UNCAC Coalition

CIVIL SOCIETY

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Opening words

Message from the UNCAC Coalition chair

12 April 2017, by Manzoor Hasan

At the beginning of 2017 we have seen tremendous changes in politics in the West. From President Trump taking office in the White House to the United Kingdom's triggering of Article 50, notifying the European Union of its intention to leave, the implications of these changes are yet to be fully felt or understood.

What we do know, however, is that in the present context, civil society must work harder than ever to promote and protect approaches to global cooperation. Nowhere is this more important than in the area of anti-corruption.

Grand corruption and laundering its proceeds

If recent grand corruption scandals tell us anything it is that transnational corruption thrives on the failure of states to cooperate on oversight and enforcement. From the 1MDB case in Malaysia and Odebrecht in Latin America to the laundering of Russian money in UK banks – significant amounts of stolen money can cross international borders with ease.

Once these funds reach new shores they can be laundered into legitimacy through business investments, high-end property or other purchases with the assistance of gatekeepers, such as financial institutions, lawyers or accountants. Sometimes unwittingly, but often with complicity, gatekeepers fail to apply due diligence to large sums of money from overseas, including failing to identify the beneficial owners of the legal entities they are working with.

This means that the proceeds of corruption benefit and enrich the corrupt – too often at the expense of the citizens of developing countries from which the money was stolen in the first place.

The second cycle of the UNCAC review mechanism covers preventive measures (chapter II) and asset recovery (chapter V), including anti-money laundering measures. This will undoubtedly provide us with insights into the strengths and weaknesses of existing frameworks for preventing grand corruption and laundering its proceeds and impetus for making improvements.

Asset recovery and management of returned assets

Once large sums are deposited abroad, efforts to repatriate them and ensure that they are returned to their rightful owners is a complex process that is difficult to manage. While countries around the globe have committed to working together to enable asset recovery, including through mutual legal assistance, experience shows that this is far from simple.

Beyond the technicalities of cooperation for repatriating the proceeds of corruption, there is also the question of what to do with assets once they are returned. This was the focus of an expert meeting in Addis Ababa, Ethiopia from 14 - 16 February 2017 on "the management and disposal

of recovered and returned stolen assets". It will also be a focus of the Global Forum on Asset Recovery due to take place in Washington D.C. in July 2017.

As a contribution to these deliberations, the UNCAC Coalition's Working Group on Accountable Asset Return published a letter to the Addis meeting in February, signed by 37 Coalition member organisations. It emphasised the need for returned assets to be managed transparently and accountably in line with UNCAC Article 9, and it urged that they be used for the "meaningful implementation of SDG 16 and to compensate the poorest sections of society most harmed by corruption".

UNCAC reviews, SDGs and civil society

The first year of UNCAC reviews of UNCAC chapters II and V – covering 30 countries in all regions – concludes in June and will offer an opportunity for a first stocktake of the second cycle of reviews.

Our experience shows that civil society participation in the reviews and follow up is essential for maintaining momentum and ensuring that the fight against corruption has meaningful positive impacts for our most vulnerable communities. In recognition of this fact, 18 countries now support the Coalition's Transparency Pledge, which calls for transparency and the participation of civil society in the UNCAC Review Mechanism.

Likewise, in the context of the SDGs' linkage between corruption and development, civil society is uniquely positioned to contribute to helping to identify where harm has been done and the most effective remedies.

While the SDGs do not specifically address grand corruption – indicators under SDG 16 are linked to petty corruption and bribery offences – this is an area in which civil society can work to illustrate the convincing link between elite individual enrichment and under-development, as well as the contribution that could be made to meeting the SDGs if more assets were successfully recovered.

In June, we will participate in the UNODC 8th session Implementation Review Group Briefing for NGOs in Vienna and are looking forward once more to a lively exchange with representatives of States Parties on anti-corruption topics of key importance to the international community.

About the author

Manzoor Hasan is Chair of the UNCAC Coalition and represents the South Asian Institute of Advanced Legal and Human Rights Studies (SAILS) on the UNCAC Coalition Coordination Committee.

Focus on asset recovery

Interview with J.C. Weliamuna on Sri Lanka's asset recovery efforts

11 April 2017

J.C. Weliamuna is a human rights lawyer and President of the Sri Lankan Presidential Task Force on Stolen Assets Recovery. He is former executive director of Transparency International Sri Lanka and a former member of the International Board of Transparency International. Representing the Presidential Task Force, he participated in two meetings on asset recovery that took place in February in Addis Ababa and Lausanne.

Q: In January 2015 you were quoted as saying: "A small group have captures all [Sri Lankan] state organs and accumulated huge wealth and power. It is one of the worst periods of corruption in my lifetime". Since then, a new government has been elected in Sri Lanka. How would you assess the progress since then in terms of transparency, accountability, rule of law and good governance?

Well, I think there has been huge progress, because we have come from state capture to the first steps of democracy. I'm sure we have a long way to go, because transparency, accountability and good governance is a culture change and requires several steps to be taken.

We have to understand the political reality in the country. It's a unity government led by two political parties and both parties are trying hard to protect their own party interests as well. One might say that they have compromised certain values to maintain a political marriage, which shouldn't have happened, but overall certainly there's progress.

We are seeing things like the introduction of the right to information legislation, which is fairly strong: among the best ten in the world now. And we don't see open interference with police investigations anymore.

So while we see tremendous progress from January last year, if you ask me whether we are satisfied – I think there's a lot more to be done.

Q: How would you assess Sri Lanka's legal framework and institutions for carrying out asset recovery?

Asset recovery has never before been on our political or legal agenda. It is the first time that we're actually seriously looking at foreign assets and it becomes quite a nightmare when one thinks about it, because institutions are not interconnected. There are five different institutions each working on their own without any coordination and that's the legal framework we inherited.

We have proposed overall structural changes to the anti-corruption framework, which include some statutory amendments to address these issues, particularly on coordination and the secrecy clauses that prevent coordination, and also on the management of assets and how

assets are going to be frozen. So we are looking forward to having a few statutory changes, but we don't know when these will come.

We are also looking forward to a civil or non-conviction based asset recovery system. We have hope that an adjustment of the legal framework will take place if the government continues with its anti-corruption commitments.

Nevertheless in the international asset recovery agenda, Sri Lanka is trying its best to identify assets, but has yet to successfully recover them. We have a number of challenges – like many other countries – including lack of experience and experts working in this area, and the lack of mutual legal assistance from other countries. All the countries speak about mutual legal assistance, but when it comes to actual assistance there's a lot of red tape within their own systems.

Q: As head of the Presidential Task Force on Stolen Assets Recovery, what do you think is the value of such national organisations and what kind of challenges do they face?

