



UNODC

United Nations Office on Drugs and Crime

Anti corruption activities in the ASEAN region



UNODC AC programme Southeast Asia WP 2016

1. Strengthened anti-corruption policies, legislation and strategies in line with UNCAC

Follow up to UNCAC review cycle 1 (legal development) : regional trainings on whistleblowers and reporting persons – liability of legal persons

- in country support for legal development

2. Strengthened institutional frameworks and capacities in line with UNCAC

- Institutional Capacity development support to anti corruption agencies
- Piloting capacity development support to disciplinary units within the judiciary
- Technology and innovation facility for anti corruption
- Anti corruption in Wildlife and forest crime
- Preparation for the 2nd cycle of UNCAC review: regional event on Chapter 2 and 5 - national level workshops

UNODC AC programme Southeast Asia

3. Regional anti-corruption forums, networks and institutions supported

Cooperation with SEA-PAC, ACN, APEC

Knowledge products : manual on financial investigations and handbook on foreign bribery

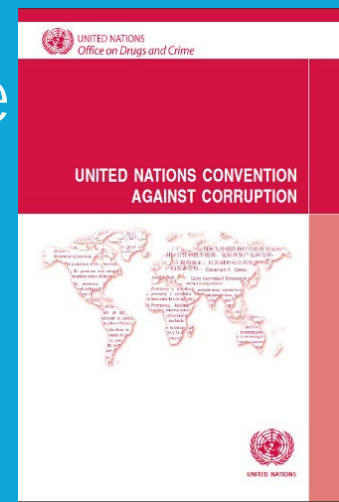
4. Private sector, civil society groups and academia supported to promote and implement anti-corruption strategies

- Baseline analysis on business integrity in the region and corruption cases faced by companies
- CD together with businesses (compliance – due diligence)
- ACAD initiative



Review mechanism of the UNCAC

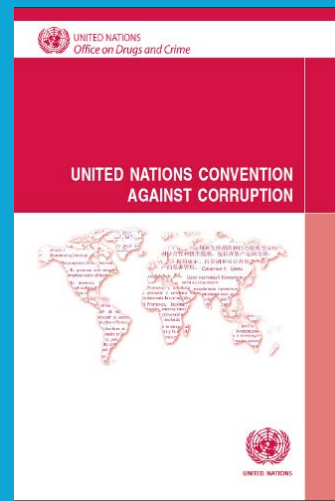
- The first cycle almost completed in the region (to be finalized Myanmar and Thailand)
- The 2nd cycle to be initiated at the 7th session of the IRG in June 2016
- A draft checklist available on UNODC CoSP page still being finalized.





Preventive anti-corruption policies and practices (Article 5)

- A general provision requiring States to take an effective and coordinated approach to the prevention of corruption.
- Anti-Corruption Policies must **promote the participation of society**, reflect the rule of law and promote the proper management of public affairs.





Art 5 – Coordination and of AC strategies implementation

AC strategy : targets over the medium-long term

- Challenge to coordinate implementation
- A second or third generation of anti corruption strategies
- Sectoral approaches (no clear accountability)
- What to measure and how?

Monitoring and evaluation frameworks

Action plan: activities - timeframe - roles – funds

Monitoring mechanisms : reporting lines - oversight

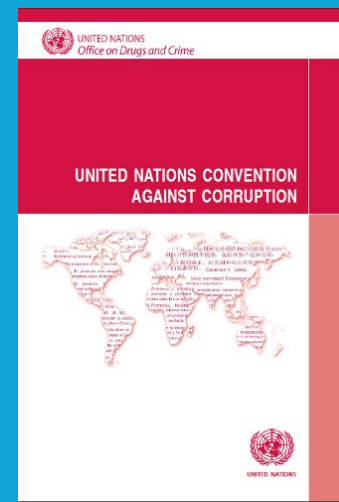
Evaluation systems and timeframe

(Kuala Lumpur statement on anti corruption strategies)



Preventive anti-corruption body or bodies (Article 6)

- States must ensure the existence of a body or bodies that prevent corruption by:
 - i. Implementing anti-corruption policies, including by overseeing and coordinating those measures.
 - i. Increasing and disseminating knowledge about the prevention of corruption.





Recruitment, Management and Training of Public Officials (UNCAC Article 7)

- Adequate procedures for selection and training of officials working in “high-risk” areas.
- Adequate remuneration and equitable pay scales.
- Education and training programmes, including specialized **anti-corruption training**.
- Consider taking measures to enhance transparency in funding of political parties and candidates.

