

COUNTRY STATEMENT



REPUBLIC OF NAURU

10TH SESSION OF THE CONFERENCE OF THE STATES PARTIES TO THE UNITED NATIONS CONVENTION AGAINST CORRUPTION, ATLANTA, UNITED STATES OF AMERICA (11 – 15TH DECEMBER 2023)

Excellency, President of the Conference
Distinguished Delegates of States Parties
Observers, Ladies and Gentlemen

I am honoured to deliver this statement on behalf of the Republic of Nauru.

On behalf of the Government of the Republic of Nauru, I would like to thank the United States of America for being such gracious hosts and the wonderful reception we have received thus far.

Mr President,

We have learned, through the completion of our second cycle review and implementation of the United Nations Convention against Corruption (UNCAC), the significance of providing valuable inputs from all branches of government and the private sector and actively participating in the review mechanism. In this regard, the Republic of Nauru expresses gratitude to the United Nations Office of Drugs and Crime (UNODC) as well as our peer reviewers from Nepal and Burundi for their valuable insights and specialised knowledge during the comprehensive evaluation of our adherence to the UNCAC.

Since its accession to the UNCAC on 11 August 2012, Nauru has undertaken substantial endeavours to ensure adherence to its UNCAC obligations. A selection of these efforts is worthy of emphasis.

One of the recommendations arising from the second cycle UNCAC assessment was for Nauru to appoint an Ombudsman. The Government of Nauru is currently in the process of advertising the position of and selecting an Ombudsman to fulfil the requirements of the *Leadership Code Act 2016*.

Furthermore, in collaboration with UNODC, we are currently working on our National Anti-Corruption Strategy, which will serve as a supplementary initiative to the Government's collective endeavours concerning UNCAC.

In relation to Nauru's Financial Intelligence Unit, the *Anti-Money Laundering and Targeted Financial Sanctions Act 2023* was enacted by Parliament in June this year. This Act guarantees

the autonomy of the Nauru Financial Intelligence Unit in its operations, finances and administration.

Following the OECD review in 2018, Nauru has consistently enforced the *Beneficial Ownership Act 2017*. A manual register of all beneficial owners is kept. An electronic database of the beneficial owners is also maintained. It is the intention of the Government to have the database online. The details of beneficial owners are consistent with the requirements of the FATF Standards agreed in 2022 for corporations, partnerships and trusts.

In relation to prosecution, Nauru successfully finalised and adopted its Prosecutions Policy in 2020. The Policy is now fully implemented and followed. Not only that, printed copies of the Policy is readily available to the members of the public without any charge. The Policy is also available on the Government website.

One of the significant achievements of Nauru was the overhaul of its court structure, which is now established and organised under the *Constitution* and its relevant Acts in the following ascending hierarchy:

- (a) District Court;
- (b) Supreme Court; and
- (c) Nauru Court of Appeal.

The Court of Appeal has a panel of justices from within the Pacific region, including Sri Lanka.

In addition, the court statutes, including the *Criminal Procedure Act 1972*, have been amended to allow the operation of virtual courts, allowing court proceedings to be conducted via audiovisual link as well. An amendment was made to the *Oaths, Affirmations and Statutory Declarations Act 1976* to permit the administration of oaths through virtual means.

Information sharing is allowed under the *Mutual Assistance in Criminal Matters Act 2004* and the *Mutual Assistance in Criminal Matters Regulations 2023*, operating in conjunction with the *Proceeds of Crime Act 2004*. Supervisory bodies can share information without the need for mutual legal assistance.

Nauru has reviewed its laws on terrorism, proliferation and money laundering. This has resulted in the repealing and replacing of the Anti-Money Laundering Act 2008 with the *Anti-Money Laundering and Targeted Financial Sanctions Act 2023*. The *Proceeds of Crime Act 2004* and the *Counter Terrorism and Transnational Organised Crime Act 2004* have also been amended to meet international obligations and UNSC Resolutions.

One of the biggest achievements of Nauru has been the reduction in the use of cash in the economy. Ninety eight percent of the economy is now based on digital or electronic or online sales and purchases. Thus, this has prevented the prospect of money laundering.

The Government of Nauru endorses making Nauru's UNCAC Country second cycle review report public and co-sponsoring the Small Island Developing States Resolution tabled by Kiribati.

Mr. President,

In conclusion, the Republic of Nauru reaffirms unequivocally its dedication to preserving the tenets of the UNCAC.

We express our gratitude for the assistance provided by UNODC and other development partners to Nauru in our efforts to combat corruption and improve the capabilities of government officials in this regard.

Thank you very much.

Ma tubwa kor!