effectively. A FOI commissioner is responsible for promoting and protecting information rights.

# Brunei

## Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively, although officials sometimes engaged in corrupt practices.

Corruption: In September, the government announced amendments to the Prevention of Corruption Act that expand the definition of a "public body" to include government-linked

companies and statutory bodies and add new offenses, including ones that can be committed without the receipt of gratification or monetary benefit.

Corruption was not pervasive, although isolated incidents of low-ranking officials accepting small bribes reportedly occurred. As of October the Anticorruption Bureau reported nine convictions on corruption charges. The bureau was appropriately resourced and held regular corruption prevention programs.

In the most prominent case in recent years, in September a surveyor general from the Ministry of Development was sentenced to four years in prison for graft and accepting bribes in 2012. He had been charged in 2014 under the Prevention of Corruption Act and section 165 of the penal code, which forbids public servants from obtaining “valuable things” in the line of duty.

Financial Disclosure: Government officials were not subject to financial disclosure reports, but under the law officials have to declare their assets if subject to investigation.

Public Access to Information: There is no law that specifically provides for public access to government information. No court can compel any person to give evidence relating to unpublished government records unless the relevant ministry’s permanent secretary gives consent.

## Burma

### Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for corruption by officials, and the government continued efforts to curb rampant corruption. In 2014, following the passage of the national Anticorruption Law in 2013, parliament appointed a 15-member anticorruption commission led by one of the country’s two vice presidents. In August 2014 the government formed the Anti-Money Laundering Central Board to take action and adopt polices related to money laundering and terrorism financing.

Corruption: Corruption remained a rampant problem, particularly in the judiciary. Police reportedly often required victims to pay substantial bribes for criminal investigations and routinely extorted money from the civilian population. The Ministry of Home Affairs, responsible for anticorruption measures, formed the Special Investigation Bureau and Financial Intelligence Unit in cooperation with international organizations. In 2013 these units set up a public complaint system to engage public participation in combating corruption. The units did not take meaningful action to combat corruption during the year.

Financial Disclosure: Public officials were not subject to financial disclosure laws. The law requires the president and vice presidents to furnish a list of family assets to the speaker of the joint houses of parliament, and the law requires persons appointed by the president to furnish a list of personal assets to the president. The reports were not made public.

Public Access to Information: The law does not provide for public access to information, although the government undertook several programs or initiatives to increase fiscal transparency. Compared with previous years when most government data, even routine economic statistics, were classified as state secrets and tightly controlled, the government began publicizing budget documents, including overall revenues and expenditures of the Ministry of Defense and statistics on gross domestic product and inflation. In addition to making budget documents available, the Ministry of Finance prepared a “citizen’s budget” as a means to make budget-related information more easily understandable to the public. The Central Statistic Organization also publicized reports on social and economic

indicators, although the credibility of the data remained questionable. The Ministry of Mines provided information about mining concessions for the first time to the Extractive Industries Transparency Initiative Multi-Stakeholder Group, which consisted of civil society representatives.

Parliamentary debates were broadcast on a dedicated channel. Unlike in previous years, some voting records of parliamentarians were available to the public.

## Cambodia

### Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity.

**Corruption:** The penal code defines various corrupt acts and specifies the applicable penalties for such acts. The anticorruption law provides the statutory basis for the National Council against Corruption and the Anticorruption Unit (ACU) to receive and investigate corruption complaints. The ACU did not collaborate frequently with civil society, lacked sufficient resources, and was considered ineffective in combating corruption. According to a monitoring NGO, there were at least 217 instances of corruption involving political figures. Of these, 131 involved payment of a bribe or other inducement, 60 involved the misuse of state resources for political purposes, 18 involved nepotism and cronyism, three related to “abuse of power,” and the remaining five were uncategorized.

Corruption was endemic throughout all segments of society and branches of government. There were reports police, prosecutors, investigating judges, and presiding judges received bribes from owners of illegal businesses. Citizens frequently and publicly complained about corruption. Meager salaries contributed to “survival corruption” among low-level public servants, while a culture of impunity enabled corruption to flourish among senior officials.

On June 5, the Council of Ministers, an executive branch organ, issued a directive requiring civil servants to seek clearance and permission from supervisors before responding to legislative branch inquiries related to corruption allegations.

**Financial Disclosure:** Public servants, including elected and appointed officials, are subject to financial and asset disclosure provisions. The ACU is responsible for receiving the disclosures, with penalties for noncompliance ranging from one month to one year in prison. Spouses and dependent children are not subject to disclosure provisions. The ACU reported that of 5,255 government officials required to disclose their assets, the compliance rate was 99.9 percent. Financial disclosures of senior officials are not publicly available, however, and remained sealed until allegations of corruption were filed.

**Public Access to Information:** The National Archives Law allows unlimited access to informational documents in the public archive. The law, however, grants access to other unspecified government documents only after 20 years, and documents affecting national security and preservation of life may be released only after 40 and 120 years, respectively. Some NGOs reported difficulty accessing information because the government frequently failed to respond to requests.

## China (includes Tibet, Hong Kong, and

## Section 4. Corruption and Lack of Transparency in Government

Although officials faced criminal penalties for corruption, the government did not implement the law consistently or transparently. Corruption remained rampant, and many cases of corruption involved areas heavily regulated by the government, such as land-use rights, real estate, mining, and infrastructure development, which were susceptible to fraud, bribery, and kickbacks. Court judgments often could not be enforced against powerful special entities, including government departments, state-owned enterprises, military personnel, and some members of the CCP.

In January the Central Commission for Discipline Inspection, the CCP's leading body for countering corruption among members, reported that in 2014 it had received more than 2.72 million allegations of corruption, investigated 226,000 corruption-related cases, and disciplined 232,000 officials, 27 percent more than in 2013. Among those investigated, 68 senior officials at the vice-ministerial level or above in the CCP, government, and state-owned enterprises were eventually removed from their posts. In addition, 71,748 officials were punished for violating one or more of the "eight rules" that serve as the mandate for the anticorruption campaign, 35 percent more than 2013. In 2014 a total of 500 officials who had fled abroad with illicit funds, reportedly involving three billion RMB (\$462 million), were apprehended. In April the Supreme People's Procuratorate reported that, in the first quarter, prosecutors nationwide had investigated more than 9,636 individuals and 7,556 cases for bribery and embezzlement. There were 6,649 "major cases"--bribery cases exceeding 50,000 RMB (\$7,700) and embezzlement cases exceeding 100,000 RMB (\$15,400).

The "shuanggui" system--the CCP internal disciplinary system used to investigate party members suspected of corruption and other violations of party rules--continued to operate without legal oversight and with allegations of torture. Many officials accused of corruption or other discipline violations were interrogated and in some cases tortured in the shuanggui system, often to extract a confession of wrongdoing, and some are later turned over to the judicial system.

The law makes citizens and companies paying bribes to foreign government officials and officials of international public organizations subject to criminal punishments of up to 10 years' imprisonment and a fine. On August 29, the NPC adopted an amendment to the criminal law that rules out commutation or release on parole for those who committed serious crimes of embezzlement.

Corruption: In numerous cases public officials and leaders of state-owned enterprises, who generally held high CCP ranks, were investigated for corruption. In March Procurator-General Cao Jianming reported to the 12th National People's Congress that in 2014 the government investigated 4,040 public servants above the county level for corruption, including 28 at the provincial and ministerial levels or above, in 3,664 cases of graft, bribery, and embezzlement of public funds, each involving more than one million RMB (\$154,000). While the tightly controlled state media apparatus publicized some notable corruption investigations, as a general matter there were very few details regarding the process by which party and government officials were investigated for corruption.

On June 11, a court sentenced Zhou Yongkang, a former member of the Politburo Standing Committee and chief of the internal security apparatus, to life in prison for extorting 129 million RMB (\$19.9 million), abuse of power, and "intentionally disclosing national secrets." He was the most senior CCP and government official ever to face corruption charges.