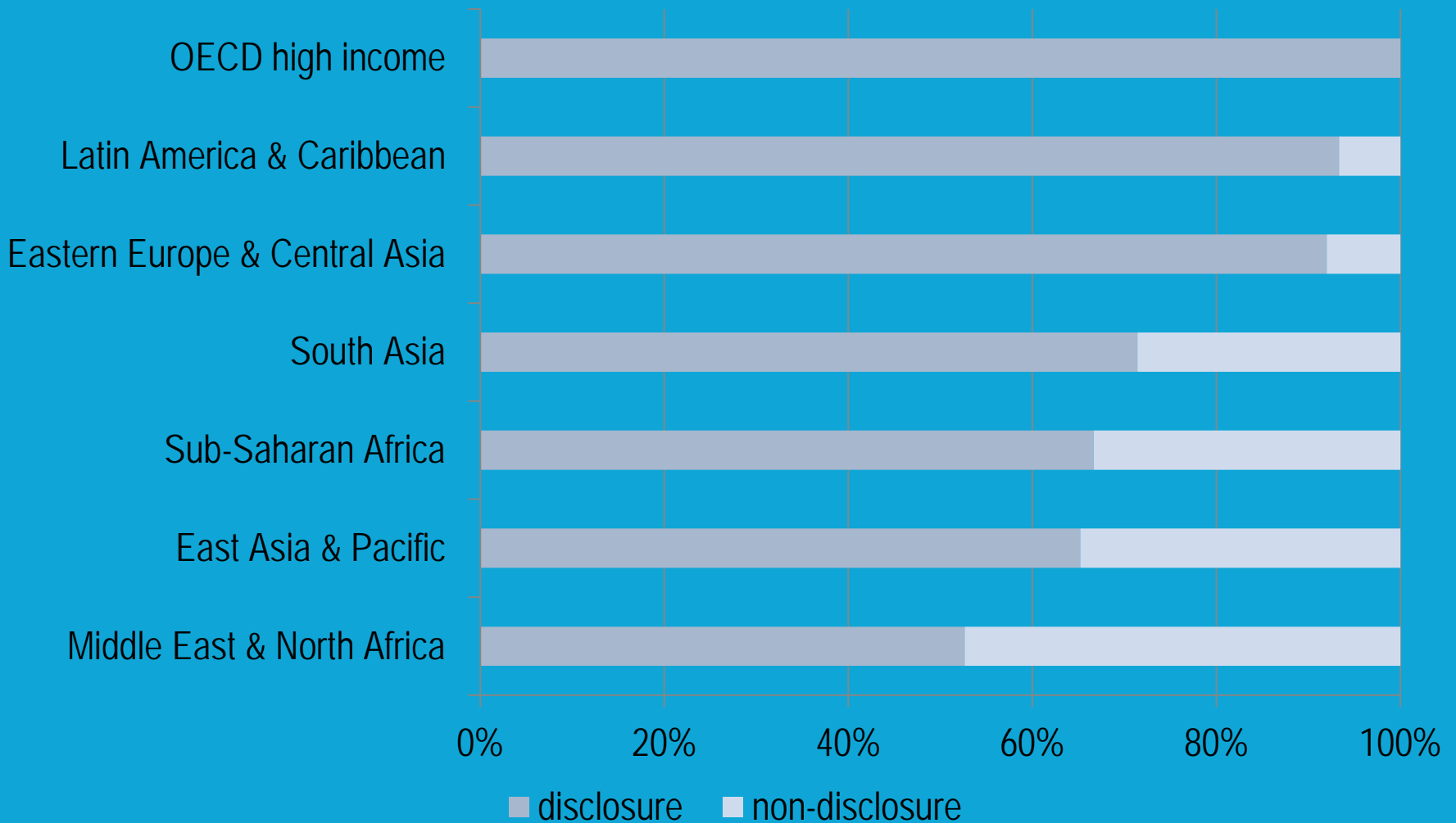


Conflicts of Interest, Codes of Conduct and Asset Declarations (UNCAC Articles 7 and 8)

