UNODC ANTI-CORRUPTION PROGRAM ACTIVITIES 2ND QUARTER 2018

Developing income and asset declaration systems

UNODC supports countries in the region developing and strengthening asset declaration systems.

Income and asset declaration regimes and conflict of interest rules are amongst the most important tools in preventing corruption and conflicts of interest; they are also useful in supporting anti-corruption investigations. Increased transparency and integrity of public bodies can be seen through countries increasing efforts to implement these tools. Most notably, countries are increasingly regulating and sanctioning behavior where potential or actual conflict of interest arises, controlling financial and other assets and interests of public officials, gifts, benefits and hospitality payments.

Nonetheless, in several Southeast Asian countries, these systems are still underutilized, and few convictions for false declarations or inexplicable wealth have been achieved so far.

In order to gain better clarity on how to support the development of effective asset declaration systems in the region, UNODC has undertaken a study analyzing the systems in Cambodia, Myanmar, Indonesia and Vietnam. From the study, which covered both legal and institutional frameworks, it became clear that one of the most pressing issues is that asset declarations often do not allow the effective verification of wealth. In light of this, UNODC conducted a “Regional Workshop on Asset Declarations and Conflict of Interest in Southeast Asia”, whereby 30 representatives of Anti-Corruption Commissions and Oversight Institutions from Cambodia, China, Indonesia, Lao PDR, Malaysia, Myanmar, Thailand, the Philippines and Vietnam were trained on how to verify asset declarations to uncover inexplicable wealth.

In this workshop participants learned how to design asset declaration forms and how to perform effective verification of wealth. Participants were exposed to international theory and best practices on the topic and practiced verification of

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UNODC expert Dr. Tilman Hoppe and workshop participants during the hypothetical case exercise.
asset declarations through a hypothetical case study. Participants were able to learn how declarants typically hide and underreport the true origin and value of their wealth. The workshop also covered the issue of conflict of interests and how asset declarations can serve the identification of potential and actual conflicts.

In addition, UNODC also provided technical assistance to develop and strengthen asset declaration systems at the national level. In cooperation with the Government Inspectorate of Vietnam, UNODC conducted a national roundtable on asset declarations in Vietnam. There were 40 participants from 27 agencies who participated in the event and debated the provisions on asset declarations contained in the draft new Anti-Corruption Law. This law should be approved and enacted soon.

In Vietnam, currently more than a million public officials have to file a declaration and the verification of their content for uncovering hidden or inexplicable wealth is still extremely challenging.

Against this background, the roundtable allowed for feedback and expert opinions on the proposed revisions of the provisions of the draft Anti-Corruption Law. National stakeholders debated on issues such as effective sanctions for inexplicable wealth, offences to be sanctioned, and how to handle cash in asset declarations.

Most notably, the events provided an opportunity for competent authorities to identify preliminary options for strengthening specific pillars of the asset declaration and conflict of interest systems, using discussions during the workshop to identify areas that require further consultations with a broader group of stakeholders.

The workshop in Sri Lanka was conducted in close collaboration with the World Bank-UNODC Stolen Assets Initiative (StAR) within the joint efforts to assist the country to amend its legislation. Following the workshop, Sri Lanka finalized the draft law on Asset Declarations and forwarded it to Parliament in May.

A roundtable on asset declarations was also conducted in Myanmar; the asset declaration system is to be developed in the country in application of the new anti-corruption law. The Anti-Corruption Commission asked UNODC for assistance in developing the necessary regulatory and institutional framework.

Countries in South Asia have recognized that their existing laws and regulations on asset declaration are lacking the effective implementation, enforcement and verification aspects to become a proper corruption prevention measure.

Aiming to effectively assist countries in building up more effective systems of declarations of asset and conflict of interest for public officials, UNODC conducted two national workshops in Sri Lanka (12-14 March) and Bangladesh (6-8 May). These trainings were offered to national anti-corruption commissions and stakeholders as a platform to share global and regional trends, country experiences and lessons learned on the effective management of asset declaration and conflict of interest systems.

The workshops allowed participants to identify models and systems of asset declaration and conflicts of interest, effectively building skills that could be applied in their respective legal contexts.

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Recognizing this challenge, the Anti-Corruption Commission of Myanmar (ACC) made it one of its priorities to address the corruption risks in public procurement.