In November the Panjin Municipal Intermediate Court in Liaoning Province upheld a sentence of 12 years' imprisonment for environmentalist Tian Jiguang on charges of "extortion" and "embezzlement." Tian, a CCP member whose father and brother had held senior positions in local government, founded an environmental NGO that focused on protecting endangered spotted seals. According to media reports citing the indictment and other sources, Tian's arrest resulted from a blog post in 2013 that exposed a subsidiary of China National Petroleum Corporation for pollution.

In some cases local party officials who tried to report corruption faced reprisal and retribution. On April 2, masked men in Heilongjiang Province beat former Qing'an Discipline and Inspection Department cadre Fan Jiadong following his return from Beijing, where he had reported corruption on the part of local leaders. He died from his injuries on May 1. According to news reports, the suspects arrested in the case were related to real estate developers with close ties to local government officials.

Financial Disclosure: A 2010 regulation requires officials in government agencies or state-owned enterprises at the county level or above to report their ownership of property, including that in their spouse's or children's names, as well as their families' investments in financial assets and enterprises. The regulations do not require that declarations be made public. Instead, they are to go to a higher administrative level and a human resource department. Punishments for not declaring information vary from training on the regulations, warning talks, and adjusting one's work position to being relieved of one's position. Regulations further state that officials should report all income, including allowances, subsidies, and bonuses as well as income from other jobs such as giving lectures, writing, consulting, reviewing articles, painting, and calligraphy. Officials, their spouses, and the children who live with them also should report their real estate properties and financial investments. They must report whether their children live abroad as well as the work status of their children and grandchildren (including those who live abroad). Officials are required to file reports annually and must report changes of personal status within 30 days.

In May Shanghai Municipality announced a ban on family members of local officials' starting businesses in the city.

Public Access to Information: Open-government information regulations allow citizens to request information from the government. The regulations require government authorities to create formal channels for information requests and to include an appeals process if requests are rejected or not answered. They stipulate that administrative agencies should reply to requests immediately to the extent possible. Otherwise, the administrative agency should provide the information within 15 working days, with the possibility of a maximum extension of an additional 15 days. In cases in which third-party rights and interests are involved, the time needed to consult the third party does not count against the time limits. According to the regulations, administrative agencies may collect only cost-based fees (as determined by the State Council) for searching, photocopying, postage, and similar expenses when disclosing government information on request. Citizens requesting information may also apply for a fee reduction or exemption. The regulations include exceptions for state secrets, commercial secrets, and individual privacy.

Publicly released provincial- and national-level statistics for open-government information requests showed wide disparities across localities, levels of government, and departments regarding numbers of requests filed and official documents released in response.

If information requesters believed that an administrative agency violated the regulations, they could report it to the next higher-level administrative agency, the supervision agency, or the department in charge of open-government information.

## China (includes Tibet, Hong Kong, and

# Macau) - China (includes Tibet, Hong Kong, and Macau) - Tibet

## Section 4. Official Corruption and Government Transparency

*No information in this section. Please see the full country report for more.*

# China (includes Tibet, Hong Kong, and Macau) - China (includes Tibet, Hong Kong, and Macau) - Hong Kong

## Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government generally implemented it effectively. The SAR continued to be viewed as relatively uncorrupt.

Corruption: Between January and August, the ICAC received 463 corruption reports involving government personnel concerning alleged breaches of anticorruption laws. As of August the ICAC had 216 under investigation, deemed 193 to be nonpursuable, and deemed 54 unsubstantiated after investigation. During the same period, authorities prosecuted 12 government personnel in eight cases based on reports received prior to 2014. One of these was convicted, while court proceedings against the other 11 remained open at year's end.

On October 5, prosecutors charged former chief executive Donald Tsang with two counts of misconduct in public office. Each count carried a maximum term of seven years' imprisonment. The two charges related to Tsang's alleged failure to disclose a conflict of interest involving his lease of a luxury Shenzhen apartment at below-market rent and his nomination of an architect under Hong Kong's honors system whom Tsang had hired to work on the Shenzhen apartment. The ICAC began its investigation into Tsang in 2012. Tsang remained free on bail while the cases proceeded.

Financial Disclosure: The SAR requires the 27 most senior civil service officials to declare their financial investments annually and the approximately 3,100 senior working-level officials to do so biennially. Policy bureaus may impose additional reporting requirements for positions seen as having a greater risk of conflict of interest. The Civil Service Bureau monitors and verifies disclosures, which are available to the public. There are criminal and administrative sanctions for noncompliance.

Public Access to Information: There is no freedom of information law. An administrative code on access to information serves as the framework for the provision of information by government bureaus and departments and the ICAC. Under the code authorities may refuse to disclose information if doing so would cause or risk causing harm or prejudice in several broad areas: national security and foreign affairs (which are reserved to the central government); immigration issues; judicial and law enforcement issues; direct risks to individuals; damage to the environment; improper gain or advantage; management of the economy; management and operation of the public service; internal discussion and advice; public employment and public appointments; research, statistics, and analysis; third-party information; business affairs; premature requests; and information on which legal restrictions apply. Political inconvenience or the potential for embarrassment were not justifiable bases for withholding information. Between January and June, the Office of the Ombudsman received 16 complaints relating to the code on access to information.

# China (includes Tibet, Hong Kong, and Macau) - China (includes Tibet, Hong Kong, and Macau) - Macau

## Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for corruption by officials, and there were few reported cases of officials engaging in corrupt acts.

Corruption: The government's Commission Against Corruption (CAC) investigated the public and private sectors and had the power to arrest and detain suspects. The Ombudsman Bureau within the CAC reviewed complaints of mismanagement or abuse by the CAC. There was also an independent committee outside the CAC called the Monitoring Committee on Discipline of CAC Personnel, which accepted and reviewed complaints about CAC personnel. The CAC regularly detected fraud in the government and private sectors. In March the CAC uncovered a case involving a chief officer of the Macau Prison who allegedly received bribes from an inmate to commit illegal acts. The CAC transferred the case to the Public Prosecutions Office.

Financial Disclosure: By law the chief executive, cabinet, judges, members of the Legislative Assembly and Executive Council, and a range of senior public officials must disclose their financial interests upon appointment, promotion, retirement, and at five-year intervals while in the same position. Disclosures are publicly available on the internet and noncompliance results in financial penalties.

Public Access to Information: The law does not provide for public access to government information. Nevertheless, the executive branch published online, in both Portuguese and Chinese, extensive information on laws, regulations, ordinances, government policies and procedures, and biographies of principal government officials. The government also issued a daily press release on topics of public concern. While the legislature also provided information on matters of public concern, the information provided was less extensive.

## Fiji

## Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.

Corruption: Measures by the government during the year to combat corruption within the bureaucracy, including FICAC public service announcements encouraging citizens to report corrupt government activities, had some effect on systemic corruption. On December 10, Prime Minister Voreqe Bainimarama dismissed Corrections Chief Lieutenant-Colonel Ifereimi Vasu after FICAC charged Vasu for abuse of office. Authorities charged Vasu and acting deputy prisons commissioner Peniasi Kunatuba with violating procurement regulations when they approved more than F\$131,060 (\$60,000) of purchases for Dhansuklal Bhika (a former Suva mayor and current prison inmate) at a prison mini-mart. Authorities released Vasu on bail, and he will reappear in court in February 2016.

The media published articles on FICAC investigations on abuse of office, and anonymous blogs reported on some government corruption. Since 2008, in the absence of a sitting parliament, the auditor general had submitted audit reports to the cabinet. The cabinet referred such reports to the Public Accounts Committee for review, but did not make them public. In October the finance minister reviewed the auditor general's reports from 2007 to 2013 and tabled them in parliament; they are now publicly available.

Financial Disclosure: There are no laws requiring income and asset disclosure by appointed or elected officials. FICAC, which reports directly to the attorney general, is the primary body responsible for combating and prosecuting government corruption. The government adequately funded FICAC, but some observers questioned its independence and viewed some of its high-profile prosecutions as politically motivated.

Public Access to Information: The constitution provides for public access to government information and for the correction or deletion of false or misleading information that affects any person. The constitution requires that a freedom of information law be enacted but does not specify a deadline for parliament to pass such a law. The government sometimes was unresponsive to public requests for information.