This is only a task force; although it is ad hoc it is based on a cabinet decision where all investigative agencies including customs and the tax department come to one table. Of course we are looking forward to making it a statutory body, but for the time being all the agencies involved are assisting the task force and this is a good mechanism.

Certain agencies cannot share information under the law, so this reduces the speed of the task force and some of our work.

Q: What is the estimated amount of proceeds of corruption to be recovered by Sri Lanka? Where do you believe those assets are held?

At the moment we are unable to give you clear estimates because we have some intelligence, but not details.

Q: What steps has Sri Lanka taken in the last 18 months to recover the proceeds of corruption and how much has been recovered? What have been the main obstacles to recovery?

Sri Lanka made a political appeal to the international community and we are very glad that so many countries have lent their support to us including the US, UK, Switzerland and India, and of course some other countries and agencies such as the StAR Initiative of the World Bank.

Initially we wanted experts and we got experts. Then we had to sign agreements with various countries and agencies and that took a year or more. So we are now starting the serious business of identifying the location of assets.

Most important is that we have fairly concrete agreements with some countries on asset recovery; we have been exchanging intelligence and we are starting to get more responses to our requests for mutual legal assistance. We also have a strong and professionally qualified team.

Banking secrecy in other jurisdictions is a challenge, but where they are not opening up we are coordinating with other friendly countries to keep knocking on the door.

We must remember that we are starting from zero or minus 100, and so this process takes time.

Q: What action has been taken against those who stole the money and what have been the main obstacles to bringing action against them?

There are a few cases and in some jurisdictions money has been frozen. It is a huge challenge to bring it back here.

Q: How should assets be used when returned to Sri Lanka and how should decision-making about their use be undertaken? What role do you see for civil society in asset recovery efforts?

This question arises probably at the last stage of asset recovery. In Sri Lanka when you look at our constitutional framework, it appears that when the funds are returned such funds will go to the consolidated fund [the government fund for the taxes, imposts, rates and duties and all other revenues of the central government].

I personally think it's all right for it to go to a consolidated fund, but we have to make sure that it is used properly. We have a fairly strong constitutional framework on this, but they have not thought about asset recovery.

Civil society needs to be aware of this, but I will be frank and say I don't think civil society has ever considered this aspect. When money goes missing, people will raise it as an issue, but when the money eventually comes back, whether it is used for the benefit of those same people is a matter that needs to be addressed.

So far, I think I am not wrong in assuming that as far as Sri Lanka is concerned, we want to bring the money back and it would automatically go to the consolidated fund unless there is a change of the law. This may pose a problem because Sri Lanka is a debt-ridden country and if it goes into the consolidated fund, it will probably be used to service debt.

Civil society should try to raise this issue and change the legislation.

Q: What have been the main issues discussed at the recent international meetings on asset recovery in Addis Ababa and Lausanne?

Addis was a kind of discussion looking at the final end and how to manage the recovered assets.

Lausanne focused on the process, which is a real practical exercise for all countries. I cannot find any other guidelines except these, and actual practitioners are developing them. I think they will finally be the textbook for all investigators and I hope they will be used. I can see the benefit of this process.

Q: What are your expectations for the Global Forum on Asset Recovery in July in Washington DC in terms of progress in asset recovery efforts? (Sri Lanka is one of the focus countries at that meeting.) And how about thereafter at the UNCAC Working Group on Asset Recovery in August 2017 and the UNCAC Conference of States Parties in November 2017?

We have high expectations for the Global Forum and we are very pleased that Sri Lanka was chosen as one of the four focus countries. Sri Lanka is just beginning in this process and the other countries will have done much more, but we have our own story to present and we will also learn from others.

The Global Forum is a real opportunity for investigators to sit down and look at actual cases and solve some of the international challenges. I don't see that there has ever been an attempt on this scale and we will be the beneficiaries, but also Sri Lanka will do everything possible to support other countries.

We also have expectations for the UNCAC Working Group. We think the Conference of States Parties will make much more progress than before as a result. While asset recovery was not given priority in the initial stage by the UNCAC practitioners, it is now gathering momentum. There are some countries and civil society organisations that are really pushing the agenda and I'm glad they are; the UNCAC and the working group are even being referred to in the media and local papers.

Our challenge in Sri Lanka is managing expectations. This is not easy, as people have unrealistic expectations of recovering large assets and when the money does not come back easily there is a lot of criticism.

Q: Do you think the UNCAC second cycle reviews will contribute to improving global asset recovery efforts?

We all know how UNCAC was drafted and how it came into being, and these peer reviews are good. They may not be the answer to all the questions under the sun, but looking at the framework and real reviews will really help a government that is keen to improve. But for other countries, like for human rights reviews, if the country is not interested in it, it will not make sense.

When only the state organs without sufficient participation of civil society do the UNCAC review, those reviews are not accurate – you and I know that. We need to strengthen that civil society input within the UNCAC review, even within asset recovery.

Q: What steps do you believe individual countries and the international community should take with regard to the problem of grand corruption?

I could write a book on this. The issue is how countries are now divided on political lines – we have two groups and for some of those countries corruption is not something that they are openly talking about. All countries need to look inwards first and then make sure that they block all their own loopholes and ensure their own citizens, corporations etc. cannot participate.

The banking system and legislation needs to be looked at from a different angle and tax havens – for goodness sake, we need to find an international answer to this nonsense.

Anything can be done if there are two things in place: political commitment and then strong civil society and institutions.

But my final message is this: we need to invest in fighting corruption.

We need at least 5 per cent of the proceeds of grand corruption to make a difference and seriously address the issue. If we do not invest in our police and investigative agencies with training and technology, and in our awareness and understanding of corruption, other political priorities take over.

Recovery of stolen assets in Ukraine: Losing time and money

11 April 2017, by Tetiana Shevchuk, Anti-corruption Action Centre.

Three years ago the ousted President of Ukraine, Viktor Yanukovych, and his close associates (so called the “Family”) fled the country. Given that they are under investigation for embezzlement and misuse of public funds, the public had high expectations that any money stolen by them would soon return to Ukraine. The new government promised to obtain the return of any stolen funds as soon as possible and even established a special fund in the budget for recovered proceeds of corruption. These high expectations were supported by the international community with the introduction of personal sanctions against the former Ukrainian leadership by the EU, Canada and Switzerland.

Asset recovery hopes fade

In the intervening years since 2014, the hopes and illusions for immediate reform and effective investigations of corruption faded. Yanukovych has gone, but the same system of governance remains in place.

