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South-South cooperation in the fight against corruption

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Introduction

1. “As we move into the 21st century it is clear that a new paradigm of development cooperation has emerged with cooperation among developing countries as its central element. It is based on a new sense of the dynamics of how knowledge is generated, human resources are used, and a recognition of the rich reservoir of knowledge that exists in developing countries.”¹

2. South-South cooperation, otherwise known as South-South learning, has emerged as an alternative to the more traditional development structures, often characterized by a North-South flow of expertise. South-South cooperation falls under the ambit of technical assistance, an essential part to the successful and consistent implementation of the United Nations Convention against Corruption (UNCAC or the “Convention”). During the second intersessional meeting of the Open-ended Intergovernmental Working Group on Technical Assistance (the “Working Group”), speakers emphasized the importance of promoting South-South cooperation, as expertise could be utilized at different levels. It was held that learning from peers is less likely to generate questions of ownership and conditionality, and donors also appear to be interested in supporting such an alternative means of knowledge transfer.

3. This paper draws upon the background paper prepared by the Secretariat for the third intersessional meeting of the Working Group, titled “Technical Assistance on the Road to Doha: Opportunities and Challenges” (CAC/COSP/WG.3/2009/CRP.1). This considered existing practical country level experiences on UNCAC implementation, and drew upon good practices and lessons learned, so as to enable States parties to consider how technical assistance can be provided in a more coherent, consistent and effective manner. This paper, with its specific focus on elaborating upon South-South cooperation examples in the area of anti-corruption further aims to contribute to this.

4. The Secretariat has produced this background paper to assist the discussions during the Working Group at the third session of the Conference of the States Parties to the United Nations Convention against Corruption in Doha from 9 -13 November 2009.

5. The purpose of this paper is to accumulate, assess and analyse relevant research material and data on South-South cooperation in the fight against corruption. The paper is divided into three main sections: firstly, the theory, purpose and function behind South-South cooperation; secondly, relevant case studies and examples of lessons learned; and thirdly, the relevance of South-South cooperation in anti-corruption efforts.

¹ UNDP, *Forging a Global South: United Nations Day for South-South Cooperation*, New York, 19 December 2004.

Acronyms

ABA	American Bar Association
ACA	Anti-Corruption Agency
ACC	Anti-Corruption Commission
ACINET	Arab Anti-Corruption & Integrity Network
ACPN	Anti-Corruption Practitioners Network
APG	Asia-Pacific Group on Money-Laundering
APRM	African Peer Review Mechanism
ADB	Asian Development Bank
AFU	Asset Forfeiture Unit
AGEG	Arab Governmental Expert Group
APEC	Asia-Pacific Economic Cooperation
APRM	African Peer Review Mechanism
AusAid	Australian Agency for International Development
BMZ	Bundesministerium für Wirtschaftliche Zusammenarbeit
BRC	Bratislava Regional Centre
CARIN	Camden Assets Recovery Inter-Agency Network
CHN	Corruption Hunters Network
CICAD	Inter-American Drug Abuse Control Commission
CIS	Commonwealth of Independent States
CoSP	Conference of State Parties
DAC	Development Assistance Committee
DRC	Democratic Republic of Congo
DRCI	Department for Asset Recovery and International Legal Cooperation
EAACA	East African Association of Anti-Corruption Authorities
ECOWAS	Economic Community of West African States
EFCC	Economic and Financial Crimes Commission
ESAAMLG	Eastern and Southern African Anti-Money-Laundering Group
FATF	Financial Action Task Force
FRIDE	Fundación para las Relaciones Internacionales y el Diálogo Exterior
GAFISUD	Financial Action Task Force of South America Against Money-Laundering

GIABA	Inter-Governmental Action Group against Money Laundering in West Africa
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit
IAACA	International Association of Anti-Corruption Authorities
IACAC	Inter-American Convention Against Corruption
IBSA	India, Brazil, South Africa
ISCTE	Centre de Investigacao e Estudos de Sociologia
LACC	Liberian Anti-Corruption Commission
MENA	Middle East and North Africa
MESICIC	IAACA Follow-Up Mechanism for its Implementation
NEPAD	New Partnership for Africa's Development
NORAD	Norwegian Development Agency
NPA	National Prosecuting Authority
OAS	Organization of American States
OECD	Organization for Economic Cooperation and Development
PBEC	Pacific Basin Economic Council
POGAR	Programme on Governance in the Arab Region
SAIIA	South African Institute of International Affairs
SADC	Southern Africa Development Community
SIDA	Swedish International Development Cooperation Agency
SIU	Special Investigating Unit
SSACC	South Sudan Anti-Corruption Commission
SSC	South-South cooperation
StAR	Support for Asset Recovery
TI	Transparency International
UNCAC	United Nations Convention Against Corruption
UNDP	United Nations Development Programme
UNECOSOC	United Nations Economic and Social Council
UNODC	United Nations Office for Drugs and Crime
WBG	World Bank Group
WBI	World Bank Institute

Section A: South-South cooperation – theory, purpose and function

6. A growing body of evidence suggests that learning and cooperation among developing nations in the South is increasing in both frequency and complexity.² In sharing common backgrounds and challenges, people in developing nations are banding together as peers to find new and innovative solutions to development issues. This cooperation is expanding its scope away from purely trade and economic cooperation through regional bodies, to include a variety of topics such as health, education, communication and research.³

7. South-South cooperation in the field of anti-corruption is in an early stage of development, and has been mostly linked to existing regional and subregional groupings. This form of cooperation was originally pioneered through the establishment of peer review mechanisms of regional anti-corruption conventions.⁴ The sharing of ways in which to control the common problem of corruption is also becoming a feature of such cooperation, and will also be explored in this paper.

8. This section defines South-South cooperation (including triangular cooperation) and its history by focusing briefly on the rationale behind it. The contribution that South-South cooperation can make as an additional development modality to the traditional “North-South” cooperation is discussed, including its advantages and disadvantages, and the challenges and trends of this form of development assistance.

A. What is South-South cooperation?

9. At the outset, with reference to countries’ geographic dispositions, the use of the term “South” for developing countries collectively rests on the fact that all of the world’s industrially developed countries (with the exception of Australia and New Zealand) lie to the north of developing countries.⁵

10. Developing countries may vary in terms of social, economic and political development. However, all countries of the “global South” can be deemed to share a common set of vulnerabilities and challenges, which are relative to the developed North, and to this end, have a common interest in cooperating. The reality is that until recently, the South had not been well organized at the global level, and had therefore neither been effective in mobilizing its considerable expertise and experience, nor its bargaining power.⁶

11. South-South cooperation and learning is therefore about developing countries working together to find solutions to common development challenges. This

² The World Bank Group, *Knowledge Sharing and Best Experiences for improving coordination among non-executive agencies of control and civil society in their fight against corruption* (Office Memorandum and Agenda), 12 June 2007.

³ Ibid.

⁴ U4 Anti-Corruption Resource Centre, *Expert Answer: South-South Anti-Corruption Mechanisms*, 5 March 2009.

⁵ UNDP 2004, op. cit.

⁶ The South Centre, SouthCenter.org.

approach promotes closer technical and economic cooperation among developing countries, by for instance, employing experts from the South, sharing best practices from the South, and helping to develop a sense of ownership of the development process.⁷ The predominant practice has been that South-South cooperation activities are mostly bilateral in nature, or triangular, when South-South cooperation is being supported by donors from the North.⁸

B. Rationale for South-South cooperation

12. With the continuing affluence of the North built on strong and interactive webs of cooperation, the argument is that it is imperative that the “global South” follow suit if the gross imbalance between developed and developing countries is to be remedied. It is also argued that the Millennium Development Goals will be easier to attain if South-South cooperation is a fundamental element of governmental policy and practice.⁹ By way of example, it has been provided that in Latin America and the Caribbean, South-South cooperation is a very important mechanism not only to achieve the Millennium Development Goals, but also for a regional development agenda concerned with social inequality and weak institutions, as well as with the fight against poverty.¹⁰ The unlocking of economic potential through trade is just one of the reasons for greater partnerships between countries in the South. In order to benefit from global markets that are based on multiple levels of coordination and cooperation among the major players, developing countries must also have the capacity to cooperate on the basis of their shared interests, and economic and social needs.¹¹

13. For developing countries, South-South cooperation supports the transformation of the power configuration and global governance reflected in North-South relations. It also assists the strengthening of self-help initiatives among developing countries by increasing intra-South trade and investment, cooperation in science and technology, and capacity-building based on similar circumstances and experiences.¹² South-South learning promotes shared interests and addresses common concerns. It is also a means through which developing countries can diversify and expand their development options and economic links. Additionally, it provides a powerful tool for building new partnerships, and in the process, creating more democratic and equitable forms of global interdependence and global governance.¹³

⁷ World Bank Institute, Tejasvi, A., “*South-South Capacity Development: The way to grow?*” Capacity Development, Briefs, February, Number 20, 2007.

⁸ U4 2009, *op.cit.*

⁹ UNDP 2004, *op. cit.*

¹⁰ FRIDE, Betancourt, M. and Schulz, N-S., *South-South cooperation in Latin America and the Caribbean: ways ahead following Accra, Comment*, March 2009 (www.fride.org).

¹¹ UNDP 2009, *op. cit.*

¹² SAIIA, “*Fifteen year review of South Africa’s role in promoting South-South Cooperation*”, 2008. A paper produced by the South African Institute of International Affairs for The Presidency, March.

