

Capacity for Development

Building anticorruption networks: WBI action learning program draws on country experience

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October 9, 2002—Corruption is the product not of isolated individuals but of organized national and international networks that go well beyond the judicial system. This was a key finding of a conference on legal and judicial reform and control of corruption, which recently took place in Madrid, Spain.

Recognizing the insidious nature of corruption, conference participants proposed to fight its organized networks by promoting an even better organized network for anticorruption. The new international network for the exchange of information on legal and judicial reform and control of corruption will engage actors, such as attorneys general, private sector representatives and banks, whose positions in society or the legal system allow them to be part of the problem or part of the solution.

What made the conference unique is that the two days of face-to-face meetings in Madrid are already showing results on the ground thanks in part to the six weeks of intense preparation by videoconference, e-mail, the Web, and applied work in the field that preceded the conference.

To prepare for the Madrid meeting, 445 participants, including World Bank country teams in Bolivia, Colombia, Ecuador, Guatemala, Mexico, Brazil, and Peru, used the World Bank Institute's distance-learning facilities to analyze and discuss past national efforts and current plans to control corruption through legal and judicial reform.

Thanks to the intense preparatory work, those country teams have new assets to use in their efforts to eliminate corruption and promote legal and judicial reform. The new assets include direct, supportive relationships among



In the front row (left to right): Lola Munoz, Jairo Acuna-Alfaro, Ernesto May, Maria Gonzalez de Asis, Daniel Kaufmann, Ko-Yung Tung, Susana Esteban Berrocal and Elizabeth Crespo.

actors that encourage transparency, commitment, and solidarity; and a means whereby they can identify and analyze the main problems, and share experiences about what really can improve the system. These relationships are precisely what is needed to dismantle the network of corruption.

The conference and its run-up were a collaborative effort. The Bank's partners included the Fundación José Ortega y Gasset, the Centro de Enseñanza a Distancia para el Desarrollo Económico y Tecnológico, the Universidad Nacional de Educación a Distancia (all based in Spain), and the Justice Studies Center of the Americas (Chile). Participating units of the Bank were the World Bank Institute, the Legal Department, External Affairs, the Latin America and the Caribbean region, and the executive directors representing Spain and Latin America.

In Madrid, 120 judges, prosecutors, attorneys, court officials, lawyers, university professors, NGO representatives, and journalists heard addresses by ministers of justice, judges, and other governance experts: José María Michavila, Spain's minister of justice; Gherardo Colombo, lead prosecutor in Italy's "Clean Hands" anti-corruption trials; and Baltasar Garzón, the Spanish judge who spearheaded the campaign to extradite the former Chilean military ruler, General Augusto Pinochet, from London to Spain for human rights abuses.

Country teams participating in the distance-learning course that preceded the meeting concluded that statutes, regulations, and judicial modernization had not been enough to break the networks of corruption in the executive, legislative, and judiciary. They also agreed on some solutions, which in Madrid were refined by the conference participants into recommendations, action plans, and anticorruption strategies, all aimed at improving national legal and judicial reform processes.

In addition to the international network mentioned above, some of the key issues in the plans and strategies include:

- Mechanisms for avoiding executive interference in the judiciary, such as transparency in appointment of judges and public prosecutors on the basis of merit, improvements in professional and technical capacity and the degree of inter-institutional coordination; autonomy in budgetary matters so that budget

allocations are based on real needs and do not depend on the decision of the Executive or the Parliament.

- Access to justice and citizen participation in judicial policymaking, for example, creating a database of information about judicial employees' duties and remuneration; guaranteeing due process in lawsuits; improvement of judicial information systems; establishment of offices of public claims and internal control units.
- University-level and in-service judicial training programs on topics such as access to justice, financial and budgetary management, investigative procedures and techniques, political economy and rule of law, needs assessments, organizational capacity, and so forth.

The Madrid program closed with commitments from the country teams. Since returning home, those teams have been urging the incorporation of the conference recommendations into their legal and judicial reform processes, while World Bank legal and judicial reform projects in Latin America and the Caribbean, and those of other donors, are absorbing the priorities defined by country teams. Some examples of the results to date:

- In Peru, a network of judges, attorneys, and civil society has formed to investigate corruption cases. In response to a postconference request from Lima's superior court, WBI delivered a technical training workshop for judges, attorneys, and civil society groups.
- In Colombia, to lighten the load on the judiciary, participants are advocating alternative dispute resolution mechanisms and a culture of conciliation.

In closing the Madrid conference, Ko-Yung Tung, the Bank's vice president and general counsel, and Ernesto May, PREM director for Latin America and the Caribbean, stressed the need to continue building capacity among judges, attorneys, prosecutors, and court personnel to process and expedite anticorruption cases.

Contacts and useful links:

For further information, please contact [María González de Asís](#) or [Jairo Acuña-Alfaro](#).

For general information on capacity building and learning programs on governance visit <http://www.worldbank.org/wbi/governance>.

For information on the Bank's work on legal and judicial reform, please visit <http://www.worldbank.org/ljr>.

This month's column was contributed by María González de Asís and Jairo Acuña-Alfaro (WBIPR).



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