



# UNODC

United Nations Office on Drugs and Crime

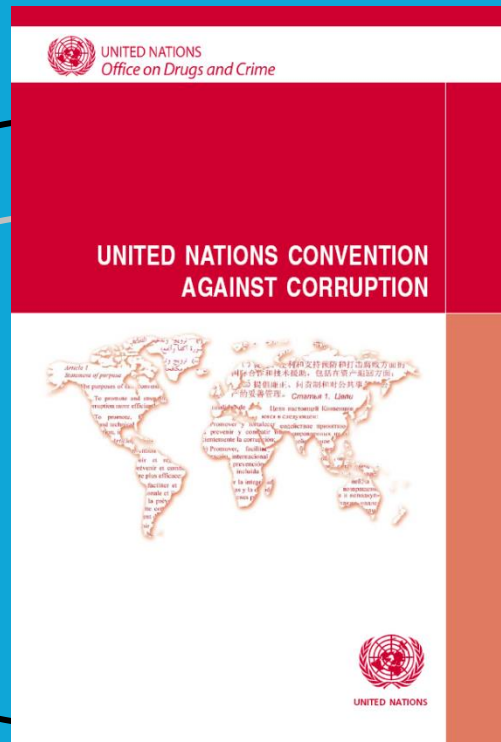
## UNCAC Chapter II Overview

Prevention of Corruption under  
the United Nations Convention against Corruption