(http://www.thepresidency.gov.za/docs/reports/15year_review/irps/south-south_relations.pdf)

¹³ World Bank Institute 2007, *op. cit.*

14. South-South and triangular cooperation is also an integral part of international development cooperation and efforts to help developing countries achieve sustainable growth, stable development and become less dependent on external aid.¹⁴ In sharing similar historical, geographical or economic backgrounds, less developed countries can greatly benefit from mutual dialogue, experience sharing and cooperation.¹⁵ South Africa's former president summarized the rationale for South-South cooperation during an India, Brazil and South Africa (IBSA) Meeting of Heads of State and Government with CEOs, in Brazil in 2006: "*One of the messages communicated by the collapse of Doha talks is that, for countries of the South to realise rapid development including fair trade, economic development, job creation and power eradication, these developing countries, should, first and foremost, form strong partnerships and strategic alliances that would unlock the vast resources and economic opportunities within and between their countries and regions*".¹⁶

C. Background to South-South cooperation

15. The agenda for cooperation among developing countries is rooted in their demands for political, economic and social equity and progress since the Second World War. The Bandung Conference of 1955 provided a forum for the formulation of a new diplomacy based on "positive neutralism or non-alignment". This provided the space for newly emerging and independent States such as Egypt and China to align themselves with these ideas and culminated in the adoption of five principles of peaceful co-existence: mutual respect for each other's territorial integrity; sovereignty; non-aggression; non-interference in each other's internal affairs; equality and mutual benefits; and peaceful co-existence.¹⁷ A voice to the agenda of cooperation among developing countries, ever since its creation in June 1964, has been the Group of 77 (G77) that includes all developing countries in the United Nations (now 130).¹⁸ The G77 is the largest intergovernmental organization of developing states in the United Nations. It provides the means for countries of the South to articulate and promote their collective economic interests, enhance their joint negotiating capacity on all major international economic issues within the United Nations system, and promote South-South cooperation for development.¹⁹

16. In addition to the G77, the creation of the United Nations Development Programme (UNDP), in 1966, was among the first of significant signs showing strong South-South collaboration. The UNDP's Global Cooperation Framework (GCF) strengthens the capacity of developing countries to learn from and use accumulated experience and knowledge on four critical dimensions of development: globalization; participation; growth and crises; and UNDP's global programmes and

¹⁴ UNECOSOC, *Report on Development Cooperation Forum*, 2008. Accessed on Civicus website at [www.un.org/ecosoc/newfunct/pdf/DCF pub_18_Sept.pdf](http://www.un.org/ecosoc/newfunct/pdf/DCF_pub_18_Sept.pdf).

¹⁵ G77, *Marrakech Declaration on South-South Cooperation*, 2003. (www.g77.org/marrakech/Marrakech-Declaration.htm).

¹⁶ SAIIA 2008, op. cit.

¹⁷ SAIIA 2008, op. cit., (citing *The Penguin Dictionary of International Relations* 1998).

¹⁸ UNDP 2004, op. cit.

¹⁹ G77, *About the Group of 77*, www.g77.org/doc/.

policy support. The last dimension provides for three key ways in which South-South cooperation can be promoted: (i) closer vertical integration, linking country, regional and global programmes so as to reinforce major policy shifts; (ii) closer geographic integration by promoting greater South-South exchange and cooperation across regions; and (iii) closer thematic integration by linking relevant themes and sectors in a more synergistic manner.²⁰

17. The phrase “South-South cooperation” gained currency in the context of efforts by developing countries in the 1970s to negotiate agreements that would help close the widening economic gap between them and the developed countries (the North). The 1978 Buenos Aires Conference on Technical Cooperation among Developing Countries (TCDC) produced a Plan of Action with 38 recommendations, which can be summed up generically as follows:

18. Developing countries should take stock of their available capabilities, skills and experience, and share information about themselves;

19. They should establish and strengthen their expertise, institutions and arrangements, information flows, and transport and communications links necessary to pool their resources for the common good; and

20. They should identify and make effective use of existing opportunities for cooperation, paying special attention to the needs of the least developed, landlocked and island developing countries.

21. South-south cooperation also came to the forefront, in 1997, when the United Nations established a specialized Unit, namely the Special Unit for Technical Cooperation among Developing Countries (TCDC), to promote South-South trade and collaboration within its agencies. TCDC activities focused on building technical capacity among countries by way of training, exchanging experts, and sharing experiences and know-how.

D. New reality, new name

22. In 2003, the name of TCDC changed to the Special Unit for South-South Cooperation. This name change reflected the new reality in international affairs, namely one recognizing the importance of South-South cooperation in a period of rapid globalization. The Unit’s mission is to identify, promote and facilitate the transfer of information on institutions, expertise, technologies and practices between countries of the South or development initiatives.

23. In summary, the dynamics of cooperation among developing countries has been profoundly affected by globalization and dramatic changes in the world’s ideological and technological map. Firstly, the end of the Cold War made globalization feasible and added urgent new imperatives to South-South cooperation. Whereas previously, global political and economic engagement had coalesced around a static, certain and predictably stilted and one-sided engagement between the North and South, the end of the Cold War and the ensuing power vacuum signalled the beginning of a significant paradigm shift. This challenged, on the one hand, the more traditional views about the reach of State power, and on the

²⁰ UNDP 2004, *op. cit.*

other, the value of effective multilateral institutions to mitigate the ensuing results of a less power-balanced world.²¹ Secondly, new information and communication technologies have opened up opportunities for such cooperation that is unprecedented in scope and potential. Thirdly, the interaction of businesses, civil society and non-governmental organizations (NGOs) into the South-South process has energized it, and broadened the predominantly economic and technological focus to include issues of governance, corporate responsibility and human rights.²² Finally, the rise of developing countries has brought with it the potential to explore a new dynamic in North-South relations, but also, and as important, South-South relations and cooperation. The growth of knowledge economies in emerging donor countries has meant that more high-level cooperation among developing countries can occur, without expecting them to continue to be only consumers of innovation.²³

24. The way South-South cooperation is perceived has undergone a number of changes in recent years. Rapid economic growth of major developing countries, complex trade issues exacerbated by globalization, and growing capacities in various fields have given rise to a new era of partnership in the South. South-South cooperation is gradually being integrated into the development strategy of a number of countries. The concept has moved beyond political rhetoric and timid practice to become an effective tool of economic development and foreign policy.²⁴

E. Triangular cooperation

25. Triangular cooperation mostly refers to South-South collaboration supported by partners in the North. It has received more attention than South-South cooperation in recent years as a means to harness the expertise and experiences of developing countries, while taking advantage of support from Northern donors.²⁵ At present, triangular flows do not appear to be a significant part of the global development cooperation architecture, although the lack of data makes this difficult to ascertain.²⁶

26. Triangular development cooperation has been interpreted as the Organization for Economic Cooperation and Development/Development Assistance Committee (OECD/DAC) donors or multilateral institutions providing development assistance, mainly in the form of technical cooperation, to Southern governments to execute projects or programmes with the aim of assisting other developing countries. Southern countries are seen as having more relevant expertise and experience to meet developing country needs.²⁷ Through triangular cooperation, developed

²¹ SAIIA 2008, op. cit.

²² UNDP 2004, op. cit.

²³ SAIIA 2008, op. cit.

²⁴ G77/IFCC, *Current and Emerging Trends in South-South cooperation: 11th Meeting of the Intergovernmental Follow-Up and Coordination Committee on Economic Cooperation Among Developing Countries (IFCC-XI)*, Havana, Cuba, 21-23 March 2005, G-77/IFCC-XI/10 (<http://www.g77.org/ifcc11/docs/doc-07-ifcc11.pdf>)

²⁵ UNECOSOC, *Background Study for the Development Cooperation Forum: Trends in South-South and triangular development cooperation*, April 2008.

²⁶ Ibid.

²⁷ Ibid.

countries have provided vital support for South-South cooperation, particularly in the area of human resource development, research and institutional capacity-building.²⁸ In general, donor countries have preferred to facilitate South-South cooperation by supporting centres of excellence and knowledge networks. The most important lesson to be drawn from existing examples of triangular cooperation is that when facilities in developing countries have adequate resources, they can become centres of excellence.²⁹

27. With regard to anti-corruption, specific examples of South-South cooperation are included in Section B, including South-South networks, review mechanisms, examples where North-South cooperation created centres of excellence and partnerships for subsequent South-South cooperation; inter alia: the Corruption Hunters Network; the East African Association of Anti-Corruption Authorities (EAAACA); UNDP/UNODC Programme on Governance in the Arab Region (POGAR); the Stolen Asset Recovery (StAR) Initiative; the Financial Action Task Force (FATF); ADB/OECD: Anti-Corruption Initiative for Asia and the Pacific; GTZ: Kenya's Gap Analysis; and Nigeria: Sharing lessons with South Sudan and Liberia.

28. A recent paper by FRIDE (Fundación para las Relaciones Internacionales y el Diálogo Exterior) notes that in Latin America and the Caribbean, many conventional donors see triangulation as a creative funding mechanism in the face of the increasing scarcity of resource flows to the region. However, traditional donors have made rather few financial commitments to this scheme and it is not clear what amounts have already been disbursed.³⁰ For DAC members, triangulation poses several challenges, such as creating mechanisms to establish both rules for and inputs from each participating country, as well as joint planning processes, without generating high administrative and institutional costs. In addition, many Northern donors consider their participation not only in financial terms, but also as a way to contribute their expertise and support to capacity development in recipient countries.³¹ Beyond financing, triangulation schemes can provide two very important contributions to South-South cooperation, which will be highlighted in the next section.

29. Since the 1990s, developing countries are increasingly looking to learn from each other and "leap-frog" some of the development obstacles in their way. A number of middle-income countries in developing regions have become important providers of technical cooperation.³² These pivotal countries that are the hubs of South-South cooperation account for the bulk of the world's population, include its fastest growing economies and have huge potential for trade and other forms of interaction among themselves. These countries have committed substantial resources and have multifaceted programmes, for example emerging economies such as China, Brazil, India, and South Africa, have pioneered such forms of assistance to less developed countries.³³ There are also other forms of South-South cooperation emerging with subregional communities that are starting to establish

²⁸ UNDP 2004, op. cit.

²⁹ Ibid.

³⁰ FRIDE 2009, op. cit.

³¹ Ibid.

³² World Bank Institute 2007, op. cit.

³³ UNDP 2004, op. cit.

relations across regions (Asia-Africa), while major developing countries are increasingly seeking to jointly coordinate their responses to common challenges (i.e. moving beyond economic relations to broader issues, including corruption). Further trends of South-South cooperation will be discussed briefly in Section C.

