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

Implementation Review Group
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Item 3 of the provisional agenda*
Technical assistance

Technical assistance in support of the implementation of the United Nations Convention against Corruption

Note by the Secretariat

I. Introduction

1.   The delivery of technical assistance to meet identified needs is pivotal to the successful and consistent implementation of the United Nations Convention against Corruption ("UNCAC" or "the Convention"). In considering a global response to technical assistance needs, it is important to bear in mind Articles 60 and 62 of the Convention, under Chapter VI ("Technical assistance and information exchange").

2.   The present note provides an updated overview of the response of the United Nations Office on Drugs and Crime ("UNODC") to identified technical assistance needs since the drafting of CAC/COSP/2011/10 for the fourth session of the Conference. The paper provides a description of activities carried out since July 2011, as well as current planning for upcoming delivery of technical assistance by UNODC, which fully incorporates the fundamental principle, reiterated by the Conference in Resolution 3/4 and reaffirmed by the Implementation Review Group at its second Session, to safeguard country-based and country-led, integrated and coordinated technical assistance delivery, and ensure that sufficient resources are available to meet the needs identified through the Implementation Review Mechanism. The Group also noted that additional needs for technical assistance in areas outside the current review cycle, such as asset recovery and other emergent needs, should continue to be addressed, preferably in the context of existing regional and international activities and initiatives.

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     * CAC/COSP/IRG/2012/1.

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3.   The Group reaffirmed the request in Resolution 3/4 of the Conference of the States Parties that UNODC continue to provide technical assistance for the implementation of the Convention, including by providing direct expertise on both policy and capacity-building activities through the UNODC thematic programme on action against corruption and economic crime and, where appropriate, through regional programmes, using its range of technical assistance tools.

II.   Technical assistance delivered

A.   Assistance provided for the identification of technical assistance needs

4.   As reflected in CAC/COSP/WG.3/2009/CRP.1, the successful provision of technical assistance to States parties to support their efforts in complying with the Convention can be viewed as a three-step process. The first step is an analysis of the requirements that need to be met to ensure compliance. Under the Implementation Review Mechanism, this involves a peer review of anti-corruption laws, regulations and measures in relation to the articles of the Convention, and their institutional functionality. The self-assessment checklist developed by the Secretariat provides a broad and consultative tool, based on a country-led process, to assess what is in place and to allow the country to determine whether its legislative and institutional frameworks are in compliance with the articles of the Convention. The second step involves the identification of priorities for adapting laws and administrative procedures to the requirements of the Convention, and thereafter putting them into effect. This involves both a legislative and a capacity-building component to ensure the compatibility of skills and mechanisms to achieve such results. The final step is to address the technical assistance needs identified by a given State party to make the applicable legislative and institutional framework operational in the fight against corruption.

5.   During the first year of the first review cycle, covering Chapters III and IV of the Convention, twenty-seven States parties were under review. In preparation for the review process, UNODC organized and carried out training programmes for designated focal points and governmental experts through eight regional training workshops[†] that familiarized focal points of reviewed States and governmental experts of reviewing States with the relevant provisions of the Convention and the methodology of the review process. The training workshops are mandated by the terms of reference and guidelines and subject to the availability of voluntary contributions. This also included several ad hoc training programmes that were provided to States parties upon request. During the second year of the review cycle, forty-one States parties are undertaking the same process and UNODC organized similar training workshops.[‡] In addition, ad hoc assistance has been provided to

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[†] The regional training workshops for the first year of the review were held as follows: Francophone Africa, Dakar, September 2010; Northern Africa and the Middle East, Rabat, September 2010; Latin America and the Caribbean, Panama, September 2010; Anglophone Africa, Pretoria, October 2010; Asia and the Pacific, Jakarta, October 2010; Russian-speaking countries, Moscow, October 2010; and two training sessions in Vienna in 2010

[‡] The training workshops for year two were as follows: Five national trainings were held in Africa and Asia with a few more foreseen. Two regional trainings were held in Panama,

requesting countries where possible in the completion of the self-assessment checklist.

6.   States parties to the Convention that are not scheduled for review in the current year have also requested to undergo a voluntary process, and UNODC is currently facilitating comprehensive gap analyses in Ecuador, Mali, Namibia and the United Republic of Tanzania.

