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ANTI-CORRUPTION IN ASEAN:
Promoting the Independence of Anti-Corruption Agencies

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Abstract:

Corruption threatens the development of all countries, and ASEAN member states are not out of this danger. Despite many efforts, corruption is still a worrying problem in ASEAN countries, as their corruption perception index is lower than the world average. Fortunately, all ASEAN member states have ratified the United Nations Convention Against Corruption (UNCAC) and made various efforts to promote regional cooperation and implement domestic laws to curb corruption. Remarkably, most member states have anti-corruption laws and agencies (ACA) responsible for implementing these anti-corruption regulations. However, while several ACAs in developing countries are becoming key players in preventing corruption, the ACAs in most ASEAN countries have not really seemed to work effectively because of their dependence on ruling parties or other government bodies, leading to the loss of objectivity and self-determination. ASEAN member states need to promote the independence of ACAs. Hence, this paper analyses the organization, function, and operation of ACAs in ASEAN countries according to the performance of these departments. Through these statistics, this article suggests that in order to improve these agencies' effectiveness of anti-corruption, promoting their independence is crucial. In particular, the paper highlights how the independence and success of the Corrupt Practices Investigation Bureau (CPIB) in Singapore in minimizing corruption serves as an example to other ASEAN countries.

Keywords: ASEAN, corruption, anti-corruption agencies, CPIB, independent

I. Introduction

Corruption is an issue that needs to be solved in all countries because of its negative consequences on government effectiveness and nations' development. The United Nations Development Program (UNDP) defines corruption as "the misuse of public power, office, or authority for private benefit."[1] Similarly, with the current goal of economic development and good governance, corruption should be a priority issue of ASEAN member states (AMS). Fortunately, all AMS have accepted the United Nations Convention Against Corruption (UNCAC), so they have a comprehensive set of standards, measures, and rules to follow in dealing with corruption. Moreover, participating in the UNCAC also provides a basis for increased cooperation among AMS. As a result, there are various efforts to promote regional cooperation and implement domestic laws and provisions for curbing corruption, making an increase in the Corruption Perception Index (CPI) score of this region from 38.3/100 in 2012[2] to 40/100 in 2021.[3] However, the raise is minor and ASEAN's corruption levels are still problematic as a whole, with its Corruption Perception Index (CPI) score in 2021 being 40 out of 100—a below-average figure. Specifically, although Singapore was a highlight of ASEAN with a CPI score of 85, the figures for other AMS were below 50. Furthermore, Myanmar and Cambodia located at the bottom, with the CPI score were 28 and 23, respectively.[4]

In accordance with UNCAC, most AMS have established independent anti-corruption agencies (ACA). However, it is evident that not all these agencies operate effectively, which was reflected in the massive gap between Singapore—having the highest CPI score—and other AMS. There are many reasons for this inefficiency, one of which is the lack of independence of the ACA in countries. In order to prove this factor, the paper conducts a survey of regulations on ACAs in each ASEAN member state to show the organization and function of the relationship between ACA in these

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[1] United Nations Development Programe (UNDP), *Fighting Corruption to Improve Governance*, New York, 1999,7

[2] Nguyen Quang Dai, "Fighting Corruption in ASEAN"[Chống tham nhũng ở ASEAN], *Asia – Pacific Economic Review*, 2017, https://sti.vista.gov.vn/tw/Lists/TaiLieuKHCN/Attachments/271628/CVv168S5282018037.pdf

[3] Transparency International, "2021 Corruption Perceptions Index - Explore the Results," Transparency.org, accessed December 17, 2022, https://www.transparency.org/en/cpi/2021.

[4] Transparency International (2021)

countries with others government departments. Through an analysis of AMS' anti-corruption agencies, this article demonstrates that an ACA's performance will be less effective in the member states where the ACA is dependent on their governments and political parties. On the contrary, if the ACA is empowered and acquires a certain independence, this would ensure the performance of its functions and duties without the intervention of other agencies and allow it to achieve greater anti-corruption effectiveness.

