

Oguzkaan Schools

JMUN

Political Committee

The United Nations emblem is centered on the page. It features a world map with latitude and longitude lines, surrounded by a laurel wreath. The emblem is rendered in a light blue color against the dark green background.

Issue : Governmental
Transparency vs.
Corruption

Forum: Political Committee

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I. Introduction:

In politics, corruption undermines democracy and good governance by flouting or even subverting formal processes. Corruption in elections and in the legislature reduces accountability and distorts representation in policymaking; corruption in the judiciary compromises the rule of law; and corruption in public administration results in the inefficient provision of services. For republics, it violates a basic principle of republicanism regarding the centrality of civic virtue. More generally, corruption erodes the institutional capacity of government if procedures are disregarded, resources are siphoned off, and public offices are bought and sold. Corruption undermines the legitimacy of government and such democratic values as trust and tolerance. Recent evidence suggests that variation in the levels of corruption amongst high-income democracies can vary significantly depending on the level of accountability of decision-makers. Corruption can also impact government's provision of goods and services. It increases the costs of goods and services which reveal efficiency loss. In the absence of corruption, governmental projects might be cost-effective at their true costs, however, once corruption costs are included projects may not be cost effective so they are not executed distorting the provision of goods and services.

II. Definition of Key Terms:

Governmental Transparency: In politics, transparency is used as a means of holding public officials accountable and fighting corruption. When a government's meetings are open to the press and the public, its budgets may be reviewed by anyone, and its laws and decisions are open to discussion, it is seen as transparent.

Corruption: Corruption is a form of dishonesty or criminal activity undertaken by a person or organization entrusted with a position of authority, often to acquire illicit benefit, or, abuse of entrusted power for one's private gain.

FOIA: The Freedom of Information Act is a United States federal law that grants the public access to information possessed by government agencies. Upon written request, U.S. government agencies are required to release information unless it falls under one of nine exemptions listed in the Act.

RTI: RTI is act of the Parliament of India to provide for setting out the practical regime of the right to information for citizens and replaces the erstwhile Freedom of information Act, 2002. Under the provisions of the Act, any citizen of India may request information from a "public authority" (a body of Government or "instrumentality of State") which is required to reply expeditiously or within thirty days. The Act also requires every public authority to computerise their records for wide dissemination and to proactively certain categories of information so that the citizens need minimum recourse to request for information formally.

OECD: The Organisation for Economic Co-operation and Development (OECD) is an international organisation that works to build better policies for better lives. Our goal is to shape policies that foster prosperity, equality, opportunity and well-being for all. They draw on almost 60 years of experience and insights to better prepare the world of tomorrow.

Open Government Partnership: In 2011, government leaders and civil society advocates came together to create a unique partnership—one that combines these powerful forces to promote accountable, responsive and inclusive governance.

Seventy-eight countries and a growing number of local governments—representing more than two billion people—along with

thousands of civil society organizations are members of the Open Government Partnership (OGP).

III. History:

The term 'open government' originated in the United States after World War II. Wallace Parks, who served on a subcommittee on Government Information created by the U.S. Congress, introduced the term in his 1957 article "The Open Government Principle: Applying the Right to Know under the Constitution." After this and after the passing of the Freedom of Information Act (FOIA) in 1966, federal courts began using the term as a synonym for government transparency.

Although this was the first time that 'open government' was introduced, the concept of transparency and accountability in government can be traced back to Ancient Greece in fifth century B.C.E. Athens where different legal institutions regulated the behavior of officials and offered a path for citizens to express their grievances towards them. One such institution, the *euthyna*, held officials to a standard of "straightness" and enforced that they give an account in front of an Assembly of citizens about everything that they did that year.

In more recent history, the idea that government should be open to public scrutiny and susceptible to public opinion dates back to the time of the Enlightenment, when many *philosophes* made an attack on absolutist doctrines of state secrecy. The passage of formal legislature can also be traced to this time with Sweden, (which then included Finland as a Swedish-governed territory) where free press legislation was enacted as part of its constitution (Freedom of the Press Act, 1766).

Influenced by Enlightenment thought, the revolutions in America (1776) and France (1789) enshrined provisions and requirements for public budgetary accounting and freedom of the press in constitutional articles. In the nineteenth century, attempts by Metternichean statesmen to row back on these measures were vigorously opposed by a number of eminent liberal politicians and writers, including Bentham, Mill and Acton.

