



# Conference of the States Parties to the United Nations Convention against Corruption

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**Open-ended intergovernmental expert meeting  
to enhance international cooperation  
under the United Nations  
Convention against Corruption**  
Vienna, 6–10 September 2021  
Item 3 of the provisional agenda\*  
**Implementation of chapter IV of the United Nations  
Convention against Corruption: lessons learned,  
good practices and challenges**

## **Progress in implementing the mandates of the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption**

**Note by the Secretariat**

### **I. Introduction**

1. In its resolution 4/2, entitled “Convening of open-ended intergovernmental expert meetings to enhance international cooperation”, the Conference of the States Parties to the United Nations Convention against Corruption decided to convene open-ended intergovernmental expert meetings on international cooperation to advise and assist it with respect to extradition and mutual legal assistance.
2. In the same resolution, the Conference also decided that the expert meetings should perform the following functions: (a) assist it in developing cumulative knowledge in the area of international cooperation; (b) assist it in encouraging cooperation among relevant existing bilateral, regional and multilateral initiatives and contribute to the implementation of the related provisions of the United Nations Convention against Corruption under the guidance of the Conference; (c) facilitate the exchange of experiences among States by identifying challenges and disseminating information on good practices to be followed in order to strengthen capacities at the national level; (d) build confidence and encourage cooperation between requesting and requested States by bringing together relevant competent authorities, anti-corruption bodies and practitioners involved in mutual legal assistance and extradition; and (e) assist the Conference in identifying the capacity-building needs of States.
3. The first to ninth expert meetings were held annually from 2012 to 2020.

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\* CAC/COSP/EG.1/2021/1.



4. The present document has been prepared to inform the tenth expert meeting of the status of implementation of its recommendations and the resolutions of the Conference relating to international cooperation. Its purpose is to assist the expert meeting in its deliberations and in determining its future activities.
5. In paragraph 8 of its resolution 8/2, the Conference called upon States parties to further promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, in line with article 1 (b) of the Convention against Corruption, with a view to facilitating the implementation of article 43 of the Convention.
6. In addition, the Conference, in its resolution 8/6, *inter alia*, encouraged States parties that had not yet done so to consider the Convention as a legal basis for extradition in respect of offences covered by it, when possible in their domestic legal systems, and to endeavour to conclude bilateral extradition agreements and arrangements to carry out or to enhance the effectiveness of extradition.
7. Pursuant to the report of the eighth open-ended intergovernmental expert meeting to enhance international cooperation under the Convention, held in Vienna on 31 May 2019, and the recommendations contained therein, States parties were encouraged to continue to provide to the Secretariat information on challenges and good practices in international cooperation and other topics outlined in the Conference's resolutions and the recommendations of the expert meetings, with a view to the Secretariat continuing its analytical work with regard to challenges in international cooperation based on the Convention and relevant to the implementation of chapter IV.
8. In line with the recommendations of the same meeting, States parties were also encouraged to share information on their legal requirements for international cooperation as well as statistical information and examples relevant to international cooperation in transnational corruption cases.
9. The present document has been prepared pursuant to the mandates contained in the aforementioned resolutions of the Conference and the recommendations of the eighth expert meeting.
10. In order to facilitate the implementation of the above-mentioned mandates and to assist the expert meeting in developing cumulative knowledge, on 4 May 2021, the secretariat sent to States parties a note verbale in which it requested information on the use of the Convention as a legal basis for international cooperation, including extradition, mutual legal assistance and law enforcement.
11. In addition, the present document includes a summary of commitments in relation to international cooperation made in the political declaration adopted by the General Assembly at its special session against corruption, updated information on tools and services to promote international cooperation, including the newly launched Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network), the online directory of competent national authorities and Tools and Resources for Anti-Corruption Knowledge (TRACK). It also includes updated information on technical assistance and other activities provided by the Secretariat relevant to international cooperation under the Convention.

