



# Conference of the States Parties to the United Nations Convention against Corruption

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### Technical assistance

## Analysis of technical assistance needs emerging from the country reviews and assistance delivered by the United Nations Office on Drugs and Crime in support of the implementation of the United Nations Convention against Corruption

### Note by the Secretariat

#### *Summary*

The present document provides an analysis of the information available as at 15 September 2023 on the technical assistance needs identified during the two review cycles of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, with a focus on the second cycle. The document also provides an overview of the technical assistance delivery framework developed by the United Nations Office on Drugs and Crime (UNODC) to respond to an increasing number of technical assistance needs and requests. It further complements information on technical assistance provided by UNODC.

\* [CAC/COSP/2023/1](#).



## I. Introduction

1. The promotion, facilitation and support of international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery, is one of the three purposes of the United Nations Convention against Corruption, as provided in its statement of purpose (art. 1). Its chapter VI is specifically dedicated to technical assistance and information exchange, and paragraph 11 of the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption foresees the identification and substantiation of specific needs for technical assistance and the promotion and facilitation of the provision of such assistance as one of the goals of the Mechanism. Similarly, according to paragraph 44, the consideration of technical assistance requirements is one of the functions of the Implementation Review Group.

2. In its resolution 4/1, the Conference recommended that all States parties, where applicable, in their responses to the comprehensive self-assessment checklists and in the country reports, should identify technical assistance requirements, preferably prioritized and related to the implementation of the provisions of the Convention examined during a given review cycle. The Conference also recommended that States parties continue to provide the United Nations Office on Drugs and Crime (UNODC) with information on ongoing technical assistance projects related to the implementation of the Convention.

3. In its resolution 7/3, the Conference welcomed the promotion of anti-corruption technical assistance as a component of the 2030 Agenda for Sustainable Development, and recognized the importance of coordination among donors, technical assistance providers and recipient countries in order to leverage resources, increase efficiencies and avoid duplication of effort while meeting the needs of recipient countries. States parties were encouraged to continue to voluntarily provide the Implementation Review Group, consistent with the agreed terms of reference of the Implementation Review Mechanism, with information on the current, anticipated and unmet technical assistance needs, including those needs identified through the review process. States parties were encouraged to use this information to inform technical assistance programmes.

4. In its resolution S-32/1, the General Assembly, at its special session against corruption, adopted the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, in which States, inter alia, pledged to continue sharing information on the provision of technical assistance and needs for such assistance, including those needs identified through the Implementation Review Mechanism.

5. In its resolution 9/4, the Conference called upon States parties to acknowledge the importance of promoting, facilitating and supporting timely, sustainable, adequate and effective technical assistance for strengthening national capacities to prevent and fight corruption, and called for accelerated action at all levels and by all technical assistance providers in addressing such needs, upon request, including those identified through the Mechanism, by mobilizing sufficient financial assistance, technical support and other resources. The Conference requested UNODC to continue and expand its regional approach methodology and establish further regional platforms, upon request by States parties, bearing in mind the characteristics of each region and the fact that its objective is not to duplicate activities but rather to build partnerships with other relevant technical assistance providers.

6. In its resolution 9/6, the Conference encouraged States parties to develop, revise and update, where appropriate and in accordance with the fundamental principles of their legal systems, national anti-corruption strategies and/or action plans addressing, inter alia, the needs identified during their country reviews and to promote such strategies and/or action plans as a tool for country-led and country-based, integrated and coordinated technical assistance programming and delivery.

7. In line with these mandates, the present document contains the following:

(a) An updated analysis of the technical assistance needs identified through the reviews carried out under both cycles of the Implementation Review Mechanism, with a particular focus on the second cycle, based on 175 finalized executive summaries in the first cycle, and 82 finalized executive summaries in the second cycle;<sup>1</sup>

(b) An overview of the technical assistance delivery framework developed by UNODC to respond to an increasing number of technical assistance needs and requests, which complements information on technical assistance delivered by UNODC in different areas as presented in other documents.<sup>2</sup>

## II. Analysis of technical assistance needs identified through the Implementation Review Mechanism

### A. Needs identified during the first review cycle

8. By 15 September 2023, 175 States parties to the Convention had completed their executive summaries under the first cycle, of which 120 had identified a total of 3,829 individual technical assistance needs.<sup>3</sup> Of these, 2,734 needs were related to chapter III on criminalization and law enforcement, and 1,095 to chapter IV on international cooperation. Since the preparation of the previous note for the ninth session of the conference, two additional States completed their first cycle reviews, jointly identifying 149 needs, with the vast majority of these emanating from only one of the two States.

9. In line with the notes presented at the eighth and ninth sessions of the Conference,<sup>4</sup> the substantive analysis of trends in technical assistance needs emerging from the first cycle, showcased in the note presented at the seventh session,<sup>5</sup> remains unchanged. The latter took stock of the developments over five years (2012–2017) and provided a comprehensive analysis of the overall technical assistance needs identified by 108 of the 160 States parties during the first cycle, at the time of drafting. Figure I presents an updated breakdown of types of technical assistance needs noted by the 120 States identifying needs under the first cycle.

<sup>1</sup> To be read in conjunction with the thematic reports prepared by the Secretariat: [CAC/COSP/2023/4](#), [CAC/COSP/2023/5](#), [CAC/COSP/2023/7](#) and [CAC/COSP/2023/10](#).

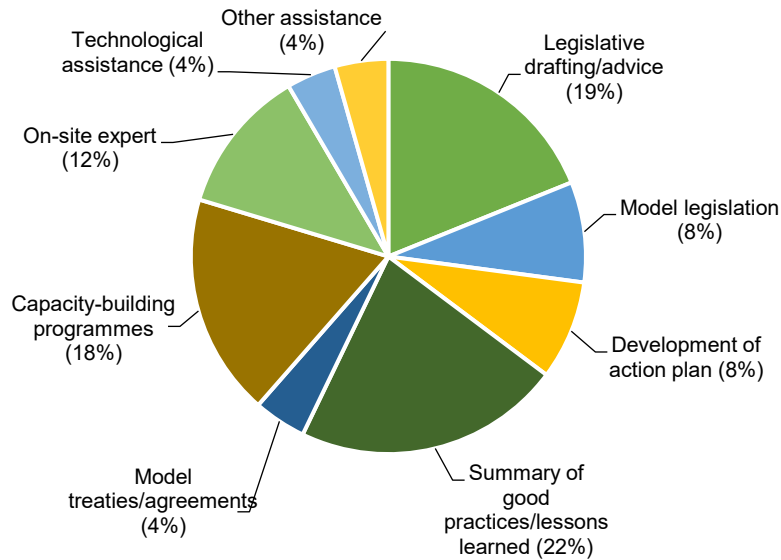
<sup>2</sup> Information on technical assistance provided by UNODC is contained in notes by and reports of the Secretariat: [CAC/COSP/2023/12](#), [CAC/COSP/2023/13](#), [CAC/COSP/2023/14](#) and [CAC/COSP/2023/17](#).