B.   Facilitation of technical assistance through the database of anti-corruption experts

7.   In order to respond to the technical assistance needs identified by States parties, a database of anti-corruption expertise for the delivery of technical assistance was created pursuant to resolution 3/4, entitled "Technical assistance to implement the United Nations Convention against Corruption", in which the Conference of the States Parties "encourages States parties and signatories to the Convention to continue to identify and communicate to the United Nations Office on Drugs and Crime the relevant information about anti-corruption experts, in particular those with experience in providing technical assistance to implement the Convention, so that the Office can include those experts in its database of anti-corruption expertise for the delivery of technical assistance, as recommended by the Open-ended Intergovernmental Working Group on Technical Assistance".

8.   To date, 205 anti-corruption experts have been nominated by States parties from the following geographic areas: 18 (Asia), 54 (Africa), 22 (North Africa and the Middle East), 36 (Latin America and the Caribbean), and 75 (Europe).

9.   States parties and signatories to the Convention can submit information regarding national anti-corruption experts via the UNODC website for inclusion in the database that allows States to add or modify relevant details of their experts' information online. Only the Secretariat has access to all information provided through that mechanism; thus, confidentiality is ensured. The database provides an overview of the profiles of experts that enables their areas of expertise to be identified and categorized. The long-term sustainability of the database of anti-corruption experts will depend on the commitment of States parties to providing accurate and updated information on available experts, thus allowing the database to remain a useful tool.

C.   Delivery by UNODC of legislative and capacity-building technical assistance

10.   UNODC has provided technical assistance to countries upon request, both through tailored legislative and capacity-building activities and through the development of tools that facilitate assistance delivery on the ground. The assistance provided relates to issues covered in Chapter III and Chapter IV of the Convention, currently under review, but also to the Chapters on preventive measures and asset

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June 2011 and Kuala Lumpur, July 2011. Several sessions were held, covering five official languages of the United Nations, in Vienna, June, July, August and September 2011 and one in Marrakech in October 2011.

recovery. The assistance was provided within the framework of the Thematic Programme on Action against Corruption and Economic Crime, based on the relevant elements of the UNODC Strategy for the period 2010-2011. This thematic programme also refers to the anti-corruption activities carried out within the framework of the respective regional programmes.

C.1.   Tailored legislative and capacity-building assistance

(i)   Implementation of the Global Programme: Towards an Effective Global Regime against Corruption

11.   During 2010-2012, numerous technical assistance needs to counter corruption have been — and continue to be — addressed through the Global Programme, "Towards an Effective Global Regime against Corruption", that enables UNODC to provide professional guidance, advice and expertise upon the request of States parties to the Convention.

12.   From July 2011 to March 2012, UNODC provided expertise and technical assistance in line with the Convention to Afghanistan, Bolivia (Plurinational State of), Brazil, Burundi, Cambodia, Cameroon, Chile, Colombia, the Commonwealth of Dominica, the Democratic Republic of the Congo, Ecuador, Egypt, Ethiopia, India, Indonesia, Iraq, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Mali, Mauritania, Mexico, Moldova, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Panama, Peru, Philippines, Rwanda, Somalia, South Sudan, Thailand, Timor-Leste, the United Republic of Tanzania, Uzbekistan and Viet Nam. Technical assistance was also provided at the regional level for the Middle East and North Africa; Eastern, Central and Southern Africa; and Latin America.

13.   From July 2011 to March 2012 seven countries which had received pre-ratification assistance became State parties to the Convention during the period under review, namely, the Cook Islands, Ireland, the Marshall Islands, Micronesia, Saint Lucia, the Solomon Islands and Vanuatu.

(ii)   Implementation of the Anti-Corruption Mentors Programme

14.   Since 2006, under the framework of the Anti-Corruption Mentors Programme, advisers had been placed in Bolivia, Cape Verde, Jordan, Kenya, Tajikistan, Thailand and Southern Sudan. They had provided a broad range of policy and technical advice and day-to-day support for the implementation of the Convention, such as conducting gap assessments, establishing anti-corruption institutions and policies, providing training in investigation and prosecution of corruption, offering legislative guidance and advising on asset recovery strategies.

15.   The Mentors Programme was relaunched in summer 2011 through the placement of an adviser in the Democratic Republic of the Congo and the additional placement of advisers with regional responsibilities in Bangkok (South-East Asia), Kenya (East Africa) and Panama (Central America). This network of Anti-Corruption Mentors has been providing rapidly deployable, professional expertise at both the country and regional levels to facilitate delivery of on-site guidance and advice to States parties requesting assistance in strengthening legislation and institutions in furtherance of the implementation of the Convention against Corruption and has participated in numerous anti-corruption events, training workshops and conferences promoted by other technical assistance providers.

