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International cooperation

Links between corruption and other forms of crime, including during times of emergencies and crisis response and recovery

Note by the Secretariat

Summary

The present document has been prepared pursuant to resolution 9/1 of the Conference of the States Parties to the United Nations Convention against Corruption, entitled “Sharm el-Sheikh declaration on strengthening international cooperation in the prevention of and fight against corruption during times of emergencies and crisis response and recovery”. The document contains an analysis of the responses received by 13 September 2023 from 45 States parties to the Convention to a questionnaire prepared by the secretariat for the purpose of collecting information regarding their experiences with links between corruption and other forms of crime, and on the measures they have taken to understand and address those interlinkages, both at the domestic level and transnationally.

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



I. Introduction

1. In its resolution 9/1, entitled “Sharm el-Sheikh declaration on strengthening international cooperation in the prevention of and fight against corruption during times of emergencies and crisis response and recovery”, the Conference of the States Parties to the United Nations Convention against Corruption encouraged States parties to further explore and enhance their knowledge of the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering, including during times of emergencies and crisis response and recovery, to better strengthen integrity, transparency and accountability. It invited the secretariat, within existing resources, to compile a report on the voluntary information provided by States parties and submit it to the Conference at its tenth session. Resolution 9/1 echoed concerns raised by States in other relevant intergovernmental contexts.

2. Moreover, in the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, adopted by the General Assembly at its special session against corruption held in 2021, Member States expressed their concern about the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering, and committed to continue to enhance their understanding and strengthen their responses to any existing, growing and potential links, and disrupt them, recognizing that corruption can often be an enabler of other transnational crimes and illicit financial flows.

3. In its resolution 10/4, entitled “Celebrating the twentieth anniversary of the adoption of the United Nations Convention against Transnational Organized Crime and promoting its effective implementation”, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime called upon its States parties to effectively address links between organized crime and other serious crimes, including corruption and money-laundering, as well as illicit financial flows related to proceeds of crimes covered by the Convention.

4. Over the past decade, and particularly in recent years, there has been growing interest in understanding and addressing the links between corruption and other forms of crime. In 2011, the United Nations Office on Drugs and Crime (UNODC) published an issue paper on “The role of corruption in trafficking in persons”,¹ and for the thirteenth meeting of the Working Group on Trafficking in Persons, held in October 2023, the secretariat prepared a background paper on “Emerging knowledge and practice regarding the prevention of and response to corruption in the context of trafficking in persons” (CTOC/COP/WG.4/2023/2). UNODC is also developing a case digest on how prosecutors and judges have dealt with such cases and conducting a global study on the entry points for corruption along the trafficking chain, with the aim of identifying how anti-corruption interventions can help prevent or detect cases of trafficking.² The Working Group on Firearms has dedicated an agenda item to the topic of reducing illicit financial and arms flows to achieve target 16.4 of the Sustainable Development Goals (see CTOC/COP/WG.6/2021/4), and a background paper by the secretariat examines corruption in the context of illicit arms flows (CTOC/COP/WG.6/2021/2).

¹ See www.unodc.org/documents/human-trafficking/2011/Issue_Paper_-_The_Role_of_Corruption_in_Trafficking_in_Persons.pdf.

² Similar efforts have been undertaken by other international organizations, such as the Organisation for Economic Co-operation and Development, through its report on “Trafficking in persons and corruption: breaking the chain – highlights”, and the Group of 20 (G20), through the adoption of the G20 High-Level Principles on Corruption related to Organized Crime. Civil society organizations, such as the Global Initiative against Transnational Organized Crime, have also developed resources on the topic. See Ian Tenant, “All roads lead to Rome: towards a coordinated multilateral response to organized crime and corruption” (Geneva, Global Initiative against Transnational Organized Crime, 2021).

5. In 2022, the secretariat touched on the matter in a conference room paper prepared in line with paragraphs 22 and 23 of Conference resolution 9/1 (CAC/COSP/EG.1/2022/CRP.1). Although the focus of the paper was on good practices and challenges in international cooperation in combating corruption during times of emergencies and crisis response and recovery, its section IV also included an analysis of information provided by 23 States on the links between corruption and other forms of crime, including during times of emergencies and crisis response and recovery.

6. The present document has been prepared pursuant to the mandate contained in paragraph 22 of Conference resolution 9/1. To facilitate the gathering of information, a questionnaire enclosed with a note verbale was circulated in July 2023, inviting States parties³ to provide relevant information. As at 13 September 2023, the secretariat had received responses from 45 States.⁴ The submissions represented all regions, with 7 African States, 11 Asia-Pacific States, 12 Eastern European States, 8 Latin American and Caribbean States, and 6 Western European and other States providing responses, in addition to the European Union. The full texts of the submissions have been made available on the UNODC website.⁵

7. Although the information provided by States gives an account of their efforts to understand and respond to corruption linked with other forms of crime, the results must be interpreted with a degree of caution. Despite the fact that the questionnaire followed a multiple-choice structure with various options to facilitate quantitative analysis, as well as space to provide detailed information on the selected response, numerous States chose instead to convey information through narrative text alone. For the purpose of the analysis, any options not selected were interpreted as not being applicable to the State, unless the narrative text indicated otherwise. Conversely, many States selected options without providing details or provided general information that did not specifically address the particular question.

8. Moreover, the institutions providing the responses varied (in descending order by number of submissions) from preventive and investigative anti-corruption authorities to public prosecution offices, ministries of justice, police forces, ministries of foreign affairs, ministries of interior, a state intelligence agency and a financial intelligence unit. Four States submitted multiple responses from different authorities, which were quantified cumulatively for the purposes of the analysis. The focus attributed to certain aspects and the absence of information on others illustrate the varying degrees of specialization of the responding national counterparts and their experience or understanding of the particular types of corruption associated with other forms of crime and countermeasures. The results of the analysis are consequently influenced by the type of institution providing the information for each State. Despite this, the analysis sheds light on the typologies of crime linked with corruption and on efforts undertaken to address them in the 45 responding States parties.

9. The present document is structured as follows: section II examines the assessments and analyses undertaken by States to understand the links between corruption and other forms of crime; section III analyses the typologies of crime that have links with corruption, as identified by States; and section IV considers the

³ To achieve wider circulation, the secretariat shared a generic version of the note verbale and the questionnaire with the designated focal points and governmental experts who were active in country reviews at the time of drafting, as well as authorities working with the secretariat through its field offices and regional hubs.

⁴ Albania, Algeria, Belarus, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Costa Rica, Cyprus, Denmark, Egypt, El Salvador, Georgia, Guinea, Haiti, Hungary, Iraq, Italy, Jordan, Kuwait, Kyrgyzstan, Madagascar, Malawi, Mexico, Myanmar, Norway, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Serbia, Slovakia, Spain, Tajikistan, Thailand, Ukraine and Yemen, and the European Union.

⁵ See www.unodc.org/unodc/en/corruption/COSP/session10.html.

measures adopted by States to respond to corruption linked with other forms of crime and to facilitate international cooperation in that regard.

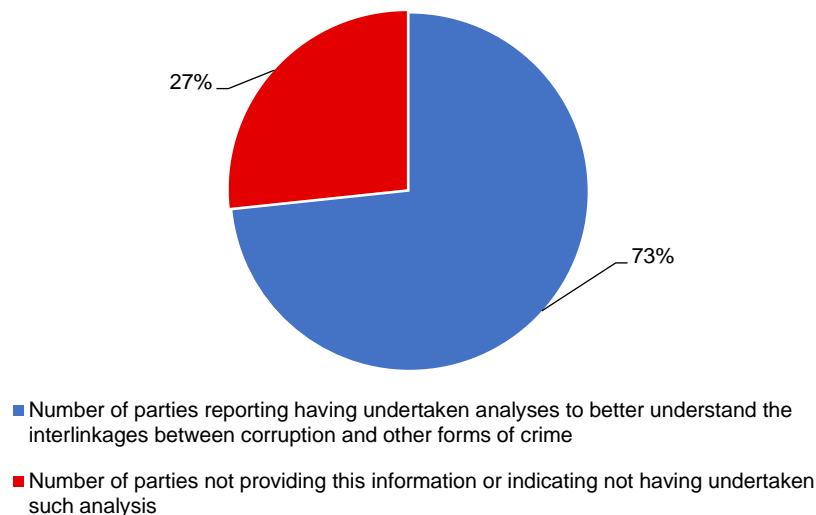
II. Efforts undertaken to better understand the links between corruption and other forms of crime

Analyses aimed at understanding the links between corruption and other forms of crime

10. As shown in figure I, nearly three quarters of the responding States parties indicated that they had undertaken or were in the process of undertaking analyses or assessments to better understand the interlinkages between corruption and other forms of crime, including typologies of crime and the ways in which corruption could be used to facilitate and enable organized, economic and other crime, and vice versa. Despite this relatively high percentage, the responses indicate that most States undertake such analyses in very specific contexts, often in relation to efforts to understand money-laundering, rather than systematically across different forms of crime.

