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Work of the Secretariat / Results of the Third Session of the Conference of States Parties to the UNCAC



**Strengthening Regional Cooperation in SEE
in the Implementation of the UNCAC
8-10 December 2009, Sofia, Bulgaria**



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The Conference of States Parties

- *UNCAC Article 63(1)*: “A Conference of the States Parties (CoSP) to the Convention is hereby established.”
 - Consists of all 142 Member States who have ratified UNCAC
- Objective: to improve the capacity of and cooperation between States Parties to achieve the objectives set forth in this Convention and to promote and review its implementation.
- UNODC is the Secretariat to the CoSP



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- **Support Anti-Corruption Efforts of RPOSEE**
 - Coordinated Efforts with SEE Regional Programme
- **Technical Assistance**
 - Working Group on Technical Assistance
 - Legal Assistance  
 - On-Going TA Projects 



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- **Review of Implementation**
 - Working Group on Review of Implementation
 - Goal: Creation of Terms of Reference for UNCAC Review Mechanism (Considered at COSP III, Doha)
 - Pilot Review Programme
 - 29 Countries Participating
 -  Serbia
 -  Croatia
 - Will be replaced by “Doha Mechanism”



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Generating knowledge: leading innovations

- 2007 UNCAC self-assessment tool
- UNCAC, UNTOC self-assessment tool in the making
- UNCAC Legal Library
- Anti-Corruption Knowledge Management Consortium



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2007 UNCAC self-assessment tool

New survey software launched on 15 June 07

Strong emphasis on technical assistance needs and donors' coordination

Prevention (art. 5, 6, 9)

Criminalization
(art. 15, 16, 17, 23, 25)



*Horizontal review
covering all
chapters*

Asset Recovery
(art. 52, 53, 54, 55, 57)

International Cooperation
(art. 44, 46)



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UNCAC, UNTOC self-assessment tool

Self-assessment checklist



UNCAC

Start Self-Assessment



UNTOC

Start Self-Assessment

Start Self-Assessment
Trafficking Protocol

Start Self-Assessment
Smuggling Protocol

Start Self-Assessment
Firearms Protocol

Budget:
\$0.6M by



Canada

Germany

United States



UNCAC Legal Library

- Collection, organization and online availability of:
 - Corruption-related laws
 - National anti-corruption plans/strategies
 - Anti-corruption bodies
 - Corruption-related cases

- Added benefits:
 - Practical implementation guide
 - Resource for national legislators, anti-corruption authorities, assistance providers
 - Support analytical efforts
 - Convertible into training and educational materials
 - Promote innovation



Anti-corruption knowledge management consortium

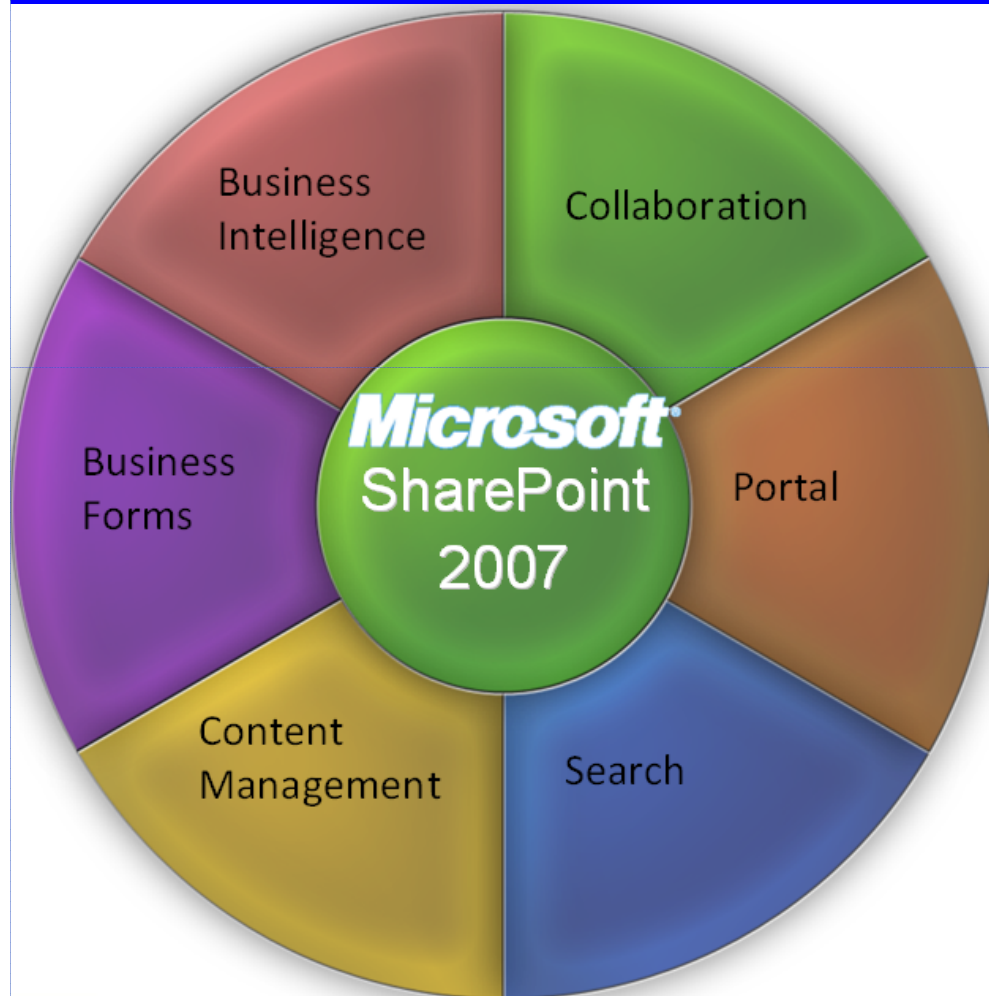
- Objective: to build a portal of anti-corruption knowledge (e.g. laws, reports, studies, policy analysis, assessments)
- Partners: World Bank, United Nations Development Programme, United Nations Inter-regional Crime Research Institute, U4 Institute, International Association of Anti-Corruption Authorities, International Center for Asset Recovery, others
- Technology: provided by Microsoft as in-kind contribution to the project
- Goal: to make corruption-related knowledge available from a single portal
- Proof of concept: to be launched in November 2009 – 3rd Conference of the States Parties to UN Convention against Corruption, Doha, Qatar, 9 -13 Nov.



