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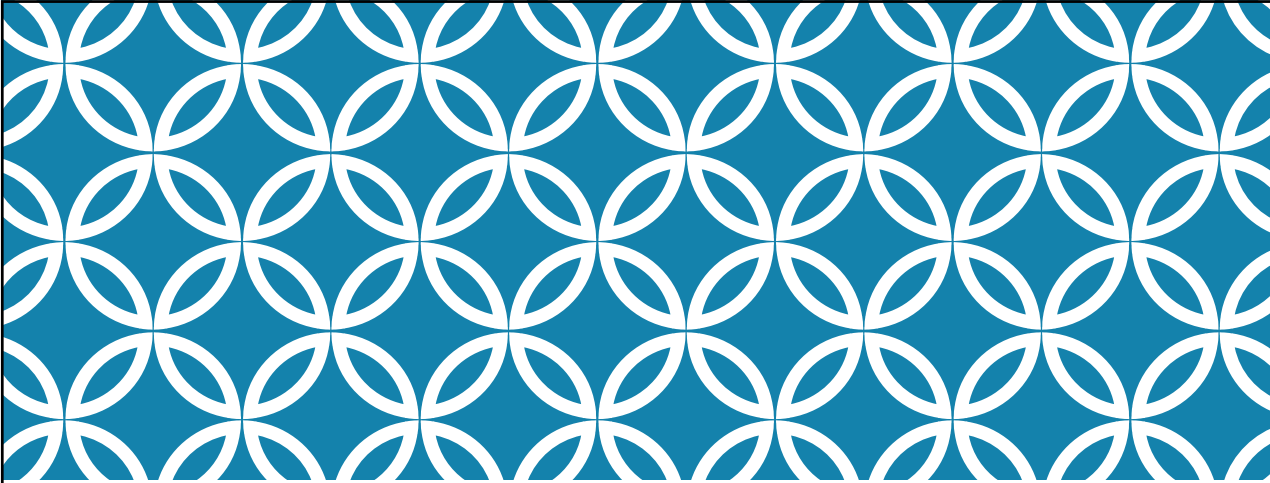
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The Role of Social Organisations and Citizens in Anti-Corruption in Viet Nam


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**Workshop on Promoting Social Engagement in
Anti-Corruption
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**THE ROLE OF SOCIAL ORGANISATIONS AND
CITIZENS IN ANTI-CORRUPTION IN VIET NAM**



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Empowered lives.
Resilient nations.

UNCAC ARTICLE 13

Article 13 (UNCAC) stipulates that parties signatory to the treaty should actively promote the active participation of individuals and groups outside the public sector:

“Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption.”

GAME CHANGERS...

- Engaging in education and awareness raising around the issues of corruption and anti-corruption policies
- Calling on governments to increase transparency and provide information for the public
- Generating evidence and information for policy advocacy
- Advocating for change in anti-corruption policies and courses of actions
- Promoting public consultation to contribute to the government decision-making process
- Supporting the government in development of anti-corruption laws, policies and programmes by offering experts and local knowledge
- Whistleblowing and giving advice to whistle-blowers
- Monitoring the implementation of anti-corruption strategies and policies
- Exerting pressure on governments to address their international commitments (e.g. UNCAC)

ACTORS IN THE GAME

- Not giving bribes for own vested interest
- Denouncing bribery and corrupt acts
- Whistleblowing against corruption within organisations
- Improving public access to information own by organisations
- Increasing transparency and accountability in own business
- Integrating anti-corruption in own activities
- Calling public agencies into account

WHO ARE CIVIL SOCIETY ORGANISATIONS AND CITIZENS IN VIET NAM?

Individuals are ordinary citizens (the population at large)

Civil society organisations (officially referred to as social organisations) in Viet Nam include:

- Mass organisations (the Viet Nam Fatherland Front and its political, social and professional member organisations, including the Vietnam Journalists' Association)
- Professional associations and umbrella organisations (e.g. Viet Nam Chamber of Commerce and Industry, Vietnam's Union of Science and Technology Associations)
- Vietnamese non-government organisations
- The media (newspapers and online media)
- Community-based organisations (People's Inspection Boards, Community Investment Supervision Boards, etc.)

WHAT ROLES ARE CITIZENS SUPPOSED TO PLAY?

