



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

Distr.: General  
15 March 2016

Original: English

## Implementation Review Group

Seventh session

Vienna, 20-24 June 2016

### Revised draft self-assessment checklist on the implementation of chapters II (Preventive measures) and V (Asset recovery) of the United Nations Convention against Corruption

#### *Summary*

A conference room paper containing the first revised draft of the self-assessment checklist for the second cycle of the Implementation Review Mechanism was made available to the Conference of the States Parties to the United Nations Convention against Corruption at its fifth session (CAC/COSP/2013/CRP.6).

Taking into account the comments received on that first draft, an updated second version of the draft was prepared, and it was subsequently shared with States parties and signatories for comments in December 2014. The comments received on the second draft were incorporated in the third draft of the self-assessment checklist for the second cycle of the Implementation Review Mechanism (CAC/COSP/IRG/2015/CRP.1), which was made available to the Implementation Review Group at its sixth session in all official languages of the United Nations.

Pursuant to resolution 6/1 of the Conference of the States Parties, a fourth draft was produced for discussion and made available to States parties and signatories for further comments in December 2015. The fourth draft contained further amendments aimed at continuing to improve the comprehensive self-assessment checklist for the second cycle of the Implementation Review Mechanism without prejudice to its comprehensiveness and to the methodology applied during the first cycle.

The substantive feedback received on the fourth draft was, to the greatest extent possible, incorporated in the fifth draft, which was shared with States parties in February 2016. Further comments received on the fifth draft have been incorporated in the sixth draft, which appears in the present document.



## General information

<b>Focal point</b>	Name and position
<b>Institutions consulted</b>	List of institutions consulted

1. Please provide information on the ratification/acceptance/approval/accesion process of the United Nations Convention against Corruption in your country (date of ratification/acceptance/approval of/accesion to the Convention, date of entry into force of the Convention in your country, procedure to be followed for ratification/acceptance/approval of/accesion to international conventions etc.).
2. Please briefly describe the legal and institutional system of your country.
3. In a separate communication addressed and e-mailed to the secretariat (uncac.cop@unodc.org), please provide a list of relevant laws, policies and/or other measures that are cited in the responses to the self-assessment checklist along with, if available online, a hyperlink to each document and, if available, summaries of such documents. For those documents not available online, please include the texts of those documents and, if available, summaries thereof in an attachment to the e-mail. If available, please also provide a link to, or the texts of, any versions of these documents in other official languages of the United Nations (Arabic, Chinese, English, French, Russian or Spanish). Please revert to this question after finishing your self-assessment to ensure that all legislation, policies and/or other measures you have cited are included in the list.
4. Please provide a hyperlink to or copy of any available assessments of measures to combat corruption and mechanisms to review the implementation of such measures taken by your country that you wish to share as good practices.
5. Please provide the relevant information regarding the preparation of your responses to the self-assessment checklist.
6. Please describe three practices that you consider to be good practices in the implementation of the chapters of the Convention that are under review.
7. Please describe (cite and summarize) the measures/steps, if any, your country needs to take, together with the related time frame, to ensure full compliance with the chapters of the Convention that are under review, and specifically indicate to which articles of the Convention such measures would relate.

## Thematic areas

### A. Prevention (arts. 5-13)

#### Article 5. Preventive anti-corruption policies and practices

##### Article 5, paragraph 1

1. *Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption*

*policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 5, paragraph 2**

*2. Each State Party shall endeavour to establish and promote effective practices aimed at the prevention of corruption.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 5, paragraph 3**

*3. Each State Party shall endeavour to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 5, paragraph 4**

*4. States Parties shall, as appropriate and in accordance with the fundamental principles of their legal system, collaborate with each other and with relevant international and regional organizations in promoting and developing the measures referred to in this article. That collaboration may include participation in international programmes and projects aimed at the prevention of corruption.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Polymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