F. IBSA as an example of South-South triangular cooperation

30. The IBSA forum is an active example of South-South triangular cooperation. This was established in June 2003 to promote South-South cooperation and exchange. IBSA is a trilateral, developmental initiative between India, Brazil and South Africa. The body consists of a self-selected group of the three democratic countries that are each significant economic and political powers in their respective continents and regions. They each have a broader world-view, and the ability and power to provide leadership and engage with other developing countries in creating a South-South consensus on a number of international issues. IBSA members represent substantial markets, and generally, they exercise a stabilizing influence globally, and actively aspire to have a voice on international issues.³⁴

31. IBSA's main objectives are:

- To promote South-South dialogue, cooperation and common positions on issues of international importance;
- To promote trade and investment opportunities between their three regions;
- To promote international poverty alleviation and social development;
- To promote the trilateral exchange of information, international best practices, technologies and skills, as well as to compliment each others' competitive strengths into collective synergies; and
- To promote cooperation in a broad range of areas, namely agriculture, climate change, culture, defence, education, energy, health, information society, science and technology, social development, trade and investment, and tourism and transport.³⁵

32. An example of South-South cooperation, among peer institutions within IBSA, occurred in 2008 when Management Development Institutions (MDIs) from India, Brazil and South Africa met to share ideas on public service innovations to improve service delivery, and innovative training and development programmes that reflect an indigenous response to public service challenges. One delegate, in providing the rationale for such cooperation, stated: *"There is a compelling case for collaborating with peer institutions in other countries, especially peers from Southern countries which have more in common in terms of colonial histories, social disparities and public service challenges, albeit not on the same scale. This commonality is what draws us to together to not only draw upon and learn from each other but also to assume our responsibility at this level because it is well known that each of our countries are strong and prominent players in several realms in the global environment. Our responsibility here... is to contribute to the global knowledge network in terms of management and leadership training and development. Our*

³⁴ SAIIA 2008, op. cit.

³⁵ Ibid.

*aspiration is to begin a process whereby we may harness the valuable and engaging practices we have developed in our respective countries in response to our respective indigenous challenges and showcase these at global forums so as to enrich global knowledge and understanding of the value of indigenous solutions to indigenous challenges”.*³⁶

G. South-South cooperation: an alternative to North-South cooperation?

33. South-South and triangular cooperation is a growing dimension of international development cooperation, and plays a complementary role to traditional forms of bilateral and multilateral aid.³⁷ Whereas aid has traditionally flowed from countries of the “global North” to the South, South-South cooperation has been viewed as an alternative to North-South aid. North-South aid has been criticized for failing to meet its own commitments and its implications for economic hegemony. With changes in the global political economy, the classic development cooperation mindset of “North-South” is no longer an option. South-South and triangular cooperation offer viable means to supporting developing countries to build national capacities, including the development of aid policies.³⁸ Essentially, South-South cooperation is not an alternative to North-South development cooperation, but rather a complementary form that is evolving and developing into its own distinctive *modus operandi*. For programme countries, South-South development cooperation is seen as complementary to assistance provided by Northern donors. This can help in meeting the needs of developing countries requesting assistance, particularly in the area of infrastructure, and importantly, to also be unencumbered by the contributor’s agenda.³⁹ A key principle of South-South cooperation is the non-intervention into the internal affairs of partner countries; this underlines the credo that South-South cooperation constitutes an additional option, not an alternative, to North-South cooperation.⁴⁰

34. The number of Southern development assistance contributors have grown with several developing countries taking steps to establish full-fledged development cooperation agencies while broadening the focus from mainly technical cooperation to more comprehensive development programmes.⁴¹ Although the volume of South-South development cooperation remains limited, the relative decline in North-South development cooperation has made its growth seem more spectacular.⁴² Nevertheless, there is some risk that South-South cooperation, in focusing on developing its identity (and discourse) in contrast to traditional cooperation, might complicate its complementarity with North-South cooperation. In general, more systematic and analytical work is required to assess the differentiating features behind the many expressions of South-South cooperation.⁴³

³⁶ Muthayan, S., *IBSA Seminar Series: South African paper on country context*, 2008.

³⁷ UNECOSOC 2008^b, op. cit.

³⁸ Ibid.

³⁹ UNECOSOC 2008^a, op. cit.

⁴⁰ UNECOSOC 2008^b, op. cit.

⁴¹ UNECOSOC 2008^a, op. cit.

⁴² Ibid.

⁴³ FRIDE 2009, op. cit.

Like in the case of North-South cooperation, South-South cooperation also forms part of the foreign policies of the provider countries and it is therefore necessary to analyse and understand the interests and incentives behind them. In this context, further debate is needed on whether South-South cooperation risks following the same vertical structure found in North-South cooperation, especially when it takes place between countries at different levels of development.⁴⁴ With strong developing economies and its cooperation with programme countries, there is a risk that the power differential is similar to a North-South dynamic. The FRIDE paper suggest that the characteristics which distinguish South-South cooperation from conventional aid might not be detected in its foundations, but rather in its mechanisms and operative modalities. It is argued that this is where the innovative nature of Southern countries and their greater room for action may be differentiated from the vertical logic of North-South cooperation.⁴⁵

H. China and South-South cooperation

35. China's growing economic power has allowed it to grow in prominence as a donor and provider of know-how to developing countries. Although some countries have complained that some of these exchanges are old-style one-way transfers, developing countries are generally welcoming an exchange with a highly successful peer.⁴⁶ China also has a very well-defined strategy for its development and external relations. When engaging in Africa, China has emphasized its non-colonialist credentials and its policy of non-interference into the internal affairs of the countries with which it cooperates.⁴⁷ China has been providing assistance to African countries for almost 50 years, including constructing the Tazara railway between Tanzania and Zambia in the late 1960s.⁴⁸ Substantial inroads have been made into Africa because of China's different manner of engagement, and there is a strong symbolic element of South-South solidarity. There is a sense that Africa and its component regions still need to develop a roadmap for their engagement with China, which does not replace one external dependency (the West) with another.⁴⁹ China, in particular, is seeking to increase its influence among developing nations by supporting not only investment, but also capacity development projects in Africa, Latin America and Asia. The Chinese have emerged as one of the biggest lenders in Africa and are promoting student exchanges, such as between African and Chinese universities. Emerging donors have the advantage of being able to draw upon the lessons learned from the North-South model, when building on the advantages of interacting with other developing nations as peers and encouraging equitable partnerships.⁵⁰

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ World Bank Group 2007, op. cit.

⁴⁷ SAIIA 2008

⁴⁸ UNECOSOC 2008^a, op. cit.

⁴⁹ SAIIA 2008, op. cit.

⁵⁰ World Bank Group 2007, op. cit.

I. The nature of South-South development assistance

36. The United Nations Economic and Social Council (UNECOSOC) Background Study considers the nature of development assistance from Southern donors. Inter alia, it refers to: the types of assistance being provided; distribution of assistance; regional focuses; and allocation criteria.⁵¹ The main types of Southern development assistance are project assistance and technical cooperation. However, as some States parties may be required to mainstream such principles into national policies, there may be a shift towards more programme-based development cooperation in the future. Regarding the distribution of assistance, geographical and political considerations have been major factors in the allocation of Southern development assistance, reflecting cultural and language links and strong opportunities for trade and investment. More recently, trade links have begun to play a highly significant role. Southern development cooperation has focused strongly on neighbouring regions or subregions, reflecting a better understanding of those countries' needs, similarities of language and culture, opportunities to improve trade, and lower administration costs. It also allows Southern contributors to focus strongly on regional projects, which programme countries have often pointed out are under-funded by Northern donors.

37. Almost all South-South development cooperation is in the form of project finance and technical assistance with little or no conditionalities attached. Around two-thirds of South-South development cooperation is provided as loans on concessional terms in line with programme country policies and therefore carry less risk of making debt unsustainable.⁵² In addition, the bulk of Southern development assistance is tied to the procurement of goods and services from suppliers in the contributor country, although this does not necessarily mean at a higher cost or poorer standard. On the contrary, projects implemented by Southern contributors are often viewed by beneficiaries as a low cost, a good standard and completed on time. The untying of Southern assistance could potentially result in slower project completion, as it is to be noted that competitive bidding takes time.⁵³ Furthermore, similar to DAC-donors, Southern contributors' technical cooperation and emergency assistance is primarily tied, as it involves sending its nationals as experts to programme countries, funding programme country students to study at national institutions or to participate in training events, and providing emergency shipments of goods and medical experts to given countries.⁵⁴

J. Conclusion

38. Section A examined the meaning and rationale for South-South cooperation, as well as its historical background as an emerging development aid modality. It is clear that South-South cooperation exists not purely in contrast to traditional North-South forms of aid, but rather as a complementary form of cooperation between developing countries in the "global South" who share similar problems, including the threat of unchecked corruption. With regards to anti-corruption

⁵¹ UNECOSOC 2008^a, op. cit.

⁵² UNECOSOC 2008^b, op. cit.

⁵³ UNECOSOC 2008^a, op. cit.

⁵⁴ Ibid.

practices, some specific examples of South-South and triangular cooperation were referred to, but will be elaborated upon in Section B. The advantages, disadvantages, challenges and trends of South-South cooperation, as relevant to the field of corruption, will be discussed in Section C of this paper.

Section B: South-South cooperation – case studies and examples

39. Section B considers various South-South cooperation examples, which centre around anti-corruption initiatives that have emerged in recent years, and that are aimed specifically at strengthening the implementation of the UNCAC. This section is divided into four parts: (i) networks, associations and regional programmes (including asset recovery and money-laundering); (ii) review mechanisms of given conventions and protocols; (iii) the sharing of lessons learned from the North-South model with a focus on the UNCAC Gap Analysis and Compliance Review, and judicial integrity; and (iv) the building on centres of excellence.

A. Networks, associations and regional programmes

40. South-South cooperation in the fight against corruption is supported by the participation of countries in a number of networks, associations and regional programmes that allow members to share information and expertise. Several examples will be discussed in this part, varying from the Corruption Hunters Network, to international and regional associations of anti-corruption authorities that support specific programmes. This part will also mention networks focusing on asset recovery (such as the Stolen Asset Recovery (StAR) initiative) and money-laundering groups that support South-South cooperation.

