



**UNODC**

United Nations Office on Drugs and Crime

# THEMATIC PROGRAMME

## ACTION AGAINST CORRUPTION & ECONOMIC CRIME

(2010 – 2011)

May 2010

I. MANDATES, ORGANISATIONAL CONTEXT, GUIDING PRINCIPLES, SERVICES AND PRODUCTS.....	3
(A) INTERNATIONAL LEGAL FRAMEWORK and MANDATES .....	3
International legal framework .....	3
The Conference of the States Parties to UNCAC and its working groups.....	4
Specific UNODC mandates against corruption .....	5
The Thematic Programme on Corruption and UNODC medium-term Strategy.....	6
(B) ORGANIZATIONAL CONTEXT .....	7
(C) GUIDING PRINCIPLES.....	8
(D) UNODC SERVICES AND PRODUCTS .....	10
UNODC Services – focusing on technical assistance needs .....	10
Tools, manuals and publications .....	12
II. OPERATIONAL FRAMEWORK FOR 2010-2011.....	13
(A) Outcomes, outputs and indicators.....	13
(B) Resources .....	19
Overview of resources from the Regular Budget (2010-2011 allocations) .....	20
Overview of resources from voluntary contributions (2010-2011 allocations and requirements).....	21
Funding requirements.....	28
Funding priorities .....	28
(C) Partnerships .....	28
The International Group for Anti-Corruption Coordination .....	29
UN system-wide coordination.....	29
Strategic partnerships with other international and regional organizations .....	30
Partnerships with the private sector.....	30
Civil society organizations .....	30
Research and academia .....	31
(D) Result-based management (Monitoring, reporting and evaluation).....	31
Annex 1 – Overview of technical assistance delivered by UNODC field offices to promote effective responses to corruption .....	32
Regional Programme for South Eastern Europe (2009-2011) .....	33
Regional Programme for Central Asia and Afghanistan.....	34
Regional Programme for East Asia and the Pacific (2009-2012) .....	34
Regional Programme for West Asia .....	36
Regional Programme for Central America (2009-2012) .....	36
Regional Programme for Latin America/Southern Cone .....	37
Regional Programme for North Africa and the Middle East .....	37
Regional Programme for Eastern Africa (2009-2012).....	38
Regional Programme for West Africa .....	39
Regional Programme for Central Africa .....	41
Annex 2 – Summary of the relevant resolutions providing the mandates of UNODC against corruption.....	42

The present Thematic Programme provides the framework for the United Nations Office on Drugs and Crime (UNODC) work against corruption for the period 2010-2011. It outlines the context, the problems addressed and the challenges faced in preventing and combating corruption. It describes the work of UNODC to assist countries in developing strategies, policies, action plans, programmes and projects against corruption. It also outlines UNODC mandates, services, strategic objectives, implementation strategy, partnerships and funding needed in order to achieve the proposed objectives.

The Thematic Programme on Corruption is based on the relevant elements of the *Strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime*<sup>1</sup> (hereinafter UNODC medium-term Strategy) and the *Strategic Framework for the Period 2010-2011*.<sup>2</sup> Activities pursued under this Thematic Programme are complemented and supported by UNODC activities under other relevant thematic, regional and country programmes and relevant elements of UNODC programme of work under the regular budget of the United Nations. This Thematic Programme, therefore, must be read in conjunction with these documents.

## **I. MANDATES, ORGANISATIONAL CONTEXT, GUIDING PRINCIPLES, SERVICES AND PRODUCTS**

### **(A) INTERNATIONAL LEGAL FRAMEWORK and MANDATES**

#### ***International legal framework***

Preventing and combating corruption requires a comprehensive and multidisciplinary approach. Based on recognition of this fact, Member States negotiated the United Nations Convention against Corruption (UNCAC) which rests firmly on four pillars: 1) Prevention, 2) Criminalization and Law Enforcement, 3) International Cooperation and 4) Asset Recovery.

As the sole global instrument against corruption, it holds great potential as the backbone for national and international anti-corruption initiatives to avoid that different standards are applied and inconsistent approaches are taken. Many fora have recognized the Convention as a comprehensive framework for domestic action against corruption. However, implementing UNCAC presents significant challenges for many countries. Member States will need to be able to rely on policy guidance and technical assistance for the effective implementation of the Convention, particularly its innovative provisions. In the area of asset recovery, in particular, UNCAC opens an entirely new arena of international law. The challenge of “breathing life” into these provisions of the Convention is ensuring the effective interface of law, investigation and prosecution in both the developing and the developed world.

Since the adoption of UNCAC by the General Assembly on 31 October 2003, 140 countries have signed and 144 States Parties (including the European Union) have ratified or acceded to the Convention (Status as of January 2010). The common goal is to reach universal adherence to the Convention, which is an achievable aim, in view of the large number of ratifications and accessions received over a short period of time. In the meantime, much work needs to be done to achieve effective practical application of the provisions of UNCAC and thus accomplish an effective global regime against corruption, based on the fundamental principles of the rule of law. While the letter of

---

<sup>1</sup> UNODC Strategy 2008-2011, Towards Security and Justice for all: Making the World Safer from Crime, Drugs and Terrorism, E/CN.7/2007/14–E/CN.15/2007/5.

<sup>2</sup> UN Document A/63/6 (Prog. 13), 3 March 2008.

the Convention is legally binding on countries that have ratified or acceded to it, its values and state-of-the-art principles are far-reaching and applicable to the widest spectrum of society.

### ***The Conference of the States Parties to UNCAC and its working groups***

The Conference of the States Parties to UNCAC is tasked with supporting State Parties and signatories in their implementation of the Convention, and provides policy guidance to UNODC for the development and execution of anti-corruption related activities. It has held three sessions to date (the last one in November 2009) and established three working groups respectively on review of implementation, asset recovery and technical assistance, which have met regularly in the intersessional period. At its third session, it established an additional working group on prevention, and the work of the working groups on review of implementation and technical assistance was folded into the new Implementation Review Group.

The Conference has adopted far-reaching resolutions at each of its sessions and has mandated UNODC to implement them, including through the development of technical assistance projects.

The Conference at its **first session** adopted eight resolutions aimed at strengthening the ratification and implementation of UNCAC. In its Resolution 1/1, the Conference decided it was necessary to establish an appropriate and effective **mechanism to review implementation of UNCAC** and established an open-ended intergovernmental working group to make recommendations on how to best achieve this goal. The Conference also decided to establish an information-gathering mechanism (Resolution 1/2) on implementation of UNCAC, using a **self-assessment checklist**. The Conference called on States parties and signatories to **adapt their laws and regulations** to bring them into conformity with the provisions of the Convention (Resolution 1/3). In its Resolution 1/4, the Conference decided to establish an open-ended intergovernmental working group on asset recovery to assist it in developing knowledge on the topic, to facilitate the exchange of information and to identify areas for capacity-building in requesting and carrying out **mutual legal assistance for asset recovery**. The Conference, in Resolution 1/5 on technical assistance, decided to establish an open-ended intergovernmental working group on technical assistance to review needs, provide guidance on priorities and promote coordination of technical assistance where provided, and recommended the convening of an international cooperation workshop on technical assistance (Resolution 1/6). The Conference addressed the issue of **bribery of public officials** in Resolution 1/7 and invited UNODC, other relevant public international organizations and States to initiate an open-ended dialogue on the issue and report to the second session of the Conference. In its Resolution 1/8, the Conference decided to consider best practices in the fight against corruption at its next meeting.

The Conference at its **second session** adopted five resolutions on, respectively, review of implementation, technical assistance, asset recovery, adapting legislation and regulations, and bribery of officials of public international organizations. These resolutions built upon the goals and achievements of implementation of its prior resolutions, in particular with recommendations formulated by each of the three established working groups. In Resolution 2/1, the Conference had called upon States parties and signatories to submit proposals for terms of reference for a **review mechanism** and the working group on review of implementation was tasked to review these proposals and submit draft terms of reference to the Conference at its third session for its consideration, action and possible adoption. The Conference welcomed the analysis of the information gathered and collated using the **self-assessment checklist** on implementation of UNCAC in Resolution 2/2, requesting the working group on **technical assistance** to continue developing recommendations on how best to meet the needs identified. The Conference also requested the working group on **asset recovery** to continue engaging in this highly innovative and technical field in Resolution 2/3. It renewed its call for **adaptation of laws and regulations** to be in full compliance with the provisions of UNCAC in Resolution 2/4 and requested UNODC in Resolution 2/5 to focus on

methodologies of cooperation between public international organizations and States parties in **investigations of corruption involving international public officials**.

The Conference at its **third session**, held in November 2009, adopted landmark Resolution 3/1 on the review of the implementation of the Convention. It established a **review mechanism** aimed at assisting countries to meet the objectives of the Convention through a **peer review process**. This will further enhance the potential of the Convention, by providing the means for countries to assess how they are doing in the implementation through the use of a comprehensive self assessment checklist, identify potential gaps and develop action plans to strengthen the implementation of UNCAC domestically.

Reviews will be based on the self-assessment checklist submitted by countries under review, and the ensuing active dialogue between the country under review and governmental experts of the two reviewing countries. Reviews will result in country review reports. The secretariat to the review mechanism plays a crucial role in the review mechanism by coordinating all reviews, preparing the initial country reports, supporting all relevant activities conducted in the context of individual reviews, and providing technical and substantive servicing of the Implementation Review Group. The review mechanism will identify **technical assistance needs** and ensure that the gaps identified will be filled by prioritizing the delivery of technical assistance as an integral part of the mechanism.

The experience of the voluntary pilot review programme carried out by UNODC from 2007 to 2009 provided the Conference with lessons learned on methods for reviewing implementation of the Convention and several features of the pilot programme were introduced into the terms of reference of the review mechanism.

A request for regular budget posts to meet the staffing requirements of the review mechanism was approved by the General Assembly at its 64<sup>th</sup> Session.

Emphasis was also placed by the Conference on preventive measures (Resolution 3/2), establishing a working group to further explore good practices in this field. The importance of building public-private partnerships was another main focus, because businesses are now lagging behind Governments in fighting corruption, especially after the establishment of the Review Mechanism.

Resolution 3/3 on asset recovery welcomed the recommendations of the working group on asset recovery and the work undertaken by the Secretariat to implement those recommendations. It emphasized the ongoing importance of international cooperation for asset recovery and urged States to take a proactive approach when using the provisions of the Convention. The Conference renewed the mandate of the working group on asset recovery and tasked it, inter alia, to develop best practices in asset recovery including through the studies produced by the Stolen Asset Recovery Initiative.

Resolution 3/4 on technical assistance welcomed the work of UNODC, in particular efforts to gather and analyze information through the self-assessment checklist, and the recommendations of the working group on technical assistance. The Secretariat was also, inter alia, tasked with further developing its database of anti-corruption experts and forging partnerships with assistance providers as well as the public and private sectors. In view of its decision to establish the review mechanism, the Conference decided to fold the mandate of its working group into the work of the mechanism.

### ***Specific UNODC mandates against corruption***

The mission of UNODC is to contribute to the achievement of security and justice for all by making the world safer from crime, drugs and terrorism. It is the entity of the United Nations Secretariat responsible for implementing the United Nations programme on international drug control, crime and terrorism prevention and criminal justice. The following are resolutions outlining UNODC's

mandates as determined by the General Assembly and Economic and Social Council of the United Nations:

- Economic and Social Council resolution 2005/18 of 22 July 2005 - "Action against corruption: assistance to States in capacity-building with a view to facilitating the entry into force and subsequent implementation of the United Nations Convention against Corruption".
- General Assembly resolutions 60/175 of 16 December 2005, 61/181 of 20 December 2006, 62/175 of 18 December 2007, 62/175 of 20 March 2008, 63/195 of 10 March 2009 and 64/179 of 18 December 2009 - "Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity".
- Economic and Social Council resolution 2006/24 of 27 July 2006 - "International cooperation in the fight against corruption".
- General Assembly resolution 64/180 of 18 December 2009 - "Preparations for the Twelfth United Nations Crime Congress on Crime Prevention and Criminal Justice".
- General Assembly resolutions 60/207 of 16 March 2006, 61/209 of 20 December 2006, 62/202 of 19 December 2007 - "Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin".
- General Assembly Resolution 63/226 of 10 March 2009 - "Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption".
- General Assembly resolution 64/237 of 24 December 2009 - "Globalization and interdependence: Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption".
- General Assembly resolution 64/244 of 23rd of December 2009 - "Proposed programme budget for the biennium 2010-2011".

#### **Mandates on economic fraud and identity-related crime**

- Economic and Social Council resolution 2004/26 of 21 July 2004 - "International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime".
- Economic and Social Council resolution 2007/20 of 26 July 2007 - "International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime".
- Economic and Social Council resolution 2009/22 of 30 July 2009 - "International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime".

A summary of the main resolutions can be found in Annex 2 to this Thematic Programme.

#### ***The Thematic Programme on Corruption and UNODC medium-term Strategy***

The goals and areas of work of UNODC have been further defined in the *Strategy for the period 2008-2011 for UNODC*, which provides an overarching result-based framework for its programmatic activities. This Strategy establishes the objectives and results that UNODC seeks to achieve in pursuance of its mandates, organized under three themes: 1) rule of law; 2) policy and trend analysis; and 3) prevention, treatment, reintegration and alternative development.

The Thematic Programme on Corruption corresponds to UNODC medium-term Strategy Themes 1 (Rule of Law), 2 (Policy and trend analysis) and 3 (Prevention, Treatment/Reintegration and Alternative Development) in equal parts as it seeks to enhance implementation of UNCAC.

