



Brussels, 2 February 2017.

COLLECTIVE ACTION TO PROMOTE INTEGRITY

(Item XVIII on the Agenda)

SUMMARY

Purpose of document

The purpose of this document is to present the concept of collective action applicable in the context of enhancing integrity and combating corruption in Customs.

The document introduces the theme and outlines what collective action is, the context in which it may take place, the practicalities involved, the barriers to be faced and the issues to be considered when such initiatives are launched.

Action required of the Capacity Building Committee

The Capacity Building Committee is invited to :

- take note of this document and the presentations and discussions to be held on the matter;
- encourage WCO Members to pursue innovative approaches, such as collective action, to enhance integrity and combat corruption in Customs and Tax administrations by sharing their progress and challenges;
- provide guidance to the WCO Secretariat and its Members as to the way forward with regard to collective action.

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Introduction

1. The WCO has always advocated partnerships to combat corruption and enhance integrity, particularly with the private sector, as set out in the Revised Arusha Declaration (principle 10). International organizations, the private sector and civil society often present the term “collective action” as an approach that seeks to combat corruption “differently”. This document introduces the theme, outlines what collective action is, the context in which it may take place, the practicalities involved, the barriers to be faced and the issues to be considered if positive developments are to be brought about.

Collective action – definition

2. The expression *collective action* is particular to the sociology of social movements and organizations, encompassing all forms of action organized and undertaken by a range of individuals to achieve common objectives and to share the respective gains. Work on this concept has traditionally focused on motivation, the conditions of co-operation, problems relating to the co-ordination of members and resource mobilization issues.¹
3. Collective action refers to actions undertaken by individuals and/or groups towards a collective purpose or goal.² The principle of collective action is the ability to rely on the motivation and interests of the parties concerned. It is sometimes necessary to go beyond the usual partners to include other stakeholders who are often overlooked and who can help to combat corruption.

Collective action and anti-corruption

4. The World Bank Institute describes anti-corruption collective action as a collaborative and sustained process of co-operation amongst stakeholders.³ This expression is used in connection with combating corruption and arose out of a concern to find an innovative approach to this issue. The OECD Development Co-operation Report 2010 mentions collective action under the Paris Declaration on Aid Effectiveness and in the context of increased levels of scrutiny over the use of public funds. The Paris Declaration specifies that "corruption and lack of transparency, which erode public support, impede effective resource mobilisation and allocation and divert resources away from activities that are vital for poverty reduction and sustainable economic development. Where corruption exists, it inhibits donors from relying on partner country systems." The Paris Declaration commits donors to helping beneficiary countries to combat corruption more effectively, collective action being one of the measures referred to in response to the failure of certain piecemeal anti-corruption approaches.
5. Political will is often cited to explain the limited results of anti-corruption efforts. The research, however, also seems to indicate that the failure of many anti-corruption initiatives is due to the sole focus on top-down oversight and control methods, and that the most effective anti-corruption reform should incorporate both top-down and bottom-up strategies.
6. Likewise, collective action can also help build political will by creating bottom-up demand for anti-corruption reforms, especially in Customs. The theory highlights the relevance of social or group dynamics, including trust in others, which allows inappropriate behaviour to be accepted by ensuring that corruption is seen as normal in a given context with its own rationale which is adhered to by people who engage in it. Thus, if the decision to engage in corruption is a consequence of how one perceives and observes the corrupt behaviour of others, changing the status quo requires concerted action by a group of people, hence the interest of collective action. For example, if a majority of community members

¹ <http://www.universalis.fr/encyclopedie/action-collective/>

² <http://www.u4.no/publications/barriers-to-collective-action-against-corruption/>

³ <https://www.baselgovernance.org/theme/icca>

decide collectively to stop bribing the school principal, it will be difficult for him to continue asking for bribes, and certain members of the community will think twice before paying them, provided they trust each other to stick to the agreement. This may apply to the Customs context by targeting specific sectors.⁴

