

WHISTLEBLOWING SYSTEMS AS A PRACTICAL FOUNDATION OF DEMOCRATIZATION

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The current protest movements in various countries illustrate that citizens regard corruption as one of the greatest obstacles to democracy and that they demand responsible behavior from politicians. The interface between politics and business represents the most significant gateway for decisions that are not in the interest of the state and its citizens. Because of public pressure and an increase in international legislation, corruption prevention plays an increasingly important role in companies and government agencies, as required by Principle 10 of the United Nations Global Compact.

The main challenge here is that the Western understanding of corruption and how to combat it is not recognized equally by all countries and cannot be implemented in the same way across the board. International companies have to coordinate their anti-corruption efforts to address cultural and legal differences. A common understanding of what corruption means must be cultivated so that it does not lead to competitive disadvantages.

Each side must promote and ensure the integrity of its employees. Compliance has become a common term in business for the observation of rules. Internationally active companies recognize the need for unified rules and values in management within codes of conduct and must ensure that these are adhered to in all their locations by establishing compliance departments. Government agencies are increasingly making use of instruments such as internal audits, anti-corruption measures, and so-called black lists.

All measures stand and fall with the flow of information. Only when a corruption case and its perpetrators are known, however, can charges be made, process changes be constructed, companies be cut off from contracts, or aid to corrupt regimes be suspended. It is important here to involve citizens and employees in the reform process and to improve the information channels between citizens and anti-corruption agencies, as well as between employees and compliance departments. Companies need a global communications capability in native languages that combines the information centrally in order to identify patterns and connections.

Government agencies also benefit from the targeted acquisition of information through the involvement of employees in exposed areas and their suppliers. An effective possibility for such acquisition is the use of whistleblowing systems by both government agencies and businesses. These systems must protect

whistleblowers from dangers and reprisals, if necessary by granting them anonymity. This is especially true in countries in which corruption fighters and their families fear for their lives. Moreover, such a whistleblowing system must ensure that information reaches the appropriate contact persons and that these people can communicate with the whistleblowers in order to assist and help solve cases.

Morocco provides a good example of the most recent developments in fighting and preventing corruption. In 2003 Morocco ratified the United Nations Convention against Corruption. In the course of this, an anti-corruption agency was created in Rabat that same year that works at preventing corruption and drafts related bills. Additionally, the Instance Centrale de Prévention de

to the structural and cultural characteristics of Morocco. The whistleblowing process and the ensuing dialog with the investigators were made available to the public in both French and Arabic.

Within the first three months, more than 20,000 Moroccan citizens became acquainted with the BKMS® system and how it can be used to provide information on corruption, fraud, breach of trust, competition offenses, abuses of office, irregularities in public procurement measures, and ethical misconduct. During this period, approximately 600 citizens used the system to securely submit information.

In spring 2011, reforms for fighting corruption continue following the civil protests: In April a team consisting of various ministers and headed by King

THE BKMS® WHISTLEBLOWING SYSTEM

The BKMS® system is an internet-based whistleblowing system with integrated case management. It is used by government agencies, such as criminal investigation departments and anti-corruption units in developing countries, as well as by global players like Commerzbank AG, Deutsche Telekom AG, MAN SE, and Bertelsmann Group.

la Corruption (ICPC) is responsible for the receipt and assessment of leads from the public before these are passed onto the ministry of justice for investigation. In 2010 the ICPC began using the web-based BKMS® whistleblowing system to help support the professional acquisition of information. With the support of the German Association for International Cooperation (Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH), the system, which had already been tested and proven by the anti-corruption agencies in Kenya and Indonesia, was adjusted

Mohammed VI submitted a draft law pertaining to the protection of witnesses, victims, and whistleblowers. Other basic measures for the democratization of the country were announced.

The vehement demands in global society demonstrate the willingness of the populations and the employees to fight corruption; now these individuals must be given effective tools in order to take advantage of this motivation. The success of the whistleblowing system in Morocco is a superb best practice. ■