

Forum: Economic and Social Council

Issue: Establishing Government Transparency in LEDCs

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Introduction

Government transparency is not an old concept, the notion that those governments should be clear and open about the actions and decisions they take, whilst taking responsibility and ensuring accountability for what they do has been a concept that arose during the establishment of the first democracies of the ancient world. Historically, nations which are democracies are often those which are most transparent, one can look at the developed nations in Europe and North America to see this. Developed nations often come under pressure by their citizens to practice fiscal, political, and economic transparency, however, when considering less economically developed nations, a clear trend of lack of transparency and the refusal to take responsibility arises. In the modern era, many governments, including those of MEDCs, have become far more opaque in their practices and while the United Nations have developed several initiatives to aid governments in self-auditing and developing morally sound practices, it is clear that the coming years there will need to be further UN intervention in setting the standards for an open government which all nations should follow

Definition of Key Terms

Government Transparency

Government Transparency at times is difficult to define, and the areas it covers are wide ranging, include political, economic, and legal transparency. A good, concise definition can be taken from the Open Gov Standards initiative¹:

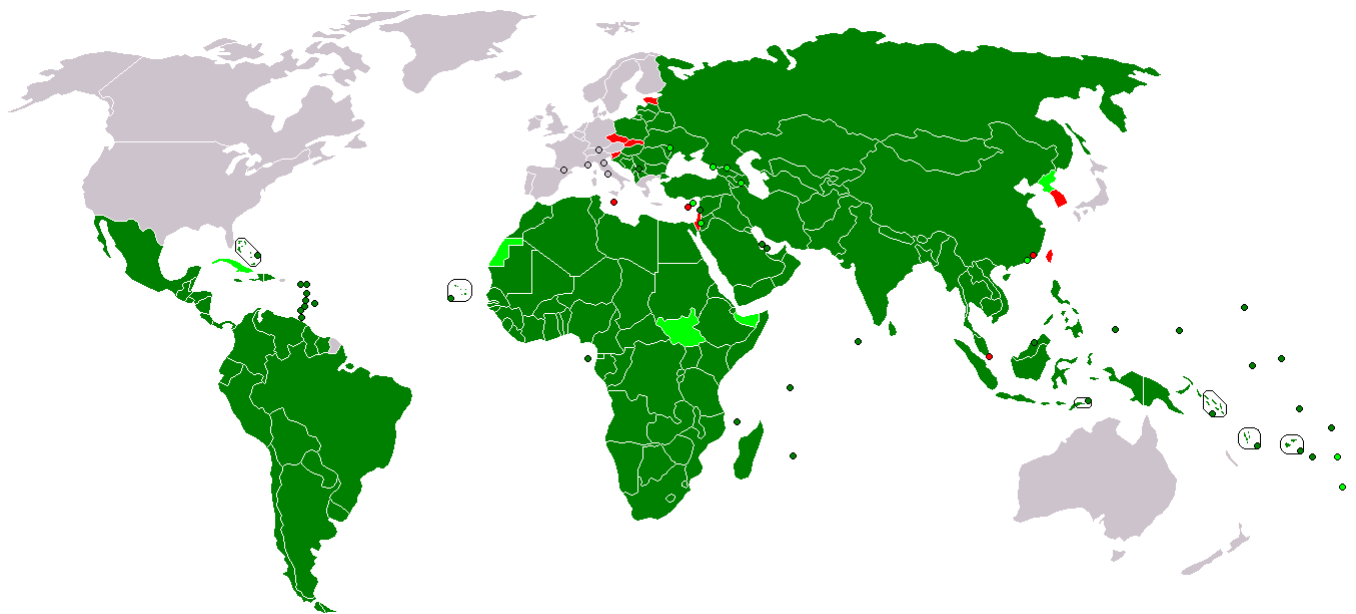
Transparency means that information about the activities of public bodies is created and is available to the public, with limited exceptions, in a timely manner, in open data formats and without restrictions on reuse. Transparency mechanisms must include the disclosure of information in response to requests from the public and proactive publication by public bodies. Key information about private bodies should

¹ <http://www.opengovstandards.org/index.php?idioma=en>

be available either directly or via public bodies.

