Reporting Acts of Corruption

3rd intersessional meeting of the open-ended intergovernmental Working Group on Prevention
27 – 29 August 2012, Vienna
UNCAC and the Reporting of acts of corruption

- Key provision of UNCAC on Reporting of acts of corruption:
  - Article 8, paragraph 4

- Measures cited by States also provided evidence of good practices in relation to:
  - Article 33 (Protection of Reporting Persons)
  - Article 10 (Public Reporting)
Categories of measures adopted by States Parties

• Imposition of legal obligation to report acts of corruption.

• Protection of individuals who report acts of corruption.

• Reporting mechanisms, training and other awareness-raising initiatives to facilitate reporting.
Imposition of legal obligations to report acts of corruption

- Different legal basis used for imposition of obligation by State Parties – Criminal v Civil

- General obligation to report criminal acts v Specific duty to report acts of corruption.

- Duty generally applicable to a broad range of civil servants.
Protection of individuals who report suspected acts of corruption

- **Penalties** for those obstructing / intimidating reporting persons.

- **Anonymous reporting** of suspected acts of corruption.

- Also relevant to implementation of **Article 33 UNCAC**
Proactive measures to facilitate the reporting of acts of corruption

• Reporting mechanisms
  • Decentralised v centralised systems for the reporting of acts of corruption.
  • Some centralised bodies with advanced powers including investigation powers.
  • Hotlines the most commonly cited example of reporting tool.

• Training, publications and other awareness-raising activities
Potential Points for Discussion

• **Legal basis and formulation of the obligation to report** acts of corruption.

• **Centralised v Decentralised** reporting mechanisms – A chance for an exchange of experiences.

• **Successes and challenges encountered in training and awareness-raising** amongst civil servants of their rights and obligations in relation to reporting acts of corruption.