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Annex to CU 2023/187/DTA/CEB/CSS

To facilitate the provision of information on good practices and challenges with respect to the use of information and communication technologies for the purpose of international cooperation and asset recovery in the framework of the implementation of the United Nations Convention against Corruption, the Secretariat has prepared the following questionnaire as a guide that States parties may wish to use.

The Secretariat also wishes to draw the attention of the Government to the notes entitled “The use of information and communications technologies for the implementation of the United Nations Convention against Corruption” contained in documents CAC/COSP/WG.4/2016/2 and CAC/COSP/WG.4/2022/2¹ and the conference room paper entitled “Responses received from States with regard to existing software programmes for case management systems in the field of international cooperation contained in document CAC/COSP/EG.1/2017/CRP.1² that could be used as background material for the completion of the questionnaire.³

I. General information on the use of information and communication technologies:

1. Has the Government used information and communication technologies (ICTs) **in the context of international cooperation** for the implementation of the Convention? Yes /No
 - a. If yes, which ICTs has the Government used in the context of international cooperation? Please choose one or more of the options below:

- Email/messaging technologies
- Videoconference platforms/services
- Word processing technologies (e.g Microsoft Word, Google Docs, Open Office, etc.)
- Publicly available websites
- Artificial intelligence

¹ CAC /COSP/WG.4/2016/2
(<https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2016-August-22-24/V1603242e.pdf>); CAC/COSP/WG.4/2022/2
(https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2022-June-13-17/CAC-COSP-WG.4-2022-2_E.pdf)

² CAC/COSP/EG.1/2017/CRP.1
(<https://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/EMInternationalCooperation/6-7November2017/V1707498e.pdf>)

³ Please refer to resolution 6/7 entitled “Promoting the use of information and communications technologies for the implementation of the United Nations Convention against Corruption”
(<https://www.unodc.org/unodc/en/corruption/COSP/session6-resolutions.html>)

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- Case management systems
- Custom-made software for management and execution of requests
- Databases (Corporation registries, ~~Register for beneficial ownership~~)
- Secure data storage platforms/facilities
- Secure information exchange/communication platforms (Globe Threema, INTERPOL I 24/7, EUROPOL SIENA)
- Translation software
- Other, please specify:

2. Please provide additional details of any ICTs that are particularly useful for international cooperation based on your experience, including any websites, resources or tools that you frequently use and find most useful.

Besides the official letters, Office of the National Anti-Corruption Commission, by Bureau of International Affairs and Corruption Investigation, has utilized our official email in primarily communicating with countries cooperating with us in anti-corruption matters. The following of our official websites are also continuously updated and publicized for those counterparts for keeping them updated on the anti-corruption tasks we are pursuing:

- (1) <https://www.nacc.go.th/> (general news, information, relevant laws and regulations in anti-corruption matters, i.e. prevention of corruption tasks, law enforcement and suppression of corruption tasks, inspection of assets and liabilities, national anti-corruption strategies, organizational structure, contact information, etc.)
- (2) <https://www.nacc.go.th/tacc> (information on the collaboration with internal and external agencies in order to efficiently and uniformly implement the United Nations Convention against Corruption)
- (3) <https://www.nacc.go.th/abas/> (information on knowledge, relevant legislations, measures, best practices, and tools beneficial to the prevention of bribery under international standards)

3. If you are using software or have developed or use custom-made software in the context of international cooperation (e.g. case management for incoming and outgoing requests), please provide information on the main features of such software and how it could be useful. Additionally, would you consider making your custom-made software available to other States parties to the Convention?

N/A

II. Evaluation and good practices

4. Have you evaluated the effectiveness of using ICTs for international cooperation in the fight against corruption? Yes /No

a. If yes, what indicators did you use for your evaluation? What was the outcome of the evaluation?

b. If the outcome of the evaluation was positive, how did the use of ICT facilitate international cooperation? Has the use of ICTs improved the quality of incoming and outgoing requests or their timely follow-up and reporting on international cooperation?