Within Theme 1, the Programme operationalizes Result Area 1.1 (Ratification and implementation of conventions and protocols), 1.2 (International cooperation), and 1.3 (Accessible and effective criminal justice systems). The ratification of UNCAC and the implementation of its provisions will enable States parties and signatories to strengthen their capacities to prevent and combat corruption. It will also enhance international cooperation, and in particular asset recovery to return the proceeds of crime to the country of origin.

Within Theme 2, the Programme operationalizes Result Area 2.1 (Threat and risk analysis). The production of data and analyses will enable better knowledge of corruption patterns and typologies. The support to countries to produce national assessments will translate into better capacity to formulate adequate policies to corruption.

Within Theme 3, the Programme operationalizes Result Area 3.2 (Corruption Prevention). The implementation of key provisions of UNCAC on prevention will enable strong preventive policies and institutions, increase awareness of corruption as well as strengthen civil society and relevant entities.

## **(B) ORGANIZATIONAL CONTEXT**

UNODC is currently engaged in a process of internal reconfiguration of the Division for Operations and the Division for Treaty Affairs. Furthermore, the Office has streamlined its strategic planning and implementation tools to ensure maximum consistency in its objectives, policy approaches and management arrangements, both at HQ and in the field. The **Thematic Programmes**, the **Regional Programmes** and the new five **thematic Branches/Sections** (i.e. Organized Crime, Corruption, Justice, Health and Terrorism Prevention) constitute the key interrelated pillars of this new strategic approach.

Within UNODC, the overall substantive and implementation responsibility and functions relating to the Thematic Programme on Corruption are vested with the **Corruption and Economic Crime Branch (CEB)** in the Division for Treaty Affairs, which performs the functions of Secretariat to the Conference of the States Parties to UNCAC and its subsidiary bodies, including the Review Mechanism. The Thematic Programme will be implemented according to UNODC Strategic Frameworks for the periods 2010-2011 and 2012-2013, the Regular Budget for the biennia 2010-2011 and 2012-2013, and UNODC medium-term Strategy. Such implementation will be carried out under the overall guidance of the Conference and its and its subsidiary bodies, including the Review Mechanism.

The Branch performs both **normative work** and **operational work**, and acts as a catalyst and resource to assist Member States in devising coherent responses to prevent and combat corruption, in accordance with UNCAC. The Branch provides substantive, programming and technical support to policy-making bodies with respect to corruption and economic crime; facilitates the ratification and implementation of UNCAC, as well as substantive action against other forms of economic crime; coordinates major initiatives supporting the implementation of UNCAC; provides substantive and technical expertise to UNODC field offices; provides substantive and technical expertise and facilitates policy-making on all forms of economic crime; and supports responses of the Office to related emerging crime issues.

Through its **Conference Support Section (CSS)**, the Branch performs the technical and substantive secretariat functions for the Review Mechanism, the Implementation Review Group and the COSP. The Section is responsible for the organization and support of all country peer reviews as described in the terms of reference for the review mechanism, including the analysis of self-assessment reports and supplementary information received, the facilitation of active dialogue among the countries concerned, and preparation of executive summaries and country reviews reports as well as thematic

and regional implementation review reports for the Implementation Review Group. The Section further provides substantive and technical servicing of the annual meetings of the Implementation Review Group, as well as the sessions of the COSP.

The **Implementation Support Section (ISS)** groups all required functions to improve countries' capacity in ratifying and implementing UNCAC, including through targeted advisory services, the development of tools, the identification and promotion of good practices, and awareness raising in society at large. This section further provides support to the Working Group of the Conference on Asset Recovery, as well as the newly established Working Group on Prevention and for the consideration of their recommendations at the CoSP. This Section also performs functions required for the implementation of mandated tasks in the area of economic crimes, e.g. fraud and identity related fraud. Specific programmes and projects, such as the joint World Bank/UNODC Stolen Asset Recovery Initiative (StAR) are also supported through the work of this Section.

Close working relations with other UNODC sections/units and the operational support of UNODC's field offices will be critical for providing expertise and experience, and making an extended network of contacts available to Member States.

Expertise will be drawn from within UNODC Headquarters and specific attention will be paid to ensure that activities related to corruption are undertaken in full cooperation and synergy with the other thematic Branches/Sections, namely the **Transnational Organized Crime** Branch; the **Terrorism Prevention** Branch; the **Justice** Section; the **Health & Livelihoods** Branch and the **Statistics and Surveys** Section.

Cooperation and coordination will also be ensured with the **Advocacy Section** of the Division of Policy and Analysis (DPA), which promotes and enhances efforts to reduce drug abuse and crime worldwide; communicates the mission and objectives of UNODC among decision and opinion makers; actively commemorates International Days through targeted campaigns; supports awareness raising and preventive activities and mobilizes support and builds partnerships with external groups through a comprehensive effort that includes a strong and consistent message; engaging, informative and well written public information materials; effective outreach to NGOs and civil society; a regularly updated and user-friendly web site; and a multimedia campaign that targets the media, key constituencies and the public at large.

UNODC's **field offices network** (including regional offices, regional centres, country offices, subregional project offices, project offices and liaison offices) plays a major role in planning, delivering and coordinating anti-corruption programmes, projects and activities at the national, sub-regional and regional levels. The long-term goal is to achieve a judicious mix of:

- core capacity at headquarters in terms of specialized expertise and support functions for the COSP and its subsidiary bodies, ensuring effective policy and programme coordination, strategic interventions, advocacy and awareness-raising, partnerships at the global level, consistency in approaches worldwide and translation of lessons learnt into best practices;
- substantive expertise and operational capacity in the relevant UNODC field offices to initiate, coordinate and implement activities at the regional and country level, including through transfer of skills from UNODC headquarters.

### **(C) GUIDING PRINCIPLES**

Guiding principles underlying the work of UNODC in the thematic area of corruption include:

1. Ensuring that **all aspects of corruption are considered and addressed**, as corruption is a **cross-cutting issue**.

Corruption attacks the foundation of democratic institutions by distorting electoral processes, perverting the rule of law, and creating bureaucratic quagmires whose only reason for existence is the soliciting of bribes. It often reaches into Governments and parliaments, undermining the state and its institutions. If a widespread public suspicion exists that institutions are corrupt, and that criminal acts committed by elites remain unpunished, it undercuts government legitimacy and undermines the rule of law. Security cannot be guaranteed, development cannot be sustained, and justice cannot reign. Foreign direct investment is discouraged and small businesses within the country often find it impossible to overcome the “start-up costs” required because of corruption.

Overall, corruption corrodes government institutions and jeopardizes sustainable development and the rule of law, leading to a loss of the citizens’ faith in government institutions and democracy. If corruption permeates the political, economic and social spheres of communities and countries, the stability and security of individual countries and of the international community are threatened and there can be few prospects for development and prosperity.

The 2005 World Summit<sup>3</sup> emphasized the need for solid democratic institutions responsive to the needs of people and the need to improve the efficiency, transparency, and accountability of domestic administration and public spending and the rule of law, to ensure full respect for human rights, including the right to development, and to eradicate corruption and build sound economic and social institutions. It further recognized that fighting corruption at all levels is a priority and that corruption is a serious barrier to effective resource mobilization and allocation, while diverting resources away from activities that are vital for poverty eradication, and economic and sustainable development.

2. Ensuring a **mix of normative, operational, data collection and research work:**

- Normative work to promote adherence to UNCAC and its effective implementation by Member states;
- Operational work to develop, manage, implement and coordinate technical cooperation activities related to the prevention and control of corruption, and to assist countries in the development and implementation of programmes aimed at effective institution-building and skills development;
- Data collection and development of statistical indicators to provide benchmarks for the assessment and monitoring of corruption
- Research and analytical work to increase knowledge and understanding of corruption issues and expand the evidence-based for normative, policy and operational decisions.

3. Implementing a two-pronged approach, consisting of **tailor-made national activities**, supported and supplemented by focused **sub-regional and regional activities**;

4. Utilizing existing **UNODC tools** and developing a range of new and specialized ones with a view to assisting Member States in preventing and controlling corruption;

5. Ensuring **coherence and consistency** of projects, programmes and activities developed both within UNODC and by other organizations;

6. Consolidating and expanding **partnerships with other organizations** that work in the area of anti-corruption policy, technical assistance, enforcement and advocacy;

---

<sup>3</sup> A/RES/60/1

7. Relying on and strengthening **comparative advantages and in-house expertise of UNODC** in the prevention and control of corruption as well as developing and managing programmes, projects and activities aimed to build/ strengthen institutional structures, capacities and skills in these areas.

#### **UNODC'S COMPARATIVE ADVANTAGE IN THE AREA OF ANTI-CORRUPTION**

As the Guardian of the United Nations Convention against Corruption UNODC has resident in-depth knowledge on the Convention emanating from having negotiated the treaty.

As the Secretariat of the Conference of the States Parties to the Convention, and its established Implementation Review Mechanism, UNODC is mandated to conduct the analysis of States Parties' self-assessment reports and facilitate and support country peer reviews. UNODC is also mandated to compile technical assistance needs identified through the self-assessment checklist, analyze gaps in implementing UNCAC and thus assist the Conference in identifying technical assistance priorities and develop responses. UNODC can not only play a lead role in providing technical assistance for the implementation of UNCAC, but can also act as an honest broker responsible for matching those in need of technical assistance with technical assistance providers. The Implementation Review Mechanism provides further an opportunity to review the impact of technical assistance delivered on a country's compliance with UNCAC, i.e. to assess whether the assistance has achieved the goals and filled the gaps identified.

#### **(D) UNODC SERVICES AND PRODUCTS**

##### ***UNODC Services – focusing on technical assistance needs***

UNCAC provides a comprehensive framework for concerted action by Member States to prevent and control corruption at the domestic level and to cooperate internationally towards that goal. As such it also guides international, regional and bi-lateral organizations in the design, conduct and evaluation of technical assistance programmes, projects, and other activities geared towards supporting countries in the implementation of UNCAC. The breadth of the Convention as well as the rapidly growing number of ratifications and accessions, in particular by developing countries and countries with economies in transition, warrant an equally robust enhancement of UNODC capacity to provide technical assistance to a larger number of countries, as well as to offer **a broader set of technical assistance responses/activities** to meet the growing demands of Member States:

- Conduct of corruption risk assessments and strengthening of national capacities to carry out these assessments, in order to acquire a profound knowledge and understanding of the challenges posed by corruption (scope, nature, causes and contributing factors) as well as of the weaknesses of the laws, institutions, and policies in any given country, as a basis for sound policy development and technical assistance and as benchmarks for the evaluation of progress. The cornerstone of this work will be assistance to Member States in using the software-based comprehensive self-assessment checklist developed to assist States parties and signatories in reporting on their implementation of UNCAC and in identifying challenges in implementation and technical assistance needs. This also includes the support to the Review Mechanism of UNCAC, based on the self-assessment submitted by reviewed countries and on a peer review, which will identify **technical assistance needs** and ensure that the gaps identified will be filled by prioritizing the delivery of technical assistance as an integral part of the mechanism.
- Provision of ad-hoc and long-term advice and expertise to support the development of domestic legislation which fully complies with the provisions of UNCAC. Besides legal advisory services

delivered by UNODC staff, legislative guides, model legislation and electronic libraries containing relevant legislation of other countries will play a supporting role;

- Specialized expertise and assistance to countries on the Convention's innovative provisions on asset recovery;
- Provision of ad-hoc and long-term advice and expertise to support the development of a wide range of policies, rules, and procedures to ensure an effective implementation of the prevention provisions of the Convention (such as national anti-corruption strategies and action plans, codes of conduct, asset declaration systems, conflict of interest policies and human resource management systems based on principles of efficiency, transparency and objective criteria) as well as the operational tools and skills required for their proper implementation;
- Provision of ad-hoc and long-term advice and expertise to support States parties in setting up and strengthening the institutional framework required by UNCAC in the areas of prevention, investigations and prosecution (including operationally and politically independent and adequately staffed and resourced anti-corruption bodies, financial intelligence units and central authorities responsible for mutual legal assistance) and in building capacities for further implementation of the provisions of the Convention. Specific activities will include advisory services on the design of the terms of reference of such institutions, their mandate, powers and procedures, as well as building the professional skills of their staff and their operational capacities, including investigative equipment, tools and systems. Once established, further support may be required in the management of the institutions, including the development of operational policies and procedures, priority setting and human resource development.
- Building training capacities and programmes (through the development of training curricula, training manuals, training of trainers and the design of cost-effective methods and tools for the conduct of training, including computer-based training) to ensure that countries can build a body of highly skilled anti-corruption practitioners. The required skill-sets range from the development and strategic planning of anti-corruption policies, to the investigation, control and punishment of corruption, the preparation of requests for mutual legal assistance, the tracing, seizing, confiscation and return of the proceeds of corruption, the evaluation and strengthening of institutions, public service management, and the management of public finances;
- Assistance to States parties in enhancing the integrity, accountability and oversight of their criminal justice and security institutions with a view to enhancing their capacities to effectively carry out their mandate, implement the provisions of UNCAC and reduce their vulnerability to corrupt practices;
- Assistance to States parties in enhancing the integrity, accountability and oversight of institutions and sectors that have specific relevance to the achievement of the Millennium Development Goals and poverty reduction, such as health and education, with a view to enhancing their capacities to reduce their vulnerability to corrupt practices;
- To ensure longer-term engagement and sustainability, placement of anti-corruption advisors (medium- and long-term) who can provide hands-on and day-to-day technical expertise, operational support, as well as other resources to anti-corruption bodies, and other institutions;
- Building and sustaining public-private sector partnerships against corruption, with a view to promote the business community's engagement in the prevention of corruption by, inter alia, developing initiatives to promote and implement public procurement reform; working with the business community to address practices that generate vulnerability to corruption; identifying elements of optimal self-regulation in the private sector;

- Support to civil society in strengthening the demand for good governance through the International Anti-Corruption Day campaign, awareness raising about the negative impact of corruption on daily lives and encouragement to take a more active stand against corruption. Activities include citizen fora, public service announcements, posters, flyers, radio and TV shows;
- Support to Governments in communicating and raising awareness about the negative impact of corruption and about anti-corruption provisions, as well as to encourage a proactive stance against corruption, through targeted information campaigns and effective work with the media.
- Further improve methodological tools to produce quantitative data and statistical indicators on corruption, with a focus on experience of different forms of corruption and perception of integrity across population, business sector and civil servants, in collaboration with relevant international agencies and NGOs;
- Support to the generation of nationally owned studies, data and analyses, providing methodological guidance (in the form of standard survey tools, good practices, toolkits, training modules) through the enhancement of substantive skills and setting up sustainable monitoring mechanisms. Given the high sensitivity of analyses and assessments of corruption, the involvement of national statistical authorities will be encouraged;
- Further guidance on technical details, practical challenges and implications of the provisions of the Convention, on the advantages and disadvantages of certain approaches and models, and on the specific needs of anti-corruption practitioners responsible for the implementation of the provisions of UNCAC at the national level, through the development of a new generation of guides, handbooks and other tools;
- Facilitate the exchange of good practices on the various specialized fields covered by the Convention, for the design of institutions, laws, procedures and policies, with a view to replicating successful approaches and avoiding problems, through the support of international and regional associations of anti-corruption authorities as well as the organization or regional and sub regional workshops, meetings, and training events.