National Implementation

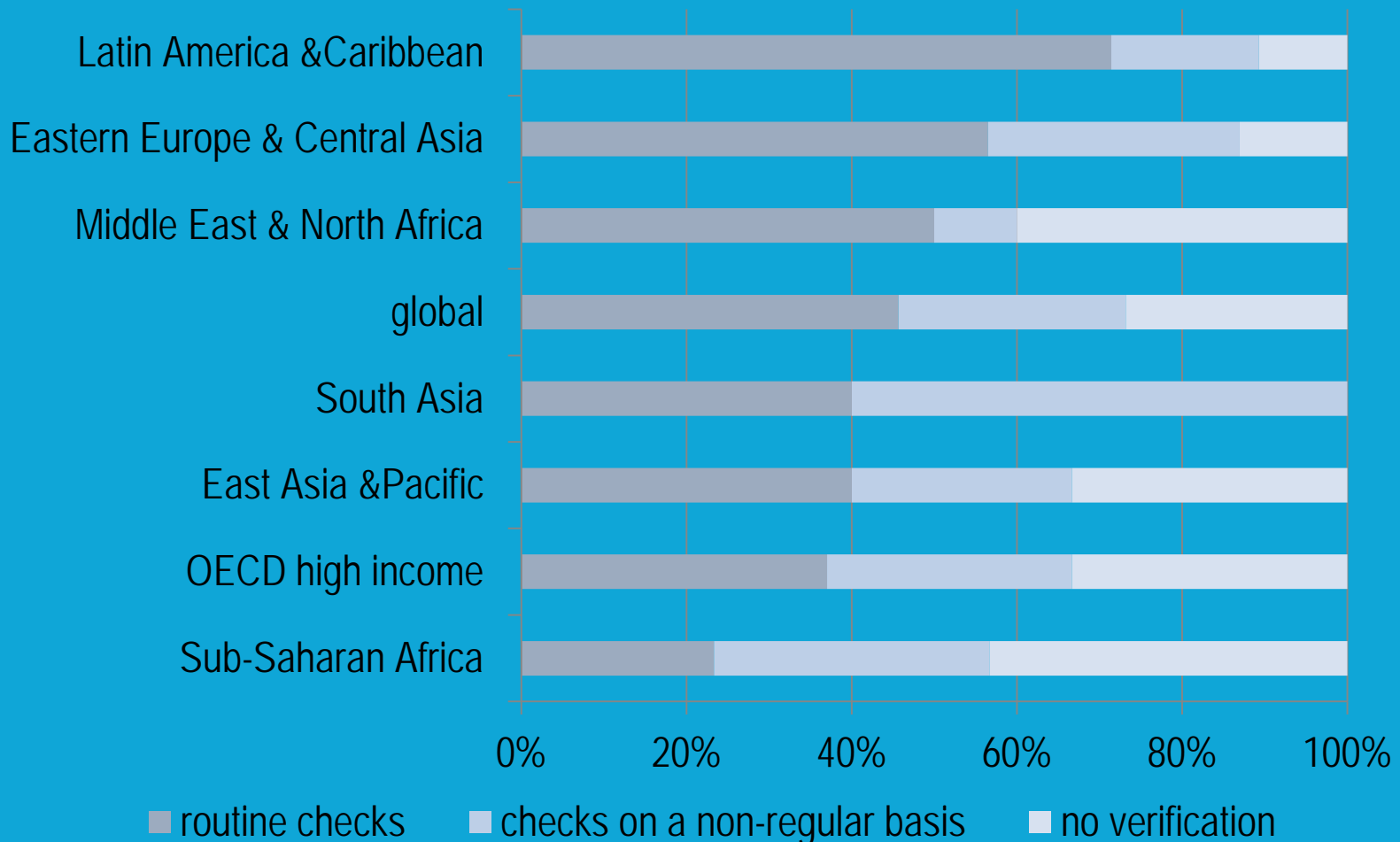
- Application of prohibitions and restrictions to public officials.
- Specialised codes of conduct for “high risk” areas.
- Proactive measures to resolve conflict of interests.
- Centralised bodies for the enforcement of conflict of interests and asset declaration standards.

What percentage of countries require some form of disclosure?