41. Norway is supporting a network of corruption hunters (the **Corruption Hunters Network**), which includes prosecutors, investigators and heads of anti-corruption agencies from both developed and developing countries. The members are selected on their personal performance and experience, and meet regularly.

42. Networking, capacity-building and knowledge sharing are the main activities of the **Anti-Corruption Practitioners Network (ACPN)**. It was initiated in 2006 to bring together a group of experts and practitioners working in national anti-corruption institutions or international organizations (namely, UNDP/UNODC) in Eastern Europe and the Commonwealth of Independent States (CIS). The network is serviced by a website, which is the principal working space of the network, and this contains information provided by the members (now 160) and allows them to collaborate with each other to meet operational objectives. The goal of this interactive tool is to address specific legal and operational problems of existing anti-corruption institutions in the countries of the region, and to support the development of new anti-corruption institutions. The network maintains contact

among participants and allows them to share information and technical advice. It also supports capacity development of anti-corruption agencies.⁵⁵

43. The first annual conference and general meeting of the **International Association of Anti-Corruption Authorities** (IAACA) were held in Beijing in October 2006. The primary objective of IAACA is to promote substantive cooperation among anti-corruption agencies around the world. The IAACA meets annually within the framework of the annual conference and general meeting.⁵⁶ In addition, IAACA provides all members with a platform for, inter alia, exchanging information, submitting reports, releasing anti-corruption news, events and conference activities, and sharing anti-corruption laws and literatures. The contributions provided on domestic anti-corruption news, events and laws of Member States are updated on the organization's website (www.iaaca.org).

44. On the eve of the African Regional Forum on Fighting Corruption, in February 2007, representatives from 33 Member States of the National Anti-Corruption Bodies in Africa met to attend the 2nd **Pan African Meeting of National Anti-Corruption Bodies** in South Africa. Specifically, they resolved and recommended to the African Union and their respective governments:

- To ratify and implement the African Union Convention on Preventing and Combating Corruption and Related Offences;
- To promote information and knowledge exchanges between national anti-corruption bodies; and
- To strengthen the capacities of national anti-corruption bodies, and partnerships with civil society organizations.⁵⁷

45. The **East African Association of Anti-Corruption Authorities** (EAAACA),⁵⁸ established in November 2007 with a secretariat in Uganda, brings together anti-corruption authorities from the following five countries: Kenya; Uganda; Tanzania; Burundi; and Rwanda. The Association meets every year and is aimed at enhancing cooperation in asset tracing, asset recovery, investigations and training within the East African region. The main objective of the Association is to promote, facilitate and regulate cooperation among East African countries in the fight against corruption and other related offences in the region. Other objectives include the facilitation of detection, investigation, freezing, tracing and repatriation of property or proceeds obtained through corruption. It also aims to enhance witness and whistle blower protections.⁵⁹

⁵⁵ UNDP, *Mainstreaming Anti-Corruption in Development: Update on UNDP Work on Anti-Corruption*, 2008; UNDP 2009, op. cit.; UNDP, *Europe and CIS, Activities in the Anti-corruption network*, <http://europeandcis.undp.org/anticorruption/show/F7D61018-F203-1EE9-B464496403D92466>.

⁵⁶ IAACA *Success in Setting up A Platform for International Cooperation to Fight Corruption*, <http://www.icac.org.hk/news/issue28eng/button1.htm>.

⁵⁷ Declaration of the 2nd Pan African Meeting of National Anti-Corruption Bodies, 24th February 2007, Johannesburg, South Africa.

⁵⁸ East African Association of Anti-Corruption Authorities (EAAACA), 3rd Floor, Jubilee Insurance Centre, Parliament Avenue, P O Box 12274, Kampala, Uganda, Tel. 256 414 346185.

⁵⁹ "Regional Anti-graft body set up" All Africa.com (<http://allafrica.com/stories/200711110034.html>).

46. The regional organization, the **Economic Community of West African States (ECOWAS) Protocol on the Fight against Corruption** was adopted with the objective of strengthening effective mechanisms to prevent, suppress and eradicate corruption in each of the States parties through cooperation. Not many States in West Africa have signed the Protocol, but ECOWAS recently organized a meeting in Banjul, Gambia for anti-corruption bodies within West Africa to promote better interregional exchanges on governance and anti-corruption related issues. The ECOWAS Protocol provides an international cooperation framework, which has the potential to improve mutual assistance within West Africa and with other parts of the continent. The Protocol also calls for the establishment of a technical commission to monitor its implementation at both the national and subregional levels, as well as the gathering and disseminating of information, organizing training programmes and providing assistance to States parties.

47. In the Arab region, the **UNDP/UNODC Programme on Governance in the Arab Region (POGAR)**⁶⁰ is implementing a three-year project on “Supporting UNCAC Implementation in the Arab Countries”. It is a joint effort, between UNODC and UNDP within the framework of the UNDP Arab Initiative on Good Governance for Development to ensure maximum cooperation in a strategic partnership for the benefit of the Arab region. Three areas of common interest have been identified under POGAR and include: anti-corruption; judicial reform; and criminal justice reform. With the support of UNDP-POGAR and in partnership with UNODC, the Arab Governmental Expert Group (AGEG) on UNCAC Self Assessment was established in December 2007. It is comprised of 20 experts and practitioners from 17 Arab States who have been officially nominated by their countries, in accordance with the pre-set criteria, to participate in the activities of the Group. The AGEAG aims to improve the capacity of Arab countries in assessing the implementation of the UNCAC, with a view to informing policy decisions and reform efforts by identifying implementation gaps, and technical assistance needs and priorities.

B. Asset recovery

48. Addressing the problem of stolen assets is a great challenge. Even though countries as diverse as Nigeria, Peru and the Philippines have enjoyed some success in asset recovery, the process has been time-consuming and costly. In September 2007, the **Stolen Asset Recovery (StAR) Initiative** was launched jointly by UNODC and the World Bank Group (WBG) with the objective to encourage and facilitate the systematic and timely return of assets stolen by politically exposed persons through acts of corruption, under the framework of the UNCAC. The StAR initiative focuses on three core components: lowering the barriers to asset recovery; building the national capacity for asset recovery; and providing preparatory assistance in the recovery of assets.⁶¹ Success will depend critically upon forging and strengthening partnerships among developed and developing countries, as well as other bilateral and multilateral agencies.

⁶⁰ UNDP 2008, op. cit.; UNDP 2009, op. cit.

⁶¹ UNODC, *Project Document GLOT08: The Stolen Asset Recovery Initiative*.

49. The **Camden Asset Recovery Inter-Agency Network (CARIN)**,⁶² established in September 2004, is an informal network of practitioners and experts in all aspects of tackling the proceeds of crime. CARIN currently has 45 members, including 39 countries and jurisdictions, as well as 6 international organizations. The aim of the network is to enhance the effectiveness of efforts in depriving criminals of their illicit profits. This has become a major law enforcement tool in targeting organized crime with particular reference to financial deprivation. There is added value in that membership of the group will improve cross-border and inter-agency cooperation, as well as information exchange within and outside the European Union.

50. In March 2009, UNODC supported the creation of the **Southern African Network** comprising of prosecutors, police officers and analysts who are dedicated to working on asset forfeiture in Southern Africa. The Network was modelled on CARIN. The Southern African network is supported by CARIN at Europol, and the National Prosecuting Agency of South Africa – a member of CARIN with observer status. It is expected that it will ultimately include all member States of the Eastern and Southern African Anti-Money Laundering Group (ESAAMLG).

51. In August 2009, a Regional Conference in Buenos Aires, Argentina was held on “Asset Recovery in Latin America and the Caribbean”. This was organized by UNODC in conjunction with the Organization of American States (OAS), through the Inter-American Drug Abuse Control Commission (CICAD), and with the Secretariat of the Financial Action Task Force of South America Against Money-Laundering (GAFISUD). The Conference reaffirmed that a network of asset recovery focal points could provide opportunities for dialogue between requesting and requested States parties and that those focal points should maximize the use of existing networks and contacts, where possible, for international cooperation in criminal matters. It was agreed that GAFISUD would provide an operational support platform to further discuss good practices in asset forfeiture work at the domestic and regional levels. Specific terms of reference for an asset forfeiture ad hoc group will be produced by the GAFISUD Secretariat, OAS-CICAD and UNODC. These are to be submitted to the GAFISUD Member Countries at the next plenary meeting in December 2009.

C. Money-laundering

52. The Financial Action Task Force (FATF) is an inter-governmental body whose purpose is to develop and promote policies to combat money-laundering and terrorist financing, both at the national and international levels. In order to achieve this, it established a series of Recommendations in 1990, revised in 1996 and in 2003, that consider the evolving threat of money-laundering, that set out the basic framework for anti-money-laundering efforts and that are intended to be universally applied. FATF also aims to generate the necessary political will to bring about national legislative and regulatory reforms in the area of money-laundering. It is to be noted that there are eight entities established throughout the world, known as FATF-Style Regional Bodies (FSRBs). These include: Asia/Pacific Group on Money-Laundering (APG); Caribbean Financial Action Task Force (CFATF);

⁶² CARIN, http://www.europol.europa.eu/publications/Camden_Assets_Recovery_Inter-Agency_Network/CARIN_Europol.pdf.

Eastern and Southern Africa Anti-Money-Laundering Group (ESAAMLG); EurAsian Group on Money-Laundering (EAG); Financial Action Task Force of South America (GAFISUD); Inter-Governmental Action Group Against Money Laundering and Terrorist Financing in West Africa (GIABA); Middle East and North Africa Financial Action Task Force (MENAFATF); and Council of Europe's Select Committee of Experts on the Evaluation of Anti-Money-Laundering Measures (MONEYVAL). All FSRBs except EAG, GIABA and ESAAMLG have also been granted associate membership status with the FATF. The principal functions of the FSRBs are:

- To facilitate the adoption, effective implementation and enforcement of internationally accepted standards against money-laundering and the financing of terrorism, in particular the FATF 40 Recommendations on Money-Laundering and Nine Special Recommendations on Terrorist Financing, as well as United Nations conventions and regulations;
- To establish systems for the protection of the financial systems of their Members from money-laundering and the financing of terrorism, including among others, systems for reporting suspicious and other transactions; and
- To promote mutual legal assistance and cross-border cooperation among their Members.

