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United Nations Office on Drugs and Crime

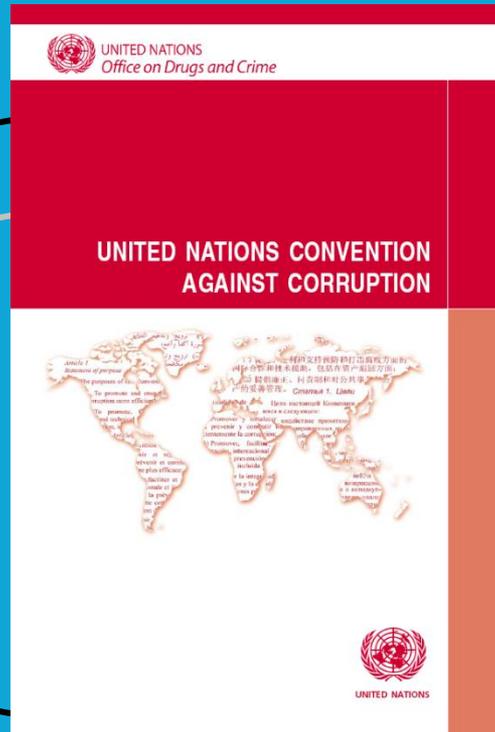
UNCAC Chapter II Overview

Prevention of Corruption under
the United Nations Convention against Corruption

26 September 2017
Sarajevo

**Chapter II
Preventive
measures**

**Chapter III
Criminalization &
Law Enforcement**

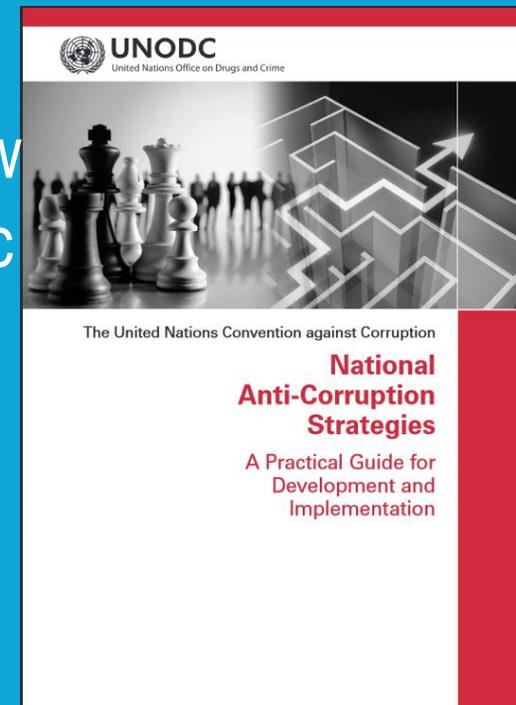


**Chapter V
Asset Recovery**

**Chapter IV
International
Cooperation**

Preventive anti-corruption policies and practices (Article 5)

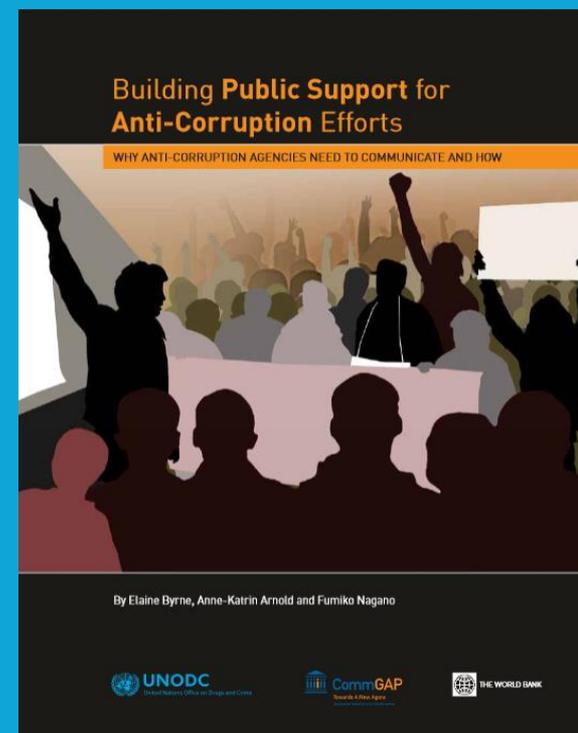
- A general provision requiring States to take an effective and coordinated approach to the prevention of corruption.
- Anti-Corruption Policies must **promote the participation of society**, reflect the rule of law and promote the proper management of public affairs and public property.
- Must promote “integrity, transparency and accountability.”





Preventive anti-corruption body or bodies (Article 6)

- States must ensure the existence of a body or bodies that prevent corruption with sufficient independence, resources and staff to carry out their functions.
- Measures they may take include implementing anti-corruption policies and increasing and disseminating knowledge about prevention of corruption.