## **II. Use of the Convention against Corruption as a legal basis for international cooperation**

12. As at 18 June 2021, 30 States parties had provided, in response to the note verbale, information regarding the use of the Convention against Corruption as a legal basis for international cooperation, with a view to enabling the Secretariat to continue its analytical work with regard to challenges and good practices in international cooperation based on the Convention and relevant to the implementation of chapter IV. The responses received are analysed in a note by the Secretariat entitled

“Statistical information on the use of the United Nations Convention against Corruption as a legal basis for extradition, mutual legal assistance and law enforcement cooperation” (CAC/COSP/EG.1/2021/3), which contains examples of implementation, challenges and suggestions to improve the framework of the legal basis for international cooperation. The main observations stemming from the analysis of the information received from States parties are also summarized below.

13. The vast majority of States parties referred to a non-dependence on formal treaties for the legal basis when receiving or sending an extradition request. Several States parties explicitly confirmed their ability to use the Convention as a legal basis for extradition purposes, in principle. Ten States parties reported having used the Convention as a legal basis for extradition but, in general, a lack of statistics was noted.

14. The vast majority of States parties reported having used the Convention as a legal basis for mutual legal assistance in respect of corruption-related offences, confirming the supporting role of the Convention in terms of international cooperation networks.

15. With regard to law enforcement cooperation, a negative response on the use of the Convention as a legal basis for such cooperation was noted in respect of the majority of responses provided. While five States parties confirmed their practical use of the Convention as a basis for law enforcement cooperation, one State party explicitly excluded that possibility.

### **III. Summary of commitments in relation to international cooperation in the political declaration adopted by the General Assembly at its special session against corruption**

16. At its special session against corruption, held from 2 to 4 June 2021, the General Assembly adopted the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, which contains a section on international cooperation.

17. In the political declaration, Member States committed to enhancing common endeavours to make full use of the Convention and other legal instruments to advance international cooperation in preventing and combating corruption at all levels, afford one another the widest measure of mutual legal assistance and relevant technical assistance, and take measures to address, tackle and effectively respond to international challenges and barriers hindering relevant cooperation. In addition, they called for an inter-agency approach among various competent authorities and the addressing of relevant deficiencies in domestic regulatory regimes.

18. Also in the political declaration, Member States committed to better utilizing and strengthening international, regional and cross-regional law enforcement and, as appropriate, judicial cooperation networks as platforms among competent authorities for information-sharing and mutual legal assistance and the development and dissemination of specialized knowledge and noted that they were encouraged to use and strengthen appropriate focal points to facilitate information exchange between each other while noting existing agreements, formal international forums or networks for that purpose, including the International Criminal Police Organization (INTERPOL) and Stolen Asset Recovery (StAR) Initiative Global Focal Point Network on Asset Recovery and the new GlobE Network. In addition, Member States called upon UNODC and INTERPOL to continue working in close cooperation to promote reliable, high-quality, timely and effective communication and procedures, including through secure electronic communication channels.

#### **IV. Establishment of the Global Operational Network of Anti-Corruption Law Enforcement Authorities**

19. One of the main purposes of the Convention against Corruption is to promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery. The Conference of the States Parties to the Convention has repeatedly called for enhanced measures to further promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption.

20. The GlobE Network was established in 2021 under the auspices of UNODC to facilitate informal cooperation and to address the lack of a truly global network for anti-corruption law enforcement authorities. Pursuant to the political declaration adopted by the General Assembly at its special session against corruption, the GlobE Network is aimed at providing a quick, agile and efficient tool for facilitating transnational cooperation in combating corruption and strengthening communication exchange and peer learning between anti-corruption law enforcement authorities while complementing and coordinating with existing international cooperation platforms.

21. The proposal for the GlobE Network was originally conceived under the presidency of Saudi Arabia of the Group of 20 in 2020, in the form of the Riyadh initiative for enhancing international anti-corruption law enforcement cooperation, which was welcomed by the Group of 20 Anti-Corruption Ministerial Meeting held on 22 October 2020 and the Group of 20 Leaders' Summit held on 21 and 22 November 2020. Initial funding was provided by the Government of Saudi Arabia to support the establishment of the Network and its operations over the first five years. In addition, UNODC is to draw upon existing initiatives and resources to further support the Network.