Less Economically Developed Country (LEDC)

In general, these are countries which have yet to achieve advanced nation status, LEDCs are judged specifically through Economic Performance; other indicators of development such as Life Expectancy, Literacy Rates etc are generally disregarded. The International Monetary Fund (IMF) is the most popular body that publishes whether a nation is an LEDC or MEDC. A full list of LEDCs can be found here: <http://www.imf.org/external/pubs/ft/weo/2009/01/weodata/groups.htm>



Civilian Participation

The Right for civilians to gain information about their government is a standard long held by the UN. Participation means that the public can engage directly in the consideration of policy options and decision making, and can contribute ideas and evidence that lead to policies, laws, and decisions which best serve society and broad democratic interests. Governments should actively seek to mobilize citizens to engage in public debate. Mechanisms should exist which permit the public to participate at their own initiative and to trigger policy debates on matters of concern².

Accountability

The third pillar of an open government is how accountable it holds itself for its actions: An accountable government is one which makes itself answerable to the public, upholding standards of

² Taken from OpenGovStandards

behavior and integrity, and both explaining and taking responsibility for its decisions and actions. Accountability requires that rules, regulations and mechanisms be in place governing the exercise of public power and the spending of public funds. Specific and detailed measures are required to reduce corruption risks, to identify and prevent potential conflicts of interest, and to guard against illicit enrichment. There should be protections for those who expose wrongdoing.³

Measuring Transparency

It is unfortunate that there is no widely accepted index or rankings for government transparency; however, due to the strong negative correlation between government transparency and corruption, the most often cited measure of corruption is also used as a measure for transparency, where the most corrupt nations are the least transparent. The most popular measure of corruption is the Corruption Perceptions Index, published by Transparency International. The 2013 Rankings (of 177 countries) can be found here: <http://www.transparency.org/cpi2013/results>

CORRUPTION PERCEPTIONS INDEX 2013

[VIEW BROCHURE](#) [VIEW RESULTS TABLE](#)

