



ADDRESS BY

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CHAIRMAN OF THE INTEGRITY COMMISSION OF TRINIDAD AND TOBAGO

**WORKSHOP ON THE PREVENTION OF CORRUPTION IN PUBLIC
PROCUREMENT**

Radisson Hotel Trinidad, Wednesday 10th October, 2018

In 2017 through an unfortunate dispensation of fate the Integrity Commission of Trinidad and Tobago was unable to participate in the regional workshop on the theme: *'The Development and Implementation of National or Institutional Anti-Corruption Strategies'* which was held in Panama City, Panama under the auspices of the United Nations Office on Drugs and Crime. Fate however, did not remain an implacable enemy and today she has decided to temper the rigors of that initial dispensation and to smile on us. Because ladies and gentleman, the United Nations Office on Drugs and Crime has graciously come to Trinidad to conduct two workshops for the benefit of Trinidad and Tobago. The first one was a workshop on the very topic that we missed in Panama City in 2017. That workshop was conducted yesterday exclusively for the staff of the Integrity Commission and was a convincing success. The second is the present workshop on the 'Prevention of Corruption in Public Procurement' and it is a singular honour for me to deliver this welcoming address here today.

We thank the United Nations Office on Drugs and Crime for their bounteous magnanimity, our gratitude is beyond expression and we look forward to the very valuable information, the suggested lines of thought, the guidance that we would unquestionably be receiving from their expert speakers over this two day period.

We in the Integrity Commission are particularly excited about being exposed to good practices in ensuring compliance with Article 9 of the United Nations Convention Against Corruption, as they are viewed from the perspective of the Public Procurement and Disposal of Public Property Act, 2015.

As far as I am aware, Trinidad and Tobago does not have a formal written strategy for compliance with Article 5 and 6 of the United Nations Convention Against Corruption at the

present time and notwithstanding the Kuala Lumpur statement on anti-corruption strategies, I consider that we can maintain effective, co-ordinated anti-corruption policies without promulgating a strategy document per se for at least, the immediate future. In the interim we can consider the feasibility, the practicality and the viability of a formal written strategy.

Whether there is a formal written strategy for compliance with Article 5 and 6 of the United Nations Convention Against Corruption or whether effective co-ordinated anti-corruption policies are maintained without the promulgation of a strategy document, information sharing would be a cardinal.

Principle 2 of the Jakarta Principles – Collaboration, requires that Anti-Corruption Agencies should not operate in isolation and should foster good working relationships with, other bodies.

Prompted by Principle 2, as a start, I have included in our proposed amendments to the Integrity in Public Life Act a provision for information sharing with other Anti-Corruption Agencies; this would include of course, the Office of Procurement Regulation.

There can be no doubt that the Integrity Commission and the Office of Procurement Regulation share common DNA; we endure an empathetic bond in common. This I recognized when, at a meeting I had with the Procurement Regulator and the other members of the Board in describing the relationship between the Integrity Commission and the Office of Procurement Regulation, I employ a Siamese metaphor stating that the Integrity Commission and the Office of Procurement Regulation were joined at the hip.

Information sharing however is a two way street and in this exercise reciprocity is of the essence. It matters supremely to us therefore, that information sharing legislation be addressed by all the Anti-Corruption Agencies in more or less the same strain as the proposed legislation in the Integrity in Public Life Act. Communal legislation would be a condition precedent to the information sharing concept getting off the ground. Information sharing with bodies other than the Anti-Corruption Agencies, an extremely sensitive topic, would be addressed in the fullness of time.

I must emphasise however that this view is not designed to compromise the workshop in any way. If the workshop could, at the end of the day, generate a contrary but more effective approach then I would be content.

Principle 4 of the Jakarta Principles –Appointment, requires that Anti-Corruption Agencies Heads should be appointed through a process that ensures inter alia, his or her apolitical stance and impartiality. This principle, as indeed all the other Jakarta Principles, are rooted in the ‘necessary independence’ of Anti-Corruption Agencies required by Article 6 and 36 of United Nations Convention Against Corruption.

We have no such provisions in the Integrity in Public Life Act that the Chairman of the Integrity Commission should be apolitical and I have included it in our proposed amendment to the Integrity in Public Life Act but I have broadened it to include the other members of the Commission in addition to the Chairman. This means that within a certain period of time before appointment, the Chairman of the Commission and the other members should not have been members or donors of any political party; and at the time of appointment or during their tenure of office they must not be members or donors of any political party.

I hasten to add however, that over the years these requirements have been met by convention. The time has come however for this convention to be passed into law and for it to be made a legal requirement for the appointment of the Chairman and other members of the Commission that they be apolitical. And this would be in keeping with Article 6 and 36 of United Nation Convention Against Corruption which Trinidad and Tobago signed on the December 11, 2003 and ratified on 31 May 2006. It would also accord with Principle 4 of the Jakarta Principles.

I doubt whether the requirement of the United Nations Convention Against Corruption and Principle 4 of the Jakarta Principles have been observed in the Disposal of Public Property Act, 2015 or for that matter in any of the other legislation creating the Anti-Corruption Agencies. If I am correct then I respectfully suggest that the matter be addressed so that there could be compliance with the United Nations Convention Against Corruption.

I mentioned earlier the affinity the Integrity Commission and the Office of Procurement Regulation share. One form this affinity has adopted is the engagement of the Integrity Commission in developing a Code of Ethics handbook specifically for Procurement. This handbook would be in addition to the section in the Procurement and Disposal Handbook entitled “Code of Conduct for Public Procurement”. The work is ongoing and it is our sincere hope that when completed the Procurement Regulation would find this Codes of Ethics handbook to be of significant utility and relevance.

I bid a warm welcome to all participants in this very propitious workshop and I extend a particularly warm welcome to the speakers from United Nations Office on Drugs and Crime and the Panama Canal Authority who made the arduous journey from Panama City to be here today.

I am confident that this workshop will be beneficial, educational and fruitful and at its conclusion tomorrow afternoon we would leave this hall the more informed, the more elucidated, the more encouraged.

October 10th 2018.