Mandate and approaches to combating corruption
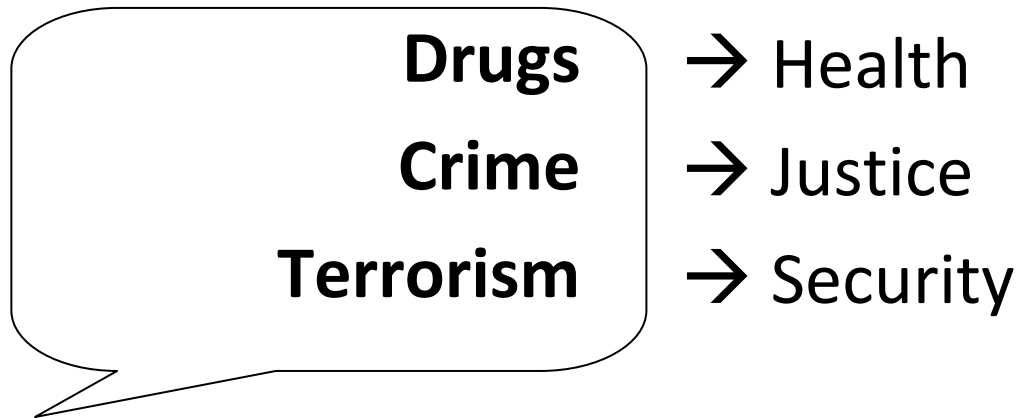
Zagreb, 9 March 2011

Szilvia Petkov
Corruption and Economic Crime Branch, UNODC

➢**Mandate & structure**

➢UNCAC

➢Policy-making bodies (CoSP & WGs)

➢Implementation Review Mechanism

➢Technical Assistance

➢Tools & Resources

UNODC's mandate

in crime prevention and criminal justice

Drugs → Health

Crime → Justice

Terrorism → Security

Organizational structure:

- Policy analysis (DPA)
- Conventions/Treaty affaits (DTA)   →
- Technical assistance/ Operations (DO)

- **Thematic programmes** (e.g. Corruption)
- **Regional programmes** (e.g. SEE)

Legal framework & UNODC's role

General Assembly & ECOSOC resolutions

→ UNODC: executes criminal justice-related mandates

United Nations Convention Against Corruption

→ UNODC: „guardian" agency

Conference of States Parties (COSP) & Working Groups

(IRG, WG Prevention, WG Asset Recovery)

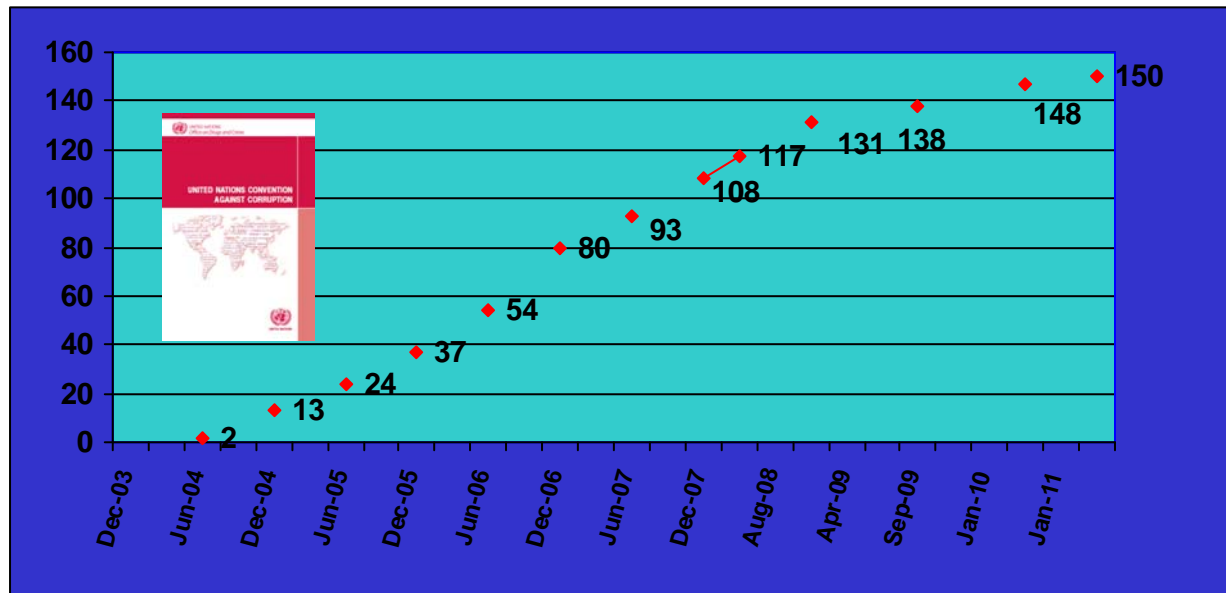→ UNODC: servicing meetings as secretariat to treaty bodies