21 September 2016  
Vienna

**Chapter II  
Preventive  
measures**

**Chapter III  
Criminalization &  
Law Enforcement**

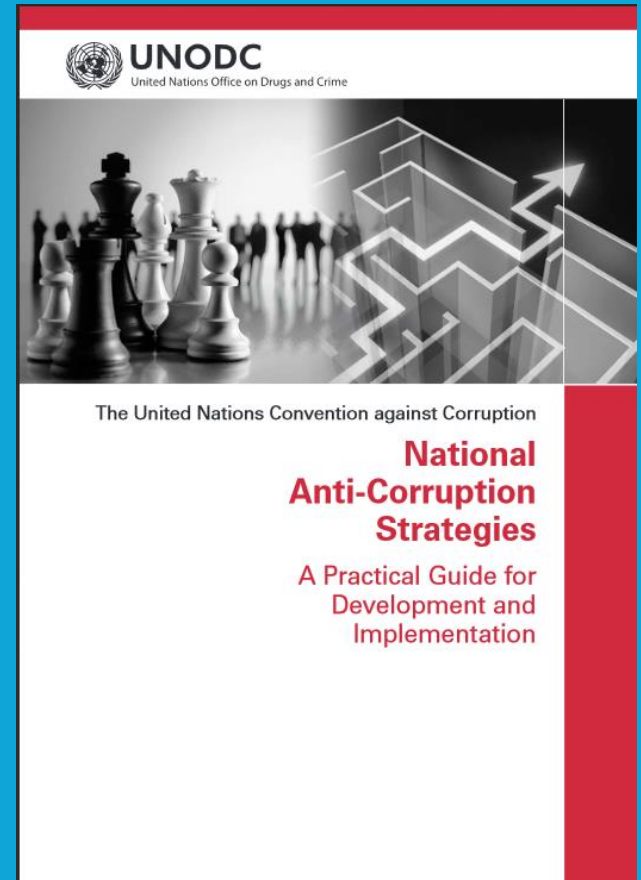


**Chapter V  
Asset Recovery**

**Chapter IV  
International  
Cooperation**

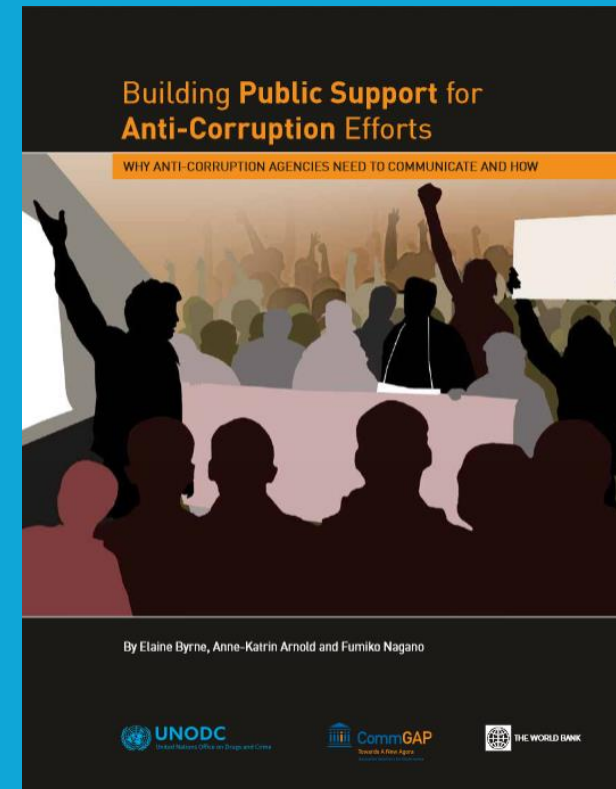
# Preventive anti-corruption policies and practices (Article 5)

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



# Preventive anti-corruption body or bodies (Article 6)

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





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

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



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

### National Implementation

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



## Case Study: Country A's Asset Declaration System

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

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



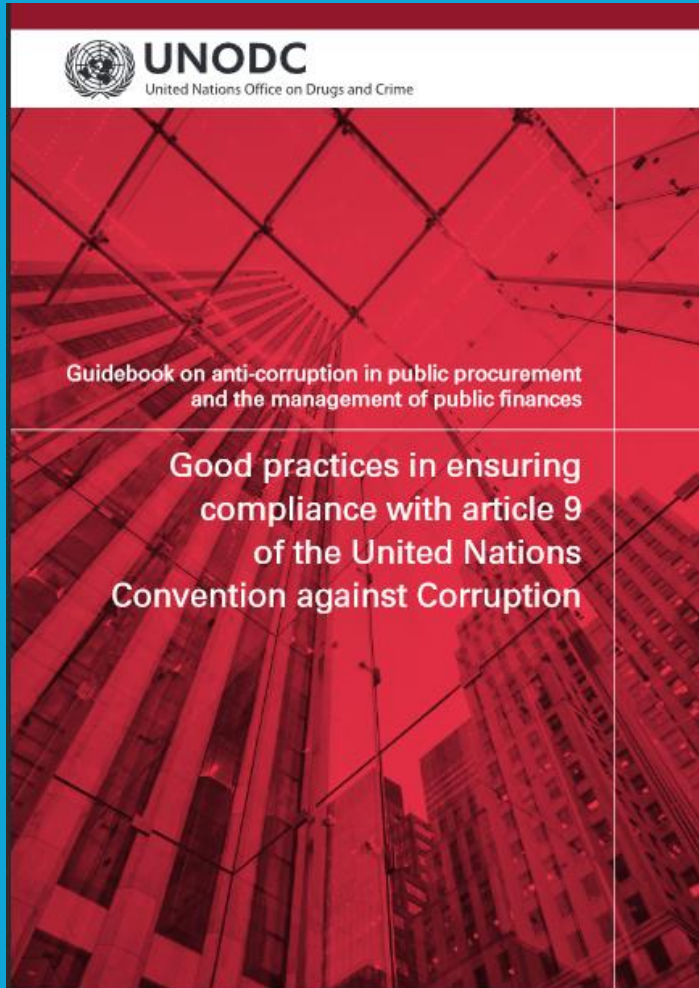
## Public Procurement and Management of Public Finances (UNCAC Article 9)