<sup>3</sup> For an account of the measures taken by States parties to implement chapters III and IV after the completion of their reviews under the first cycle, see [CAC/COSP/2023/8](#).

<sup>4</sup> See [CAC/COSP/2019/14](#) and [CAC/COSP/2021/10](#).

<sup>5</sup> See [CAC/COSP/2017/7](#).

Figure I  
**Categories of technical assistance needs identified by 120 States under the first cycle**



10. An important consideration in examining this information is the format of the first cycle comprehensive self-assessment checklist, which required States to identify their technical assistance needs in nine pre-determined categories (shown in figure I). Under the revised self-assessment checklist for the second cycle,<sup>6</sup> States are provided with examples of what types of assistance could be relevant. In contrast, the systematic categorization under the first cycle allowed for a more straight-forward analysis of the data, but at the cost of a certain rigidity resulting in greater difficulty in detecting evolving trends over time. Bearing in mind this limitation, figure I shows that nearly 60 per cent of all needs were related to the provision of good practices and lessons learned, legislative drafting/advice and capacity-building, with each of the three categories corresponding to 18 to 22 per cent of all needs. The provision of model legislation, the development of an action plan and the visit of an on-site expert collectively corresponded to nearly 30 per cent of all needs, with each of the three categories representing between 8 and 12 per cent. The provision of model treaties, technological assistance and other assistance were also equally split to cover the remaining 12 per cent of needs.

11. The prominent role of legislative drafting/advice, which taken together with the provision of model legislation accounted for 27 per cent (or 1,038) of all needs, is unsurprising considering the role of legislation in criminalization and law enforcement measures and in enabling international cooperation. While the implementation of the more operational provisions under review during the second cycle, particularly under chapter II on preventive measures, frequently require the establishment of comprehensive systems, policies and procedures, and significant capacity to ensure their operationalization, many provisions under review in the first cycle can be addressed by legislative implementation alone. Although their successful implementation does require capacities, specific expertise and adapted policies and procedures, these would only become relevant once the legislative groundwork has been laid, which was not necessarily the case for many States when the first cycle was launched in 2010. In this regard, as noted under the section covering the second cycle below, many capacity-building needs expressed by States under the second cycle would more accurately fall under cycle I provisions, with a significant number of needs aimed at more effectively identifying, tracing, freezing and seizing assets. It will therefore also be interesting to observe whether in the second phase of the

<sup>6</sup> See [CAC/COSP/IRG/2016/4](#).

mechanism States express a decreasing number of legislative needs and an increasing number of operationally oriented needs in relation to chapters III and IV.

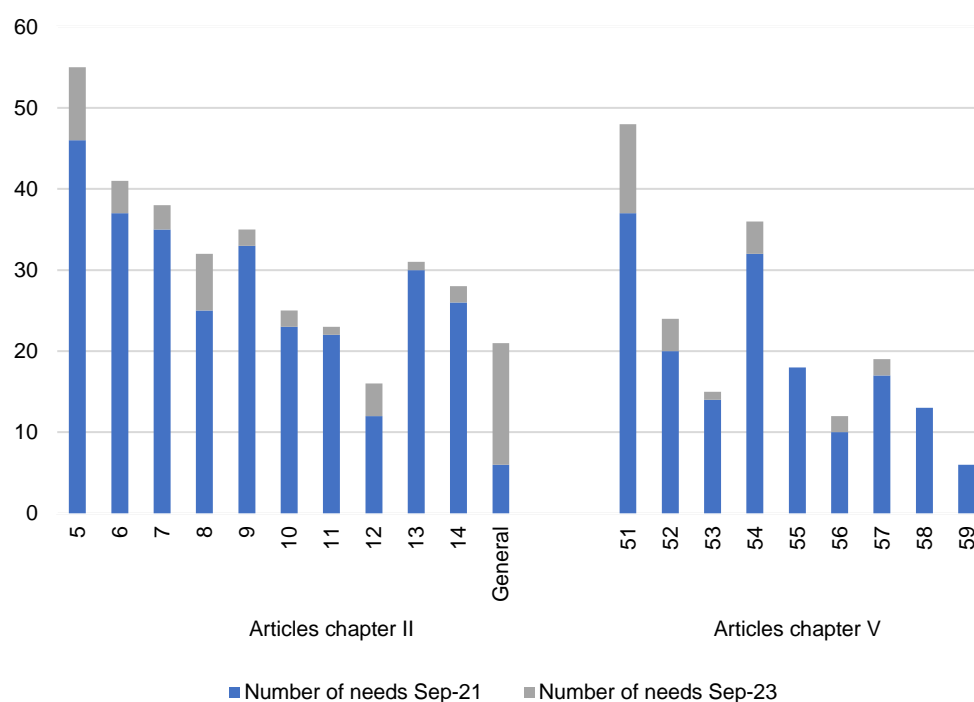
## B. Needs identified during the second review cycle

### 1. Overall assessment

12. Since the last note presented to the Conference,<sup>7</sup> 25 further States completed their executive summaries under the second cycle, of which 15 identified a total of 70 technical assistance needs. With these additional reviews, a total of 54 out of 82 States have identified 527 individual technical assistance needs spread across all provisions of chapters II and V of the Convention (see figure II). This amounts to over 65 per cent of all States identifying needs under the second cycle, compared with nearly 69 per cent under the first cycle, with the former percentage increasingly approaching the latter as more reviews are finalized.

