

# PROVISION OF TECHNICAL ASSISTANCE BY G20 ANTI-CORRUPTION WORKING GROUP COUNTRIES

## INFORMATION PROVIDED BY UK

The 2017-2018 G20 Anti-Corruption Implementation Plan recognizes that, through provision of technical assistance<sup>1</sup>, G20 countries can assist other countries in becoming States Party to, and effectively implementing, relevant international instruments such as the United Nations Convention Against Corruption (UNCAC).

### 1. National anti-corruption programmes/tools that could be shared with other countries:

#### Criminal Finances Act 2017

The Criminal Finances Act 2017 amends the Proceeds of Crime Act 2002 and provides key powers to enable the UK to respond to money laundering, tax evasion, corruption, and the financing of terrorism. This legislation gives law enforcement agencies – and private sector partners – enhanced capabilities and greater powers to recover the proceeds of crime and tackle these threats.

In particular, the creation of Unexplained Wealth Orders will provide law enforcement agencies with a vital new investigative tool. UWOs will require those suspected of serious crime or corruption to explain the sources of their wealth, helping to facilitate the recovery of illicit wealth and stopping criminals using the UK as a safe haven for the proceeds of international corruption. UWOs can also be made in relation to non-EEA foreign officials (PEPs), without the need to prove a link to serious crime given the increased risk that they may be involved in grand corruption.

Non-conviction based confiscation powers, introduced initially under the Proceeds of Crime Act, are now extended via the Criminal Finances Act to the Financial Conduct Authority and to HM Revenue and Customs.

#### Small Business Enterprise and Employment Act 2015

The Small Business Enterprise and Employment Act 2015 introduced the UK's public beneficial ownership register, known as the PSC (persons with significant control) register.

Since June 2016, all UK companies have been required to identify and record the people who own or control their company, as part of the information they submit to the UK's public Companies House business register.

The PSC register increases transparency over who owns and controls UK companies and helps inform investors when they are considering investing in a company. It will also support law enforcement agencies in money laundering investigations.

## Freedom of Information Act 2000

The Freedom of Information Act 2000 provides public access to information held by public authorities. It obliges public authorities to publish certain information about their activities; and entitles members of the public to request information from public authorities. The Act covers any recorded information that is held by a public authority in England, Wales and Northern Ireland, and by UK-wide public authorities based in Scotland. Information held by Scottish public authorities is covered by Scotland's own Freedom of Information (Scotland) Act 2002. Public authorities include government departments, local authorities, the NHS, state schools and police forces.

## 2. Existing anti-corruption technical assistance programmes

### Various programmes

DFID works on anti-corruption in a variety of countries as well as through centrally-managed programmes. More information about DFID programmes related to anti-corruption can be found through the searchable database at the link below.

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POTENTIAL OUTREACH:

- Global
- Regional
- Bilateral

INSTITUTIONAL FRAMEWORK<sup>3</sup>:

- Predominantly the Department for International Development (DFID), through country offices based in partner countries
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## 3. Recent technical assistance provided

Generally, our technical assistance seeks to strengthen the integrity and accountability of our partners' public service, particularly the management of the civil service, public finances, public procurement and the delivery of public services; ensuring the efficient functioning of oversight mechanisms, such as Auditors-General and Public Accounts Committees of parliaments; ensuring an impartial, effective and reliable judiciary; and the regulation of the private/corporate sector and financial institutions. The role of civil society in fostering change and strengthening accountability of governments to their citizens is also especially important, and is a key component of the our empowerment and accountability initiatives.

## Internationally

DFID helped the Government of Uganda address corruption in the public sector through stopping payments to 9,000 ghost workers (non-existent employees on payrolls). This has helped the Government of Uganda save up to £6m per year since 2005/06. Strengthening investigation and prosecution capacity in the Anti Corruption Bureau in Malawi resulted in it prosecuting 25 major cases over the last 10 years involving over US\$141m (of which US\$80m has been recovered). Assistance to the Economic and Financial Crimes Commission in Nigeria contributed, for example, to its ability to investigate 1230 cases in 2008, with 52 convictions and the prevention and/or recovery of US\$1bn in laundered funds.

## In the UK

DFID invests in the International Corruption Unit at the National Crime Agency to investigate developing country corruption cases with UK links. An investment of £12 million between 2006 and 2015 resulted in 27 bribery and corruption convictions in the UK of individuals and companies and approximately £170 million of assets stolen from developing countries being restrained, confiscated or returned to be reinvested in improving people's lives.

## 4. Challenges and gaps in providing technical assistance

The nature, intensity and shape of corruption will differ in every country. Each has a unique constellation of corruption-related challenges, and a unique constellation of capacities (or lack of them) to respond. So while there can be no single common template for a DFID programme on anti-corruption, all actions the Department undertakes derive from the appreciation that corruption thrives where three conditions combine: where public institutions are weak and there is neither accountability nor respect for the rule of law (providing the opportunity for corruption), where public service conditions are poor (providing the incentive to be corrupt) and where enforcement action is ineffective (which reduces the likelihood of detection and sanctions). The Department's choices in any individual programme will reflect an analysis of these factors in the country concerned.

## 5. Current anti-corruption priorities

- Beneficial ownership
- Asset recovery and return
- Anti-Money Laundering
- Financial Intelligence Units (new Egmont Centre of FIU Excellence and Leadership (ECOFEL))
- Illicit Financial Flows (diagnostics)
- Open contracting/budgeting
- Business integrity
- Foreign bribery
- Prevention

- Transparency
- Extractive Industries Transparency Initiative (EITI)
- UNCAC
- Research and knowledge generation (inc U4 Resource Centre)

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- 1 *Technical assistance should be understood in line with UNCAC provisions, and cover relevant programs aimed at strengthening capacities in the prevention and fight against corruption as well as both public and private sectors' integrity*
  - 2 *For further information on each of these forms of technical assistance please refer to <https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/20-24June2016/V1603598e.pdf>*
  - 3 *Institutional framework under which the program is undertaken (e.g, agency responsible for implementing the program, other agencies involved, legal framework, etc).*