D. Review mechanisms around conventions and protocols

53. South-South cooperation in the form of anti-corruption activities have until recently centred around predominately the review of regional protocols and conventions.⁶³ This part will briefly consider the following examples from Asia, Africa and Latin America: the Asian Development Bank (ADB) and Organization for Economic Cooperation and Development's (OECD) Anti-Corruption Initiative for Asia and the Pacific; the African Peer Review Mechanism (APRM); and Inter-American Convention Against Corruption and the Follow-Up Mechanism for its Implementation (MESICIC). In addition to this, UNODC responded to the request of States parties to support, on an interim basis, a review mechanism that combined the UNCAC self-assessment component with a review process. This was known as the UNCAC Pilot Review Programme and was strictly voluntary and limited in scope and time.⁶⁴

E. ADB/OECD: Anti-Corruption Initiative for Asia and the Pacific⁶⁵

54. Recognizing the negative effects of corruption, governments in Asia and the Pacific region resolved in the late 1990s to cooperate in fighting against corruption. Under the joint leadership of the ADB and OECD, the Anti-Corruption Initiative for

⁶³ U4 2009, op. cit.

⁶⁴ For more information, see: UNDOC, *United Nations Convention against Corruption Pilot Review Programme*, <http://www.unodc.org/unodc/en/treaties/CAC/pilot-review.html>.

⁶⁵ OECD, www.oecd.org/corruption/asiapacific; www.oecd.org/dataoecd/43/31/42008862.pdf.

Asia and the Pacific was established in 1999 with around 17 countries in Asia and the Pacific regions. To date, it has a membership of 28 countries.⁶⁶

55. In 2001, following various meetings and conferences, the countries jointly developed and adopted the Anti-Corruption Action Plan for Asia and the Pacific that sets out the goals and standards for creating sustainable safeguards against corruption in the economic, political and social spheres of the countries in the region. The Plan addresses corruption under three pillars: (i) developing effective and transparent systems for public service (ii) strengthening anti-bribery actions and promoting integrity in business operations, and (iii) supporting active public involvement. The Plan is accompanied by an implementation mechanism that supports the Member Governments' efforts by: (i) fostering policy dialogue and measuring progress; (ii) providing analysis to support policy dialogues; and (ii) capacity-building in order to implement the reforms. Underpinning this mechanism are strong partnerships between Member Countries and relevant regional and international organizations. The Initiative has also built strong partnerships with the private sector, civil society and donors actively involved in combating corruption in the region. The partnerships, inter alia, include: the American Bar Association/Rule of Law Initiative; the Asia-Pacific Group on Money-Laundering (APG); the Pacific Basin Economic Council (PBEC); Transparency International (TI); UNDP; and the World Bank. The Initiative also works in close partnership with the OECD Working Group on Bribery in International Business Transactions and other OECD bodies, UNODC, the Asia-Pacific Economic Cooperation (APEC), and various other regional organizations.

56. Initially, the Initiative's main activities included: (i) regular reporting by Members on their recent reform measures; (ii) anti-corruption reform project cycles (during each cycle, the countries selected a reform project and then reported back on the project's implementation at the end of the given cycle); (iii) seminars on specific anti-corruption topics; and (iv) conferences. Nevertheless, the Initiative has now evolved to include thematic reviews, whereby one particular area of anti-corruption work is reviewed in each Member Country, and can also include specific reviews (i.e. Curbing Corruption in Public Procurement (2006) and Mutual Legal Assistance, Extradition and Recovery of Proceeds of Corruption (2007)). In June 2009, a review methodology for conducting voluntary country reviews was adopted. Such benchmarking exercises, besides increasing an understanding of corruption and its risks, have assisted in measuring progress and helped to identify needs for reform. In summary, factors that seems to account for the success of this Initiative include strong partnerships, committed leadership, incentives to cooperate, relevance and responsiveness, sustainability and political will.

⁶⁶ Australia; Bangladesh; Bhutan; Cambodia; People's Republic of China; Cook Islands; Fiji Islands; Hong Kong, China; India; Indonesia; Japan; Kazakhstan; Korea; Kyrgyz Republic; Macao, China; Malaysia; Mongolia; Nepal; Pakistan; Palau; Papua New Guinea; Philippines; Samoa; Singapore; Sri Lanka; Thailand; Vanuatu; and Viet Nam.

F. The African Peer Review Mechanism (APRM)⁶⁷

57. A well-known monitoring mechanisms involving South-South cooperation is the African Union Peer Review Mechanism (APRM). This was established by the African Union as part of the New Partnership for Africa's Development (NEPAD). As of February 2008, 29 countries had formally joined the APRM by signing the Memorandum of Understanding on the APRM.⁶⁸ The APRM is an instrument voluntarily acceded to by African Union Member States, and focuses on functioning as an "African self-monitoring mechanism". Its primary purpose is to foster the adoption of appropriate laws, policies, standards and practices that lead to political stability, high economic growth, sustainable development, and accelerated subregional and continental economic integration. This goal is achieved through the sharing of experiences, reinforcement of successful and best practices, as well as identifying deficiencies and assessing the needs for capacity-building.⁶⁹

58. The review process includes country self-assessments based on a questionnaire, expert review teams and on-site visits by expert review teams who consult with the government, private sector and civil society representatives. This also includes active plenary discussions, and the revision of country reports and action plans by the Panel of Eminent Persons. As of September 2009, 12 of the 29 countries had completed the review process; 7 of the country reports were made publicly available on the APRM website.⁷⁰

G. Inter-American Convention Against Corruption and the Follow-Up Mechanism for its Implementation (MESICIC)⁷¹

59. In 1996, OAS Member States adopted an anti-corruption legal instrument and in 2002, instituted a review mechanism, known as the Inter-American Convention against Corruption and the Follow-Up Mechanism for its Implementation (MESICIC), which focuses on preventing, detecting, punishing and eradicating corruption in the Americas.⁷² MESICIC is a tool to support the development of the Inter-American Convention against Corruption (IACAC) through cooperation between States parties. The IACAC specifically includes, as its underlying principle, the recognition of the international importance of corruption and the need for an instrument to promote and facilitate inter-country cooperation to combat it. MESICIC has the following goals and objectives:

⁶⁷ U4 2009, op. cit.

⁶⁸ Algeria, Angola, Benin, Burkina Faso, Cameroon, Republic of Congo, Djibouti, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Malawi, Mali, Mauritania, Mauritius, Mozambique, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Togo, Uganda, and Zambia.

⁶⁹ APRM, *FAQs*, www.saiia.org.za.

⁷⁰ The reports have been made publically available by: Ghana; Rwanda; Kenya; Algeria; South Africa; Benin; and Uganda. 5 other countries also have completed reports: Nigeria; Burkina Faso; Mali; Mozambique; and Lesotho.
http://aprm.krazyboyz.co.za/index.php?option=com_aprm_documents&Itemid=32&page=documents-category&cid=25&nid=22&id=22.

⁷¹ OAS, *Anti-Corruption Portals of the Americas*, <http://www.oas.org/juridico/english/FightCur.html>.

⁷² OAS, *The Convention and MESISIC*, FAQ, http://www.oas.org/juridico/english/faq_ac.htm#1.

- To promote and strengthen the development, by each of its States parties, of the mechanisms needed to prevent, detect, punish, and eradicate corruption;
- To promote, facilitate and regulate cooperation among the States parties to ensure the effectiveness of measures and actions to prevent, detect, punish and eradicate corruption in the performance of public functions and acts of corruption specifically related to such performance; and
- To facilitate activities of technical cooperation, the exchange of information, experiences and best practices, and the harmonization of States parties' legislation. These activities are of most relevance to a discussion on South-South cooperation where information exchanges and the sharing of best practices are to be mutually beneficial.

H. UNODC: Pilot Review Programme of UNCAC implementation⁷³

60. UNODC launched the UNCAC Pilot Review Programme, in accordance with the Conference of the States Parties Resolutions 1/1 and 1/2. The Programme consisted of 29 volunteer countries,⁷⁴ and provided the basis for testing an innovative review mechanism for the implementation of the UNCAC. The methodology used was to conduct a limited review in the participating countries, using a combined self-assessment/group/expert review method, with the support of the Secretariat, as possible mechanisms for reviewing the implementation of the Convention.

61. Throughout the review process, members of the group engaged with the individual countries under review in an active dialogue, discussing preliminary findings and requesting additional information. Where agreed, country visits were conducted to assist in undertaking the self-assessments and/or preparing the recommendations. The teams conducting the country visits were composed of experts from two reviewing countries and the Secretariat. These mostly also included experts from the region, allowing for South-South cooperation to take place. This was referred to by many participants as a best practice of the UNCAC Pilot Review Programme, as it allowed for the sharing of successful practices and learning from each other's experiences. More information can be found in the document titled "Good practices and lessons learned from implementing the UNCAC Pilot Review Programme" (CAC/COSP/2009/CRP.8).

⁷³ UNODC, *Project Document GLOS96: Voluntary Pilot Programme Review of Implementation of UNCAC*.

⁷⁴ Argentina; Austria; Bolivia; Burkina Faso; Colombia; Dominican Republic; Fiji; Finland; France; Greece; Indonesia; Jordan; Mexico; Mongolia; the Netherlands; Norway; Pakistan; Panama; Peru; the Philippines; Poland; Romania; Rwanda; Serbia; Sweden; the United Kingdom of Great Britain and Northern Ireland; the United Republic of Tanzania; and the United States of America.

