



**Asia-Pacific
Economic Cooperation**

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Public-Private Partnership: Preventing Facilitation Payments

Submitted by: Ernst & Young



**Workshop on Strengthening Integrity Through
Public-Private Partnership: Preventing
Facilitation Payment and Managing Gift Rules
Medan, Indonesia
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Public-Private Partnership: Preventing Facilitation Payments

Amien Sunaryadi
Partner – Fraud Investigations and Dispute Services

ERNST & YOUNG
Quality In Everything We Do

Ernst & Young Global Code of Conduct

- ▶ Our values
 - ▶ People who demonstrate integrity, respect and teaming
 - ▶ People with energy, enthusiasm and the courage to lead
 - ▶ People who build relationships based on doing the right thing

- ▶ Ernst & Young Global Code of Conduct
 1. Working with one another
 2. Working with clients and others
 3. Acting with professional integrity
 4. Maintaining our objectivity and independence
 5. Respecting intellectual capital

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Quality In Everything We Do

Ernst & Young Global Code of Conduct (cont')

▶ If unsure of the right course of action, or faced with a difficult issue, then ask:

1. Have I consulted appropriately with colleagues?
2. Are my actions legal and in compliance with the standards of our profession?
3. Am I compromising my integrity or the integrity of Ernst & Young or our clients?
4. Am I upholding the values of Ernst & Young?
5. Am I treating others the way I expect others to treat me?
6. Is my choice of action the most ethical among the possible alternatives? Do I feel good about my choice?
7. If I document my decision, would a reviewer agree with the action I have taken?
8. Would my actions damage the reputation of Ernst & Young?

Preventing Facilitation Payments

▶ What we found from experiences:

- ▶ From private sector side:
 - ▶ Payments were recorded by the private sector
 - ▶ Payments were disguisedly recorded by the private sector
 - ▶ Payments were shifted to agents
 - ▶ Perceived as unavoidable practices
- ▶ From government side:
 - ▶ Receives of payments were not recorded, received by individuals
 - ▶ Beyond government internal audit regular procedures, except through surveillance/undercover procedures and/or complaint/whistle blower mechanism
 - ▶ Perceived as common practices related to local cultural habits

▶ Government and private sector need to work together to uncover and prevent

Thank you



Amien Sunaryadi
Partner
Assurance - FIDS
Tel +62 21 5289 4006
Fax +62 21 5289 5000
Email amien.sunaryadi@id.ey.com

Education

- Diploma IV in Accountancy, State College of Accountancy (STAN), 1988
- Master of Professional Accountancy, Georgia State University, Atlanta, 1993
- Certified Information Systems Auditor (CISA), 1996

Language:

- Indonesia (written, spoken)
- English (written, spoken)

Training:

- Corruption and Anti Corruption, Australian National University, Canberra, 1996

Background

- Amien joined Ernst & Young recently as a Partner for Fraud Investigation and Dispute Services (FIDS) under Assurance. Prior to joining Ernst & Young, he was a Senior Operations Officer with the World Bank responsible for Governance and Anti Corruption (GAC) area. Before that he was an expert staff for the head of the Indonesian financial intelligence unit (PPATK).
- Amien was one of the first five Commissioners of the Indonesian Anti-Corruption Commission (KPK) who was responsible for KPK capacity building that enable KPK to have international reputation in anti corruption works. As the results of his contributions to KPK, particularly in applying modern investigations, he was awarded the 2007 Legal Eagle from the Tempo magazine, the 2008 Bhaca Award from an anti corruption NGO Bung Hatta Anti Corruption Award and the Bintang Mahaputera Utama Award from the Government of the Republic of Indonesia, 2008.
- Prior to that, Amien was a Senior Manager in Dispute Analysis and Investigations of the PriceWaterhouse Coopers for several years and worked for the State Audit Agency (BPKP) for more than fifteen years.

Skills

- Fraud and forensics investigation services
- Dispute services
- Anti-Fraud Program/Fraud Risk Management
- Foreign Corrupt Practices Act (FCPA) review
- Compliance review, regulatory, anti-bribery and anti-corruption
- Anti Money Laundering, Know Your Customers

Experience

- Provided direction and oversight of, for some lead directly, pre-investigation and investigation of corruption cases including intelligence analysis, surveillance, computer forensic, telecommunication interception, search and seizure, and re-handled arrest operations.
- Lead forensic investigation teams which consist of forensic accountants, computer forensic specialist, general investigators and industry specialists, for investigating various fraud cases as well as dispute resolution as requested by private sector clients from telecommunication, advertising, consumer producer, education industries, etc.
- Lead the institution and capacity buildings of KPK from scratch on the areas of intelligence, surveillance, telecommunication interception, search and seizure, and re-handled arrest, forensic accounting, computer forensic, etc.
- Provided advise and assistance to the leaders of project management units (PMUs) of various Indonesian government projects funded by the World Bank on the areas of governance and anti corruption. The projects ranging from infrastructure, community driven development, education, farming, public finance management projects.
- Provided advise and assisted the banking and insurance regulators in developing AML and KYC regulations, assisted the banking regulator in reviewing compliance level of banks to the KYC requirements, advised the Chairman of the Indonesian Financial Intelligence Unit (PPATK) on AML measures and counter terrorism finance measures on Indonesia.
- Member of Indonesian government delegations on various international activities such as the ADB-OECD Anti Corruption Initiative, Asia Pacific Group on Money Laundering, State Parties Conference of the UN/CAC, and International Association of Anti Corruption Authorities.