→ UNODC: provider & broker of technical assistance

➢Mandate

➢**UNCAC**

➢Policy-making bodies (CoSP & WGs)

➢Implementation Review Mechanism

➢Technical Assistance

➢Tools & Resources

UNODC
United Nations Office on Drugs and Crime

| 2002 | 2003 | 2005 | 2006 | 2008 | 2009 | 2010 |

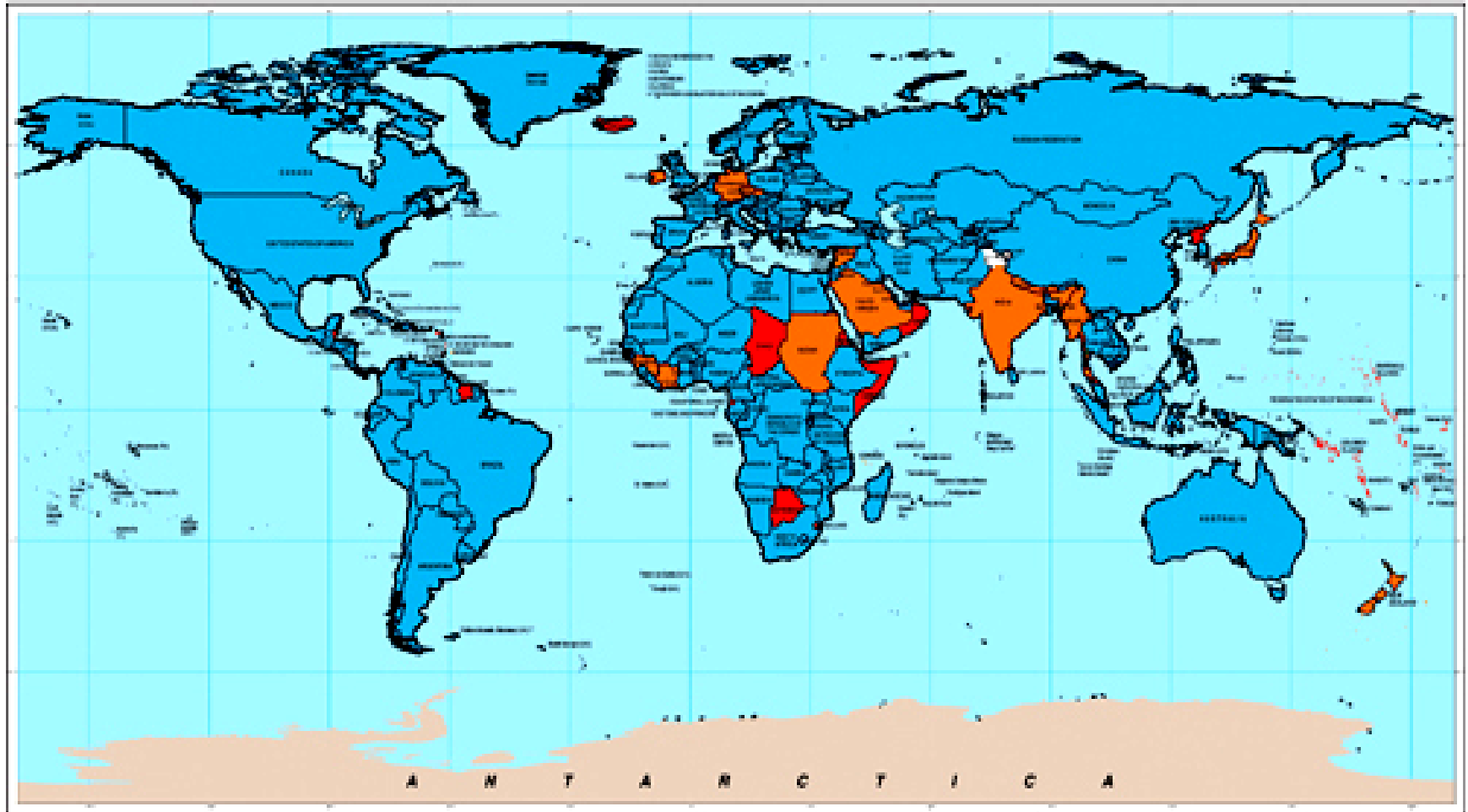## 14 December 2005: UNCAC entered into force