22. There are three components of the GlobE Network: (a) establishing a Vienna-based global network of anti-corruption law enforcement authorities; (b) establishing an online one-stop hub that brings together different electronic resources, featuring a "decision tree" and a secure communication channel; and (c) developing knowledge and capacity for the Network. Membership of the Network is open to specialized authorities falling under article 36 of the Convention against Corruption from the States Members of the United Nations and States parties to the Convention. States can decide, on the basis of their needs, to join the Network.

23. The GlobE Network is designed to complement the work of existing networks and to ensure mutual support and synergies in that regard, pursuant to the call contained in the political declaration adopted by the General Assembly at its special session against corruption. In addition to the general membership, the Network may also include other categories of membership subject to further discussion, with a view to ensuring the inclusion of all relevant international organizations and networks and to enhancing synergies accordingly.

24. In order to prepare for the establishment of the GlobE Network, UNODC convened an online meeting of experts on 3 and 4 March 2021, which brought together over 130 technical experts and participants from 53 States from the five regional groups of the United Nations and 21 international organizations and entities. The participants proposed establishing different interim task forces to advise on various components of the Network.

25. Pursuant to the proposal made at that meeting, UNODC invited countries, through the five regional groups of the United Nations, to nominate experts and representatives of relevant international organizations and networks, as well as renowned individual experts, to participate in the three interim task forces: (a) interim task force 1, on set-up and operations of the GlobE Network; (b) interim task force 2, on synergies with other existing networks and platforms; and (c) interim task force 3, on tools and services of the Network. The interim task forces were composed of

90 experts from 28 States and 13 international organizations, networks and entities, and held 16 meetings in April and May 2021 to discuss an array of issues relating to the establishment of the Network.

26. The three interim task forces produced different outputs, including: (a) key elements for the charter of the GlobE Network (interim task force 1); (b) mapping chart for the membership of different networks and recommendations for enhancing synergies between the Network and existing networks (interim task force 2); and (c) initial concepts for the one-stop hub, the secure communication platform, the development of knowledge products and the deployment of rapid capacity development. A road map towards the establishment of the Network was also developed. It contains the Network's framework, which includes its principle elements and provides the basis for joining and further developing the Network. All of these documents can be accessed on the newly established website for the Network (<https://globenetwork.unodc.org/globenetwork/en/about.html>).

27. On 3 June 2021, the GlobE Network was officially launched at a high-level side event on the margins of the special session of the General Assembly against corruption. The launch of the Network marked the culmination of intensive work undertaken by experts from all regional groups of the United Nations and relevant international organizations and networks, as well as individual experts from around the world. In a special video message, the Secretary-General stressed that the Network would enable law enforcement authorities to navigate legal processes through informal cooperation across borders, helping to build trust and bring those guilty of corruption to justice. He also highlighted the expectation for the Network to empower all countries with practical solutions and tools to track, investigate and prosecute corruption, complementing existing frameworks. Approximately 300 representatives of Member States, relevant international organizations and networks, civil society organizations and academia participated in the launch event and discussed the importance of timely cross-border cooperation to ending corruption and the unique role of the GlobE Network.

28. As a next step, UNODC is inviting, through the permanent missions to the United Nations in Vienna, anti-corruption law enforcement authorities to join the GlobE Network, in response to the call contained in the political declaration adopted by the General Assembly at its special session against corruption, and is planning to organize the first meeting of the Network in September or October 2021. In addition, UNODC will continue building the infrastructure and resources for the Network on the basis of the guidance and outputs of the three interim task forces.

## **V. Online directory of competent national authorities and Tools and Resources for Anti-Corruption Knowledge (TRACK)**

29. In line with the recommendation of the sixth expert meeting, the Secretariat continued to update the online directory of competent national authorities (available at [www.unodc.org/compauth\\_uncac/en/index.html](http://www.unodc.org/compauth_uncac/en/index.html)).