The reform of the General Prosecutor's Office failed and the Office remained politically dependent, opaque and ineffective. The reform of the judiciary was delayed until the end of 2016, and even now the results of purifying the system from corrupt judges (if any) will not be realised for another five years until the process is complete. Since the old law enforcement and judicial system has largely been retained, there is an absence of prompt and effective investigation of the criminal cases relating to Yanukovych and his associates. None of the investigations of corruption has yet led to a conviction. The evidence is being lost; the investigations are stuck with procedural protractions or frozen due to the absence of suspects. Thus, the court verdicts are either delayed for years or may not happen at all.

Due to the absence of effective investigations, EU sanctions were gradually lifted from seven of the 22 former officials, and their assets primarily blocked in the EU were released from seizure. For instance, due to the absence of a proper investigation, the EU had to lift sanctions from close Yanukovych ally Yuriy Ivaniushchenko; although there were credible and convincing reports of his involvement in the appropriation of millions. Now he can freely use his assets abroad.

The special budgetary fund for the recovered proceeds of corruption, which expected to receive millions, totalled only 265,071 UAH (approx. 9,000 euro) in 2015-2016, which was mostly sourced from the prosecution of minor corruption offences. The chances of getting any money stolen by Yanukovych either from abroad or domestically are disappearing as the General Prosecutor's Office has lost precious time.

A silver lining

At least there is a silver lining. In recent years, Ukraine has managed to establish a parallel system of independent law enforcement and asset recovery bodies aimed at tackling top-level political corruption. The National Anti-corruption Bureau and Specialised Anti-corruption Prosecution, while not investigating Yanukovych's crimes, are focusing on the misconduct of acting officials. They will become fully functional once a specialised system of anti-corruption courts is established.

Currently, in different cases the new bodies have already seized assets valued at approximately US$200 million, which have the potential to be recovered once the independent anti-corruption courts are fully in place. In order to facilitate the work, a new agency in the sphere of asset recovery was created, the National Asset Recovery and Management Agency. It is tasked with tracing illicit assets, proper management of seized and confiscated assets and supporting recovery of stolen assets from abroad.

So while Ukraine may never repatriate the assets of its fugitive former president, there is still a chance of prosecuting acting kleptocrats and returning their illicit funds to the people of Ukraine.

About the author

Tetiana Shevchuk is an expert in the field of corporate and financial law. Currently she works on asset recovery and anti-money laundering initiatives. Prior to her engagement with the Anti-corruption Action Centre she worked for leading multinational professional services companies.

UNCAC Coalition recommendations to UN meeting on management and disposal of stolen assets

17 February 2017

On 14-16 February 2017, the International Expert Meeting on the management and disposal of stolen assets took place in Addis Ababa. The meeting provided an opportunity for asset recovery experts and development practitioners to come together and recognise the impact of corruption on economic and social development and the role asset recovery could have in providing resources to meet the Sustainable Development Goals.

In advance of the meeting, the UNCAC Coalition sent a letter to the meeting convenors, signed by members of its Civil Society Working Group on Accountable Asset Return, outlining its recommendations. The letter, below, includes five principles for the management and disposal of stolen assets.

His Excellency, Mr Ali Sulaiman, Commissioner of the Federal Ethics and Anti-Corruption Commission
Ambassador Andrea Semadeni, Swiss Government
Ms Strobel-Shaw, Chief of Conference Support Section, UNODC

Recommendations to the International Expert Meeting on the management and disposal of stolen assets, Addis Ababa, 14 -16 February 2017

13 February 2017

Dear Mr Sulaiman, Mr Ambassador and Ms Strobel-Shaw

We are members of the UNCAC Coalition's Civil Society Working Group on Accountable Asset Return and are writing to you on the occasion of the International Expert Meeting on the management and disposal of recovered and returned stolen assets in Addis Ababa in February. We see the meeting as an important milestone in the ongoing efforts to improve the return of assets in line with the overall objectives of the UN Convention against Corruption. We hope that it will pave the way to further advances at the Global Forum on Asset Recovery in July and the UNCAC Conference of States Parties in November this year.

In particular, we wish to convey our support for building consensus around some clear global principles for the management and return of stolen assets which include accountability and transparency in line with UNCAC Article 9. We also urge the allocation of such assets to support meaningful implementation of SDG 16 and to compensate the poorest sections of society most harmed by corruption.

We note with regard to this subject that civil society organisations, including those represented in our working group, have accumulated considerable experience and expertise on issues of accountability and transparency and we believe we could contribute a useful perspective to ongoing discussions about asset return.

For that reason, we believe that it would be useful for the International Expert Meeting to allocate some time to discuss how civil society organisations can be included in such forums. We welcome the decision of the Nigerian government in including a CSO representative in its delegation to the International Expert Meeting and encourage the organisers of such events to invite civil society observers. In that connection, we note that Article 13 of UNCAC calls for states to promote actively the participation of civil society and Resolution 6/3 from the 6th Conference on State Parties affirms "*the important role that civil society could play in asset recovery and return*." The Arab Asset Recovery Forum recognized the important role that civil society can play in the asset recovery process. Further, the role that civil society has to play in effective implementation of SDG 16 particularly in the building of effective and accountable institutions is widely recognized.

Principles for managing and disposing of recovered and returned stolen assets

We believe from our collective experience of observing and monitoring the process for return of assets in each of our specific contexts, that the following principles should guide the management and disposal of recovered and returned stolen assets:

Stolen assets that are recovered should be returned to the country of origin, in line with UNCAC Article 51. This is a fundamental principle under UNCAC that must be respected. Furthermore, we believe that it is in the interests of all parties to UNCAC that assets are returned in a manner that supports the implementation of all parts of the Convention, including the prevention of corruption.

Both returning and receiving countries agree to apply the highest possible standards of transparency at all stages of the recovery and return process. Such a principle is in the mutual interests of both returning and receiving countries and will serve the implementation UNCAC Articles 9 (2), 10 and 13. Such transparency should include publication of amounts recovered and to be returned, via the media and on government websites, **prior to return**, as well as the date the money is to be returned and the modality of return. This transparency should apply to both returning and receiving countries.

Both returning and receiving countries should commit to apply the highest possible standards of accountability in the management and disposal of recovered and returned stolen assets. Recovered and returned funds should be managed in accordance with UNCAC Article 9. A report on how returned funds have been spent and audited should be made to the relevant legislature of the country receiving the funds and made public in both receiving and returning countries.

Returned stolen assets should be used to remedy the harm their theft caused, including by providing planned services or procurements lost through their removal and in line with SDG 16. CSOs have a useful role to play in helping identify how harm can be remedied and should be invited to participate in decision-making processes about asset repatriation.