## Indonesia

### Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government generally tried to implement the law. Elements within the government, police, and judiciary tried to undermine efforts to prosecute corruption. Despite the arrest and conviction of many high-profile and high-ranking officials, there was a widespread domestic and international perception that corruption remained endemic. The KPK, the National Police's Special Economics Crime Unit, and the AGO under the deputy attorney general for special crimes have jurisdiction over the investigation and prosecution of corruption cases.

The KPK does not have the authority to investigate the military.

In January the KPK named National Police Chief nominee Budi Gunawan a corruption suspect for crimes committed during his tenure as the head of the Police Career Planning Bureau. Gunawan filed a pretrial motion challenging his suspect status, and in a controversial ruling, a South Jakarta court found that the KPK could not investigate Gunawan for corruption (see section 1.e.). Elements within the police pursued corruption cases against KPK commissioners Abraham Samad and Bambang Widjojanto, ultimately leading to their suspension, as well as a defamation case against two Judicial Commission commissioners (see section 2.a.). Jokowi rejected a DPR plan to amend the KPK law, named temporary commissioners to fill Samad and Widjojanto's positions, and appointed a selection committee to nominate candidates to fill the five-member commission when the current term expired in December.

Corruption: The government has established anticorruption courts in all 34 provinces.

The KPK continued to investigate and prosecute officials suspected of corruption at all levels of government. Several high-profile corruption cases involved large-scale government procurement or construction programs and implicated ministers, governors, regents, judges, police, and civil servants. Through May the KPK carried out 58 investigations and 45 prosecutions, and recovered approximately IDR 115 billion (\$8 million) in state assets. According to its annual report, as of May the KPK had an 80 percent conviction rate during the year.



The KPK arrested several judges during the year, and corruption watchdog groups said corruption remained rampant throughout the legal system. Bribes and extortion influenced prosecution, conviction, and sentencing in civil and criminal cases. Key individuals in the justice system were accused of accepting bribes and of turning a blind eye to other government offices suspected of corruption. Legal aid organizations reported cases often moved very slowly unless a bribe was paid, and that in some cases prosecutors demanded payments from defendants to ensure a less zealous prosecution.

On July 9, the KPK arrested the chief justice of the Medan State Administrative Court, Tripeni Irianto Putra, and two other judges, Amir Fauzi and Dermawan Ginting. The three allegedly accepted bribes from prominent lawyer Gerry Baskara from OC Kaligis Associates in a corruption case involving North Sumatra Provincial Administration Finance Bureau head Ahmad Fuad Lubis. On July 28, the KPK named North Sumatra Governor Gatot Pujo Nugroho and his second wife, Evi Susanti, as suspects for their role in facilitating the bribery scheme. The KPK also alleged that attorneys from OC Kaligis bribed the North Sumatra Prosecutor's Office to drop an investigation of the governor over the misuse of state social aid funds. On October 23, former National Democratic Party Secretary General Rio Capella was arrested for receiving bribes to facilitate the scheme.

Under a directive from President Jokowi, on June 18, the Jakarta Police established a special task force to investigate allegations of corruption related to ship dwelling times at the Tanjung Priok Port in North Jakarta. On July 28, the task force arrested two Ministry of Trade officials, International Trade Director Partogi Pangaribuan and Head of the Sub-Directorate of Capital Goods Imam Aryanta, and two brokers, Mingken and Lusua, as suspects in a bribery scheme involving the pre-customs clearance process. The task force allegedly found \$42,000 in cash during a search of the suspect's offices. On August 28, Police CID conducted another search at the port, this time at the offices of state-owned port operation company Pelabuhan Indonesia II. CID said the search resulted in a potential graft case related to the procurement of 10 mobile cranes worth an estimated IDR 54 billion (\$3.8 million).

In 2014 the National Ombudsman Commission received 6,180 general complaints against government officials. Citizens lodged the majority of their complaints against regional governments and police.

Police commonly extracted bribes ranging from minor payoffs in traffic cases to large bribes in criminal investigations. Corrupt officials sometimes subjected migrants returning from abroad, who were primarily women, to arbitrary strip searches, theft, and extortion.

Financial Disclosure: By law senior government officials, as well as other officials working in certain agencies, are required to file financial disclosure reports. The law requires that the reports include all assets held by the officials, their spouses, and their dependent children. The report must be filed upon taking office, every two years thereafter, within two months of leaving office, and immediately upon request by the KPK. The KPK is responsible for verifying disclosures and publicizing them in the *State Gazette* and on the internet. There are criminal sanctions for noncompliance in cases involving corruption. Not all assets were verified due to human resource limitations within the KPK.

On June 29, the then Head of Police CID, Budi Waseso, refused to disclose his financial statements to the KPK. Waseso claimed he was not required to disclose such information.

Public Access to Information: The Freedom of Information Act grants citizens access to governmental information and provides mechanisms through which citizens can obtain such information. The law allows for a protected class of "secret" information, including information on state defense and security, law enforcement investigations and other activities, public officials, and business interests of state-owned enterprises. Many government entities, however, remained unwilling or unprepared to implement the law. According to a 2014 study by the Alliance of Independent Journalists, authorities only responded to 34 percent of requests for information. According to the study, 34 percent of

requests were denied, and the rest either were ignored or only disclosed incomplete or irrelevant information.

## Japan

### Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. Officials sometimes engaged in corrupt practices. Independent academic experts stated that ties among politicians, bureaucrats, and businesspersons were close and corruption remained a concern. NGOs continued to criticize the practice of retired senior public servants taking high-paying jobs with private firms that rely on government contracts. The Ministry of Justice reported prosecutions of 73 suspects for bribery in 2014, and the Supreme Court reported convictions of 42 individuals for bribery in 2014. There were regular media reports of investigations into financial and accounting irregularities involving high-profile politicians and government officials. Agriculture, Forestry, and Fisheries Minister Koya Nishikawa resigned in February following allegations that a party chapter he chaired accepted a donation in violation of the Political Funds Control Law.

Corruption: Several government agencies are involved in combating corruption, including the NPA and the National Tax Administration Agency. In addition, the Fair Trade Commission enforces anti-monopoly law to prevent unreasonable restraint of trade and unfair business practices, such as bid rigging. The Financial Intelligence Center is responsible for preventing money laundering and terrorist financing. The National Public Services Ethics Board polices public servants suspected of ethics violations. The Board of Audit monitors the accounts of corporations in which the government is a majority shareholder. Anticorruption agencies generally operated independently, effectively, and with adequate resources, although some experienced staffing shortfalls.

Financial Disclosure: The law requires members of the Diet to disclose publicly their income and assets (except for ordinary savings), including ownership of real estate, securities, and transportation means, but it does not require disclosure of the assets, income, or security dealings of spouses and dependent children. There are no penalties for non-compliance. NGOs and the media criticized the law as lax.

Public Access to Information: By law the public has the right to access government information, and the law was effectively implemented.

## Kiribati

### Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for corruption by officials, but the government did not always implement the law effectively. Government officials sometimes engaged in corrupt practices with impunity.

Corruption: Nepotism and corruption based on tribal and church ties was prevalent. The auditor general is responsible for oversight of government, but lacked sufficient resources. Investigations were often inconclusive, and findings of misappropriations and unaccounted for funds were generally ignored.

The government, with the help of multilateral partners, continued to upgrade its fiscal information systems and revise the public finance regulation to strengthen its budget execution, reporting, and auditing.

Financial Disclosure: No laws, regulations, or codes of conduct require income and asset disclosure by appointed or elected officials.

Public Access to Information: No law specifically provides for citizen or media access to government information. The government provided copies of its annual budget documents to the public on request. The poor telecommunications infrastructure also affected the government's ability to respond to requests for information.

## Korea, Democratic People's Republic of

### Section 4. Corruption and Lack of Transparency in Government

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It was not known whether the law provides criminal penalties for official corruption, whether the government implemented any such laws effectively, or how often officials engaged in corrupt practices with impunity. Corruption was reportedly widespread in all parts of the economy and society and endemic in the security forces.