II. The ACAs in ASEAN countries.

In general, an ACA is a specialized organization established by a government to minimize corruption in the country. According to Nicholas Charron, an ACA has six features: the agency is (1) separate from other government agencies and focuses on preventing and controlling corruption; (2) a permanent organization; (3) funded by the government; (4) accountable either to parliament, the ministry of justice, or the executive; (5) responsible for disseminating information on domestic corruption to the media and other law enforcement agencies; and (6) recognized by the general public.[5] In this understanding, independence from other government bodies in structure and jurisdiction is one of the features of ACA.

Article 6 of UNCAC requires Member States, in accordance with the fundamental principle of its legal system, to ensure the existence of one or more anti-corruption agencies (ACA). Moreover, it also requires Member States to provide their ACAs with the necessary material resources, staff, training, and in particular, independence, free from interference and undue influence from other bodies in their governments to ensure the implementation of their functions. Implementing this UNCAC requirement, all AMS have established ACAs in their government systems. Nevertheless, the performances of these ACAs differ from country to country, judging by each country's CPI score of Transparency International and the Control of Corruption Indicator (CCI) of the World Bank in 2021.

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[5] Charron, Nicholas, 2008, "Mapping and Measuring the Impact of Anti-Corruption Agencies: A New Dataset for 18 Countries." Paper presented at the "New Public Management and the Quality of Government" Conference at Gothenburg, Sweden, 13-15 November, Page 6, available at https://www.acauthorities.org/sites/anti_corruption/files/publication/Mapping_Measuring%20Impact_ACAs_Charron.pdf

Table 1: Anti-Corruption Agencies in ASEAN member states in 2021[6]

Country	Anti Corruption Agency (or Agencies)	CPI score/ranking of 180 countries (TI)	CCI (WB)
Singapore	- Corrupt Practices Investigation Bureau (CPIB)	85 / 4	2.17
Brunei	- Anti-corruption Bureau (ACB)	No data	1.25
Malaysia	- Malaysian Anti-Corruption Commission (MACC)	48 / 62	0.17
Viet Nam	- Central Inspection Commission (CIC) of the Communist Vietnamese Party (CPV) – the CIC is part of the CPV - National Anti-corruption Steering Committee - Government Inspectorate (CSCAC) – part of the Government Inspectorate - Anti-corruption Departments – part of Ministry of Public Security and the Supreme People's Procuracy	39 / 87	-0.29
Indonesia	- Komisi Pemberantasan Korupsi (KPK) - Corruption Eradication Commission - Pengadilan Tindak Pidana Korupsi (TIPIKOR) – special anti corruption court.	38 / 96	-0.43
Thailand	- National AntiCorruption Commission (NACC) - Public Sector Anti-Corruption Commission (PACC)	35 / 110	-0.46
Philippines	- Presidential Anti-Corruption Commission (PACC) - The *Ombudsman* - The *Sandiganbaya*n – Special anti-corruption court	33 / 117	-0.51

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[6] For Agencies, see: Jennifer Schoeberlein, Transparency International, 2020, "Corruption in ASEAN: Regional trends from theo 2020 Corruption Barometer and country spotlight"; For CPI score, see: Transparency International, "Corruption Perceptions Index 2021", https://www.transparency.org/en/cpi/2021, accessed 13 January, 2023 (the CPI uses a scale from 0 – highly corrupt - to 100 – very clean), and the ranking is evaluated base on total of 180 countries) ; for Control Corruption Score, see: World Bank, "Control of Corruption: Country rankings", 2021, (from -2.5 – weak to 2.5 - strong), https://www.theglobaleconomy.com/rankings/wb_corruption/Asia/ , accessed 13 January, 2023

Myanmar	- Anti-Corruption Commission (ACC) – national level - Corruption Prevention Unit (CPU) - in 22 union-level ministries and organizations	28 / 140	No data
Cambodia	- National Council Against Corruption (NCAC) - Anti-Corruption Unit (ACU)	23 / 157	-1.18