Figure I

Analyses or assessments undertaken to better understand the interlinkages between corruption and other forms of crime



11. Nearly half of the countries that had conducted relevant studies referred to national risk assessments of money-laundering and terrorism financing, which had shed light on how corruption served as a facilitator for the commission of predicate offences to money-laundering, or as a predicate offence itself. Panama explained that its national risk assessment had revealed interlinkages between corruption and transnational organized crime, as its location as a transit country enabled such crimes to develop through corruption. Albania reported that its national risk assessment had revealed corruption to be one of the main predicate offences, along with the production of and trafficking in drugs, tax evasion and customs crime.

12. The Republic of Moldova reported that it examined trends in the links between corruption risks and risks related to other related crimes by analysing data on convictions and disciplinary sanctions. Similarly, Romania reported that its anti-corruption body was in the process of carrying out a study on the typology of corruption offences associated with organized crime, based on final court decisions. Norway explained that it issued biennial threat assessments on economic and environmental crime, which assessed the risks of corruption, its interlinkages with other forms of crime, as well as the impact of and interrelationship between the

crime of corruption and geopolitical challenges such as conflict, public health crises and climate change.

13. Some States undertook efforts to better address crimes that are interlinked with corruption through coordinated approaches involving anti-corruption experts or authorities, investigators or prosecutors. Poland reported having a dedicated department for organized crime and corruption within the prosecutor's office that analysed typologies of various forms of corruption on a regular basis as part of its coordination work in investigations involving corruption. In Cyprus, an anti-corruption task force consisting of public prosecutors, anti-money-laundering officers and police officers had been established with the aim of supervising the investigation and prosecution of corruption-related cases. The task force systematically analysed all reported cases to assess whether an element of corruption existed and if so, whether there were linkages with other forms of crime.

14. In terms of methodology, States utilized different methods of data analysis. The methodology in Portugal involved the production of statistical reports on the basis of criminal data registered and analysed by law enforcement agencies to identify trends and correlations between corruption and other criminal activities; case studies that provided insights into how corruption could enable other crimes, and vice versa; and financial investigations that enabled the tracing of money flows and assets to identify connections between corrupt practices and illicit activities. In terms of approaches, Portugal highlighted the use of research studies to identify patterns; international collaboration to enable the sharing of experiences and best practices; and legislative and policy analysis to identify gaps enabling corruption-related crimes.

Box 1

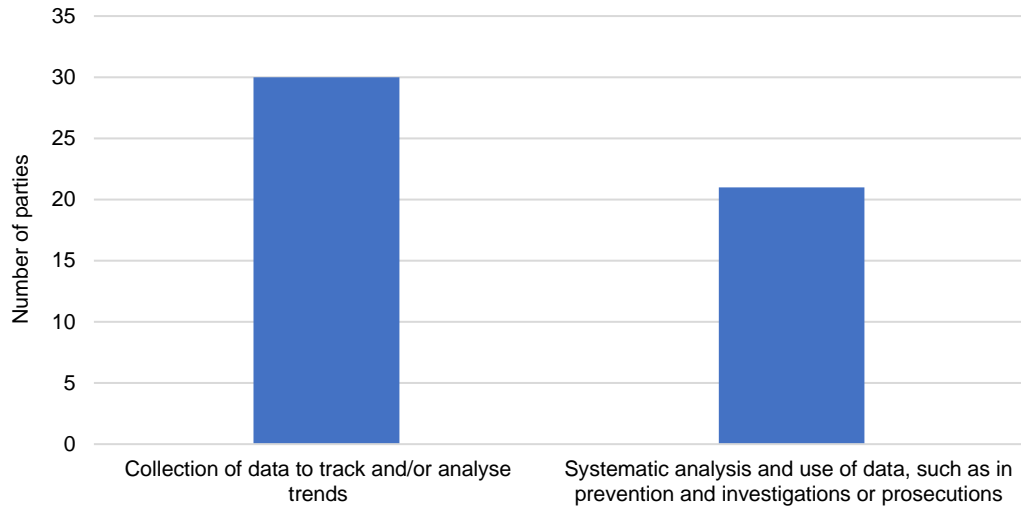
Italy reported on the use of different methodologies by various actors, including academia, authorities such as law enforcement agencies and police forces and regulatory bodies such as the financial intelligence unit. Their analysis was consolidated in a periodic report by the Anti-Mafia Commission of the National Parliament, which was published online. The methods of analysis ranged from more case-oriented approaches by law enforcement agencies to those based on risk indicators and other specific parameters.

15. The responses reflected the challenges in achieving an understanding of the links between corruption and other forms of crime. Most States reported on measures taken to assess corruption or corruption linked with fraud, money-laundering and other economic crimes, but to a lesser extent on assessments specifically aimed at uncovering the links between corruption and other crimes, particularly those not of an economic nature. Even among States that had undertaken such analyses, limited information was provided on the methodology and processes adopted.

Efforts undertaken to collect data to analyse trends related to the links between corruption and other forms of crime

16. As shown in figure II, about 67 per cent of responding parties reported collecting data or statistics to track and/or analyse trends related to the links between corruption and the typologies of crime experienced in their jurisdictions (as detailed in section II below). Of those parties, some 70 per cent reported that such data was systematically analysed and used, including in crime prevention and investigations or prosecutions. As was the case with regard to the analyses reflected in figure I, these relatively high percentages can be explained by States reporting on the collection of general statistics rather than on specific statistics related to the links between corruption and other forms crime.

Figure II
Collection of data or statistics to track and/or analyse trends related to the links between corruption and different types of crime



17. Italy reported on the systematic use of such data by police forces and law enforcement agencies to prevent and investigate corruption and organized crime, as well as to inform the legislative process, administrative procedures and other countermeasures to prevent corruption or serious criminal activity.

18. Several States reported on the various institutions and departments tasked with relevant data analysis, with a range of approaches taken to such analysis. In Georgia, a unit within the anti-corruption authority performed analytical work utilizing data on pending cases, received statements and persons facing criminal charges. In Tajikistan, a unit within the interior ministry was tasked with collecting and processing all information on crimes committed within the country's jurisdiction. In Poland, a department for organized crime and corruption within the public prosecutor's office prepared annual reports on investigations into and the prosecution of corruption in the country, outlining the risks and current typologies. Thailand had set up a corruption deterrence centre to assess the circumstances that could give rise to corruption, using a system for corruption risk analysis that utilized data from various sectors.

19. El Salvador indicated that it did not collect such data, while other States reported collecting data on specific criminal offences, such as tax evasion and trafficking offences, but not with a view to analysing the links between corruption and those other types of crime.

20. Few States reported on the methodologies used for strengthening measurement of the data on interlinkages or achieving a deeper understanding of the different contexts (such as times of peace, emergencies or conflict situations) and sectors, including law enforcement, border management, immigration, intelligence and security and procurement, or reported on any corruption or organized crime threat assessments that took into account the interlinkages between corruption and other forms of crime. Among those that did, Spain noted that it collected data and developed intelligence products that directed its strategic objectives. The strategic plan of one of its law enforcement authorities had recently been developed to include components on countering organized crime and its influence on corruption-related crimes, on the basis of the monitoring of established indicators.

