Combating Corruption in Nepal requires Systemic Changes

On February 11, 2023, the Commission for Investigation of Abuse of Authority (CIAA), the primary organization responsible for monitoring and preventing corruption in Nepal, celebrated its 32nd anniversary. During the event, Prime Minister Pushpa Kamal Dahal declared that the government would adopt a “Zero Tolerance Policy” towards corruption and stated that the government was dedicated to taking action against any individuals engaged in corrupt activities. The Prime Minister also emphasized the need to be more stringent in strengthening the CIAA’s ability to combat corruption.

In its latest report “Private Sector Corruption: The Need for Systemic Changes,” the Reporters Without Borders (RSF) underscored that Nepal bears the highest level of corruption in the private sector in Asia. The report highlighted that while there have been significant improvements in the legal framework, numerous challenges persist in the implementation of the laws. These include the limitations of the anti-corruption laws, the lack of political will, and the general public’s perception of corruption.

The report noted that while the Prevention of Corruption Act of 2002 and the Prevention of Money Laundering Act of 2006, among others, are important laws in the legal framework, existing policies only allow the CIAA to investigate cases of minor bribery while awaiting further legislation. The CIAA’s effectiveness is compromised by the fact that scrutinizing the decisions made by the federal cabinet, resulting in the tendency of leaders to make decisions at the secretary or minister level during cabinet meetings. Likewise, the current legislation also prohibits the CIAA from overseeing the decisions made during meetings of the House of Representatives or parliament committees. It has also been observed that the federal government has been a significant outlier in the fight against corruption. The report stated that while the Anti-Corruption Act has been in effect from 2002, it has not been effectively implemented.

The CIAA Act of 2011, which includes provisions for the establishment of the Nepal Bureau of Investigation and the National Anti-corruption Commission, has been stuck in the National Assembly for the past three years. The report also noted that the immense political pressure that the CIAA faces is evident in the fact that the CIAA Act restricts the institution from investigating cases of corruption involving high-ranking politicians. In the context of the federal government, the CIAA lacks the authority to address corruption. The report emphasized that efforts would be made to strengthen the CIAA’s ability to combat corruption. The Prime Minister also declared that the government would adopt a “Zero Tolerance Policy” towards corruption and stated that the government was dedicated to taking action against any individuals engaged in corrupt activities. The Prime Minister also emphasized the need to be more stringent in strengthening the CIAA’s ability to combat corruption.

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The report emphasized that an in-depth investigation initiated by the government has found that an engine malfunction caused the January 13 crash on a Pokhara flight. The report noted that the flight’s take-off, climb, cruise, and descent to Pokhara were normal, however, the propeller rotation speed of both engines unexpectedly decreased to produce zero thrusts. Further investigation of the crash’s circumstances is yet to be realized.

The report also noted that the government had proposed a new provision in a bill to prevent money laundering and promoting a better business environment. The bill allows individuals to document their unassisted property by paying taxes if allegations against them regarding the source of the property couldn’t be confirmed.

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