30. As of June 2021, the directory contained information on the following:

- (a) Central authorities for mutual legal assistance in 133 States parties;
- (b) Prevention authorities in 120 States parties;
- (c) Asset recovery focal points in 86 States parties;
- (d) Central authorities on extradition in 32 States parties;
- (e) Focal points for international cooperation in the use of civil and administrative proceedings in 35 States parties.

31. The online directory of competent national authorities under the Convention was merged with the directory of competent national authorities in the Sharing Electronic Resources and Laws on Crime (SHERLOC) knowledge management portal in

July 2019. States parties can now enjoy a single outlet of information through SHERLOC regarding various types of competent national authorities.

32. UNODC also continued to redesign and reconceptualize the legal library that is part of the TRACK portal in terms of its content and search functions and is in the process of moving it to a new platform in preparation for its relaunch. Parallel to the migration process, the Office is conducting an update of the information contained in the legal library. In-depth knowledge of anti-corruption legislation and different legal systems is crucial for the full implementation of the UNODC programme of work and for the exchange of good practices and challenges among State parties.

## **VI. Technical assistance and other activities relevant to international cooperation under the Convention against Corruption**

33. UNODC, including through the StAR Initiative together with the World Bank, continued to provide tailored capacity-building and advisory services at the global, regional and national levels and to participate in meetings and conferences aimed at promoting international cooperation among States parties.

34. The UNODC field-based anti-corruption advisers played an important role in providing rapid, demand-driven expert assistance and advice. UNODC continued to deploy advisers with regional responsibilities for South America, the Pacific, South-East Asia, South Asia (until June 2021), West and Central Africa, East Africa and the Western Balkans. A senior global adviser was based in Vienna. Additional advisers are to be deployed to Ethiopia and Mexico and to Central Asia.

35. UNODC continued to work with Mexico and with States parties in South-East Asia, East Africa, Southern Africa and South America to implement activities in priority thematic areas identified through the regional platforms established to fast-track the implementation of the Convention against Corruption. Almost all the platforms consider international cooperation as one of the priority areas in which assistance is needed to strengthen the implementation of the Convention.

36. UNODC also continued to organize workshops at the regional and subregional levels. They included a workshop in April 2021 on mutual legal assistance for Southern African countries and a webinar in March 2021 on open-source intelligence, innovative investigative techniques and new payment methods in the context of investigating corruption in South-East Asia. In December 2020, the Office facilitated a session on international cooperation in administrative matters during the regional workshop on mutual assistance to fight corruption organized by the Organization of Latin American and Caribbean Supreme Audit Institutions.

37. UNODC further continued to assist States parties in establishing more effective, direct law enforcement cooperation at the regional and interregional levels. It supported the establishment of the regional network of corruption and money-laundering investigators in the Indian Ocean region, which comprises Bangladesh, Maldives and Sri Lanka. In that context, the Office organized several round-table discussions to develop common guidelines for conducting complex, cross-border corruption and money-laundering investigations that would promote operational cooperation among relevant authorities and enable other countries to join the network.

38. In South-East Asia, UNODC continued to coordinate the South-East Asia Justice Network, which facilitates mutual legal assistance among the central authorities for mutual legal assistance in the region to promote cooperation to combat transnational organized crime and corruption.

39. In addition to its regional and subregional work, UNODC continued to provide support to States parties on issues related to international cooperation. For example, in Mali, the Office provided legislative advice on the revision of the criminal procedure code, including on provisions related to international cooperation, on the

basis of recommendations arising from the Implementation Review Mechanism. In Cambodia, Indonesia, the Lao People's Democratic Republic and Viet Nam, UNODC organized training programmes on financial investigations with a focus on international cooperation and mutual legal assistance. In 2020, UNODC, through the StAR Initiative, provided technical assistance to 18 countries, including assistance to enact legislative reform and to improve international cooperation to recover stolen assets.

40. UNODC continued to facilitate international cooperation. For example, in 2021, the StAR Initiative supported an initiative led by the United Kingdom of Great Britain and Northern Ireland, as part of its presidency of the Group of Seven, to produce and update country guides on asset recovery mutual legal assistance requests. The Office also brokered contact between several national authorities with a view to facilitating mutual legal assistance requests. For example, it assisted the Plurinational State of Bolivia in obtaining information to substantiate dual criminality in a request for extradition addressed to the United States of America using the Convention as a legal basis.