Through its work, UNODC reaches Government representatives, individual experts and civil society entities, including NGOs and private sector entities and initiatives, parliamentarians, the media and academia.

### ***Tools, manuals and publications***

To provide guidance and assistance in the area of corruption, UNODC has developed several tools, manuals and publications and is currently developing new ones:

- *Travaux préparatoires* of the negotiations for the elaboration of the United Nations Convention against Corruption (forthcoming)
- Legislative Guide for the Implementation of the United Nations Convention against Corruption
- Technical Guide to the United Nations Convention Against Corruption
- Commentary on the Bangalore Principles of Judicial Conduct
- Management of Returned Assets: Policy Considerations
- Income and Asset Declarations: Tools and Trade-offs
- Towards a Global Architecture for Asset Recovery
- Politically Exposed Persons: A Policy Paper on Strengthening Preventive Measures

- A Good Practices Guide for Non-Conviction Based Asset Forfeiture
- Asset Recovery Handbook (forthcoming)
- Corruption and the Misuse of Corporate Vehicles (forthcoming)
- Guide on strengthening judicial integrity and capacity (forthcoming)
- Handbook on police integrity and oversight (forthcoming)
- Corruption Prevention to Foster SME Development (UNIDO/UNODC – 2 volumes)
- Asset Recovery Legal Library
- United Nations Handbook on Practical Anti-Corruption Measures for Prosecutors and Investigators
- An Economic and Jurimetric Analysis of Official Corruption in the Courts
- Investigating the Links between Access to Justice and Governance Factors
- Empowering the Victims of Corruption through Social Control Mechanisms

## II. OPERATIONAL FRAMEWORK FOR 2010-2011

### (A) Outcomes, outputs and indicators

The overall objective of UNODC Corruption and Economic Crime Branch is to promote effective responses to corruption by supporting Member States in implementing UNCAC. This overall objective is implemented through 13 specific outcomes, for each of which technical assistance activities will be implemented by UNODC at the Headquarter and field level.

**OUTCOME 1** – The Conference of the States Parties to UNCAC and its subsidiary bodies, particularly the Implementation Review Group, as well as the United Nations Congress on Crime Prevention and Criminal Justice, are assisted in carrying out their mandates.

#### Outcome indicator:

Percentage of Members States participating in the Conference expressing full satisfaction with the quality and timeliness of technical and substantive services provided by the Secretariat

Target 2010-2011: 80%

Percentage of Members States participating in the United Nations Congress on Crime Prevention and Criminal Justice expressing full satisfaction with the quality and timeliness of technical and substantive services provided by the Secretariat

Target 2010-2011: 80%

#### Outputs

- Conference of the States Parties efficiently and effectively supported by its Secretariat
- Substantive support provided to the Conference towards setting new standards for UNCAC implementation
- Implementation Review Group serviced (both technical and substantive servicing)
- Working Group on Asset Recovery serviced (both technical and substantive servicing)
- Working Group on Prevention serviced (both technical and substantive servicing)

- Improved participation of LDCs in sessions of the Conference and meetings of its working groups
- United Nations Congress on Crime Prevention and Criminal Justice serviced (both technical and substantive servicing), including for the implementation of the Salvador Declaration to be adopted in 2010.

**OUTCOME 2** – Assistance is provided for the ratification of or accession to UNCAC.

**Outcome indicator:** Number of new countries that have ratified or acceded to UNCAC following awareness-raising or assistance provided by UNODC.

Target 2010-2011: 10 new ratifications/accessions (status as of January 2010: 143 ratifications/accessions)

**Outputs**

- Member States assisted in ratifying or acceding to UNCAC

**OUTCOME 3** – The implementation of UNCAC in **domestic legal frameworks** is supported and strengthened.

**Outcome indicator:** Total (cumulative) number of UNODC assisted countries that are drafting/revising domestic legislation to incorporate UNCAC provisions.

Target 2010-2011: 10 countries

**Outputs**

- Domestic legal frameworks assessed and potential gaps identified
- Legislation drafted to incorporate UNCAC provisions in the domestic framework

**OUTCOME 4** – The **capacities of institutions**, in particular anti-corruption bodies and criminal justice and security institutions, to effectively prevent, raise awareness and control corruption domestically, and to cooperate internationally in the investigation, prosecution, and adjudication of corruption and related offences are established and strengthened.

**Outcome indicators:**

- Number of anti-corruption bodies established and strengthened

Target 2010-2011: 5 agencies

- Percentage of anti-corruption practitioners who have received training relevant to the implementation of the provisions of UNCAC indicating enhanced knowledge/competence in the post-training assessment questionnaire.

Target 2010-2011: 70%

**Outputs**

- Action plans elaborated to facilitate the full implementation of UNCAC.
- Institutional framework, structures, processes and procedures, human resources, financial and other institutional policies established and strengthened to effectively prevent and combat corruption.

- Increased staff and operational capacities of anti-corruption bodies and criminal justice and security institutions to effectively prevent, raise awareness, detect and prosecute corruption
- Relevant staff equipped to participate in international cooperation in criminal matters pertaining to anti-corruption among relevant national authorities and with authorities of other Member States
- Creative approaches used to address specific anti-corruption issues ranging from the elaboration of international standards for joint investigations to asset tracing and recovery.

**OUTCOME 5 – The integrity, accountability, oversight and transparency of criminal justice and security institutions as well as other public sector institutions are strengthened with a view to reducing their vulnerability to corrupt practices.**

**Outcome indicators:**

Number of national strategies/action plans/policies/measures for a greater integrity, accountability, oversight and transparency of criminal justice and security institutions as well as other public sector institutions developed and/or implemented

Target 2010-2011: 7 new plans/policies/measures

**Output**

- Strategies/action plans/ policies/measures elaborated for greater accountability, integrity, transparency and oversight of criminal justice and security as well as other public sector institutions (including recruitment, hiring, retention, promotion and retirement procedures or codes of conducts for example).
- Institutional framework of criminal justice and security institutions as well as other public sector institutions strengthened for greater accountability, integrity, transparency and oversight.
- Increased capacities of criminal justice and security institutions as well as other public sector institutions to effectively implement the strategies/action plans/ policies/measures elaborated for greater accountability, integrity, transparency and oversight.

**OUTCOME 6 – Methodologies and tools are designed to gather, collate and analyze information provided by Member States on their implementation of UNCAC, and to enhance knowledge and exchange of information.**

**Outcome indicator:**

- Number of Member States responding to the self-assessment checklist

Target 2010-2011: 40 responses per year

- Number of country review reports finalised through the implementation review mechanism

Target 2010-2011: 40 country review reports per year

**Outputs**

- Strengthened capacities of Member States to collect and analyse data related to corruption and anti-corruption
- Comprehensive self-assessment Checklist completed by States parties

- Comprehensive gap analyses prepared through the implementation review mechanism.
- Additional innovative data gathering methodologies and tools developed in relation to reporting on implementation of UNCAC as needed.

**OUTCOME 7** – Data collection, statistical methodologies and **research capacities** to produce evidence-based **assessments of corruption** patterns and modalities are strengthened.

**Outcome indicator:**

Number of national and regional analytical reports on corruption finalised on the basis of relevant methodologies developed by UNODC.

Target 2010-2011: 8-10 corruption surveys and analytical reports on corruption

**Outputs**

- Statistical and analytical methodologies to profile corruption consolidated at the international level (standardized survey tools and core set of indicators on corruption).
- Additional innovative data gathering methodologies and tools developed.
- Surveys and analytical reports on corruption, at national and regional level available in order to provide evidence and analyses for policy implementation and monitoring
- National capacities to assess corruption and conduct relevant studies of corruption strengthened
- Improved national capacities to monitor anti-corruption measures and policies

**OUTCOME 8** – Relevant anti-corruption **strategic policy and planning capacities** are consolidated.

**Outcome indicator:**

Number of national anti-corruption strategies/action plans developed and/or implemented

Target 2010-2011: 10 national anti-corruption strategies/action plans developed and/or implemented

**Outputs**

- Anti-corruption strategies/action plans based on strategic policy and planning as well as on evidence-based assessments developed and/or implemented.
- National capacities to monitor and evaluate the implementation of anti-corruption strategies/action plans strengthened.

**OUTCOME 9** – Legal frameworks and national capacities are strengthened to ensure **tracing, seizure, freezing and confiscation of the proceeds of corruption** and the **return** of such proceeds in accordance with the provisions of UNCAC, and knowledge in the field of **asset recovery** is disseminated (in particular through the **Stolen Asset Recovery Initiative**, together with the World Bank)

**Outcome indicator:** increased capacity of national competent authorities assisted by UNODC to undertake tracing, seizure, confiscation and/or return of the proceeds of corruption.

Target 2010-2011: 20 Member States assisted

**Outputs**

- Gap analyses and needs assessments on national legislation carried out
- Relevant national laws are drafted to implement the provisions on asset recovery of UNCAC
- Enhanced capacities of national authorities to effectively apply domestic legislation on asset recovery
- Enhanced capacities of national authorities to effectively cooperate internationally on asset recovery.
- Specific tools for practitioners on asset recovery finalised and distributed.
- Network of asset recovery focal points established and operational
- Targeted short-term technical assistance in support of national asset recovery programs delivered.
- Advocacy work for the lowering of barriers to asset recovery undertaken.

**OUTCOME 10 – Emerging economic crime issues** are addressed through the provision of substantive and technical expertise, the facilitation of policy making and support to UNODC responses (for example economic fraud and identity-related crime)

**Outcome indicator:** Total (cumulative) number of new tools on emerging economic crime issues disseminated.

Target 2010-2011: 2 new tools launched

**Outputs**

- Increased expert knowledge to address legal, institutional and operational issues around economic fraud and identity-related crime.
- Mapping of the framework and potential of synergies and partnerships between the public and private sector to prevent economic fraud and identity-related crime elaborated
- Other emerging economic crime issues addressed.

**OUTCOME 11 – The role of civil society, the private sector, parliamentarians, the media and the development assistance community** as stakeholders in demanding governance reforms, advocating the effective implementation of UNCAC and in anti-corruption efforts in general, is enhanced.

**Outcome indicator:** number of joint activities aiming at enhancing the role of civil society, the private sector, parliamentarians, the media and the development assistance community in anti-corruption efforts implemented.

Target 2010-2011: 5 joint activities/initiatives, reaching at least 1 key partner/country per activity/initiative

**Outputs**

- Partnerships forged with the private sector and the private sector supported in participating in the effective implementation of UNCAC and in anti-corruption efforts in general.
- Civil society supported and actively engaged in participating in the effective implementation of

UNCAC and in anti-corruption efforts in general.

- Awareness and knowledge of the general public and specific groups such as the youth on how to support and promote the implementation of UNCAC raised.
- PR and multimedia campaign created to forge partnerships with the private sector and advocate stronger action in the fight against corruption
- Materials created as part of anti-corruption campaign to be made available to civil society and other interested parties
- Strengthened partnership with relevant United Nations entities and international organizations involved in development assistance.
- Cooperation with academia, especially on research and advocacy, strengthened.
- Anti-corruption expertise reinforced through the promotion of academic and professional training on anti-corruption issues, in partnership with universities, academic institutions and other research centres.

**OUTCOME 12 – Standards, policies, good practices, and tools** providing guidance and technical support to States parties in the implementation of the provisions of UNCAC are developed and disseminated.

**Outcome indicator:** Total (cumulative) number of new global technical assistance tools disseminated

Target 2010-2011: 4 new global tools launched

**Outputs**

- Good practices in corruption prevention and control disseminated
- Policy and operational needs of anti-corruption bodies and other relevant criminal justice practitioners met by targeted tools on the implementation of the Convention at the global and local levels (regional/national tools).
- Comprehensive and up-to-date database of relevant laws and regulations, corruption cases, anti-corruption strategies and anti-corruption bodies available.
- Single portal of activities, initiatives, documents and tools on corruption of relevant organizations available.
- Benchmarks and good practices on anti-corruption legislation disseminated.

**OUTCOME 13 – The anti-corruption components of UNODC regional and country programmes are developed and supported to ensure the coherence and consistency of UNODC delivery.**

**Outcome indicator:** Number of UNODC technical assistance initiatives (programmes, projects and activities) developed, launched and completed at the field level.