Table 1 indicates that most ASEAN countries have their own structurally independent ACAs, except for Vietnam, where the ACA is designed as part of other government agencies and the CPV. As shown in the Table, the CPI of a country measures in accordance with the control of corruption— with a higher CPI, the country will usually have a higher CCI, indicating effective corruption control. Specifically, Singapore stood at the highest point in both scores (85 CPI and 2.17 CCI), followed by Brunei (1.25 CCI), and Malaysia (48 CPI and 0.17 CCI); Cambodia was the lowest country (23 CPI and -1.18 CCI). The difference from corruption statistics of AMS illustrates the disparity in performance of these ACAs, leading to the question of reasons for this distinction. Several scholars considered various elements as explanations for this question, including how to design ACAs in the single system or multiple system.[7] Accordingly, the single ACA system is considered as the more effective than the other. However, in the anti-corruption scores of AMS above, both the highest and the lowest countries score are single ACA system, telling another perspective. Whether their ACA belongs to a single or multiple ACA system is not determinant of how well corruption is reduced in each AMS.

On the other side of the institutional perspective of ACA, another critical factor that impacts an ACA's effectiveness is its independence. In a survey among anti-corruption experts and practitioners in the Asia Pacific region, a significantly higher proportion of respondents rated their country's efforts in fighting corruption as excellent, very good, or good when their country has an

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[7] Jon S.T. Quah, "Combating Asian Corruption: Enhancing the Effectiveness of Anti-Corruption Agencies," *Maryland Series in Contemporary Asian Studies*: Vol. 2017: No. 2, Article 1. Available at: https://digitalcommons.law.umaryland.edu/mscas/vol2017/iss2/1

institutionally independent ACA (57%).[8] In comparison, none of the judges said their country's anti-corruption efforts were excellent or very good without an independent ACA.[9]

Independence is an essential element of ACAs so that they can be proactive and objective in minimizing corruption without bias or interference from other actors. According to the TI, the independence of ACA includes the following aspects: functional, budgetary, and appointments.[10] Similarly, in the technical guidance of article 6 of UNCAC, the United Nations Office on Drugs and Crime (UNODC) states that an independent ACA should determine its work agenda and how it performs its mandated functions. In order to address independence, the guidance also suggests the parties dealing with the issue of performing ACA's functions, personnel, budget, and supervision mechanism.[11] Therefore, this study will analyze the influence of dependency on the performance of ACAs in AMS via these elements. The first one is the function of ACAs.

Table 2: Basic Function and Jurisdiction of ACAs in AMS[12]

Country	Receives corruption claim	Arrest	Investigation	Prosecute	Judge (J) / Administrative decision (AD)	Monitoring other government bodies	Preventing measures
Indonesia	✓	✓	✓	✓	✓	✓	✓
Myanmar	✓	x	✓	x	x	x	✓
Viet Nam	✓	x	x	x	x	✓	✓
Philippines	✓	x	✓	✓	✓	x	✓

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[8] UNDP Asia-Pacific Regional Centre, *Asia-Pacific Regional Survey on Anti-Corruption*. Bangkok; according to Samuel De Jaegere, "Principles for Anti-Corruption Agencies: A Game Changer", *Jindal Journal Of Public Policy*, Volume 1, Issue 1, August 2012, 94.

[9] Samuel De Jaegere, (2012)

[10] World Bank (2020), *Enhancing Government Effectiveness and Transparency: The Fight Against Corruption*, Washington, DC, 291

[11] United Nations Office on Drugs and Crime, Technical Guide To The United Nations Conventions Against Corruption, New York, 2009, 11-12

[12] The figures are relative, based on the ACAs listed in Table 1 for countriesgia. See more in: Jennifer Schoeberlein, Transparency International, (2020); Preventing Corruption Law of AMS

It is noted that the CPIB of Singapore can has the prosecute power from the delegatation of prosecuracy.

In case of Vietnam, although Vietnam's anti-corruption departments within the Ministry of Pubic Security and the Supreme People's Procuracy have the authority to arrest, investigate and prosecute; but it depends entirely on the authority of these agencies as a general law enforcement agency. Therefore, the author does not evaluate it as the function of the ACA in Vietnam.

