

Survey on the effectiveness of Anticorruption Authorities

Background Information

1. Please enter country name in the space below

BHUTAN

2. The name of the agency

Anti-corruption Commission

3. The date of establishment

1 January 2006

4. Contact Information

Anti-corruption Commission, Post Box No. 1113,
Thimphu, Bhutan.
Email: rinzin_ak@acc.org.bt

5. Webpage

www.acc.org.bt

Legal Environment

6. What are the main anticorruption laws of your country?

The Constitution; Anti-corruption Act 2006; Penal Code 2004; Public Election Fund Act 2008; Election Act 2009; Asset Declaration Rules 2008; Gift Rules 2009; Public Procurement Rules 2009, Income Tax Act 2001; Sales Tax, Customs & Excise Act 2000; and Codes of conduct for public officials.

7. Does your government have a single or primary anticorruption strategy?

Yes. The National Anti-corruption Strategy Framework which is under implementation at sectoral levels (available at <http://www.acc.org.bt/pdf/nacs.pdf>)

8. Does your country have freedom of information legislation?

Yes

No (Constitutionally guaranteed. However, a Bill on Right to Information has been drafted)

9. Does your country have conflict of interest legislation?

Yes

No (There is no free standing legislation. However, various codes of conduct for public officials deal with conflict of interests. A Bill on the amendment of Anti-corruption Act 2006 which is tabled before Parliament for debate proposes to criminalize conflict of interest. Bill on the website).

10. Does your country have a financial disclosure system to help prevent conflicts of interest?

Yes

No (Annual declarations of one's and one's spouse and dependant's assets, income and liabilities are compulsory for public officials. A Bill on the amendment of Anti-corruption Act 2006 which is tabled before Parliament for debate proposes to criminalize intentional failure to declare assets, income and liabilities.)

Institutional Environment

11. What are the main functions and operations of your agency? *Please check all that apply*

Research Prevention Investigation Prosecution Forensic Accounting Policy

12. Is there one agency in charge of coordinating AC efforts across agencies?

Yes No

If Yes, Please specify: **Anti-Corruption Commission (ACC)**

13. Does your agency have the ability to share information or data with

(a) Other agencies within your government, and

Yes No

(b) Government partners from other countries?

Yes No

14. Please enter current size of permanent staff in the space below

43 (16 are administrative and accounts support staff)

15. Number of prosecutors (if applicable)

Not applicable

16. Number of investigators (if applicable)

14

17. Number of cases handled annually (if applicable)

20

18. Please enter the name of other agencies with similar functions.

Royal Audit Authority, Financial Intelligence Unit, Parliamentary oversight committees.

19. Does your agency have a system to monitor performance of staff?

Yes No

20. Are the human resource management, i.e. recruitment, promotion, termination built on the emphasis of staff integrity and professionalism?

Yes No

(Attempts made; performance appraisal system being designed accordingly)

21. Who appoints the head of your agency?

The head of State upon joint recommendations of the collegiate body comprising the Prime Minister, Speaker of the National Assembly, the Chairperson of the National Council, the Chief Justice of the Supreme Court and the Leader of the Opposition.

22. Who has the authority to remove the head of the ACA?

Impeachment by Parliament

23. Is there any term limit for the head of the ACA?

Yes No

If Yes, Please specify: Five Years and non-extendable.

24. Is the agency subject to judicial review?

Yes No

25. Is the agency subject to expenditure reviews?

Yes No

26. Does your agency publish an annual report of activities?

Yes No (Annually report to Parliament)

27. Does your agency measure performance?

Yes No

If yes, against what indicators?

- Number of investigations conducted
- Number of investigations concluded
- Ratio of number of investigations/staff
- Percentage of total budget allocated to outreach activities and communication
- Other, please specify (conviction; system reviews and impact; quality of complaints; number of walk-in complaints).

28. Does your agency keep a comprehensive skill list of its staff?

Yes No

29. Is the staff provided with regular training and refresher training to ensure that their skills are up-to-date?

Yes No

With a small staff, it is a challenge to effectively manage capacity development and performance.

30. Are employees protected by law from recrimination or other negative consequences when reporting corruption (i.e. whistle-blowing)?

Yes No

31. Does your agency have a communication strategy?

Yes No

32. Does your agency have a comprehensive corporate plan?

Yes No

33. Is there a strategy in formulating partnership with outside agencies in fighting corruption?

Yes No

Bhutan is a member of ADB-OECD Anti-Corruption Initiative for Asia-Pacific & one of the 4 members of its Small Group Initiative. Recently signed MOU with National AC Commission of Thailand.

34. Is there strategy in dealing with media?

Yes No (In some form)

35. Does your agency have budgetary autonomy?

Yes No (Parliament approves and charged on the Consolidated Fund)

36. What is the annual budget of your agency?

Nu. 89 million (US\$ 2 million)

37. Is the annual budget determined by (Please choose the answer/s that best fits your agency)

<input checked="" type="checkbox"/>	Number of staff
<input checked="" type="checkbox"/>	Number of investigations
<input checked="" type="checkbox"/>	Budget is constitutionally mandated
<input checked="" type="checkbox"/>	Other, please specify. (Training, procurement of equipment, construction, travel & programs)

38. How much does it roughly cost to (please enter the dollar amount per stated activity)

\$	File a case	\$	Manage a paper case	\$	Analyze a case
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Cost of cases is mainly staffs' salary. Cases on average engage 3 staff and on an average take two weeks to 8 months (only about 4 cases).

39. Any Donor Involvement?

Yes No

40. Does your agency use a computerized system to handle cases?

Yes No (Modest)

Social Environment

41. Does your agency offer a mechanism for citizens to report anonymously complaints or offer information on corrupt activities?

Yes No

42. Does your agency or government provide a hotline to report corruption? (Not yet)

Yes No

43. Does your agency produce regular public reports of its activities?

Yes No