Target 2010-2011: Develop 18 new technical assistance initiatives in the biennium, launch 12 of them and complete 6 at the field level.

**Outputs**

- Strengthened capacities of UNODC field and regional office network in the development and implementation of anti-corruption initiatives
- Anti-corruption initiatives executed in the field supported
- Field Offices provided with substantive knowledge and expertise in anti-corruption, including through trainings and guidance notes
- Comprehensive integration of anti-corruption issues in the crime programme of the United Nations and the overall work of UNODC facilitated.

**OUTCOME 14 - International collaboration and coordination, coherence and consistency of policies, strategies and initiatives** (programmes, projects and activities) are expanded and strengthened in line with the provisions of UNCAC.

**Outcome indicator:** Number of initiatives (programmes, projects and activities) developed and implemented jointly with other organizations.

Target 2010-2011: 10 joint initiatives (programmes, projects and activities) developed and implemented jointly with other organizations

**Outputs**

- Enhanced role of the Implementation Review Group established by the Conference of the States Parties to UNCAC in policy-making and collaboration at the international level
- UNCAC promoted among other organizations and mechanisms, including regional and sectoral anti-corruption bodies
- Collaborative efforts with other relevant organizations at the international, regional and sub-regional levels reinforced and expanded

**(B) Resources**

Staffing and operational expenses for the headquarters-based part of the thematic programme on corruption are covered by a combination of regular budget of the United Nations and extra-budgetary resources (voluntary contributions of donor countries) through different projects and programmes. Additional funds will be solicited to expand the programme in a modular/incremental manner for tailored and/or time-bound activities within the overall framework outlined in this thematic programme.

Provided below is an overview of the current level of resource allocations and the indicative resource requirements for anti-corruption work delivered by UNODC headquarters.

Through its Field Office Network and the implementation of Regional Programmes (RP) and country programmes, UNODC also assists developing countries, countries emerging from conflict and countries with economies in transition in fighting corruption. An overview of technical assistance delivered by field offices is available in Annex 1 to this document. Please note however that allocations and requirements for activities delivered by field offices, in particular within the framework of regional programmes are NOT included in the overall funding requirement for this thematic programme.

For all activities, field orientation and field/regional level implementation are also sought by securing specific local resources (such as expertise and training facilities), from national institutions and self-financing or cost-sharing of the proposed national activities by the respective national Governments where possible.

### **Overview of resources from the Regular Budget (2010-2011 allocations)**

Regular budget contributions enable the development and execution of activities related to the implementation of resolutions of the Conference of the States Parties to UNCAC as well as recommendations of its working groups.

For 2010-2011, regular budget contributions to the Corruption and Economic Crime Branch amount to US\$ 1,645,400 per year.

#### **Posts financed at headquarters**

<b>Post level</b>	<b>Functional title</b>	<b>Substantive functions</b>
D1	Chief of Branch	Oversees the management of activities undertaken by the Branch ensuring policy level coordination of activities between the two sections working on different aspects of support to UNCAC.
P5	Chief of Section (Conference Support Section/CSS)	Oversees and provides guidance and leadership for the overall implementation of the Review Mechanism.
P5	Chief of Section (Implementation Support Section/ISS)	Oversees and provides guidance and leadership for the work in support of the Working Groups on Prevention and Asset Recovery, as well as capacity building in support of the implementation of UNCAC and all mandates related to other forms of economic crime.
P4	Crime Prevention and Criminal Justice Officer (CSS)	Supports the Chief of Section in the implementation of the Review Mechanism, with a specific focus on identifying technical assistance needs and priorities
P4	Crime Prevention and Criminal Justice Officer (CSS)	Supports the Chief of Section in the implementation of the Review Mechanism, with a specific focus on the compliance reviews
P4	Crime Prevention and Criminal Justice Officer (ISS)	Assists the Chief of Section in promoting the ratification and implementation of UNCAC; supports the implementation of mandates emanating from the COSP and its working groups, particularly in relation to prevention; carries-out specialized substantive and technical tasks with regard to other forms of economic crime.
P-4	Programme Management Officer (ISS)	Plans and supports the implementation of technical assistance projects, programmes and activities to strengthen integrity and transparency of criminal justice and security institutions, as well as other public sector institutions, at the national and regional levels

P3	Crime Prevention and Criminal Justice Officer (ISS)	Provides expertise for fulfilling the mandates and programme of activities for the ratification and implementation of UNCAC; supports the implementation of mandates emanating from the COSP and its working groups, particularly in relation to asset recovery, and fosters necessary collaboration with intergovernmental and NGOs.
P3	Crime Prevention and Criminal Justice Officer (CSS)	Specialized substantive and technical expertise for individual country reviews, with specific emphasis on international cooperation and criminalization
3*P2	Associate Crime Prevention and Criminal Justice Officers (CSS)	<u>3 positions</u> - Substantive input for the Section's activities related to individual country reviews of States parties with civil law systems, common law systems or other law systems.
P2	Associate Crime Prevention and Criminal Justice Officer (ISS)	Carries out specialized substantive tasks of the secretariat of the COSP, in particular its established Working Groups on Asset Recovery and Prevention; plans, conducts and provides substantive input for activities to promote the implementation of UNCAC, as well as the work related to other forms of economic crime.
2*GS	Assistant (CSS)	Administrative support to the Section

### ***Overview of resources from voluntary contributions (2010-2011 allocations and requirements)***

Voluntary contributions support different anti-corruption projects, through which legal advisory services, ad-hoc advisory services, substantive briefings, workshops or trainings are delivered in the field by headquarter-based staff. Besides this headquarter-based staff, the Corruption and Economic Crime Branch also meets the costs for several long-term staff based in the field.

In addition to project-specific posts, two **Associate Crime Prevention and Criminal Justice Officers** (one paid by Finland and one by Germany) are assigned to the Branch to provide specialized substantive and technical expertise for fulfilling the mandates and the programme of activities for the ratification and implementation of UNCAC.

### ***Towards an Effective Global Regime against Corruption (GLOT58) (on-going rolling project)***

This Project aims to provide sustained support to the COSP and its subsidiary bodies, with regard to the full implementation of its technical-assistance related mandates and recommendations, thus enabling the Conference to carry out its functions and assist Member States in ratifying and fully implementing UNCAC. This project also provides the framework for the delivery of technical expertise and skills to achieve full and effective implementation of UNCAC, to strengthen institutional capacities to enact relevant national implementing legislation, and to enhance international cooperation in criminal matters.

Through this project, legal advisory services, ad-hoc advisory services, substantive briefings, workshops or trainings delivered by headquarter-based staff have been delivered to Afghanistan, Brazil, Cape Verde, Democratic Republic of Congo, Egypt, Indonesia, Iran, Iraq, Jordan, Kenya, Kyrgyzstan, Kuwait, Laos, Montenegro, Nigeria, Peru, South Africa, Swaziland, Sudan, Thailand, United Arab Emirates and Vietnam.

As of the 1st of January 2010, this project incorporates:

- Technical assistance activities to be delivered to Tanzania, Peru, Burkina Faso, Bolivia and Rwanda as a follow-up of the *Voluntary Pilot Programme – Review of the Implementation of the UNCAC* (GLOS96) that closed at the end of 2009;
- Activities related to the newly established *UNCAC Implementation Review Mechanism* and not covered by the regular budget;
- Large parts of the pre-existing project *Strengthening Technical Capacities to promote good governance and integrity* (GLOT64) which also closed at the end of 2009;
- Activities to be implemented in the framework of UNODC/UNDP project *Implementing the United Nations Convention against Corruption and Combating Corruption at the Governorate Level – Iraq*.

**Posts financed through this project at headquarters**

Post level	Functional title	Substantive functions
P-4	Crime Prevention Expert	Plans performs and provides specialized substantive and technical expertise for a group of legal technical assistance activities in support of UNCAC (in particular on the management of programs in Central, Eastern, and South Eastern Europe, and in Iraq).
P-4	Crime Prevention Expert	Plans, performs and provides specialized substantive and technical expertise for a group of legal technical assistance activities in support of UNCAC (in particular on the collection, analysis and management of corruption-related knowledge).
P-4	Crime Prevention Expert	Plans and supports the implementation of projects, programmes and activities to strengthen integrity and transparency of criminal justice systems at the national and regional levels; provides leadership in developing partnership with other international, regional, bi-lateral, NGOs active in integrity and anti-corruption field
P-3	Crime Prevention Expert	Plans, performs and provides specialized substantive and technical expertise for assistance activities in support of the implementation of UNCAC.
P-3	Programme Officer	Implements, monitors and evaluates programmes, operations and activities of the Section.
P-2	Associate Crime Prevention and Criminal Justice Officer	Provide specialized substantive and technical expertise for fulfilling the mandates and the programme of activities for the ratification and implementation of UNCAC.
P-2 TEMP	Associate Crime Prevention and Criminal Justice Officer	Provide backstopping for specialized substantive and technical expertise undertaken in Kinshasa/Democratic Republic of Congo for fulfilling the mandates and the programme of activities for the ratification and implementation of UNCAC.
4*G-S	Assistant	4 positions (at different level) - General office and administrative support to the project

### Posts financed through this project in field offices

Post level	Functional title	Substantive functions
P4	Crime Prevention Expert –Iraq (under recruitment)	Implements UNODC/UNDP project <i>Implementing the United Nations Convention against Corruption and Combating Corruption at the Governorate Level – Iraq</i> .
P4	Crime Prevention Expert – Mexico (forthcoming)	Based in Mexico. Implements anti-corruption technical assistance activities as agreed upon with governments in the respective country/region.
NPO	National Programme Officer on Corruption - India	Based in Delhi. Provide advice and technical assistance in the implementation of UNCAC, with special emphasis on development and enhancement of capacities against corruption in the region.

### Funding status

Overall Project Budget	Funding available
USD 13,780,458	USD 8,524,924
(including USD 3,300,000 for the Implementation Review Mechanism and USD 2,000,000 for UNDP/UNODC project in Iraq)	

### Stolen Asset Recovery Assistance (GLOT08) (2008-2010)

The project aims to encourage and facilitate systematic and timely return of assets stolen by politically exposed persons through acts of corruption, under the framework of UNCAC. For this objective, UNODC established a partnership with the World Bank Group under the joint Stolen Assets Recovery (StAR) Initiative. The StAR initiative is focusing on lowering the barriers to asset recovery; building national capacity for asset recovery; and providing preparatory assistance in the recovery of assets.

As of August 2009, formal requests for assistance have been received from 20 States and discussions have been held with additional States.

### Posts financed through this project

Post level	Functional title	Substantive functions
P-5	Deputy Director StAR Initiative and Senior Advisor	Based in Washington. Assists the StAR coordinator in coordinating activities of the various World Bank and UNODC departments supporting the StAR Initiative.
P-5	Senior Legal Adviser	Based in Washington. Provides legal advice on all aspects of the StAR Initiative.
P-3	Crime Prevention Expert	In close coordination with the joint UNODC/World Bank Secretariat of the StAR Initiative, plans, performs and provides specialized substantive and technical expertise for a group of assistance activities in support of the implementation of UNCAC provisions on asset recovery.
G-S	Assistant	General office and administrative support to the project

### Funding status

Overall Project Budget	Funding available
USD 2,553,831	USD 2,260,044

### **Anti-Corruption Mentor Programme (GLOS48) (2007-2010)**

The anti-corruption mentor programme aims to assist Member States in developing their strategies and building their capacity to successfully implement UNCAC. The mentors are anti-corruption experts who are based in government institutions of selected Member States to provide policy and technical advice and day-to-day implementation support. The mentors provide support to establish anti-corruption institutions, identify good practices, provide training in investigation and prosecution of corruption cases, advise on asset recovery and support development of anti-corruption policies.

#### **Posts financed through this project at headquarters**

Post level	Functional title	Substantive functions
P-3	Programme Officer	Coordinates the activities which fall under the Programme.
G-S	Assistant	General office and administrative support to the project

#### **Positions financed through this project in field offices (UNOPS contracts)**

In previous years, as part of this Programme, anti-corruption mentors / long-term advisers have been placed in **Bolivia, Kenya, Kyrgyzstan, Tajikistan and Cape Verde**.

Position level	Functional title	Substantive functions
P-4	Anti-Corruption Mentor - <b>Jordan</b>	Implements anti-corruption technical assistance activities as agreed upon with the host government counterpart, and in line with the provisions of UNCAC.
P-4	Anti-Corruption Mentor – <b>Thailand</b> (international consultant)	Implements anti-corruption technical assistance activities as agreed upon with the host government counterpart, and in line with the provisions of UNCAC.
P-4	Anti-Corruption Mentor - Government of <b>Southern Sudan</b>	Implements anti-corruption technical assistance activities as agreed upon with the host government counterpart, and in line with the provisions of UNCAC.
P-4	Anti-Corruption Mentor – <b>Rwanda</b> (forthcoming)	Implements anti-corruption technical assistance activities as agreed upon with the host government counterpart, and in line with the provisions of UNCAC.

### Funding status

Overall Project Budget	Funding available
USD 2,560,747	USD 2,560,747

### **Corruption Knowledge Management and Legal Library project (GLOT51) (2009-2010)**

The project aims to assist in the implementation of UNCAC and enhance technical assistance for implementation through the development of a web-based collaborative forum designed to be a repository of corruption-related knowledge; the establishment and maintenance of a legal library; and the support to the comprehensive self-assessment checklist. The International Association of Anti-Corruption Authorities and Northeastern University are implementing partners.