Thailand	✓	x	✓	x	x	✓	✓
Cambodia	✓	x	✓	x	x	✓	✓
Brunei	✓	✓	✓	x	x	?	?
Malaysia	✓	x	✓	x	x	✓	✓
Singapore	✓	✓	✓	✓	x	✓	✓

Table 2 shows that all AMS ACAs have the function of receiving corruption claims, then conducting the necessary activities to investigate, participate in prosecution or judgement procedure, proposes develop programs, or give advice to their governments on anti-corruption policies. However, only Indonesia and the Philippines (and Singapore's CPIB, if first authorized by prosecutors) have prosecutorial discretion. Similarly, only these two countries have special courts to try corruption cases. In Singapore, Indonesia, and Brunei, the ACA may conduct arrests for investigation. The CPIB can conduct warrantless arrests, searches, and seizures in Singapore. However, most of ACA in other AMS depend on other agencies in performing investigation and prosecution function.

Among the AMS, Vietnam is the sole country that only country that has yet established an official ACA operating independently. Despite remarkable achievements in recent years, the lack of an independent ACA remains one of the problems of the anti-corruption mechanism in the country. According to the Anti-corruption Law passed in 2018 of Vietnam, specialized units in charge of anti-corruption in Vietnam are units located in the Government Inspectorate, the Ministry of Public Security, and the Supreme People's Procuracy. Among them, the focal point for anti-corruption is a specialized agency in the Government Inspectorate—the CSCAC. [13] This structure leads to the dependence of ACAs on the governing bodies, significantly limiting the initiative and self-determination of these anti-corruption agencies. Moreover, because it is only part of the government body, the resources of these ACAs will also be allocated to other departments to serve distinct functions of the agency, leading to inadequate personnel and budget for the ACA. The same goes for anti-corruption departments within the Ministry of Public Security, the Supreme People's Procuracy,

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[13] Vietnamese Anti-corruption Law 2008, Article 83

or the Government Office. In addition, due to the characteristics of the one-party political system, the CPV also has its anti-corruption agency—the CIC. The CIC could be considered as an essential body with more extraordinary powers in the fighting against corruption.[14] It is better known for its anti-corruption activities in Vietnam than the CSCAC, especially for corruption cases by high-ranking officials. However, the CIC currently consists of only 18 members who hold high positions in the government apparatus,[15] headed by the General Secretary of the CPV, making its assessment of independence considerable. This raises questions about the autonomy and effectiveness of ACA in Government's dependence on the CIC and CPV in Vietnam.[16]

Regarding other AMS, although most have independent ACA in their legal systems, these ACAs often have been put under the executive branch, leading to the risk of interference by the head of the executive body in their operations. This is the problem of supervision mechanism and personnel. For example, in Myanmar, members of the ACC are appointed by the President;[17] in the Philippines, the PACC operates under the President;[18] in Cambodia, all members of NCAC has been appointed by a Royal Decree based on the request of the Prime Minister;[19] similarly, in Malaysia, The Yang di-Pertuan Agong (King of Malaysia), on the advice of the Prime Minister, appoints the Chief of MACC.[20] Not only in the selecting and appointment members, most AMS's ACAs are also overseen by and are responsible for reporting activities to the highest authority of the executive branch.[21]

Another example that shows the decline in the ACA's performance when it is dependent on the executive body is the case of Indonesia's KPK. Law No.01 of 2015 The Corruption Eradication

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[14] Even if the CIC is an agency of the Communist Party and its scope of work is limited to members of the CPV, the CPV's comprehensive leadership role over Vietnamese government and the number of high-ranking Government officials are all members of the Party expand the scope of CIC's activities.
Refer the functions, duties, and powers of the CIC in Regulation No. 211-QD/TW dated December 25, 2019, of the 12th Politburo on functions, tasks, powers, working regimes, working system of the Central Steering Committee on anti-corruption.
[15] List of Steering Committee of CIC
Available at: https://noichinh.vn/gioi-thieu/ban-chi-dao-tw-ve-phong-chong-tham-nhung/
[16] Jennifer Schoeberlein, Transparency International, (2020), 35
[17] The Myanmar's Anti-corruption Law passed (The 2013 Pyidaungsu Hluttaw Law No.23, 2013)
[18] The Philippine's Executive Order No. 43 signed on October 4, 2017, Sec.1
[19] The Cambodia's Anti-corruption Law passed in 2010, Art.7
[20] The Malaysian Anti-Corruption Commission Act 2009, Art.5
[21] Jennifer Schoeberlein, Transparency International, (2020)