**Article 6. Preventive anti-corruption body or bodies**

**Article 6, paragraph 1**

*1. Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption by such means as:*

*(a) Implementing the policies referred to in article 5 of this Convention and, where appropriate, overseeing and coordinating the implementation of those policies;*

*(b) Increasing and disseminating knowledge about the prevention of corruption.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 6, paragraph 2**

*2. Each State Party shall grant the body or bodies referred to in paragraph 1 of this article the necessary independence, in accordance with the fundamental principles of its legal system, to enable the body or bodies to carry out its or their functions effectively and free from any undue influence. The necessary material resources and specialized staff, as well as the training that such staff may require to carry out their functions, should be provided.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 6, paragraph 3**

*3. Each State Party shall inform the Secretary-General of the United Nations of the name and address of the authority or authorities that may assist other States Parties in developing and implementing specific measures for the prevention of corruption.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Has your country provided the information as prescribed above? If so, please also provide the appropriate reference.**

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policy-making: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

## **Article 7. Public sector**

### **Article 7, paragraph 1**

*1. Each State Party shall, where appropriate and in accordance with the fundamental principles of its legal system, endeavour to adopt, maintain and strengthen systems for the recruitment, hiring, retention, promotion and retirement of civil servants and, where appropriate, other non-elected public officials:*

*(a) That are based on principles of efficiency, transparency and objective criteria such as merit, equity and aptitude;*

*(b) That include adequate procedures for the selection and training of individuals for public positions considered especially vulnerable to corruption and the rotation, where appropriate, of such individuals to other positions;*

*(c) That promote adequate remuneration and equitable pay scales, taking into account the level of economic development of the State Party;*

*(d) That promote education and training programmes to enable them to meet the requirements for the correct, honourable and proper performance of public functions and that provide them with specialized and appropriate training to enhance their awareness of the risks of corruption inherent in the performance of their functions. Such programmes may make reference to codes or standards of conduct in applicable areas.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 7, paragraph 2**

*2. Each State Party shall also consider adopting appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to prescribe criteria concerning candidature for and election to public office.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 7, paragraph 3**

*3. Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 7, paragraph 4**

*4. Each State Party shall, in accordance with the fundamental principles of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

**Article 8. Codes of conduct for public officials**

**Article 8, paragraph 1**

*1. In order to fight corruption, each State Party shall promote, inter alia, integrity, honesty and responsibility among its public officials, in accordance with the fundamental principles of its legal system.*

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.



**Article 8, paragraphs 2 and 3**

2. *In particular, each State Party shall endeavour to apply, within its own institutional and legal systems, codes or standards of conduct for the correct, honourable and proper performance of public functions.*

3. *For the purposes of implementing the provisions of this article, each State Party shall, where appropriate and in accordance with the fundamental principles of its legal system, take note of the relevant initiatives of regional, interregional and multilateral organizations, such as the International Code of Conduct for Public Officials contained in the annex to General Assembly resolution 51/59 of 12 December 1996.*

**1. Is your country in compliance with these provisions?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with these provisions of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 8, paragraph 4**

4. *Each State Party shall also consider, in accordance with the fundamental principles of its domestic law, establishing measures and systems to facilitate the reporting by public officials of acts of corruption to appropriate authorities, when such acts come to their notice in the performance of their functions.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 8, paragraph 5**

5. *Each State Party shall endeavour, where appropriate and in accordance with the fundamental principles of its domestic law, to establish measures and systems requiring public officials to make declarations to appropriate authorities regarding, inter alia, their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 8, paragraph 6**

*6. Each State Party shall consider taking, in accordance with the fundamental principles of its domestic law, disciplinary or other measures against public officials who violate the codes or standards established in accordance with this article.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

## **Article 9. Public procurement and management of public finances**

### **Article 9, paragraph 1**

1. *Each State Party shall, in accordance with the fundamental principles of its legal system, take the necessary steps to establish appropriate systems of procurement, based on transparency, competition and objective criteria in decision-making, that are effective, inter alia, in preventing corruption. Such systems, which may take into account appropriate threshold values in their application shall address, inter alia:*