Figure II

**Number of technical assistance needs identified by chapter (September 2021 and September 2023, second cycle)**



13. The last note on technical assistance was prepared by the secretariat in March 2023 and presented to the fourteenth session of the Implementation Review Group in June 2023.<sup>8</sup> In line with the thematic focus of the session, it provided an analysis of all needs identified under chapter II on preventive measures based on 67 finalized executive summaries. The note marked the first attempt at providing a regional analysis of the needs emerging under the second cycle, focusing on African States and Asia-Pacific States, whose needs represented 92 per cent of all needs under chapter II.

14. Despite the increase to 82 finalized executive summaries only six months after drafting the above note, the number of States whose data could be drawn from remained insufficient for further substantive analysis by region, particularly with regard to Eastern European States and Latin American and Caribbean States (see figure III below). The trends identified for chapter II in the above note persisted in

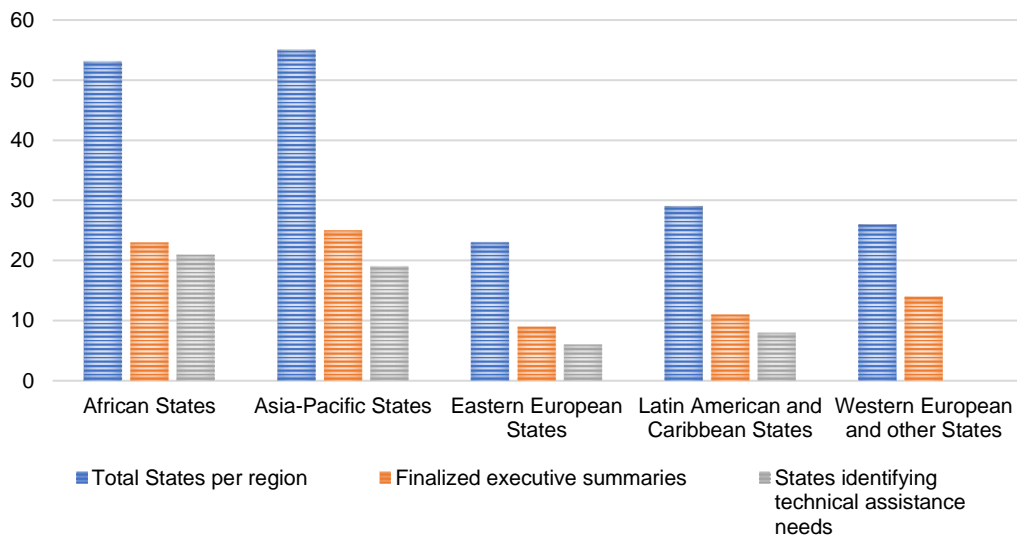
<sup>7</sup> See [CAC/COSP/2021/10](#).

<sup>8</sup> See [CAC/COSP/IRG/2023/6](#).

the dataset across both chapters: While representing 28 per cent of all States having finalized their executive summaries, African States accounted for 59 per cent of all needs identified. In the case of Asia-Pacific States, who represented 30 per cent of all States having finalized their executive summaries, the absolute figure of 142 needs remained significant in absolute terms, but relative to the number of States corresponded to a more modest proportion of 27 per cent of all needs. Eastern European States and Latin American and Caribbean States represented almost 11 per cent and over 13 per cent of all States having finalized their executive summaries respectively, with each region accounting for less than 7 per cent of all needs.

Figure III

**Regional breakdown of number of States, States having completed their executive summaries and States with technical assistance needs (second cycle)**

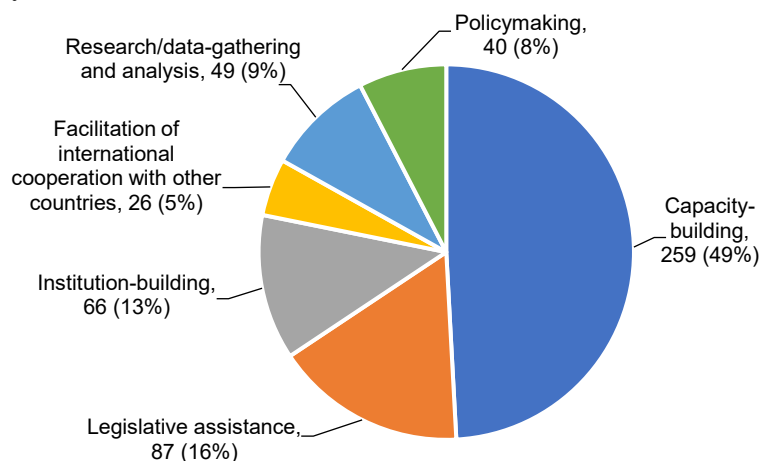


## 2. Categories of needs

15. Despite the second cycle comprehensive self-assessment checklist no longer systematically requiring the categorization of technical assistance needs, the six suggested groupings of legislative assistance, capacity-building, institution-building, policymaking, research/data-gathering and analysis, and facilitation of international cooperation with other countries, have been extensively used by States in their formulation of needs, and have served to facilitate the analysis thereof by the secretariat. On the other hand, in the many cases of individual needs that simultaneously cover more than one category, such categorization inevitably leads to a slight distortion of the data, when a need is classified into one category at the expense of another (see figure IV).<sup>9</sup>

<sup>9</sup> See [CAC/COSP/IRG/2020/7](#), para. 9.

Figure IV  
**Categories of technical assistance needs identified by 54 States under the second cycle: number and percentage of individual technical assistance needs, by category**



