

Special Event at the Ninth session of the Conference
of the States Parties to the United Nations
Convention against Corruption

Tackling transnational organized corruption: Linking the UNTOC and the UNCAC



Friday 17 December 2021
12.30 – 13.45 pm (Local Time, GMT+2)

Location: El Fayrouz Room

This special event will look at aspects of transnational organized corruption and at the benefits of linking the UNCAC and UNTOC frameworks in our efforts to prevent and counter corruption. The event is organised by Transparency International and the Global Initiative Against Transnational Organized Crime (GI-TOC), with Italy and Mexico as co-organisers.

MODERATOR

Diego Simancas, *First Secretary, Mexican Permanent Mission to the UN (Vienna)*

PANELLISTS (in speaking order)

Gillian Dell, *Head of Conventions, Transparency International*

Giovanni Tartaglia Polcini, *Magistrate & Legal Adviser, Ministry of Foreign Affairs and International Cooperation/Head of the Italian Task Force for the G20 Anti-Corruption Working Group*

Ambassador Ugljesa (Ugi) Zvekic, *Permanent Observer, European Public Law Organization*

Khadija Sharife, *Journalist, OCCRP*

Vanja Calovic, *Executive Director, MANS (Montenegro)*

Ian Tennant, *Vienna Multilateral Representative, GI-TOC*

Transnational corruption and transnational organized crime often go hand in hand, and sometimes they are one and the same. Discussion of each of the two is only complete if the other is considered.

In other cases, there are political criminal features, with the “traditional” organized crime enterprise gaining protection for illicit activities by corrupting high-level decision-makers and infiltrating state institutions, including political, security and judiciary – this may go as far as complete capture of state institutions. In a few extreme cases, the whole state is controlled by a group dedicated to criminal activities, a so-called “mafia state”.

And then there are grand corruption schemes, large, sophisticated conspiracies where corruption itself is the main criminal activity, a collective enterprise carried out by networks inside and outside the state, extending across borders. These schemes involve public officials, companies, financial institutions and professional enablers and, as with other organized crime, part of the scheme is to subvert oversight and justice institutions.

All these forms of organized crime share some common methods including disabling state oversight and enforcement and the use of international networks to launder the crime proceeds across borders.

The UNCAC lacks the focus of UNTOC on transnational networked crime. While it includes participation offences, these do not have the central importance they have in the UNTOC. It is also missing some of the definitions in UNTOC, such as of “organized criminal group”, “serious crime” and “transnational”. On the other hand, UNTOC does not include many of the preventive, criminalisation and asset recovery measures found in UNCAC. In today’s globalised world, the two approaches should be combined.

And given that the offenders use some of the same methods and international networks of professionals to launder the proceeds of corruption and other crime across borders, there are potential synergies from combining preventive and enforcement efforts against corruption and organized crime.

At this side event, governmental and non-governmental experts will discuss cases showing the interplay between organized crime and corruption. The examples will range from cross-border corruption used by structured organized criminal groups to grand corruption schemes involving transnational networks with public and private sector participants.

The panel will consider proposals for better coordination of discussions and monitoring of UNCAC and UNTOC, with the aim of improving anti-corruption efforts worldwide.