Where regular budgeting and accounting processes lack transparency and accountability and where a receiving country is non-compliant with UNCAC Articles 9, 10 and 13, resulting in a lack of effective oversight of returned funds, returning and receiving countries should in consultation with a broad spectrum of relevant experts and non-state actors find alternative means of managing the stolen assets. This could include: the establishment of special budgeting and accounting processes, the setting of up an escrow account until compliance with UNCAC Articles 9, 10 and 13 are achieved, or the use of an independent non-state actor to

disburse the returned assets in line with the principles above, as happened with the BOTA Foundation in Kazakhstan.

The use of settlements and their implications

The UNCAC Coalition Civil Society Working Group on Accountable Asset Return notes that settlements are used in various different contexts in relation to stolen assets. Settlements or agreements between countries regarding stolen assets are allowed under UNCAC and can be an appropriate way of negotiating the return of stolen assets. However, the Working Group notes that settlements should also be subject to the following standards:

Settlements must be made in a transparent and accountable manner, including being made public with as much detail included as possible.

Settlements should not include clauses that provide for immunity from prosecution.

Countries entering into settlements should ensure that a full assessment of the harm caused by the corruption to which the settlement relates is made, and that compensation for that harm is specifically addressed.

Broad and inclusive definition of victim and harm

We welcome the inclusion in the agenda of the International Experts Meeting of the issue of identifying and compensating victims of corruption. We believe that compensating victims should be central to asset recovery cases, and that broad definitions of victims of corruption to include affected communities are essential. Additionally, we believe that full assessments of the harm caused by corruption are essential to the fight against corruption. We urge participants at the meeting to seek consensus on ways in which the harm caused by corruption can be more adequately reflected in court and out of court proceedings in all countries.

We would be grateful if you would share this letter with all participants at the International Experts Meeting.

ACIJ, Argentina
ANEEJ, Nigeria
Anti-Corruption Action Centre, Ukraine
Centre to Combat Corruption and Cronyism, Malaysia
Centre for Transparency Advocacy, Nigeria
CIFAR, Berlin
CISLAC, Nigeria
Corruption Watch, UK
Development Dynamics, Nigeria
Economic Research Centre, Azerbaijan
GAPAFOT, Central African Republic
Governance Institutes Network International (GINI), Pakistan
Government Accountability Project, US
Gram Bharati Samiti, India
Human Security Alliance, Thailand
Integrity Organisation, Nigeria
International State Crime Initiative, Queen Mary's University, London
IREX, US
I-Watch, Tunisia
Juliet Sorensen, Centre for International Human Rights, Northwestern University, US
Kosova Centre for Transparency, Accountability Anti-Corruption
Oyoun Centre, Egypt
Paralegal Association of Zambia
Pakistan Rural Workers Social Welfare Organisation

Pildat, Pakistan
Public Eye, Switzerland
Right 2 Know, South Africa
SANSAD (South Asian Network for Social and Agricultural Development) India
SERAP, Nigeria
Social Research and Development Centre, Yemen
Synod of Victoria and Tasmania, Australia
Transparency International Secretariat
Transparency International, Malaysia
Transparency International Ukraine
Youth Association for Development (YAD), Pakistan
Water Governance Institute, Uganda
Zero Corruption Coalition, Nigeria
5th Pillar, India

Focus on beneficial ownership transparency

The world's Laundromats

9 April 2017, by Paul Radu, Organized Crime and Corruption Reporting Project.

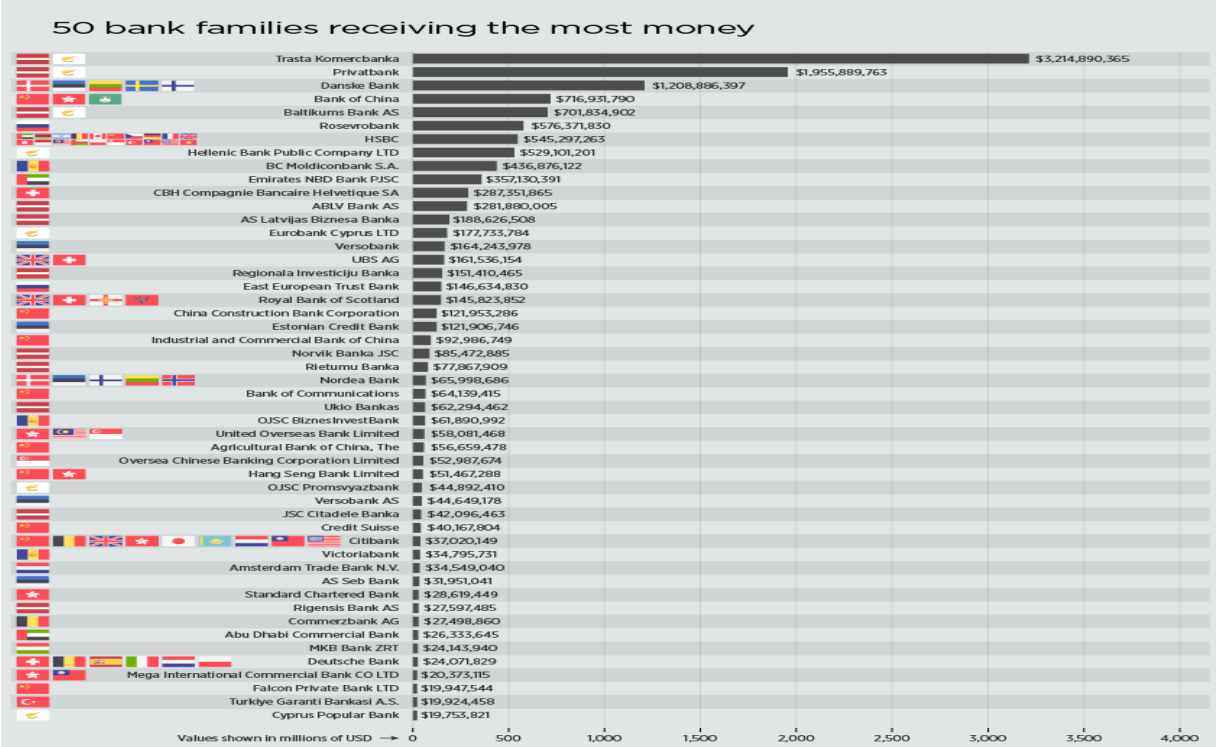
Three years ago, the Organized Crime and Corruption Reporting Project (OCCRP) exposed the "Russian Laundromat" – an immense financial fraud scheme that enabled vast sums to be pumped out of Russia. The money, totalling more than US$20 billion, was laundered and moved into Europe and beyond through bribery and a clever exploitation of the legal and banking systems in the Republic of Moldova and Latvia.