*(a) The public distribution of information relating to procurement procedures and contracts, including information on invitations to tender and relevant or pertinent information on the award of contracts, allowing potential tenderers sufficient time to prepare and submit their tenders;*

*(b) The establishment, in advance, of conditions for participation, including selection and award criteria and tendering rules, and their publication;*

*(c) The use of objective and predetermined criteria for public procurement decisions, in order to facilitate the subsequent verification of the correct application of the rules or procedures;*

*(d) An effective system of domestic review, including an effective system of appeal, to ensure legal recourse and remedies in the event that the rules or procedures established pursuant to this paragraph are not followed;*

*(e) Where appropriate, measures to regulate matters regarding personnel responsible for procurement, such as declaration of interest in particular public procurements, screening procedures and training requirements.*

#### **1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

### **Article 9, paragraph 2**

2. *Each State Party shall, in accordance with the fundamental principles of its legal system, take appropriate measures to promote transparency and accountability in the management of public finances. Such measure shall encompass, inter alia:*

*(a) Procedures for the adoption of the national budget;*

*(b) Timely reporting on revenue and expenditure;*

*(c) A system of accounting and auditing standards and related oversight;*

*(d) Effective and efficient systems of risk management and internal control; and*

*(e) Where appropriate, corrective action in the case of failure to comply with the requirements established in this paragraph.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 9, paragraph 3**

*3. Each State Party shall take such civil and administrative measures as may be necessary, in accordance with the fundamental principles of its domestic law, to preserve the integrity of accounting books, records, financial statements or other documents related to public expenditure and revenue and to prevent the falsification of such documents.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

- 3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

## **Article 10. Public reporting**

### **Article 10, subparagraph (a)**

*Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include, inter alia:*

*(a) Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public;*

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

### **Article 10, subparagraph (b)**

*Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include, inter alia:*

...

*(b) Simplifying administrative procedures, where appropriate, in order to facilitate public access to the competent decision-making authorities;*

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 10, subparagraph (c)**

*Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include, inter alia:*

...

*(c) Publishing information, which may include periodic reports on the risks of corruption in its public administration.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

## **Article 11. Measures relating to the judiciary and prosecution services**

### **Article 11, paragraph 1**

*1. Bearing in mind the independence of the judiciary and its crucial role in combating corruption, each State Party shall, in accordance with the fundamental principles of its legal system and without prejudice to judicial independence, take measures to strengthen integrity and to prevent opportunities for corruption among members of the judiciary. Such measures may include rules with respect to the conduct of members of the judiciary.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

### **Article 11, paragraph 2**

*2. Measures to the same effect as those taken pursuant to paragraph 1 of this article may be introduced and applied within the prosecution service in those States Parties where it does not form part of the judiciary but enjoys independence similar to that of the judicial service.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

### **Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

## **Article 12. Private sector**

### **Article 12, paragraphs 1 and 2**

*1. Each State Party shall take measures, in accordance with the fundamental principles of its domestic law, to prevent corruption involving the private sector; enhance accounting and auditing standards in the private sector and, where appropriate, provide effective, proportionate and dissuasive civil, administrative or criminal penalties for failure to comply with such measures.*

*2. Measures to achieve these ends may include, inter alia:*

*(a) Promoting cooperation between law enforcement agencies and relevant private entities;*

*(b) Promoting the development of standards and procedures designed to safeguard the integrity of relevant private entities, including codes of conduct for the correct, honourable and proper performance of the activities of business and all relevant professions and the prevention of conflicts of interest, and for the promotion of the use of good commercial practices among businesses and in the contractual relations of businesses with the State;*

*(c) Promoting transparency among private entities, including, where appropriate, measures regarding the identity of legal and natural persons involved in the establishment and management of corporate entities;*

