



Direction des relations internationales,
de l'audit externe et de la francophonie

EUROSAI

GOAL TEAM 1 : CAPACITY BUILDING



Association des Institutions Supérieures de Contrôle
ayant en Commun l'Usage du Français

Modern challenges for SAI's capacity building
Subtheme 1 : Responsibilities of Supreme Public Authorities arising
from challenges of UN General Assembly Resolution A/66/209,
22 December 2011

THE SOCIETAL RESPONSIBILITY OF SAIs :
INDEPENDENCE IN THE SERVICE OF THE CITIZEN



Adeline Baldacchino, Deputy director,
International Relations Department,
Cour des Comptes de France



A short overview on the French Court of Accounts activities regarding promotion of UN resolution

NATIONAL APPROACH

France as an SAI disseminated the resolution within the jurisdictional perimeter

EUROPEAN APPROACH

France as Head of Goal Team 1 of Eurosaï Strategic plan works with Hungary on a specific task to reinforce the knowledge of independence criterias

FRENCH-SPEAKING COUNTRIES APPROACH

France as Secretary General of the AISCUF organised a specific seminar on the UN resolution follow up in Libreville, Gabon, in december 2012



Why a specific french-speaking approach ?

Because of a few historic peculiarities

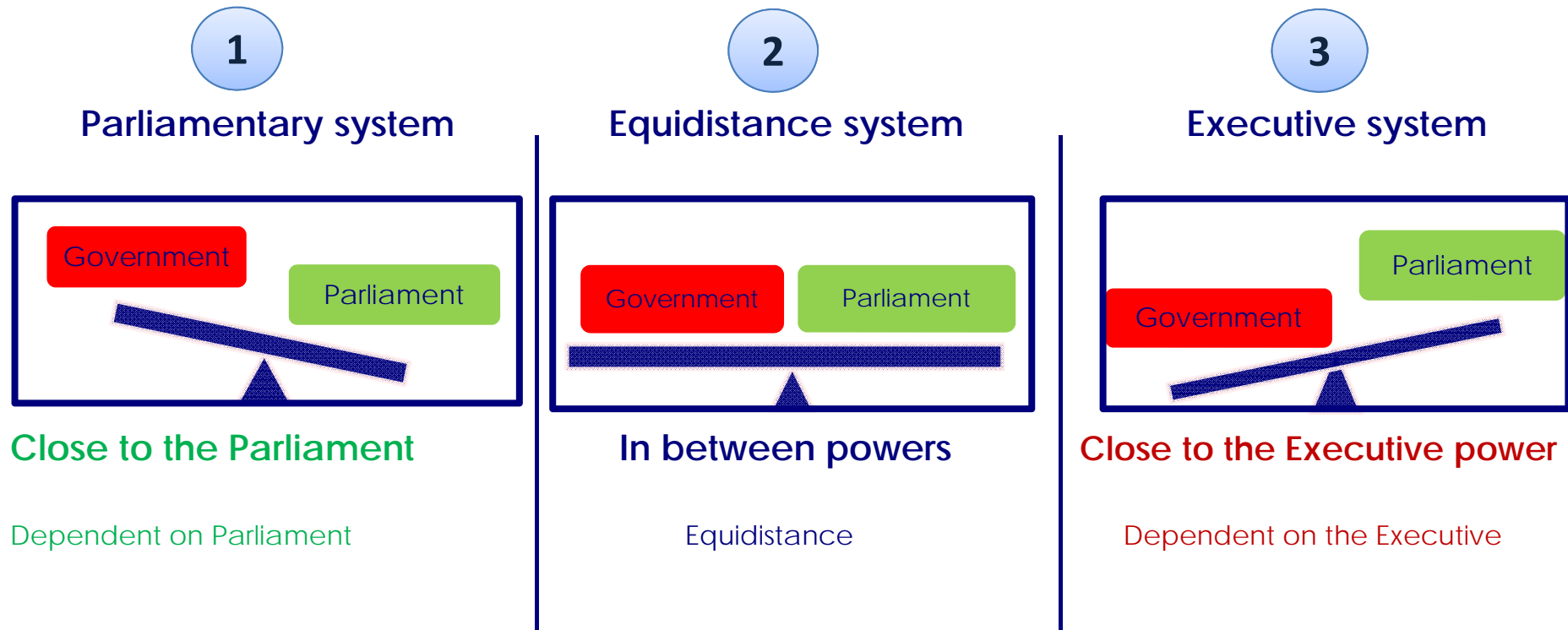
■ A jurisdiction

- composed of independent and irremovable magistrates ;
- working on the basis of the adversarial procedure and of the collegiality of all decisions as a guarantee of impartiality ;
- having the capacity to judge and sanction the accountants and the managers for specific offences

■ The special role of the Court's General Prosecutor

- focusing on quality control
- verifying the completion of the contradictory process and the traceability of the procedure
- ensuring the relation with the judiciary system when needed.