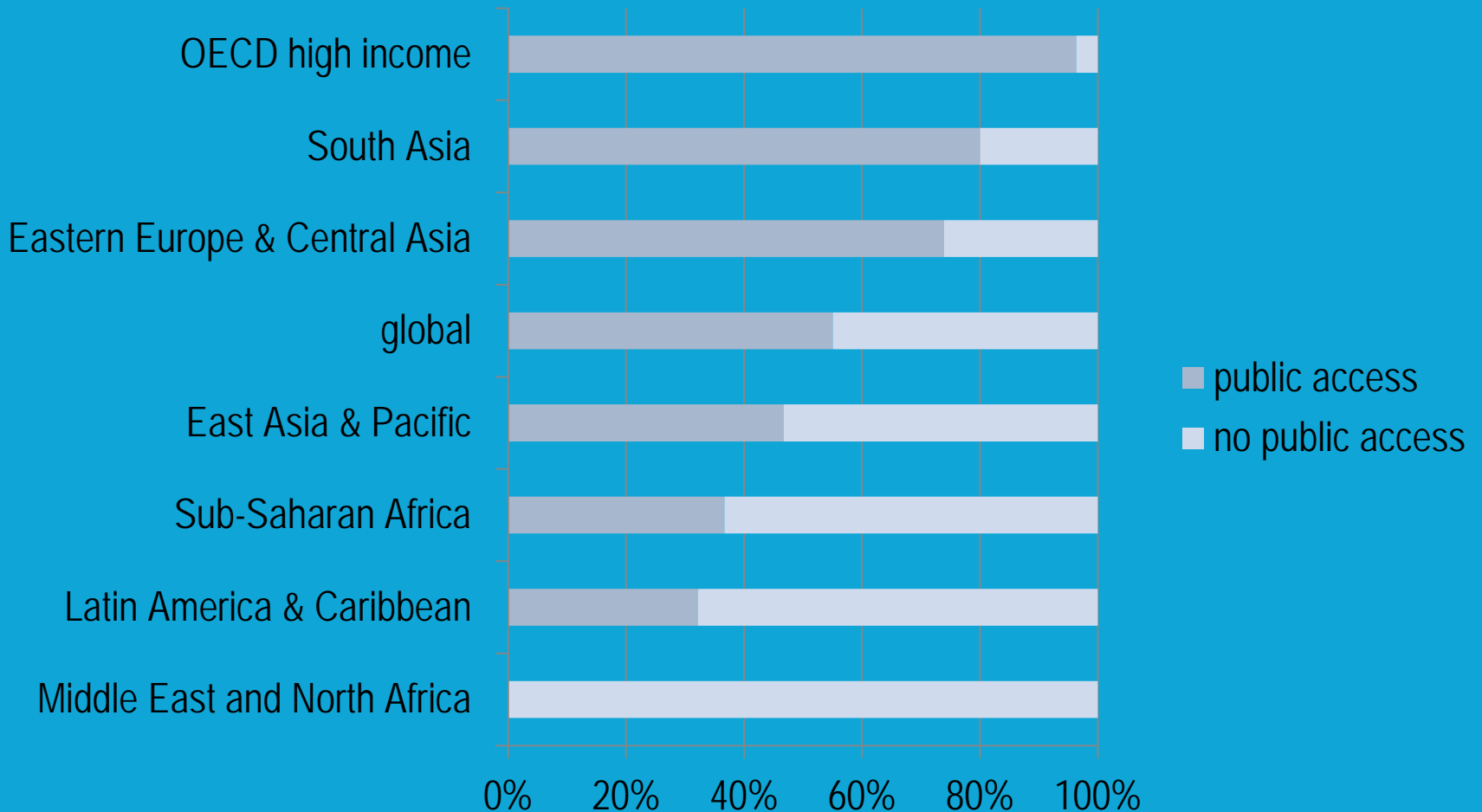
Source: World Bank analysis of 176 jurisdictions

Verifying the content of the Declaration



Source: World Bank analysis of 138 disclosure systems

Public availability of content of Disclosures



Source: World Bank analysis of 138 disclosure systems



Public Procurement and Management of Public Finances (UNCAC Article 9)

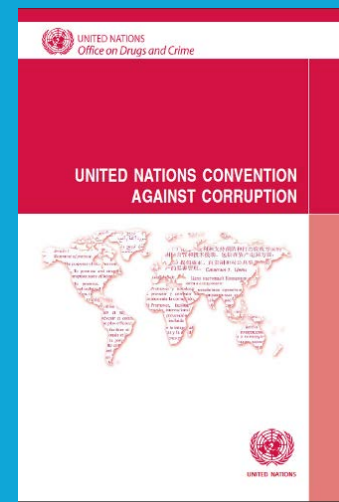
UNCAC Requirements

- Public distribution of information so potential tenderers can prepare and submit applications.
- Use objective and predetermined rules and criteria for public procurement systems.
- Effective system of domestic review, appeal and remedies where rules not followed.
- Specialised training and declaration requirements for staff responsible for public procurement.