After this initial exposé, a number of countries started their own official investigations including Russia, Moldova, the United Kingdom and others. But, as the evidence started piling up so did the frustration among law enforcement agencies, which could not secure Russia's full cooperation in probing the fraud. This is the main reason why documents detailing more than 75,000 bank transfers were handed to OCCRP and Novaya Gazeta. OCCRP assembled a team of reporters from 32 countries on three continents to track down the money and produce "The Russian Laundromat Exposed" investigative series.

The fact that the banking data gathered by law enforcement agencies were given to OCCRP tells a story in itself. It points out once again that law enforcement confined to national borders is no match for transnational organised crime. The criminals are able to create global systems for money laundering while law enforcement agencies struggle to secure even minimal regional cooperation or document exchanges.

While prosecutors file their requests under very slow mutual legal assistance treaties, skilled criminals destroy evidence and move on to their next global fraudulent schemes. Although global in scope and reach, organised crime groups hate globalisation to the extent that it means harmonisation of legislation and cross-border cooperation in law enforcement. They see from above and cleverly use the labyrinthine nature of national laws and toothless global treaties.

Click on image to see larger view



But the global Laundromats are not just law enforcement problems. OCCRP and partners focused attention on the world's banking system, as some of the largest international banks received the Russian Laundromat's billions without ever questioning the origin of the money. The evidence of the crime was, in fact, right under their noses: British companies with no real beneficial owners were sending in millions of dollars every day.

It would have taken the compliance departments of these financial institutions only a few clicks in public databases to find that on paper these companies were owned by poor people from Moldova, Ukraine, Russia or other countries. These people were just proxies who, unknowingly, fronted for the criminals, but banks have not bothered to follow proper know-your-customer procedures.

For now, the only enemies of the organised crime networks at the global level are teams of investigative reporters who cooperate across frontiers and expose wrongdoing. There's need for more. It's high time for both the international banks and law enforcement agencies to clean up their acts and to exchange information on money laundering patterns in order to stop criminals from doing business as usual. When government experts meet in Vienna for key UNCAC-related anti-corruption meetings in June and November this year, this should be at the top of their agenda.

About the author

Paul Radu (@IDashboard) is the executive director of the Organized Crime and Corruption Reporting Project and a co-creator of the Investigative Dashboard concept, of visual investigative scenarios visualisation software and a co-founder of the RISE Project a platform for investigative reporters and hackers in Romania.

Pushing for beneficial ownership transparency in Europe

10 April 2017, by Andreas Pavlou, Access Info Europe.

Earlier this year, the European Parliament's Economic and Monetary Affairs and Civil Liberties committees voted to strengthen beneficial ownership transparency rules across the European Union as part of the current revision to the 4th EU Anti-Money Laundering Directive.

The proposed changes, if adopted in plenary, would mean EU citizens could access registers of beneficial owners of companies and trusts without having to demonstrate a "legitimate interest", as is currently the case. This is something that will make it easier for investigative journalists and anti-corruption watchdogs to track down illegal activity, organised crime, money laundering and large-scale tax evasion – indeed, the kind of activity exposed by the Panama Papers.

Such beneficial ownership transparency is essential in halting illicit financial flows via anonymous companies that in the end facilitate grand corruption, tax evasion, terrorist financing, money laundering and organised crime. In many cases, we are talking about huge amounts of money being taken from the public purse, and not only in Europe, but globally.

Beneficial ownership transparency also impacts upon issues not directly related to tackling illicit financial flows. For example, back in February the European Parliament plenary voted overwhelmingly for a public register for EU fishing vessels that would also collect information on beneficial owners of such boats. This has implications not only for identifying corruption in the provision of subsidies and public funds, but also for better assessing environmental impacts, as well as ensuring economic and social benefits actually reach local fishing communities.

But these moves would not have come about without civil society across Europe and globally taking significant action to push for rules to be adopted that ensure beneficial ownership transparency.

For example, Access Info, OCEANA, the UNCAC Coalition and over 40 other NGOs wrote to Members of the European Parliament (MEPs) about the vote on fishing regulations, which successfully encouraged them to vote in favour of the measures introducing beneficial ownership transparency of the EU fishing fleet.

We also persuaded MEPs (with the Financial Transparency Coalition and 38 civil society organisations) at the committee level to drop the "legitimate interest" requirement for those wishing to search registers of beneficial owners, as part of the revision to the 4th EU Anti-Money Laundering Directive.

These are great wins, but there are challenges that still lie ahead in our post-Panama Papers world.

At the EU level, these rules still need to pass trilogue negotiations (informal and secret meetings on legislation between the European Parliament, Commission and Council that have been frequently criticised by Access Info for their lack of transparency) before they are finally adopted.

The next challenge, once they become EU law, is to ensure their successful transposition and full implementation at the national level around Europe.

We recognise that transparency by itself will not solve all the problems straight away, but it is an essential starting point that gives civil society, the media and other oversight and watchdog bodies the tools they need to expose and stop these illicit financial flows.

About the author

Andreas Pavlou is a Right to Information Campaigner Researcher at Access Info Europe, based in Madrid. He campaigns on the right of access to information in law and practice in the European Union, as well as supporting national level transparency by helping campaigns in Spain, Cyprus and elsewhere in Europe. Currently, Andreas coordinates a pan-European project to map and increase levels of transparency around decision-making processes. Andreas works in English and Spanish, and speaks French and Greek.

One year after the Panama Papers: A new tool to find out who owns companies

7 April 2017, by Zosia Sztykowski, OpenOwnership.

The Panama Papers leak ignited political will for corporate transparency and led to a number of commitments by countries around the world to establish central, public registers of beneficial ownership. The public nature of these registers was deemed critical to allowing access to the information for all potential users, including civil society watchdogs and business.

A year later, civil society must hold these countries to their promises – and there's a new tool to help them do so.

On the anniversary of the Panama Papers leak, a group of civil society organisations and businesses launched the OpenOwnership Register: a single platform from which to access data about who owns companies from around the world in a way that is easy to use, and totally free.

OpenOwnership is also developing a universal and open data standard for beneficial ownership, which will provide a solid conceptual and practical foundation for collecting and publishing beneficial ownership data. The more countries adopt this standard, the more global beneficial ownership information will be linkable.

The ability to link beneficial ownership data across jurisdictions is critical to realising beneficial ownership data's potential to expose transnational networks of illicit financial flows. As the World Bank and the UNODC StAR Initiative has noted, when corporate structures are used to launder money, this often involves adding layers of "legal distance" between the beneficial owner and their assets. These layers are placed strategically in a number of jurisdictions because of the difficulty investigators have in accessing information that crosses national boundaries.