I. Sharing lessons from North-South: UNCAC Gap Analysis and judicial integrity

62. Often the capacity built, and knowledge and experience gained through North-South cooperation are passed on by recipient countries through South-South cooperation. By way of example, the German Technical Cooperation Agency (GTZ), commissioned by the German Ministry for Economic Cooperation and Development (BMZ), developed the UNCAC Project. Under this Project, the GTZ has funded a number of countries to conduct their own Gap Analysis and Compliance Review with respect to the UNCAC.⁷⁵ This has been applied in Bangladesh, Colombia, Ghana, Indonesia and Kenya. Subsequently, these countries in the “global South” have been put in a position to share their experiences with each other. This has also placed them in a position that allows them to draw upon not only their own lessons, but also those of others, and share their experience and knowledge with peers. Another example is UNODC’s programmes to promote judicial integrity and capacity in Nigeria and Indonesia, which is also discussed below.

J. GTZ: Kenya’s UNCAC Gap Analysis

63. An encouraging example of South-South and triangular cooperation in the fight against corruption is the experience of Kenya in conducting its UNCAC Gap Analysis that drew upon the experiences of Indonesia and Bangladesh. Kenya was the first country to sign and ratify the UNCAC in December 2003, shortly after elections in Kenya that had been run and won on an anti-corruption platform. Thereafter, Kenya’s Anti-Corruption Commission was tasked with conducting the UNCAC Gap Analysis and Compliance Review, as well as recommending and drafting legislation that would comply with the UNCAC. Two requirements were soon identified for the Gap Analysis to be successful: firstly, examples from countries comparable to Kenya; and secondly, technical assistance. The Principal Attorney of Kenya’s Anti-Corruption Commission, in describing the process, stated:

“As soon as I attempted the task, I realized that I did not have training or skills in domestication of international Conventions. I resorted to research, especially on the Internet, where I found that most of the information on international law was about developed countries. I also realized there was some fundamental difference between developed countries and developing countries in the domestication of Conventions and Treaties; in that the developed countries generally interrogate the provisions of the Convention before ratifying it, and align their domestic law with the Convention before ratifying; whereas developing countries ratify first and then think about aligning their domestic laws if at all later. I was therefore keen to get some good case studies from developing countries.”

64. Regarding South-South cooperation, Principal Attorney also noted: *“We have had some very useful experiences, although they were not initially formally planned but rather developed out of necessity.”* Of particular importance and great benefit to Kenya was deemed to be its cooperation with Indonesia and Bangladesh in

⁷⁵ GTZ, *Implementation of UNCAC*, <http://www.gtz.de/en/themen/politische-reformen/korruption/25278.htm>.

conducting its UNCAC Gap Analysis. One example of direct contact was, in November 2008, when Kenya invited the Director of the Institute of Governance Studies (IGS) in Bangladesh, an organization that has provided assistance to the Government of Bangladesh on the UNCAC, to attend the Kenyan national conference of stakeholders regarding the UNCAC Gap Analysis. In response to the invitation, the Director stated: “*We will be only too delighted to share our experience which we have gathered in the course of the process of undertaking our UNCAC related activities. We hope that our combined effort will help each other to achieve our common goal – a corruption free society.*” He was asked to address the issue of what Bangladesh had for their UNCAC Gap Analysis. The visit to Kenya was also deemed useful by the Director who noted that he had learned from the Kenyans, “*In particular he said that he had learnt a lot from ... [Kenya’s] Implementation Plan, and that he would introduce the idea in his country.*”

65. Based on this experience, it was suggested that a formal mechanism be established where a caucus of like-minded, “peer group” countries could learn from each other. This would entail identifying “like-minded” countries (i.e. developing countries who have undertaken a comparable UNCAC Gap Analysis), and holding regular meetings to compare notes, holding joint seminars, exchanging experience, and inviting experts who would make presentations on areas of common interest. These areas could include, inter alia, the domestication of international conventions, asset recovery, international cooperation and the compliance review. It was proposed that such an inaugural meeting be held in Kenya.

K. UNODC: Strengthening judicial integrity and capacity in Nigeria and Indonesia⁷⁶

66. These projects are aimed at strengthening the rule of law, both at the national and subnational levels, and assisting the governments to increase their capacity and integrity of the justice system, in particular the judiciary. UNODC has been implementing projects on the strengthening of judicial integrity and capacity-building in Nigeria and Indonesia. The projects provide support to the judiciary in assessing the levels, causes, locations, types and costs of corruption in the justice system, as well as in planning, implementing and monitoring a sustainable reformatory process at the federal level, as well as in selected States/provinces. Based on the outcome of this assessment, UNODC advises the judiciary at the federal level and in the pilot States/provinces on developing, implementing and monitoring plans of action focusing on the strengthening of judicial integrity and capacity. UNODC then contributes to the establishment of a systematic action learning process leading to the identification of best practices. In this context, the project will focus on the transfer of planning, monitoring and implementing skills in order to create the necessary local capacities to continuously broaden and intensify the reformatory process within the federal and State/provincial judiciaries. Both programmes have had a significant impact on other countries in the regions, and both Nigeria and Indonesia have developed into centres of excellence. Having

⁷⁶ UNODC, *Strengthening Judicial Integrity and Capacity (Field Project)*, <http://www.unodc.org/nigeria/en/judicialintegrity.html>.

strengthened their judicial integrity and capacity, they are able to share their expertise with other countries.

L. Building on centres of excellence

67. This part identifies examples where so-called “centres of excellence”, such as an anti-corruption commission, can share experiences and training with peer organizations in the same or different regions. Examples that will be referred to from Africa include: Kenya; Nigeria; Sierra Leone; and South Africa. Consideration will also be had for the regional learning programme facilitated by the World Bank Institute. Another example is Brazil, a leader in the “global South”, who is playing a role in spreading information and expertise on judicial conduct and asset recovery. Finally, South Africa’s engagement with the Democratic Republic of the Congo (DRC) to support the establishment of an anti-corruption framework will also be considered.

M. Kenya: Anti-Corruption Commission training for South Sudan and other countries

68. In April 2008, the Kenyan Anti-corruption Commission conducted a training for the South Sudan Anti-Corruption Commission. With the assistance of UNODC, the Kenyan Commission was able to provide three trainers to facilitate a training on the financial management of an Anti-Corruption Commission, prevention anti-corruption strategies and community education. Kenya has also assisted South Sudan in writing an anti-corruption statute, has trained authorities from Botswana in preventive anti-corruption measures, and has interacted with anti-corruption agencies from Indonesia, Namibia, Nigeria, Singapore, South Africa, Tanzania and Uganda.

N. Sierra Leone: Anti-Corruption Commission and South-South cooperation

69. Sierra Leone’s Anti-Corruption Commission has been active in interacting with countries in the region. For example, in terms of bilateral cooperation, staff of the Commission have been invited to participate in study tours in Botswana and Zambia, and a number of tours are scheduled to take place in Malawi, Uganda and Kenya to examine ways in which the National Anti-Corruption Strategy is being implemented. Requests from other Anti-Corruption Commissions in the South for cooperation and collaboration have come from Nigeria’s Economic and Financial Crimes Commission (EFCC) and the Liberian Anti-Corruption Commission. It is also to be noted that officers from the Sierra Leone’s Anti-Corruption Commission have benefited from a number of training and capacity-building services being provided by some Asian anti-corruption agencies, and staff of the Commission have also participated in several courses organized by the Singapore Corruption Prevention Bureau.

O. Nigeria: Sharing lessons with South Sudan and Liberia⁷⁷

70. In 2009, the former head of Nigeria's EFCC was invited to South Sudan and Liberia to share expertise on the Nigerian experience. The trip to Liberia took place in August 2009 at the invitation of the Liberian Government. The former head provided advice to the Liberian and South Sudan Anti-Corruption Commissions on their structures and shared "*some of the basic things that need to be done for them to succeed as an anti-corruption commission.*" This type of knowledge exchange on corruption by Southern experts to other countries in the South is an example of emerging South-South cooperation.

P. South Africa: Enhancement of Swaziland's anti-corruption capacity

71. South Africa's Special Investigating Unit (SIU), supported by UNODC, is playing a role in the enhancement of Swaziland's anti-corruption capacity. The project, which has two phases, was not conceived as a South-South cooperation initiative. The first phase led to the establishment of a national forum against corruption in Swaziland, involving government departments and civil society organizations, which was reflected in the national strategy developed by all stakeholders. The aim of the second phase was to build the capacity of Swaziland's Anti-Corruption Commission (ACC), particularly with regard to investigation and prosecution. The project foresaw that the capacity-building component would be undertaken, inter alia, through consultants. It was in this context that UNODC invited the National Prosecuting Authority, specifically the Special Investigating Unit (SIU), to be involved in the project, as an alternative to private consultants. The objective was to build a partnership between South Africa's SIU and the ACC in Swaziland, which could continue long after the project life cycle. South-South cooperation as a mechanism for project implementation was thus promoted. This example clearly highlighted that the building of a partnership between an agency with recognized capacity, expertise and skills with another agency that has more limited capacity is the most effective way of transferring skills. The two agencies used in the example are in the same region and it is in their mutual interest for the operational capacities of investigation and prosecution of corruption related offences that are to be strengthened in light of the transnational/cross-border nature of the offences. Therefore, the mutual interest of both parties through South-South cooperation has created a win-win situation for all concerned.

Q. South Africa: Asset Forfeiture Unit training in the region⁷⁸

72. In July 2009, South Africa's Asset Forfeiture Unit (AFU) hosted a two-day training event attended by approximately 170 prosecutors and investigators. This event was part of the AFU's annual training initiative, and this year, it coincided

⁷⁷ Ribadu, N., "*Governance, Ethics, and Anti-Corruption Reforms*", Remarks at the National Assembly of Southern Sudan, 31 July 2009.

⁷⁸ Gilman, S., BTOR: *South Africa Training Event, July 8-9, 2009 Attachments in Appendices I and II from Larissa Gray (FPDFI, World Bank) and Clive Scott (GPML, UNODC)*, 2009.

with its tenth anniversary. It was also the first year that foreign government officials were invited to participate. Through StAR sponsorship, eight asset forfeiture prosecutors from Namibia, Botswana and Swaziland were able to participate in the event, exposing them to current issues in asset forfeiture practice in South Africa and providing additional networking opportunities. For StAR, this event had a number of important objectives. Firstly, it allowed for an evaluation of training being provided by the South African Government in the area of asset recovery. Secondly, by supporting the attendance of officials responsible for asset recovery in Namibia, Swaziland and Botswana, StAR also supported the development of technical capacity and networks in the region. Thirdly, the event allowed StAR to evaluate the feasibility of more South-South training and capacity-building to take place.