16. In the Democratic Republic of Congo, an anti-corruption programme is being developed by the anti-corruption mentor, in close collaboration with the Ministry of Justice and Human Rights and in line with the UNDP Joint Justice Programme that addresses access to justice, judicial transparency and integrity, prison reform, judicial police and anti-corruption. Further, assistance has been facilitated in the fulfilment of its role as a reviewing country during the second year of the current review cycle.

17. In East Africa, the anti-corruption mentor has been supporting countries in preparing for the Review of Implementation of the Convention. In follow-up to the reviews of year one of the first cycle, assistance has been provided to Burundi, Rwanda and Uganda to prioritize the technical assistance needs addressed within the framework of the Mechanism for the Review of Implementation of UNCAC. In Rwanda, a support programme was agreed to, and its implementation commenced with the delivery of a capacity-building course on investigative techniques addressed to the Judiciary, Prosecutor's Office, National Police and Office of the Ombudsman. Ethiopia is being supported to produce an investigations manual to deepen implementation of Chapter III of the Convention, and it is anticipated that this work will develop into a broader gap analysis. In addition, assistance is being provided to countries in the region that are yet to ratify or accede to the Convention. In Somaliland, legislative support and strategic advice is being provided jointly with UNDP to help establish and empower an anti-corruption body. In South Sudan, work on review of legislation and a programme to strengthen the Anti-Corruption Commission are ongoing. At the regional level, a programme to provide hands-on practical support to investigators in the East African Association of Anti-Corruption Authorities member and observer States is being designed.

18. The anti-corruption mentor deployed in East Asia has supported the preparation of governmental experts from several States parties in the region for the Mechanism for the Review of Implementation of UNCAC, as needed. In close cooperation with the Governments of Cambodia and Viet Nam, and the UNODC field offices, two anti-corruption projects have been developed, one of which has a significant focus on law enforcement. The mentor has actively supported numerous anti-corruption outreach activities, conferences and training workshops organized by UNODC and other organizations in the region to advance the implementation of the Convention. In addition, the mentor has been engaged in supporting countries in the region wishing to ratify or accede to the Convention.

19. In the Latin America and Caribbean region, support has been provided during the initial steps taken to establish the Regional Anti-Corruption Academy for Central America and the Caribbean (RAACA) by the Government of Panama. The RAACA will offer a standardized academic programme and tailor-made workshops addressing various topics relevant to anti-corruption efforts and emerging regional issues and challenges. The first ad hoc training workshops took place in March 2012 in Panama City, while the standardized training modules are being developed. On the regional level, the anti-corruption mentor has lectured and facilitated training workshops organized by UNODC and other technical assistance providers.

(iii) Implementation of comprehensive country-based, anti-corruption capacity-building programmes

20. Comprehensive on-the-ground capacity-building programmes, which usually also include activities related to preventive measures and asset recovery, were carried out in a number of countries, including the ones detailed below.

21. In Afghanistan, UNODC will launch a criminal justice sub-programme in 2012 as part of its overall country assistance programme that will focus on anti-corruption, prison reform and criminal justice capacity development over the next three years.

22. In Brazil, UNODC, in partnership with the Office of the Comptroller General (CGU), completed a project which provided support to the implementation of anti-corruption measures. The initiative triggered the national legislation reform process, resulting in several bills on corporate responsibility and on turning corruption into a serious crime. An additional bill, that was approved in 2011, regulates access to information. UNODC also provided assistance to other stakeholders in strengthening the integrity and capacity of the accountability system at the national level and notably in the municipalities, where citizens experience government first-hand. The project also included the carrying out of assessments of corruption, the provision of support for the development of a national anti-corruption strategy and the establishment of a national network of civil society organizations. The Final Evaluation Report outlined the success of the project and its importance to Brazil's counter corruption actions as much as the strengthening of the partnership between CGU and UNODC.

23. UNODC supports the Government of Bolivia in strengthening its legal framework for the implementation of the Convention. The Office works with the Ministry for Institutional Transparency and Fight against Corruption to adapt the legislation and policies on witness protection to international standards, according to the need identified through the Pilot Programme for Implementation Review. UNODC also provides assistance for the development of further laws, such as the transparency law. The UNODC Country Programme (2010-2015) plans activities for capacity-building, strengthening of institutions and the development of procedures for asset recovery.

24. In Egypt, UNODC launched a major anti-corruption project in 2011. The project will provide assistance to the Egyptian Government to establish effective mechanisms to combat corruption and money laundering in Egypt, as well as to establish the necessary framework for implementing the Convention. The project will implement a series of key activities, including the elaboration of a National Strategy, which was begun at an introductory workshop in December 2011. The project will support efforts to combat corruption and money laundering, strengthen national capacities to ensure asset recovery and promote transparency and good governance initiatives.