Box 2

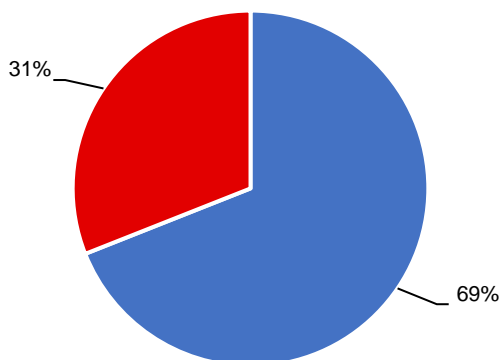
Portugal reported that information was collected at the local, regional and national levels and subsequently analysed at those levels in the form of statistical reports, which served as the basis for the production of working tools aimed at reducing the risk, occurrence and impact of corruption. Further statistical data on corruption and related crimes was collected annually by various authorities, including authorities in the area of law enforcement, border management, immigration, intelligence and security and procurement and authorities charged with countering drug trafficking, tax evasion and money-laundering, enabling the identification of existing and emerging criminological phenomena and the creation of risk identification and mitigation plans.

Other steps taken to better understand and study the linkages between corruption and other forms of crime

21. As shown in figure III, about 69 per cent of responding parties reported having taken other steps at the local, national or regional levels to better understand and study the linkages between corruption and other crimes, such as criminological research, training and awareness-raising.

Figure III

Steps taken at the local, national or regional levels to better understand and study the linkages between corruption and other crimes



- Number of parties indicating that they have taken steps to better understand and study the linkages between corruption and other crimes
- Number of parties not providing this information, or indicating that they had not taken such steps

22. Several States⁶ reported on training activities, including by academic institutions and regional organizations, on the detection and investigation of corruption,⁷ money-laundering⁸ and public procurement for the police,⁹ and on round tables and conferences where topical issues relating to countering corruption and other types of crime were discussed.¹⁰ In most cases, the training and other measures described by States were dedicated to corruption-related topics rather than the linkages between corruption and other types of crime.

23. Algeria indicated that its national police had established an institute that studied the links between different forms of crime, and Spain reported on training activities for officials performing investigative functions related to crimes involving corruption-related conduct to enhance their technical capabilities in the analysis and

⁶ Algeria, Paraguay, Slovakia, and Tajikistan.

⁷ Slovakia.

⁸ Paraguay.

⁹ Algeria.

¹⁰ Tajikistan.

investigation of such crimes. Italy listed several academic courses that were offered in the country on the topics of corruption and organized crime, and Burkina Faso referred to a master's degree in governance and development aimed at practitioners specializing in the fight against corruption and senior officials from the security and defence sectors.

24. Botswana referred to the establishment of the Commonwealth Africa Anti-Corruption Centre, which provided capacity-building to officials from anti-corruption agencies in various Commonwealth African countries. Botswana had also conducted a pilot training course on cybercrime in recognition of the fact that cyberspace had become an enabler of crime and corruption.

25. States also indicated the need for domestic collaboration with a view to better understanding the linkages between corruption and other forms of crime. Panama explained that an inter-institutional working group had been set up through a memorandum of understanding signed between the Attorney General's Office, the Ministry of Security and the National Authority for Transparency and Access to Information to establish a framework of action for the development of joint anti-corruption efforts. The Republic of Moldova noted the importance of exchanges of experience and best practices at the national level, as well as among similar entities in different countries.

Aspects requiring further research

26. States' responses varied concerning gaps in knowledge or understanding that, if addressed, could facilitate efforts to counter corruption as it related to other forms of crime, as well as other areas that required further research.

27. While several States reported on aspects exclusively related to corruption independent of its links with other crimes, El Salvador indicated the need for specialized knowledge in cases where acts of corruption were committed with other forms of crime. Panama stressed the need for academic studies to examine in depth the relationship between corruption and other forms of organized crime to support authorities in addressing the issues with greater precision. Georgia, Kyrgyzstan and Thailand noted the value of learning more about how corruption facilitated other crimes and exchanging best practices to prevent those manifestations.

28. Portugal identified the following 10 research gaps that, if addressed, could contribute to more effective strategies in countering such crimes: (a) the causal relationships and dynamics between corruption and other forms of crime; (b) the impact on vulnerable sectors of society of such crimes; (c) how cross-border corruption networks are connected to transnational crimes; (d) technological advances and how corruption interacts with cybercrime, data breaches and digital financial crimes; (e) the role of financial systems and illicit financial flows in corruption and other crimes; (f) the impact of corruption-related crimes on governance and the rule of law; (g) the social and cultural factors that contribute to corruption and other forms of crime; (h) the connections between corruption in the corporate sector; (i) the potential for whistle-blower protection mechanisms to expose corruption-related crimes; and (j) the role of data-sharing and analysis between relevant agencies for enhanced identification and prevention of corruption-related crimes. In that regard, Portugal stressed the importance for researchers, policymakers, law enforcement agencies and civil society of collaborating on conducting research and sharing findings to develop evidence-based strategies that effectively addressed such complex challenges.

29. Several States¹¹ referred to the need to deepen their understanding of cryptocurrency, cybercrime and other crimes enabled by the use of new technologies. Spain, notably, reported that the use of new types of fraud related to online tools and increasingly involving the use of cryptoassets complicated the ability to trace the flow of illicit capital and the efforts of investigators. Similarly,

¹¹ Botswana, Iraq, Kyrgyzstan, Madagascar, Pakistan, Portugal, Slovakia and Spain.

Madagascar explained that the legal vacuum and the lack of knowledge concerning virtual assets hampered efforts to respond to cases of corruption linked with other forms of crime involving such assets. In view of the evolving nature of corruption linked to other forms of crime through the development of new information and communications technologies, such as the use of encrypted communication applications and the transfer of certain illicit funds to the virtual cyberspace by criminals, Slovakia emphasized the need for continuous training and the need to strengthen the professional profiling of personnel capacities in order to better detect criminal activities related to corruption.

30. In a similar manner, with regard to the issue of corruption-related crimes becoming undetectable, Spain referred to the practice by companies of retaining tax domiciles in countries considered to be tax havens, which, owing to their opacity, significantly impeded the investigation of related crimes.

31. Madagascar, Pakistan and Thailand referred to the need to further develop an understanding of the interlinkages between corruption and crimes that affect the environment, including those involving endangered species. Moreover, Madagascar noted that corruption linked to trafficking in natural resources and the coordination of investigations into and the repression of such trafficking, from detection to money-laundering and asset recovery, were areas requiring further research.

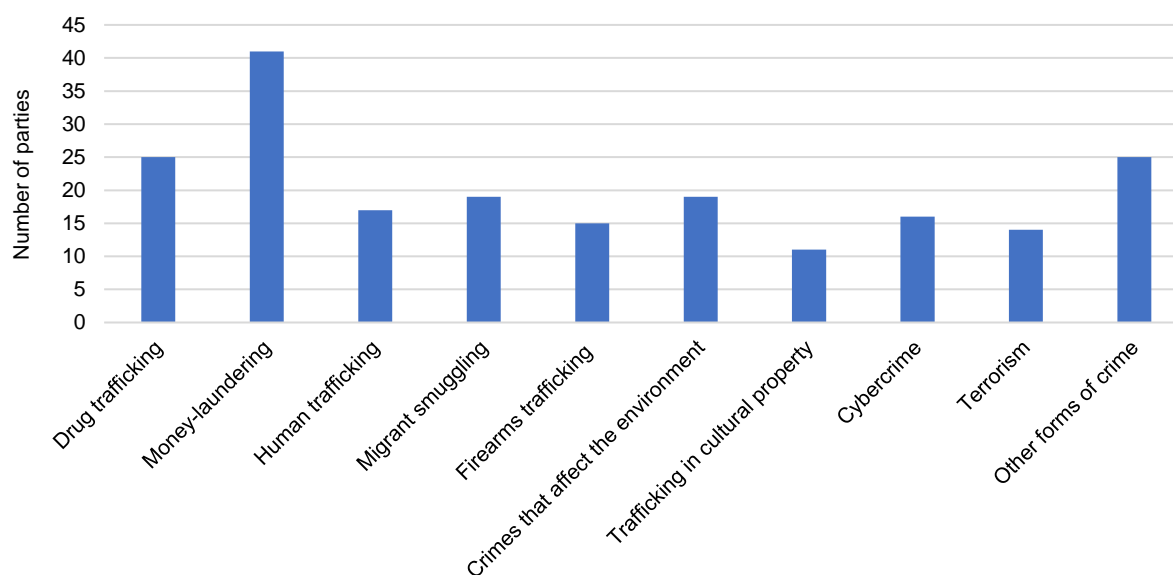
32. Italy indicated that focus should be placed on understanding the infiltration of organized crime into the legal economy through corruption. That could be achieved by identifying all possible risk indicators through case-based analysis of the behaviour of transnational organized criminal groups. Noting the potential of those groups to gain economic and social control, Italy noted that such groups were seen by the local population as a substitute for legal institutions, providing employment and services by offering alternatives to national or local authorities. Hungary similarly referred to the need for research into the secondary consequences of corruption at the societal level to better combat corruption and related crimes.