**Adopted by General Assembly Resolution 58/4
on 31 October 2003
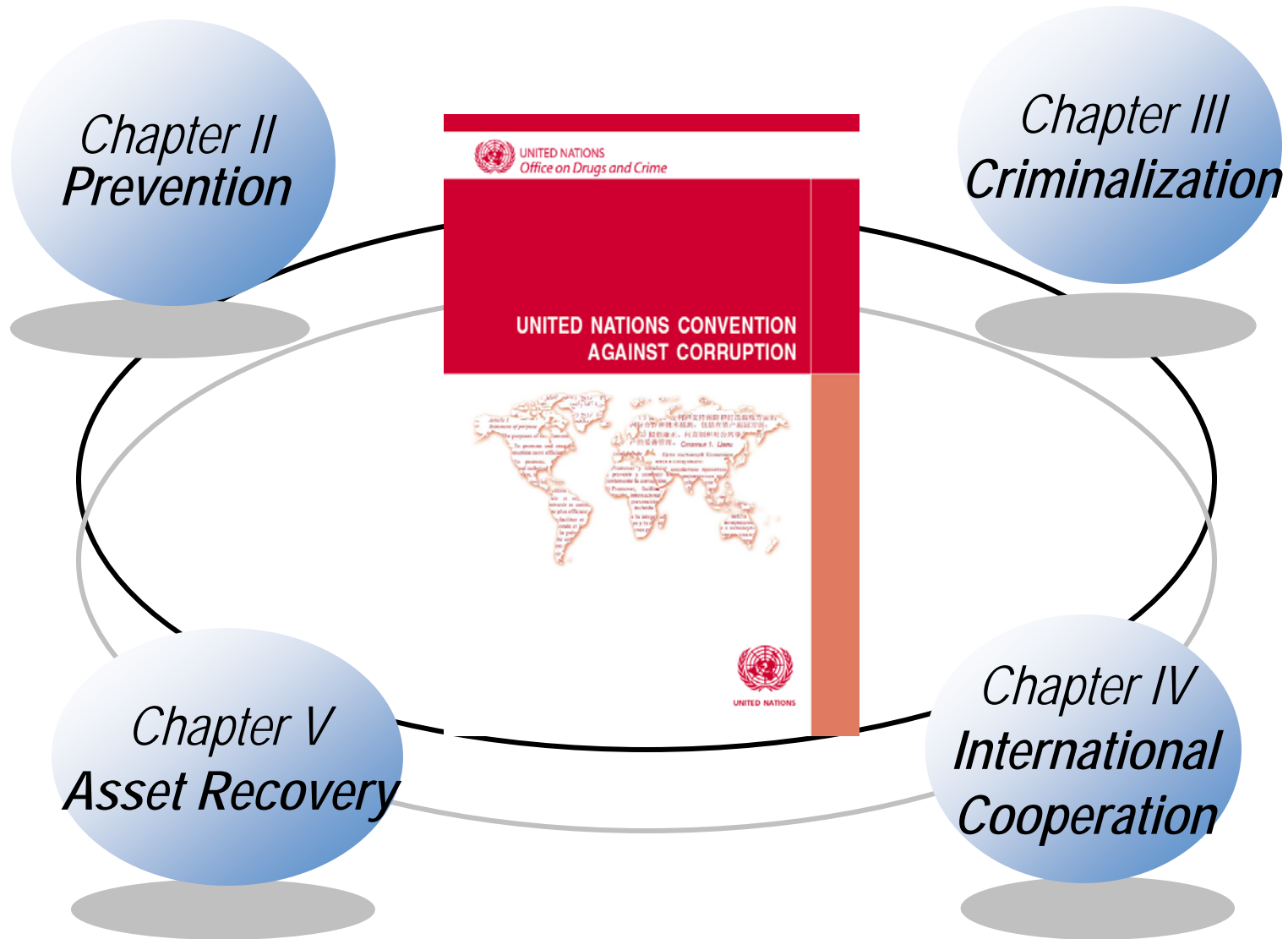Entry into force: 14 December 2005
Signatories: 140, States Parties: 150**