25. In Indonesia, UNODC has provided continuous support and technical assistance for law enforcement agencies, including the Corruption Eradication Commission, the Indonesian Financial Investigations Unit and the Audit Board in enhancing capacity, professionalism and transparency. Specialized anti-corruption training programmes on asset tracing and recovery, computer forensics, financial investigations and forensic accounting, corruption and fraud prevention as well as

investigative interviewing techniques have been provided to law enforcement and Government agencies producing high learning results. Judicial integrity continues to be a major focus of UNODC's work in Indonesia, in which the cooperation with the Indonesian Supreme Court has been further extended to its third phase. At the same time, civil society organizations are also empowered through capacity building and increased involvement in anti-corruption initiatives initiated through UNODC programmes, where civil society is now perceived as an integral part in the fight against corruption in Indonesia.

26. An anti-corruption forum, which involves the Indonesian government agencies and civil society has become the primary medium for discussing and resolving problems in the fight against corruption, is expected to be institutionalized. Research on bureaucratic reforms in the Tax and Customs Directorate and the public services in two local governments have provided an insight on the best practices followed and recommended areas for improving governance. In order to enhance coordination between key law enforcement agencies and the Corruption Eradication Commission, a research on the coordination and supervision function of the anti-corruption commission was conducted wherein national and international experts have provided their viewpoints to promote synergies among all these agencies in handling graft cases. UNODC is also at the forefront of Indonesia's fight against forest crimes and its linkages with corruption. Capacity of law enforcement and forest personnel has been strengthened to better investigate, prosecute and adjudicate illegal logging cases and their relation to corruption and other dimensions in environmental issues. Civil society organizations are being empowered to become the first line of defence against environmental and illegal logging crimes, through support and development of "barefoot investigators" to expose forest crimes in their local communities.

27. In 2011, UNODC launched two new anti-corruption projects in Iraq. The first project focuses on providing support to the Commission of Integrity (CoI), including the newly established liaison office and other national financial institutions, in increasing knowledge and skills required to effectively undertake asset recovery actions in partnership with foreign jurisdictions. The second project centres on building the capacity of the CoI and other investigative institutions to conduct financial investigations and collect trial evidence on advanced or complex financial crime cases involving the diversion of funds in corruption cases. Both of these projects are expected to be completed in 2013. In addition, UNODC implemented a training workshop in Erbil, Iraq, in November 2011 for Iraqi investigators entitled "National Workshop on Giving Practical Effect to the Fight against Corruption in the Context of the United Nations Convention against Corruption". This workshop set the stage for an advanced training held in December 2011. Finally, UNODC partnered with UNDP to implement a workshop on crisis communications management for corruption cases in February 2012.

28. In Mexico, UNODC carried out activities to promote the prevention and fight against corruption, based on transparency, efficiency and accountability, through the Programme "Strengthening an effective and democratic administration of water and sanitation services in Mexico to support the achievement of the Millennium Development Goals", which has been implemented in nine municipalities in the states of Chiapas, Tabasco and Veracruz. The strategy resides in providing technical capacities within administrative procedures that run water and sanitation services, as

well as promoting actions together with civil society in order to encourage their participation in the prevention and combat of corruption. An assessment of the practices on access to information for every State was effected. A working log was built through a series of workshops where the communities and the authorities worked together in the monitoring of the water and sanitation services which contributed directly to the strengthening of democratic governance. In addition, a Citizen Guide for the Access to Public Information was published in collaboration with the State's Access to Information Institutes, municipal and state governments and UNODC.

29.   In Nicaragua, UNODC is building capacities of pilot regional and municipal authorities in the use of tools and mechanisms for accountability, care for public goods and integrity. This has included the design of awareness-raising materials and the training of public officials. To date, a baseline study on Access to Public Information and Accountability in the Water and Sanitation Sectors in the North Atlantic Region and South Atlantic Region has been realized and a number of public officials and civil leaders of two regional governments and four municipal governments have been trained in view of strengthening their management of the water, sanitation and hygiene services. In addition, three websites on accountability and citizen participation in their local governments have been launched: Rosita (www.alcaldiarosita.com), Waspam (www.alcaldiadewaspam.com) and Prinzapolka (www.alcaldiadeprinzapolka.com).