#### **Posts financed through this project at headquarters**

<b>Post level</b>	<b>Functional title</b>	<b>Substantive functions</b>
P-3	Programme Officer (Legal Library)	Develops, implements and evaluates the Legal Library related to UNCAC and a web-based collaborative forum intended to gather and disseminate corruption-related knowledge

#### **Funding status**

<b>Overall Project Budget</b>	<b>Funding available</b>
USD 1,351,613	USD 840,298

### **Action against Economic Fraud and Identity-related Crime (GLOT88) (2009-2010)**

The objective of the Project is to develop new tools to assist Member States in strengthening their legal, institutional and operational capacities in order to combat economic fraud and identity-related crime at the domestic level, and to effectively engage in international cooperation against these crimes.

#### **Funding status**

<b>Overall Project Budget</b>	<b>Funding available</b>
USD 138,700	USD 138,700

### **International Anti-Corruption Academy (GLOT75) (2009-2010)**

Through this project, UNODC, in close cooperation with the Austrian Government, provides support to the establishment of the International Anti-Corruption Academy, as well as the start-up of activities at the Academy. In pursuing this objective, the activities initially focus on developing proposals for the mandate and scope of activities and for the legal documents necessary to establish the status, structure and funding modalities for the Academy. The project also includes outreach activities and contacts with Member States and international organizations.

#### **Posts financed through this project at headquarters**

<b>Post level</b>	<b>Functional title</b>	<b>Substantive functions</b>
P-3	Public Information Officer	Provides full range of communications approaches, tools, and methodologies essential to planning and executing effective campaign strategies and programmes, e.g. campaign management, media operations, marketing and promotion, audience outreach and message targeting for the Transition Team supporting the Establishment of the International Anti-Corruption Academy.
G-5	Assistant	General office and administrative support to the Transition Team supporting the Establishment of the International Anti-Corruption

Academy.

**Funding status**

Overall Project Budget	Funding available
USD 637,900	USD 412,900

**Trends Monitoring and Analyses Programme – (GLOU34) / Corruption component (2007-2011)**

The overall project objective is to enhance knowledge of thematic and cross-sectoral trends to support effective policy formulation, operational response and impact assessment in drugs and crime. Specific activities are aiming at strengthening national capacities to produce data on crime, including corruption, strengthen data collection and analysis, at national and international level, and develop international standards and methodologies to produce statistical data and indicators.

The core capacity is currently composed of one international expert (P4). It is envisaged to strengthen this capacity by hiring another international expert (P3). The work of the team will receive inputs from other UNODC experts working on crime statistics.

**Posts financed through this project at headquarters**

Post level	Functional title	Substantive functions
P-4	Research Expert	Organizes and supervises the implementation of a comprehensive programme of data collection, analysis and reporting on corruption. Leads the development of statistical methods and statistical indicators in the area of corruption, in collaboration with national and international agencies. Provides substantive inputs to technical assistance projects, responds to demands for information and acts as a focal point on corruption research and statistics.
P-3	Research Expert (NOT FUNDED)	Implements and monitors programmes of data collection on corruption, both at national and regional level, ensuring they comply with highest quality standards. Performs data analysis, contributes to reporting activities, ensures data are processed and stored according to standards. Contributes to development of survey tools and methods to collect statistical data on corruption. Provides specialized technical expertise for technical assistance projects.

**Funding status**

Overall Project Budget	Funding available
USD 1,853,200	USD 905,000

### Anti-Corruption Campaign (Advocacy Section – part of GLOU42)

The 2010-2011 Anti-Corruption Campaign will focus on getting the attention of and forging key partnerships in private sector to garner support for a more proactive stance against corruption in this sector. The campaign will aim at winning ‘captains of industry’ and key civil society organizations (CSOs) to advocate on behalf of UNCAC. The team in charge of the campaign will work in close consultation with a dedicated communications professional in the Advocacy Section and liaise with substantive CEB staff, UNODC’s Spokesperson and related staff from the UN Department Of Public Information. The estimated budget covers the creation of a television public service announcement featuring celebrity CSOs to run on major international networks, as well as other key video materials to support website; the creation of dedicated website and online promotion through key blogs, social networking websites; the creation of materials and promotional items (press kits, posters, etc) in all official languages; the organisation of a key event on 9 December and media outreach (press releases and conferences, supporting materials, etc).

#### Posts financed through this project at headquarters

Post level	Functional title	Substantive functions
P-3	Communications Expert (NOT FUNDED)	Manages and implements anticorruption campaign in 2010-2011; manages procurement and outsourced campaign and carries out other UNCAC/corruption-related awareness raising activities as required.

#### Funding status

Overall project budget	Funding available
USD 1,280,000	0

### Looking Beyond: Towards a stronger partnership with Civil Society Organizations on drugs and crime (GLOU68)

The overall project objective is to bridge the gap between policy makers and civil society and improve UNODC cooperation with civil society in implementing the mandate on drugs and crime. In this respect, the project will aim at ensuring the effective participation of civil society in intergovernmental policy debate of 6 major conferences to be held between October 2009 and December 2010. This includes for example civil society participation in the 3rd Conference Of the States Parties to UNCAC closely working with the Coalition of the civil society friends of UNCAC. In addition, the project will increase interaction with civil society into UNODC thematic and regional areas of work, through maintaining and enhancing communication and networking tools, such as the UNODC on-line NGO database, increasing the number of consultations with civil society on policy and technical matters and by establishing and strengthening the network of Lead Regional Organizations that will promote at the regional level the 5 UN Conventions on drugs and crime.

#### Funding status

Overall Project Budget	Funding available
USD 400,000	USD 100,000

## **Funding requirements**

To fully implement the current programme of work (which also covers research and advocacy activities undertaken by the Division for Policy Analysis and Public Affairs), the Corruption and Economic Crime Branch currently has a shortfall of approximately **USD 8,9 million for the biennium 2010-2011**.

Additional positions may be added as needed and relevant, in particular in the context of the Joint Programmes being developed and implemented with UNDP in Maldives, Montenegro, Seychelles, Vietnam and the Arab Region (POGAR).

In the future, when possible and relevant, and when funding is available, the different regional programmes will also be supported through relevant staff posted in each region. Specific discussions are on-going to place relevant staff in West Africa and in the Libyan Arab Jamahiriya.

	<b>Overall budget for Headquarter based activities</b>	<b>Funding available</b>
Regular budget	USD 1,645,400	USD 1,645,400
Extra-budgetary resources	USD 25,002,554	USD 15,912,397
<b>TOTAL</b>	<b>USD 26,647,554</b>	<b>USD 17,557,397</b>

## **Funding priorities**

The provision of means to the Corruption and Economic Branch to facilitate the organization of the review mechanism, including technical and substantive support, upon request, to States parties in the course of the functioning of UNCAC **Implementation Review Mechanism** is a **priority in terms of funding**.

The cost of the mechanism is estimated at **USD 3,300,000**, as detailed in Resolution 3/1 of the COSP adopting its terms of reference of the mechanism and including a recommendation for the funding of the mechanism in part from voluntary contributions. This amount will cover the costs of individual reviews, travel and daily subsistence allowance for representatives of least developed countries, training and general operating expenses. It comes as a complement to the regular budget funding allocated by the General Assembly for posts to meet the new mechanism's staffing requirements.

Should insufficient funding be raised to cover the extra-budgetary costs of the Implementation Review Mechanism budget, the mechanism will be at risk of becoming void.

Additionally, as the **Implementation Review Mechanism** will be a key tool in the **identification of technical assistance needs**, funding will also need to be made available to start up some **technical assistance activities** to meet these needs (USD 1,500,000).

## **(C) Partnerships**

So far technical assistance provided by various multi- and bilateral organizations does not follow a unified approach or single logic, often recommending inconsistent or contradictory solutions. Much of the pressure from multilaterals and NGOs to create anti-corruption systems ignores the need for coherence between programs, and the domestic capacities to implement them. Enhancing consistency, coherence, coordination and cooperation among international, regional and bi-lateral providers of technical assistance needs to become a priority. The efforts of UNODC have promoted cooperation at the international level and resulted in an increased number of ad-hoc cooperative

efforts. Such coordination needs now to be also achieved at the country level. The first step towards coordination consists in regular and structured information-sharing so that potential duplication of effort can be avoided and opportunities for cooperation and synergy arise over time and can be taken advantage of.

In its anti-corruption activities, UNODC will continue to collaborate closely with other international, regional and bilateral agencies and NGOs as it has done so far. The existing strategic partnerships will be strengthened and expanded where appropriate.

### ***The International Group for Anti-Corruption Coordination***

In 2002 the *International Group for Anti-Corruption Coordination* (IGAC) was launched with the purpose of ensuring improved impact through systematic and continuing coordination and cooperation across UN and other organizations active in the field of anti-corruption work.

UNODC organized and conducted nine Interagency Anti-Corruption Coordination Meetings which were attended by more than 40 international organizations active in the fight against corruption, including the UNDP, UNESCO, UN DESA, the UN Office of Internal Oversight Services (OIOS), World Bank and several of the regional development banks, the Council of Europe, the European Commission, the Commonwealth Secretariat, Interpol, the World Customs Organization, the Organization for Economic Cooperation and Development (OECD), as well as a number of NGOs, including Transparency International.

IGAC has helped bring together a broad range of institutions engaged in anti-corruption work and improve mutual understanding of their processes and common understanding of UNCAC and the requirements for its implementation. The broader question of coordination of technical assistance has been at the core of the Working Group established by the Conference since the beginning. The Working Group has made far-reaching recommendations on this matter which UNODC (with significant help from several institutions) is in the process of implementing.

The Conference advanced this issue further, also in the context of the overall strategic approach that it took with the establishment of the review mechanism for the implementation of the Convention. In light of this, UNODC has evaluated the experience of IGAC and, in the interest of efficiency, folded its work into that of the Implementation Review Mechanism.

### ***UN system-wide coordination***

In order to further create and strengthen synergies with other UN and relevant agencies, UNODC has sought out and forged a number of strategic partnerships.

In the research field, UNODC has also partnered with the **United Nations Interregional Crime and Justice Research** (UNICRI) and the members of the **United Nations Crime Prevention and Criminal Justice Programme Network of Institutes** (PNI).

A Memorandum of Understanding to guide the development and execution of activities in the field of anti-corruption was signed between UNODC and the **United Nations Development Programme** (UNDP) in the fourth quarter of 2008 that includes the establishment of a working-level group of the two institutions tasked with the monitoring of the implementation of the MoU in four to five pilot areas of joint common interest. As a follow-up, a specific project has already started in Iraq. Additional joint programmes have been developed in Maldives, Montenegro, Seychelles, Vietnam and the Arab Region (POGAR).

In 2009, UNODC and **UNDP** also launched the joint international campaign against corruption 'Your NO Counts', focusing on how corruption affects development and how it hinders the achievement of the Millennium Development Goals.

UNODC maintains a close partnership with the **United Nations Global Compact** with a view to promoting the implementation of the 10<sup>th</sup> Principle of the Global Compact, which addresses corruption.

Collaboration with the **United Nations Industrial Development Organization (UNIDO)** on guides for small and medium-size businesses is ongoing.

### ***Strategic partnerships with other international and regional organizations***

UNODC is a founding member of the International Association of Anti-Corruption Authorities; participates fully in the **Governance Network (GOVNET)** of the Development Assistance Committee of the **Organization for Economic Co-operation and Development (OECD)**, and in GOVNET's Anti-Corruption Task Team; and is an observer to the OECD Working Group on Bribery and the **Council of Europe's Group of States against corruption (GRECO)** mechanism.

Furthermore, UNODC is working closely with the **Global Organization of Parliamentarians Against Corruption (GOPAC)** to encourage parliamentarians to contribute to the effective implementation of UNCAC.

In a flagship endeavour to implement the Convention's provisions on asset recovery, build capacity, lower barriers for asset recovery worldwide and assist the Conference in formulating policy on asset recovery, UNODC and the **World Bank** developed the joint **Stolen Asset Recovery Initiative (StAR Initiative)** launched in 2007. The two organizations established the institutional framework of the Initiative based on a joint Secretariat located in Washington D.C., a multi-donor trust fund and the group of "Friends of StAR".

### ***Partnerships with the private sector***

UNODC has also developed strong partnerships with the private sector entities and initiatives, leading to pro bono funding and development of joint activities as well as progress aiming to align the business principles of **Transparency International (TI)** and the **International Chamber of Commerce (ICC)** to the fundamental values of UNCAC. A vibrant and productive relationship with the **World Economic Forum**, and especially its Partnering Against Corruption Initiative (PACI) is ongoing. Likewise, a partnerships with **Microsoft** for the provision of pro bono technological solutions to fight corruption is underway.

### ***Civil society organizations***

Article 13 of UNCAC both recognizes and provides a role for civil society in combating corruption by calling on Governments to increase transparency and participation in government decision-making and improve public access to information. The engagement of civil society at grassroots, local, national, regional and international level is essential for the implementation of UNCAC and for fighting corruption.

UNODC is therefore working in partnership with **Transparency International (TI)** and the **Coalition of the Civil Society Friends of UNCAC** to broaden and deepen the engagement of Civil Society Organisations from all regions, facilitating in particular the participation of those from developing countries in the Conference of the States Parties, with the aim to increase understanding of the Convention and facilitate its implementation at the local, national and regional level and to foster anti-corruption activities.

## ***Research and academia***

In an attempt to bridge the knowledge-gap, several institutions, including the International Association of Anti-Corruption Agencies (**IAACA**), UNDP, UNICRI, OECD, the World Bank, the Asian Development Bank, the Basel Institute of Governance, the U4 Anti-Corruption Resource Centre and UNODC, have launched initiatives aimed at generating, collecting and disseminating validated knowledge on asset recovery. The Knowledge Management Consortium developed under the project GLOT51 will endeavour to bring together, on a non-exclusive basis, these institutions with a view to providing a forum for coordination and multiplication of efforts. Equally relevant, the Consortium will offer those seeking quality information a single portal of state-of-the-art knowledge on asset recovery. Participating entities will make their knowledge products on asset recovery converge, on a non-exclusive basis, in the Consortium, which will function as a single electronic repository of such knowledge.