Corruption: Reports of diversion of food to the military and government officials and bribery were indicative of corruption in the government and security forces. Multiple ministries and party offices were responsible for handling issues of corruption.

Financial Disclosure: It was not known whether public officials are subject to financial disclosure laws and whether a government agency is responsible for combating corruption.

Public Access to Information: There are no known laws that provide for public access to government information.

## Korea, Republic of

### Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for official corruption, and the government implemented the law effectively. There were some reports of officials receiving bribes and meddling in domestic politics.

Corruption: The Ministry of Justice reported the number of bribery cases in 2014 rose 26 percent from 2013. During the year, three lawmakers from the main opposition and ruling parties were convicted of receiving bribes and a fourth conviction was confirmed on appeal.

In April businessman Sung Wan-jong committed suicide while under investigation for improprieties associated with government-funded overseas natural resource development. His suicide note claimed he gave illegal campaign contributions to several politicians, including then-Prime Minister Lee Wan-koo. Lee resigned from his position in late April, and in July prosecutors indicted Lee and Hong Joon-pyo, governor of South Gyeongsang province, on charges of accepting illegal campaign funding.

Financial Disclosure: By law public servants above a specified rank, including elected

officials, must publicly declare their income and assets, including how they accumulated them. Failure to disclose assets fully is punishable with up to one year in prison and a 10 million won (\$8,477) fine.

Public Access to Information: The country has a freedom of information law, and the law was effectively implemented.

## Laos

### Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and corruption continued to be a serious problem. Officials often engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year. Wages of all government officials were extremely low, and many officials, such as police, had broad powers they could easily abuse. Many police officers used their authority to extract bribes from citizens. Some judges reportedly also accepted bribes. The extent to which the National Police Academy training curriculum covered corruption remained unknown.

The government's Inspection and Anticorruption Organization, with authority equal to a government ministry, has responsibility for uncovering corruption in all ministries, including the Ministry of Public Security. Historically authorities occasionally arrested and administratively punished lower-level officials for corruption. Foreign governments provided anticorruption training to officials in the Inspection and Anticorruption Organization.

Corruption: Government-controlled media repeatedly mentioned official corruption was an outstanding problem, and in October auditors uncovered 25 "ghost" projects in Oudomxay Province, in which budgets were repeatedly allocated and spent on the same projects. Authorities reportedly detained the former minister of finance, the former governor of Oudomxay Province, and several other officials who remained under investigation at year's end. In 2014 authorities sentenced 20 education and finance sector officials in Huaphan Province for embezzling 21 billion kip (\$2.6 million). The head of the government's official inspection authority estimated officials at the central, provincial, and local levels had misappropriated 1.2 trillion kip (\$149 million) from state budgets since 2012.

Financial Disclosure: There is no legal requirement for public disclosure of assets and income by appointed or elected officials, although LPRP policy requires senior officials, prior to taking their designated positions, to disclose their personal assets and those of their dependents, but not their incomes, to the party's Inspection Committee. The committee inspects the officials' assets before and after they have been in their positions. Individuals not compliant with this policy are subject to unspecified measures, although the LPRP used its control of government authorities and media to block public censure of corrupt officials who were party members. In 2014 the government announced a plan to require senior officials and their immediate families to declare their assets to the government within one year. During the year the government increased efforts to implement this requirement among all government officials and their families by collecting records from various officials.

Public Access to Information: The law does not provide for public access to government information, and the government generally guarded the release of any information pertaining to its internal activities, sometimes deeming such secrecy necessary for national security. Nonetheless, the law requires publication of all national and provincial

legislation and a 60-day public comment period, including through a website, thus promoting some transparency and citizen understanding of rights and laws.

## Malaysia

### Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption; however, enforcement generally focused on relatively small-scale, low-level crime. The media reported numerous cases of alleged official corruption, and there was a broadly held perception of widespread corruption and cronyism within the governing coalition and in government institutions.

Corruption: While the government successfully prosecuted some bribe-taking officials and persons paying bribes, observers noted the government neither prosecuted nor convicted many senior officials. Journalists, activists, and politicians were harassed and prosecuted after publically reporting on or criticizing senior-level corruption.

The Malaysian Anti-Corruption Commission (MACC) is responsible for investigating and prosecuting corruption of both private and public bodies. An auditor general has the responsibility, set forth in the constitution, to audit the accounts of the federal and state governments, government agencies, and other public authorities. Media reports and statements by civil society and opposition leaders questioned the government's ability to prosecute corruption of high-ranking government officials.

In July removal of the attorney general and transfer of key personnel in the MACC stalled investigations into alleged misappropriation of funds connected to state-owned development company 1MDB. The attorney general had been leading a government task force on the problem, which included MACC investigators.

Financial Disclosure: Cabinet members must declare their assets to the prime minister. Senior civil servants are required to declare their assets to the chief secretary of the government. Junior civil servants must declare their assets to the head of their department. The assets, liabilities, and interests public officials must declare are clearly defined and do not include the assets and incomes of spouses and dependent children. Public officials must declare their assets on an annual basis and not upon entry or exit of their posting. Those who refuse or fail to declare their assets face disciplinary actions and are ineligible for promotion. The government did not make public these declarations.

Public Access to Information: The law prohibits dissemination of a wide variety of documents classified by a minister in the federal government, a chief minister of a state, or similar public officers. Critics accused the government of using these powers to prevent dissemination of materials and stifle dissent. Members of parliament may obtain information protected by government classification on an individual basis, and some then made it available to the public.

The states of Selangor and Penang, both controlled by the opposition coalition, are the only states with freedom of information laws that allow public access to certain state documents.

## Marshall Islands

### Section 4. Corruption and Lack of Transparency in

## Government

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The law provides criminal penalties for official corruption, although a lack of investigative capacity and material resources hindered the effective implementation of the law. The government reported that corruption was sometimes overlooked. The 2014 audit of the national government and its components, including state-owned enterprises, was due in September, but the country received an extension to November 30. The 2013 audit listed several deficiencies and material weaknesses.

Corruption: The AGO, which is responsible for investigating cases of alleged corruption, engaged in very limited collaboration with civil society and remained insufficiently resourced. Within existing resource constraints, however, the office generally operated efficiently and independently. The office is typically headed by a foreign citizen as an informal means to avoid conflicts of interest, which are common due to family and business ties within the small population.

In late 2013 and early 2014, prosecutors initiated an investigation of fraud and bribery in the Ministry of Health involving a privately contracted pharmaceutical and medical equipment company. The investigation led to charges against eight individuals inside and outside the government. One individual was convicted in October 2014 and sentenced to seven years in jail. A jury acquitted a second individual of all charges in May.

Financial Disclosure: Public officials are not subject to financial disclosure laws.

Public Access to Information: The law does not provide specifically for public access to government information, nor does it provide a statutory basis for denying access. The government held that the burden of proof for overcoming a denial of access rested with the requester. In most cases, government information can be obtained by justifying the request in court and obtaining a subpoena for the information.

## Micronesia, Federated States of

### Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for corruption by officials, and the government generally implements the law, but some officials reportedly engaged in corrupt practices with impunity. There were numerous anecdotal reports of corruption during the year.

Corruption: The Attorney General's Office within the Department of Justice has primary responsibility for combating government corruption, including investigation and prosecution of individual cases. The office had sufficient resources. It operated independently and actively collaborated with civil society via a hotline operated by the Office of the National Public Auditor (ONPA) to encourage reporting of public complaints of corruption. ONPA referred some corruption cases to the Department of Justice during the year, and the department took action on them. Impeachment procedures started against Governor John Ehsa of Pohnpei State for misuse of government funds, but his ultimate resignation resulted in further prosecution being dropped.

Financial Disclosure: No laws, regulations, or codes of conduct require income and asset disclosure by public officials.

Public Access to Information: No national law provides for public access to government information. The speaker of congress can declare any congressional document confidential. State laws and practices varied. Legislative hearings and deliberations generally were open to the public. Information from other branches of government was accessible; however, loss or mishandling of records occasionally delayed access. There

were no reported cases of denial of media access to the government.