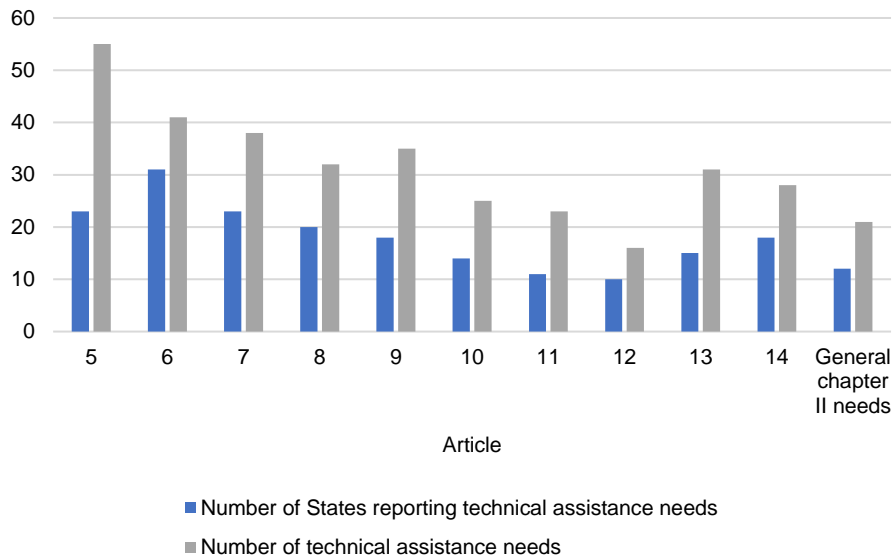
16. While acknowledging the limitations of categorization, even when not imposed, in comparing figures I and IV, which represent the categories of needs in the two cycles, it is therefore interesting to note the prominent role taken by capacity-building needs in the second cycle, at least partially explained by the more operational nature of the provisions of chapters II and V. These capacity-building needs covered almost half of all needs identified under chapters II and V, with 49 States (or 91 per cent of all States identifying needs) expressing 259 such needs. Most of these related to training, peer-learning and substantive and technical skills development for public officials as well as persons outside of the public sector, including private sector entities, the media and civil society organizations. The development and use of technological tools was also cited by more than half of all States indicating needs. Legislative assistance was the second highest category, covering 16 per cent of all needs, followed by institution-building (13 per cent), research/data-gathering and analysis (9 per cent), policymaking (8 per cent) and facilitation of international cooperation with other countries (5 per cent).

### 3. Analysis of technical assistance needs identified in relation to chapter II of the Convention<sup>10</sup>

17. Nearly 65 per cent of the 527 needs so far in the second cycle related to chapter II on preventive measures, identified by 47 States. As is shown in figure V, article 5 on preventive anti-corruption policies and practices was the provision with the highest number of needs (55 needs identified by 23 States), followed by article 6 on preventive bodies (41 needs identified by 31 States) and article 7 on the public sector (38 needs identified by 23 States).

<sup>10</sup> The structure of this section on chapter II, as well as the subsequent section on chapter V, follows that of the executive summaries by clustering closely related articles and topics, with the exception of article 14 on measures to prevent money-laundering, which is covered under chapter V with article 52 on the prevention and detection of transfers of proceeds of crime and article 58 on financial intelligence units.

Figure V  
**Number of technical assistance needs and number of States identifying needs, by article (chapter II)**



*Preventive anti-corruption policies and practices; preventive anti-corruption body or bodies (arts. 5 and 6)*

18. Thirty States reported a total of 90 needs in relation to article 5 on preventive anti-corruption policies and practices and article 6 on anti-corruption bodies.

19. On article 5, the 55 needs identified by 23 States related to the development, implementation and monitoring of anti-corruption strategies; the development and use of tools to identify corruption vulnerabilities and develop targeted mitigation measures and indicators; and training on risk assessments, awareness-raising and outreach activities and mechanisms to periodically evaluate legal instruments and administrative measures to prevent and fight corruption.

20. On article 6, the 41 needs identified by 31 States were aimed at strengthening the organizational and operational capacities and legal and operational independence of anti-corruption bodies through appropriate appointment, recruitment, training and budget procedures. Mirroring the findings of reviewers regarding challenges related to insufficient human and financial resources of anti-corruption bodies,<sup>11</sup> similar needs have also been identified in relation to article 36 on specialized authorities reviewed under the first cycle.<sup>12</sup>

*Public sector; codes of conduct for public officials; measures relating to the judiciary and prosecution services (arts. 7, 8 and 11)*

21. Article 7 on public sector measures and article 8 on codes of conduct for public officials had 74 needs being reported by 29 States. Recently identified needs included a range of measures aimed at strengthening integrity in the recruitment for the public service; the implementation and enforcement of codes of conduct for public officials; the development of procedures for positions considered particularly vulnerable to corruption; and the development of requirements for candidates for elected public office. However, the management of conflicts of interest and measures aimed at facilitating the reporting by public officials of acts of corruption continued to be the topics garnering the highest number of needs.

22. Needs in relation to conflict of interest management under article 7, paragraph 4, and article 8, paragraph 5, included the drafting of a manual for the management of

<sup>11</sup> See [CAC/COSP/2023/4](#).

<sup>12</sup> See [CAC/COSP/IRG/2016/13](#).



such conflicts; the building of capacities of an ethics commission; and the establishment of a comprehensive computerized system for identifying areas that may be vulnerable to conflicts of interest. In relation to asset and interest disclosures (with financial disclosures also covered by article 52, paragraphs 5 and 6), States highlighted a large number of needs for the development of procedures and systems for receiving, monitoring and verifying and rendering publicly accessible declarations and disclosures of interests, assets and gifts, including through the use of information and communications technology. This aligned with the findings of reviewers, with a total of 282 challenges being issued to States on the four provisions combined.<sup>13</sup>

23. In close connection with conflict-of-interest prevention measures, States also indicated needs for measures to enhance transparency in the funding of candidates for elected public office, including donor disclosure, the development of verification regimes and, more recently, legislative assistance in drafting an act on lobbying activities.

24. With regard to measures to facilitate the reporting by public officials of acts of corruption under article 8, paragraph 5, the needs related to the establishment of platforms and complaint-handling mechanisms aimed at receiving reports of acts of corruption, as well as to whistle-blower protection measures. Although the latter needs would more accurately fall under article 33, on the protection of reporting persons, covered by the first cycle reviews, as indicated in the thematic report on chapter II,<sup>14</sup> the two provisions are intrinsically interconnected as no measure taken under article 8, paragraph 4, can be sufficiently meaningful to encourage such reporting in the absence of measures effectively protecting public officials who make such reports.

25. Article 11 on measures relating to the judiciary and prosecution services saw 11 States highlighting 23 technical assistance needs, including training for judicial officials, investigators and prosecutors on judicial integrity and transparency; the sharing of good practices in protecting judicial independence and promoting integrity among judicial officials; and assistance in facilitating exchange programmes with other States and access to international research tools.