- **Engaging in education and awareness raising around the issues of corruption and anti-corruption policies**

✓ *The National Anti-corruption Strategy towards 2020 (in the Fifth Group of Solutions and Tasks) specifies the need to "enhance the awareness of and the role of the whole society in anti-corruption efforts"*

- **Calling on governments to increase transparency and provide information for the public**

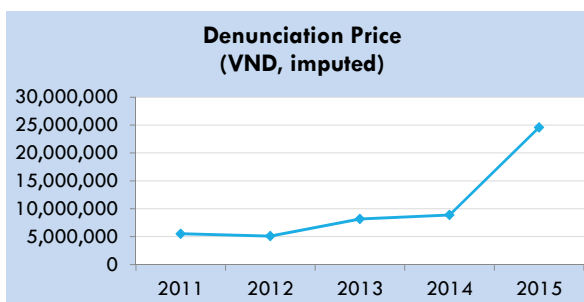
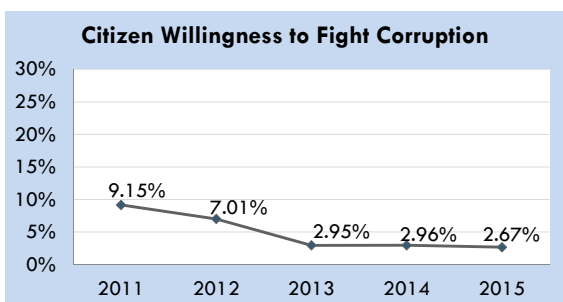
✓ *The 2017 Grassroots Democracy Ordinance with its motto "People Know, People Discuss, People Do, People Verify"*

- **Refusing to give bribes, whistleblowing, denouncing, lodging complaints**

✓ *The Penal Code, the Anti-corruption Law, the Law on Denunciation, the Law on Complaints, the Press Law, etc.*

WHAT ARE CITIZENS DOING IN ANTI-CORRUPTION?

Reluctance to denunciate and willingness to pay bribes



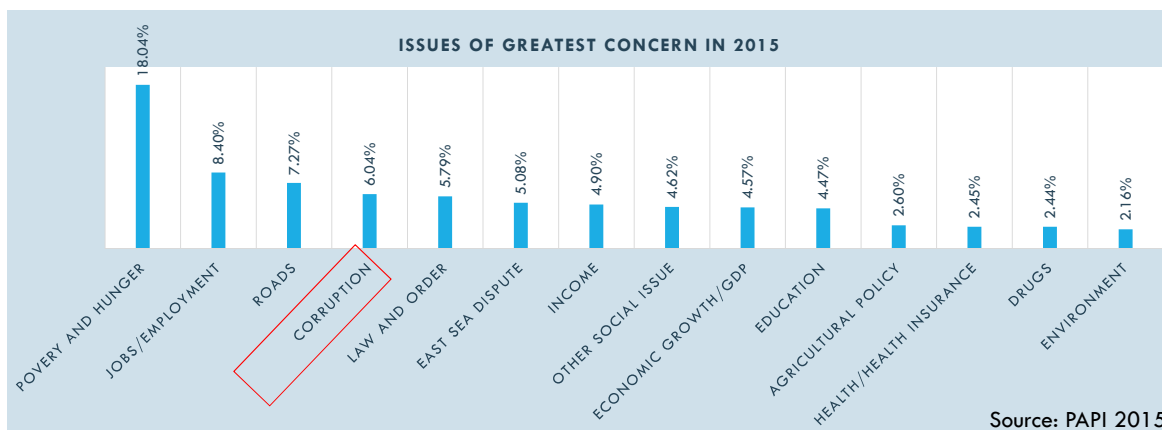
50% found it useless to denunciate corruption
10% found the process to denunciate corruption too complicated

14% did not know how to denunciate corruption
8% scared of retaliation

Source: PAPI 2015. Available at www.pgpi.org.vn

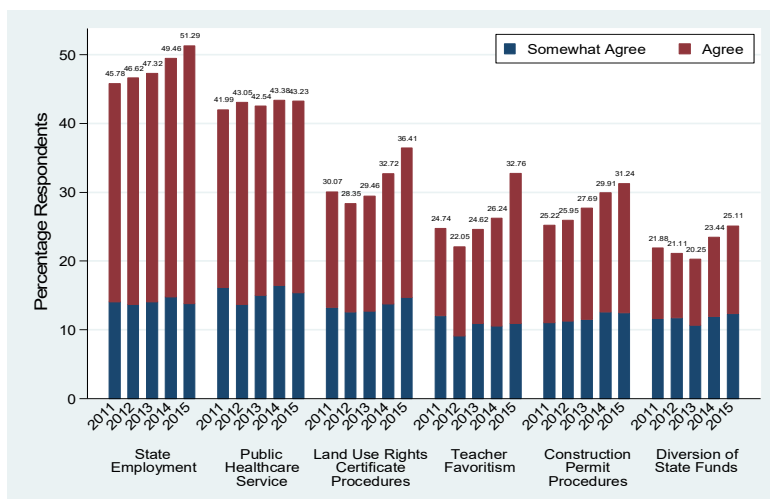
WHAT ARE CITIZENS DOING IN ANTI-CORRUPTION?

But citizens have participated in surveys or voiced up with key umbrella organisations on the media to express their frustration with the epidemic problem of corruption...