The OpenOwnership Register enables users to see the various jurisdictions in which a single person controls companies. This depends, of course, on the availability of comprehensive, public data. Luckily, OpenOwnership provides a number of technical solutions for countries implementing public national registers, from integrating our technology with a central register or a procurement system to supporting countries in implementing our data standard.

There are a number of ways to get involved:

Test the Register: The OpenOwnership Register is currently in beta and we are looking for feedback on its usability, particularly from end-users of the data (e.g. investigators, due diligence officers and law enforcement). Try it out today!

Spread the word: Do you work with a government that promised to implement a public beneficial ownership register? Tell them about our tool and what it can offer.

Join our civil society working group: We will share tools and knowledge to build more corporate transparency around the world.

Or, contact OpenOwnership's project coordinator, Zosia Sztykowski, directly.

About the author

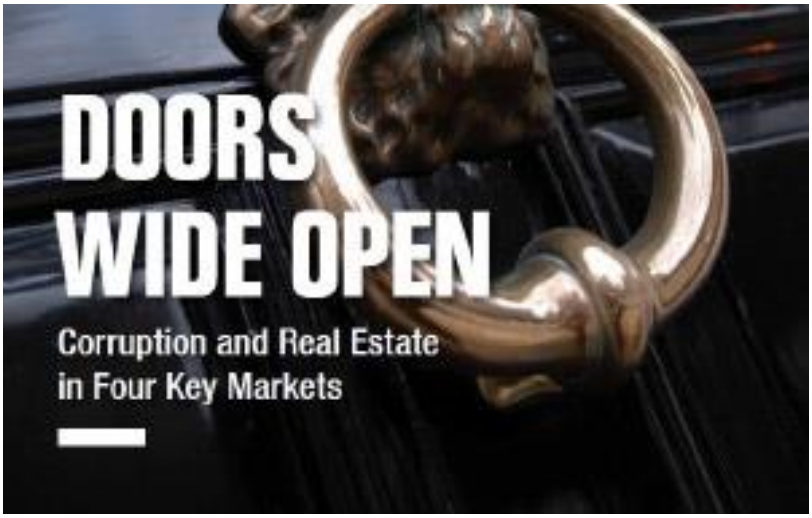
Zosia Sztykowski is the Project Coordinator for OpenOwnership, a new project to build an open register of global beneficial ownership in the public interest. With a background in cultural analysis and feminist organising, Zosia is dedicated to effecting policy and shifting norms in the interest of a more equal, more open society.

Lifting the veil on who owns companies will help combat corruption in Australia

11 April 2017, by Serena Lillywhite, Transparency International Australia.

Having lived in Cambodia, I have seen first-hand the impacts of poor transparency and elite capture of corporate ownership and benefits. Yet this is far from being just a developing country problem, it is a global one.

A key tool in the fight against corruption is increasing knowledge of who really owns companies around the world. Establishing a central and public register to record this beneficial ownership information is long overdue in Australia.



Transparency International is calling on the Australian government to do just that. Our submission to the Treasury in response to the Consultation paper on increasing transparency of the beneficial ownership of companies makes its case clear.

Companies can and do act as attractive "get away cars" to launder the proceeds of crime, corruption, tax evasion and illicit financial flows – washing

the funds clean before they enter the financial system. This is made easier and less risky for individuals if the beneficial ownership of these companies remains unknown.

Take the example of laundering the proceeds of crime through real estate transactions. Transparency International's March 2017 report, Doors Wide Open, makes it clear – a beneficial ownership register would help tackle rampant money laundering through the property market. The purchase of real estate with funds from suspicious sources, and through trusts and shell companies, is all too easy. In Australia, for example, real estate agents are not required to submit suspicious transaction reports and are not covered by the Anti-Money Laundering and Counter Terrorism Financing Act 2006.

The Australian government has international commitments to increase transparency, combat corruption and tackle money laundering and illicit financial activities through the: UN Convention against Corruption; Financial Action Task Force; Open Government National Action Plan; UK Anti-Corruption Summit; and G20 High Level Principles on Beneficial Ownership. It's an impressive list, but now we need more action.

All these recognise that a beneficial ownership register is essential to protect the integrity of financial systems and to prevent the misuse of corporate structures, including trusts, for corrupt and other criminal activity. We need to know who owns and benefits from the activities of companies. The register should be public because this makes it easier for law enforcement to do its job and for investigative journalists and the wider public to assist them.

The UNCAC Implementation Review Mechanism and the OECD Working Group on Bribery in International Business Transactions provide the perfect opportunity to review Australia's progress against anti-money laundering obligations. Naturally, the FATF reviews also help check compliance with commitments.

Establishing a register of beneficial ownership will not be without its challenges. The commitments by the Australian government and consultations to date are welcome, but anything more remains uncertain. The UK public beneficial ownership register provides a good model for Australia. It's time to start the engine and fine-tune as we go.

About the author

Serena Lillywhite is CEO of Transparency International Australia. Serena is an internationally respected corporate accountability practitioner, researcher and advocate, with 15 years' experience. She has expertise in business and human rights, labour rights, governance, transparency and accountability. Serena previously led the Oxfam Australia Mining Advocacy Program, and has lived and worked in many corruption prone countries. Serena is an adviser to the OECD on the OECD Guidelines for Multinational Enterprises. She has held senior positions on academic, government and corporate advisory boards.

Update from members: The second review cycle

Second review cycle: Nine months in

11 April 2017

Nine months into the second review cycle of the UNCAC review mechanism, we have been asking members in the countries participating about their experiences so far.

News from Albania

from Sotiraq Hroni, Institute for Democracy and Mediation

There was little civil society engagement in the first cycle of the UNCAC review process in Albania, with the exception of a UNDP supported event. The Institute for Democracy and Mediation (IDM) was not involved in that review, which produced a report on Albania in 2013.

In the last three to four years anti-corruption and integrity-building efforts at the national and local level have developed, but the Office of the National Coordinator against Corruption is under staffed and lacks minimum resources. In a white paper (delivered to OSCE in January 2017 to be shared with the government of Albania) IDM argued and proposed that a National Agency against Corruption approved by parliament should be established.

Regarding the second cycle review, there is a scarcity of information on government plans for the review process and for UNCAC implementation. To our knowledge, the self-assessment report has not yet been produced, and there is no information on the timetable when it will be published or for the review process as a whole.

There is not yet a functional synergy between government and civil society organisations on the UNCAC review. The importance of civil society participation should be emphasised and the absence of civil society from UNCAC monitoring should be addressed. The role of civil society might become more visible after the publication of the country's self-assessment report and the report of the review team.