Examples of collective action

7. Anti-corruption collective action initiatives can include industry standards, multi-stakeholder initiatives and public-private partnerships. These actions can be reflected by anti-corruption declarations, a certification model, an agreement not to bribe or an integrity pact.⁵
8. In 2007, the Government of Cameroon introduced the *CHOC* project (*Change Habits – Oppose Corruption*), a partnership of several donors which seeks to enhance good governance. The political decision to launch this project arose on the one hand in response to the magnitude of the challenges of improving governance in Cameroon, and on the other out of the Government's will to combat corruption. The CHOC project falls within the National Governance Programme, co-ordinated by the Prime Minister's office, and seeks mainly to help to bring about a significant reduction in corruption in Cameroon by supporting the implementation of projects described in the "anti-corruption policy" component of the Programme.
9. During its first phase (2007-2011), the CHOC project provided technical and financial support for the drawing up and implementation of the National Anti-Corruption Strategy and the drawing up of draft anti-corruption legislation that was referred to the Government and to civil society anti-corruption organizations. The project also enhanced the capabilities of the National Anti-Corruption Commission and national anti-corruption units. Thanks to the existence of the National Anti-Corruption Strategy, Cameroon now has a policy and a framework of coherent anti-corruption initiatives. The need to strengthen the legal system in tackling economic and financial crimes has been set out by the Ministry of Justice, and co-operation with civil society anti-corruption organizations is gradually taking shape⁶. Although this project has not involved Customs as yet, this example shows what real progress can be made when several parties join together to work on an issue that concerns them all for one reason or another.
10. A further example of collective action is the initiative launched by the Maritime Anti-Corruption Network (MACN). MACN is a platform to contribute to the elimination of corrupt practices in the maritime industry. It is composed of vessel-owning companies within the main sectors of the maritime industry and other companies in the industry, including cargo owners and service providers. MACN also collaborates with key stakeholders in the maritime industry and national authorities. MACN has identified the main partners, particularly port and Customs authorities, NGOs and local governments, which combine their efforts to implement a range of programmes to reduce corruption in ports. This will without doubt have an impact on the various links in the supply chain.
11. This approach involves mapping and bringing together the leading maritime industry partners and giving them the opportunity to assess the challenges and find solutions jointly. A risk assessment focusing on import and export procedures is then carried out and forms the basis for inviting the various parties to identify solutions and define which of the different actors may be able to provide them. Following a consultation process, the actions to be taken are prioritized and set out in an action plan.⁷ The MACN initiative was launched by the

⁴ <http://www.u4.no/publications/barriers-to-collective-action-against-corruption/>

⁵ <https://www.baselgovernance.org/theme/icca>

⁶ http://www.cm.undp.org/content/cameroon/fr/home/operations/projects/democratic_governance/changer-d-habitudes--s-opposer-a-la-corruption.html

⁷ BSR-MACN Impact Report 2016

private sector but enjoys the active co-operation of Customs Directors General from countries in which MACN operates. A similar approach could be launched by a Customs Administration, mirroring partnership initiatives that have already been launched between Customs and the private sector at the former's request.

Barriers to collective action

12. Collective action against corruption offers many advantages that may also clash with barriers that must be anticipated if better results are to be ensured. These may include : political will, lack of motivation, cost, uncertain results and cronyism. Lack of political will at the highest level may be due to the fact that it sometimes seems difficult for a public institution to be accountable to civil society, because for personal reasons political leaders may have no interest in forming part of an anti-corruption coalition, or because they are afraid to jeopardize a certain stability and thus promote violence, as already occurred when Customs decided to take active anti-corruption measures. The other barrier referred to is cost, since such initiatives may entail some investment in material and financial resources and time. In circumstances in which various ethnic groups and clans intermix, interest in promoting the public good in general rather than serving the interests of one's own clan may be less prevalent.

13. While the barriers that may hamper the implementation of collective action must be acknowledged, it is also useful to reflect on the opportunities and means existing to overcome them. It should be noted to that end that it must be possible to choose the right time to launch such initiatives, and that that time sometimes involves the ability to revisit a crisis or one-off event, such as an election. It is also not advisable to adopt a confrontational approach in seeking to include parties that may not initially have been particularly interested in the initiative. Thus, if an official institution is reluctant to join a coalition, it is preferable to make that institution aware that reducing corruption will allow it to achieve its objectives, and the objectives of the coalition may be consistent with those of the institution concerned. According to the circumstances, however, confrontation may sometimes be necessary to get things moving. A combination of both approaches may also be worthwhile. The advantage of collective action is that it may rally many interested parties (government, civil society, the private sector) and bring them around the table, and thanks to better communication may allow confidence to build. To make such an initiative attractive, it must be possible to demonstrate its advantages, i.e. mutual support, networking, sharing information and access to a range of resources.⁸

14. As this document shows, collective action to combat corruption may apply in the Customs context. As WCO documents often stress, an imaginative multi-faceted approach must be adopted to enhance anti-corruption initiatives, rather than standard approaches alone. Collective action may represent a broader application of the partnerships that Customs generally seeks. By extending this approach to collective action, Customs will take the lead and strengthen its image in combating corruption. If the Customs service does not take the initiative after assessing the situation, it will nevertheless probably have every interest in taking part in such initiatives because it will be better able to influence the process and the outcome.

⁸ <http://www.u4.no/publications/barriers-to-collective-action-against-corruption/>

Conclusion

15. The Capacity Building Committee is invited to :
- take note of this document and the presentations and discussions to be held on the matter;
 - encourage WCO Members to pursue innovative approaches, such as collective action, to enhance integrity and combat corruption in Customs and Tax administrations by sharing their progress and challenges;
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