Following similar workshops in Indonesia and Cambodia, UNODC conducted “Training on Identifying Corruption Risks in Public Procurement” in Nay Pyi Taw, Myanmar, from 20 to 22 June, to which 25 government officials from the ACC participated. In the training, participants learned how to identify corruption risks and red flags in each stage of the procurement process, starting from pretender to tender and contract management and execution. Measures of how to address and prevent the identified corruption risks were also discussed.

In an effort to gain the buy-in from other institutions and receive feedback on the draft, UNODC organized jointly with the Anti-Corruption Unit and the World Bank, a national roundtable to collect feedback and input on the draft of the code of conduct. A particular focus was given to regulations such as gift-giving, outside activities, conflicts of interest and using office equipment. The final version of the code of conduct is expected at the end of this year.

Building capacity for corruption investigations across the region

UNODC supports countries in the region to strengthen their capacities to investigate corruption cases.

Building on the findings of the UNCAC review of implementation in the region, UNODC partnered with the Corrupt Practices Investigation Bureau of Singapore for the organization of a week-long training on corruption investigations. The course aimed at improving the knowledge and capacity of investigators and prosecutors who handle financial crimes and corruption cases by equipping them with tools for better planning and monitoring.

The training sessions, made up of lectures, debates and practical exercises, covered a variety of subjects including challenges in investigating and prosecuting corruption in the Asia-Pacific region; forensic accounting and financial investigations; the conduct of and challenges in transnational corruption investigations; digital forensic and investigation; and mutual legal assistance.

While all countries from Southeast Asia participated in the training, participants were selected on the basis of need and merit. The training was very practical, as participants needed to solve several hypothetical cases with a focus on select investigation techniques.

In Timor-Leste UNODC conducted a workshop to strengthen the investigative capacities of the Anti-Corruption Commission (CAC) and other relevant
Finances: Tools to tactical formations have training events offeredlings that will serve as a deterrent for future crimes.

The discussions highlighted that investigations often lack capacity to prevent undue political interference. The fact that several institutions may open investigations simultaneously without the necessary coordination, adds additional hurdles. Group work also showed that skills to “trace the money” need to be significantly strengthened, especially when it comes to cross-border financial transactions. Through the sessions, the need for conducting parallel financial investigations of criminal offences was stressed. UNODC will continue supporting Timor-Leste to address these issues.

A workshop in Bangladesh on “Case Planning and Case Management” offered practical skills in planning, developing and managing investigations to a selected group of investigators and prosecutors from the Anti-Corruption Commission. The three-day training combined presentations with practical examples and hypothetical cases. Participants were provided with tools to plan and develop an investigation by adopting a managing matrix that allows for clear guidelines, deadlines and responsible officers in obtaining evidence relevant to court proceedings.

The event aimed at enhancing skills for not only effective investigations, but also more successful prosecutions and subsequent court rulings that will serve as a deterrent for future crimes.

Financial Investigations and Links to Money Laundering training workshops in Nepal and Bhutan

Illegal financial transactions and illicit money flows derived from criminal activities across borders represent an area of challenge and priority for many societies today. Consequences are serious not only for the countries’ prosperity and development, but also their national security and efforts to counter the spread of serious organized crime.

Financial investigations are the most effective tool to investigate and prosecute financial crimes. Legitimate gathering of financial information has proven to increase countries’ abilities to effectively address and respond to gaps in financial transparency, thus reducing potential for corruption.

The training events were designed, developed and delivered following the recommendations from the consultant and taking into consideration the national legal and institutional context, as well as trends in corruption and serious crimes in these countries.

Each event was tailored and offered to a selected group of anti-corruption investigators, prosecutors, judges and representatives of the Financial Intelligence Units (FIUs). Participants learned tools to investigate financial aspects of complex corruption crimes, to effectively follow the money and, by enhancing the inter-agency cooperation as well as international collaboration, to obtain evidence of illicit financial transactions.

Guided by the consultant, participants were required to walk through the investigation of a serious and complex hypothetical case and follow the money traces. The aim of the trainings was to highlight the importance of financial investigation in all criminal offences, given the complexity of organized criminal groups in a modern world and emerging trends in money-laundering schemes.

For any comments, questions or suggestions, please do not hesitate to reach out to us:

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