

Asset declaration: Dangerous or just scared?
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Minister Nazri Aziz mentioned in an interview in the last two weeks that declaring assets by cabinet ministers is dangerous and can jeopardise their safety.

This statement is the most ridiculous statement and clearly can be seen as a statement of people who are scared that their corrupt practices will be exposed.

The examples set by PSM member of parliament, Adun and also the councilors where they have been declaring their assets in public for the past three years has also motivated Pakatan Rakyat states to do the same.

It started with the Selangor excos declaring their income followed by Penang excos this year. And guess what, the rakyat welcomes it as they want to ensure that people who hold public office are accountable to the public and do not misuse their positions to enrich themselves.

Is the demand by the people for the ministers and members holding public office to declare their assets an out of the world thing to do, or is it a norm in other countries?

Is BN right in saying that the declaration of the assets will endanger ministers or their families?

Let's see what other countries practice.

In Latin America, eight countries: Argentina, Belize, Bolivia, Brazil, Chile, Jamaica, Mexico, and Nicaragua, Paraguay require their senior officials to make full asset declarations every year. In Mexico, over 100,000 public declarations are filed every year by senior officials and in Bahamas summaries of financial declarations are published in the gazette.

In Ecuador, declarations must either be made public or authenticated by a notary. Whereas in Belize, Brazil, Chile, El Salvador, Guatemala, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Trinidad and Tobago, and Venezuela, financial declarations must include information for spouses, children, and other financial dependants.

Also in Belize, Brazil, Chile, Jamaica, and Nicaragua there is public access to financial declaration information regarding spouses, children, and financial dependants.

In Canada, the financial disclosure law requires that public officials, from ministers of parliament to officers of the Royal Canadian Mounted Police, disclose financial assets yearly. This is important as the Canadian parliament is adopting the Conflict of Interest Code where transparency is crucial. Thus to ensure public officials do not misuse their position, the declaration of the financial assets is compulsory.

Even in the US, in response to Watergate and other public scandals and a weakening of the public's trust in government, the Congress enacted the Ethics in Government Act of 1978 (Ethics Act), which requires detailed financial disclosure by high-level government employees in all three branches of the federal government.

Not only that, every country in continental Europe has some form of financial disclosure requirement for public officials. Latvia has one of the most comprehensive financial disclosure systems in Europe, which has arguably led to the reduction of once-rampant corruption in this post-Soviet democracy. In Romania there is a robust system of publishing public officials' asset disclosures, grounded in a constitutional right of access to information.

Moving on to the African continent, South Africa has implemented a comprehensive conflict of interest policy, and has enacted a number of conflict of interest codes requiring disclosure of financial interests by public officials.

Coming down to Australia, since 1983, the conflict of interest laws and regulations have required members of parliament to disclose their financial interests, including those of their spouses and dependent children. The Australian house of representatives and senate have published these disclosures in a registry since 1984 and 1994, respectively.

Of course, those are in different continents, but is this an Asian way? Well it is.

In India, politicians who contest elections to parliament or a state legislature are subject to a more rigorous regime. A 2002 Supreme Court judgment requires all electoral candidates to submit on oath, details of movable and immovable assets owned by them, their spouses and three dependents, including liabilities like loans from public sector banks and unpaid bills for public utilities such as electricity, water and telephone connections.

These affidavits are submitted along with the nomination papers and the Election Commission uploads them on its website in order to educate voters about the background of these candidates.

For the Filipinos, they have the right to review financial disclosures of all public officials and employees, including their spouses and unmarried minor children living in their household, pursuant to Section 8 of the Code of Conduct and Ethical Standards for Public Officials and Employees. These financial disclosures, will be made available for inspection at reasonable hours,

Another example is South Korea. In 1989, the Constitutional Court of South Korea held that South Koreans have a constitutional right of free access to information. South Korea began requiring public disclosure of the financial interests of public officials in 1993. All high-ranking public officials, their spouses, and many of their lineal ascendants and descendants must disclose their ownership of real property, intangible property, and shares in nonpublic business entities.

In addition to examination by a Public Ethics Committee, the property declarations of most of these public officials and their families are published in a public bulletin within one month of their submission.

Why go so far; our neighbour Thailand also has a requirement for politicians and senior officials to declare their assets. All political office-holders and high-ranking public officials must make full disclosure of all assets and liabilities, including those of their spouses and minor children. This declaration is then published by the National Counter Corruption Commission in the government gazette.

So what is the problem with Malaysia?

It looks like the whole world, developed, developing and least developed countries have some form of public declarations of assets not only by MPs and cabinet ministers but also senior officials in the government to the extent even the assets under the name of their minor children need to be declared. This is done to ensure transparency and also accountability by those in public office.

So what is the problem with the Malaysian government to also come up with a law to declare financial assets for cabinet ministers, MPs and Aduns ? Why is the BN government scared unless there is something to hide? Are they worried that their corruption will be exposed?

If no, then the federal government members should just follow PSM's and PR's precedent to declare their assets to prove their hands are clean.

Malaysia always likes to emulate other countries in building the tallest building, the longest bridge, an administration centre like Putrajaya is modelled after Washington DC and so on. Why not emulate also

the ways to fight corruption like public declarations of assets? Wouldn't it avoid cases like the National feedlot Corporation?

Well, the continuous denial of the BN government to implement declaration of assets and stupid statements like Nazri's goes on to further confirm that BN has so much to hide. If in the event, Pakatan Rakyat takes over the federal government in the next election, it should prioritise the law for asset declaration as only then can it ensure a clean and corruption free administration.

This is because too much power and no accountability can lead to corruption.

The letter is submitted by the NGO Jaringan Rakyat Tertindas (Jerit).

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