41. UNODC also continued to engage with relevant stakeholders. For instance, task force 4 of the International Partnership against Corruption in Sport was launched at an online event in April 2021. Co-chaired by UNODC and the International Olympic Committee, the task force was established to enhance cooperation among law enforcement entities, criminal justice authorities and sports organizations. In addition, the Office organized eight regional and two national workshops on tackling corruption in sport, including by enhancing cooperation among sports law enforcement agencies, criminal justice and corruption-prevention authorities and sports organization.

42. UNODC participated in meetings and conferences on international cooperation, including meetings of the Anti-Corruption Working Group of the Group of 20. With the aim of facilitating such cooperation, including informal cooperation and mutual legal assistance, and fostering direct contact between anti-corruption law enforcement authorities, the Working Group welcomed the Riyadh initiative for enhancing international anti-corruption law enforcement cooperation, launched by the Group of 20 under the presidency of Saudi Arabia (see chap. IV above). The Working Group also welcomed the scoping paper on international cooperation dealing with economic crime, offenders and the recovery of stolen assets prepared for the Group of 20 by the Organisation for Economic Co-operation and Development in collaboration with the Financial Action Task Force secretariat, UNODC and the World Bank. In 2021, UNODC led the drafting of two Group of 20 think pieces, one on law enforcement cooperation and one on denial of safe haven and entry, and contributed to a piece on asset recovery, summarizing the prevailing international thinking and proposing opportunities for the Group. In order to facilitate international cooperation and the sharing of good practices at the regional level, in June 2021, UNODC participated in the annual general assembly of the Network of National Anti-Corruption Institutions in West Africa, which was attended by national authorities involved in the fight against corruption.

43. UNODC also continued to develop and disseminate guides, handbooks and other tools. Over 30 publications were made available online, regularly reprinted and distributed. In December 2020, the StAR Initiative launched the second edition of its *Asset Recovery Handbook: A Guide for Practitioners*, incorporating developments such as new legislation and case examples based on experience collected in the past decade, and, in June 2021, it launched a new publication entitled *The Role and Responsibilities of Gatekeepers in the Fight against Illicit Financial Flows: A Unifying Framework*. A number of publications related to international cooperation were under development, including a handbook on international cooperation for the investigation of corruption cases in South America and Mexico, a regional guide on mutual legal assistance in Southern Africa, a manual on international cooperation for the purposes of asset recovery and a guide on mutual legal assistance in North Macedonia.

44. Finally, and as mentioned above, the GlobE Network has a knowledge and capacity development component through which the Network offers independent, front-line anti-corruption authorities the training, strategies, methods and toolkits they need to advance the fight against corruption.

## VII. Conclusions and recommendations

45. The Secretariat will continue to collect additional information from States parties pursuant to the mandates contained in Conference resolutions 8/2 and 8/6 and the recommendations of the expert meeting.

46. The tenth expert meeting may nevertheless wish to provide further guidance to the Secretariat on whether certain issues may deserve additional consideration, including as a follow-up to various commitments in relation to international cooperation made in the political declaration adopted by the General Assembly at its special session against corruption.

47. Attention could also be drawn, in the context of the expert meeting, to the need to devote adequate resources and attention to the training and capacity-building of competent authorities engaged in international cooperation, including by donors and technical assistance providers, to enhance the effectiveness of international cooperation.

48. States parties could also be encouraged to increase efforts to raise awareness of the utility and added value of the Convention as a legal basis for international cooperation.

49. The expert meeting may wish to consider organizing expert panel discussions, at its future meetings, on topics relevant to international cooperation cases based on the Convention and relevant challenges and good practices.

50. The expert meeting may also wish to provide further suggestions to the Secretariat with regard to the ongoing development of the GlobE Network.

51. Finally, the expert meeting may wish to consider whether additional actions should be undertaken by the Secretariat to ensure the implementation of the relevant mandates.

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