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English only

**Implementation Review Group of the
United Nations Convention against Corruption****Fourth session**

Vienna, 27-31 May 2013

**Implementation of resolution 4/5 of the Conference of the
States Parties to the United Nations Convention against
Corruption entitled “Participation of signatories, entities
and intergovernmental organizations in the work of the
Implementation Review Group”****Note by the Secretariat****I. Implementation of resolution 4/5, paragraph 1, Rule 2**

Rule 2 (d) of resolution 4/5 of the Conference of the States Parties to the United Nations Convention against Corruption requested entities and intergovernmental organizations to consider and to communicate to the Secretary-General, in writing whether they are willing to participate in the meetings of the Group, paying due regard to their respective mandates and to the functions of the Group, as defined in paragraph 44 of the terms of reference of the Implementation Review Mechanism.¹

It also requested entities and intergovernmental organizations to provide information on issues with regard to which, and on ways and means by which, they intend to contribute to the effective work of the Mechanism, especially through the provision of support and assistance in implementation of the recommendations and conclusions of the Group to be adopted by the Conference.

Rule 2 (e) requested the secretariat to compile the information contained in the communications of relevant entities and intergovernmental organizations and submit it to the Group.

Rule 2 (f) provided that on the basis of the information referred to in paragraph 1, Rule 2 (d), the Implementation Review Group shall decide, by consensus and as

¹ (See http://www.unodc.org/documents/treaties/UNCAC/Publications/ReviewMechanism-BasicDocuments/Mechanism_for_the_Review_of_Implementation_-_Basic_Documents_-E.pdf).



appropriate, to update the list of entities and intergovernmental organizations to be invited to participate in the sessions of the Group.

Pursuant to Rule 2 (d), (e) and (f), the Secretariat issued Notes CU 2012/84/DTA/CEB/CSS of 13 April 2012, CU 2012/100/DTA/CEB/CSS of 2 May 2012, and CU 2013/54/DTA/CEB/CSS of 6 March 2013 and requested intergovernmental organizations and entities to provide the required information.

Communications of interest to participate in the sessions of the Implementation Review Group were received from the following organizations. United Nations entities: Counter Terrorism Committee Executive Directorate (CTED), International Narcotics Control Board (INCB), Office of the High Commissioner for Human Rights (OHCHR), Office of Internal Oversight Services, Office of Legal Affairs, Office of Legal Affairs/International Trade Law Division (UNCITRAL), Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Development Programme (UNDP); United Nations Institutes and Institutes of the United Nations Crime Prevention and Criminal Justice Programme Network of Institutes: United Nations Interregional Crime and Justice Research Institute (UNICRI), United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), Basel Institute on Governance, European Institute for Crime Prevention and Control (HEUNI), International Scientific and Professional Advisory Council (ISPAC), Institute for Security Studies; Specialized Agencies: International Labour Organization (ILO), World Bank, World Intellectual Property Organization (WIPO), World Trade Organization (WTO); Intergovernmental Organizations: Arab Interior Ministers Council, Asian-African Legal Consultative Organization, Commonwealth Secretariat, Council of Europe/Group of States against Corruption (GRECO), EUROJUST, Ibero-American Network of International Legal Cooperation (IberRed), International Anti-Corruption Academy, International Criminal Police Organization (INTERPOL), International Organization for Migration (IOM), Organisation for Economic Co-operation and Development, Organization for Security and Cooperation in Europe, Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies; Other entities maintaining permanent observer offices: Sovereign Military Order of Malta.

Communications regarding concrete contributions to the effective work of the Mechanism were received from the following organizations and are reproduced in Chapter II of this paper: Asian-African Legal Consultative Organization (AALCO), Commonwealth Secretariat, Ibero-American Network of International Legal Cooperation (IberRed), International Anti-Corruption Academy, International Criminal Police Organization (INTERPOL), Basel Institute on Governance, International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme (ISPAC).

II. Communications received from entities and intergovernmental organizations on the implementation of resolution 4/5, paragraph 1, Rule 2 (d)

A. Intergovernmental organizations

Asian-African Legal Consultative Organization (AALCO)

The Asian-African Legal Consultative Organization (AALCO) is engaged in giving legal advice to its member States on implementation of the UNCAC.

Commonwealth Secretariat

The work of the Commonwealth Secretariat on anti-corruption is based on the Commonwealth Strategy against Corruption, as adopted by the Law Ministers at their meeting in Durban, South Africa in 1999. The strategy encompasses a broad spectrum of anti-corruption measures, anchored on the UNCAC four strands of implementations, namely, prevention, criminalization, international cooperation and recovery of proceeds of crime with the following specificities:

(a) Providing technical assistance on an individual State, regional and Commonwealth-wide basis on key aspects of prevention (including risk analysis), detection, investigation and prosecution. Such technical assistance is coordinated by the Legal and Constitutional Affairs Division (LCAD), supplementing its own specialist input by using:

- (i) Such other specialists (including those from within the Commonwealth Secretariat) as may, from time to time, be required; and
- (ii) Best practices and methodologies developed by individual States, regional initiatives and international organizations;
- (iii) The tools in (ii) are being developed, identified and disseminated, as required by LCAD with reference to the work done and products created by all relevant international and regional bodies;

(b) The drafting of a legislative and technical guide (including draft legislative provisions to reflect those requirements of UNCAC which are susceptible to model drafting) aimed at meeting the particular needs of Commonwealth States and complementing the guides produced by UNODC. The overall aim of the Commonwealth guide is to provide documentary guidance, best practice, legislative options and technical assistance. The guide was updated in 2010, published and disseminated to member countries;

(c) Holding regional and country-specific capacity-building workshops on UNCAC implementation (including in particular, asset recovery and international co-operation). To ensure maximum benefit such workshops are designed on a “component” basis, delivered to “targeted” participants (which, inter alia, allows for further cascading), and is highly practical and interactive in approach. In the recent past, we have had three such workshops delivered to the judiciaries in the South Asian, Pacific and the Caribbean regions. The fourth judicial training on the recovery of the proceeds of crime will be delivered in the South African region in September 2012.

Issues relating to the implementation of Article 12 of the Convention including the use of public-private partnerships; and conflict of interest, reporting acts of corruption and asset recovery declarations, particularly in the context of articles 7-9 of the Convention, are embedded in the broad delivery of the strategy. Member countries are capacitated to implement those specific or micro issues in their respective anti-corruption implementation measures.

Ibero-American Network of International Legal Cooperation (IberRed)

The IberRed is an international network for legal cooperation, composed of judges, prosecutors and central authorities, including Ibero-America central authorities of the United Nations Convention against Corruption (UNCAC), which seeks for operative measures to ameliorate the international legal cooperation in cases where corruption acts are investigated and prosecuted.

International Anti-Corruption Academy

The Academy is honoured to contribute in line with her mandate stipulated in the *Agreement for the Establishment of the International Anti-Corruption Academy as an International Organization*. Its Article II foresees that the purpose of the Academy shall be to promote effective and efficient prevention and combating of corruption by:

- (a) Providing anti-corruption education and professional training;
- (b) Undertaking and facilitating research into all aspects of corruption;
- (c) Providing other relevant forms of technical assistance in the fight against corruption;
- (d) Fostering international cooperation and networking in the fight against corruption.

International Criminal Police Organization

The INTERPOL General Secretariat (IPSG), through various tools and services, assists its 190 member countries in various aspects of law enforcement as well as with international cooperation. One such important area is the tackling of corruption and recovery of corrupt proceeds. The INTERPOL Anti-Corruption Sub-Directorate (ACO) facilitates member countries in the successful implementation of the United Nations Convention against Corruption (UNCAC) through purpose-built programme of activities.

As envisaged under Chapter 5 of UNCAC dealing with Technical Assistance, the ACO, in partnership with the Stolen Asset Recovery Initiative (StAR) of the UNODC and World Bank has launched a virtual platform for the anti-corruption and asset recovery practitioners. This platform known as INTERPOL-StAR Global Focal Points Platform is hosted on the INTERPOL secure website. Only the registered members have access to this platform.

Drawing upon the expertise that is available among the dedicated anti-corruption and asset recovery agencies among member countries, INTERPOL has designed and has been offering unique capacity-building workshop to improve operational efficiency in corrupt proceeds recovery. This programme is offered under the banner

of “INTERPOL Global Programme on Anti-Corruption and Asset Recovery”. In 2012, we offered four regional workshops to the benefit of 40 countries.

Both these programmes give us a lot of insight into the legislative, administrative, judicial frameworks obtaining in each of the member countries. It presents an opportunity to understand and appreciate the gap between the UNCAC and existing framework in each of the member countries.

B. Institutes of the United Nations Crime Prevention and Criminal Justice Programme Network Institutes (PNI)

Basel Institute on Governance

The Basel Institute has extensive experience in supporting UNCAC Member States in reviewing compliance with UNCAC standards, having accompanied such processes in countries such as Bangladesh, Indonesia, Mongolia, Bhutan, Kenya, Laos and Viet Nam as resource persons and expert centre on anti-corruption and asset recovery. We further work on an ongoing basis with a large number of UNCAC Member States to assist them in enhancing their capacities in asset recovery and in bringing their relevant legislations and institutions in line with applicable UNCAC standards. We are confident that we can make a valuable contribution through these activities to the work of the Implementation Review Group and overall effort to ensure full implementation of UNCAC in its member States.

International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme (ISPAC)

One of the principal goals of ISPAC is to enhance the contributions of Non-Governmental Organizations from developing countries. ISPAC acts through Workshops, Seminars, Conferences and Research activities, in particular, ISPAC is now coordinating a Research Project on *Bribery and the Private Sector*, which has been presented to a large audience during the special event “High-level Forum on the UNCAC and Global Competition” as side event of the Fourth session of the Conference of the States Parties to the United Nations Convention against Corruption (Marrakech, 24-28 October 2011).