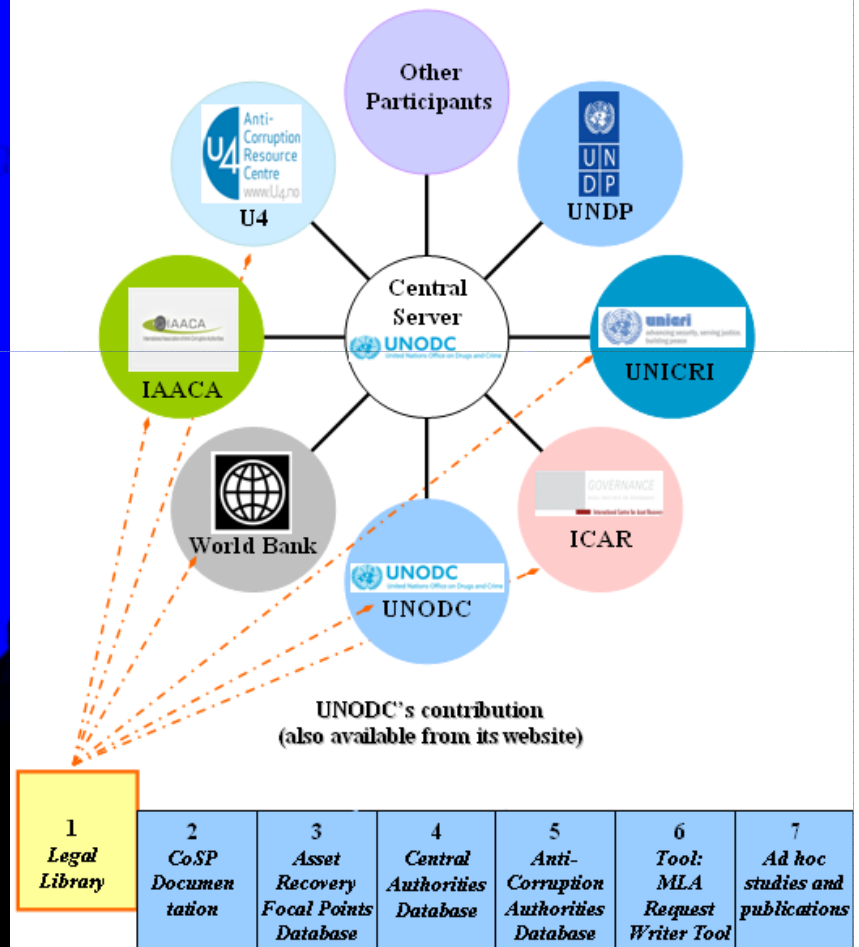
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Building partnerships