### **(D) Result-based management (Monitoring, reporting and evaluation)**

UNODC will continue to work towards improved results-based management, ensuring that its resources are well-aligned with strategic objectives, that there is a strengthening of the monitoring and evaluation framework, in particular programme cycle management and an improved capacity to apply the lessons learned from evaluation.

In order to increase the ability of UNODC and of national counterparts to measure the impact of the different projects and programmes on corruption, baseline and follow up assessments will be conducted at the beginning and at the end of the implementation phase. This would allow the establishment of concrete and measurable baselines against which progress can be registered during the period under consideration.

The evaluation of the current Thematic Programme will be carried out in accordance with the evaluation policy and guidelines of UNODC. Such evaluation will be linked to the evaluation of the relevant projects developed as components to the Thematic Programme and provision for evaluation are included in the respective project budget.

The Governments benefiting from UNODC technical assistance through such projects will be requested to facilitate any review missions by UNODC, as requested. The monitoring of the execution of the Thematic Programme will be the responsibility of UNODC.

The project components of the Thematic Programme are also subject to examination by both the United Nations Office for Internal Oversight and the United Nations Board of External Auditors. Upon their request, the auditors' access to project documentation and correspondence, accounts, expenditure and inventory records will be facilitated.

As the Thematic Programme is designed and implemented according to the overall mandates and guidance provided by UNCAC and its Conference of the States Parties as well as other relevant policy-making bodies, conceptual reevaluation and amendments to its objectives may become necessary. The Programme and its project components have been developed with sufficient flexibility to take new or expanded mandates for UNODC into account.

## Annex 1 – Overview of technical assistance delivered by UNODC field offices to promote effective responses to corruption

While the **Thematic Programmes** are being developed by UNODC Headquarters to provide an overview of the mandate and strategy of UNODC in a particular thematic area, the **Regional Programmes**, on the other hand, adopt a “bottom up” approach ensuring a full consultation with Member States at the field level as to their priorities and, by so doing, set out clear objectives for the provision of technical assistance and partnership-building by UNODC. The two fully complementary and mutually reinforcing instruments operationalize the same objectives of the UNODC Strategy and should therefore be conceived as part of a broader endeavour to ensure consistency and coherence in the programmatic approach of UNODC.

Through its Field Office Network and the implementation of **Regional Programmes (RP) and country programmes**, UNODC assists developing countries, countries emerging from conflict and countries with economies in transition in fighting corruption.

In **2009**, the Office, in full consultation with the countries of the relevant regions, has developed a new generation of Regional Programmes, covering East Asia and Pacific; Eastern Africa; Central America-Caribbean and the Balkans. Additional Regional Programmes will be launched in **2010**, including West Africa; North-Africa and Middle East; Southern Africa; Central Africa; Central Asia; West Asia; Latin America/Southern Cone.

A key objective of the regional approach is to ensure:

- full “ownership” by partner countries through alignment with regional/national policies and priorities;
- an integrated conceptual and operational framework for transferring UNODC know-how and expertise at the regional/national level;
- a move from a project-based approach to a “programme approach”;
- more effective cooperation and planning with other UN entities in the context of the One UN, and other multilateral donors.

The Regional Programmes will be reviewed periodically, and modified as required as a result of lessons learned during implementation.

Although each Programme will be developed on the basis of the specific needs and priorities of each region, it is expected that the **anti-corruption component** will be featuring prominently in each of them. The areas identified in this TP will be then implemented within the specific context of each UNODC Regional Programme.

For the regional programmes that are already in place as well as for the ones currently under development, due consideration is given in developing the new programmes, in building **synergies with technical assistance delivered in the field through headquarters based projects**.

**Note:** allocations and requirements for activities delivered by field offices, in particular within the framework of regional programmes are NOT included in the overall funding requirement for this thematic programme.

## ***Regional Programme for South Eastern Europe (2009-2011)***

In this programme which covers the Republic of Albania, Bosnia and Herzegovina, the Republic of Croatia, Montenegro, the Republic of Serbia, the Former Yugoslav Republic of Macedonia and Kosovo under the UNSCR 1244, the following priority outcomes have been identified at the regional level, for 2009-2011:

- More effective cooperation mechanisms to combat corruption at regional level are established, in particular with regards to asset forfeiture and asset recovery
- Capacity at the regional level for anti-corruption activities is strengthened through the extension of regional cooperation to networks of anti-corruption bodies, and UNODC support to both regional and national anti-corruption strategies

At the national level, the following priority outcomes have been identified for 2009-2011:

### **Albania**

Judicial integrity is strengthened in order to enhance efficiency in combating corruption and to improve citizens' access to justice

### **Bosnia and Herzegovina**

The national capacity for anti-corruption is strengthened and specific standards of professional conduct for criminal justice personnel are defined and promoted

### **Montenegro**

- A system of continuous evaluation of corruption in different sectors is established.
- The capacity of the National Commission is improved in order to better be able to monitor and report the national situation with corruption
- Assistance is provided to ensure the key legislation is in line with international standards on anti-corruption, and that amendments to legislation are adequately applied in practice
- The efficiency of the Department for Anti-Corruption Initiative is improved
- The implementation of UNCAC is improved
- Public awareness in relation to the threats of corruption to society and the involvement of public institutions in anti-corruption activities is increased
- A confidential, secure and random computer-based system for the assignment of criminal cases to the judges is established

In 2009, under a UNODC/UNDP project on *Capacity Building of local NGOs to participate in anti-corruption initiatives in Montenegro*, UNODC conducted expert reviews and advised on the compliance of existing legislation, namely, the Financing of Political parties, Law on Free Access to Information, Law on Criminal Liability of Legal Persons and Law on Mutual Legal Aid in Criminal Matters with the requirements of UNCAC.

### **Serbia**

The level of expertise and cooperation among the newly established Anti-Corruption Agency personnel is increased. (Further consultations on-going with the Government and relevant stakeholders regarding a possible expanded anti-corruption project for Serbia)

More details on the regional situation, on specific activities, indicators, funding requirements and implementation arrangements are available in the Regional programme for South-Eastern Europe.

### ***Regional Programme for Central Asia and Afghanistan***

Although the regional programme for Central Asia will only be completed in 2010, major projects are already implemented in the region, in particular the following one:

#### **Strengthening anti-corruption measures in Afghanistan (AFGR86) (2007-2011)**

UNODC has been providing ongoing technical and financial assistance to Afghanistan in drug control and crime prevention. Efforts have been made to enhance the capacity of the Afghan Government and authorities to tackle the narcotic drugs problem effectively and to strengthen legal institutions. In order to complement UNODC's justice reform programme, the current project focuses on strengthening the Afghan Government's capacity to effectively tackle corruption throughout the country.

The project's main objectives are: (i) to support the development of a sustainable broad-based National Anti-Corruption Strategy in line with the requirements of UNCAC, including the establishment of a Secretariat responsible for guiding and monitoring its effective implementation; (ii) to support the review and drafting of key legislation in accordance with the requirements of UNCAC; (iii) to strengthen the basic capacity, professionalism, accountability and integrity of the Attorney General's Office, in particular the anti-corruption unit, in accordance with the relevant provisions of UNCAC; and (iv) to enhance the skills and professional knowledge of judges and prosecutors in handling corruption cases.

Particular attention will be given to building the capacity and effectiveness of the Supreme Court and the Attorney General's Office. UNODC will support the Government of Afghanistan to ensure that the commission of offences, established in accordance with the UNCAC, is liable to sanctions, which in their turn take into account the gravity of the offence (Art. 30 UNCAC). Support will also be given to strengthen the capacities of units and bodies within the justice sector responsible for investigating and prosecuting criminal offences in cooperation with law enforcement authorities (Art. 36 UNCAC).

### ***Regional Programme for East Asia and the Pacific (2009-2012)***

In this programme which covers 34 countries and territories across East Asia and the Pacific (with an initial focus on ASEAN Member States and Timor-Leste, plus the development of UNODC collaboration with the Pacific Islands Forum and its Member States), the following priority outcomes have been identified for 2009-2012:

#### **Sub-Programme 2 – Governance**

- Corrupt practices identified and investigated by state (anti-corruption) agencies
- Illegally acquired assets identified and action initiated to recover them
- Improved corporate governance and enhanced engagement of civil society in implementing anticorruption strategies

#### **Sub-Programme 3 - Criminal Justice**

- Member states ratify UNCAC
- Legislative and regulatory frameworks established and operational
- Integrity-based and accountable criminal justice systems established, which also address needs of vulnerable groups

More details on the regional situation, on specific activities, performance indicators, funding requirements and implementation arrangements are available in the Regional Programme for East Asia and the Pacific.

Current relevant activities in the region include several major projects being implemented, in particular the following ones:

**Strengthening Judicial Integrity and Capacity in Indonesia, Phase II (IDNT12) (2008-2010)**

In recent years, the Indonesian judiciary has been criticized regarding integrity, quality and performance of justice sector institutions. Time-consuming court procedures have been questioned by the public. This project aims to support the Legal Reform effort in Indonesia through the Indonesian Judiciary. For this purpose the project assists the Supreme Court and all other relevant institutions in strengthening judicial integrity, capacity and professionalism in order to enhance the rule of law in the country. It is a follow-up to the pilot project on "Strengthening Judicial Integrity and Capacity", which was successfully carried out in 2004-2006 in two provinces (South Sumatra and South East Sulawesi) by the Government of the Republic of Indonesia in collaboration with UNODC.

Post level	Functional title	Funding	Substantive functions
P-3	Project Coordinator (Fight Against Corruption)	IDNT12	Based in Jakarta. Implements project IDNT12, which aims at improving the supervision and coordination role of the Indonesian Corruption Eradication Commission; carries out specialised anti-corruption training programmes and strengthens the implementation of the Indonesian anticorruption strategy.

**Strengthening the Capacity of Anti-Corruption Institutions in Indonesia (IDNT71) (2009-2012)**

This comprehensive project seeks to strengthen the capacity of the Attorney General's Office (AGO), Supreme Court, Indonesian National Police (INP), Corruption Eradication Commission (KPK) and the Financial Intelligence Unit (PPATK) to counter corruption in Indonesia. The project proposes to impart specialised training programmes and build technological capabilities that enable these agencies to execute the Government of Indonesia's initiatives to check corruption and recover lost assets. Support to the activities of Civil Society Organisations to fight corruption and an anti-corruption campaign to increase public awareness is an important component of this project. These project activities will also help fight transnational crime and improve the image and effectiveness of these five institutions.

Post level	Functional title	Funding	Substantive functions
P-4	Project Coordinator	<u>IDNT71</u>	Based in Jakarta. Implements technical assistance project IDNT71.

**UNODC/UNDP project on Strengthening the capacity of the Government Inspectorate and the Government of Viet Nam to monitor and report on corruption and anti corruption efforts (in compliance with UNCAC)**

The development outcome of the project is to improve the ability of the Government of Viet Nam to prevent and combat corruption in compliance with the UN Convention against Corruption (UNCAC)

The project will be implemented over a 4 year period, with the objectives to strengthen national

capacities to comply with the international norms and standards provided by UNCAC; to strengthen institutional capacities for monitoring and evaluating corruption and anti corruption efforts in compliance with UNCAC; to strengthen partnership building and public involvement in the monitoring and evaluation of corruption and anti-corruption efforts in Viet Nam.

### ***Regional Programme for West Asia***

Although the regional programme for West Asia will only be completed in 2010, major projects are already implemented in the region, in particular the following one:

#### **UNODC/UNDP project in the Maldives**

This projects aims to strengthen capacity to coordinate compliance and reporting mechanisms under UNCAC; strengthen capacities for international cooperation under UNCAC; strengthened national capacity for monitoring and evaluating the prevention and combating of corruption in compliance with UNCAC; monitoring and data collection.; improve cross-agency system developed for data collection, monitoring, evaluation and reporting; and strengthen capacity in GIRI for analysis and reporting.

### ***Regional Programme for Central America (2009-2012)***

In this programme which covers Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Belize, Panama and the Dominican Republic, the following priority outcome has been identified for 2009-2012, to be implemented through two 18-month implementation phases (Phase I: December 2009 / April 2011; Phase II: May 2011/ December 2012).

**Outcome:** Develop and implement regional programmes and projects to update and harmonize legislation, research, education and corruption prevention

- Implementation of a legal framework - Phase I
- Strengthening capacities to fight corruption in the region - Phase I
- Strengthening regional and international cooperation - Phase II

These figures should be considered a minimum requirement. It provides an indication of what will be needed to fund an initial set of new activities across the region on the basis of which it will be possible to build up a comprehensive programme.

More details on the regional situation, on specific activities, performance indicators, funding requirements and implementation arrangements are available in the Regional Programme for Central America.

### ***Regional Programme for Latin America/Southern Cone***

Although the regional programme for Latin America/Southern Cone will only be completed in 2010, major projects are already implemented in the region, in particular the following one:

#### **Implementation of National Anti-Corruption Measures in Brazil (BRAS07) (2005-2011)**

The General Comptroller Office (CGU) is in charge of controlling all financial resources transferred directly to states and municipalities in the name of governmental programmes like “Zero Hunger”, “Family grants”, etc. Direct transfers normally go to small municipalities, because small local communities do not have enough revenues to support public social programmes and therefore depend largely on federal funds. Nevertheless, audits of selected municipalities in 2004 indicated that 90% of these municipalities showed serious irregularities. These irregularities result in a diversion of some 20% of all transferred federal resources. CGU aims to reduce these figures urgently and is identifying the most common problems that result in misapplication of federal resources. The project supports these efforts.