III. Typologies of crime linked to corruption

33. States were asked to indicate what types of crime were most frequently associated with corruption and to provide details of the interlinkages. As shown in figure IV, money-laundering was by far the typology of crime most commonly reported as having interlinkages with corruption, with 91 per cent of responding parties indicating such a link.

Figure IV

Typologies of crime linked to corruption, as identified by parties



34. Drug trafficking and the catch-all phrase “other forms of economic crime, organized crime or other crime with links to corruption” were both reported by nearly 56 per cent of responding States as having interlinkages with corruption. Under the category “other forms of crime”, States referred in particular to fraud and forgery, including tax fraud, customs fraud and crimes related to monopolistic practices and unfair competition. Other forms of crime noted by States included trafficking in gold and precious stones, illicit wildlife trade, offences relating to foreign exchange regulations and capital movements to and from abroad, crimes against intellectual property, such as trademark counterfeiting and smuggling, illicit speculation, vehicle trafficking, illegal migration, foreign interference, corruption in sport and cattle theft.

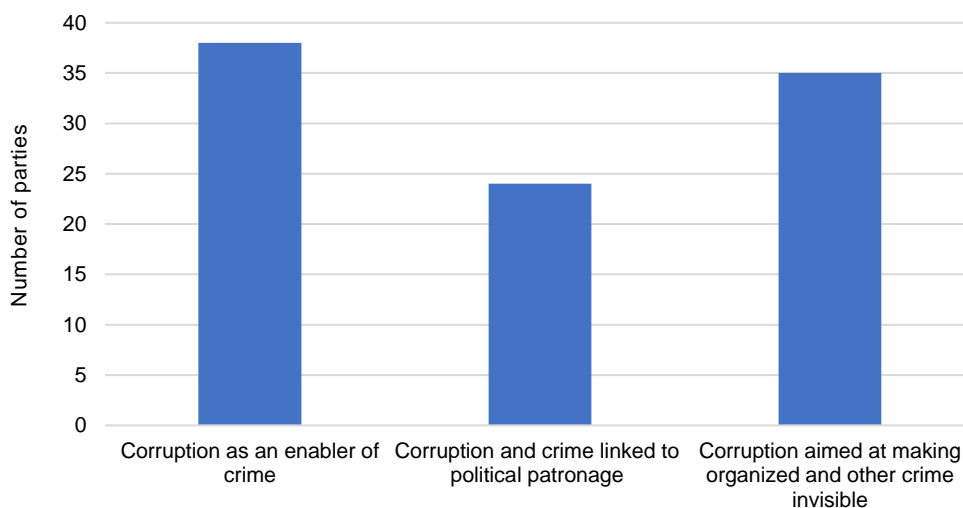
35. Crimes that affect the environment and migrant smuggling were both reported by 42 per cent of the responding States, followed by human trafficking (38 per cent), cybercrime (36 per cent), firearms trafficking (33 per cent), terrorism (31 per cent), and trafficking in cultural property (24 per cent).

36. With regard to the types of interlinkages between corruption and other forms of crime, States reported that corruption could contribute to impunity for other types of crime by providing the leverage to facilitate and execute them, as well as to make them invisible, and often exacerbated those crimes through the involvement of powerful elites. The responses can therefore be grouped into the following three main categories, which are described further below: (a) corruption as an enabler of crime; (b) corruption and crime linked to political patronage; and (c) corruption aimed at making organized and other crime invisible.

37. Notably, as shown in figure V, over 84 per cent of reporting States referred to cases in which corruption served as an enabler of crime; 78 per cent reported cases in which corruption was aimed at making organized and other crime invisible; and over 53 per cent reported cases of corruption and crime linked to political patronage.

Figure V

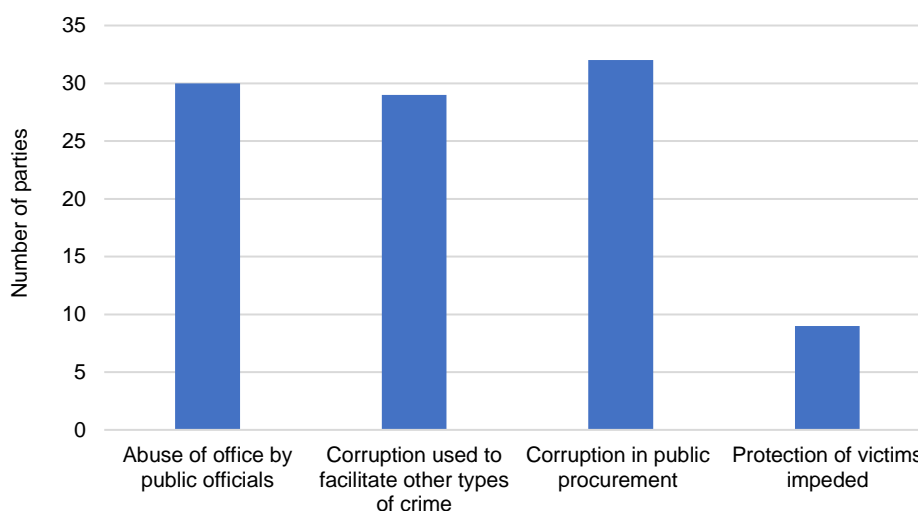
Most common types of interlinkages between corruption and other forms of crime



Corruption as an enabler of crime

38. As shown in figure VI, the most frequent type of cases in which corruption served as an enabler of crime involved corruption in public procurement. Over 71 per cent of responding States reported cases in which corruption in public procurement had served to advance the interests of public officials and their associates or cases in which officials had given preferential access to contracts and tenders to their associates in cases involving other crimes.

Figure VI
Cases in which corruption served as an enabler of crime

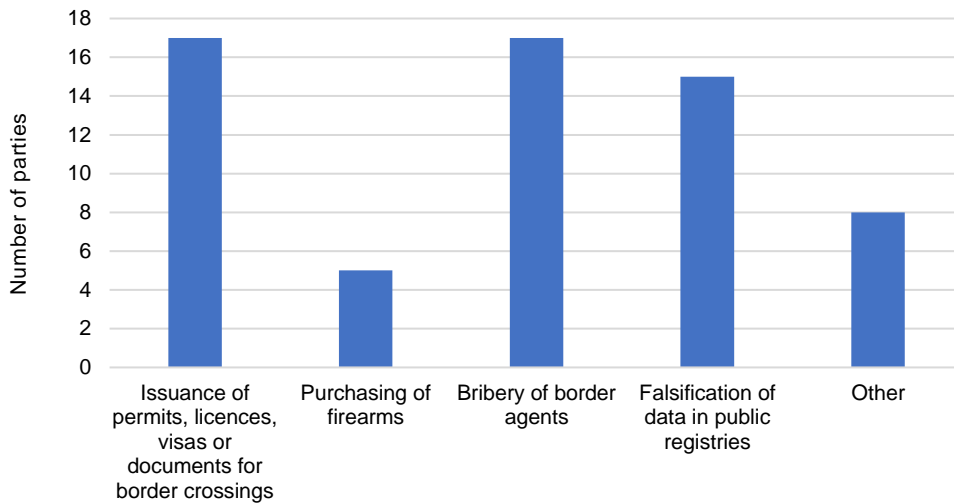


39. The second most reported type of cases in which corruption served as an enabler of crime involved the abuse by public officials of their office to facilitate criminal activity, to protect certain criminal individuals and entities, or to gain support from them, including by providing funding or protection or to gain and control public resources. About 67 per cent of reporting States referred to such cases in their jurisdictions. Burkina Faso shared information on a case involving hydrocarbon smuggling, in which smugglers had been able to pass unhindered through checkpoints at specific times when certain customs staff could be bribed, and the proceeds from the smuggled fuel had subsequently been laundered through movable and immovable property, and deliveries of smuggled fuel to armed terrorist groups were reported. Georgia shared information on a case in which a senior police official had taken bribes to facilitate drug trafficking through the international airport. Egypt, Romania and Saudi Arabia also reported cases in which the border police and other public officials had been bribed to facilitate tobacco smuggling, migrant smuggling, human trafficking and the smuggling of cultural property.