Recruitment, Management and Training of Public Officials (Article 7)

- Adequate procedures for recruitment, selection and training of officials. Special measures for “high-risk” areas.
- Adequate remuneration and equitable pay scales.
- Education and training programmes, including specialized anti-corruption training.
- Consider measures to enhance transparency in funding of political parties and candidates.



Conflicts of Interest, Codes of Conduct and Asset Declarations (Articles 7 and 8)

National Implementation

- Application of prohibitions and restrictions to public officials.
- Specialised codes of conduct for “high risk” areas.
- Proactive measures to resolve conflict of interests.
- Centralised bodies for the enforcement of conflict of interests and asset declaration standards.



Case Study: Country A's Asset Declaration System

Introduction of Computerised Financial Declaration System in 2000 with significant benefits:

- Higher level of compliance with declaration requirements (from 67% to 96%).
- Improved access to FDS forms: requests via Internet (66 to 823).
- Drastic reduction of operative costs (from 70\$ to 8\$ per form).
- Increased capacity to analyze and investigate (from 40 to 321).
- Significant reduction of paper work.
- More access for all people.

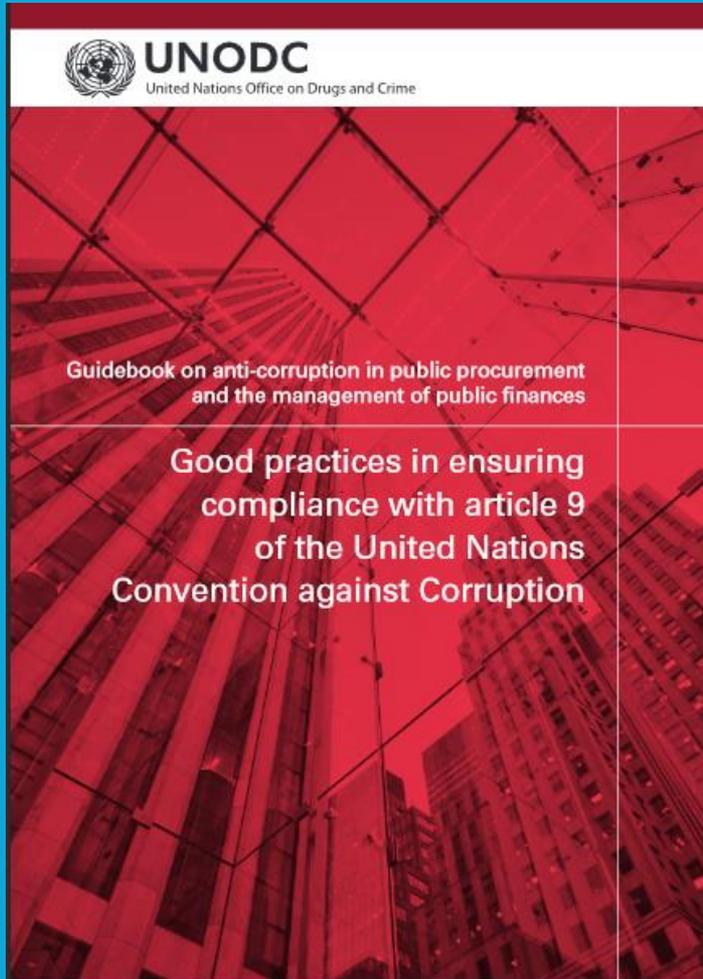


Public Procurement and Management of Public Finances (UNCAC Article 9)