## Mongolia

### Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption. The government did not always implement the law effectively, and corruption continued at all levels of government. Some officials engaged in corrupt practices with impunity. Factors contributing to corruption included conflicts of interest, lack of transparency, lack of access to information, an inadequate civil service system, and weak government control of key institutions.

The law proscribes the soliciting and acceptance of bribes by government officials and provides for fines and imprisonment of up to five years. The law also criminalizes the offering of bribes to officials.

MPs, including 14 of the 19 current cabinet ministers, are immune from prosecution during their tenures.

Corruption: The Independent Authority against Corruption (IAAC) is the principal agency responsible for investigating corruption cases. The NPA's Organized Crime Department also investigates various types of corruption cases and often assisted the IAAC in investigations. Although questions about the IAAC's political impartiality persisted, the public viewed the agency as effective. During the first nine months of the year, the IAAC reported that it initiated 185 investigations. In the same period, the IAAC reported 13 cases that resulted in convictions, 45 referred for prosecution, 24 referred to other agencies, 22 merged with other criminal cases, and 32 dropped at either the prosecutor or court level.

The IAAC increased its public awareness and prevention efforts through activities such as distributing educational materials for children and conducting outreach trips to the provinces.

Private enterprises reported cases in which government employees pressured them to pay bribes to act on applications, obtain permits, and complete registrations.

In July 2014 IAAC agents detained L. Gansukh, economic advisor to then prime minister Altankhuyag, and three others on suspicion of embezzling 3.2 billion tugrugs (MNT) (\$1.6 million) from a project to provide inexpensive coal to residents of Ulaanbaatar's traditional residential districts. After a public trial broadcast on all major radio and television networks, the court sentenced Gansukh on September 21 to four years and six months in prison and banned him from public service for four years. Gansukh and Altankhuyag both questioned the impartiality of the court and the IAAC.

Financial Disclosure: The law requires civil servants to report holdings and outside sources of income for themselves and their spouses, parents, children, and live-in siblings. It also aims to prevent conflicts of interest between official duties and private interests of those in public service roles and to regulate and monitor conflicts of interest to ensure that officials act in the public interest. The law requires candidates for public office to submit financial statements and questionnaires on personal business interests in order to be eligible to run.

Public officials must file a private interest declaration with the IAAC within 30 days of appointment or election and annually during their terms of public service. The law provides that such declarations shall be accessible to the public and prescribes a range of administrative sanctions and disciplinary actions, from fines to removal from office, in the event of a violation. The IAAC is required to review the asset declarations of public

servants, including police officers and members of the military.

The IAAC reported that, in the first nine months of the year, 377 officials were investigated for conflicts of interest and problems with income and asset declarations. As a result, 10 officials received formal warnings, 18 received pay deductions, and one was dismissed from his/her position.

Public Access to Information: The law obliges public institutions to make information on their activities, budgets and finances, human resources, and procurement available to the public while providing for the right of citizens to access this public information. Observers noted, however, that the list of exceptions provided broad grounds for non-disclosure. Processing fees were minimal. Public institutions have seven working days to respond or face administrative sanctions for non-compliance. An appeal mechanism exists to review disclosure denials. NGOs reported that authorities denied disclosures during the year on grounds of privacy. They also said that publicly available information usually was not presented in a user-friendly format.

On January 1, the Budget Transparency Law, more commonly called the Glass Account Law, entered into force. The law requires that government expenditures be audited more expeditiously than previously allowed up to 24 months between audits, and that the audit process itself be transparent. Officials with authority to issue government funds are required to report these expenditures on their respective ministry and agency websites and to report audit results. All transactions above MNT one million (\$500,000) are subject to reporting. Plans for budgets, loans, or bonds must be registered with the Ministry of Finance for monitoring and tracking, even after the originating officials have left their positions.

As of September, 11 of 56 government organizations had failed to submit required financial statements. The Ministry of Finance therefore deducted 20 percent of the monthly wages of the state secretaries of the ministries of defense, health, and education, culture, and science and of the governors of Darkhan-Uul, Zavkhan, and Dundgovi provinces.

According to NGO sources, the far-reaching State Secrets Law inhibited freedom of information and government transparency while at the same time undermining accountability. The sources pointed to a case in which GIA officials interrogated journalists who were investigating allegations of Ministry of Justice corruption. The law also hindered citizen participation in policy discussions and government oversight.

## Nauru

### Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials. Opposition MPs and their supporters made numerous allegations of government corruption during the year.

Corruption: Australian Federal Police continued investigations of allegations that Getax, an Australian-based mining company, bribed local politicians to obtain support for its phosphate mining operations in 2010. The government rejected these allegations.

Financial Disclosure: There are no income and asset disclosure laws for appointed or elected officials.

Public Access to Information: No legal provisions provided for public access to government information, but the government provided access to budget documents and other government information through its Government Information Office.



# New Zealand

## Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively.

Financial Disclosure: The law requires MPs, including all ministers, to submit an annual report of financial interests, including income and assets, which is disclosed publicly. Career civil servants are not subject to this requirement but are subject to ethics standards established by the State Services Commission. The Office of the Registrar of Pecuniary and Other Specified Interests of Members of Parliament is mandated with monitoring and verifying these disclosures. The registrar compiles and maintains the reports, provides advice and guidance to members in connection with their obligations under the law, and is responsible for reporting irregularities to the speaker of the house for further review and action.

Public Access to Information: The law provides for public access to government information, including access for noncitizens and foreign media, to be provided within 20 working days of a request, and the government generally adhered to the law. Information must be made available unless a good reason, such as concern for national security, exists for not doing so. The government did not abuse this provision. The requester must be given an estimate of any fees before information is provided. If a request is refused, the relevant department must give a written reason for the refusal explaining the grounds for the decision. The department must also give the applicant information on how to complain to an ombudsman to seek an investigation and review of the refusal.

# Palau

## Section 4. Corruption and Lack of Transparency in Government

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Government corruption was a problem, and the government took some steps to address it. The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. There were isolated reports of government corruption during the year.

Corruption: In 2014 a government official resigned after charges of corruption were brought against him. A court sentenced the official to six months in prison for misconduct in public office and accepting bribes.

Financial Disclosure: The government requires elected and some appointed public officials and public office candidates to file annual financial disclosure statements and applicable campaign statements with the Ethics Commission. There are administrative and criminal sanctions for noncompliance.

Public Access to Information: The law provides for the right of citizens and noncitizens, including foreign media, to examine government documents and observe official deliberations of any government agency. Except at the national level, government workers were hesitant to release information. In general the national government responded promptly to requests and imposed fees only for copying information. The law holds government officials personally liable for noncompliance, with a minimum penalty of \$500 (the U.S. dollar is the official currency) for a first offense.

# Papua New Guinea

## Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption; however, the government did not always implement the law effectively, and officials often engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year. Corruption at all levels and in all organs of government was a serious problem due to weak public institutions and governance, lack of transparency, politicization of the bureaucracy, and misuse of public resources by officials to meet traditional clan obligations. Corruption and conflicts of interest were of particular concern in extractive industries, particularly the logging sector, and in government procurement.

The Ombudsman Commission and Public Accounts Committee are key organizations responsible for combating government corruption. The Ombudsman Commission's mandate includes the investigation of alleged misconduct by governmental bodies, alleged discriminatory practices by any person or government body, and alleged misconduct in office by public officials under the leadership code. The constitution provides for the Ombudsman Commission's independence. The government allowed the appointment of the chief ombudsman to lapse in May and did not meet to appoint another chief ombudsman during the year, leaving two of the three ombudsman positions vacant. The former chief ombudsman believed his appointment was allowed to lapse due to his efforts to investigate the prime minister for corruption-related offenses.

The Public Accounts Committee is a permanent parliamentary committee established by the constitution with a mandate to examine and report to Parliament on public accounts and national property.

