

# Fighting corruption through access to information



Access to information is an **essential tool** in the fight against corruption.

It increases **accountability and transparency**, and allows the identification and uncovering of corrupt practices.



Information enables the public to **participate** in the scrutiny of government activities, and to have their rightful say in the development of anti-corruption policies and laws and to monitor their enforcement.

# The UN Convention against Corruption (UNCAC)



As a core element of fighting corruption, UNCAC requires states to make information available about their activities and to engage with civil society.

## Article 10

Requires states to take measures to enhance the transparency of their public administration including adopting procedures facilitating public to access information *“on the organization, functioning and decision-making processes of its public administration.”* States also have to publish information on corruption in the public administration.

## Article 13

Commits states to guarantee public participation by *“Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption”* and *“ensuring that the public has effective access to information”*.

## The Convention contains a range of other obligations on access to information. States have to:

- **Publish** information on the funding of candidates for elected public office and political parties (Article 7)
- **Require** public officials declare their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result (Article 8)
- **Ensure** the public distribution of information relating to procurement procedures and contracts, invitations to tender and the award of contracts (Article 9)
- **Promote** transparency and accountability in the management of public finances including *“timely reporting on revenue and expenditure”* (Article 9)

It's not just UNCAC that makes access to information central to anti-corruption regulations. Anti-corruption conventions in the Americas, Africa and the Middle East also require states to adopt transparency measures. In 2015, the UN included access to information as a target in the Sustainable Development Goals, recognising how important it is for fighting poverty, including through ending corruption.



The access to information provisions in UNCAC commit states to implement changes at the national level. This requires:

### **1 Access to information laws**

National access to information laws allow citizens, civil society and others to demand information about the decisions of public bodies. Around **120 countries** have adopted laws or national policies requiring public bodies to proactively publish information about their activities and respond to requests for information in a timely manner.

### **2 Open data**

Open data, which can be freely used, re-used and redistributed by anyone, facilitates easier analysis of large sets of data on government spending and is crucial to identifying corruption. As of 2016, **128 countries** provided datasets on government spending in machine-readable formats. However truly open data is less common. Data is often hard to find online, not readily usable, and limited by licensing according to the Global Open Data Index.

### **3 Beneficial ownership registers**

Anonymous shell companies and secret trusts are commonly used to hide corruption, fraud and money laundering. Many countries are now collecting information on the real owners and have committed to make that information publicly available.

### **4 Financial & asset disclosure laws**

Opening up the finances of public officials to public scrutiny deters corruption and improves public trust in government. According to the World Bank, over **160 countries** have laws that require public officials to disclose their assets, liability and interests. This includes elected officials, cabinet ministers, and judges. However, only 55% of countries make the disclosures partially or fully public.

## UNCAC 2015–2020 Review

Currently, the Second Review Cycle of states' implementation of UNCAC is underway. In the next five years, all countries will undertake internal and peer review on their legal framework and actions on prevention of corruption to see if they are meeting the standards set by the Convention. It is an important opportunity to improve state practice on access to information.

The review schedule for states is available at:  
[unodc.org/unodc/en/corruption/implementation-review-mechanism.html](http://unodc.org/unodc/en/corruption/implementation-review-mechanism.html)



### UNCAC Civil Society Coalition

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## ARTICLE 19

### DEFENDING FREEDOM OF EXPRESSION AND INFORMATION

#### ARTICLE 19

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