40. Cases of corruption being used to facilitate other types of crime, such as trafficking in persons, illicit trade in or smuggling of drugs across borders were reported by over 64 per cent of reporting States. As shown in figure VII, about 59 per cent of those cases involved the issuance of permits, licences, visas or documents for border crossings, as well as the bribery of border agents; over 52 per cent involved the falsification of data in public registries; and over 17 per cent involved the purchasing of firearms. Hungary shared information on a case in which veterinary authorities had issued international transport licences in exchange for bribes without carrying out the required controls in relation to food production and the authorization to transport live animals abroad. Saudi Arabia reported on the conviction of a former notary for crimes of bribery, abuse of power, the wasting of public funds, forgery and money-laundering for illegally issuing land deeds. Another case also reported by Saudi Arabia involved a consul collaborating with his deputy at an embassy in a foreign country to take bribes for issuing work visas.

41. A fifth of the States reported cases in which the protection of victims of crime and corruption was impeded by corruption involving public officials or persons in the private sector.

Figure VII
Cases involving the use of corruption to facilitate other types of crime



Corruption and crime linked to political patronage

42. As shown in figure VIII, with regard to cases involving corruption and crime linked to political patronage, almost half (47 per cent) of reporting parties referred to cases in which criminal individuals and entities had attempted to use corruption to obtain access to political leadership or to gain power and influence. That was done through trading in influence in a large majority of cases (over 80 per cent), through political party financing (67 per cent), or through other means, such as nepotism or corruption in elections (29 per cent) (see figure IX). The Republic of Moldova reported on a criminal case in which a former member of parliament had accepted and used funds from an organized criminal group for electoral purposes.

43. Almost a third (31 per cent) of States reported cases of attempts to influence the appointment of public officials to build dependency through corruption or other crimes. About 29 per cent reported cases in which crime and corruption had been used to attempt to influence or disrupt elections.

Figure VIII
Cases of corruption and crime linked to political patronage

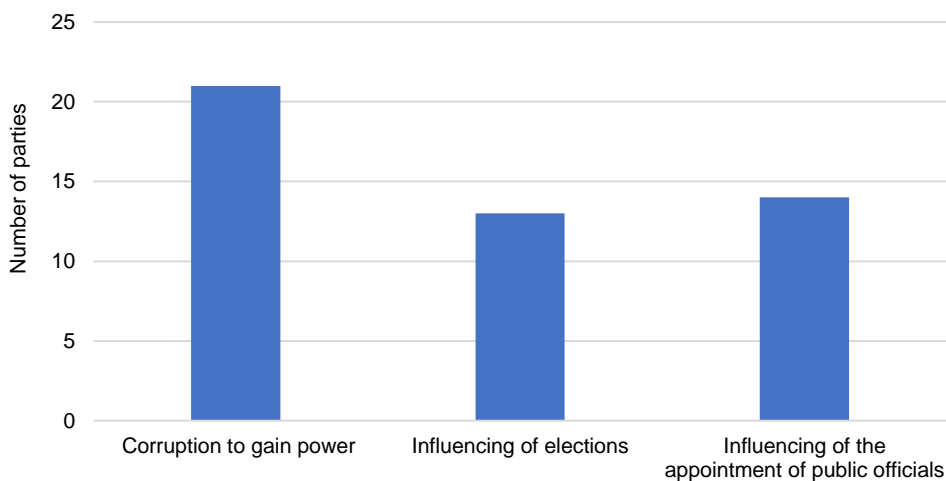
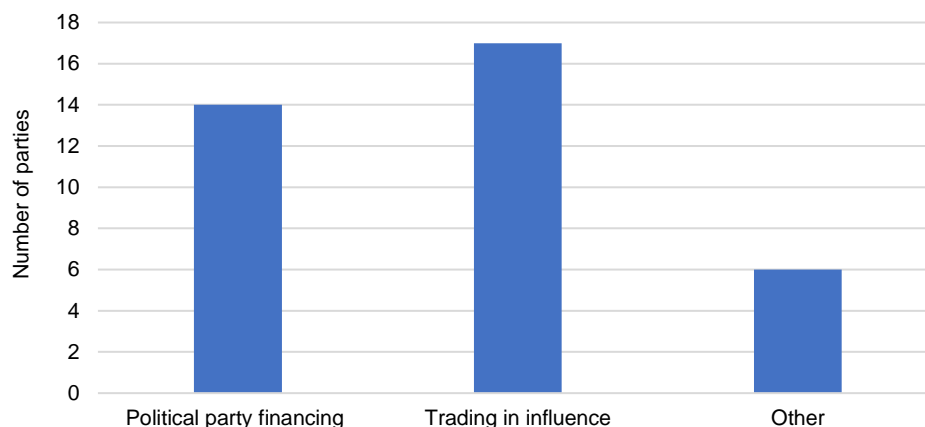


Figure IX
Mechanisms used to access political leadership or gain influence



Corruption to make organized and other crime invisible

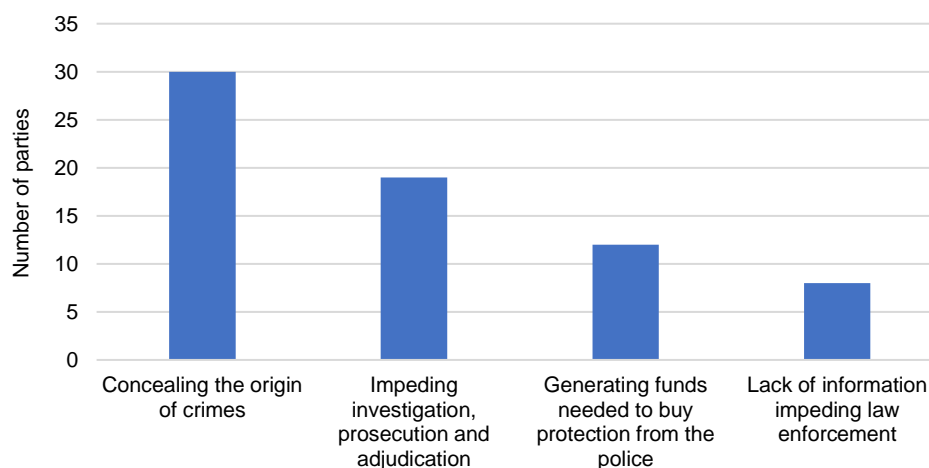
44. As shown in figure X, among the States that reported cases involving the use of corruption to make organized and other crime invisible, 67 per cent referred to cases in which criminals and their associates had used proceeds of crime and corruption for personal enrichment, to conceal the origin of crimes and for money-laundering, including where concealment of ownership was used to facilitate corruption and other forms of crime.

45. Over 42 per cent of reporting parties referred to cases of corruption being used to impede or prevent the investigation, prosecution and adjudication of organized and other crime, such as through bribery or the granting of political and other favours to law enforcement and judicial officers in exchange for turning a blind eye.

46. Cases of individuals and entities using corruption and other crimes to generate the funds needed to buy protection from the police, or cases of corruption in law enforcement authorities being used to shield organized crime were reported by 27 per cent of States. Norway shared information on a case in which a high-ranking police officer had been convicted of receiving bribes from the leader of a drug smuggling organization in exchange for helping him evade arrest, including by sharing information on when border controls closed.