*(d) Preventing the misuse of procedures regulating private entities, including procedures regarding subsidies and licences granted by public authorities for commercial activities;*

*(e) Preventing conflicts of interest by imposing restrictions, as appropriate and for a reasonable period of time, on the professional activities of former public officials or on the employment of public officials by the private sector after their resignation or retirement, where such activities or employment relate directly to the functions held or supervised by those public officials during their tenure;*

*(f) Ensuring that private enterprises, taking into account their structure and size, have sufficient internal auditing controls to assist in preventing and detecting*



*acts of corruption and that the accounts and required financial statements of such private enterprises are subject to appropriate auditing and certification procedures.*

**1. Is your country in compliance with these provisions?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with these provisions of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 12, paragraph 3**

*3. In order to prevent corruption, each State Party shall take such measures as may be necessary, in accordance with its domestic laws and regulations regarding the maintenance of books and records, financial statement disclosures and accounting and auditing standards, to prohibit the following acts carried out for the purpose of committing any of the offences established in accordance with this Convention:*

*(a) The establishment of off-the-books accounts;*

*(b) The making of off-the-books or inadequately identified transactions;*

*(c) The recording of non-existent expenditure;*

*(d) The entry of liabilities with incorrect identification of their objects;*

*(e) The use of false documents; and*

*(f) The intentional destruction of bookkeeping documents earlier than foreseen by the law.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 12, paragraph 4**

*4. Each State Party shall disallow the tax deductibility of expenses that constitute bribes, the latter being one of the constituent elements of the offences established in accordance with articles 15 and 16 of this Convention and, where appropriate, other expenses incurred in furtherance of corrupt conduct.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

#### **Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

### **Article 13. Participation of society**

#### **Article 13, paragraph 1**

1. *Each State Party shall take appropriate measures, within its means and in accordance with the fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as:*

(a) *Enhancing the transparency of and promoting the contribution of the public to decision-making processes;*

(b) *Ensuring that the public has effective access to information;*

(c) Undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula;

(d) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary:

(i) For respect of the rights or reputations of others;

(ii) For the protection of national security or ordre public or of public health or morals.

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 13, paragraph 2**

2. Each State Party shall take appropriate measures to ensure that the relevant anti-corruption bodies referred to in this Convention are known to the public and shall provide access to such bodies, where appropriate, for the reporting, including anonymously, of any incidents that may be considered to constitute an offence established in accordance with this Convention.

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Technical assistance**

[At the end of each article, the following set of questions on technical assistance will be included.]

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

No assistance would be required

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

## **B. Money-laundering (arts. 14, 52 and 58)**

### **Article 14. Measures to prevent money-laundering**

#### **Article 14, paragraph 1 (a)**

*1. Each State Party shall:*

*(a) Institute a comprehensive domestic regulatory and supervisory regime for banks and non-bank financial institutions, including natural or legal persons that provide formal or informal services for the transmission of money or value and, where appropriate, other bodies particularly susceptible to money-laundering, within its competence, in order to deter and detect all forms of money-laundering, which regime shall emphasize requirements for customer and, where appropriate, beneficial owner identification, record-keeping and the reporting of suspicious transactions;*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

#### **Article 14, paragraph 1 (b)**

*1. Each State Party shall:*

...

*(b) Without prejudice to article 46 of this Convention, ensure that administrative, regulatory, law enforcement and other authorities dedicated to combating money-laundering (including, where appropriate under domestic law, judicial authorities) have the ability to cooperate and exchange information at the*

*national and international levels within the conditions prescribed by its domestic law and, to that end, shall consider the establishment of a financial intelligence unit to serve as a national centre for the collection, analysis and dissemination of information regarding potential money-laundering.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 14, paragraph 2**

*2. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiable instruments.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 14, paragraph 3**

*3. States Parties shall consider implementing appropriate and feasible measures to require financial institutions, including money remitters:*