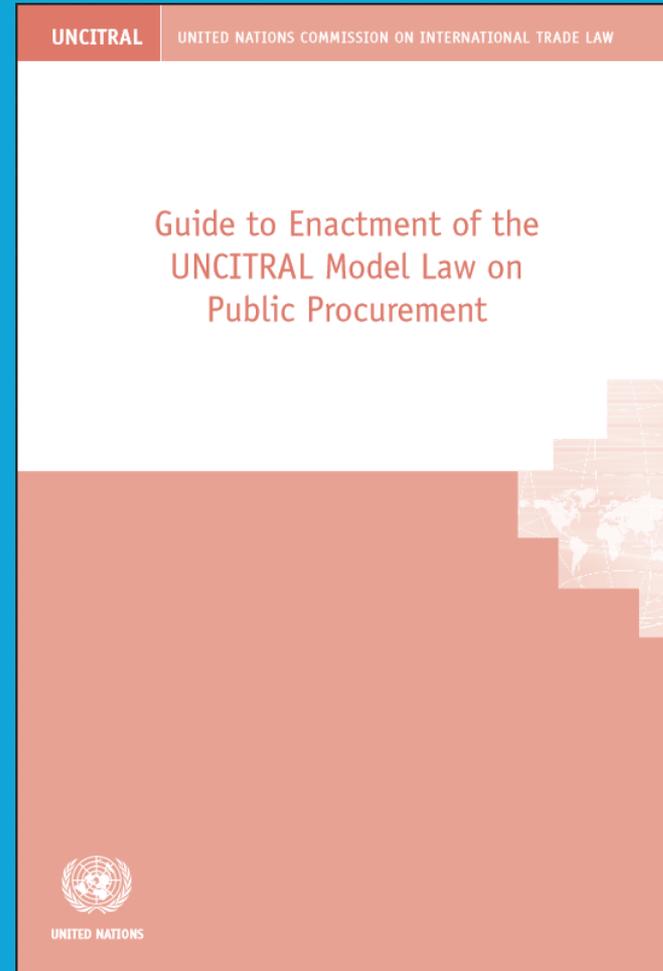
UNCAC Requirements

- Public distribution of information so potential tenderers can prepare and submit applications.
- Use objective and predetermined rules and criteria for public procurement systems.
- Effective system of domestic review, appeal and remedies where rules not followed.
- Specialised training and declaration requirements for staff responsible for public procurement.

UNODC publication :



UNCITRAL model law :





Transparency and Efficiency in Public Administration (Article 10)

UNCAC Requirements

Take measures to enhance transparency in public administration including:

- Public access to information on organisation, functioning and decision-making processes.
- Simplifying administrative procedures.
- Publishing information on the risk of corruption in public administration.

Case Study: Country B's Administrative Regulatory Guillotine

Inventory of rules: **34,457**

Reduction of 47% of obsolete rules

16,261 rules were eliminated

More than 10 thousand administrative rules were standardized

9 Administrative Handbooks



Cost Savings

\$5 billion

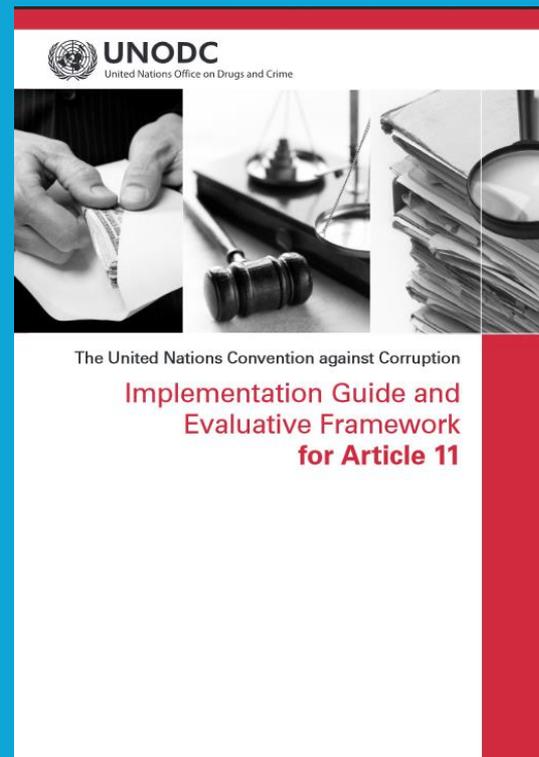
Equivalent to:

- 28% of Annual Education Budget
- 81% of Annual Social Programs Budget



Judicial and Prosecutorial Integrity (Article 11)

- Convention's Requirement: Strengthen integrity and prevent opportunities for corruption among judiciary.
- Judiciary with integrity essential but often seen as most corrupt.
- Bangalore Principles on Judicial Conduct.
- Implementation Guide for Article 11 .





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Private Sector (Article 12)

States required to take measures to prevent corruption involving the private sector, enhance accounting standards and apply appropriate penalties when measures are breached.

Examples of the types of measures that can be taken:

- Promote cooperation between law enforcement agencies and the private sector.
- Promote the development of standards designed to safeguard integrity of relevant private entities.
- Promote transparency in the identity of legal and natural persons.



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An Anti-Corruption Ethics
and Compliance Programme
for Business:

A Practical Guide



Participation of Society (Article 13)

- Art.13 recognizes the important role of all society in the prevention of corruption.
- State Parties required to:
 - take measures to promote the active participation of **individuals and groups outside the public sector** in the prevention of, and fight against, corruption.
 - raise awareness as to the causes and effects of corruption.
 - ensure anti-corruption bodies are known to public and access to reporting, including anonymously.



Participation of Society (Article 13)

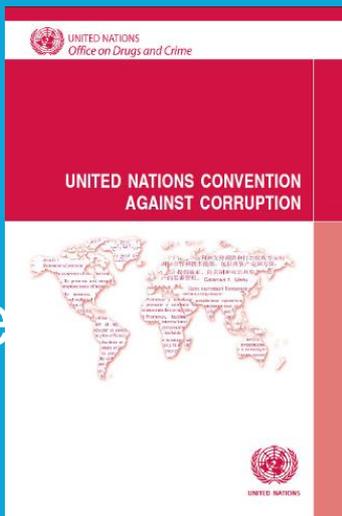
4 measures which States are recommended to include in efforts to engage civil society in corruption prevention:

(a) Enhance transparency of and public contribution to decision-making processes.

(b) Ensure that the public has access to information.

(c) Public Information activities and public education programmes.

(d) Respect, promote and protect freedom to receive, publish and disseminate information on corruption.





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Thank you!

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