47. Lastly, less than a fifth (18 per cent) of reporting States referred to cases of law enforcement being impeded owing to a lack of information and data, or a lack of reporting on crimes related to corruption.

Figure X
Cases of corruption used to make organized and other crime invisible

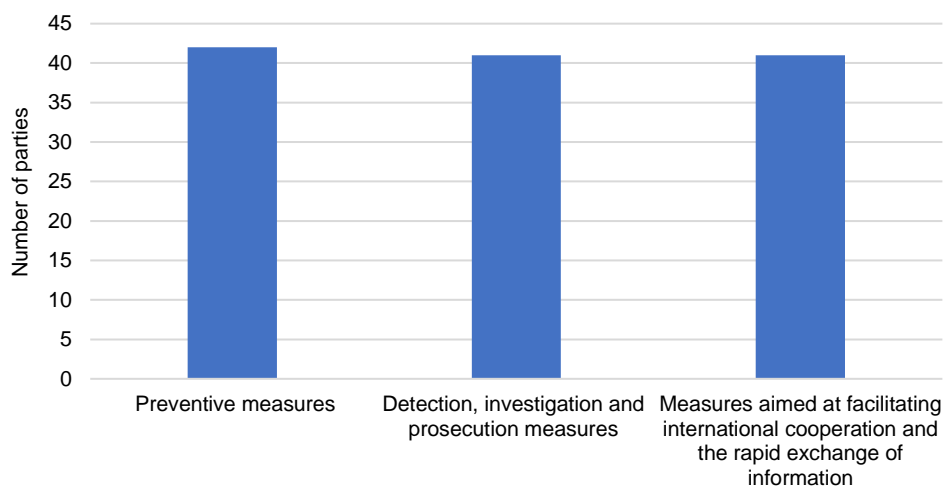


IV. Measures aimed at responding to corruption linked with other forms of crime and at facilitating international cooperation in cases of corruption linked with other forms of crime

48. The final section presents information provided by States on measures taken to address corruption linked with other forms of crime, including through international cooperation. As can be seen from figure XI below, an almost equal number of responding States had taken the following measures: (a) measures aimed at preventing corruption linked with other forms of crime (93 per cent); (b) measures aimed at detecting, investigating and prosecuting corruption linked with other forms of crime (91 per cent); and (c) measures aimed at facilitating international cooperation in relation to cases of corruption linked with other forms of crime (91 per cent).

Figure XI

Measures to address corruption linked with other forms of crime, including through international cooperation



Measures aimed at preventing corruption linked with other forms of crime

49. With regard to measures adopted at the local, national or regional levels aimed at preventing corruption linked with other forms of crime, as shown in figure XII, about 78 per cent of the responding parties reported the adoption of specific rules, codes of conduct or standards of transparency and integrity for public officials who were most at risk of becoming involved in crime and corruption.

50. The second most reported type of measures related to awareness-raising for public officials who were vulnerable to corruption and other forms of crime, with about 69 per cent of responding parties having undertaken such efforts.

51. The development of targeted strategies, policies and action plans at the sectoral or national levels specifically addressing the links between corruption and other crime was reported by over 64 per cent of parties. The same percentage of States reported the adoption of systems for the disclosure of assets and private interests.

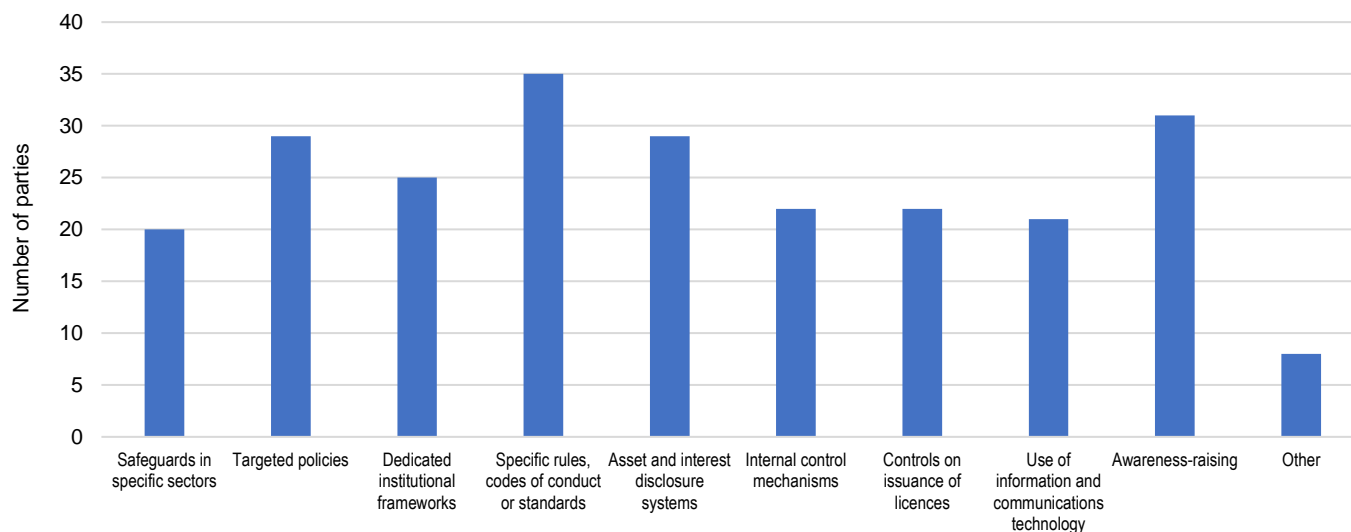
52. The establishment of dedicated institutional frameworks was reported by 56 per cent of the responding parties. Just under half of the reporting parties referred to controls on the issuances of visas, work permits and firearms licences, as well as other control mechanisms, such as internal approval systems to avoid the holding of one-to-one meetings.

53. About 47 per cent of parties indicated that they used information and communications technology-based tools to prevent or detect corruption linked to

other forms of crime, and 44 per cent reported on the adoption of safeguards in specific sectors (e.g. law enforcement, border management, immigration, intelligence and security, procurement and local government).

Figure XII

Measures aimed at preventing corruption linked with other forms of crime

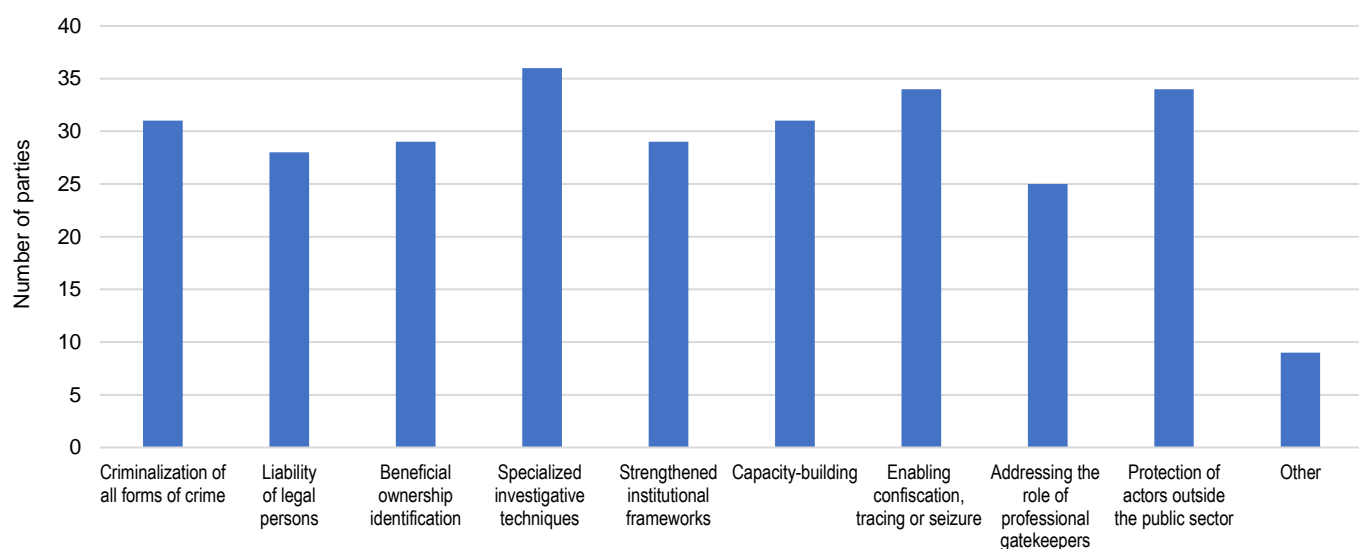


Measures aimed at detecting, investigating and prosecuting corruption linked with other forms of crime

54. As shown in figure XIII, 80 per cent of reporting States made use of special investigative techniques to detect, investigate and prosecute either corruption linked with other forms of crime, or other crimes linked with corruption. Some States reported on the establishment of special bodies for that purpose.