Source: PAPI 2015

WHAT ARE CITIZENS DOING IN ANTI-CORRUPTION?



... as they feel about and experience with bribery and corruption when interacting with public agencies.

Source: PAPI 2015

WHAT ROLES ARE SOCIAL ORGANISATIONS SUPPOSED TO PLAY?

- **Engaging in education and awareness raising around the issues of corruption and anti-corruption policies [game changers]**
 - ✓ The National Anti-corruption Strategy towards 2020 (in the Fifth Group of Solutions and Tasks) specifies the need to “enhance the awareness of and the role of the whole society in anti-corruption efforts”
- **Calling on governments to increase transparency and provide information for the public [game changers]**
 - ✓ The 2017 Grassroots Democracy Ordinance with its motto “People Know, People Discuss, People Do, People Verify”
- **Refusing to give bribes, whistleblowing, denouncing, lodging complaints [actors in the game]**
 - ✓ The Penal Code, the Anti-corruption Law, the Law on Denunciation, the Law on Complaints, the Press Law, etc.

WHAT ARE SOCIAL ORGANISATIONS DOING IN ANTI-CORRUPTION?

Apart from government and mass organisations' mechanisms to collect public opinions, the business community has shown their perceptions of corruption facing them

Size off enterprises	Firms in my line of business pay bribes (%)	Percentage of revenue in informal payments (% >10%)	Local officials use compliance with local regulations to extract rents (%)
Micro-sized	62	11	65
Small-sized	68	13	66
Medium-sized	70	10	62
Large-sized	69	7	60
Total	65	11	65

Source: PCI Survey Question D9. Do you agree with this statement? "It is common for firms in my line of business to have to pay extra 'informal payments.'" . Question D.10. On average, what percentage of income do firms in your line of business typically pay per year for informal charges to public officials? Question D14.2. "It is common that bureaucrats cause troubles when processing procedures for businesses"

Source: PCI 2015

WHAT ARE SOCIAL ORGANISATIONS DOING IN ANTI-CORRUPTION?

Type of Informal Charges						
Year	Informal Charges during Entry' (%)	Commision during Procurement' (%)	Bribe during Customs Procedure (%)	Regulations are an Excuse for Bribery (%)	Bribes Were a Deterrent to Using Court's (%)	Service Delivered after Bribe Payment (%)
2010	18.5	NA*	64.4	31.4	8.9	47.3
2011	9.9	9.5	53.3	23.5	8.2	46.2
2012	9.0	12.0	56.2	24.1	12.7	54.5
2013	19.7	10.3	57.4	43.9	13.9	59.2
2014	17.2	31.4	66.2	60.1	22.3	58.2
2015	28.7	24.8	58.8	66.2	23.5	59.0
Cost of Informal Charges (Amount/Annual Income)						
Year	0	<1	1-2	2-5	5-10	>10
2010	22.1	40.5	17.0	10.9	6.8	2.9
2011	31.0	33.5	19.7	7.7	6.5	1.6
2012	30.3	40.7	17.4	8.2	2.6	0.9
2013	19.5	48.6	18.4	8.6	3.2	1.7
2014	18.9	42.5	20.1	11.9	4.7	2.0
2015	16.5	44.6	18.1	12.8	6.3	1.8

Source: PCI 2015

GAME CHANGERS?

What Roles Do Social Organisations Play in Viet Nam?	Status
Engaging in education and awareness raising around the issues of corruption and anti-corruption policies	Pretty Strong
Calling on governments to increase transparency and provide information for the public	Pretty Strong
Generating evidence and information for policy advocacy	Starting
Advocating for change in anti-corruption policies and courses of actions	Starting
Promoting public consultation to contribute to the government decision-making process	Starting
Supporting the government in development of anti-corruption laws, policies and programmes by offering experts and local knowledge	Pretty Strong
Whistleblowing and giving advice to whistle-blowers	Weak
Monitoring the implementation of anti-corruption strategies and policies	Pretty Strong
Exerting pressure on governments to address their international commitments (e.g. UNCAC)	Weak

ACTORS IN THE GAME?

What Roles Do Social Organisations Play in Viet Nam?	Status
Not giving bribes for own vested interest	Pretty weak
Denouncing bribery and corrupt acts	Weak
Whistleblowing against corruption within organisations	Weak
Improving public access to information own by organisations	Starting
Increasing transparency and accountability in own business	Starting
Integrating anti-corruption in own activities	Pretty Strong
Calling public agencies into account	Weak

WHAT HAVE BEEN DONE TO ENGAGE CITIZENS AND SOCIAL ORGANISATIONS IN ANTI-CORRUPTION?