The first main activity of this project was to organize the IV Global Forum on Fighting Corruption held in Brasilia in June 2005. This international event is held every two years and is recognized as an important forum for exchanging best practices and improving measures to prevent and counter corruption. The second phase of the project aims at strengthening the Brazilian integrity system involving state and municipal authorities in developing a strategy for adopting measures to enhance integrity. Further, the capacity of CGU to use up-to-date audit techniques and draw up an anti-corruption action plan will be strengthened. Mobilization of civil society against corruption and improving domestic laws against corruption are the other main pillars of the project.

### ***Regional Programme for North Africa and the Middle East***

Although the regional programme for North Africa and the Middle East will only be completed in 2010, major projects are already implemented in the region, in particular the following ones:

#### **Assistance for promoting transparency and integrity and strengthening the anti-corruption measures in Libya (LBYT77) (2009-2012)**

The objective of the project is to provide assistance to the Libyan Arab Jamahiriya to establish effective mechanisms to combat corruption in its all forms and dimensions through the implementation of UNCAC. Through a series of key activities, including the elaboration of a national anti-corruption strategy, the project seeks to provide sustainable forms of support to enhance the efforts to combat corruption, promote judicial integrity and transparency in the public sector, and complement the different work initiated by the Libyan authorities in that field. Moreover, with a view to facilitating the fight against corruption, the project will also build the capacity of law enforcement officials in fighting tax evasion.

The project will work on fostering a national coalition to strengthen the fight against corruption through supporting the Libyan Government in implementing the UNCAC; strengthening the national capacities on fighting corruption and tax evasion; promote the value of judicial integrity and accountability and emphasize the need of enhancing the citizens’ access to justice.

#### **UNODC/UNDP Programme on Governance in the Arab Region (POGAR)**

This project provides expert advice and tools for the development and implementation of UNCAC self-assessment and GAP analysis methodology for the Arab countries; supports the establishment of the

Arab Anti- Corruption and Transparency Network (ACTNET) and provides policy advice and technical expertise to countries in the region for building knowledge and capacity for the implementation of UNCAC.

**UNODC/UNDP project Implementing the United Nations Convention against Corruption and Combating Corruption at the Governorate Level – Iraq. Under this segment,**

This project is included under CEB on-going rolling project *Towards an Effective Global Regime against Corruption (GLOT58)*.

This project aims at producing a Corruption Measurement Survey of Iraq; complete "Good, Average, Poor" Institutional Corruption Self-assessment Analysis in several institutions and Government Ministries; develop anti-money laundering legislation, witness- and whistleblower protection legislation through technical assistance and training; enhance legislative drafting skills of Iraqi legislative drafting officials; train governmental and key private sector stakeholders as trainers on the UNCAC with 20 follow-on trainings of their own; train governmental and private sector stakeholders at national and governorate level on UNCAC enabling them to independently practice and promote transparency and integrity; carry out governorate level public officials, local community, religious and business leaders as well as print and electronic media representatives conversant with the costs, causes and consequences of corruption, with a minimum of one pilot local accountability and integrity campaign; develop anticorruption curriculum in primary and secondary schools at governorate level.

**Assistance for the establishment of effective anti-corruption and money laundering measures in Egypt (EGYT50)**

Under this project currently being developed, a P3 position of Corruption Project Manager is foreseen.

***Regional Programme for Eastern Africa (2009-2012)***

In this programme which covers thirteen countries (Burundi, Comoros, Djibouti, Eritrea, Ethiopia, Kenya, Madagascar, Mauritius, Rwanda, Seychelles, Somalia, Tanzania and Uganda), the following priority outcomes have been identified for 2009-2012:

- Member States have access to and utilise strategic information for policy formulation.
- Awareness of regional stakeholders and local populations is heightened as a result of effective public advocacy campaigns against corruption and youth crime.
- UNCAC increasingly implemented by Member States at national and regional levels.
- Member States are implementing national crime prevention, criminal justice and anti-corruption strategies and action plans.
- Member States establish anti-corruption bodies in line with the requirements of UNCAC.
- Member States cooperate and coordinate efforts regionally to prevent and combat crime and corruption.

More details on the regional situation, on specific activities, performance indicators, funding requirements and implementation arrangements are available in the Regional Programme for Eastern Africa.

In order to supervise the implementation of regional anti-corruption technical assistance activities as

agreed upon with governments in Eastern Africa, a P-4 Crime Prevention Expert will be based in the Regional Office for Eastern Africa in Nairobi (which will also provide the funding).

Post level	Functional title	Funding	Substantive functions
P4	Team leader of Sub-Programme 2 - Fighting corruption and promoting justice and integrity	Regional Office	Based in Nairobi. Responsible for the implementation of regional anti-corruption technical assistance activities as agreed upon with governments in Eastern Africa.

Current relevant activities in the region include several major projects being implemented, in particular the following ones:

#### **Strengthening the integrity and the capacity of the court system in Kenya (KENR80) (2009-2011)**

The project aims to strengthen court integrity and capacity in Kenya and to promote greater integrity amongst judges and magistrates together with a clearer definition as to what constitutes ethics amongst the judiciary. It further aims to promote a better understanding of conduct to be expected within the court system by users of the system. It will be achieved by addressing three main areas i) Improving the system of performance evaluation of judges and magistrates ii) Supporting the establishment of a structure for the continuous education of judges and magistrates iii) Developing a public relations and customer care policy. The project will draw on lessons learned from other UNODC implemented projects on similar topics such as those in Indonesia and South Africa.

#### **UNODC/UNDP project - Enhancing the rule of law in Seychelles through the strengthening of monitoring and oversight capacity of the judiciary.**

This project aims to strengthen judges and prosecutors' skills in justice administration in compliance with the international norms and standards of criminal justice; establish monitoring and evaluation capacity of the Master and Registrar's senior staff; design and implement a functional and efficient case management and monitoring; design an appropriate IT Infrastructure and elaborate an Operational Manual for court administration.

#### ***Regional Programme for West Africa***

The regional programme for West Africa will be completed in 2010.

It will include a **regional initiative** aiming at building and strengthening legal and institutional frameworks against corruption for all 15 ECOWAS member states and Mauritania. This will be achieved through:

- Support to the ratification and implementation of all relevant regional and international instruments against corruption in all ECOWAS Members States and Mauritania. The fact that 12 of the 15 ECOWAS Members are Parties to UNCAC already shows a certain level of commitment to prevent and combat this phenomenon. Yet, there is also a need to adopt and implement existing regional instruments, especially the African Union Convention against Corruption and the ECOWAS Protocol against Corruption;
- Advocacy for the establishment of Anti-Corruption Authorities (ACA) in West Africa and support to strengthen their operational capacities. Nine of the West African State Parties to UNCAC have set up an ACA. However, these bodies do not always comply with the principles of independence

and impartiality contained in the UNCAC and international standards, and they lack the institutional and operational capacity that would make them more efficient and sustainable;

- Support the West African Anti-Corruption Authorities Network and enhance cooperation between its members. The network was established by ECOWAS in March 2009 and it represents the most suitable venue to gather and share information as well as build synergies with UNODC technical assistance. The Network is also the appropriate means to support West African UNCAC State Parties meeting their reporting obligations under the Convention, notably through the completion and submission of self assessment checklists containing information on the implementation of UNCAC as well as the identification of technical assistance needs.

In the framework of the **national integrated programmes to combat illicit trafficking and organized crimes** in West Africa, a component to assist the national counterparts on the implementation of UNCAC is included under the overall justice sector. Current ongoing programmes are implemented in Cape Verde, Guinea Bissau and Mali and under development in Ghana, Togo, Benin and Burkina Faso. In Sierra Leone, under the one UN programme, a position on anti-corruption expert has been secured and filled in the UN Integrated Peacebuilding Office in Freetown. The Expert under the guidance of UNODC will assist the national authorities in all aspects related to anti-corruption.

Additionally, major specific anti-corruption projects are already implemented in the region, in particular the following ones:

**Support to the Economic and Financial Crimes Commission (EFCC) and the Nigerian Judiciary (NGAS08) (2005-2010)**

This project supports the Government of Nigeria's fight against economic and financial crimes by enhancing the operational and institutional capacity of EFCC including EFCC's Training and Research Institute (TRI) and the Nigerian Financial Intelligence Unit (NFIU) through provision of equipment and training; developing sustainable state of the art substantive and administrative IT solutions for EFCC, TRI and NFIU including the provision of IT training, to enhance national, regional and international cooperation; supporting advocacy and increase public awareness about the EFCC, NFIU and their efforts to reduce economic and financial crimes including corruption, and developing and piloting the implementation of a comprehensive framework to strengthen judicial integrity and capacity in Nigeria at federal and (selected) state levels. A twining approach for EFCC and UNODC has been agreed, thus allowing appropriate hand-over, knowledge and ownership transfer to the beneficiaries EFCC and National Judicial Institute/10 State Judiciaries.

**Promoting Ethics and Transparency in Business Transactions in Nigeria (NGAT10) (2008-2010)**

Mobilization of the private sector is vital to underpin the commitment of the Government of Nigeria to fight corruption in all of its manifestations. This project promotes transparency and ethical business practice in the Nigerian private sector through a thorough risk assessment and the development of sound business principles and related training. The project further provides support in the building of private and public sector partnerships to develop platforms for joint action to ensure effective and sustainable implementation of these business principles. Success will require a credible and functional Public Complaints System and enhanced compliance by the banking sector with anti-money laundering standards for which relevant training modules will be developed. At the end of the project cooperation and joint action between the public and private sector will be increased in the fight against corruption, based on common standards, open channels of communication and mutual trust. Thus the project will contribute to a climate of increased transparency and ethics within the Nigerian private sector, ultimately reducing the negative impact of corruption on economic growth in Nigeria.

**Partnership with Bayelsa State: Bayelsa Expenditure and Income Transparency Initiative (BEITI) and Judicial Integrity Action Programme (JIA) (NGAT97) (to start in 2010)**

Within the Bayelsa State Development Plan, transparency in the management and review of public resources is a declared priority. BEITI has been set up by State Government partners to create electronic budget tracking and monitoring systems, and review mechanisms thereof for NGOs and the public, so as to ensure transparency and integrity in public spending. The Bayelsa State Chief Justice has requested UNODC to include Bayelsa State in the ongoing UNODC Judicial Integrity Action Programme, already underway successfully under UNODC project NGA/S08.

The current project will support the Implementation of BEITI through advisory services, expertise, training and other services to the Bayelsa State Due Process Office, the BEITI secretariat, and the Stakeholder Working Group. Through direct cooperation with BANGOF, the project will mobilize NGO and civil society action, and will mobilize society participation in the monitoring and reporting of budget implementation and expenditure, as one essential element of fostering community involvement in anti-corruption action. The project will support ongoing State action on the creation of legal, institutional and technical capacities to implement BEITI, through expertise and advocacy for the creation of State laws and structures, training action for the use of State-built IT budget tracking systems, and capacity-building within BANGOF and the NGO community. For the Judicial Integrity Component (JIA), the project will work with the Bayelsa Chief Justice's management team in the development and implementation of a State Action Plan, along the lines of successful JIA projects that UNODC has been conducting in 10 other Nigerian states. At the end of the project, BEITI will have created a transparent income/expenditure system for the State in which the people can participate, and an improved judicial system, more accessible and accountable to the people of Bayelsa State, will be in place.

This project complements UNODC's expanding portfolio in the justice sector and anti-corruption fields in Nigeria. It relates closely to other ongoing projects addressing corruption in the public and private sector and judicial integrity (NGA/S08 and NGA/T10).

### ***Regional Programme for Central Africa***

The regional programme for Central Africa will only be completed in 2010.

This will include, inter alia, a comprehensive project in the Democratic Republic of Congo on access to justice, prison reform and judicial integrity.

### ***Regional Programme for Southern Africa***

Although the regional programme for Southern Africa will only be completed in 2010, major projects are already implemented in the region, in particular the following one:

#### **Assistance project for Swaziland: Strengthening of legal, institutional, and operational capacities to implement the provisions of the United Nations Convention against Corruption (SWZS74) (2008-2010)**

The development of this project has been prompted by several important initiatives taken by the Government of Swaziland to address the problem of corruption. These initiatives include the promulgation of the Anti-Corruption Act; the establishment of the Anti - Corruption Commission; and the adoption of an anti-corruption strategy and plan of action. This project will assist the Government of Swaziland in the capacity building and training of the Anti-Corruption Commission, investigators, prosecutors, judicial officers and related agencies in Swaziland.

## **Annex 2 – Summary of the relevant resolutions providing the mandates of UNODC against corruption.**

The following are summaries of the resolutions outlining UNODC's mandates against corruption as determined by the General Assembly and Economic and Social Council of the United Nations.

In its **resolution 2005/18 of 22 July 2005** entitled "Action against corruption: assistance to States in capacity-building with a view to facilitating the entry into force and subsequent implementation of the United Nations Convention against Corruption", the Economic and Social Council welcomed the ratification of the Convention by an increasing number of Member States; urged States to consider ratifying UNCAC as soon as possible, called upon Member States to continue to make adequate voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund to provide developing countries and countries with economies in transition with the technical assistance; and requested the Secretary-General to provide UNODC with the resources necessary to enable it to promote, in an effective manner, the entry into force and implementation of UNCAC, *inter alia*, through the provision of assistance to developing countries and countries with economies in transition for building capacity in the areas covered by the Convention.