Figure XIII

Measures aimed at detecting, investigating and prosecuting corruption linked with other forms of crime



Box 3

In Denmark, the Special Crime Unit was established in January 2022, bringing together specialized police and prosecutorial competencies to combat complex and organized crime and to identify interlinkages between different forms of such crimes, including corruption. The Unit consists of various specialized units each dedicated to combating different areas of crime, including the National Centre for Cybercrime, the Asset Recovery Office, the Centre for Organized Crime and the Centre for Intelligence and Analysis. Although the Unit is not dedicated to anti-corruption investigations, such investigations benefit from the special investigative techniques it employs.

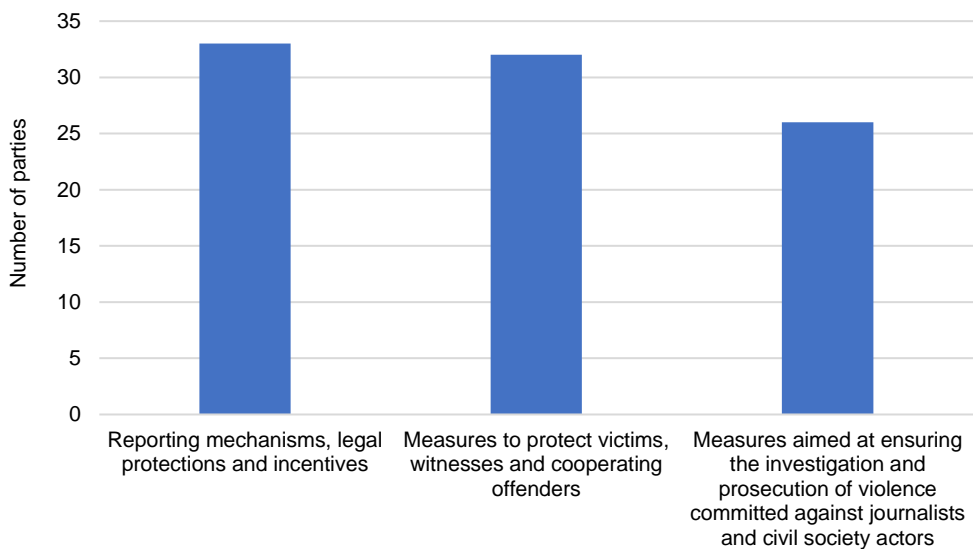
55. Over 75 per cent of States reported undertaking measures for the identification, tracing or seizure, confiscation and, where relevant, return of proceeds of corruption-related crimes.

56. The same percentage of States indicated that they had adopted measures aimed at encouraging the reporting of wrongdoing and the protection of reporting persons, witnesses and victims and their participation in criminal proceedings. Those measures fell into the following three main categories: (a) reporting mechanisms, legal protections and incentives aimed at encouraging persons to report corruption and other crimes; (b) measures to protect victims, witnesses and cooperating offenders; and (c) measures aimed at ensuring the investigation and prosecution of acts of violence committed against journalists and civil society actors whose professional activity related to corruption linked with other crimes.

57. As shown in figure XIV, the frequency with which the three types of measures were applied varied. While about the same number of States (over 71 per cent) had adopted the first two types of measures, only 58 per cent had adopted measures aimed at ensuring the investigation and prosecution of relevant acts of violence committed against journalists and civil society actors. That difference might be the result of obligations established under the Convention against Corruption and the United Nations Convention against Transnational Organized Crime, which contain provisions that make the first two sets of measures obligatory, but do not go as far as explicitly requiring the third.

Figure XIV

Measures aimed at the participation and protection of actors outside the public sector



58. Over 68 per cent of responding States reported having adopted legislation criminalizing all forms of corruption related to other types of crime, as well as

conducting capacity-building, including targeted training and peer learning for relevant authorities.

59. The establishment of strengthened institutional frameworks, including dedicated bodies (such as those mandated to identify links between corruption and other types of crime), task forces or coordination mechanisms among authorities responsible for countering corruption and other forms of crime was noted by 64 per cent of the reporting States.

60. The same percentage of States indicated taking measures to identify beneficial owners of legal persons, with a slightly lower percentage (62 per cent) reporting on the adoption of legislation providing for the liability of legal persons for their role in corruption linked to other forms of crime. Those two figures reflect the outcomes of the country reviews carried out under the Convention against Corruption, where gaps were identified in many States in the implementation of provisions of the Convention relating to beneficial ownership identification and the liability of legal persons.

61. Over 55 per cent of the responding States had adopted mechanisms to address the role of professional gatekeepers (i.e. financial, legal, accounting or other relevant professionals) in the transfer of proceeds of corruption and other crime. The relatively low number of States reporting such measures may at least in part be a reflection of the fact that the Convention against Corruption and the Organized Crime Convention do not explicitly require the establishment of such mechanisms.

Measures aimed at facilitating international cooperation on cases of corruption linked with other forms of crime

62. With regard to measures aimed at facilitating international cooperation and the rapid exchange of information in cases involving interlinkages between corruption and other forms of crime, as shown in figure XV, over 82 per cent of the responding States reported on their accession to bilateral, regional or multilateral treaties and agreements to address corruption linked with other forms of crime. That was closely followed by engagement in cooperation with other countries or with multilateral, international or regional bodies and the use of electronic communication channels or networks, each of which 80 per cent of the responding States utilized. Over 73 per cent of States reported on the use of joint or parallel investigations or the bilateral sharing of capacity and expertise for investigating and prosecuting corruption offences linked with other forms of crime.

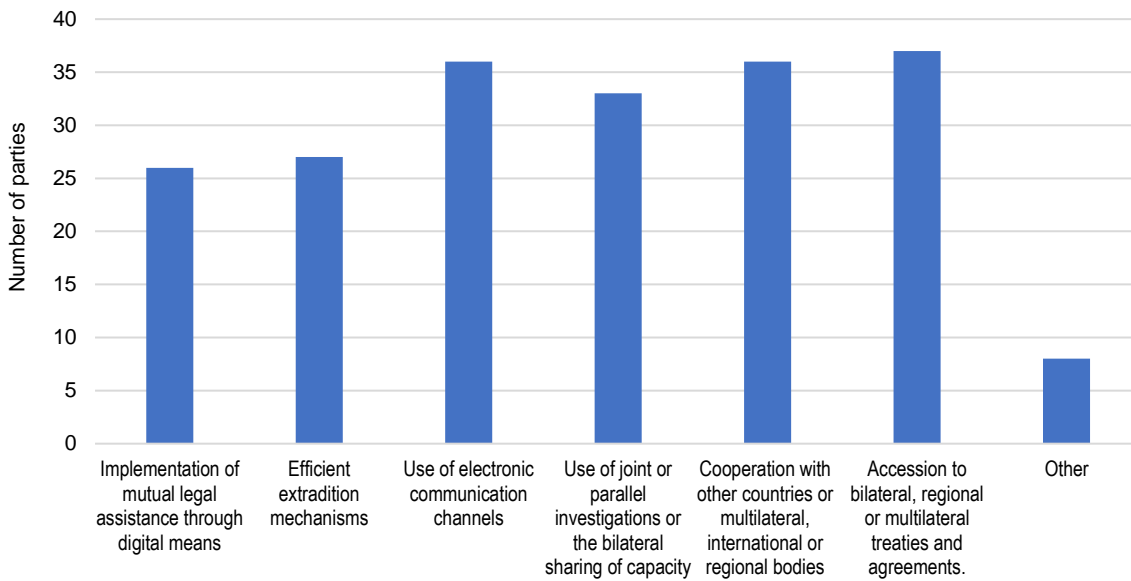
63. A slightly smaller figure – 60 per cent of responding States – had taken measures aimed at enhancing the efficiency of extradition mechanisms, and nearly 58 per cent reported that they had adopted measures to implement mutual legal assistance through digital means.