30.   In Nigeria, UNODC, in partnership with the European Union, completed its largest anti-corruption project to date, providing support to the Economic and Financial Crimes Commission and the Nigerian judiciary (CAC/COSP/2011/10). Several assessments carried out under the project as well as additional sources confirmed the positive impact of the project in terms of enhancing the institutional and operational capacity of the EFCC and the Nigerian judiciary. In 2011 UNODC further completed a project, which focused on assisting the Nigerian private sector in developing principles of ethical business conduct, as well as in carrying out assessments of the risk of corruption in the private and public sector interface. Moreover, another project was launched assisting the public sector and the judiciary in Bayelsa State, in enhancing integrity, accountability and transparency in the management of public finances and public affairs. Based on the positive outcome of the cooperation between the Nigerian Government and UNODC, the EU agreed to fund the launch of a new, even larger, five-year programme aimed to support the anti-corruption agenda of the Nigerian Government. More specifically the new programme, which will become operational in 2012, aims (i) to provide effective support to anti-corruption coordination, policy formulation and legislation, adopting an evidence based approach; (ii) to strengthen institutional and operational capacity in the main anti-corruption agencies, with an emphasis on cooperation; and (iii) to enhance public demand for increased accountability, transparency and civil society engagement in the fight against corruption.

31.   In addition to the above activities, national programmes against corruption are currently being developed for several countries in the Middle East and North Africa region, Central Asia, East and West Africa regions, East Asia region and Latin America and the Caribbean. As issues related to asset recovery, international cooperation and mutual legal assistance continue to arise throughout these regions, UNODC will provide assistance, guidance and support, as required.

C.2. Technical assistance tools facilitating assistance delivery on the ground

(i) Development of TRACK and other tools and guidance materials

32. On 1 September 2011, UNODC launched the anti-corruption portal TRACK (Tools and Resources for Anti-Corruption Knowledge, http://www.track.unodc.org) as a tool for fostering information-sharing and providing an accessible anti-corruption resource. TRACK is a web-based platform containing the UNCAC Legal Library, an electronic repository of legislation, jurisprudence, anti-corruption strategies and institutional data from 178 States. Administered by UNODC and supported by the StAR Initiative and its partner organizations, the Legal Library collects this legal information and disseminates it, indexed and searchable according to each UNCAC provision, and thus provides a detailed analytical breakdown of how States have implemented the Convention. The TRACK portal is also a search engine that enables States, the anti-corruption community, the general public and the private sector to access the anti-corruption knowledge generated by UNODC and its partner organizations, including case studies, best practices and policy analyses, in one central location. Recognizing the challenges inherent in cross-border communication among practitioners, TRACK also provides a community of practice for registered members of anti-corruption authorities, central authorities for mutual legal assistance and asset recovery focal points.

33. In order to facilitate communication and enhance trust and cooperation among States parties, a directory of competent national authorities designated in accordance with articles 6 and 46 of the Convention, and paragraph 16 of resolution 4/4 on International Cooperation in Asset Recovery adopted by the Conference of the States Parties to the Convention, is being made available online, together with the existing UNODC directories of competent national authorities designated under the International Drug Control Treaties, as well as under the 1988 Drug Convention and the Organized Crime Convention (www.unodc.org/unodc/en/legal-tools/directories-of-competent-national-authorities.html). This directory allows an easy access to the contact information of prevention authorities, central authorities and asset recovery focal points. It is available to competent authorities and government agencies with a user account to ensure information confidentiality.

34. UNODC is presently upgrading the Mutual Legal Assistance Request Writer Tool in furtherance of the mandate given by the Open-Ended Intergovernmental Working Group on Asset Recovery that at its second meeting recommended to expand the tool to include ways of appropriately formulating requests for asset recovery. This user-friendly computer-based tool provides support to national practitioners in the preparation, transmission and reception of effective requests and useful responses and strongly contributes to streamlining the process of requesting mutual legal assistance (http://www.unodc.org/mla/index.html).

35. In 2011, UNODC published the Resource Guide on Strengthening Judicial Integrity and Capacity. The purpose of the guide is to support and inform those who are tasked with reforming and strengthening the justice systems of their countries, as well as development partners, international organizations and other providers of technical assistance who provide support to this process. Work on this guide began following ECOSOC Resolution 2006/23, which endorsed the Bangalore Principles on Judicial Conduct and requested the United Nations Office on Drugs and Crime to develop a technical guide on approaches to the provision of technical assistance

aimed at strengthening judicial integrity and capacity. The guide draws together ideas, recommendations and strategies developed by contemporary experts on judicial and legal reform, and includes reference to successful measures taken in a range of countries to address particular challenges in strengthening the justice system. Ultimately, the guide aims to provide practical information on how to build and maintain an independent, impartial, transparent, effective, efficient and service-oriented justice system that enjoys the confidence of the public and lives up to the expectations contained in relevant international legal instruments, standards and norms.