The UNCAC has not received much attention from civil society or the public, despite the fact that Albania faces many corruption issues. There is much work to be done and civil society organisations need to:

Better scrutinise UNCAC and the process of national implementation.

Cooperate with each other at the local and state levels for better monitoring the implementation at all levels.

News from Mauritius

from Rajen Bablee, Transparency Mauritius

Mauritius submitted its self-assessment report for the second cycle of the UNCAC review process in October 2016, and the country focal point has received comments from the UNODC Secretariat and from the two countries, Panama and Mauritania, which are evaluating the country. Discussions between stakeholders on the UNCAC review started early last year and

continued at a meeting on Monday 10 April 2017 through an initiative led by the Independent Commission against Corruption (ICAC). These further discussions follow comments made by the reviewers, which are starting their country visit and will be interviewing stakeholders from 17-21 April 2017.

Earlier in 2017, Transparency Mauritius (TM) collaborated with the ICAC in a workshop aiming to sensitise and harmonise the strategy of civil society organisations in the fight against corruption. Around 50 people attended the workshop. The collaboration between the ICAC and TM is a continuing process and follows a joint event for Anti-Corruption Day on 9 December 2016. In the presence of the President of the Republic and the representative of the UNDP in Mauritius, ICAC and TM launched a series of posters, which are part of a national sensitisation campaign.

News from Sri Lanka

from Ósk Sturludóttir, Transparency International Sri Lanka (TISL)

The first cycle of the UNCAC review process in Sri Lanka took place under the previous government, which was wary of civil society organisations and as a consequence there was very limited, if any, civil society participation at the time.

The current government is more open to civil society input, which was reflected in a small way in the second review cycle. The government identified the Commission to Investigate Allegations of Bribery or Corruption (CIABOC) to act as the lead agency on the UNCAC review and to coordinate and oversee the country self-assessment. CIABOC is an independent commission with a mandate that covers three pieces of legislation: the Bribery Act, the CIABOC Act and the Declaration of Assets and Liabilities Act.

Sri Lanka submitted its self-assessment in November 2016. Before submission, several civil society organisations, including TISL, were consulted and invited to make comments. However, although TISL made comments to the self-assessment in writing, such comments appear not to have been incorporated into the self-assessment that was submitted on behalf of the Sri Lankan government by CIABOC.

Subsequently, in March 2017, the UNCAC review team's on-site visit took place, conducted by experts from the reviewing countries Brunei and Palau. One session was dedicated to consulting civil society on the level of their consultation and participation.

TISL is considering the possibility of submitting a shadow report on UNCAC implementation, based on our observations and the data gleaned from our interactions with the state through the application of the Right to Information Act and the Open Government Partnership initiative, among others. A comprehensive study of UNCAC and its implications, as well as how it can be a useful advocacy point in terms of certain legal reforms, would be a useful tool for civil society organisations involved.

Successful civil society training in Nigeria on the UNCAC review mechanism and the Open Government Partnership

12 April 2017, by David Ugolor, ANEEJ

Participants at the OGP-UNCAC Review workshop organised by ANEEJ

The Africa Network for Environmental and Economic Justice (ANEEJ) is working to enhance the capacity of civil society including journalists to support the Nigerian government in its efforts related to the UNCAC review mechanism and the Open Government Partnership (OGP).

On 29-30 March 2017, through its Civil Society Advocacy to Support Anti-Corruption in Nigeria (CASAN) project, ANEEJ organised a two-day training session on UNCAC reviews and the OGP; attended by 30 civil society organisations, as well as representatives of the Ministry of Justice and the Economic and Financial Crimes Commission (EFCC).

The training session was a great success with a number of positive outcomes, including some participants issuing press releases and ANEEJ publishing several articles in national newspapers. The twitter analytics of the event showed over 1.1 million impressions. As a result there was considerable media attention for the project.

The Bureau of Public Procurement, a major partner in the delivery of the training, leveraged the opportunity to present the yet to be launched open contracting portal and got useful feedback to improve it.

Another success was that civil society completed an independent assessment of Nigeria's implementation of some UNCAC articles, on which they are now prepared to meet with the official from the reviewing countries during the country visit scheduled for 8-12 May 2017.

Following the workshop and previous meetings ANEEJ had with the UNCAC review secretariat and focal points, ANEEJ was invited to participate in the UNCAC review preparations.

A training session for another 30 civil society organisations and journalists is currently on-going in Lagos, 11-12 April 2017.

Note: The CASAN project is supported by the UN Development Program under the European Union funded 10th European Development Fund.

Special topics

UNCAC: Wake up to open contracting! How the digital revolution can prevent corruption in procurement

29 March 2017, by Gavin Hayman, Open Contracting Partnership.

I am embarrassed to say that I can remember, over a decade ago, when the UN Convention against Corruption was new and – believe it or not – relatively exciting. It wasn't just one of the first international instruments to outlaw bribery, it also recognised and attempted to address some of the key corruption risks in government.

First amongst those was public procurement, where the money and discretion in government are concentrated. UNCAC's proposals to prevent and deter corruption in procurement were spot on: transparency, competition and objective criteria in decision-making. But, 15 years on, I can't help feel that the Convention's top-down, legalistic, box ticking, mutual reviewing approach needs a shot in the arm.

How things have changed

Let's not forget how much the world and technology have changed: back then Apple was almost dead and Google wasn't a verb. So while procurement, alas, is still a top corruption risk, new and better ways for governments to do business are emerging.

Last year, we saw the first major recognition that the data and information behind public contracting should be "open by default" at both the London Anti-Corruption Summit in May and at the Open Government Partnership's Paris Declaration in December. This has shifted the debate about transparency from dusty old box files of documents published weeks after decisions have been made to real-time, joined-up shareable data and meta-data and information across the entire chain of public contracting.

Over the last two years, over 25 countries have directly committed to this approach to open contracting in action plans as part of the Open Government Partnership. So, with open contracting becoming the new norm for how governments do business, let's see UNCAC wake up and step up. The dragon of corruption has been snoozing on your sofa for too long.

Here are five suggestions as to how:

1. Take a public stand that procurement information should be open by default

The UNCAC Review Mechanism is in its second cycle of reviews. The process should be checking that procurement data and documents are "open by default" when looking at public procurement processes. This should apply to information across the full cycle of government contracting, from planning to the delivery of the service or goods.

"Open by default" doesn't mean that absolutely everything gets published all the time. Rather, it means that unless there is a compelling reason not to be open, information should be

accessible and useable. There are perfectly sensible public interest policies and processes that can be put in place to manage any redactions needed for the privacy of personal data and commercial confidentiality.

