

## **Annex I**

### **Guidance Note for the provision of information by States parties for the eighth intersessional meeting of the Working Group on Prevention from 21 to 23 August 2017**

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 eighth intersessional meeting of the Working Group on Prevention taking place from 21 to 23 of August 2017.

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

3. In furtherance of this, the Secretariat outlines below a selection of issues based on the 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. States parties are encouraged to view the information 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 criminal justice institutions (arts. 7, 8 and 11)**

**1. 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, to strengthen integrity in criminal justice institutions, including the judiciary, prosecution services, police, prison services and court personnel, where applicable.**

In relation to measures concerning article 7 of the Convention and the public sector, States parties and signatories may wish to cite and summarize measures that:

- Establish and strengthen systems to ensure transparency and accountability in the recruitment, hiring, retention, promotion and retirement of public officials in criminal justice institutions, including whether specific procedures exist for the recruitment and hiring of senior officials in criminal justice institutions, if they are different from other civil servants;

- **The police conduct the recruitment, hiring, retention, promotion, and retirement of police officers and staff according to laws such as the National Public Service Act and the Local Public Service Act.**

- Implement adequate procedures for the selection and training of individuals for public positions considered especially vulnerable to corruption in criminal justice institutions and the rotation, where appropriate, of such individuals to other positions; and

- **The police provide officers and staff with adequate training in police schools and others according to ranks and jobs.**

- Prescribe criteria concerning candidature for and election to public office for members of criminal justice institutions, if applicable, as well as measures to enhance transparency in the funding of candidatures and of contributions to political parties, where applicable.

In relation to article 8 of the Convention and measures to establish or promote codes of conduct by criminal justice institutions, States parties and signatories may wish to cite and summarize measures that:

- Establish or improve procedures, rules and regulations for the reporting, including by members of criminal justice institutions, of acts of corruption to appropriate authorities and the mechanisms for the protection of reporting persons;

- **The police establish and apply procedures on the reporting by police officers and staff who discover internal violations of laws and rules appropriately.**
- **If national public officers who are working for correctional facilities have committed crimes including bribery etc. and/or caused accidents, the director of facility shall report thereon to both the superintendent of Regional Correction Headquarter and Director-General of the Correction Bureau, Ministry of Justice, in accordance with the ordinance set by the Minister of Justice.**
- **If an appointer of a national public officer considers it suspicious for the national public officer to have committed an act that violates the National Public Service Ethics Act or orders pursuant to the Act, the appointer shall report thereon to the Board in accordance with Article 22 of the Act.**

- Establish or strengthen existing disciplinary procedures and mechanisms to enforce codes of conduct or ethics, standards of professional conduct and conflict of interest legislation; and

- **The police establish the standards of disciplinary actions and impose these actions appropriately against the officers and staff violating laws and rules according to the National Public Service Act or the Local Public Service Act.**

- Detect and prevent possible conflicts of interest, such as systems requiring members of criminal justice institutions to make declarations to appropriate authorities regarding, *inter alia*, their outside activities, employment, investments, income, assets and substantial gifts or benefits from which a conflict of interest may result, including as they take office and regularly during the performance of their public functions.

- **The police make efforts to detect and prevent conflicts of interest in accordance with laws such as the National Public Service Act and other laws and rules in conformity with this.**

In relation to article 11 and measures to promote the independence, integrity and impartiality of members of the judiciary and prosecution services, States parties and signatories may wish to cite and summarize measures that:

- Disseminate information and build awareness of existing national and international standards of judicial integrity, such as the Basic Principles on the Independence of the Judiciary, the Bangalore Principles on Judicial Conduct, the Guidelines on the Role of Prosecutors and the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors;
- Implement or improve existing induction and ongoing training requirements and curricula for members of the judiciary and prosecution services, particularly in terms of codes of conduct, integrity and independence;
- Establish or improve existing mechanisms to evaluate performance of members of the judiciary and the prosecution services, including by promoting the transparency of evaluation reports, where appropriate;
- Procedures governing asset declarations by judges and how they are used to prevent conflicts of interest, including in relation to the assignment of cases;
- Improve transparency, accountability and efficiency in procedures for case assignment and distribution;
- Provide ethical guidance or advice to officials of criminal justice institutions in relation to the performance of their duties, their relationship with actors outside the judicial process, such as the media and non-governmental organizations, or with regard to their use of new technologies

and social media; and

- Assess the risks of corruption as well as the integrity and effectiveness of the judiciary, prosecution service and court system more broadly, including by soliciting inputs from court users, other stakeholders and the general public.

**2. Please outline actions required to ensure or improve the implementation of the measures described above and any specific challenges you might be facing in this respect.**

Examples of the types of challenges States parties and signatories may face include:

- Challenges in developing the proper legislative or regulatory framework for performance evaluations, the protection of persons reporting corruption cases within the criminal justice system or preventing conflicts of interest;
  - Challenges in administering asset declaration and conflict of interest systems;
  - Challenges in relation to specific recruitment, selection or training requirements for categories of positions considered especially vulnerable to corruption, including possible early identification of potential conflicts of interest;
  - Challenges in assessing risks of corruption or evaluating effectiveness shortcomings in the criminal justice system and in developing measures to eliminate or manage them;
  - Challenges in implementing adequate accountability and disciplinary procedures, investigating violations and collecting statistics and other information on such procedures;
  - Challenges in providing ethical guidance or advice to officials of criminal justice institutions;
- and
- Communication challenges in raising awareness and disseminating information about new standards of ethics and conduct or in developing training manuals, courses, curricula or other related material, including online initiatives, used in training programmes for officials of criminal justice institutions.

**3. 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 and signatories are encouraged to provide a description of any such assistance already being provided, including donor information.

**II - Information requested from States parties in relation to education in schools and universities on anti-corruption (art. 13, para. 1 (c))**

**1. Please describe (cite and summarize) the measures your country has taken, if any, (or is**

**planning to take, together with the related envisaged time frame) to ensure full compliance with article 13(1)(c) of the Convention and, in particular, its provision on undertaking anti-corruption education programmes in schools and universities.**

Information sought may include:

- Description of educational courses or modules that have been introduced in primary and secondary schools that include aspects of corruption or related issues such as integrity, ethics, civic rights and duties, fiscal education or governance;
- Description of educational courses or modules that have been introduced in universities that include aspects of corruption or related issues such as public administration, public procurement, integrity, ethics, criminal law, or corporate governance;
- Description of innovative teaching and learning tools and methodologies that have been used to foster and facilitate education programmes in schools and universities on anti-corruption;
- Training manuals, curricula, syllabi, course packets, websites and other materials related to anti-corruption education programmes in schools and universities; and
- Statistics on number of students participating in anti-corruption education programmes in schools and universities.

**2. Please outline actions required to ensure or improve the implementation of article 13(1)(c) on undertaking anti-corruption education programmes in schools and universities and any specific challenges you might be facing in this respect.**

Examples of the types of challenges States parties and signatories may face include:

- Challenges related to the implementation of 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; and
- Challenges related to resources limitations, lack of capacity, overcrowded curricula, etc.

**3. 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 and signatories are encouraged to provide a description of any such assistance already being provided, including donor information.