UNCAC Signature and Ratification Status as of 01 March 2011

States Parties
Signatories
Countries that have not signed or ratified the UNCAC

# (1) Global – (2) comprehensive – (3) innovative

Chapter II
Prevention

Chapter III
Criminalization

Chapter V
Asset Recovery

Chapter IV
International Cooperation

UNITED NATIONS CONVENTION AGAINST CORRUPTION

➢Mandate

➢UNCAC

➢**Policy-making bodies (CoSP & WGs)**

➢Implementation Review Mechanism

➢Technical Assistance

➢Tools & Resources

CoSP Timeline

| 2002 | 2003 | 2005 | *2006* | 2008 | 2009 | 2010 |
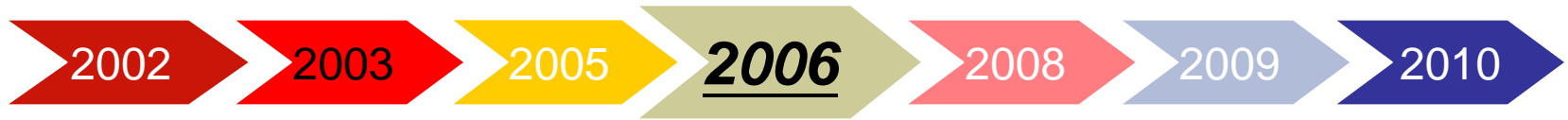
10 – 14 December 2006: 1st Session of the CoSP, Jordan