*(a) To include on forms for the electronic transfer of funds and related messages accurate and meaningful information on the originator;*

*(b) To maintain such information throughout the payment chain; and*

*(c) To apply enhanced scrutiny to transfers of funds that do not contain complete information on the originator.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

- 3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 14, paragraph 4**

*4. In establishing a domestic regulatory and supervisory regime under the terms of this article, and without prejudice to any other article of this Convention, States Parties are called upon to use as a guideline the relevant initiatives of regional, interregional and multilateral organizations against money-laundering.*

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Article 14, paragraph 5**

*5. States Parties shall endeavour to develop and promote global, regional, subregional and bilateral cooperation among judicial, law enforcement and financial regulatory authorities in order to combat money-laundering.*

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

- 1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**
- 2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

## **Article 52. Prevention and detection of transfers of proceeds of crime**

### **Article 52, paragraph 1**

*1. Without prejudice to article 14 of this Convention, each State Party shall take such measures as may be necessary, in accordance with its domestic law, to require financial institutions within its jurisdiction to verify the identity of customers, to take reasonable steps to determine the identity of beneficial owners of funds deposited into high-value accounts and to conduct enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are, or have been, entrusted with prominent public functions and their family members and close associates. Such enhanced scrutiny shall be reasonably designed to detect suspicious transactions for the purpose of reporting to competent authorities and should not be so construed as to discourage or prohibit financial institutions from doing business with any legitimate customer.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

### **Article 52, paragraph 2 (a)**

*2. In order to facilitate implementation of the measures provided for in paragraph 1 of this article, each State Party, in accordance with its domestic law and inspired by relevant initiatives of regional, interregional and multilateral organizations against money-laundering, shall:*

*(a) Issue advisories regarding the types of natural or legal person to whose accounts financial institutions within its jurisdiction will be expected to apply enhanced scrutiny, the types of accounts and transactions to which to pay particular attention and appropriate account-opening, maintenance and record-keeping measures to take concerning such accounts;*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 52, paragraph 2 (b)**

*2. In order to facilitate implementation of the measures provided for in paragraph 1 of this article, each State Party, in accordance with its domestic law and inspired by relevant initiatives of regional, interregional and multilateral organizations against money-laundering, shall:*

...

*(b) Where appropriate, notify financial institutions within its jurisdiction, at the request of another State Party or on its own initiative, of the identity of particular natural or legal persons to whose accounts such institutions will be expected to apply enhanced scrutiny, in addition to those whom the financial institutions may otherwise identify.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 52, paragraph 3**

*3. In the context of paragraph 2 (a) of this article, each State Party shall implement measures to ensure that its financial institutions maintain adequate records, over an appropriate period of time, of accounts and transactions involving the persons mentioned in paragraph 1 of this article, which should, as a minimum, contain information relating to the identity of the customer as well as, as far as possible, of the beneficial owner.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**



**Article 52, paragraph 4**

4. *With the aim of preventing and detecting transfers of proceeds of offences established in accordance with this Convention, each State Party shall implement appropriate and effective measures to prevent, with the help of its regulatory and oversight bodies, the establishment of banks that have no physical presence and that are not affiliated with a regulated financial group. Moreover, States Parties may consider requiring their financial institutions to refuse to enter into or continue a correspondent banking relationship with such institutions and to guard against establishing relations with foreign financial institutions that permit their accounts to be used by banks that have no physical presence and that are not affiliated with a regulated financial group.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 52, paragraph 5**

5. *Each State Party shall consider establishing, in accordance with its domestic law, effective financial disclosure systems for appropriate public officials and shall provide for appropriate sanctions for non-compliance. Each State Party shall also consider taking such measures as may be necessary to permit its competent authorities to share that information with the competent authorities in other States Parties when necessary to investigate, claim and recover proceeds of offences established in accordance with this Convention.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 52, paragraph 6**

