



An Open Letter to the Citizens of Malaysia

December 9, 2010 is the United Nations Anti-Corruption Day. It is a day to commemorate and remind nations and their citizens of their continuing battle against corruption.

Corruption must be recognized as not just an economic crime but also a crime against the society at large that undermines and cripples its institutions, including making public services inefficient, costly and unavailable or affordable to the poor, and increasing the risk to safety and health of the people. For example, a corrupt act of awarding a contract to an incompetent but well-connected builder for the construction of schools can put the lives of our children at risk. A single act of bribing enforcement officials to “close an eye” to illegal logging causes the loss of thousands of acres of virgin rainforest forest, its biodiversity destroyed, people displaced and collateral damage of landslides, floods and climate change. Likewise, granting licences to unqualified drivers and certifying unworthy vehicles to be road worthy through corrupt practices can lead to accidents and deaths. Furthermore, the practice of multi-tier subcontracting often grossly inflates costs, promotes shoddy work and delayed and incomplete projects.

Corruption affects all strata of society but with the greatest impact on the poor who may be denied access to basic services. Therefore combating corruption is integral to the quest for social justice. It is quest against exploitation by abusers who enrich themselves with disregard for the suffering of others. It is a betrayal of the trust given to them by the people.

Many leaders and others in authority have made many promises to combat corruption but we have only seen a trail of broken promises. Essential reforms are compromised and not implemented consistently. Critical resources that are required are not made available. Form becomes more important than substance. Denial, excuses, lukewarm efforts and window dressing are used to deflect complaints about failure to effectively combat corruption. The public's lack of confidence and distrust in the establishment is reflected in its cynicism and scepticism and reflected in its negative perception of the country's effectiveness in combating corruption. How often do we hear the public describe enforcement action as a “sandiwara” or, it is all a drama! Therefore, if Malaysia is to progress to in her fight against corruption, she must ensure that commitments to stop corruption must be translated into concrete actions, enforcement and results. To be sustainable, the battle must be fought on all fronts and address all facets involving the people, institutions, laws and values.

Change is only sustainable if there is widespread public support. It is the people who must push for and demand accountability from those who are entrusted to govern and administer. The fight against corruption starts with every individual. All must stand up and uphold zero tolerance against corruption.

The countries with low corruption usually have strong institutions that have high level of integrity and are able to enforce laws without fear or favour. Institutions consisting of regulatory bodies and enforcement agencies such as the anti-corruption commission, the police, the judiciary and the prosecuting agency are the ones that can bring about real change as they are the ones with the capacity to allow or reduce corruption. These are institutions that can make or break entrenched interests that allow “state capture” to influence government decisions and policies in favour of the abusers regardless of the detriment to the public. These institutions must become responsible, accountable and transparent in all matters affecting public interest. They must be independent of politics and influence of any sort.

A corrupt act involves both a giver and a recipient. Not just the recipient must be dealt with, but also the giver. Although regulators in recent time require improvement in corporate governance especially amongst the listed public companies, the emphasis on combating corruption is lacking. The absence of a coordinated and holistic approach makes corporate governance compliance superficial. What is required is the comprehensive implementation of a corporate integrity system for each corporation that builds an effective governance infrastructure, the use of integrity compliance tools and capacity building. It is time that the regulators make such measures obligatory.

Malaysia has adopted wide ranging anti-corruption legislation and has ratified but not implemented the UN Convention Against Corruption (UNCAC). Effective and impartial enforcement is critical if public trust is to be gained. It will be a mockery of the legal system if impunity and not justice prevails. Robust enforcement that is impartial and fair is required and sentences must be punitive enough to act as deterrent. A strong message must be conveyed that corruption does not pay. Furthermore, government-to-government collaborative measures must be taken to confiscate fruits of corruption including assets stashed in tax haven offshore accounts.

Finally, progress in eliminating corruption cannot be achieved just by law enforcement and institution strengthening. If people choose to be corrupt or have anything less than zero-tolerance for corruption, then corruption will persist. Therefore, there must be a change in the beliefs and the values of people. For too long, Malaysians have treated corruption as less than an economic crime. Often, corruption is driven by greed, unbridled materialism, the love of money and also the lust for power. How can we have integrity, accountability and transparency without the conviction in the hearts of people that corruption is a sin against God and society? Therefore, coupled with governmental measures, core values of integrity, honesty and righteousness must be instilled, especially among the youth and future leaders. Leaders today must lead by example and walk the talk for they have a strong impact in shaping the values of the youth.

Eliminating corruption starts with each and every individual saying "No to corruption".

Yours sincerely

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