### UNCAC Requirements

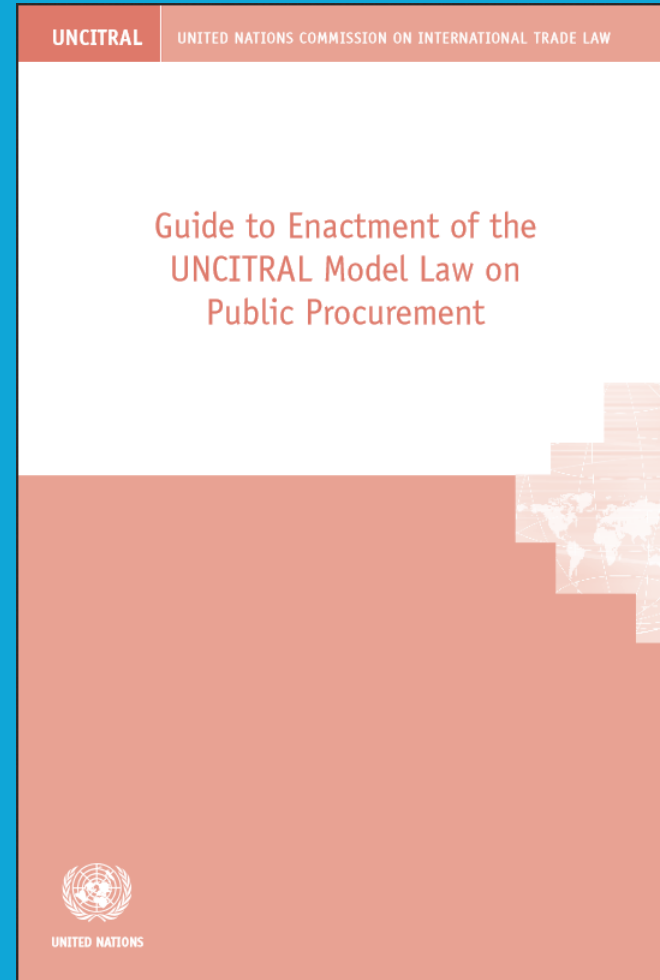
- Public distribution of information so potential tenderers can prepare and submit applications.
- Use objective and predetermined rules and criteria for public procurement systems.
- Effective system of domestic review, appeal and remedies where rules not followed.
- Specialised training and declaration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



## UNODC publication :



## UNCITRAL model law :





## Transparency and Efficiency in Public Administration (Article 10)

### Convention's Requirements

Take measures to enhance transparency in public administration including:

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

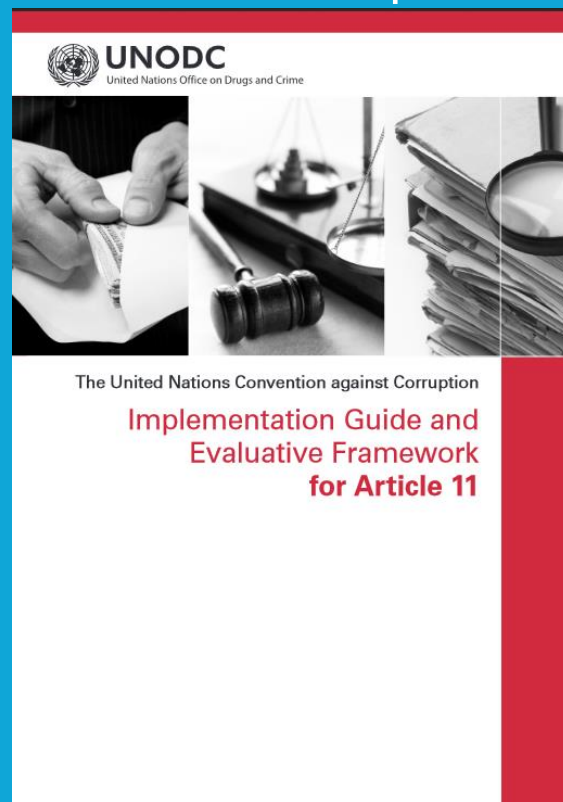


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# Judicial and Prosecutorial Integrity (Article 11)

- Convention's Requirement: Strengthen integrity and prevent opportunities for corruption among judiciary.
- Judiciary with integrity essential but often seen as most corrupt.
- Bangalore Principles on Judicial Conduct.
- Major UNODC projects in Nigeria and Indonesia in support of judicial integrity.
- Implementation Guide for Article 11 .