| 2002 | 2003 | 2005 | 2006 | *2008* | 2009 | 2010 |

28 January – 1 February 2008, 2nd Session of the CoSP, Indonesia

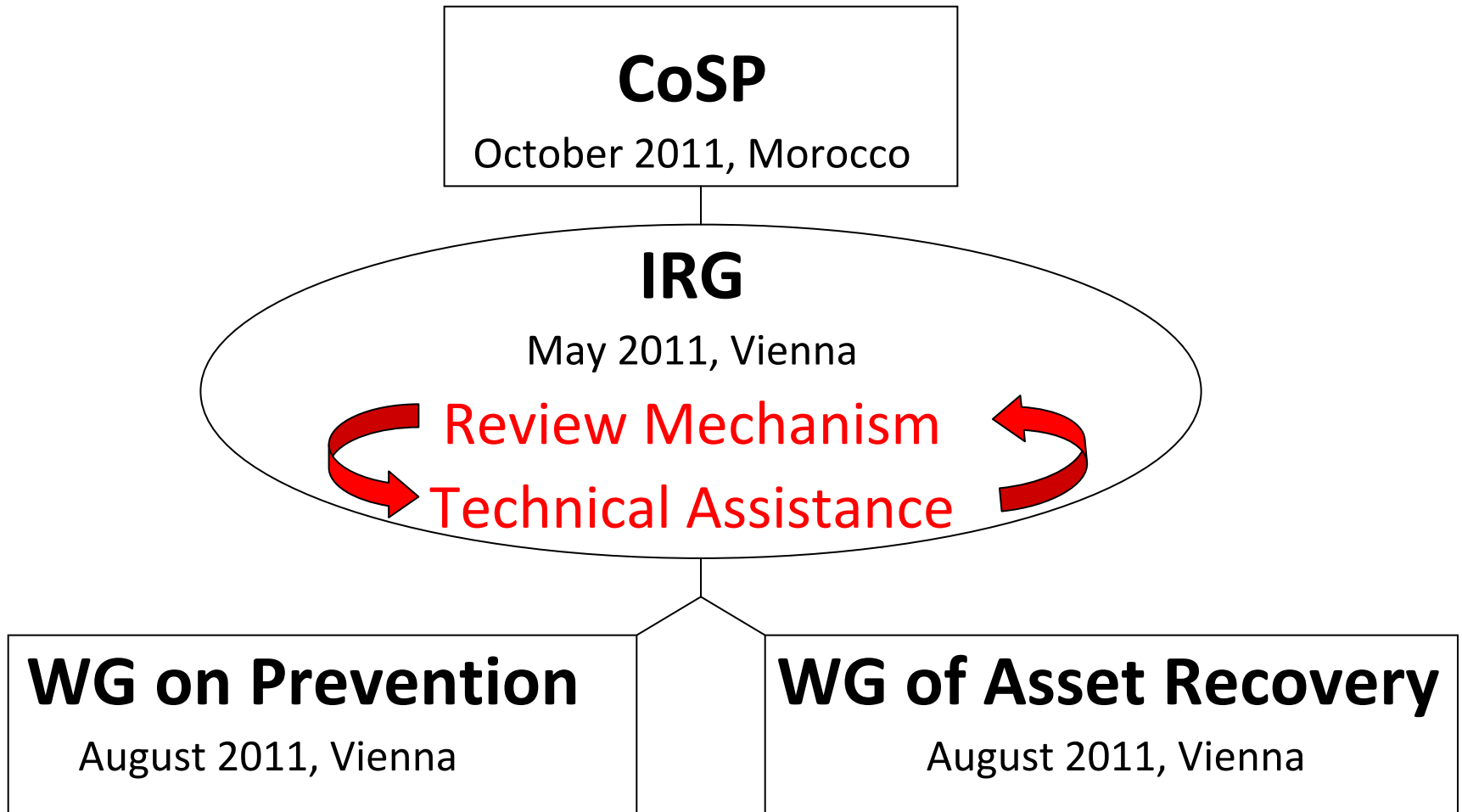| 2002 | 2003 | 2005 | 2006 | 2008 | *2009* | 2010 |

9 – 13 November 2009, 3rd Session of the CoSP, Qatar

What is new since Doha?

➢ **REVIEW MECHANISM** established: Terms of reference & guidelines for experts

➢ Comprehensive **SELF-ASSESSMENT CHECKLIST** launched

➢ WG on **TECHNICAL ASSISTANCE** folded into Implementation Review Group (IRG)

➢ WG on **PREVENTION** established & work with **PRIVATE SECTOR** emphasized

Current architecture

CoSP

October 2011, Morocco

IRG

May 2011, Vienna

Review Mechanism

Technical Assistance

WG on Prevention

August 2011, Vienna

WG of Asset Recovery

August 2011, Vienna

➤ Mandate

➤ UNCAC

➤ Policy-making bodies (CoSP & WGs)

➤ **Implementation Review Mechanism**

➤ Technical Assistance

➤ Tools & Resources

UNODC
United Nations Office on Drugs and Crime

2002 | 2003 | 2005 | 2006 | 2008 | 2009 | *2010*

Review process launched in summer 2010 (1st IRG meeting)

Process in phases:

➤ 1 phase = 2 cycles of 5 years each

➤ ¼ of States Parties reviewed each year

1st cycle (2010-2015)	Chapter III – Criminalization and law enforcement
	Chapter IV – International cooperation
2ndcycle (2015-2020)	Chapter II – Preventive measures
	Chapter V – Asset recovery

WHO?