36. UNODC is currently implementing an initiative entitled "Promoting the UNCAC as a framework to mainstream anti-corruption safeguards related to the organization of major public events". This initiative focuses on special situations, such as the organization of major sports events, major cultural events and high-level political summits, which may enhance the risk of corruption, due to the fact that large amounts of funds and resources are involved and complex logistical arrangements need to be made within very tight timeframes. The purpose of this project is to identify good practices, based on the UNCAC, for preventing corruption in connection with major public events, for dissemination and use among relevant stakeholders, both in the public and the private sectors.

37. Over the years, a number of regional and international initiatives, standards and principles have been developed to provide guidance for companies on how to fight corruption in their business operations by upholding enhanced integrity standards. UNODC is striving to enable the private sector to adopt anti-corruption policies that are aligned with UNCAC and put in place checks and balances needed to strengthen transparency and accountability. In this regard, UNODC is actively engaged in a multi-stakeholder project, undertaken together with the OECD and the World Bank, and others, aiming at the development of a practical handbook for businesses, that will bring together guidelines and related material on private sector anti-corruption compliance.

38. As recommended by the Conference of the States Parties to the United Nations Convention against Corruption in its resolutions 3/2 and 4/3 as well as by the Open-ended Intergovernmental Working Group on Prevention at its first session, UNODC has continued its efforts to collect information on good practices for promoting responsible and professional reporting on corruption for journalists. The Initiative on Promoting Responsible and Professional Reporting on Corruption on the basis of the United Nations Convention against Corruption aims to develop a substantive tool on good practices in this regard, for dissemination and use among relevant stakeholders, in particular public officials and media representatives.

39. In addition to the resources noted above, UNODC has published a handbook on police accountability, oversight and integrity that is intended for use by policy makers and managers of police agencies.

(ii) *Evidence-based assessments of corruption patterns and modalities*

40. After having reviewed existing methodologies, UNODC developed and improved methods to assess modalities of corruption and vulnerabilities, focusing on methodologies providing quantitative and experience-based assessments. The surveys have served as a useful basis for the development of better anti-corruption

policies and the elaboration of tailored anti-corruption technical assistance activities and programmes. In 2011, UNODC completed a programme of surveys on corruption in the western Balkans, covering Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia: As a result, a regional report and country reports were finalized and published during the year. In Afghanistan and Iraq, UNODC has developed programmes of surveys on corruption jointly with UNDP and in close collaboration with national authorities. Surveys fieldwork has been completed in both countries and analytical reports will be published during 2012. Finally, within the framework of a study on crime victims in Africa, UNODC is offering an analysis of the experience of bribery by the population, thus providing first-hand data on experiences involving corruption in 10 African countries.

C.3. Technical assistance delivery in the areas of prevention and asset recovery

(i) Assistance to prevent and counter corruption in the private sector

41. In 2011, UNODC launched three anti-corruption projects with the support of the Siemens Integrity Initiative, which focus on the relevance of the Convention for the private sector with activities being implemented on the global level, as well as in Mexico and India.

42. The project on Public-Private Partnership for Probity in Public Procurement aims to reduce vulnerabilities to corruption in public procurement systems while bridging gaps between public procurement administrations and the private sector. Relevant government anti-corruption and public procurement institutions have been identified and initial expert group meetings have been held to review current public procurement legislation, regulations and their practical application in Mexico and India. Initial contact has been made with relevant private sector entities to ensure their participation and inputs in the project. Plans for the development of a baseline study to identify both public and private sector challenges and best practices concerning public procurement are underway.

43. The project on Incentives for Corporate Integrity and Cooperation in Accordance with UNCAC aims to create systems of legal incentives for companies, hence encouraging business to report internal incidents of corruption. Experts from Mexico and India have been identified and some initial meetings convened to review existing legislation, policies and practices in relation to UNCAC Article 26 on legal identity, 32 on witness protection, and 37 on cooperation with law enforcement and 39 on cooperation between national authorities and the private sector. Initial contact has been made with relevant private sector entities to ensure their participation and inputs in the project. Plans for the development of a baseline study to identify both public and private sector challenges and best practices concerning legal incentives are underway.