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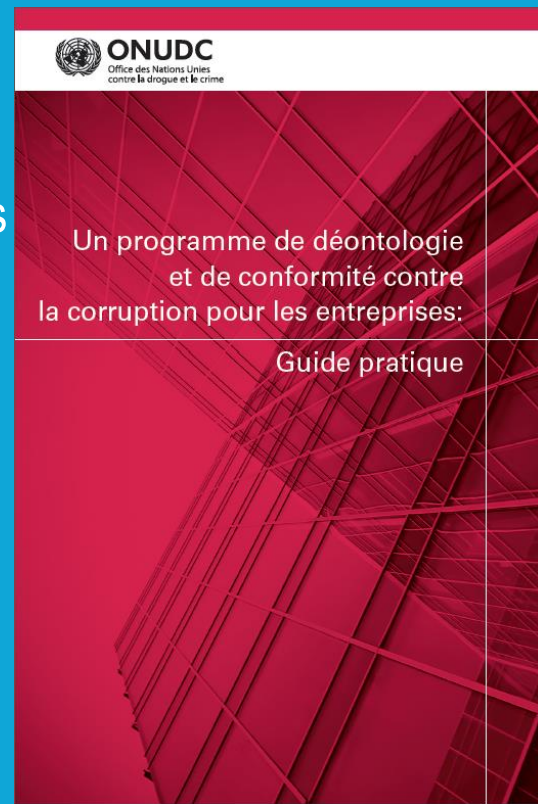
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## Private Sector (Article 12)

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

Examples of the types of measures that can be taken:

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





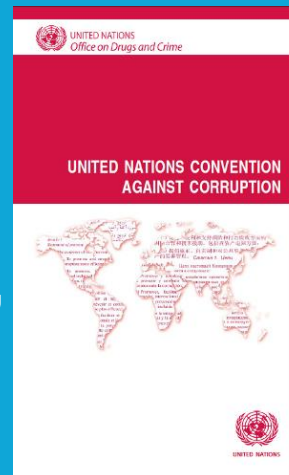
## Participation of Society (Article 13)

- Art.13 recognizes the important role of civil society in the prevention of corruption.
- State Parties required to:
  - take measures to promote the active participation of **individuals and groups outside the public sector** in the prevention of, and fight against, corruption.
  - raise awareness as to the causes and effects of corruption.

## Participation of Society (Article 13)

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

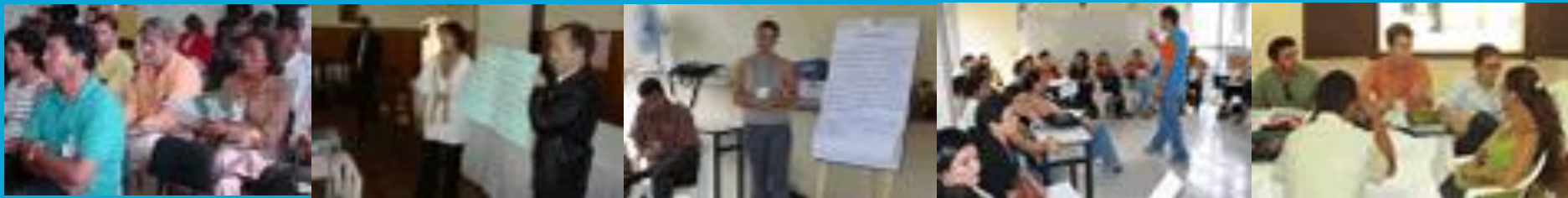
- (a) Enhance transparency of and public contribution to decision- making processes.
- (b) Ensure that the public has access to information.
- (c) Public Information activities and public education programmes.
- (d) Respect, promote and protect freedom to receive, publish and disseminate information on corruption.





## Case Study: Country B's Transparency Portal

- Established in 2004 to provide enhanced access to public expenditure information to the public.
- Information covered includes:
  - Spending of the federal government through tender processes or direct contracts
  - All transfers to states, municipalities and the federal district
  - All transfers to citizens benefiting from social programs.
  - Spending of each body and agency on travel allowances, salaries office supplies, equipments, projects and services contracted.





## Anti-Corruption Awareness-Raising Activities

- Huge diversity in awareness-raising activities amongst State parties. Examples include:

**Malaysia:** Television drama of successful corruption investigation.

**Latvia:** Awareness Raising methods targeted at the health sector.

**Jordan:** Radio series regarding integrity in public life, including the impact of corruption on women.

- Awareness-raising measures need to be tailored to the specific needs of the country.





## Moldova: Civil Society Participation

- TI Moldova Member of Working Group for Monitoring the Implementation of the National Anti-Corruption Strategy (NAS).
- Played strong role in driving forward the monitoring and evaluation process.
- Data collection expertise used to support the work of the Strategy Working Group.



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**Thank you for your attention!**

**For further information:**

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