➢ Intergovernmental **peer review**:

- 1 State under review

- 2 reviewing States (1 from same region)

➢ **Country pairings** determined by drawing of lots (2x re-draw possible)

➢ States nominate governmental experts (up to 15) & a focal point for coordination

HOW?

➢ Guiding principles: "transparent, efficient, **non-intrusive**, inclusive and impartial"

➢ **Constructive**: no ranking; emphasis on assistance & exchange of knowledge

WHAT?

➢ Based on **self-assessment** using OMNIBUS software

➢ Desk review of self-assessment

➢ **Constructive dialogue** between State under review and reviewing States

➢ Possibility of **direct dialogue** (e.g. country visit)

RESULTS?

➢ **"Country review report"** (agreed & confidential)

➢ **Executive summary** (translated & publicly available)

➢ **Thematic implementation report** (analytical)

UNCAC Review Mechanism Country Pairings

Year 1 (current) in (S)EE

Bulgaria - Albania
　　　　　 - Sweden

Croatia　- Laos
　　　　 - Montenegro

Lithuania - Egypt
　　　　　 - Russia

Ukraine　- Poland
　　　　 - Slovenia

Eastern European States	Year 1 2010/11	Year 2 2011/12	Year 3 2012/13	Year 4 2013/14
Albania				X
Armenia			X	
Azerbaijan		X		
Belarus				X
Bosnia and Herzegovina				X
Bulgaria	X			
Croatia	X			
Czech Republic	N/A	N/A	N/A	N/A
Estonia		X		
Georgia		X		
Hungary			X	
Latvia			X	
Lithuania	X			
Montenegro		X		
Poland				X
Moldova				X
Romania			X	
Russian Federation		X		
Serbia		X		
Slovakia		X		
Slovenia			X	
The Former Yugoslav Republic of Macedonia			X	
Ukraine	X			

Where we stand…

- 26 Country reports to be finalized in first year (August 2010 – May 2011)

- 7 regional workshops held

- 8 country visits conducted & counting…

- Wealth of documentation received: 200-400 pages per country (!)

- Trends

➢Mandate

➢UNCAC

➢Policy-making bodies (CoSP & WGs)

➢Implementation Review Mechanism

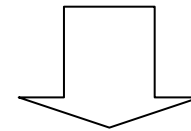➢**Technical Assistance**

➢Tools & Resources

- UNCAC **implementation review** (Chapters III & IV)
- **Gap analysis** (incl. Chapters II & V)
- Validation of information for **Legal Library**

Technical Assistance
the „policy–programme delivery continuum"