6. *Each State Party shall consider taking such measures as may be necessary, in accordance with its domestic law, to require appropriate public officials having an interest in or signature or other authority over a financial account in a foreign country to report that relationship to appropriate authorities and to maintain appropriate records related to such accounts. Such measures shall also provide for appropriate sanctions for non-compliance.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Polymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

**Article 58. Financial intelligence unit**

*States Parties shall cooperate with one another for the purpose of preventing and combating the transfer of proceeds of offences established in accordance with this Convention and of promoting ways and means of recovering such proceeds and, to that end, shall consider establishing a financial intelligence unit to be responsible for receiving, analysing and disseminating to the competent authorities reports of suspicious financial transactions.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.
3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

#### **Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.
2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:
  - No assistance would be required
  - Legislative assistance: please describe the type of assistance
  - Institution-building: please describe the type of assistance
  - Policymaking: please describe the type of assistance
  - Capacity-building: please describe the type of assistance
  - Research/data-gathering and analysis: please describe the type of assistance
  - Facilitation of international cooperation with other countries: please describe the type of assistance
  - Others: please specify
3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

### **C. Asset recovery (arts. 51, 53-57 and 59)**

#### **Article 51. General provision**

##### **Article 51**

*The return of assets pursuant to this chapter is a fundamental principle of this Convention, and States Parties shall afford one another the widest measure of cooperation and assistance in this regard.*

1. Is your country in compliance with this provision?
  - Yes/Yes, in part/No
2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention,

including identifying both any legal authorities/procedures for accepting requests for asset recovery and assessing that these requests are reasonably substantiated and supplemented as well as any time frame established under domestic laws and procedures for their execution, taking into account requests received from countries with similar or different legal systems and any challenges faced in this context.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

#### **Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

### **Article 53. Measures for direct recovery of property**

#### **Article 53, subparagraph (a)**

*Each State Party shall, in accordance with its domestic law:*

*(a) Take such measures as may be necessary to permit another State Party to initiate civil action in its courts to establish title to or ownership of property acquired through the commission of an offence established in accordance with this Convention;*

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 53, subparagraph (b)**

*Each State Party shall, in accordance with its domestic law:*

...

*(b) Take such measures as may be necessary to permit its courts to order those who have committed offences established in accordance with this Convention to pay compensation or damages to another State Party that has been harmed by such offences;*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 53, subparagraph (c)**

*Each State Party shall, in accordance with its domestic law:*

...

*(c) Take such measures as may be necessary to permit its courts or competent authorities, when having to decide on confiscation, to recognize another State Party's claim as a legitimate owner of property acquired through the commission of an offence established in accordance with this Convention.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policy-making: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

## **Article 54. Mechanisms for recovery of property through international cooperation in confiscation**

### **Article 54, paragraph 1 (a)**

*1. Each State Party, in order to provide mutual legal assistance pursuant to article 55 of this Convention with respect to property acquired through or involved in the commission of an offence established in accordance with this Convention, shall, in accordance with its domestic law:*

*(a) Take such measures as may be necessary to permit its competent authorities to give effect to an order of confiscation issued by a court of another State Party;*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

### **Article 54, paragraph 1 (b)**

*1. Each State Party, in order to provide mutual legal assistance pursuant to article 55 of this Convention with respect to property acquired through or involved in the commission of an offence established in accordance with this Convention, shall, in accordance with its domestic law:*

...

*(b) Take such measures as may be necessary to permit its competent authorities, where they have jurisdiction, to order the confiscation of such property of foreign origin by adjudication of an offence of money-laundering or such other offence as may be within its jurisdiction or by other procedures authorized under its domestic law;*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 54, paragraph 1 (c)**

*1. Each State Party, in order to provide mutual legal assistance pursuant to article 55 of this Convention with respect to property acquired through or involved in the commission of an offence established in accordance with this Convention, shall, in accordance with its domestic law:*

...