The Ombudsman Commission met with civil society and at times initiated action based on input received. Although civil society organizations engaged with individual members of the Public Accounts Committee, the committee was less receptive to public input and generally did not seek to engage with civil society. The Public Accounts Committee generally operated independent of government influence, but lack of trained staff hindered its effectiveness. Neither body had sufficient resources to carry out its mission.

In 2011 the government established Investigation Task Force Sweep (ITFS), a temporary interagency body with the mandate to arrest, charge, and prosecute government officials engaged in corruption. ITFS investigated 350 cases and submitted 91 cases to the courts. In 2014 the government launched a Fraud and Corruption Track in the National Court to expedite these cases and reduced judicial processing from two years to four months.

In 2014 the government shuffled the attorney general, solicitor general, and police leadership and attempted to fire the chairman of the ITFS for their roles in corruption investigations against Prime Minister O'Neill for alleged illegal payments to the law firm, Paraka Lawyers. The government also attempted to appoint another ombudsman, who did not meet the position's statutory qualifications. The government allowed the chief ombudsman's appointment to expire and left the Ombudsman Commission with two empty seats (out of three). The government stopped funding the ITFS after the National Court nullified government attempts to disband the organization. The legality of payments to Paraka Lawyers and the role of the prime minister in the affair remained under investigation.

Corruption: In March 2014 the National Court sentenced former minister for national planning Paul Tiensten to nine years' hard labor for misappropriating 10 million kina (\$3.2 million) of public funds while serving as a state minister. Other politicians were found

guilty of corruption but remained free while their cases were on appeal.

**Financial Disclosure:** Public officials are subject to financial disclosure laws as stipulated in the leadership code of conduct. The Ombudsman Commission monitored and verified disclosures and administered the leadership code, which requires leaders to declare, within three months of assuming office (and annually thereafter), their assets, liabilities, third-party sources of income, gifts, and all beneficial interests in companies, including shares, directorships, and business transactions. Declarations are not made available to the public. Sanctions for noncompliance range from fines to imprisonment.

**Public Access to Information:** No law provides for public access to government information. The government published frequent public notices in national newspapers and occasional reports on specific problems facing the government; however, it generally was not responsive to individual requests, including media requests, for access to government information.

## Philippines

### Section 4. Corruption and Lack of Transparency in Government

The law mandates criminal penalties for corruption by public officials. The government did not implement these laws effectively, and officials engaging in corrupt practices did so with impunity.

**Corruption:** To combat corruption the constitution established the independent Office of the Ombudsman, the Sandiganbayan (an anti-corruption court at the appellate level), and the Commission on Audit. All three were under-resourced, but all three actively collaborated with the public and civil society and appeared to operate independently and use their limited resources effectively. Despite government efforts to file charges and obtain convictions in a number of cases, officials continued to engage in corrupt practices with relative impunity.

Investigation of allegations in the expanding “Pork Barrel” scandal of 2014 about the diversion of Congressional funds to fake NGOs continued. On August 7, the DOJ filed before the Office of the Ombudsman a third batch of charges, this time against 40 incumbent and former lawmakers, public officials, and private individuals.

As of August the Office of the Ombudsman had won convictions against 22 officials in 50 corruption cases, including the June 8 conviction of a former Koronadal city mayor for hiring a private lawyer in the acquisition of a new city hall in 2003. On June 30, the Office of the Ombudsman dismissed PNP Chief Director General Alan Purisima and 10 other PNP officers for “grave misconduct, serious dishonesty, and grave abuse of authority” in connection with a deal between the PNP’s Firearms and Explosives Office and a courier company chosen to deliver license cards. Aside from dismissal from service, the ombudsman forfeited the officials’ retirement benefits and barred them from re-entering government service.

Reports continued of widespread corruption among prison guards and some prison officials and of solicitation of bribes by PNP members and judicial workers, who were also accused of extorting bribes by threatening to delay or derail cases if not paid off.

**Financial Disclosure:** The Code of Conduct and Ethical Standards for Public Officials and Employees requires all public officials and employees to file under oath a statement of assets, liabilities, and net worth and to disclose their personal business interests and financial connections, as well as those of their spouses and unmarried children living in their households. Nondisclosure is punishable with imprisonment not exceeding five

years, or a fine not exceeding 5,000 pesos (\$110), or both, and, at the discretion of the court, disqualification from holding public office. The Civil Service Commission implements and enforces this law, forwarding nondisclosure cases to the Office of the Ombudsman for prosecution. In August, the Office of the Ombudsman suspended an official of the Department of Agrarian Reform in Iloilo Province for failing to submit a statement of assets, liabilities, and net worth.

Public Access to Information: The law provides for the right to information on matters of public concern, but there are no definitions of procedures, fees, and deadlines for such access; no exceptions for denial of access; no appeal processes; and no penalties for officials who fail to disclose lawfully available data. Denial of such information occurred during the year, especially when related to irregularities in government transactions. Overall, the lack of guidelines and information on how to obtain government information meant that it was largely unavailable to the general public. NGOs continued to press congress to pass a freedom of information bill.

## Samoa

### Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. The maximum penalty for corruption is 14 years' imprisonment. There were reports of government corruption during the year.

The law provides for an ombudsperson to investigate complaints against government agencies, officials, or employees, including allegations of corruption. The ombudsperson may require the government to provide information relating to a complaint. The Attorney General's Office prosecutes criminal corruption cases on behalf of the Public Service Commission. The Ombudsman's Office and the Public Service Commission operated effectively. The Ombudsman's Office included academics and other members of civil society among the members of its commissions of inquiry.

Corruption: In 2013 reports from the Office of the Controller and Chief Auditor covering the 2009-11 fiscal years became publicly available and documented abuses of power, corruption, and mismanagement within government ministries and state-owned enterprises. The most highly publicized account was of the incumbent Minister of Finance Faumuina Tiatia Liuga during his earlier tenure as chairperson of the Samoa Land Corporation. A parliamentary committee investigated and confirmed the abuses noted in the auditor's reports. Parliament tabled the committee report in April 2014. These reports, combined with public and political pressure, led the minister to resign in April 2014. According to the law, the government has 90 days to respond. The government responded in January, acknowledging the report but largely dismissing the recommendations of the parliamentary committee. Parliament approved the government's response without debate. In October a group of civil servants, including former members of parliament, pursued a case against persons involved in alleged corruption and misuse of funds in government as detailed in the parliamentary committee report. At year's end the court had not yet heard the case.

Financial Disclosure: Although public officials are not subject to financial disclosure laws, codes of ethics applicable to boards of directors of government-owned corporations encouraged such disclosure.

Public Access to Information: By law government information is subject to disclosure in civil proceedings, unless the government considers the information privileged or its disclosure would harm the public interest. There is no formal process to request

government records outside of such court actions.

## Singapore

### Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively.

Corruption: The Corrupt Practices Investigation Bureau (CPIB) is an independent body responsible for the investigation and prevention of corruption in the public and private sectors. The CPIB worked closely with the AGC, the courts, and other law enforcement agencies.

In February 2014 a court sentenced Edwin Yeo, a CPIB assistant director, to 10 years' imprisonment for criminal breach of trust as a public servant and for forgery. During the year an Independent Review Panel found that the incident was a result of supervisory lapses in the CPIB, leading to the prime minister's decision to replace the CPIB director when the director's term ends.

Financial Disclosure: The law requires civil servants to declare their investments, properties, and indebtedness to their respective permanent secretaries. Under the code of conduct for ministers, ministers make financial disclosures to the prime minister. The salaries of senior officials were public information, and political parties are required to report donations.

Public Access to Information: No laws specifically provide for public access to government information. There were calls from various segments in society, including civil society organizations and academics, for the public sector to be more forthcoming with information and access.

## Solomon Islands

### Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for corruption by officials; however, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. There were reports of government corruption during the year.

The Public Accounts Committee (PAC) is a permanent Parliamentary committee established by the constitution with a mandate to examine and report to Parliament on public accounts and national property. In September the National Parliament joined a network of other Pacific islands Parliaments to strengthen its ability to hold government accountable through the PAC.