KNOWLEDGE MANAGEMENT CONSORTIUM *A portal of anti-corruption knowledge*



In collaboration with



and






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- **Asset Recovery**

- Working Group on Asset Recovery
- StAR (Stolen Asset Recovery Initiative)
 - Jointly run by UNODC/World Bank
 - Assessment Mission to BiH 



- **Related Initiatives**

- Corruption Prevention Initiative
- Private sector
- Parliamentarians
- The International Anti-Corruption Academy



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Doha Outcomes

1. Review mechanism
2. Asset recovery
3. Prevention
4. Technical assistance



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Review mechanism – Resolution adopted

- I. Definition
- II. Guiding principles and characteristics of the Mechanism
- III. Relationship with the Conference of the States Parties
- IV. The Review Process
 - A. Goals
 - B. The country review
 - C. Implementation Review Group (IRG)
 - D. CoSP
- V. Secretariat
- VI. Languages
- VII. Funding
- VIII. Participation of Signatories in the Mechanism

The mechanism: main elements

- Peer review process
- Drawing of lots for each year of the review cycle
- One phase = two cycles of five years
 - ❑ During the first cycle: chapter III (Criminalization and law enforcement); and IV (International cooperation)
 - ❑ During the second cycle: chapters II (Preventive measures); and V (Asset recovery)



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The mechanism: main elements

- Desk review of self-assessment reports
- Sources of information and country visits
- Outcome of review process (report) and executive summaries
- Role of the Secretariat
- Funding



Technical Assistance Resolution

- Urges States parties and signatories (and where appropriate, other donors) to:
 - generate and disseminate knowledge on the substantive aspects of the Convention and provide TA to requesting States;
 - exchange expertise, experiences and lessons learned re TA;
 - identify and communicate anti-corruption experts to UNODC;
 - use UNCAC and where appropriate, other international instruments as a framework for country-level dialogue; and
 - provide resources and assistance to UNODC and others.
- Endorses country-led and country-based, integrated and coordinated TA programme delivery.
- Encourages States and UNODC to continue to develop and promote coordinated partnerships.
- Requests UNODC to: continue to share with other TA providers information on TA needs (through the SA checklist and matrix); and promote synergies with providers of assistance to combat crime (TOC link).



Asset Recovery Resolution

- Renews commitment of States Parties to effective national action and international cooperation (including a proactive approach re chapter V) to recover the proceeds of corruption.
- Encourages communication, coordination and development of best practices (regional or thematic levels) and further development of initiatives.
- Urges further study and analysis i.e. results of asset recovery actions.
- Existing Working Group shall continue – this is to: consider the existing and developing bodies of studies for the development of best practices.



Asset Recovery Resolution

- States Parties to:
 - give consideration to MLA request (incl responsible central authority) and ensure that competent authorities have adequate resources;
 - promote informal channels of communication;
 - strengthen capacity of legislators, law enforcement officials, judges and prosecutors;
 - provide technical assistance in MLA, confiscation matters and where appropriate, non-conviction based forfeiture;
 - remove barriers to asset recovery;
 - where appropriate, limit domestic legal immunities;
 - remove additional barriers; document and disseminate successful asset recovery experience;
 - work in partnership with relevant international bodies; and
 - promote the use of modern information and communications technologies.



Preventive Measures Resolution

- Stresses importance of chapter II (articles 5 – 14) of UNCAC
- Decides to establish an interim open-ended intergovernmental Working Group (unless to be subsumed under the IRG) to –
 - Assist the Conference in: developing and accumulating knowledge in the area of prevention of corruption; and encouraging cooperation among all stakeholders and sectors of society;
 - Facilitate: the exchange of information and experience among States on preventive measures and practices; and the collection, dissemination and promotion of best practices in corruption prevention.
- Secretariat to: collect, analyse and disseminate information on good practices, existing regulation models and methodologies including evidence-based approaches for assessing vulnerable sectors; to make specific information available to schools; and to continue collaborative work with other IOs.



Prevention Resolution

➤ States Parties to:

- integrate anti-corruption policies; establish and strengthen anti-corruption bodies (esp. regarding article 6);
- promote business community's engagement;
- consider computerized systems to govern public procurement and to track and identify suspect cases;
- raise public awareness; enhance dialogue and synergies with other stakeholders (incl with schools);
- continue promoting and aligning anti-corruption policies and rules
 - **Including supporting the Institutional Integrity Initiative process**

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[http://www.unodc.org/unodc/en/crime_
convention_corruption.html](http://www.unodc.org/unodc/en/crime_convention_corruption.html)

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