

Afghan Customs Department

Anti-corruption working plan

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Introduction

Following the “zero tolerance of corruption” declaration by the Minister of Finance (MoF), the purpose of this action plan is to identify key actions that can be implemented at the institutional level of the Afghan Customs Department (ACD) to reduce corruption. This plan will be the first practical steps in ACD’s fight against corruption and is designed to compliment and support the Ministry of Finance anti-corruption strategy.

This plan draws upon best practice actions from around the world, including Transparency International and the UN but especially from the experiences of the New Zealand Public Services who are renowned for their integrity and lack of corruption. Whilst we understand that we are unlikely to ever completely eliminate corruption, that doesn’t mean we couldn’t aim for that as our ultimate goal, therefore this action plan adopts a basic zero tolerance to corruption approach.

Background

“Corruption is present in almost any country, but has the most devastating effects in developing economies, because it hinders any advance in economic growth and in democracy. Corruption wastes resources by distorting government policy against the interests of the majority and away from its proper goals. It turns the energies and efforts of public officials and citizens towards easy money instead of productive activities. It hampers the growth of competitiveness, frustrates efforts to alleviate poverty and generates apathy and cynicism. The harms caused by corruption, which are as numerous as the shapes corruption can take, have destroyed well-intentioned development projects in the South and undermined political and economic transitions in the East.”¹

Corruption exists in all countries the difference in developing countries is that largely corruption is so endemic nothing is done, whereas in developed countries the price for engaging is often a heavy penalty for the perpetrators, who when caught will either be sacked and or prosecuted². Left unchecked, corruption will only increase and make the poorest and the least educated poorer. Where personal risk and punishment are minimal, the risk of corruption naturally increases. The belief that corruption can be eradicated quickly and permanently inevitably leads to false expectations that result in disappointment and distrust. It must be understood that curbing corruption requires adequate time, resources, dedication and integrity.

¹ Corruption and Integrity Improvement Initiatives in Developing Countries, UNDP

² The recent British MP’s “expenses” scandal is a good example of how people will be made to pay with their careers and although it is not certain how many, some will also be prosecuted for fraud.

Strategy for going forward

The anti-corruption action plan will, if implemented have two clear and significant benefits to ACD – in the first instance it will reduce the invidious affects of corruption and rent seeking and secondly the measures identified in the action plan will in themselves bring about a more efficient and effective organisation.

All the research and experience from past show that corruption is dynamic and has various cross cutting dimensions; therefore, the most appropriate approach to curb corruption must also be dynamic, integrated and holistic. In order to achieve this, we have adopted a multi-dimensional approach which includes actions in the following key areas:

- **Prevention** to include process and systems reviews to eliminate opportunities for corruption;³ Private Sector Anti-Corruption Cooperation Campaign, access to relevant information on tariffs, fees and charges, revenue surveys
- **Enforcement** to include zero tolerance prosecution/dismissal, appropriate support for investigation into corruption, confidential hot lines, prosecution of corrupt traders and officials, making it illegal to offer or take bribes;
- **Technical including risk management based system**
- **Institution building** to include changing the ethos and culture and actions that “breed integrity in”, using an Oath of Integrity and the Code of Conduct as the foundation, moving towards a results based management system including management and supervisory training, identification and management of the risk from institutional vulnerability points, support and promote “islands of integrity”
- **Awareness** raising to include media campaigns and training in the code of conduct, empowering the victims of corruption, monitoring and evaluating actions through internal reporting and confidential surveys

The implementation plan which has been developed in-conjunction with the action plan has been sequenced and prioritised to ensure correlation of linked activities and the cost benefit relationship for outcomes. In addition we have taken into account the complexity of the measure, how long it will take to implement and the extent of control over the implementation.

Action points

Prevention

- Removal of discretion when applying tariffs, fees and charges, this includes publication in all customs offices and on the Web of tariffs, fees and charges
- Review of processes and procedures to simplify and remove opportunities for corruption

³ To achieve a reduction of procedural complexities and over burdensome administration in conjunction with the reduction of officers discretion