Public Reporting (Article 10)

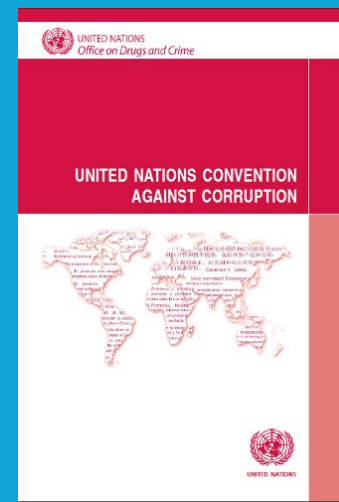
- Art.10 requires States to enhance transparency in its public administration.
- Examples of measures States can take include:
 - Procedures or regulations allowing the public to access information on organisation and functioning of government.
 - The simplification of administrative procedures.
 - Publishing information, including periodic reports on the risks of corruption in public administration.





Participation of Society (Article 13)

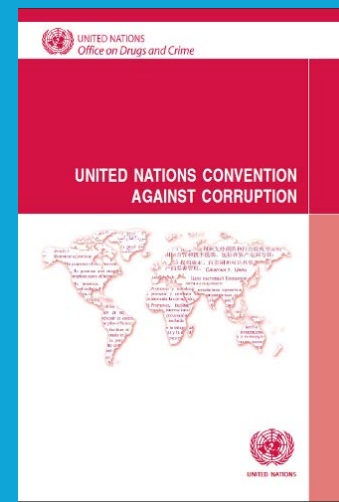
- Art.13 recognizes the important role of civil society in the prevention of corruption.
- State Parties required to:
 - take measures to promote the active participation of **individuals and groups outside the public sector** in the prevention of, and fight against, corruption.
 - raise awareness as to the causes and effects of corruption.





Judicial and Prosecutorial Integrity (Article 11)

- UNCAC Requirement: Strengthen integrity and prevent opportunities for corruption among judiciary.
- Judiciary with integrity essential but often seen as most corrupt.
- Bangalore Principles on Judicial Conduct.
- Implementation Guide for Article 11 in development.
- Judicial Integrity was addressed at 2013 UNCAC Working Group on Prevention of Corruption.



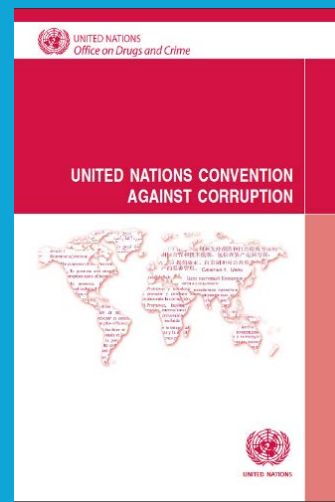


Private Sector (Article 12)

States required to take measures to prevent corruption involving the private sector, enhance accounting standards and apply appropriate penalties when measures are breached.

Examples of the types of measures that can be taken:

- Promote cooperation between law enforcement agencies and the private sector.
- Promote the development of standards designed to safeguard integrity of relevant private entities.
- Promote transparency in the identity of legal and natural persons.

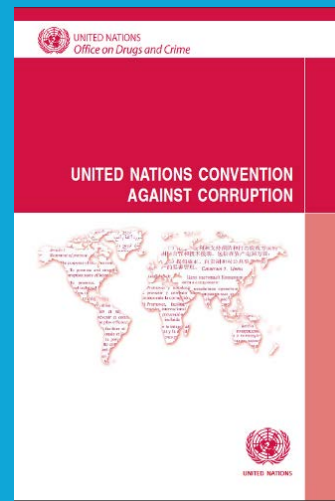




Participation of Society (Article 10- 13)

measures which States are recommended to include in efforts to engage civil society in corruption prevention:

- Simplification and access to information (open data)
- Enhance transparency of and public contribution to decision-making processes.
- Public Information activities and public education programmes.
- Respect, promote and protect freedom to receive publish and disseminate information on corruption.





Art 14: Measures to Prevent Money Laundering

- Measures to Deter and detect ML (beneficial ownership, record keeping, reporting suspicious transactions)
- Related to Asset recovery



Documents – Publications and Tools

- AC tools and publications:

<https://www.unodc.org/unodc/en/corruption/publications.html>

- ACAD:

<http://www.track.unodc.org/Education/Pages/ACAD.aspx>



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Thank you

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