ICT facilitates international cooperation since we could communicate via electronic methods at the beginning steps to make sure that the official correspondence in each cooperation matter would be transmitted to the agency/division responsible in the specific aspect. Furthermore, the electronic methods, especially the official email correspondence, is one of the efficient ways to keep the other party updated on the progress of each cooperative matter.

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5. Please provide information (policies, measures, examples, case studies) of good practices in connection with your country's use of ICTs for international cooperation and asset recovery.

According to the National Anti-Corruption Strategy, ICT has been introduced to improve timeliness and efficiency of the international cooperation in corruption cases. Recently, Office of the NACC has engaged to many useful informal cooperation via various channel such as a phone call, an official email, a video conference to identify appropriate counterpart, to understand the availability in the counterpart's jurisdiction, to be clarified in either legal or technical requirements for the future formal mutual legal assistance, or to transmit any information that is not subject to the confidentiality, *etc.*

6. Have you experienced any challenges or limitations in using ICTs in the context of international cooperation related to anti-corruption efforts? **Yes** **No**

If yes, please indicate which of the following options are applicable:

- Lack of capacity or training
- Lack of resources
- Legal obstacles to the use of ICTs for the international cooperation
- Reluctance from foreign counterparts to use ICTs
- Security and confidentiality of sensitive information (personal data protection)
- Technical obstacles (connectivity, access to stable internet connection, use of outdated technologies, etc.)
- Other, please specify:

7. Please elaborate on the responses provided to question 6. If possible, please provide examples of the obstacles mentioned and describe the measures taken to overcome them.

There are some challenges and limitations in using ICT during the process of informal cooperation; for example, certain types of intelligence could not be transmitted via the ICT channel due to certain concerns such as data protection or the basis of confidentiality.

III. Online one-stop hub of the Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network)

8. Are any law enforcement anti-corruption authorities from your country members of the Globe Network?⁴ **Yes** **No**

- a. What online ICT services or functionality would be the most useful to your practitioners on the GlobE one stop hub, as a resource for international cooperation?

As one of the GlobE authority members, Office of the NACC is facilitated by "the decision tree" which assist the requesting authority to identify the competent foreign counterpart and choose the appropriate channel to contact counterparts in international cooperation.

- b. Has(ve) your GlobE member authority(ies) registered as GlobE Threema⁵ user(s)? **Yes** **No**

⁴ The list of GlobE Members and Observers can be found in the following website:

<https://globenetwork.unodc.org/globenetwork/en/membership.html>

⁵ Information brochure on GlobE Threema:

https://globenetwork.unodc.org/globenetwork/uploads/documents/GlobE_Threema_Brochure_-_A4_version.pdf

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- If yes, does the GlobE Threema address their needs for a secure communication platform? **Yes** / **No**
N/A

- What GlobE Threema functionality do they find the most useful for international cooperation?

GlobE Threema provides a platform for direct communication for the anti-corruption law enforcement practitioners. Moreover, the end-to-end encryption of the application could provide security for those practitioners to exchange intelligences which are beneficial for the anti-corruption cases. Importantly, the directory of contacts maintained by the GlobE Network secretariat is beneficial for the practitioners to initiate informal contact between those who are from different countries in order that they can identify appropriate counterpart, build trust among each other, and make common understanding on the requirements for both formal cooperation and further formal mutual legal assistance.

IV. Other

9. Please provide any other information you consider relevant to your country's legal framework and practices in connection with establishing an effective use of ICTs in the international cooperation system that was not highlighted in the questions above.

The NACC recognizes the importance of ICTs in the international cooperation system and has mostly utilized it in parts of communication and sharing of information in the informal cooperation which is still in the requirements of the domestic law. That is to say, the information and evidences received from such informal channel are not admissible in court but such informal information provide basis for the further formal international legal assistance request.

Therefore, the proper and timely basis should be considered prior to using the ICTs in each international cooperation to initiate the informal cooperation. Respectively, such ICTs use for the contact among authorities should be without delay to support the obtaining of information and intelligence in a timely manner, the making of strategic decision, and the understanding of counterparts' requirements for assistance.