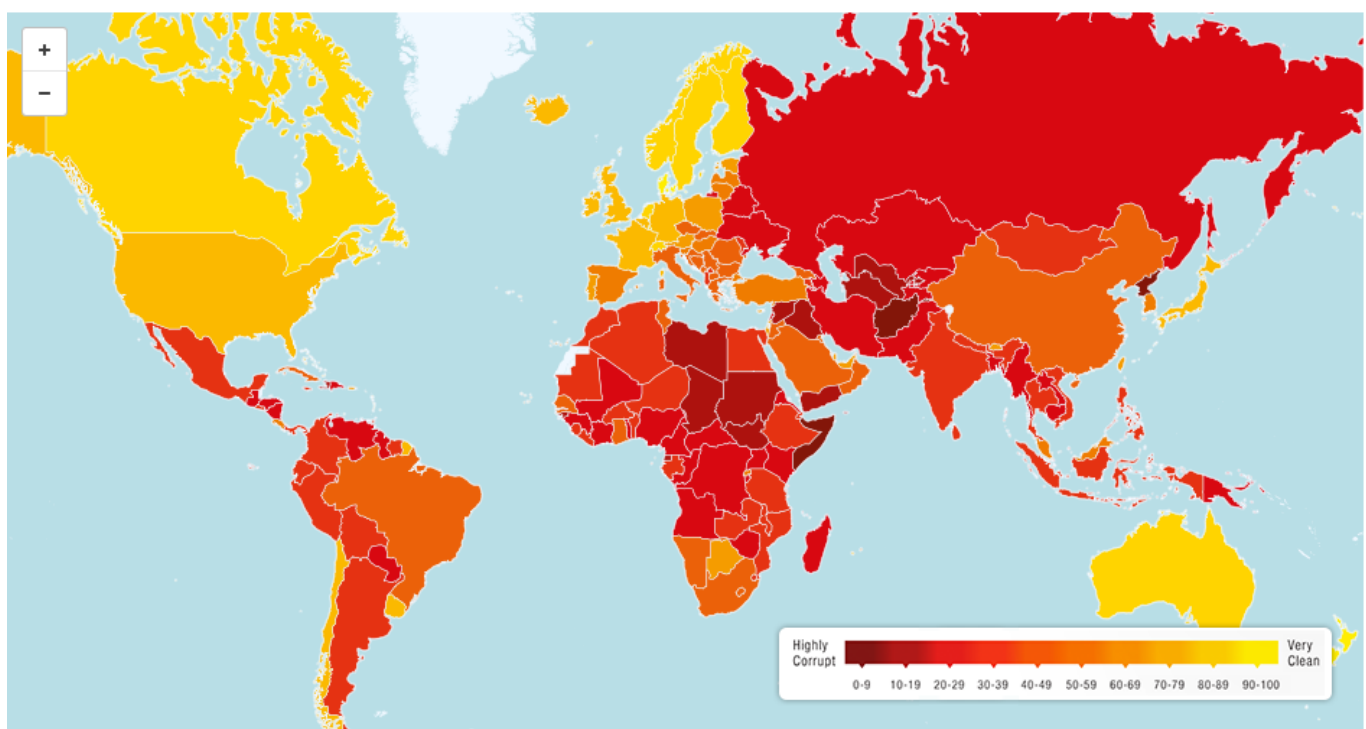


Figure2. Color map of Corruption Perceptions index

Key Issues

Due to the fact that the modern world is rapidly approaching a interdependent global community, government transparency is one of the key standards at which a government measures itself to its peers and its people, the establishment of government transparency is easily enough done in developed

³ Taken from OpenGovStandards

countries, however for LEDCs attempting to raise the standards at which their government operates requires resources, sufficient authority, and the ability to self-audit, which is difficult.

Reducing Corruption

Corruption and Government Transparency are heavily interlinked; the less transparent a nation is, the more prevalent corruption becomes, and vice-versa. It is clear that one of the most major difficulties with establishing transparency is the fact that those who are in power and are corrupt will try and resist change. In developed countries, again, this is more easily solved, as those in power can be brought down through the immense voice of a well educated, well organized, and well established people. However, in LEDCs, with corruption far more rampant, the power of the people is far weaker, and due to other, more real concerns, it is understandable that the people of an LEDC would rather focus themselves on other aspects of their government and life, rather than call for the establishment of transparency.

The Right to self-government and national protection

Establishing transparency comes at a cost, when a government becomes more transparent, it gives up much of its privacy, and there are arguably certain areas where it is far better to remain silent about, particularly national defense, or having an independent central bank. We must also take into consideration the threats of increasing accountability, although seemingly a great idea, the possible consequences of increasing accountability of civil servants is that it will slow the whole government down, as once you establish a self-auditing mechanism, you risk creating unnecessary bureaucracy.

Precedent and the example set by MEDCs

It is obviously unfair to expect more from transparent LEDCs than from their more economically developed counterparts, and thus, when drafting a resolution one should also include provisions which would ensure that not only LEDCs but also MEDCs follow the same standards. Even the most developed and the most transparent governments often have issues, one doesn't need to go further than the USA to demonstrate this, the USA, at least in terms of economic transparency is doing well, and is known for having a system where even the president can be held accountable, the Watergate scandal proves that even the most powerful man of the most powerful nation can be impeached in the name of justice, however, in other aspects the US has a horrible record, the release of the Afghan War diary and the recent NSA Leaks Scandal not only prove that behind the scenes the US pursues some very blatantly illegal -and ironically, unconstitutional- practices, and LEDCs will argue why they should become more transparent when a nation such as the US might not be faring so much better.

Major Parties Involved and Their Views

China

Still considered an LEDC, with much of its population living in absolute poverty, China is well known for its lack of transparency, originally this strategy was adopted by the Chinese government in order to keep control over its population and to ensure that the Chinese Communist Party would remain in unchallenged authority in a country with an increasingly discontent and increasingly powerful lower and middle class. However, as a delegate might know, the state of endemic corruption within the Chinese state is such that the government has started to become fed up, and there are well known cases where the Government can be seen as taking a far tougher stance towards corrupt regional officials, even the Ex-Premier Wen Jiabao has been repeatedly caught in one corruption scandal after another⁴, along with the case of China's Former Security Chief Zhou Yongkang being investigated for corruption,⁵ it is clear that China has very recently decided to reconsider its position towards transparency and corruption. Overall, China, while known for being vocal about its sovereign rights, will probably recognize the need for UN intervention to help increase Transparency and Stop Corruption, and will more than likely be a Key player in any debates.

Russia

Still considered an LEDC by the IMF, and ranked 127th in the World Corruption Perception Index, Russia will also be a major force to reckon with. Like China, precedent established by Russia in the UN is one which is aggressive, and often difficult to come to a compromise with. The Russian Government After WW2 has always been in a secure political position, especially now with seemingly unlimited power in the hands of Vladimir Putin, it is clear that Russia, although heavily corrupt and secretive in nature (especially in terms of political policies and foreign policy), is in a comfortable position, there are no immediate threats to the governments power, therefore when considering possible solutions or tools to help transparency worldwide, the interests of such a nation must be taken into consideration. Transparency in terms of Freedom of press, like China, is poor, and due to the dominating nature of the Russian Government in all aspects of the Media, a resolution which calls for more press freedom must be crafted carefully.