- **Engaging in education and awareness raising around the issues of corruption and anti-corruption policies**

(E.g. the Vietnam Fatherland Front, mass organisations, the media, NGOs)

- **Engaging citizens and social organisations in voters' opinion collection and sociological surveys on corruption and anti-corruption work**

(E.g. Fatherland Front, Government Inspectorate's Circular 4, PAPI, PCI, WB-GI survey, sectoral hotlines to collect feedback about bribe asking and taking by public officials at the central and local level, etc.)

- **Promoting investigative journalism and access to information**

(Vietnam Journalists Association's training courses on investigative journalism with support from UNDP, and follow-up similar activities by NGOs MEC, RED Communication, the Coalition of NGOs working for rights to access to information and media, etc.)

WHAT CAN BE DONE TO BETTER ENGAGE CITIZENS AND SOCIAL ORGANISATIONS IN ANTI-CORRUPTION?

- **Involvement of individuals and non-conventional social organisations in decision-making regarding anti-corruption**

(E.g. Active participation of business associations in discussions around Article 292 of the Penal Code – anti-corruption in the private sector)

- **Creating a protective environment for whistle-blowers and supervisory role of social organisations and citizens**

(Enforcing in an effective manner regulations on protection of whistle-blowers in the Law on Denunciation and other relevant laws and regulations)

- **Creating a more favourable environment for individuals and social organisations to participate actively in detecting, reporting corruption and engaging in anti-corruption work**

(Incorporating specific and feasible policies and programmes in Anti-corruption Law, by law regulations to enable individuals and social organisations participate more proactively; developing a dedicated anti-corruption multi-stakeholder platform; greater support from the government in dissemination of information about the roles of individuals and social organisations)

WHAT CAN BE DONE TO BETTER ENGAGE CITIZENS AND SOCIAL ORGANISATIONS IN ANTI-CORRUPTION?

▪ Being more proactive in anti-corruption

(Users of public services taking proactive actions to mitigating giving bribery, denunciate corruption; social organisations integrating anti-corruption in their action plans as well as being transparent and accountable; individuals and social organisations taking opportunities to work with the government to support in public awareness of and supervision of public and private individuals and organisations)

▪ Being capacitated to engage better in anti-corruption to promote effective anti-corruption efforts

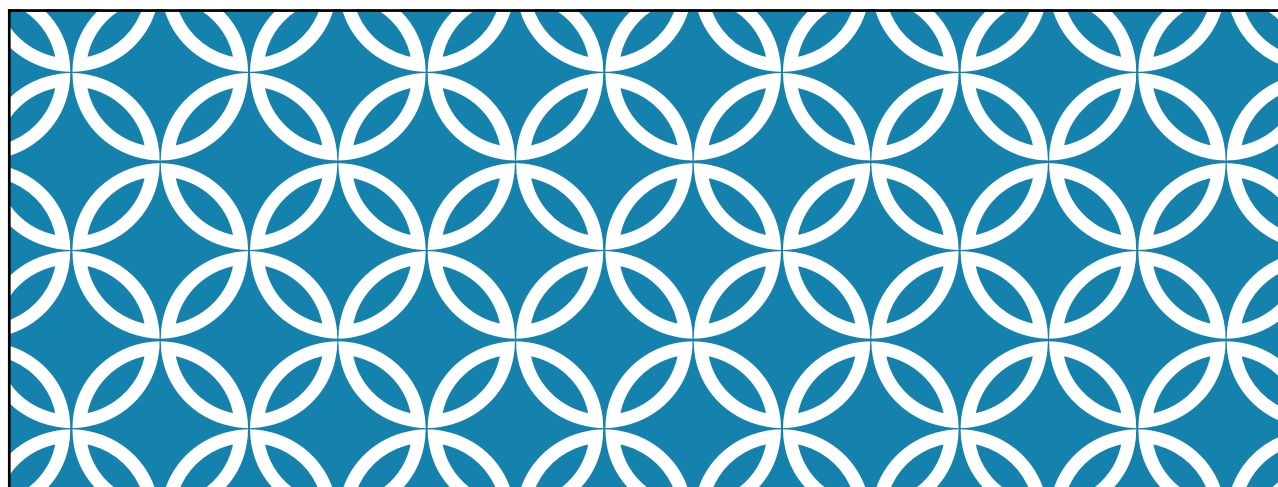
(In terms of supervision skills, negotiation skills, detection methodologies, channels to denunciate corrupt officials, better understanding of the Anti-corruption Law and its by-laws; strengthening awareness of rights and obligations as given by law)

▪ Supervising anti-corruption enforcement to call on activism from public agencies

(Conducting supervision of anti-corruption enforcement and reporting to the National Assembly and People's Councils through the Vietnam Fatherland Front's voter opinion reports to the National Assembly, and the Judicial Committee's review reports; providing feedback through social accountability mechanisms like PIBs and CISBs)

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