Supreme Audit Institutions systems



- In the « jurisdictional » system, the Court of Accounts is an independant and equidistant body, free to decide its own annual planning ; free to adopt its conclusions ; free to decide their publication

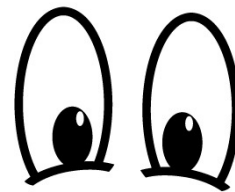


« Juger les comptes »
Regularity/compliance audit

« Bon emploi des fonds »
Performance/ Value for money



4 competences
in the service of the citizen



A
C
C
O
U
N
T
S
P
U
B
L
I
C

M
A
N
A
G
E
M
E
N
T
P
U
B
L
I
C



« Certifier les comptes »
Etat- Sécurité sociale
Annual audit opinion /
Certification of the accounts

« Contribuer à l'évaluation des
politiques publiques »
Evaluation of the socio-economic
impact of public policies



The french-speaking countries Libreville's seminar objectives

What are the concrete and meaning and impact of the UN resolution ?

• 3 roundtables aiming at better understanding new challenges in terms of institutional position, SAI's activity and citizen's information

Is there a specificity of the french-speaking or, at least, of the « jurisdictional model » in terms of independance ?

• Equidistance (equal distance between legislative and executive powers) + capacity to directly sanction

Is it possible to identify good practices regarding independance ?

• Common grounds and principles to move forward were identified and disseminated

Why speak of societal responsibility or accountability rather than « social » responsibility ? Because we focused on a more encompassing meaning : responsibility towards the citizen and within the society

1ST ROUNDTABLE'S CONCLUSIONS :

**The SAI's role within the
institutional and political system**

The institutional position

- Consolidating the trajectory towards constitutionnalization of the SAI's statute : inscription within the Constitution constitutes the highest guarantee in written law countries (so called « napoleonic », vs common law)
- Making progress towards autonomy of the Court of Accounts (vs « chambers » of a Supreme Courts) is a prerequisite, as indicated by all international and subregional regulations (UEMOA in West Africa ; CEMAC in Central Africa)

The equidistance concept

- SAI so not make politics : they play the role of an adviser to the politicians by evaluating the consequences of public policies publiques.
- Even when they assist the Parliament and the Government, they have to preserve their right to determine their own verification programme.

Good practice: determine in a « written contract » a maximum percentage of the controls done following demands from the parliament or the government – 30 % was an example in one of the member countries, meaning that 70 % of the audits are decided following the sole decision of the SAI

The mandate

- Enlarging the competence perimeter of the SAI by progressively suppressing all limitations to their mandate (for ex : control of the public banks, control of the charities etc.)
- Reinforcing capacities within SAIs
 - Systematic adoption of a strategic plan
 - Risk analysis and priorities' determination
 - Constant training throughout the career
 - External expertise when needed

Good practice within AISCCUF : determine, following a thorough risk analysis, a limited number of annual priorities to focus on for the public report

2ND ROUNDTABLE'S CONCLUSIONS :

The SAI's activity in the service of the citizen

Access to audit material

- Enlarging the SAI's access to all audit materials (accounts, financial information, communication and information tools used by the management)
- ... also by imposing a capacity to sanction any refusal to give complete access
- ...so that the SAI can appreciate the public policies results, compared to the initial objectives determined by the legislative power.

Good practices within AISCCUF : direct access to IT applications within controlled entities ; regular and direct transmission of all internal control bodies' reports to the SAI.

Recommendations follow-up

- Organizing a formal circuit of cooperation with the judiciary system for possible criminal prosecution ;
- Mastering a whole set of direct sanction tools for accounting and management specific offences (the Budgetary and Financial discipline Court)
- ...in order to be able to guarantee the effectiveness of the controls not only in terms of compliance but also in terms of performance.

Civil society's involvement

- Enlarging the recruitment of audit staff to take into account new specific competences (medical or scientific expertise médicale, real estate expertise, IT expertise etc.)
- Involving the experts in the collegial decision-making process for public policies evaluations