*Public procurement and management of public finances (art. 9)*

26. In relation to public procurement or the management of public finances, 18 States reported 35 technical assistance needs. Public procurement-related capacity-building needs under article 9, paragraph 1, related to the implementation of e-procurement systems; the conduct of risk-based procurement audits; systems for the prevention and detection of fraud in public procurement; the monitoring and evaluation of public procurement systems and the preparation of procurement investigation reports. Legislative needs included the review of public procurement legislation; the drafting of regulations to give effect to public procurement legislation; and the preparation of supplementary legal provisions enabling a public procurement authority to perform its mandate.

27. On the management of public finances<sup>15</sup> States highlighted needs for fraud prevention strategies and the establishment of systems for detecting irregularities and fraud; training on risk management, accounting and transparency in budget management; record management and internal control mechanisms for fraud investigators, forensic auditors, accountants and clerks; and legislative assistance on the development of internal control and audit provisions.

<sup>13</sup> See [CAC/COSP/IRG/2023/10](#), figure II.

<sup>14</sup> See [CAC/COSP/2023/4](#), para. 54.

<sup>15</sup> See [CAC/COSP/2023/12](#), which provides an overview of information provided by States parties in relation to the role of supreme audit institutions in the prevention of and fight against corruption, international cooperation and the use of information and communication technologies.

*Public reporting; participation of society (arts. 10 and 13)*

28. Twenty-two States identified a total of 56 needs in relation to articles 10 and 13, thereby rendering it the topic with the highest number of needs under chapter II. This reflected the increasing interest by States in the adoption of a whole-of society approach aimed at harnessing the capacities of a plethora of groups outside the public sector, which was also showcased in the recent good practices highlighted by reviewers under chapter II.<sup>16</sup>

29. With article 10 on public reporting serving as a precondition for the implementation of article 13 on the participation of society by enabling public access to information, the 25 needs identified by 14 States included legislative drafting and the sharing of good practices in the development of legislation to facilitate access to public information; the simplification of procedures; the implementation of access-to-information laws; and the development of corruption risk assessments.

30. On article 13 on the participation of society, the 31 needs highlighted by 15 States included the sharing of best practices on how society could be more involved in decision-making processes; the development of awareness-raising activities for the public; the design of public education programmes against corruption; measures and technological tools aimed at encouraging the general public to report instances of corruption, including through the establishment of reporting channels; and training for the media aimed at harnessing investigative journalism in uncovering acts of corruption. As stated in a previous report on this topic,<sup>17</sup> one State had also expressed the need for support in the finalization of a bill on non-governmental organizations so as to provide the necessary legal and regulatory environment allowing civil society organizations to operate more actively in the prevention of corruption, as well as a need for capacity-building and mentorship for civil society organizations aimed at facilitating the implementation of anti-corruption programmes.

*Private sector (art. 12)*

31. Ten States identified 16 needs in relation to private sector measures, which included legislative assistance; the training of public officials on the implementation of the measures foreseen by article 12; the strengthening of corporate governance and monitoring-related activities in the private sector; the development of typologies of corruption offences in the private sector; the drafting of guidelines for public and private entities on the establishment of procedures for the prevention of bribery; the development of codes of ethics in the private sector; and the establishment of reporting channels and protection measures aimed at facilitating the reporting of corruption offences in the private sector.

32. The low number of technical assistance needs under article 12 contrasts with the findings by reviewers, who have identified 222 challenges across 75 States, rendering it the article with the third highest number of recommendations under chapter II. Similarly, on the cross-cutting topic of beneficial ownership identification,<sup>18</sup> which is covered under private sector measures by article 12, paragraph 2 (c), as well as by money-laundering measures under article 14, paragraph 1 (a), and article 52, paragraph 1, no technical assistance needs have been noted, although outside of the scope of the reviews, UNODC has witnessed an interest by States in enhancing their relevant frameworks.

**4. Analysis of technical assistance needs in relation to chapter V of the Convention**

33. Among the 54 States identifying needs under the second cycle, 49 noted 190 needs in relation to asset recovery measures. Although this accounts for only 36 per cent of all needs, this smaller proportion may be explained by the broader and more

<sup>16</sup> See [CAC/COSP/2023/4](#).

<sup>17</sup> See [CAC/COSP/2019/14](#).

<sup>18</sup> See [CAC/COSP/2023/16](#), which provides an overview of the legal, regulatory and institutional frameworks aimed at ensuring beneficial ownership transparency based on information voluntarily provided by States parties.

all-encompassing manner in which needs were expressed under chapter V than by a lesser need for such technical assistance. In fact, two more States identified needs under chapter V than under chapter II. With the vast majority of States encountering a significant number of challenges in their legal, regulatory and institutional regime for asset recovery,<sup>19</sup> the identification of fewer and less-targeted needs under that chapter can be explained by that chapter requiring more comprehensive overarching frameworks and capacities enabling their effective implementation. By contrast, chapter II encompasses many fragmented areas, involving an extensive range of institutions, laws, policies and measures, which would explain the larger number of and more concretely formulated nature of needs expressed under that chapter.

34. Moreover, implementation of chapter V is closely intertwined with several provision of chapters III (Criminalization and law enforcement) and IV (International cooperation) of the Convention. This is particularly the case for needs formulated under article 57 on the return and disposal of assets, but also articles 54 and 55, which both deal with international cooperation for the purpose of confiscation. While the Convention addresses the obligations of these provisions to States in their role as requested States, the needs identified by States often related to States in their role as requesting States. In this regard, States expressed a number of needs relating to the tracing, seizing, confiscation and management of assets not necessarily located in foreign jurisdictions, which would rather fall under article 31 on freezing, seizure and confiscation. Similarly, many capacity-building needs under articles 54 and 55 related to the preparation and execution of mutual legal assistance requests, as provided under article 46 on mutual legal assistance. The interconnectedness of the entire Convention therefore becomes evident, as measures within each chapter link together, creating a continuum from criminalization and law enforcement to international cooperation and asset recovery. With many States continuing to encounter challenges in law enforcement, and unable to influence the barriers within the frameworks and practices of requested States, it is therefore unsurprising that States express needs under chapter V aimed at enhancing their capacities as requesting States.