*(c) Consider taking such measures as may be necessary to allow confiscation of such property without a criminal conviction in cases in which the offender cannot be prosecuted by reason of death, flight or absence or in other appropriate cases.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 54, paragraph 2 (a)**

*2. Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law:*

*(a) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a freezing or seizure order issued by a court or competent authority of a requesting State Party that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (a) of this article;*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 54, paragraph 2 (b)**

*2. Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law:*

...

*(b) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a request that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (a) of this article;*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 54, paragraph 2 (c)**

*2. Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law:*

...

*(c) Consider taking additional measures to permit its competent authorities to preserve property for confiscation, such as on the basis of a foreign arrest or criminal charge related to the acquisition of such property.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**



**Technical assistance**

[At the end of each article, the following set of questions on technical assistance will be included.]

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Polymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

**Article 55. International cooperation for purposes of confiscation****Article 55, paragraph 1**

*1. A State Party that has received a request from another State Party having jurisdiction over an offence established in accordance with this Convention for confiscation of proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention situated in its territory shall, to the greatest extent possible within its domestic legal system:*

*(a) Submit the request to its competent authorities for the purpose of obtaining an order of confiscation and, if such an order is granted, give effect to it; or*

*(b) Submit to its competent authorities, with a view to giving effect to it to the extent requested, an order of confiscation issued by a court in the territory of the requesting State Party in accordance with articles 31, paragraph 1, and 54, paragraph 1 (a), of this Convention insofar as it relates to proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, situated in the territory of the requested State Party.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 55, paragraph 2**

*2. Following a request made by another State Party having jurisdiction over an offence established in accordance with this Convention, the requested State Party shall take measures to identify, trace and freeze or seize proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention for the purpose of eventual confiscation to be ordered either by the requesting State Party or, pursuant to a request under paragraph 1 of this article, by the requested State Party.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 55, paragraph 3**

*3. The provisions of article 46 of this Convention are applicable, mutatis mutandis, to this article. In addition to the information specified in article 46, paragraph 15, requests made pursuant to this article shall contain:*

*(a) In the case of a request pertaining to paragraph 1 (a) of this article, a description of the property to be confiscated, including, to the extent possible, the location and, where relevant, the estimated value of the property and a statement of the facts relied upon by the requesting State Party sufficient to enable the requested State Party to seek the order under its domestic law;*

*(b) In the case of a request pertaining to paragraph 1 (b) of this article, a legally admissible copy of an order of confiscation upon which the request is based issued by the requesting State Party, a statement of the facts and information as to the extent to which execution of the order is requested, a statement specifying the measures taken by the requesting State Party to provide adequate notification to bona fide third parties and to ensure due process and a statement that the confiscation order is final;*

*(c) In the case of a request pertaining to paragraph 2 of this article, a statement of the facts relied upon by the requesting State Party and a description of the actions requested and, where available, a legally admissible copy of an order on which the request is based.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

#### **Article 55, paragraph 4**

*4. The decisions or actions provided for in paragraphs 1 and 2 of this article shall be taken by the requested State Party in accordance with and subject to the provisions of its domestic law and its procedural rules or any bilateral or multilateral agreement or arrangement to which it may be bound in relation to the requesting State Party.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

#### **Article 55, paragraph 5**

*5. Each State Party shall furnish copies of its laws and regulations that give effect to this article and of any subsequent changes to such laws and regulations or a description thereof to the Secretary-General of the United Nations.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please provide a reference to the date these documents were transmitted, as well as a description of any documents not yet transmitted.**

#### **Article 55, paragraph 6**

*6. If a State Party elects to make the taking of the measures referred to in paragraphs 1 and 2 of this article conditional on the existence of a relevant treaty, that State Party shall consider this Convention the necessary and sufficient treaty basis.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 55, paragraph 7**

7. *Cooperation under this article may also be refused or provisional measures lifted if the requested State Party does not receive sufficient and timely evidence or if the property is of a de minimis value.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 55, paragraph 8**