In its **resolution 60/175 of 16 December 2005**, entitled "Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity", the General Assembly, welcoming the imminent entry into force of UNCAC, reaffirmed the role of UNODC in providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the area of prevention and control of corruption. The General Assembly further invited relevant entities of the United Nations system to increase their interaction with UNODC in order to benefit from synergies and avoid duplication of effort; and encouraged States to make adequate and regular voluntary contributions for the implementation of UNCAC, through the United Nations funding mechanism specifically designed for that purpose in the Convention or in direct support of implementation activities and initiatives.

In its **resolution 60/207 of 16 March 2006**, entitled "Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin", the General Assembly reiterated its invitation to all Member States and competent regional economic integration organizations to ratify and fully implement UNCAC as soon as possible. The resolution also encouraged all Governments to prevent, combat and penalize corruption in all its forms and to work for the prompt return of illicitly acquired assets, through asset recovery consistent with the principles of the Convention, in particular chapter V, and encouraged UNODC to give high priority to technical cooperation, upon request, to, *inter alia*, promote and facilitate the ratification and implementation of the Convention; and encouraged Member States, relevant international organizations and UNODC to give prominence to 9 December as International Anti-Corruption Day, as established by the Assembly in its resolution 58/4.

In its **resolution 2006/24 of 27 July 2006**, entitled "International cooperation in the fight against corruption" the Economic and Social Council requested the Secretary General to continue to provide UNODC with the resources necessary to enable it to promote, in an effective manner, the

implementation of UNCAC, and requested UNODC to continue to assist States, upon request, with sustainable capacity-building focused on the promotion of the implementation of UNCAC. The Economic and Social Council further invited relevant entities of the United Nations system, but also international financial institutions and regional and national funding agencies to increase their support to and their interaction with UNODC in order to benefit from synergies and avoid duplication of effort and to ensure that, as appropriate, activities aimed at preventing and combating corruption are considered in their sustainable development agenda and that the expertise of the Office is fully utilized.

**Resolution 61/209 of 20 December 2006**, entitled “Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin” reiterated resolution 60/207 and requested the Secretary General to submit to it at its 62<sup>nd</sup> session a report, completed within existing resources, on the implementation of previous resolutions that would elaborate further on the magnitude of corruption at all levels and on any scale, and on the scale of the transfer of assets of illicit origin derived from corruption and the impact of corruption and such transfers on economic growth and sustainable development.

**Resolution 62/202 of 19 December 2007**, entitled “Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin” reiterated resolutions 60/207 and 61/209, and called upon States parties, and encouraged other Member States, to support the initiatives adopted at the first session of the Conference, in particular the work carried out by the different working groups, and stressed the importance of the adoption of relevant legislation consistent with the Convention. The General Assembly A also encouraged all States parties that had not yet done so to submit information through the self-assessment checklist as a follow-up mechanism to the first session of the Conference. It called for further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent and combat corrupt practices and the transfer of assets of illicit origin, consistent with the principles of UNCAC. Furthermore, the General Assembly called upon the private sector, at both the international and the national levels, including small and large companies and transnational corporations, to remain fully engaged in the fight against corruption and welcomed the agreement to add anti-corruption as the tenth principle of the Global Compact, emphasizing the need for all relevant stakeholders, including within the United Nations system, as appropriate, to continue to promote corporate responsibility and accountability.

In its **resolution 62/175 of 20 March 2008**, entitled “Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity”, the General Assembly recognized the progress made by UNODC in the delivery of advisory services and assistance to requesting Member States in the area of corruption. The resolution also urged all Member States that have not yet done so to consider signing, ratifying or acceding to UNCAC and encouraged States parties to continue to provide full support to the Conference, including providing information regarding compliance with the treaty. It also urged Member States and relevant international organizations to develop national and regional strategies, as appropriate, and other necessary measures, in cooperation with the United Nations Crime Prevention and Criminal Justice Programme, to address effectively corruption.

In its **resolution 63/195 of 10 March 2009**, entitled “Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity”, the General Assembly reiterated the points highlighted in its resolution 62/175 and welcomed the progress achieved by the Conference in the implementation of its mandate. The Assembly also requested the Secretary-General to continue to provide UNODC with adequate resources to promote, in an effective manner, the implementation of UNCAC and to discharge its functions as the secretariat of the Conference, in accordance with its mandate.

In its **resolutions 64/179**, entitled “Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity” and **64/180**, entitled “Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice”, **both of 18 December 2009**, the Assembly requested the Secretary-General to prepare an overview of the state of crime and criminal justice worldwide for presentation at the Twelfth Congress, which is scheduled to take place in Salvador, Brazil, from 12 to 19 April 2010. The Assembly also reiterated its request to make available the necessary resources to ensure the participation of the least developed countries.

In its **resolution 64/237 of 24 December 2009** entitled “Globalization and interdependence: Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption”, the Assembly welcomed the successful outcome of the third session of the Conference, especially the establishment by consensus of a review mechanism for the implementation of UNCAC. It called, *inter alia*, for the rapid and effective implementation of this review mechanism by all States parties, and, where appropriate, relevant stakeholders. It took note with appreciation of the work of the different working groups established by the Conference and of the open-ended dialogue with international organizations, including the Institutional Integrity Initiative. It called upon States parties to the Convention to support the work of the newly established Implementation Review Group, including its work on technical assistance, and the newly established Open-ended Intergovernmental Working Group on Prevention of Corruption, as well as the continuing work of the working group on asset recovery. It requested the Secretary-General to continue to provide UNODC with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention and to discharge its functions as the secretariat of the Conference, and also requested the Secretary-General to ensure that the new mechanism for the review of implementation of the Convention is adequately funded, in line with the requirements laid out by the Conference. It reiterated its call to the private sector, at both the international and the national levels, including small and large companies and transnational corporations, to remain fully engaged in the fight against corruption, and noted in this context the role that the Global Compact can play in fighting corruption and promoting transparency. It also took note with appreciation the work undertaken by the Stolen Asset Recovery Initiative of UNODC and the World Bank, and of its cooperation with relevant partners, including the International Centre for Asset Recovery.

In its **resolution 64/244 of 23rd of December 2009** entitled “Proposed programme budget for the biennium 2010-2011”, the General Assembly adopted the draft resolution contained in the Second Committee’s report entitled ‘Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption’, and the relevant report of its Fifth Committee. The resolution stated that additional resources of \$1.69 million would be required under section 16, International drug control, crime and terrorism prevention and criminal justice (\$1.43 million), section 28F, Administration, Vienna (\$27,000), and section 35, Staff assessment (\$229,300), to be offset by the same amount under Income section 1, Income from staff assessment, of the proposed programme budget for the biennium 2010-2011.

#### **UNODC mandates on economic fraud and identity-related crime:**

In its **resolution 2004/26 of 21 July 2004**, the Economic and Social Council condemned the perpetration of fraud, the criminal misuse and falsification of identity and other illicit activities supported thereby and encouraged Member States that had not already done so to prevent, detect, investigate, prosecute and punish fraud and the criminal misuse and falsification of identity through criminal law and other measures; take into account the need to prevent and combat fraud and the

criminal misuse and falsification of identity in the development and regulation of relevant domestic commercial, financial or other institutions and systems; and facilitate the identification, tracing, freezing, seizure and confiscation of the proceeds of fraud and the criminal misuse and falsification of identity. The Council also encouraged Member States to cooperate with one another in efforts to prevent and combat fraud and the criminal misuse and falsification of identity, including through UNTOC and other appropriate international instruments, and to consider the review of domestic laws on fraud and the criminal misuse and falsification of identity, where necessary and appropriate, to facilitate such cooperation. The Council further requested the Secretary-General to convene an inter-governmental expert group to prepare a study on fraud and the criminal misuse and falsification of identity, including: (a) The nature and extent of fraud and the criminal misuse and falsification of identity; (b) Domestic and transnational trends in fraud and the criminal misuse and falsification of identity; (c) The relationship between fraud, other forms of economic crime, the criminal misuse and falsification of identity and other illicit activities, including organized crime, money-laundering and terrorism; (d) The prevention and control of fraud and the criminal misuse and falsification of identity using commercial and criminal law, criminal justice and other means, and how these can be harmonized; and (e) The particular problems posed by fraud and the criminal misuse and falsification of identity for developing countries and countries with economies in transition. In this connection, the Council requested the intergovernmental expert group to use the information gained by the study for the purpose of developing useful practices, guidelines or other materials in the prevention, investigation and prosecution of fraud and the criminal misuse and falsification of identity.

In its **resolution 2007/20 of 26 July 2007**, the Economic and Social Council welcomed the report of the Secretary-General containing the results and findings of the Study on Fraud and the Criminal Misuse and Falsification of Identity. It encouraged Member States to consider the report and, as appropriate and consistent with their domestic law, national legal framework, including jurisdiction, and relevant international instruments, to avail themselves of its recommendations when developing effective strategies for responding to the problems addressed in the report, bearing in mind that further study may be appropriate. The Council also encouraged Member States to consider updating their laws in order to tackle the recent evolution of economic fraud and the use of modern technologies to commit transnational fraud and mass fraud; and establishing or updating, as appropriate, criminal offences for the illicit taking, copying, fabrication and misuse of identification documents and identification information. The Council further requested UNODC to provide, upon request and subject to extra budgetary resources, legal expertise or other forms of technical assistance to Member States reviewing or updating their laws dealing with transnational fraud and identity-related crime, in order to ensure that appropriate legislative responses to such offences are in place. The Council encouraged Member States to take appropriate measures so that their judicial and law enforcement authorities may cooperate more effectively in fighting fraud and identity-related crime, if necessary by enhancing mutual legal assistance and extradition mechanisms, taking into account the transnational nature of such crime and making full use of the relevant international legal instruments, including UNTOC and UNCAC. It also encouraged Member States to consult and collaborate with appropriate commercial and other private sector entities to the extent feasible, with a view to more fully understanding the problems of economic fraud and identity-related crime and cooperating more effectively in the prevention, investigation and prosecution of such crime. Finally the Council encouraged the promotion of mutual understanding and cooperation between public and private sector entities through initiatives aimed at bringing together various stakeholders and facilitating the exchange of views and information among them, and requested UNODC, subject to extra budgetary resources, to facilitate such cooperation, in consultation with the secretariat of UNCITRAL.

In its **resolution 2009/22 of 30 July 2009**, the Economic and Social Council took note of the thematic discussion of the Commission on Crime Prevention and Criminal Justice at its eighteenth session on the theme “Economic fraud and identity-related crime”; acknowledged the efforts of UNODC to establish, in consultation with UNCITRAL, a core group of experts on identity-related crime and bring together on a regular basis representatives from Governments, private sector entities, international and regional organizations and academia to pool experience, develop strategies, facilitate further research and agree on practical action against identity-related crime; and took note of the work of the core group of experts on identity-related crime at its first three meetings.

The Council encouraged Member States, taking into account the recommendations of the Study on Fraud and the Criminal Misuse and Falsification of Identity, to combat economic fraud and identity-related crime by ensuring adequate investigative powers and, where appropriate, by reviewing and updating the relevant laws; develop and maintain adequate law enforcement and investigative capacity to keep abreast of and deal with new developments in the exploitation of information, communications and commercial technologies in economic fraud and identity-related crime, including websites and other online forums used to facilitate trafficking in identity information or documents, such as passports, driving licenses or national identity cards; consider, where appropriate, the establishment of new offences and the updating of existing offences in response to the evolution of economic fraud and identity-related crime, bearing in mind the advantages of common approaches to criminalization, where feasible, in facilitating efficient and effective international cooperation; strengthen international cooperation to prevent and combat economic fraud and identity-related crime, in particular by making full use of the relevant international legal instruments; develop an approach for the collection of comparable data on the nature and extent of identity-related crime, including, where feasible, from the victim’s perspective, that would allow the sharing of data among appropriate law enforcement entities and provide a central source of data at the national level on the nature and extent of identity-related crime, taking due account of national law; study, at the national level, the specific short- and long-term impact of economic fraud and identity-related crime on society and on victims of such forms of crime and develop strategies or programmes to combat those forms of crime; and adopt useful practices and efficient mechanisms for supporting and protecting victims of economic fraud and identity-related crime and, to that effect, enable effective cooperation between public and private sector entities through computer emergency response teams or other mechanisms providing an emergency response capability to public and private organizations requiring technical support and advice during periods of electronic attack or other network security incidents.

The Council further requested UNODC, in consultation with Member States and taking into account relevant intergovernmental organizations and, in accordance with the rules and procedures of the Economic and Social Council, experts from academic institutions, relevant non-governmental organizations and the private sector, to collect, develop and disseminate: Material and guidelines on the typology of identity-related crime and on relevant criminalization issues to assist Member States, upon request, in the establishment of new identity-based criminal offences and the modernization of existing offences, taking into account the pertinent work of other intergovernmental organizations engaged in related matters; technical assistance material for training, such as manuals, compilations of useful practices or guidelines or scientific, forensic or other reference material for law enforcement officials and prosecution authorities in order to enhance their expertise and capacity to prevent and combat economic fraud and identity-related crime; a set of useful practices and guidelines to assist Member States in establishing the impact of such crimes on victims; and a set of material and best practices on public-private partnerships to prevent economic fraud and identity-related crime.

The Council also requested UNODC to provide technical assistance, including legal expertise, upon request to Member States in reviewing or updating their laws dealing with economic fraud and

identity-related crime in order to ensure that appropriate legislative responses are in place; and to continue its efforts, in consultation with UNCITRAL, to promote mutual understanding and the exchange of views between public and private sector entities on issues related to economic fraud and identity-related crime, with the aim of facilitating cooperation between various stakeholders from both sectors through the continuation of the work of the core group of experts on identity-related crime.