Commission (the KPK Law) regulates KPK as a state agency. It is independent of all legislative, executive, judicial, and other bodies and accountable to the public. At the same time, the KPK's budget is directly allocated and audited by the Supreme Audit Committee. These prevent the KPK from being influenced by third parties in implementing its anti-corruption function. During the period from 2015 to 2018, with the strong performance of the KPK, the CPI score of Indonesia increased consistently from 36 in 2015, to its highest point of 40 in 2019, or otherwise an increment of 4 points in 4 years.[22] However, after the amendment of the KPK Law in 2019, under Law No. 19 of 2019, the KPK is now considered an executive agency; members of the KPK are recruited and appointed by the civil servant recruitment process. At the same time, the new law limits the KPK's powers by setting conditions for cases under its jurisdiction and restricting the right to arrest and search corrupt persons during pre-investigations. Consequently, the KPK's independence has declined. As a result, Indonesia's anti-corruption effectiveness has also been reduced. The CPI score of Indonesia decreased from 40 in 2019 to 37 in 2020 and 38 in 2021.[23] The KPK's case demonstrates that when an ACA loses its organizational and operational independence, its performance diminishes significantly.

III. Singapore's ACA - The CPIB

The CPIB is a government agency established in 1952. Before the founding of the CPIB, Singapore, during the British colonial period, saw widespread corruption. Singapore's ACA, the Anti-Corruption Branch (ACB), was inefficient at the time. One of the reasons for its inefficiency was that the ACB is part of the Singapore Police Force,[24] so it does not have independence from the agency. This led to a lack of resources and meant that the ACB could not prioritize performing its anti-corruption functions. Worse, this also created a conflict of interest in Singapore's police system, making it a fertile ground for corruption.[25] After the first eight years from the establishment of CPIB,

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[22] Transparency International, "Corruption Perceptions Index – Indonesia score change 2012-2021", at https://www.transparency.org/en/cpi/2021/index/idn , accessed 18 January, 2023.
[23] Transparency International, "Corruption Perceptions Index – Indonesia score change 2012-2021", at https://www.transparency.org/en/cpi/2021/index/idn , accessed 18 Jannuary, 2023.
[24] Jon S.T. Quah, "Combating Corruption in Singapore: What Can Be Learned?", *Journal of Contingencies and Crisis Management*, Vol.9, no 1 (2001), 29-35
[25] Jon S.T. Quah, (2017), 27

the agency was separated from the police force. However, the CPIB was still ineffective due to it having limited resources, people as well as not having enough powers to conduct anti-corruption activities independently. At that time, the CPIB began operation with five officers, which number even was less than personnel of ACB; and all the investigation officers were short secondment, leading to the dependency to another (especially the police force) in the investigation.[26]

By 1959, after the People's Action Party (PAP) victory and its determination to improve its anti-corruption capacity, the PAP government enacted the Prevention of Corruption Act 1960 (POCA), intending to enhance the independence of the CPIB. With the PAP's efforts, the CPIB's activities have become highly influential, making Singapore a leader in the region's anti-corruption effectiveness and the top five least corrupt countries in the world (see Singapore's anti-corruption index in Table 1). According to the Public Perception Survey in Singapore in 2020, 94% of respondents felt that the corruption control efforts in Singapore were effective.[27]

First, in terms of functionality, POCA regulates that CPIB has the following functions:[28]

(1) Investing complaints of corrupt practices

(2) Investing corruption cases by public officers

(3) Preventing corruption by examining the practices and procedures in the civil service to minimize opportunities for corruption

(4) Screening candidates for civil service positions to prevent those with criminal and corruption records from being appointed.

Thus, CPIB functions are aimed at preventing corruption. In other words, the CPIB is an independent agency that only performs anti-corruption functions. It is therefore possible for the agency to devote

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[26] Jon S.T. Quah, (2017), 28; S.T.Quah, Jon, *Curbing Corruption in Asian Countries: An Impossible Dream?*, (ISEAS, 2013),222-223

[27] Corrupt Practices Investigation Bureau (CPIB), "Corruption Statistics 2020: Corruption Situation in Singapore: Firmly Under Control", 05 May 2022, at https://www.cpib.gov.sg/press-room/press-releases/050522-corruption#:~:text=CPIB%20treats%20all%20reports%20received,%25)%20were%20from%20anonymous%20sources.&text=5.