44. The project on Outreach and Communication seeks to acquaint companies with the Convention so that they understand how it can make a difference in their daily work and dealings with public counterparts, and to encourage the business community to bring their integrity programmes in line with the universal principles of UNCAC. Thus far, recruitment is nearly finalized for a public relations company to create a tailored communications strategy and communications toolkit to promote UNCAC and anti-corruption measures among the business sector. Furthermore,

recruitment is underway for a consultant to develop an academic module on UNCAC which will be promoted to be taught in universities and business colleges around the world.

45. UNODC has continued to participate actively in the work of the United Nations Global Compact Working Group on the Tenth Principle/Global Compact Working Group on Anti-Corruption, focusing on the private sector's commitment to fighting corruption. The UN Global Compact, in cooperation with UNODC, was one of the organizers of a "High-Level Forum on UNCAC and Global Competition", held in the margins of the Fourth session of the COSP/UNCAC, offering an opportunity for dialogue between Governments and private sector representatives on how to use UNCAC to promote a level playing field for global competition and to strengthen private sector participation in its implementation. Additionally, UNODC co-hosted together with the United Nations Global Compact Office, the Food and Agriculture Organization, the United Nations Children's Fund, and the United Nations Industrial Development Organization, the United Nations System Private Sector Focal Points Meeting 2012 on "Accelerating UN-Business Partnerships" in Vienna.

46. In January 2012, at the World Economic Forum (WEF) annual meeting in Davos, the Executive Director of UNODC announced an initiative entitled "Integrity IPO", aimed at forging partnerships with the private sector. The initiative was formally launched in a special event organized in the margins of the annual session of the Commission on Crime Prevention and Criminal Justice on 24 April. UNCAC, the world's only universal anti-corruption instrument and the gold standard for the various private sector integrity initiatives, is the blueprint for the Integrity IPO. Contributions to the Integrity IPO would be turned into a potent insurance policy for protecting private sector assets by investing in the integrity of public counterparts. This would be done by helping develop and strengthen the public anti-corruption infrastructure of the countries where international business is conducted. Based on a current analysis of the technical assistance needs, identified through the UNCAC Implementation Review Mechanism, support could be offered in such areas as investigation and prosecution; curricula development and public outreach; and guides and tools to target key sectors, including energy, education, health, transportation, telecommunications, water, oil and gas, and banking. In addition to capital investments, the private sector could also provide technical expertise and material support.

(ii) Assistance with regard to asset recovery

47. The joint UNODC-World Bank Stolen Asset Recovery (StAR) Initiative continues to develop practical tools and policy studies on asset recovery, including through supporting the development of TRACK (also see paragraph 34). With regard to policy studies issued in 2011, "Barriers to Asset Recovery" analyses key barriers that impede the recovery of stolen assets; "Illicit Enrichment" examines the legal and policy issues relating to illicit enrichment; and "The puppet masters: how the corrupt use legal structures to hide stolen assets and what to do about it" describes how legal structures are used to conceal ownership and control of assets. Two publications have been developed in cooperation with the OECD: "Tracking Anti-Corruption and Asset Recovery Commitments" examines the implementation of the commitments set out in the Accra Agenda for Action by 30 donor countries;

and "The Identification and Quantification of Proceeds of Bribery" shows how financial gains from bribery can be calculated and confiscated. A study on the impact of settlements on international cooperation in asset recovery is currently under preparation.

48. The Asset Recovery Focal Point Database, established by the StAR Initiative in partnership with INTERPOL, contained at the date of reporting focal points from 102 countries. The second meeting of the focal points in Lyon from 11 to 13 July 2011 was attended by 113 participants from 55 countries.

49. Within the framework of the StAR Initiative, technical assistance in the various stages of asset recovery proceedings has been provided at the request of States. The aim of such assistance is to help States to collect and analyse information that will facilitate progress in asset recovery efforts and inform the decision-making of national authorities and to assist in making international cooperation, in particular mutual legal assistance, more effective. Examples of such assistance include the sponsoring of meetings and workshops that bring together relevant parties at the national, regional and international levels and the provision of advisory services to support the preparation of analytical reports, legal research, assistance with audits and financial analysis or to support the preparation and analysis of mutual legal assistance requests or other forms of international cooperation.

50. The requests to which StAR has responded related to mutual legal assistance in ongoing cases; support to the work of countries as an honest broker, in cooperation with financial centres; and the development and launch of asset recovery programmes. The nature of the assistance offered varies and is fully tailored to the specific needs of the requesting State: in some cases, assistance is geared towards policy dialogue and facilitation of contacts between national authorities and financial centres, while in others, it is focused on capacity-building activities and the provision of advisory services to support specific asset recovery cases. Obviously, the type of assistance provided in the context of a specific asset recovery case may differ from that envisaged at the gap analysis stage.