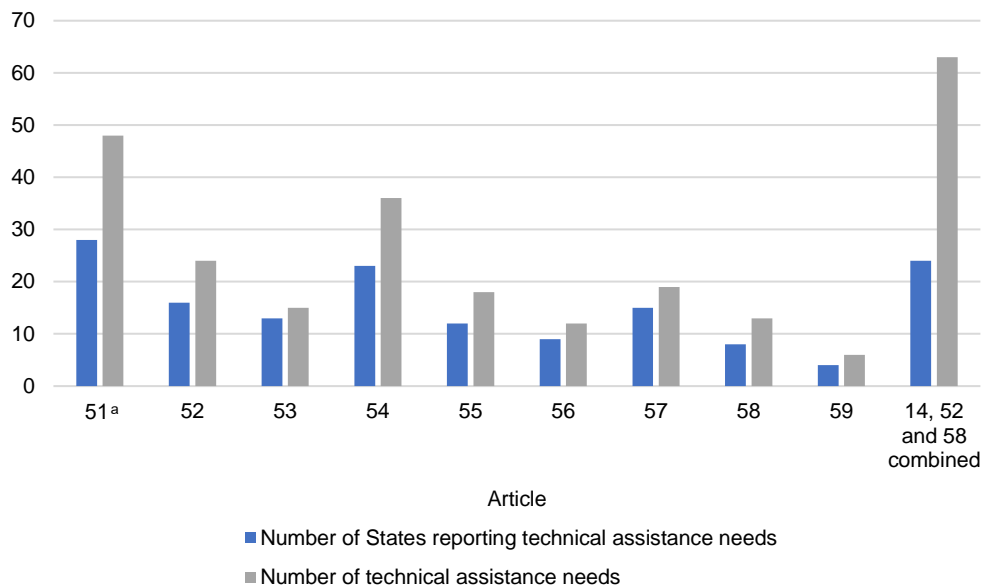
35. Taking into account these considerations, the three provisions of chapter V in relation to which the most needs were identified continued to be article 51, which establishes the return of assets as a fundamental principle (48 needs, including all general chapter V needs by 28 States), article 54 on mechanisms for recovery of property through international cooperation in confiscation (36 needs by 23 States) and article 52 on the prevention and detection of transfers of proceeds of crime (24 needs by 16 States). The outcomes in relation to challenges identified by reviewers showed that articles 57, 54 and 55 received the highest recommendations, with 189, 174 and 130 challenges uncovered in 70, 60 and 59 States, respectively.<sup>20</sup>

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<sup>19</sup> See [CAC/COSP/IRG/2023/10](#).

<sup>20</sup> See [CAC/COSP/2023/5](#).

Figure VI  
**Number of individual technical assistance needs and number of States identifying needs, by article (chapter V)**



<sup>a</sup> Including general needs for chapter V.

*General provision; special cooperation; bilateral and multilateral agreements and arrangements (arts. 51, 56 and 59)*

36. Needs in relation to article 51 as a general provision, including general chapter V needs, were identified in 48 instances by 28 States. Reflecting the significant variation in States' regulatory, institutional and operational frameworks for asset recovery, the needs identified under that provision were equally varied and often expressed in broad and general terms. These included the development of legal, policy and governance instruments underpinning coordination and cooperation mechanisms among law enforcement, investigative and prosecution authorities; training for officials and prosecutors in the tracking and tracing of property abroad, mutual legal assistance and the recovery and final disposal of property; technology-related and database-management needs; drafting or review of asset recovery legislation and standard operating procedures; support in the establishment of asset management entities; and support in engaging with regional and international asset-recovery initiatives and networks and facilitating cooperation with foreign countries in the area of asset recovery.

37. Article 56 on special cooperation or the proactive sharing of information with a view to building capacities and developing policies for the implementation of the provision collected twelve broadly phrased needs by nine States.

38. Article 59 on bilateral and multilateral agreements and arrangements garnered six needs from four States, which included general support in strengthening international and regional cooperation, including in law enforcement cooperation and support in negotiating bilateral agreements on asset recovery, including agreements on repatriation of stolen assets.

*Measures to prevent money-laundering; prevention and detection of transfers of proceeds and crime; financial intelligence unit (arts. 14, 52 and 58)*

39. Sixty-three needs were identified by 24 States through aggregation of the needs relating to article 52 on the prevention and detection of transfers of proceeds of crime with those identified in relation to article 14 on measures to prevent money-laundering and article 58 on financial intelligence units. As can be seen in figure VI, this was the topic with the highest number of technical assistance needs across both chapters,

representing nearly 12 per cent of all needs identified under the second cycle by 44 per cent of all States identifying any needs. This finding aligns with the considerable challenges identified by reviewers in the implementation of the three provisions, with 459 recommendations issued to at least 78 States.<sup>21</sup>

40. As was the case for article 8, paragraph 5, many needs under article 52 related to strengthening financial disclosure systems, including legislative assistance in drafting a law on asset disclosures and support in broadening the scope of legislation to cover a larger range of officials; assistance in enabling a financial intelligence unit to access asset disclosure information; the digitization of financial disclosure systems; and the development of procedures for receiving, monitoring and verifying financial declarations.

41. A significant number of needs related to training requirements for financial intelligence units and other relevant authorities, including in conducting financial analysis and financial investigations; the use of technological tools for data-gathering and analysis; tracing and detecting proceeds of crime and developing risk assessments; and digital and cybercrime forensics. Training needs targeting reporting entities, including designated non-financial businesses and professions, were also expressed by States.

42. Needs in relation to technological assistance included the establishment and strengthening of electronic record-keeping systems and database management; the digitalization of court records to facilitate asset recovery; and the use of technologies for strategic analysis to decipher underlying trends, threats and vulnerabilities for the purpose of preventing money-laundering and the financing of terrorism.

*Measures for direct recovery of property; mechanisms for recovery of property through international cooperation in confiscation; international cooperation for purposes of confiscation (arts. 53, 54 and 55)*

43. In relation to article 53 on the direct recovery of property, 13 States highlighted a total of 15 needs, only a third of which concerned legislative assistance. The remaining needs related to the sharing of good practices and lessons learned by other States in enabling a foreign State to directly initiate civil action before domestic courts in relation to the commission of an offence established under the Convention. The need for concrete guidance on the implementation of article 53 is consistent with the findings emanating from the reviews indicating that although there may be no legislative impediment, in the vast majority of States, there is no precedent for foreign States initiating civil litigation within their jurisdictions.<sup>22</sup>

44. Similarly mirroring the significant number of recommendations issued by reviewers in relation to articles 54 and 55 on international cooperation for the purpose of confiscation, 53 needs were identified by 24 States. Sixty per cent of these needs concerned capacity-building, including training on civil forfeiture proceedings; the development of policies or guidelines on confiscation and asset recovery; the drafting of mutual legal assistance requests; and public awareness-raising about asset forfeiture legislation, including to address myths and misperceptions regarding asset forfeiture proceedings. Research/data-gathering and analysis needs included support for the collection, storage and analysis of data for the production and publication of statistics on asset recovery and the establishment of a centralized case management system to track such information.