[28] Jon S.T. Quah, "Evaluating the effectiveness of anti-corruption agencies in five ASEAN countries: A comparative analysis", 2015, 147.

all of its resources to the performance of this single function. Compared to Vietnam, if it were possible to separate the CSCAC and other anti-corruption bodies of the Ministry of Public Security and the Supreme People's Procuracy into an independent body and only serve the function of dealing with corruption like CPIB, its effectiveness would likely increase significantly.

To fulfill its anti-corruption functions, the POCA strengthened the CPIB's power by empowering its directors and officials to arrest and search persons to investigate their bank accounts, income taxes, and other documents (se Sections 15, 17, 18, and 22).[29] In addition, the CPIB can also coordinate and conduct the prosecution and asset seizure activities and obtain information if authorized by the prosecution (Sec.19). Furthermore, to secure resources for the agency, the POCA also increased the budget and personal resources for CPIB. The CPIB's personnel increased 40 times from 5 staffs in 1952 to 234 staffs in 2020; and the budget for the agency also rise dramatically from S$1,024,470 (US$474,245) in 1978 to S$48,877,500 (US$35,418,478) in 2020.[30] With these additional powers conferred, the CPIB is more independent and proactive in making decisions and investigating corrupt acts and can take a comprehensive, objective, and fair approach in all cases where corrupt acts are examined, in line with the strategy zero-tolerance approach to corruption [31] of the country. The CPIB insists it will "*take all reports received seriously, regardless of whether the complainant is named or anonymous*."[32]

In addition, the monitoring mechanism for CPIB's activities is also a factor that helps this agency gain independence in performing its functions. While in ASEAN countries, most ACAs are under the supervision of the Prime Minister and there is no other counterbalance mechanism, the CPIB, although regulated under the authority of the Prime Minister's Office, still has autonomy thanks to the counterbalance mechanism between the Prime Minister and the Elected President. According to the Constitutional Amendment in 1991, in case of the Prime Minister withholds his consent, the CPIB's

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[29] OECD, "Special Anti-corruption Institutions: review of models", (2013), second edition, 59-64
[30] Jon S.T. Quah, "Lee Kuan Yew's role in minimising corruption in Singapore", *Public Administration and Policy: An Asia-Pacific Journal,* Vol.25, issue 2 (2022), 163-175
[31] OECD, (2013), 63
[32] CPIB, "Corruption Statistics 2020: Corruption Situation in Singapore: Firmly Under Control", 3.

director can still investigate allegations of corruption against ministers, members of Parliament, and senior civil servants if the director has the agreement of the Elected President. This mechanism prevents the intervention and participation of other bodies, including the Prime Minister, in the activities of the CPIB, thereby strengthening its independence. This is also a mechanism that other ASEAN member states can refer to.

IV. Suggestions for AMS's ACAs.

With Singapore's CPIB serving as a model ACA, some suggestions are listed for AMS to consider enhancing the independence of their ACAs and increase the effectiveness of these organizations.

First, one of the root causes of the CPIB's independence comes from its organizational and operational separation from other government departments. Thus, the CPIB can easily make decisions and conduct investigations into any conduct it suspects is indicative of corruption without pressure from any other person or entity inside or outside the Government. Moreover, with the sole function of anti-corruption, the CPIB can fully devote all its resources to implementing this function. Therefore, establishing or organizing an independent ACA, separate from other parts of the government, is essential for other AMS.

 Independence must be both *de jure* and *de facto,* especially for countries that do not yet have independent anti-corruption institutions, such as Vietnam. This is not only a requirement to meet UNCAC standards but also to meet the practical needs of anti-corruption in this country. In Vietnam, anti-corruption departments are scattered among different agencies, such as parts of the Communist Party, the Government Inspection Agency, the Ministry of Public Security, and the Procuracy, making it difficult to organize the implementation of anti-corruption work. At the same time, these departments are greatly limited in human resources, funding, and the limited scope of functions, tasks, and power due to high dependence on governing bodies, inhibiting their operational efficiency. For other AMS, it is not only necessary to build the independent credit of their ACAs on the rule of law but also to realize it. Taking ACU of Cambodia as an example, although it is designated as an

independent body under Article 11 of the country's Anti-Corruption Law, the selection and appointment mechanism, as well as the oversight mechanism, make it highly dependent on the Prime Minister and the executive branch, leading to limitations in its operational efficiency. Therefore, ensuring the independence of the ACA in both functions, organizations, and activities will contribute to promoting the effectiveness of anti-corruption activities.