51. A number of asset recovery training courses have been conducted jointly with the StAR Initiative, including regional events in the Pacific Islands, the Middle East and North Africa, South and Central America, Southern and Eastern Europe, East and Southern Africa and in South and East Asia. Training has been delivered at two levels: introductory workshops aimed at raising awareness about asset recovery and more advanced training courses to address the technical aspects of asset recovery. The introductory workshops have generally been held at a regional level in order to allow practitioners to share experiences and establish contacts, including contacts in regional financial centres, and are designed for higher-level decision makers who do not need extensive training on hands-on asset recovery techniques and procedures. In addition, specialized training on specific topics or to specific groups has been provided.

C.4. Resources available

52. Technical assistance activities of UNODC in support of the implementation of the Convention, including many of the professional experts required for their delivery, are financed through extrabudgetary contributions. The support of donor

countries has been steadily increasing, reflecting growing confidence in effective programme delivery.

53.   During the period January 2010 to 9 March 2012, a total of approximately US$ 9.67 million in voluntary contributions have been made available to the United Nations Crime Prevention and Criminal Justice Fund for technical assistance activities managed from UNODC headquarters in the area of anti-corruption. Contributions were received in particular from Australia, Austria, Canada, France, Germany, Luxembourg, Norway, Panama, Sweden, the United States of America, the United Nations Development Programme (UNDP), Siemens and the World Bank. This does not include the contributions made available to UNODC field offices to implement in-depth country-based capacity building programmes.

D.   Coordination and cooperation in the delivery of technical assistance

54.   In order to avoid duplication of efforts and to mutually reinforce the results of technical assistance projects and programmes, UNODC is partnering with many United Nations entities (including UNDP, the Department for Peacekeeping Operations, the UNGC, the United Nations Commission on International Trade Law, the United Nations Industrial Development Organization, the United Nations Children´s Fund, the United Nations Department for Economic and Social Affairs, etc.), as well as other international organizations (the World Bank, the Organization for Economic Cooperation and Development/Development Assistance Committee Network on Governance). In addition, UNODC engages with several regional initiatives (e.g., the Asian Development Bank and the Organization for Economic Cooperation and Development Anti-Corruption Initiative), and regional mechanisms against corruption (e.g., the Group of States against Corruption, established by the Council of Europe) in order to join efforts to strengthen coordination in technical assistance among various stakeholders.

55.   In furtherance of a Memorandum of Understanding, signed on 15 December 2008, UNODC and the United Nations Development Programme (UNDP) have been working closely together with regard to the delivery of technical assistance in the area of governance and anti-corruption in support of national anti-corruption efforts. UNDP and UNODC together with the UN System Staff College (UNSSC) are currently developing an inter-agency training package on the integration of anti-corruption programming into the national level United Nations Development Assistance Framework (UNDAF). The objective of the training package is to enable United Nations staff to address anti-corruption aspects and the contribution anti-corruption efforts can make to national development processes in the dialogue with partner countries, and to apply anti-corruption programming approaches and principles (e.g. inclusion of anti-corruption in analytical work, country analysis and different sectors, assessment of entry points for anti-corruption initiatives, inclusion in UNDAF strategy and monitoring framework). A training package is currently being developed for the initial Training of Trainers (ToT) and will establish a roster of resource persons. Collaboration with further United Nations agencies during this process is planned.

56. UNODC has continued to support the work of the International Anti-Corruption Academy (IACA) both in terms of its institutional development and through collaboration in substantive projects UNODC has also collaborated with IACA in order to further its substantive work. This collaboration was recently evidenced by IACA organizing a special event at the 4th Session of the Conference of the States Parties to the United Nations Convention against Corruption in October 2011.

57. In addition, UNODC is leading the Anti-Corruption Academic Initiative (ACAD), a collaborative academic project which aims to produce a comprehensive anti-corruption academic curriculum composed of a menu of individual academic modules, syllabi, cases, case studies, educational tools and reference materials that may be integrated by universities and other academic institutions into their existing academic programmes. In providing such support, UNODC seeks to encourage the teaching of anti-corruption issues as part of courses such as law, business administration, criminology and political science and thereby address the present lack of anti-corruption educational materials suitable for use at both undergraduate and graduate levels. A second meeting of the ACAD expert group was held in Marrakech in October 2011 and a draft outline of the proposed curriculum has now been produced. UNODC has prepared a draft questionnaire to be used as part of an initial consultation process with selected academic institutions.

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