



INTERVENTION

BY

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**AT THE JOINT SESSIONS OF THE 12TH RESUMED IMPLEMENTATION
REVIEW GROUP AND THE 10TH WORKING GROUP ON INTERNATIONAL
COOPERATION**

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**Chairperson,
Executive Director of the United Nations Office on Drugs and Crime,
Distinguished delegates,**

On behalf of the Government of South Africa, I take this opportunity to thank you, Chairperson and your Bureau for the excellent preparations for this meeting and commend the Secretariat for timeously availing the meeting documents to facilitate substantive engagements by member states. I would also like to thank our panellists for their insightful presentations.

Chairperson,

The recent country reviews on Article 55 of the UN Convention against Corruption reveals a number of obstacles to mutual legal assistance in the area of asset recovery, ranging from cumbersome and lengthy processes to non-recognition of foreign court orders for detection, confiscation and ultimate return of the illicit assets to their country of origin.

Having signed and ratified the Convention, South Africa has domesticated its international obligations in this regard by enacting the Extradition Act, which requires that an accused person be extradited to the requesting state should extradition conditions be met. Equally, several bilateral agreements are in place to facilitate this process. I am pleased to inform this meeting that an updated and revised version of the Extradition Act will soon be tabled for adoption by Parliament to ensure that the spirit and letter of the Convention are carried out in line with South Africa's international obligations.

At international level, South Africa is guided by the provisions of the UN Convention against Corruption and regionally, by the Southern African Development Community Protocol on Extradition as well as the African Union Convention on Extradition.

Chairperson,

South Africa has applied the UN Convention against Corruption as a basis for mutual legal assistance in the taking of statements, the provision of documents and the examination of objects and sites. The International Co-operation in Criminal Matters Act facilitates the provision of assistance in this regard. It enables South Africa to provide the widest legal assistance, both with regard to natural and legal persons, including all types of assistance listed in the UNCAC.

While it is encouraging that the majority of member states reviewed under Chapter 5 have confirmed that their national jurisdiction does allow direct access to aggrieved parties to institute legal proceedings to recover stolen goods located in the jurisdiction of the other, it is apparent that there is need to harmonize legislations if asset recovery is to be expedited.

In conclusion Chairperson

We commend the work done by the Working Group on International Cooperation and assure you Chair of my delegation's full support to the work of the group and as always, my delegation will actively engage in the respective subject matters for deliberation.

I thank you