73. Although a number of sessions addressed local and specific issues, and decisions of various courts, the visiting officials still found the sessions to be helpful. It is to be noted that decisions taken by South African courts can have persuasive value in other jurisdictions in the African region, and other African legislation often mirrors that of South Africa. For this reason, it was an opportunity for some officials to learn about issues and how these might be raised in their own court systems. Feedback from the non-South Africans attending the training was unanimous about the importance and relevance of these topics for their own countries. While several spoke about bi-lateral training that they have received by way of traditional North-South technical assistance, for the most part the training from developing countries was interesting, but often irrelevant to their circumstances. In contrast, the South African training was felt to be more pertinent.

74. The AFU has considerable potential as a training provider on asset forfeiture and related investigative work to English speaking countries in the Southern and Eastern African region (and possibly further afield). The AFU's asset forfeiture law practice has attained a very high standard, and should be regarded as a world centre of excellence in this field. AFU presenters are respected within the region and use language that is readily understood by their colleagues in neighbouring countries with AFU case studies for the most part, which are relevant and useful for regional training purposes. The AFU has also developed an extensive library, including, inter alia, precedent applications that have been used with minimal changes in other neighbouring jurisdictions.

R. World Bank Institute's (WBI) regional learning programme: Lusophone Africa

75. Through the World Bank Institute's (WBI) regional learning programme, countries such as Brazil and Portugal have been sharing expertise on how to investigate and prosecute cases of corruption with three Lusophone Countries in Africa, namely Angola, Cape Verde and Mozambique. The sharing of a common language has facilitated and enhanced this example of South-South cooperation. In June 2009, three video conferences were hosted by the WBI with the Attorney Generals from Mozambique, Angola and Cape Verde who shared presentation on "Aspirations and Challenges in investigating and prosecuting cases of corruption". The former Attorney General from Sao Tome and Principe also participated. A Public Prosecutor from the Attorney General's Office in Portugal was also able to

give an overview of Portugal's legal framework, and that challenges and lessons learned from the Portuguese experience of investigating corruption. Prosecutors from Brazil further shared their experiences of investigating and prosecuting corruption related cases, and a presentation from a criminal law specialist from Peru was also given.⁷⁹

S. Brazil and the Bangalore Principles of Judicial Conduct

76. In 2008, UNODC signed a Memorandum of Understanding with the Federal Justice Council of Brazil to develop joint activities between Brazil and Portuguese speaking countries in Africa, relating to judicial integrity. One of these activities has been to translate a commentary on the Bangalore Principles of Judicial Integrity into Portuguese.

77. Drafted initially by UNODC's Judicial Integrity Group, and emerging from a conference hosted in Bangalore, India, the Bangalore Principles of Judicial Conduct (2002) – whose core values are independence, impartiality, integrity, propriety, equality, competence and diligence – have increasingly been accepted by different sectors of the global judiciary and by international agencies interested in the integrity of the judicial process. In brief, these principles give expression to the highest traditions relating to the judicial function as visualized in all cultures and legal systems. While some States have adopted the Bangalore Principles, others have modelled their own Principles of Judicial Conduct on them.⁸⁰

78. On 21-22 October 2009, judicial authorities in Cape Verde (namely, the Chief Justice and Minister of Justice) invited UNODC and the Minister of the Supreme Court in Brazil to attend the opening of the "Week of Justice", and for the Minister to talk about Brazil's experience with regard to good practices around judicial integrity. The translated commentary on the Bangalore Principles of Judicial Conduct was to be shared with the participants. It was hoped that this will open the door for further South-South cooperation between Brazil and other Lusophone Africa. Brazil has good trade, economic and education relations with Cape Verde, and the sharing of good practices on judicial integrity is an emerging part of this relationship where the judiciary has allocated funding for such cooperation and knowledge exchange.

T. Brazil as a regional leader in asset recovery⁸¹

79. In relation to asset recovery, Brazil has a Department for Asset Recovery and International Legal Cooperation (DRCI) that was set up within the National Justice Secretariat of the Ministry of Justice. The DRCI, through its Asset Recovery Coordinating Board, plays a major role in the activities of the State to recover assets

⁷⁹ World Bank Institute: *Regional Learning Program on Public Prosecution for Angola, Cape Verde and Mozambique*, June 8, 10 and 15 2009.

⁸⁰ UNODC, 2007, op. cit.

⁸¹ Presidency of the Federative Republic of Brazil, Office of the Comptroller General, *United Nations Convention*
<http://www.cgu.gov.br/english/AreaPrevencaoCorrupcao/ConvencoesInternacionais/UNConventionMeasures.asp>.

of illegal origin. Its responsibilities include developing links and collaborating with law enforcement, the Public Prosecutor's Office, the Judiciary Branch and competent agencies to recover, in Brazil and abroad, assets acquired as a result of illegal activities. Staff of the DRCI are often used as experts in technical assistance activities in the field of asset recovery in region and beyond.

U. UNODC/SA/DRC: Support for the establishment of an anti-corruption framework

80. Although it is premature to claim a positive example of South-South cooperation, South Africa as an emerging donor and one of the pivotal countries in the "global South" has, along with UNODC, signed a tri-lateral Memorandum of Understanding with the DRC to support the establishment of an anti-corruption framework. The objective is to establish a comprehensive anti-corruption framework for the DRC that would enable the DRC to ratify and implement the UNCAC, the African Union Convention on Preventing and Combating Corruption and the SADC Protocol Against Corruption. This is in line with South Africa's national priority objectives. According to the Department of Public Service and Administration, the transferring of skills with the intention of generating long-term sustainability is at the core of this project and has been built into its design.⁸² As there is no existing anti-corruption framework in the DRC, the project proposes to host the National Anti-Corruption Summit, which would bring together over 400 national delegates. This would be the first step towards establishing an national anti-corruption strategy.

V. Conclusion

81. The above case studies and examples of South-South cooperation, in the field of anti-corruption, demonstrate the growing interest to exchange experiences, among peer countries and institutions, that are both relevant and useful. As corruption poses a particularly harmful threat to developing economies in the "global South" and poses an increasing obstacle to the delivery of efficient and effective aid, there remains a common interest in working together, both vertically (North-South) and horizontally (South-South).

Section C: Lessons Learned – South-South cooperation and the fight against corruption

82. In this final section, the paper will briefly describe the relevant advantages of South-South cooperation, as well as some of the challenges. It will also consider emerging trends and how these can potentially impact positively on the implementation of the UNCAC.

⁸² DPSA 2009, op. cit.

A. Advantages of South-South cooperation

83. In terms of the big picture, South-South cooperation has been successful in both decreasing dependence and pressure on the aid programmes of developed countries and in creating a shift in the international balance of power.⁸³ For one, the relative absence of conditionalities attached to development cooperation, is attractive to programme countries in the South. Whereas Northern assistance flows often come with policy strings attached, Southern development cooperation is seen as more flexible and less restrictive.⁸⁴ However, as in North-South cooperation, it is imperative that programme countries show leadership by defining their own priorities and needs so that a new type of power by Southern donors does not simply replace the North-South model.

84. A frequently stated advantage of South-South development cooperation is that it provides better value-for-money than assistance by Northern donors, and it is seen as more cost effective.⁸⁵ Cost effectiveness is achieved in several ways: through access to less expensive financing; lower labour costs; higher productivity; cheaper procurement of materials; and the transfer of more appropriate technology. While it is possible to find examples that either support or disprove the contention of better value-for-money through South-South cooperation, a study of Chinese construction and infrastructure projects in four African countries – Angola, Sierra Leone, Tanzania and Zambia – provides illustrative information on these aspects.⁸⁶ Another potential advantage of Southern development assistance is that it is viewed as being less encumbered by procedural and administrative delays, and that there are fewer administrative procedures, as opposed to dealing with Northern donors who may have more stringent and burdensome administrative requirements for disbursing aid.

85. Most importantly, reviews of technical cooperation suggest that South-South learning is often more effective in developing capacity than one-way knowledge transfers from the North.⁸⁷ This has been demonstrated by the GTZ example where Kenya was able to positively draw from the rich experience of other developing countries such as Indonesia and Bangladesh in conducting its own UNCAC Gap Analysis. Also, in the case of the training on asset forfeiture conducted by South Africa in the region, this was well received by practitioners who could relate closely to the South African context and experiences of this type of anti-corruption activity. It is also important to note that forms of South-South cooperation can also be beneficial in terms of enhancing the capacities of source countries, whereby these countries (mainly in the North) engage in a learning process gleaned from their experiences of supporting and guiding others.⁸⁸ An awareness of and openness to this type of self-learning activity among donors can alter some of the traditional views of merely providing technical cooperation and assistance to the “global South” with respect to anti-corruption and governance activities.

⁸³ Global Envision, *South-South Cooperation Defies the North*, www.globalenvision.org/library/3/1371

⁸⁴ UNECOSOC 2008^a, op. cit.

⁸⁵ UNDP 2004 op. cit.

⁸⁶ UNECOSOC 2008^a, op. cit.

⁸⁷ World Bank Institute 2007, op. cit.

⁸⁸ UNECOSOC 2008^b, op. cit.

B. Challenges for South-South cooperation

86. At both a conceptual and operational level, there is a need to strengthen the thinking and action around South-South cooperation. Despite its long history, there is still little data and analysis on the subject and the systematization of practice and learning is still pending. It is therefore imperative to invest in better information systems, statistics, reporting and monitoring, and evaluation systems.⁸⁹ The lack of both resources and information about developing countries is widely perceived to be an obstacle to South-South cooperation. Additionally, effective mechanisms and institutions to coordinate and manage South-South cooperation have not been sufficiently developed. For instance, more governments need to create national databases of experts and capabilities in the South.⁹⁰ This is starting to happen in the field of anti-corruption with UNODC facilitating a database including Southern experts.