64. Several responding States¹² underlined the importance of informal cooperation, including through the spontaneous transmission of information and informal channels, such as agency-to-agency interaction. In that regard, several States¹³ explicitly referred to the usefulness of the Global Operational Network of Anti-Corruption Law Enforcement Authorities (Globe Network).

¹² Brazil, Panama, Spain and Thailand.

¹³ Belgium, Brazil, Egypt and Spain.

Figure XV
Measures aimed at facilitating international cooperation and the rapid exchange of information in relation to cases involving interlinkages between corruption and other forms of crime



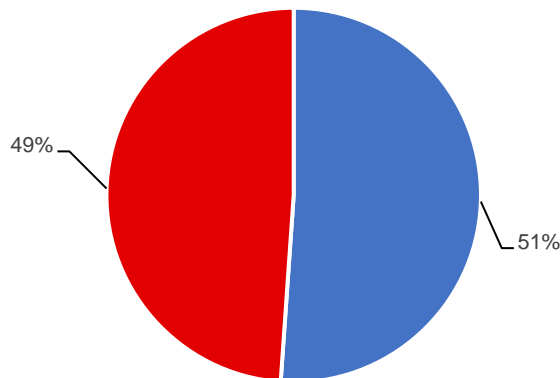
Box 4

In Brazil, the Attorney General’s Office reported making use of the GlobE Network to expedite access to information in partner countries. In one of two cases currently underway, GlobE channels were used to contact Spanish authorities to request up-to-date public information on the status of ownership of properties within their jurisdiction. The authorities responded swiftly, with the information transmitted to Brazil within seven days.

Efforts undertaken to collect data to analyse trends concerning international cooperation with regard to cases of corruption and other forms of crime

65. As shown in figure XVI, about half of the responding States reported collecting data or statistics to track and/or analyse trends concerning international cooperation with regard to cases showing interlinkages between corruption and other forms of crime.

Figure XVI
Collection of data or statistics to track and/or analyse trends concerning international cooperation



- Number of parties indicating that they collected data or statistics to track and/or analyse trends concerning international cooperation
- Number of parties not providing this information, or indicating that they do not collect such data

66. Thailand reported collecting data on corruption cases through formal and informal channels of international cooperation. Tajikistan indicated that each government department had a unit responsible for international cooperation, which systematically analysed trends in the impact of corruption on the crime situation.

67. In Panama, the Superior Prosecutor's Office for International Affairs attached to the Attorney General's Office compiled statistical data on active and passive mutual legal assistance requests, which enabled the establishment of links with other crimes.

68. Albania shared information on a successful case of international cooperation that resulted in the conviction of a former minister for abuse of functions in connection with the cultivation of and trafficking in narcotics. Direct contact between the public prosecution office and the foreign judicial authorities had enabled investigative actions, such as interrogation of defendants abroad.

69. Good practices highlighted by States included the use of informal cooperation to expedite the acquisition of information prior to making requests using the established formal channels; the interpretation of the dual criminality requirement focusing on the constitutive elements rather than the mere wording of the offence; the use of electronic document management systems for mutual legal assistance requests; the establishment of bilateral or multilateral partnerships underpinned by agreements or memorandums of understanding; harmonized legal frameworks; the establishment of joint investigative teams; and personal acquaintance among investigators and prosecutors. Spain referred to several knowledge products developed by regional and international organizations, including a compendium of practices and of informal cooperation in transnational corruption cases published by the GlobE Network to facilitate direct cooperation and information-sharing among anti-corruption authorities in the areas of intelligence, judicial assistance and bilateral cooperation agreements. Pakistan cited the use of the UNODC GoAML anti-money-laundering software.

70. The challenges cited by States in that respect centred around the difficulty of and delays in receiving requested information or evidence from other jurisdictions.

V. Conclusions

71. An understanding of the links between corruption and other forms of crime is essential for the development of tailored and effective responses to complex interlinked crimes at both the national and transnational levels. Further systematic data collection and analysis of those interlinkages is needed to support the successful detection, investigation and prosecution of corruption linked to other serious crimes.

72. In particular, in order to create an evidence base for preventive and repression-based approaches, States may wish to consider deepening their understanding of "organized crime" on the basis of the country and regional context. As there is no one-size-fits-all approach and as responses need to be tailored to the specific crime, it is important to understand which forms of organized crime affect each State and its neighbouring jurisdictions and to what degree they have infiltrated the public sector. For example, trafficking in cultural property in a State in conflict requires a different approach to the approach taken to the transit of drugs through a country's seaports. Criminal actors may try to largely bypass the public sector or may have even gained political influence by financing political parties or holding office themselves. States may therefore wish to assess which forms of crime are prevalent in their country and region, which actors and organized groups are involved in which form of organized crime, which sectors are particularly vulnerable to organized crime and where the specific risks lie.

73. While States have engaged in various response and mitigation efforts, those approaches are frequently limited in scope and rely on assessments that have not been developed specifically for the purpose of identifying corruption and its links to

other crimes. As indicated in the introduction, many States responded affirmatively to questions on efforts or measures to understand and address cases of corruption and other forms of crime, but cited measures that, in many cases, only targeted such interlinkages indirectly. Furthermore, in many cases, the examples were focused exclusively on corruption and money-laundering offences, and related to other forms of crime only insofar as they served as predicate offences of the latter.

74. The findings of the present document therefore mirror the observations made in the other documents referenced in the introduction. The role of corruption in the commission of other forms of crime is difficult to determine because specific data in the form of court decisions, documentation, research and analysis of such interlinkages remain scarce, despite the recognition that many forms of crime could not be committed without corruption serving as an enabler for their commission, subsequent concealment from authorities and evasion from prosecution.

75. States could therefore study existing case law on organized crime, sorted by the specific form of crime committed, and assess whether corruption was or could have been involved and how corruption could have facilitated the specific offence. States might also wish to mandate law enforcement authorities to extend any investigation into specific forms of organized crime into potential underlying corruption. In this regard, States should offer continuous capacity-building to their law enforcement authorities with a view to them being able to detect and conduct effective investigations into acts of organized crime and underlying corruption. Capacity-building should include the use of forensic techniques and financial investigations. States might also consider creating task forces bringing together investigators from the fields of organized crime and corruption to ensure that both angles are covered in investigations and that knowledge can be exchanged.

76. States parties may also wish to consider strengthening inter-agency collaboration or establishing networks or bodies specifically tasked with sharing information on approaches to collecting data and research on the links between corruption and other forms of crime in the specific country context. In particular, States parties could consider developing specific threat assessment methodologies with a view to identifying the commission of corruption linked to other forms of crime. These threat assessments could be tailored to specific forms of organized crimes that affect a country, for example, drug trafficking or firearms trafficking, and analyse the whole supply chain along with all points of contact between the criminal activity and the public sector.

77. Sectoral and institutional corruption risk assessments could include a focus on vulnerabilities to organized crime and assess which loopholes an organized criminal group could exploit to, for example, traffic goods or persons, and which organizational countermeasures could mitigate those risks.

78. States parties may also wish to develop a deeper understanding of vulnerable sectors, and to collect information, create databases and provide access to relevant data. In this regard, States parties could consider exploring how information and communications technologies might help enhance knowledge and understanding of corruption linked to other forms of crime, as well as the exchange of such information.

79. The role that academia, civil society and the private sector could play in collecting experiences, challenges and good practices in addressing corruption related to organized crime is another area that States may wish to consider exploring.

80. Lastly, States parties may wish to integrate that understanding in the development of all measures taken to counter corruption and other forms of crime, both domestically and when cooperating bilaterally, regionally or multilaterally. In particular, States may consider making use of both the Convention against Corruption and the Organized Crime Convention and the Protocols thereto, in view of the extended scope of application of the latter through its concept of “serious crime”, which could enable its application to new and emerging forms of crime.