1. Analyze gaps

2. Compile TA needs thru States' self-assessment

3. Identify TA priorities for decision by CoSP (limited funding!)

4. Develop responses & deliver TA/ act as broker of TA

5. Assess if TA filled gaps

UNODC supports States to...
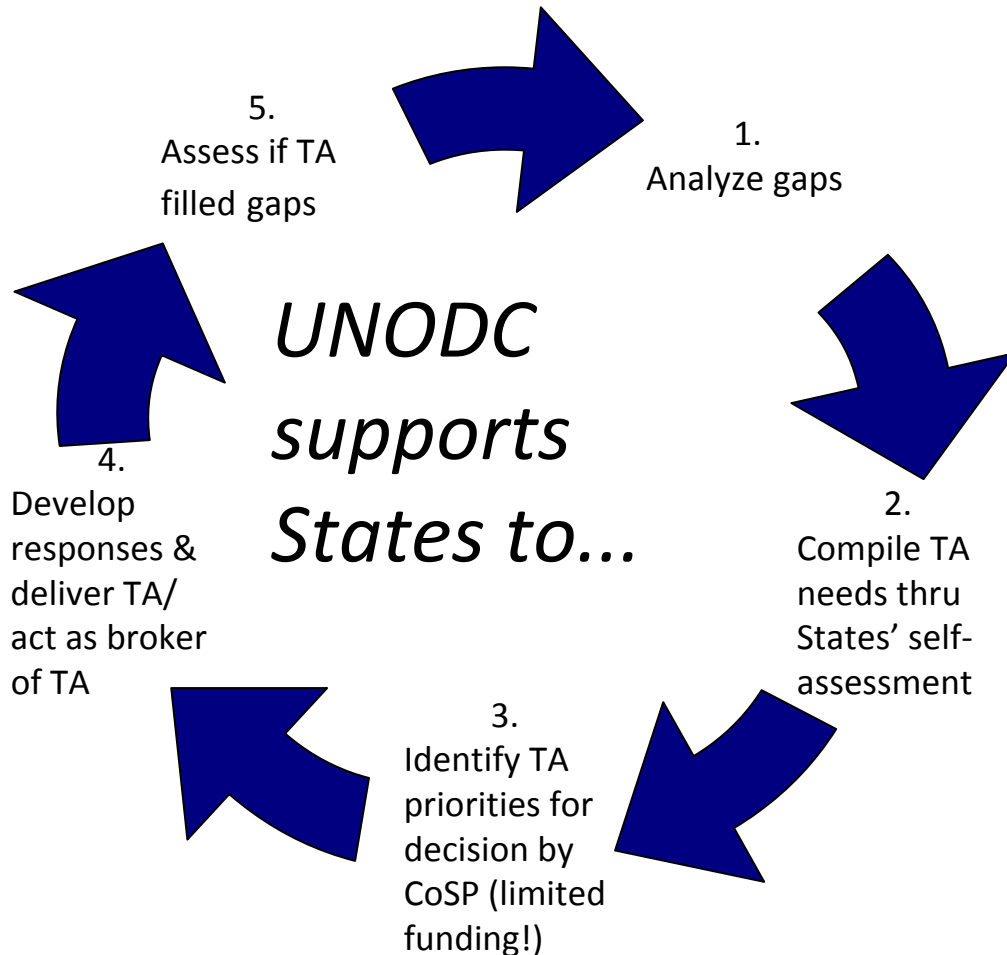
Technical assistance will be delivered based on **priorities identified** through the process of implementation review
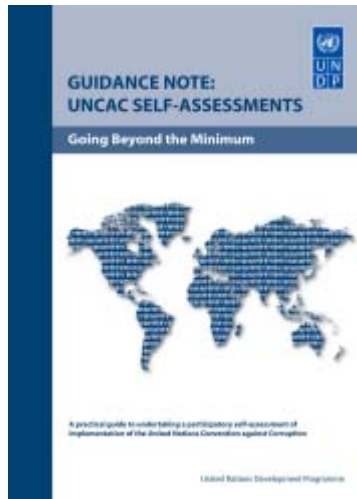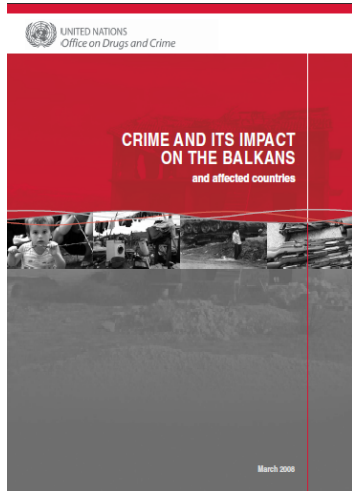
Make effective use of the process & **highlight your specific TA needs**!

➤Mandate

➤UNCAC

➤Policy-making bodies (CoSP & WGs)

➤Implementation Review Mechanism

➤Technical Assistance

➤**Tools & Resources**

Tools & resources

- Legislative guide
- Technical guide
- Travaux préparatoires
- Self-assessment checklist (OMNIBUS)
- Review: Basic documents (ToR, Guidelines & Blueprint for Country Reports)
- Guidance note on UNCAC self-assessments (UNDP/UNODC)
- Documentation for policy-making bodies (COSP, IRG, WGs, e.g. UNCAC Compliance reports)
- Legal library/Knowledge management consortium *(summer 2011)*

Thank you for your attention!

For further information:

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