8. *Before lifting any provisional measure taken pursuant to this article, the requested State Party shall, wherever possible, give the requesting State Party an opportunity to present its reasons in favour of continuing the measure.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 55, paragraph 9**

9. *The provisions of this article shall not be construed as prejudicing the rights of bona fide third parties.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

### **Article 56. Special cooperation**

*Without prejudice to its domestic law, each State Party shall endeavour to take measures to permit it to forward, without prejudice to its own investigations, prosecutions or judicial proceedings, information on proceeds of offences established in accordance with this Convention to another State Party without prior request, when it considers that the disclosure of such information might assist the receiving State Party in initiating or carrying out investigations, prosecutions or judicial proceedings or might lead to a request by that State Party under this chapter of the Convention.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

#### **Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policy-making: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

## **Article 57. Return and disposal of assets**

### **Article 57, paragraph 1**

*1. Property confiscated by a State Party pursuant to article 31 or 55 of this Convention shall be disposed of, including by return to its prior legitimate owners, pursuant to paragraph 3 of this article, by that State Party in accordance with the provisions of this Convention and its domestic law.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

### **Article 57, paragraph 3 (a)**

*3. In accordance with articles 46 and 55 of this Convention and paragraphs 1 and 2 of this article, the requested State Party shall:*

*(a) In the case of embezzlement of public funds or of laundering of embezzled public funds as referred to in articles 17 and 23 of this Convention, when confiscation was executed in accordance with article 55 and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party;*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 57, paragraph 3 (b)**

*3. In accordance with articles 46 and 55 of this Convention and paragraphs 1 and 2 of this article, the requested State Party shall:*

...

*(b) In the case of proceeds of any other offence covered by this Convention, when the confiscation was executed in accordance with article 55 of this Convention and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party, when the requesting State Party reasonably establishes its prior ownership of such confiscated property to the requested State Party or when the requested State Party recognizes damage to the requesting State Party as a basis for returning the confiscated property;*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 57, paragraph 3 (c)**

*3. In accordance with articles 46 and 55 of this Convention and paragraphs 1 and 2 of this article, the requested State Party shall:*

...

*(c) In all other cases, give priority consideration to returning confiscated property to the requesting State Party, returning such property to its prior legitimate owners or compensating the victims of the crime.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

- 3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 57, paragraph 2**

*2. Each State Party shall adopt such legislative and other measures, in accordance with the fundamental principles of its domestic law, as may be necessary to enable its competent authorities to return confiscated property, when acting on the request made by another State Party, in accordance with this Convention, taking into account the rights of bona fide third parties.*

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, statistics, etc.**

**Article 57, paragraph 4**

*4. Where appropriate, unless States Parties decide otherwise, the requested State Party may deduct reasonable expenses incurred in investigations, prosecutions or judicial proceedings leading to the return or disposition of confiscated property pursuant to this article.*

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Article 57, paragraph 5**

*5. Where appropriate, States Parties may also give special consideration to concluding agreements or mutually acceptable arrangements, on a case-by-case basis, for the final disposal of confiscated property.*

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**



**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policy-making: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

**Article 59. Bilateral and multilateral agreements and arrangements**

*States Parties shall consider concluding bilateral or multilateral agreements or arrangements to enhance the effectiveness of international cooperation undertaken pursuant to this chapter of the Convention.*

**1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

**2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**

**3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

**Technical assistance**

*[At the end of each article, the following set of questions on technical assistance will be included.]*

**1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**

**2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

**No assistance would be required**

**Legislative assistance: please describe the type of assistance**

**Institution-building: please describe the type of assistance**

**Policymaking: please describe the type of assistance**

**Capacity-building: please describe the type of assistance**

**Research/data-gathering and analysis: please describe the type of assistance**

**Facilitation of international cooperation with other countries: please describe the type of assistance**

**Others: please specify**

**3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

---