Corruption: Corruption was considered a pervasive problem in the government, especially exacerbated in the forestry and fishing sectors. The 2013 Transparency International's Global Corruption Barometer reported that one in three public servants had sought a bribe in exchange for a service.

Police corruption was not a serious problem during the year. Some observers criticized the police as more loyal to their respective ethnic group, or wantok (extended family), than to the country as a whole.

**Financial Disclosure:** Public officials were subject to financial disclosure laws under the leadership code of conduct. The Office of the Leadership Code Commission (LCC) investigates misconduct involving MPs or senior civil servants. If the LCC finds conclusive evidence of misconduct, it sends the matter to the Department of Public Prosecution, which may proceed with legal charges. The LCC chairman and two part-time commissioners constitute a tribunal that has the power to screen certain cases of misconduct and apply fines of up to Solomon Island \$5,000 (\$696) for MPs or senior civil servants. In April the LCC chairman said the LCC lacked adequate funds to carry out its mandate. The Office of the Ombudsman is responsible for investigating public complaints of government maladministration.

**Public Access to Information:** No law provides for public access to government information. The government criticized the work of the anticorruption advocacy group Forum Solomon Islands International and accused the group of being politically motivated in a public statement to Parliament. The statement led to criticism of the government in social media.

## Taiwan

### Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and authorities generally implemented the law effectively. There were reports of official corruption during the year. As of July, 22 ranking officials, 117 mid-level, 146 low-level, and nine elected officials had been indicted for corruption.

**Corruption:** MOJ and its subordinate Agency against Corruption are in charge of combating official corruption. The ministry was sufficiently resourced and collaborated with civil society within the scope of the law. Some legal scholars and politicians said MOJ was not sufficiently independent and conducted politically motivated investigations of politicians. The Control Yuan is responsible for impeachment of officials if any wrongdoing is found.

Former New Taipei City Deputy Mayor Hsu Chih-chieh was detained in July on charges of having expedited the approval and review process of several urban development and construction projects in return for money, gold bars, and luxury watches from two real estate developers. On November 25, Taipei District Prosecutors' Office indicted Hsu on charges of corruption and asked the judge to impose a harsh sentence.

**Financial Disclosure:** The law requires specified appointed as well as elected officials to disclose their income and assets to the Control Yuan, which makes the disclosures public. Those failing to declare property are subject to a fine ranging from NT\$200,000 (\$6,200) to NT\$4 million (\$124,000) and may be punished with a prison term of no more than one year for repeatedly failing to comply with the requirement. The law also requires civil servants to account for abnormal increases in their assets and makes failure to do so a punishable offense, and there are criminal and administrative sanctions for noncompliance.

**Public Access to Information:** The law stipulates that all government information shall be made available to the public upon request, with the exception of national secrets, professional secrets, personal information, and protected intellectual property. According to the law, within 15 days of receiving a request for government information, the receiving agency shall determine whether to approve such a request. The time limit may be extended for no longer than 15 days if necessary. The agency may charge a fee, which it sets based on the purpose of the request. The fees may be reduced or waived if the request is for

academic research or is in the public interest. Officials are subject to punishment or reprimand if they violate the law. The law provides that registered citizens, companies, and groups may submit information requests and may appeal requests that are denied. These privileges are extended on a reciprocal basis to citizens of foreign countries. Since the law was implemented in 2005, some cabinet-level agencies, including the Ministry of Interior and MOJ, have provided officials with related training.

## Thailand

### Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for conviction of official corruption. Government implementation of the law increased under the NCPO, although officials sometimes engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.

Corruption: Corruption remained widespread among police. There were numerous incidents of police charged with abduction, sexual harassment, theft, and malfeasance, plus reports police tortured, beat, and otherwise abused detainees and prisoners, generally with impunity. Authorities arrested police officers and convicted them of corruption, drug trafficking, and smuggling; police reportedly also committed intellectual property rights violations.

In February the attorney general filed criminal charges against former prime minister Yingluck Shinawatra related to alleged malfeasance in her handling of the government's rice-pledging program. The trial began on May 19 and continued as of October.

Following the May discovery of abandoned camps in the southern region suspected to hold mass graves of Rohingya migrants, authorities issued arrest warrants for 120 suspects alleged to be complicit in human smuggling operations, including several police and military officers.

At year's end the government continued to enforce the 2009 arrest warrant against former prime minister Thaksin. The Supreme Court of Justice for Persons Holding Political Positions' case against him regarding a 2006 government bank loan to Burma remained suspended. He continued to reside outside the country. The NACC and Office of the Auditor General continued to investigate allegations of corruption committed by members of the Thaksin government from 2001 to 2006, and their findings triggered several cases at the Criminal Division of the Supreme Court of Justice for Persons Holding Political Positions.

As of December the military government continued investigation into allegations of corruption regarding the Royal Thai Army's construction of Rajabhakti Park that honors the country's past kings.

Financial Disclosure: Financial disclosure laws and regulations require elected and appointed public officials to disclose assets and income, according to standardized forms. The law penalizes officials who fail to submit declarations, submit inaccurate declarations, or conceal assets. Penalties include a five-year political ban, asset seizure, and discharge from position, as well as a maximum imprisonment of six months, a maximum fine of 10,000 baht (\$280), or both.

The NACC financial disclosure rules do not apply to NCPO members. Likewise, authorities exempted members of the National Reform Council--a 250-member council established by the NCPO following the coup and disbanded in October--from financial disclosure rules. As of October disclosure requirements for the new NCPO-appointed 200-member National Reform Steering Committee remained uncertain.

Public Access to Information: The law provides public access to government information, and the government effectively implemented the law. The law provided some exceptions for nondisclosure including damage to the monarchy, national security threats, and impediments to effective law enforcement. Regulations require a government agency to respond to a petition within 15 days; however, the regulations do not require it to submit a decision within a certain time. There is no processing fee. If a government agency ignores the petition for disclosure or the requester appeals a request denial, a judge with the Office of the Official Information Commission (OOIC) must decide the case within 60 days. If the OOIC orders the disclosure, the agency must disclose the information within seven days. The law subjects a noncompliant agency head to civil disciplinary actions or criminal penalties. OOIC received 373 appeals from January to September, a sharp increase from the 89 appeals received during the same period in 2014. Of the 373 cases received, 221 were completed and 152 remained pending at year's end. The OOIC organized public campaigns and training, as well as e-learning programs for officials responsible for reviewing requests.

## Timor-Leste

### Section 4. Corruption and Lack of Transparency in Government

The penal code provides criminal penalties for official corruption. The government faced many challenges in implementing the law, and the perception that officials frequently engaged in corrupt practices was widespread.

Since taking power in February, the government has taken steps to fight corruption by undertaking surprise inspections of government-run programs, increasing pressure to implement asset management and transparency systems, and making this a top priority.

Corruption: The Anti-Corruption Commission (CAC) is legally charged with leading national anticorruption activities and has the authority to refer cases for prosecution. Although the CAC is independent, its budget is controlled by the government and can be changed, making the CAC vulnerable to political pressures.

During the year the CAC addressed several corruption cases. For example, in October a court found the former state secretary for public works and the former coordinator of the Ministry of Public Works guilty of four corruption-related charges.

There were accusations of police, including border police, involvement in corruption--most commonly bribery and abuse of power. Police in some cases reportedly accepted bribes from brothels engaged in trafficking in persons. The chief of the PNTL investigations unit was convicted of corruption related to his failure to report in a drug trafficking case, but has appealed.

Financial Disclosure: The law requires that the highest members of government declare their assets to the Court of Appeals, but the declarations do not have to be made public and there are no criminal penalties for noncompliance.

Public Access to Information: The law stipulates that all legislation, supreme court decisions (when the court is established), and decisions made by government bodies must be published in the official gazette. If not published, they are invalid. Regulations also provide for public access to court proceedings and decisions and the national budget and accounts. Many documents, however, are only published in Portuguese. Moreover, obtaining hard copies entails a small fee and (often burdensome) travel to the printing office. The government publishes documents online; however, the internet is expensive and not widely available.



