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United Nations Office on Drugs and Crime

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The Secretary-General of the United Nations presents his compliments to the [[[FunctionalTitle2]]] and has the honour to draw the attention of the Government to the recommendations of the Open-ended Intergovernmental Working Group on Prevention, established by the Conference of States Parties to the United Nations Convention against Corruption in its resolution 3/2 entitled “Preventive Measures”.

In accordance with the conclusions of the Working Group at its third intersessional meeting held in Vienna from 27 to 29 August 2012 (CAC/COSP/WG.4/2012/5, paragraph 8), the Secretariat can confirm that the topics for discussion at the fourth intersessional meeting of the Working Group to be held in Vienna from 26 to 28 August 2013 will be:

- (a) Integrity in the judiciary, judicial administration and prosecution services (art. 11) and;
- (b) Public education, in particular the engagement of children and young people and the role of mass media and the Internet (art.13).

The Working Group had recommended at its second intersessional meeting that in advance of each future meeting of the Working Group, States parties should be invited to share their experiences of implementing the provisions under consideration, preferably by using the self-assessment checklist and including, where possible, successes, challenges, technical assistance needs, and lessons learned in implementation (CAC/COSP/WG.4/2011/4, paragraph 12).

The United Nations Office on Drugs and Crime therefore seeks the cooperation of all States parties and signatories to the Convention in providing pertinent information on their relevant initiatives and practices to the Secretariat in relation to the topics for discussion at the fourth intersessional Working Group meeting as outlined above.

[[[FormalSalutation]]]

[[[TitlePrefix]]] [[[FirstName]]] [[[MiddleName]]] [[[LastName]]] [[[PersonSuffix]]]

[[[FunctionalTitle1]]]

[[[FunctionalTitle2]]]

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In order to assist States parties and signatories in the provision of the requested information, the Secretariat has produced a Guidance Note (attached as Annex I) outlining the type of information States parties and signatories may wish to provide in advance of the Working Group in relation to each topic under consideration.

The Secretariat is also pleased to inform States parties that in order to facilitate their effective use of the information provided in advance of each intersessional meeting of the Working Group, and in fulfilment of the Secretariat's role as an observatory of good practices in relation to the prevention of corruption, a new website is being developed for the Working Group in which all of the information provided to date by States parties ahead of each intersessional meeting, in addition to relevant reports produced by the Secretariat and presentations given during meetings, will be organized according to thematic area. The Secretariat expects this new resource to be finalized in March 2013 and States parties will be informed once it is available online.

As in previous years, the Secretariat will make all submissions provided ahead of the next Working Group meeting available online unless a contrary wish is indicated by States parties when providing the relevant information. In doing so, the Secretariat hopes to facilitate the sharing of best practices between States parties and signatories.

The Secretary-General would be grateful if the Government send any pertinent information to the Secretary of the Conference of the States Parties to the United Nations Convention against Corruption, Corruption and Economic Crime Branch, United Nations Office on Drugs and Crime, Vienna International Centre, P.O. Box 500, 1400 Vienna, Austria, Fax: +43 1 26060 6711 or to e-mail uncac.cop@unodc.org, at its earliest convenience, **but not later than 12 April 2013**.

22 February 2013



Annex I

Guidance Note for the provision of information by States parties for the fourth intersessional meeting of the Working Group on Prevention on 26 to 28 August 2013;

1. The Secretariat has produced this Guidance Note to assist States parties and signatories in providing information as to initiatives and practices they have implemented regarding the two topics under consideration at the fourth intersessional meeting of the Working Group on Prevention taking place from 26 to 28 of August 2013.

2. The Secretariat wishes to recall paragraph 12 of the report of the Working Group on Prevention on its second intersessional meeting, which noted that in advance of each meeting, States parties should be invited to share their experiences of implementing the provisions of the Convention under consideration, preferably by using the self-assessment checklist.

3. In furtherance of this, the Secretariat outlines below a selection of questions from the self-assessment checklist that States parties may wish to use as a guide when providing information regarding the two topics under consideration. These questions have been annotated by the Secretariat so as to highlight the key points that States parties may wish to address when providing the requested information. States parties are encouraged to view the questions below only as guidance and remain free to provide any information believed to be relevant to the topics under consideration.

I - Information requested from States parties in relation to integrity in the judiciary, judicial administration and prosecution services (art. 11)

1. Has your country adopted and implemented article 11 of the UN Convention against Corruption?

States parties are encouraged to provide information on their implementation of policies and measures taken to strengthen integrity and to prevent opportunities for corruption among members of the judiciary.

Where appropriate, States parties may also wish to provide information regarding measures taken to strengthen integrity and prevent opportunities for corruption among their prosecution service.

2. Please cite, summarize and, if possible, provide copies of the applicable policy(ies) or measure(s):

In particular, the Secretariat would be grateful for information regarding:

- *the constitutional and legal framework applicable in States parties aimed at ensuring the independence and integrity of the judiciary and, where appropriate, the prosecution service;*
- *codes of conduct and disciplinary mechanisms applicable to members of the judiciary and prosecution service, including whether these were developed with reference to international standards such as the Bangalore Principles on Judicial Conduct or the Standards of Professional Responsibilities and Statement of the Essential Duties and Rights of Prosecutors.*

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- *measures taken to ensure transparency and accountability in the selection, recruitment, , training, performance management and removal of members of the judiciary and the prosecution service;*
- *measures taken to improve the transparency and efficiency of procedures governing case assignment and distribution;*
- *policies and/or practices aimed at increasing transparency in the court process, for example by allowing public and media access to court proceedings, facilitating access to court judgements and raising public awareness through information sharing and outreach programmes.*