Open government is widely seen to be a key hallmark of contemporary democratic practice and is often linked to the passing of freedom of information legislation. Scandinavian countries claim to have adopted the first freedom of information legislation, dating the origins of its modern provisions to the eighteenth century and Finland continuing the presumption of openness after gaining independence in 1917, passing its Act on Publicity of Official Documents in 1951 (superseded by new legislation in 1999).

An emergent development also involves the increasing integration of software and mechanisms that allow citizens to become more directly involved in governance, particularly in the area of legislation. Some refer to this phenomenon as e-participation, which has been described as "the use of information and communication technologies to broaden and deepen political participation by enabling citizens to connect with one another and with their elected representatives".

IV. Current Policies:

a) Africa

Morocco's new constitution of 2011 outlined several goals the government wishes to achieve in order to guarantee the citizens right to information. This loan is part of a joint larger program between the

European Union and the African Development Bank to offer financial and technical support to governments attempting to implement reforms.

As of 2010, section 35 of Kenya's constitution ensures citizens' rights to government information. The article states "35. Every citizen has the right of access to information held by the State; and information held by another person and required for the exercise or protection of any right or fundamental freedom. The State shall publish and publicize any important information affecting the nation." Important government data is now freely available through the Kenya Open Data Initiative.

b) Asia

Taiwan started its e-government program in 1998 and since then has had a series of laws and executive orders to enforce open government policies. The Freedom of Government Information Law of 2005 stated that all government information must be made public. Such information includes budgets, administrative plans, communication of government agencies, subsidies. The Sunflower Movement of 2014 emphasized the value that Taiwanese citizens place on openness and transparency. A white paper published by the National Development Council with policy goals for 2020 explores ways to increase citizen participation and use open data for further government transparency.

The Philippines passed the Freedom of Information Order in 2016, outlining guidelines to practice government transparency and full public disclosure. In accordance to its General Appropriations Act of 2012, the Philippine government requires government agencies to display a "transparency seal" on their websites, which contains

information about the agency's functions, annual reports, officials, budgets, and projects.

The Right to Information, (RTI) movement in India, created the RTI law in 2005 after environmental movements demanded the release of information regarding environmental deterioration due to industrialization. Another catalyst for the RTI law and other similar laws in Southeast Asia may have been due to multilateral agencies offering aid and loans in exchange for more transparency or “democratic” policies.

c) Europe

In the Netherlands, large social unrest and the growing influence of televisions in the 1960s led to a push for more government openness. Access to information legislation was passed in 1980 and since then further emphasis has been placed on measuring the performance of government agencies. Particularly, the government of the Netherlands adopted the Open Government in Action (*Open overheid in actie*) Plan for 2016-2017, which outlines nine concrete commitments to the open government standards set by the OECD.

d) North America

In 2009, President Obama released a Memorandum on Transparency and Open Government and started the Open Government Initiative. In his memorandum put forward his administration's goal to strengthen democracy through a transparent, participatory and collaborative government. The initiative has goals of a transparent and collaborative government, in which to end secrecy in Washington, while improving effectiveness through increased communication between citizens and government officials. Movements for government transparency in recent American history started in the 1950s after World War II because federal departments and agencies had started limiting

information availability as a reaction to global hostilities during the war and due to fear of Cold War spies. Agencies were given the right to deny access to information "for good cause found" or "in the public interest". These policies made it difficult for congressional committees to get access to records and documents, which then led to explorations of possible legislative solutions.

e) South America

Since the early 2000s, transparency has been an important part of Chile's Anti-Corruption and Probity Agenda and State Modernization Agenda. In 2008, Chile passed the Transparency Law has led to further open government reforms. Chile published its open government action plan for 2016-18 as part of its membership of the Open Government Partnership (OGP).

V. Opposing Corruption

Mobile telecommunications and radio broadcasting help to fight corruption, especially in developing regions like Africa, where other forms of communications are limited. In India, the anti-corruption bureau fights against corruption, and a new ombudsman bill called Jan Lokpal Bill is being prepared.

In the 1990s, initiatives were taken at an international level (in particular by the European Community, the Council of Europe, the OECD) to put a ban on corruption: in 1996, the Committee of Ministers of the Council of Europe for instance, adopted a comprehensive Programme of Action against Corruption and, subsequently, issued a series of anti-corruption standard-setting instruments:

- the Criminal Law Convention on Corruption (ETS 173)
- the Civil Law Convention on Corruption (ETS 174)
- the Additional Protocol to the Criminal Law Convention on Corruption (ETS 191)
- the Twenty Guiding Principles for the Fight against Corruption (Resolution (97) 24)
- the Recommendation on Codes of Conduct for Public Officials (Recommendation No. R (2000) 10)
- the Recommendation on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns (Rec(2003) 4)

The purpose of these instruments was to address the various forms of corruption (involving the public sector, the private sector, the financing of political activities, etc.) whether they had a strictly domestic or also a transnational dimension. To monitor the implementation at national level of the requirements and principles provided in those texts, a monitoring mechanism – the Group of States Against Corruption (also known as GRECO) (French: Groupe d'Etats contre la corruption) was created.