By law all government contracts and financial information are published on the online Transparency Portal. Some have complained that the website does not provide a narrative report from which one may determine spending.

Parliament met in closed sessions several times in the year, and parliamentary voting records were not published. Information on the government's Suai and Oecusse development projects was similarly difficult to obtain.

## Tonga

### Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for official corruption, but the government did not implement the law effectively, and officials sometimes engaged in corrupt practices with impunity. There were some reports of government corruption during the year.

Corruption: In February a nobles' representative for Vava'u was fined 10,560 pa'anga (\$4,965) on five weapons charges.

Bribery and other forms of corruption in parliament were reported. In August the Parliament Standing Committee was investigating the minister of infrastructure and tourism for alleged nepotism, and misuse and mismanagement of government properties. After admitting to the allegations in Parliament, the minister survived an impeachment motion in October. The prime minister in response to the impeachment motion terminated the minister's portfolio as minister of infrastructure but retained his portfolio as minister of tourism. He is also to commence work without pay for five months effective in January 2016.

Government preferences appeared to benefit unfairly businesses associated with government officials, nobles, and the royal family. The royal family continued to exert significant influence over public finances.

The Office of the Auditor General reports directly to parliament. The Office of the Anti-Corruption Commissioner is empowered to investigate official corruption. Both entities actively collaborated with civil society, but they neither operated effectively or independently nor were they sufficiently resourced.

Financial Disclosure: No law requires income and asset disclosure by appointed and elected officials.

Public Access to Information: The law does not specifically allow for public access to government information, and such access was a problem, especially when the government deemed the information sensitive. The Freedom of Information Policy, implemented by the Ministry of Information and Communication, gives persons the right to access some information on the roles and operations of each workplace in the public sector and to lodge a complaint to the commissioner of public relations if a government ministry refuses to disclose the requested information. Citizens exercised this right during the year.

## Tuvalu

### Section 4. Corruption and Lack of Transparency in Government

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The law provides criminal penalties for some forms of official corruption, such as theft;

however, laws against corruption are weak. In contrast with past years, there were no reports of government corruption. The public, however, criticized frequent overseas travel by government ministers and other officials.

The law provides for annual public ministerial reports, but publication was irregular and often nonexistent. In 2014 the Office of the Auditor General (OAG) established a website to provide the public greater access to annual audit reports of the government's financial statements. To date it has posted the 2013 audit report. During the year the Central Procurement Unit, under the Ministry of Finance and Economic Development, set up a website to improve access by the public to government bidding opportunities and to make the process more transparent.

Since 2009, together with Nauru and Kiribati, the country participated in three rounds of a subregional audit support program, an initiative of the Pacific Association of Supreme Audit Institutions, with the goal of enabling audits of public accounts to meet uniformly high standards in a timely manner.

Corruption: Parliament established the OAG to provide government oversight, to improve accountability, and improve performance of the public sector; however, it remained underfunded and lacked adequate staff to monitor corruption effectively. When needed, the police also played a role in investigating charges of corruption.

Financial Disclosure: The law requires income and asset disclosure by public office holders. In August 2014, the government appointed a chief ombudsperson to implement the Leadership Code Act and its financial disclosure provision. The first chief ombudsperson assumed the five-year post in October 2014.

Public Access to Information: No law provides for public access to government information. The government was somewhat cooperative in responding to individual requests for such information and provided limited copies of its annual budget documents to the public on request.

## Vanuatu

### Section 4. Corruption and Lack of Transparency in Government

While the law provides criminal penalties for official corruption, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. Transparency International called on the government to implement and fund a national anti-corruption agency or to strengthen existing agencies to fight corruption.

Corruption: The law provides for the appointment of public servants based on merit, but political interference at times hampered effective operation of the civil service.

Corruption was widespread, including in Parliament. On October 9, the Supreme Court found Speaker of the Parliament Marcellino Pipite and 13 other parliamentarians guilty of accepting bribes of 1 million vatu (\$9,430) from Deputy Prime Minister Moana Carcasses for their agreement to vote out the previous government. The next day Pipite, acting as head of state while the president was traveling abroad, signed a pardon for himself and the others. After President Baldwin Lonsdale returned home, he revoked the pardon, a decision the Supreme Court upheld. The court sentenced Pipite along with most of the other convicted lawmakers to sentences ranging from three to four years imprisonment each.

The Ombudsman's Office and Auditor General's Office are key government agencies responsible for combating government corruption. The Office of the Ombudsman confirmed receiving many complaints of police corruption during the year, mainly for inaction and

maladministration. After officials investigated complaints, the results and recommendations provided to the commissioner for police elicited no prosecutions during the year. In 2012 Transparency Vanuatu's Advocacy and Legal Advice Center (ALAC) reported more than 32 percent of public corruption complaints submitted to ALAC since 2009 concerned the judiciary, while the Ministry of Lands and the police department received the second and third highest number of complaints.

Financial Disclosure: Members of parliament and elected members of provincial governments are subject to a leadership code of conduct that includes financial disclosure requirements. The Office of the Ombudsman confirmed, however, that some officials did not comply with these requirements.

Public Access to Information: The government launched a Right to Information policy in April 2014 but implementation of the policy across government departments was uneven. The policy also awaited a law from parliament guiding what information could be released and when. The government's response to requests for information from the media was inconsistent.

## Vietnam

### Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption; however, the government did not always implement the law effectively, and officials sometimes engaged in corrupt practices with impunity.

Corruption: Corruption continued to be a major problem despite the government's continued focus on the issue in advance of the Communist Party Congress in 2016. In September the CPV released an assessment of the political and economic challenges and achievements, which stated, "Corruption remains serious...and poses a challenge to the leading role of the party and management efficiency of the state and threatens the survival of the regime."

Corruption continued to be a problem in land allocation, bidding for construction and infrastructure projects, and official development assistance. In April a foreign aid donor said that corruption had reached a level at which it would stop supporting projects in the country.

Banking sector reform continued during the reporting year, leading to the high-profile arrest in July of Nguyen Xuan Son, the former head of Petro Vietnam, for alleged corruption during his time as the head of Ocean Bank. Son's arrest was the first high-profile arrest of a leader of a state-owned enterprise since 2013.

On September 11, the National Assembly Committee of Judicial Affairs reported the Government Inspectorate of Vietnam (GIV) conducted more than 120,000 inspections of government officials and transactions through July 31, and reclaimed 50.3 trillion VND (\$2.3 billion) and 4,420 acres of land. The GIV found economic violations with a total value of 201.5 trillion VND (\$9.2 billion) during 2011-15, revoked permits for more than 46,900 acres of land, and recovered 113.88 trillion VND (\$5.2 billion) in 441 corruption-related cases.

On October 27, a Hanoi court convicted six executives from state-owned Vietnam Railways for their role in a corruption scandal involving a railway contract funded by Japan.

Corruption among police remained a significant problem at all levels, and police sometimes acted with impunity. Internal police oversight structures existed but were

subject to political influence.

A 2013 corruption law allows citizens to complain openly about inefficient government, administrative procedures, corruption, and economic policy, but authorities prohibited attempts to organize disaffected citizens, with corruption protest organizers subjected to arrest and harassment.

Financial Disclosure: The amended anticorruption law requires senior government officials and National Assembly members to disclose their income and assets and explain changes from the previous year's disclosure. In January 2014 the Politburo issued a directive requiring improved asset declaration by officials holding managerial positions. Additionally, supervisors had the right to question an employee's disclosure. While the law does not stipulate a penalty for noncompliance, a July 2014 decree provides for possible reprimand, warning, suspension, or removal for noncompliant civil servants. In 2014 the government reported 99 percent of government workers disclosed their finances.

Public Access to Information: The law does not provide for public access to government information, and the government usually did not grant such access to citizens or noncitizens, including foreign media. In accordance with the law, the *Official Gazette* published most government legal documents in its daily editions but not party documents such as Politburo decrees. The government maintained a website in both Vietnamese and English, as did the National Assembly. Decisions of the Supreme People's Court Council of Judges were generally accessible through the court's website, although it was difficult for individuals to obtain government information.