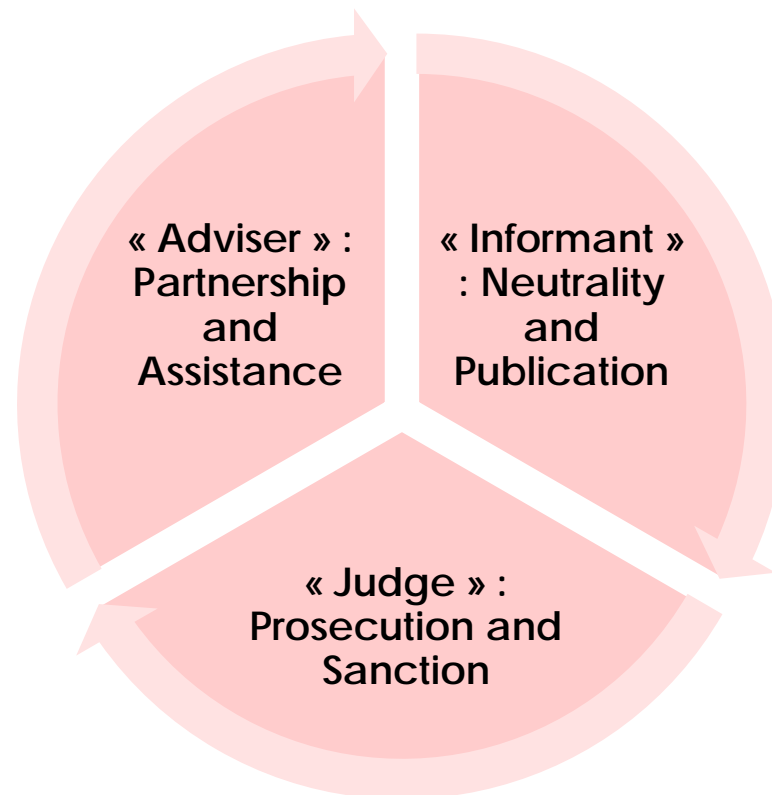
Good practices within AISCCUF : new recruitment opportunities for specific competences ; researchers' involvement in evaluations working groups ; civil society groups' involvement in certain audit areas (NGOs :Open budget, Initiative for Transparency in Extractive industries etc.)

3ND ROUNDTABLE'S CONCLUSIONS :

**Citizen's information and
concrete impact on daily life**

Managing the relationship with external stakeholders

- The virtuous circle of citizen's information must aim at the objective communication on established facts, and avoid the obstacles related to a bad-timing (communicating too soon, too late or too much)



Political and mediatic relays

- Communicating on a regular basis by organizing formal meetings with journalists and with MPs : press conferences, interviews etc.
- Pedagogy on decisions and recommendations : training on public finance vocabulary, raising awareness sessions

Good practices within AISCCUF : regular presentations to the press ; biannual exchange forums with the Parliaments' Budget and Finance commission

The direct relationship to the citizen

- Publishing on websites public reports and their synthesis
- Explaining : interviews (radio, TV, written press), direct meeting (annual « open doors » events).

Good practices within AISCCUF : ascribing the objective of informing the citizen within the Constitution (article 47-2 in France) ; organizing visits for scholars and citizens (par ex. « Journées du patrimoine »)

Provisory conclusion

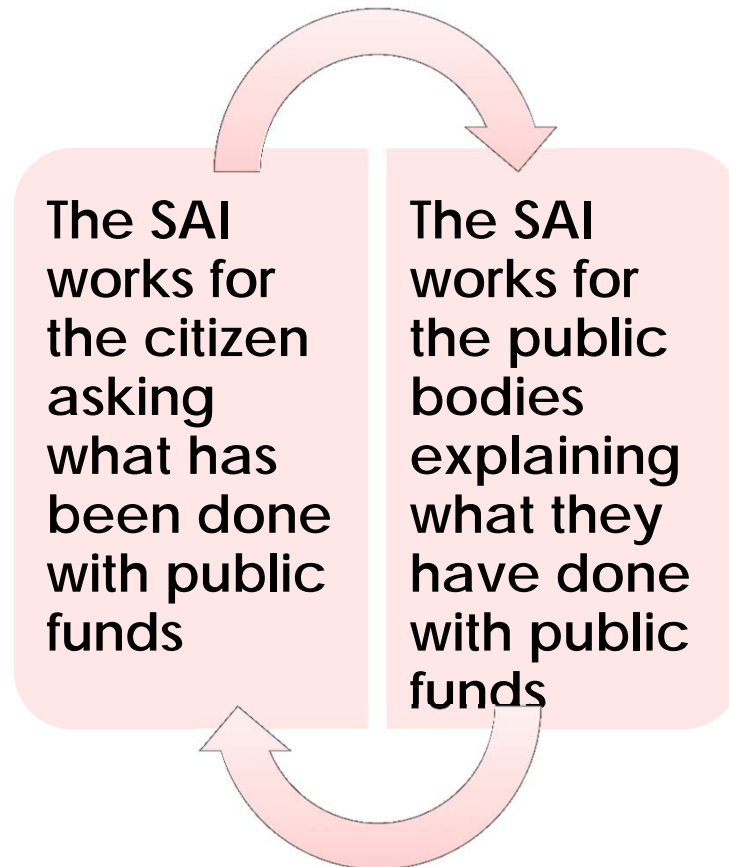
Independence is a guarantee of better implementation of the social and societal responsibility of SAIs

SAIs as *interpreters* of the citizen's expectations

SAIs as *pedagogues* explaining the prerequisites and results of public policies

SAI's : *intermediaries* (« passeurs ») between citizens and public bodies at their service

A two-way relationship



Huge challenges for the future :

- matching expectations with explanations,
- sanctionning bad use of public funds,
- finding right incentives for good managers

Whatever the answers are, there is one clear prerequisite to move forward :
independance.