Second, as corruption is a highly sophisticated crime, a specialized institution with fully equipped facilities and powers to deal with corruption is more effective than ordinary law enforcement. For example, in the case of Singapore, POCA empowered a great power CPIB. Table 2 illustrates that the CPIB is assigned to activities such as investigations, arrests, and even prosecutions, ensuring the implementation of its anti-corruption function independently and in a timely manner. Meanwhile, Table 2 also shows that statistics on the functions and authority of ACAs in ASEAN member states are limited, especially in conducting investigations and prosecuting corruption practices suspected by ACAs. ACAs cannot achieve success if any part of their corruption detection and the tackling process is subject to the decisions of other agencies. An agency may perform outstandingly in terms of handling complaints. Still, if it relies on another institution to conduct the investigation, this may create a weakness or an Achilles heel in the ACA's anti-corruption drive.[33] Hence, a fully empowering and broad mandate for ACAs is crucial changing in order to improve their success in curbing corruption.

Third, Singapore's counterbalancing power theory-based monitoring mechanism is a cue for other AMS to establish a monitoring mechanism for their ACAs. In AMS, ACAs are mostly under one-way supervision from the cabinet or executive branch or even a subordinate part of this branch. Therefore, it depends heavily on the power of the head of the executive branch, leading to "dark areas" and apprehension in detecting and dealing with corrupt practices in the agencies it depends on. In contrast, the CPIB, although overseen by the Prime Minister, can still actively investigate corruption

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[33] Quah, Jon S. T., 'Combating Corruption in the Asia-Pacific Countries: What Do We Know and What Needs to be Done?', *International Public Management Review*, 2009, 10(1): 25.

by senior officials in the apparatus with the consent of the president. This helps maintain and ensure the independence and objectivity of the CPIB in the process of performing its functions.

Although not all ASEAN member states can imitate the same oversight mechanism as Singapore's due to the design of state power and the mechanism of separation of state power in different countries. However, the idea of a multidimensional parallel monitoring mechanism is completely implementable and designed based on the country-specific model. For example, for countries whose state apparatus is not organized according to the theory of separation and balance of power but is based on the theory of centralized power, multidimensional surveillance mechanisms from both within agencies, between agencies, and external surveillance mechanisms from the people can also be built. Promoting participation in oversight from citizens and media through promoting freedom of information, transparency of the ACA's operations is essential. A proper and effective monitoring mechanism not only prevents the abuse of power by ACA and its officials but at the same time retains their independence in implementing its function.

V. Conclusion

This study investigated ACAs in AMS and their anti-corruption effectiveness, as shown through corruption indicators collected by Transparency International and the World Bank. Through this data, this paper shows that most ACAs in AMS are not yet highly independent, which is the main reason for their operational inefficiency. The existence of the ACA as a division of other Vietnamese law enforcement agencies, or the change in the position and function of the KPK in Indonesia leading to a decline in the agency's performance, exemplifies the role of independence in the success of the ACA. Meanwhile, Singapore's CPIB, with its high autonomy and broad authority, is a successful model in the region and the world, with anti-corruption indicators at the top. The change in the independence of the CPIB when it was separated from the Singapore Police Force is also good evidence of the importance of independence to the ACA.

Through an analysis of the characteristics that represent and ensure the independence of the CPIB, this paper suggests that AMS absorb the characteristics of the CPIB model, including

institutional independence from other government departments and broad authority consistent with anti-corruption functions, and multidimensional oversight mechanisms. These characteristics can be designed based on the CPIB model selectively and in line with the design of state power in AMS, thereby enhancing the independence and success of ACAs in these countries in fighting corruption.

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