45. Around a fifth of the needs identified under the two provisions related to legislative assistance and were phrased in broad terms, with the exception of one need which related to support in reviewing its legal framework to enable non-conviction-based confiscation.

<sup>21</sup> See [CAC/COSP/IRG/2023/10](#).

<sup>22</sup> See [CAC/COSP/2023/5](#).

*Return and disposal of assets (art. 57)*

46. While article 57 on the return and disposal of assets was the article for which reviewers identified the highest number of challenges, with 189 recommendations issued to 70 States (or 85 per cent of all reviewed States), only 19 individual technical assistance needs were identified by 15 States, the majority of which did not reflect the common gaps identified in the reviews. Since article 57 is addressed to States in their capacity as requested States, insufficient legislative or other measures for the return of proceeds in requested States hosting the assets in question were identified as the main challenges and barriers to asset recovery.<sup>23</sup> In contrast, as indicated earlier, the technical assistance needs identified by States under this provision focused on enhancing the capacities from the perspective of requesting States and appeared to be categorized under that provision only because they were aimed at ultimately enabling the recovery of assets originating in their jurisdictions.

47. As such – with the exception of needs related to the drafting of a manual on asset recovery expenditure and expenses incurred in executing requests for mutual legal assistance and asset recovery, the development of procedures for the revaluation of seized property and its sale at a public auction and the provision of legislative assistance and a model law – States expressed such needs from the perspective of requesting States with respect to establishing communication with requested States for the recovery and final disposal of property; support in strengthening international and regional cooperation; and the sharing of good practices in these matters.

### **III. Technical assistance delivered by the United Nations Office on Drugs and Crime**

#### **A. Delivery framework and resources**

##### *Anti-corruption hubs and regional platforms*

48. Following the adoption of resolution 9/4 on “Strengthening the implementation of the United Nations Convention against Corruption at regional levels”, UNODC has continued to expand its regional platform approach aimed at helping States parties to accelerate the effective implementation of the Convention through the identification of shared regional anti-corruption challenges and priorities – including technical assistance needs identified through the Mechanism – and the development of a road map of commitments. Seven regional platforms have been established, covering Central America, South America and Mexico, East Africa, South-East Asia, Southern Africa, South-Eastern Europe, and West Africa and the Sahel, with two additional regional platforms to be launched in 2023 for the Caribbean and Central Asia.

49. In line with increased efforts made by UNODC to mainstream gender in all of its programmes, the platforms for Central America and for South America and Mexico included gender and information technology as transversal thematic areas, while the platform for West Africa and the Sahel mainstreamed gender throughout its action plan indicating gender-specific measures and efforts to be taken in the agreed upon thematic areas.

50. In addition to the regional platforms, UNODC has developed a new approach to its anti-corruption service delivery through the establishment of regional hubs and centres integrated in the UNODC field office network to strengthen anti-corruption technical assistance closer to the point of delivery to beneficiary countries. In time, the regional anti-corruption hubs will serve as repositories of regional expertise, good practices and lessons learned in the implementation of the Convention, as well as

<sup>23</sup> Ibid. See also [CAC/COSP/2023/15](#), which provides an overview of international recoveries and returns of stolen assets and insights into the current state of cross-border repatriation practices of the States parties the United Nations Convention against Corruption for the period from 2010 to 2023. See further UNODC, *Confiscated Asset Returns and the United Nations Convention against Corruption – A Net for All Fish* (Vienna, 2023).

facilitate the exchange of experiences between hubs in promotion of interregional and South-South cooperation.

51. The first anti-corruption regional hub was launched in Mexico in September 2021 to coordinate and provide technical assistance to States parties in Latin America and the Caribbean. Building on the experience gained under the regional platform for South America and Mexico, it identifies synergies with other anti-corruption initiatives, such as the Inter-American Convention against Corruption and its follow-up mechanism. Through a network of diverse and complementary expertise, the hub affords greater opportunities for UNODC to respond to needs arising out of Latin America and the Caribbean in a rapid and more effective manner. In support of and linked to the regional hub in Mexico, a subregional hub was established in Colombia in September 2023 for South America, and in 2024, a second subregional hub will be established in Panama for Central America and the Caribbean.

52. A second regional anti-corruption hub is being established in Kenya for Africa. Building on the experience gained under the regional platforms established for East Africa in 2017, Southern Africa in 2019, and West Africa and the Sahel in 2022, the hub will foster coordination and identify synergies with other anti-corruption initiatives, including those led by the African Union and the Southern African Development Community. This also aligns with the UNODC Strategic Vision for Africa 2030, which identifies safeguarding people and institutions from corruption and economic crime as one of its five goals and supports Agenda 2063: The Africa We Want of the African Union.

53. UNODC is planning to expand its regional footprint further in the coming years, including through the establishment of additional regional anti-corruption hubs and platforms.

*Coordination and cooperation in the delivery of technical assistance*

54. In order to avoid the duplication of effort, UNODC continued to strategically prioritize and deliver technical assistance in coordination with other assistance providers, development partners and international organizations.

55. In the context of strengthening transparency and the use of open data in public procurement, UNODC reinforced its cooperation with the non-profit organization Open Contracting Partnership through a framework agreement to support such work in 30 countries. UNODC similarly expanded its cooperation with Open Ownership, a non-governmental organization, to provide expert advisory services and long-term mentorship to countries implementing beneficial ownership reforms, including how to harness such information to achieve anti-corruption goals.

56. UNODC continued to collaborate with entities within and outside the United Nations system. In this respect, within the United Nations System UNODC collaborated with the United Nations Development Programme; the United Nations Educational, Scientific and Cultural Organization; the United Nations Global Compact; United Nations peacekeeping operations; and the United Nations resident coordinator system. UNODC also strengthened its cooperation with the International Monetary Fund and the World Bank.