VI. Effects

a) Effects on Politics, Administration, and Institutions

In politics, corruption undermines democracy and good governance by flouting or even subverting formal processes. Corruption in elections and in the legislature reduces accountability and distorts representation in policymaking; corruption in the judiciary compromises the rule of law; and corruption in public administration results in the inefficient provision of services. For republics, it violates a basic principle of republicanism regarding the centrality of civic virtue. More generally, corruption erodes the institutional capacity of

government if procedures are disregarded, resources are siphoned off, and public offices are bought and sold. Corruption undermines the legitimacy of government and such democratic values as trust and tolerance. Recent evidence suggests that variation in the levels of corruption amongst high-income democracies can vary significantly depending on the level of accountability of decision-makers. Evidence from fragile states also shows that corruption and bribery can adversely impact trust in institutions.

Corruption can also impact government's provision of goods and services. It increases the costs of goods and services which arise efficiency loss. In the absence of corruption, governmental projects might be cost-effective at their true costs, however, once corruption costs are included projects may not be cost-effective so they are not executed distorting the provision of goods and services.

b) Economic Effects

In the private sector, corruption increases the cost of business through the price of illicit payments themselves, the management cost of negotiating with officials and the risk of breached agreements or detection. Although some claim corruption reduces costs by cutting bureaucracy, the availability of bribes can also induce officials to contrive new rules and delays. Openly removing costly and lengthy regulations are better than covertly allowing them to be bypassed by using bribes. Where corruption inflates the cost of business, it also distorts the field of inquiry and action, shielding firms with connections from competition and thereby sustaining inefficient firms.

Corruption may have a direct impact on the firm's effective marginal tax rate. Bribing tax officials can reduce tax payments of the firm if the marginal bribe rate is below the official marginal tax rate. However, in Uganda, bribes have a higher negative impact on firms' activity than taxation. Indeed, a one percentage point increase in bribes reduces firm's annual growth by three percentage points, while

an increase in one percentage point on taxes reduces firm's growth by one percentage point.

Corruption also generates economic distortion in the public sector by diverting public investment into capital projects where bribes and kickbacks are more plentiful. Officials may increase the technical complexity of public sector projects to conceal or pave the way for such dealings, thus further distorting investment. Corruption also lowers compliance with construction, environmental, or other regulations, reduces the quality of government services and infrastructure, and increases budgetary pressures on government.

c) Environmental and Social Effects

Corruption is often most evident in countries with the smallest per capita incomes, relying on foreign aid for health services. Local political interception of donated money from overseas is especially prevalent in Sub-Saharan African nations, where it was reported in the 2006 World Bank Report that about half of the funds that were donated for health usages were never invested into the health sectors or given to those needing medical attention.

Instead, the donated money was expended through "counterfeit drugs, siphoning off of drugs to the black market, and payments to ghost employees". Ultimately, there is a sufficient amount of money for health in developing countries, but local corruption denies the wider citizenry the resource they require.

Corruption facilitates environmental destruction. While corrupt societies may have formal legislation to protect the environment, it cannot be enforced if officials can easily be bribed. The same applies to social rights worker protection, unionization prevention, and child labor.

d) Effects on Health

Corruption plays a huge role in health care system starting from the hospital, to the government and lifted to the other institutions that promote quality and affordable health care to the people. The efficiency of health care delivery in any country is heavily dependent on accountable and transparent systems, proper management of both financial and human resources and timely supply of services to the vulnerable populace of the nation.

At the basic level, greed skyrockets corruption. When the structure of the health care system is not adequately addressed beginning from oversight in healthcare delivery and supply of drugs and tendering process, mismanagement and misappropriation of funds will always be observed. Corruption also can undermine health care service delivery which in turn disorients the lives of the poor. Corruption leads to violation of human rights and fundamental freedoms as people supposed to benefit from the basic health care from the governments are denied due to unscrupulous processes driven by greed. Therefore, for a country to keep citizens healthy there must be efficient systems and proper resources that can tame the evils like corruption that underpin it.

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