87. There is a need for more coordination around South-South cooperation, in general, and specifically with respect to monitoring and evaluation. The collection of more data will undoubtedly assist to improve the level, scale and quality of South-South cooperation.⁹¹ A culture of evaluation is still to be built and South-South cooperation could enhance its legitimacy and visibility on the basis of impact assessments.⁹² However, in considering the budgetary constraints for such evaluations, greater creativity should be used in order to better understand the scope and results of South-South cooperation. In this sense, pilot evaluations with deft methodologies could allow for an analysis of costs and benefits in order to obtain a clearer picture of efficiency and effectiveness levels. Another central issue of these evaluations would be to gather “lessons learned”, since South-South cooperation is also facing challenges with regard to economies of scale and adapting to national and local contexts.⁹³

88. Overall, the monitoring and evaluation systems of Southern bilateral contributors seem to be largely concerned with the timely completion of projects and less with longer-term perspectives on the sustainability or wider development impact of projects.⁹⁴ While Southern contributors may be able to implement projects faster and at lower costs, there are also other factors (i.e. environmental, human rights) that need to be taken into account. This is an important policy challenge facing Southern contributors (as well as Northern donors).⁹⁵

89. Knowledge sharing is an essential component of cooperation for development and despite its relevance for development, the extent of knowledge sharing among Southern countries is still limited. Such exchanges lead to the identification of potential opportunities for cooperation, which in turn will not materialize without continuous sharing. Thus a process is needed to facilitate the exchange of information and enhanced analysis, through which other development actors can

⁸⁹ FRIDE 2009, op. cit.

⁹⁰ UNDP 2004, op. cit.

⁹¹ FRIDE 2009, op. cit.

⁹² Secretaría General Iberoamericana, *Presentación II informe de la Cooperación Sur-Sur*, 26 January 2009, <http://www.segib.org/actividadesDatos.php?id=206&idioma=esp>.

⁹³ FRIDE 2009, op. cit.

⁹⁴ UNECOSOC 2008^a, op. cit.

⁹⁵ Ibid.

learn the positive lessons from South-South and triangular development cooperation, especially in the technical assistance/capacity development, infrastructure, regional programmes and the rapid delivery of development results. In recognizing that South-South cooperation is a complement to North-South cooperation, these lessons could be used to arrive at more widely agreed upon development cooperation practices and objectives, and to help programme countries access and use the best available assistance through a nationally-owned framework.⁹⁶ Another major challenge is to integrate the leadership of the players that are mobilizing more funds for South-South cooperation and have greater influence in international forums.⁹⁷

C. Emerging trends

90. In recent years, the emerging global economic and political power of some of the bigger developing countries has the potential to reshape both South-South and traditional North-South engagement in a way that is much more responsive to the aspirations of the developing world than in the past.⁹⁸ Several new trends have emerged, including the better organization of major Southern contributors in the delivery of development assistance and a more systemic approach to South-South cooperation.⁹⁹ The reality is that Southern development cooperation is expected to increase substantially in the future, if Southern contributors pursue current intentions for scaling-up such support. For this, an improved quality of data would be expected to lead to more accurate estimates of Southern development assistance flows, including information on triangular development cooperation.¹⁰⁰

91. Another trend has been the development of decentralized South-South cooperation where cooperation usually takes place outside the government purview and involves local government or elected bodies. There is also a trend towards subregional communities establishing relations (i.e. Asian-African Sub-Regional Organization Conference) and major developing countries from different regions such as India, Brazil and South Africa, teaming up to address common problems or coordinate their response for common challenges. Finally, large Southern countries are putting in place frameworks of cooperation that would allow them to formulate collaborative arrangements with multiple developing countries across regions; for example, under the Smart Partnership Initiative, Malaysia is partnering with a number of African countries.¹⁰¹ Consultation prior to the delivery is also part of this effort to systematize South-South cooperation where for instance Brazil consults annually with Latin American and Caribbean countries before drawing up its cooperation programmes funded nationally and from multilateral sources.¹⁰²

92. The current financial crisis is leading to profound global changes, casting doubt on the development model that has been applied to date and leaving room for new and creative solutions. In this complex context, South-South cooperation can be

⁹⁶ UNECOSOC 2008^b, op. cit.

⁹⁷ FRIDE 2009, op. cit.

⁹⁸ SAIIA 2008, op. cit.

⁹⁹ G77/IFCC 2005, op. cit.

¹⁰⁰ UNECOSOC 2008^a, op. cit.

¹⁰¹ G77/IFCC 2005, op. cit.

¹⁰² Ibid.

very important for the development of national capacities, which are proving crucial given that States are resurging as central actors in the global and national economies.¹⁰³ However, there are some risks in this new context: similar to the ones from the north, Southern providers can be affected by the need to reduce costs and therefore limit resources for South-South cooperation; and conventional donors may promote South-South cooperation as a means to cut funding for development aid from the North and therefore “invite” the South to fill financing gaps.¹⁰⁴

93. Groups such as the G77 are increasingly becoming successful in sharing solutions to common problems and learning from successful peers. This success can be attributed to the following three factors: (i) growing acceptance of the legitimacy of peer learning; (ii) rapid technological progress, which has made global communication more effective; and (iii) expanding trade among developing countries that has also contributed to these knowledge exchanges through increased travel, improved communications and migration.¹⁰⁵

D. UNCAC and South-South cooperation

94. It is clear that there is much benefit to be gained from sharing experiences among countries in the “global South” that are committed to implementing the UNCAC. This has been demonstrated amply by the case studies and examples captured in Section B. The UNCAC provides a platform for cooperation. It provides both political and peer pressure and sensitizes key stakeholders across sectors to the issues. There is a demand for technical assistance around UNCAC that is being recognized and responded to. South-South learning provides a number of valuable aspects including building trust among developing countries through networking and over and above material resources, providing solidarity and support to other practitioners who share a common set of challenges.

95. The UNCAC model works at a number of different levels. It provides a comprehensive and coherent framework for domestic, regional and international action against corruption. It contains concrete provisions which require States parties to put in place measures, rules and regulations for establishing the structures to prevent corruption and the tools for implementing an effective regime, including in the field of asset recovery and international cooperation. An UNCAC international norm and standard around anti-corruption has been articulated. It is a commitment by all States parties that provides the basis for a legitimate dialogue for donors with States parties. At the national level, in implementing the UNCAC a domestic dialogue is put in motion by bringing all stakeholders around the table to discuss ways in which to tackle corruption.

E. Conclusion

96. South-South learning and cooperation is expanding along with South-South trade. It has an important role to play in creating solidarity between developing countries and providing them with creative resources to address common problems,

¹⁰³ FRIDE 2009, *op. cit.*

¹⁰⁴ *Ibid.*

¹⁰⁵ World Bank Institute 2007, *op. cit.*

including fighting corruption. However, certain basic conditions need to be in place for cooperation to be constructive and useful; this depends on various factors, and they apply equally to South-South cooperation and North-South cooperation.

97. Effective cooperation requires planning, in order to ensure that the objectives of the proposed cooperation are clear. As such any proposed engagement needs to have coherence and be clearly framed or conceptualized. To this extent, it is important that there is sufficient information and the correct people are setting the agenda and determining what issues are relevant to both parties. Technical assistance cannot be imposed and only works if there is mutual respect and a specific interest from both parties and partners to engage in a process. South-South cooperation benefits from reciprocity, a sense of a give and take, and learning among partners in the cooperation. Thus, successful cooperation rests on respect, equality, mutual benefit and credibility through delivering on commitments. The close ties of many developing countries, as well as similar economic situations and a shared understanding of the development policies needed in their respective contexts contribute to effective South-South cooperation. It allows developing countries to address common objectives, agree jointly on partnerships and take advantage of the experience of peers at similar levels of development. Tenets for effective South-South cooperation include, among others:

- Respecting the sovereignty of programme countries;
- Adapting good practices to specific conditions of individual countries;
- Starting out small with projects and programmes;
- Sharing the comparative advantage of different development actors; and
- Utilizing existing authoritative comparative mechanisms, such as the United Nations.¹⁰⁶

98. In reference to the last bullet point, support from the international community for South-South cooperation, particularly at the operational level, is sometimes wanting. Since it is exceedingly difficult, at times, for national actors to engage with partners from the South, regional and international aid agencies should enhance the visibility of mechanisms to connect developing countries with regional and international actors.¹⁰⁷ To remain a major actor in the global development scenario, international development organizations will need to adjust to the new environment, in which developing countries are major suppliers of knowledge and capacity services. It is clear that the South is looking to its peers for knowledge and assistance, and international development organizations can leverage these interactions between developing countries, and support the emergence of a knowledge-sharing paradigm.¹⁰⁸

99. The future progress and consolidation of South-South cooperation depends largely on the development of the national capacities of the provider countries. As such, firstly, it is necessary to strengthen national agencies in their management capacities, preventing rotation and promoting professionalization. Secondly, greater investment in knowledge and training is required, including academic programmes

¹⁰⁶ UNECOSOC 2008^b, op. cit.

¹⁰⁷ Ibid.

¹⁰⁸ WBI 2007, op. cit.

in the countries themselves. Finally, the public policies and strategic planning of South-South cooperation should be promoted in each country, including by anchoring it in the relevant institutions and integrating it in government policies.

100. The key issue arising from the studies on South-South cooperation is how to further strengthen the role of Southern contributors in shaping the international development cooperation agenda. Southern contributors require a forum that enables them to proclaim their views, separately from those of Northern donors and programme countries. With a growing number of developing countries cooperation with each other, it is vital to identify suitable and practical mechanisms to propel this alternative approach forward and to coordinate efforts in a more structured manner.¹⁰⁹ There is also scope for traditional North-South development cooperation actors to emulate some of the successful principles of South-South cooperation.¹¹⁰

101. Finally, the case studies and examples in Section B pointed to several key success factors for South-South cooperation to work in practice; namely, strong partnerships, committed leadership, incentives to cooperate, relevance and responsiveness, sustainability and political will. These are important factors to bear in mind for future South-South cooperation around UNCAC implementation.

¹⁰⁹ UNECOSOC 2008^b, op. cit.

¹¹⁰ Idem.

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