57. UNODC actively contributed to the work of the Group of 20 Anti-Corruption Working Group under the presidencies of India and Indonesia and participated in the Group's meetings. In 2022, UNODC supported the development of deliverables on enhancing the role of audits in tackling corruption, good practices in public participation and anti-corruption education, and regulatory frameworks and supervisory measures for legal professionals. In 2023, UNODC supported the drafting and development of deliverables on asset recovery, law enforcement cooperation and information-sharing, integrity and effectiveness of public bodies and authorities for preventing and combating corruption. UNODC also participated in and contributed to meetings of the Organisation for Economic Co-operation and Development (OECD) Working Group on Bribery in International Business Transactions, the Organization



of American States Mechanism for Follow-Up on the Implementation of the Inter-American Convention against Corruption and the Group of States against Corruption of the Council of Europe.

58. UNODC also cooperated with and contributed to the work of a number of other intergovernmental and non-governmental organizations, including the African Union (including the Commission as well as the African Union Advisory Board Against Corruption), the Asia-Pacific Economic Cooperation, the Association of Southeast Asian Nations (ASEAN), the Basel Institute on Governance, the Commonwealth Secretariat, the Eastern Partnership, the Economic Community of West African States, the East African Association of Anti-Corruption Authorities, the European Union Agency for Criminal Justice Cooperation, the Global Organization of Parliamentarians against Corruption, the Group of Seven, the International Association of Anti-Corruption Authorities, the International Criminal Police Organization (INTERPOL), the Fédération Internationale de Football Association, the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, OECD and its Development Assistance Committee's Anti-Corruption Task Team, the Organization of Latin American and Caribbean Supreme Audit Institutions, the International Organization of Supreme Audit Institutions, the Southern African Development Community and the global wildlife trade specialist TRAFFIC.

## **B. Technical assistance provided to national authorities to prevent and combat corruption effectively**

59. The present report provides an abbreviated account of the technical assistance delivered from October 2021 to September 2023. The majority of information on technical assistance provided by UNODC is contained in the following notes by and reports of the Secretariat: "Progress on the implementation of Conference resolution 9/6, entitled 'Follow-up to the Marrakech declaration on the prevention of corruption'" (CAC/COSP/2023/13); "Activities of the Open-ended Intergovernmental Working Group on Asset Recovery and the work of UNODC to promote asset recovery" (CAC/COSP/2023/14); "Activities of the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption and the work of UNODC to promote international cooperation" (CAC/COSP/2023/17) and report of the Secretariat entitled "Progress on the implementation of Conference resolution 9/3 entitled 'Follow up to the Abu Dhabi declaration on enhancing collaboration between the supreme audit institutions and anti-corruption bodies to more effectively prevent and fight corruption, and the use of information and communications technologies'" (CAC/COSP/2023/12).

60. With regard to technical assistance provided to national authorities in the implementation of chapter III (Criminalization and law enforcement) of the Convention, UNODC continued to support national and regional training programmes on strengthening the investigation and prosecution of corruption cases, including transnational and cross-border cooperation, sharing of intelligence and evidence, and joint investigations. Some of this work is detailed in the reports cited in the previous paragraph, including with regard to the protection of reporting persons under chapter III. Nevertheless, the Conference has not requested the secretariat to report on technical assistance delivered with regard to most of chapter III of the Convention, although such assistance forms a significant portion of the overall technical assistance delivery of UNODC. The Conference may wish to consider an appropriate manner in which to request such a report for consideration at future sessions of the Conference.

## **IV. Conclusion and issues for further consideration**

61. Since the ninth session of the Conference of the States Parties, in December 2021, the lockdowns and travel restrictions associated with the coronavirus disease (COVID-19) pandemic have largely subsided. Nevertheless, during the past few



years, UNODC has sought to adapt its technical assistance delivery to respond to new areas of corruption risk, including in crisis response and recovery, streamlining public procurement processes and strengthening the role of supreme audit institutions. The COVID-19 pandemic has also continued to test the strength of legal and institutional frameworks, and the need to integrate corruption prevention and integrity measures into the recovery process has rarely been more pronounced. This was reflected in the types of needs identified by States in the second cycle reviews since the eighth session of the Conference, with a number of States increasingly choosing to express needs without linking them to any particular provision of the Convention, and instead referring to broader and more cross-cutting needs aimed at addressing challenges identified during the review process. Such needs require particularly targeted and long-term assistance tailored to the specific challenges and legal, policy and institutional frameworks already in place in those States.

62. At the same time, UNODC has sought innovative ways of continuing to deliver new and ongoing programmes. This has resulted in new initiatives to deploy more expert capacity to the field and closer to the point of technical assistance delivery through the regional anti-corruption hubs and platforms described earlier in this document. More effective assistance has also been experienced through the establishment and operation of online platforms to facilitate access to technical resources and secure communication channels launched by the Global Judicial Integrity Network and the Global Operational Network of Anti-Corruption Law Enforcement Authorities. The use of technology has also been witnessed both in terms of technical assistance delivery through reaching broader audiences, facilitating e-learning opportunities and increasing the use of dynamic and interactive methodologies for in-person training and capacity-building activities, and in terms of integrating technology solutions in the prevention and detection of corruption in systems of public procurement, financial account monitoring and the review of asset and interest declarations, among others.

63. In this context, the Conference may wish to recognize the increasing demand for technical assistance aimed at implementing the Convention, as evidenced by the number of needs emerging directly from the reviews, as well as of the requests that are communicated to the secretariat and other technical assistance providers on an ongoing basis. The Conference may therefore wish to reaffirm the importance of technical assistance throughout and beyond the period of crisis recovery, during which corruption prevention measures help to ensure an inclusive and sustainable recovery. The Conference may also wish to call upon States parties to support initiatives to expand the use of technology in the design and delivery of technical assistance activities and programmes. In this regard, the Conference may wish to call upon States parties and other donors to reconfirm their commitment to effective technical assistance delivery at the national, regional and global levels, including through support to the regional anti-corruption hubs and platforms of UNODC as well as its global networks, and to the provision of financial means, in particular in the form of multi-year, soft-earmarked extrabudgetary contributions.