Other Regions

Africa

Ever since the end of colonialism, relatively few nations in Africa have developed stable and long lasting governments. Yet often due to lack of power and authority of the government, widespread corruption is prevalent in all nations. In the case of Africa, the key issue is one of resources and power, Power in Africa all too often lies in those with weapons, and there are many separatist militant groups

⁴ Here, an article published November 16 2013 shows that he is under corruption probe for taking payments by JPMorgan: <http://chinaworker.info/en/2013/11/16/5090/>

⁵ August 30, 2013, <http://news.yahoo.com/former-china-politburo-member-faces-corruption-probe-report-005006339.html>

seeking power for themselves, in this manner, not many governments have the time, resources or willpower to pursue transparency and stamp out corruption. For example, looking at the situation Somalia, a nation ravaged by piracy and without a powerful enough government to enforce the law, expecting a nation such as it to try and become more transparent seems idealistic rather than realistic.

Non Government Organizations (NGOs):

Certain NGOs have come to the forefront in recent years, and they serve as valuable resources and tools for the UN in acquiring information and suggestions to establishing Transparency.



Open Gov Standards

UN Involvement, Relevant Resolutions, and Initiatives

The UN since its conception has been actively involved in establishing transparency in governments, in fact Article 19 of the Universal Declaration on Human Rights states that "everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." The most important part of this quote is the words "and to seek, receive...ideas through any media *regardless* of frontiers": the UN maintains that all people have the right to access appropriate information from their governments. However, all the resolutions passed concerning this tread very lightly on the issue, so as not to obstruct member nations' right to self government, and thus all the relevant resolutions on the issue are not authoritative enough, and have yet to establish a concrete standard for establishing transparency, in neither MEDCs nor LEDCs.

Relevant UN Resolutions

Given its mandate of fostering good governance and sound public administration in development, the Division for Public Administration and Development Management (DPADM) supports setting international standards, some resolutions endorsed by them concerning transparency include:

Resolution Adopted by the General Assembly - Political Conference for Signing of Convention (A/RES/57/169)

<http://unpan1.un.org/intradoc/groups/public/documents/un/unpan021761.pdf>

Resolution Adopted by the General Assembly - Terms of Reference for International Legal Instrument (A/RES/56/260)

<http://unpan1.un.org/intradoc/groups/public/documents/un/unpan021769.pdf>

Resolution Adopted by the General Assembly - An Effective International Legal Instrument against Corruption (A/RES/55/61)

<http://unpan1.un.org/intradoc/groups/public/documents/un/unpan010993.pdf>

Resolution Adopted by the General Assembly - Preventing and Combating Corrupt Practices and Illegal Transfer of Funds and Repatriation of Such Funds to the Countries of Origin (A/RES/55/188)

<http://unpan1.un.org/intradoc/groups/public/documents/un/unpan010986.pdf>

Resolution Adopted by the General Assembly - Action Against Corruption (A/54/128)

<http://unpan1.un.org/intradoc/groups/public/documents/un/unpan021775.pdf>

Resolution Adopted by the General Assembly - International Cooperation against Corruption and Bribery in International Commercial Transactions (A/RES/51/191)

<http://unpan1.un.org/intradoc/groups/public/documents/un/unpan010950.pdf>

Possible Solutions

Generally speaking, what is most immediately needed is the establishment of a universal standard for transparency and open government, with vigilante journalism and notable organizations such as Wikileaks coming to the forefront over the last few years, it is clear that the UN should be a mediating body, which protects the rights of such organizations to pursue information, but also protect the rights of governments to hide information so sensitive that it is for the greater good. Concerning specifically LEDCs, the UN must make sure that established practices for transparency in LEDCs are also followed in MEDCs which have yet to follow such practices, and ensure that LEDCs are given the required funding or resources by the UN to be able to realistically pursue such virtues.

Specific instruments and methods to achieve these ends include⁶: recognition of the right to know; openness; codes of conduct: clear standards of behavior; all information being available from all public bodies; clear and reasonable timelines for such information; conflict of interest prevention mechanisms; clear and comprehensive information; assets disclosure; active collaboration between government and people; regulation of lobbying; whistleblower mechanisms and protections; empowerment of the people to pursue public information; independent enforcement bodies; and an independent review mechanism.

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⁶ Taken from opengovstandards

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<http://www.imf.org/external/pubs/ft/weo/2009/01/weodata/groups.htm>

<http://www.transparency.org/country> (Interactive Country Profile Corruption Map)

http://usun.state.gov/about/un_reform/tran_acc_init/