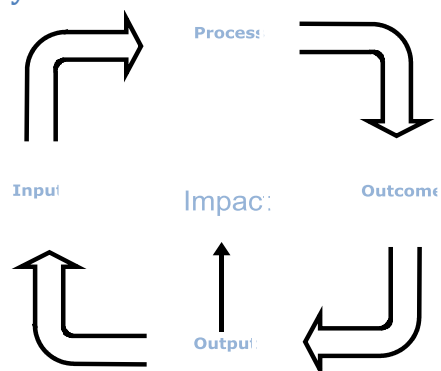
- Motivation of employees, ensuring that all customs officer are recruited through a merit based system and staff undertaking a comparable role are paid equally;
- Introduction of a performance based appraisal and reward system;
- Implementing a results based management system, strengthening the accountability of management and staff providing a framework of accountability across the whole organisation;
- Support to “whistleblowers”, protection from backlash
- Disclosure of interests – all employees to disclose relationships within ACD and with traders;
- Implementation code of conduct and code of conduct training for all officers.
- Identification and management of the risk from institutional vulnerability point

Enforcement

- Adequate resources and training available for investigators, as well as specific skills and knowledge training;
- Have a policy of prosecuting all cases where the evidence supports, no let off for first offences etc
- Have a policy of dismissal for all officer found guilty of corruption and publicise the policy throughout ACD;
- Provide protective measures for informants and whistleblowers;
- Ensure adequate publicity is given to prosecutions either of officials or traders (strictly this is “prevention”)
- Establish a “Customs Ombudsman” to investigate/deal with complaints from the public on corrupt practices within ACD including application of procedures, tariffs, fees and charges and recruitment;
- Implement and publicise a simple but effective complaints procedure;
- Implement a computerised complaints procedure and analysis process able to pick up trends and patterns which may indicate corruption.

Institution building

Results based management system



Results Based Management (RBM) will require the setting of clear goals and objectives for ACD as a whole and for departments and provinces⁴, and :

- A performance measurement system that focuses on and rewards results;
- A learning culture grounded in evaluation and feedback;
- Ownership and participation by stakeholders of planning and implementation;
- Clear lines of authority and accountability among the various decentralised or provincial units; and
- Concrete links between results, planning and resource allocation.

Promoting standards of integrity- breeding integrity in!

- Ensure integrity-rich behaviour is built into the culture of the organisation.
- Implement a clear processes for registering conflicts,
- Implement a practical system for declaring gifts and benefits,
- Promote the proper use of organisational resources as the accepted and expected way things are done.
- Include “achieving high standards of integrity and conduct” in the performance review processes;
- Ensure that integrity standards are identified in selection criteria for jobs and that selection processes address the analysis and review of ethical behaviour.
- Ensure that staff know they are legally required to comply with the code of conduct and understand what is expected of them as a result. The organisation must ensure that everyone to whom the code applies has access to it or is given a copy of it.
- Assist understanding and compliance with the code by:
 - ✓ drawing attention to the code
 - ✓ displaying the code in work areas, tea rooms, meeting rooms, etc.
 - ✓ ensuring the code is available on the organisation’s Web page and that staff are informed of this, along with other resources such as guidelines, questions and answers, the process for reporting breaches, etc.
 - ✓ asking staff to sign a form or to send an email acknowledgment to say they have read and understood the code.
- Ensure that training:
 - ✓ informs staff of the standards of behaviour expected of them in the specific context of the organisation
 - ✓ makes staff aware of the relationship of the code to Customs Law and integrity policies and practices of the organisation –
 - ✓ include the code in induction courses, and in other training sessions as appropriate.
- Ensure staff know how to report unacceptable behaviour.
- Ensure that processes are in place to investigate alleged abuses of the code of conduct and breaches of ethical and legal behavior.

⁴ These should not just be revenue targets

Technical

- Introduce a risk management system

Raising Awareness

- A media campaign aimed at the public and traders explaining that corruption is wrong and damages them;
- Easy access to information on how to report wrongdoing;
- Publicising prosecution of corrupt officials and traders;
- Training for all staff in the code of conduct,
- Empowering the victims of corruption through publicising and promotion of the MoF hotline
- Monitoring and evaluating actions through internal reporting and confidential surveys

Implementation and Monitoring

Implementation of the ACD Anti-corruption Plan will be carried out by the relevant managers and departments; to support this ACD will create a small working group, consisting of the DM, DG and Senior managers and International Technical Advisors who will use the Implementation Matrix to monitor progress.

Conclusion

Corruption is insidious nature and the damaging effects it has on the welfare of entire nations and their peoples are legion. Corruption not only undermines the fabric of an orderly socioeconomic decision-making, it also deters investment, undermines competitiveness and, ultimately, weakens economic growth and undermines the fabric of an orderly society and impedes development across the whole social, legal, political and economic framework.

There is no “silver bullet, but corruption can be checked with political will and determination, this plan will be a step in that direction.

Annex 1 – Implementation Matrix