3. Please provide examples of the successful implementation of domestic measures adopted to comply with article 11 of the Convention:

The Secretariat would particularly welcome practical examples and case studies of successes in implementing domestic measures in the field of judicial integrity. Such examples may include:

- *cases in which the breach of a judicial or prosecutorial code of conduct has led to the application of disciplinary measures.*
- *examples of the effective use of mechanisms to facilitate the reporting of acts of corruption in the judiciary and the prosecution service and statistics regarding the number of complaints received through such mechanisms.*
- *the successful implementation of reforms related to case assignment and case management procedures resulting in a reduction in waiting times for the hearing and completion of cases.*
- *the successful implementation of educational and training programmes for members of the judiciary and prosecution service, including both initial formation and continuing education.*

4. Have you ever assessed the effectiveness of the measures adopted to implement article 11? Please outline (or, if available, attach) the results of such an assessment including methods, tools and resources utilized.

States parties may wish, in particular, to provide information regarding efforts taken to:

- *evaluate the overall integrity and effectiveness of the court system.*

In describing such efforts States may wish to include what methodology and indicators were used, which institutions were responsible for implementation and what follow-up action was taken following evaluation.

- *seek the views of court users as regards the integrity and effectiveness of the judiciary, prosecution service and court system more broadly.*

Such measures may include public or court user surveys, focus groups, the use of “score cards”, the analysis of complaints received and other similar measures.

- *assess the impact of specific measures taken in furtherance of Article 11 such as the those mentioned in paragraph 2 above.*

5. Which challenges and issues are you facing in (fully) implementing article 11 of the Convention?

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Examples of the types of challenges States parties may face in implementing article 11 of the Convention include:

- *challenges in balancing efforts to increase the integrity and accountability of the judiciary, for example through the development of new evaluation procedures, with the protection of the independence of the judiciary.*
- *implementation challenges, such as the ability to enforce or otherwise encourage adherence to existing codes of conduct applicable to members of the judiciary or prosecution service.*
- *communication challenges, such as the ability to disseminate, publicise and promote new policies and practices to members of the judiciary, prosecution service or to the public more broadly.*

6. Do you consider that any technical assistance is required in order to allow you to fully implement this provision? If so, what specific forms of technical assistance would you require?

States parties are encouraged to also provide a description of any such assistance already being provided and by whom.

II - Information requested from States parties in relation to public education, in particular the engagement of children and young people and the role of mass media and the Internet (art.13)

1. Has your country adopted and implemented article 13 of the UN Convention against Corruption?

States parties are encouraged in particular to provide information on public education programmes, including school and university curricula, and other public information activities aimed at engaging young people in efforts to combat corruption.

States parties are also encouraged to provide information on measures aimed at engaging with and supporting and engaging mass media institutions such as television, newspapers and radio in educating the public regarding the impact and risks of corruption.

2. Please cite, summarize and, if possible, provide copies of the applicable measure(s) or policy(ies):

In particular, the Secretariat would be grateful for information regarding:

- *Educational courses or modules that have been introduced in universities with relevance to the issue of corruption.*

Such courses or modules may specifically address the issue of corruption or focus on related issues such as public administration, public procurement, ethics, criminal law, international cooperation and corporate governance.

- *Educational courses or modules that have been introduced in primary and secondary schools with relevance to the issue of corruption.*

Such courses or modules may address corruption directly or may cover broader issues such as ethics, civic rights and duties, fiscal education and government.

- *Policies and practices that seek to use the Internet as a tool for public education and as a means to raise awareness of corruption.*

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3. Please provide examples of the successful implementation of domestic measures adopted to comply with article 13 of the Convention.

States Parties may wish to include case studies or specific examples of the following:

- o *Public awareness programmes that have led to a broad engagement of children, young people and other parts of society in the fight against corruption.*
- o *The use of the Internet as a successful platform for educating the public and raising awareness of corruption.*
- o *Specific examples in which social media has been used to facilitate educational and awareness-raising anti-corruption programmes targeted at young people.*

4. Have you ever assessed the effectiveness of the measures adopted to implement article 13? Please outline (or, if available, attach) the results of such an assessment including methods, tools and resources utilized.

States parties may wish, in particular, to provide information regarding efforts designed to:

- o *Identify gaps in national school curricula regarding ethics, integrity, civic rights and duties or fiscal education.*
- o *Measure the tangible impact of public campaigns aimed at engaging young people in anti corruption efforts, including those provided on the Internet.*
- o *Assess the impact of measures designed to support and use mass media as a medium for educational anti-corruption programmes.*

5. Which challenges and issues are you facing in (fully) implementing article 13 of the Convention?

Examples of the types of challenges States parties may have faced include:

- o *challenges in balancing the educational role of media institutions in disseminating and publishing information regarding corruption with the need to protect the rights and reputations of others.*
- o *communication challenges in reaching a wide range of stakeholders, and in particular young people, through public information activities.*

The Secretariat would also welcome examples of how States parties have used the Internet and social media tools to overcome these communication challenges.

- o *implementation challenges in relation to anti-corruption educational measures such as the need to provide support to schools following the introduction of a new academic course, including through the training of academic staff responsible for delivering such courses.*

6. Do you consider that any technical assistance is required in order to allow you to fully implement this provision? If so, what specific forms of technical assistance would you require?

States parties are encouraged to provide a description of any such assistance already being provided and by whom it is being provided.

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