The UNCAC review process is well placed to look at whether the legal default for information is open or closed and whether commercial confidentiality is being abused or used indiscriminately to withhold documents from the public and from businesses.

2. Support international best practices

The review process also needs to propose better solutions and follow up on implementation. For procurement transparency that is the Open Contracting Data Standard; a global schema that describes the data and documents that need to be disclosed at each stage of the contracting cycle, from planning through to implementation. You can also recommend best practice analytics and tools to screen that data for risks such as fraud and collusion. This 'red flags' analysis provides a handy guide to some of the opportunities here.

The Open Contracting Data Standard provides not only a useful tool to disclose contracting information; it is also helpful for business and citizens to engage with governments, identify where information may be missing and collect better information for themselves and for users. UNCAC's focus on procurement is too narrow and mostly about award processes and not about implementation where many, many things can go wrong and where corruption can be most evident.

3. Support feedback channels and engagement

Decisions are better and smarter when built on equal information that can be used by civil society and business throughout the public contracting process. UNCAC reviewers should be looking for these feedback channels (and complaint mechanisms) and propose them if they aren't in evidence.

In Ukraine, open contracting is at the core of the public procurement reform, with the motto that 'everyone sees everything'. Our experience in Ukraine shows that publishing this data – and supporting local groups in using it to monitor contracts – can have an important impact. From uncovering $100 mops in hospitals and pressuring contractors to deliver on installing heating improvements to public housing, to increased competition generating savings for the government, open contracting benefits government, business and citizens alike.

In Nigeria, through open contracting, civil society engaged with government agencies to track the construction of schools and primary health centres.

4. Better, more useful guidance

UNODC has published a helpful Guidebook on Anti-corruption in Public Procurement to help governments implement UNCAC. While it talks a little about data, it's a good few years behind the curve: updating it and providing reviewers with better evaluation questions would be smart and relatively easy.

This is exactly what another set of global guidance, the OECD's Methodology for Assessing Procurement Systems (or MAPS), is currently doing to account for best practices like open data and open contracting.

At the Open Contracting Partnership, we have got some handy guidance materials too: these are the 7 steps that we encourage countries to take on their open contracting journey, and there is a host of useful tools built on open data in this OGP Toolbox.

5. Don't just focus on the rules, focus on the behaviour

Corruption tends to be seen as a technical problem that can be fixed with legal reforms – UNCAC's classic top-down approach. But as anyone with a kid in the house knows, rules go only as far as the next cookie jar. So we need not only to change the rules; we also need to change behaviour.

Reviews should go beyond checklists and standard laws. We need to talk about innovations that incentivise good behaviour, more effective processes and smarter results. Allowing citizens and business to follow the process from the idea to delivery is a key part of that shift from passive to active engagement. So, think less about rules and more about results.

It is clear that fighting corruption will be more important than ever in the next decade, especially as we invest in the trillions of dollars of infrastructure and services needed to deliver the Sustainable Development Goals. I don't want to look back to a missed opportunity. We have a chance now to change the default to open and to get there faster and better.

About the author

Gavin Hayman is executive director of the Open Contracting Partnership. Prior to this, he was director of campaigns and then executive director of Global Witness.

Beyond the scandals: The status of revolving doors in the EU

6 April 2017, by Margarida Silva, Corporate Europe Observatory.

When discussing corruption we often just imagine shady scenarios where money changes hands. However, public scandals like that involving former President Barroso have raised people's attention to the threat of conflicts of interest created by revolving doors.

European Union institutions in particular have been under the spotlight since last June when Goldman Sachs International announced that former President of the Commission Barroso was to become its new chairman and adviser. A wave of criticism followed, from heads of state, to employees of the EU institutions and citizens at large. The scandal reignited discussions in the EU of the revolving doors phenomenon; that is the transition of public officials from public office to private organisations and, conversely, the transition of corporate lobbyists and other employees from private organisations to public bodies overseeing their previous industry.

Such professional moves create a set of threats to the integrity and independence of policy-making. Above all, they create biases, because when public officials take up a role in the private sector they carry with them insider know-how, a contact network and a reputation that can open many doors. There is a real threat of creating an unfair playing field benefiting those that actively seek to recruit through the revolving door. Even while in office, public officials might retain

biases and unfairly benefit private interests because of their previous jobs or due to the expectation of future ones.

Barroso's new role created a lot of commotion, quite understandably, as Goldman Sachs International has a keen interest in influencing EU policy and Barroso had led the Commission throughout the aftermath of the financial crisis, a period when he oversaw a flurry of discussions and proposals for new financial regulation. Goldman Sachs had and has a direct interest in these proposals, as correspondence between the bank and the former President, released under Access to Documents requests, revealed. It's not hard to understand why former President Barroso would be such a great recruit for the bank.

But the problem extends far beyond him and, indeed, far beyond the Commission. The RevolvingDoorWatch (RDW) project aims to detail revolving doors cases with potential or actual conflicts of interest across EU institutions. Over almost six years we have observed a string of transitions and found, for instance, that one in three ex-commissioners from the Barroso II mandate (2009-2014) accepted roles in companies or other organisations linked to big business within just 18 months of leaving office. We also saw how ex-MEPs leave office directly for lobbying consultancies, a trend confirmed by Transparency International EU's recent report showing that 30 per cent of the 161 MEPs that left politics after the 2014 elections are now working for an organisation in the EU lobby register.

Rules put in place vary widely from institution to institution, but the RDW project allows us to see that there is one unifying line between them – they are too weak, full of loopholes and often poorly enforced.

The UN Convention against Corruption provides a framework that requires state parties to handle conflicts of interest. In particular, Article 12 foresees that each state party should impose restrictions on private sector employment of public officials and vice-versa "where such activities or employment relate directly to the functions held or supervised by those public officials during their tenure" for a "reasonable period of time".

While helpful, these must be seen as bare "minimum standards", which even the Code of Conduct for Members of the European Parliament does not match. EU institutions should implement stricter rules. Already in the 2014 EU Anti-Corruption report a main recommendation was for the EU to, "Ensure centralisation of data on detected corrupt practices and patterns,

including conflicts of interests and revolving door practices". But, more than two years on we are nowhere near that.

Ways of preventing the risks associated with revolving doors and other potential conflicts of interest will be discussed under the current UNCAC review cycle, but unfortunately the EU, though a party, has yet to indicate its readiness to be reviewed. The EU should lead on such issues, let's hope it won't take more scandals to get them to move forward.

About the author

Margarida Silva is a researcher and campaigner focusing on revolving doors and lobbying transparency at the Corporate Europe Observatory.

Coalition in partnership

CSOs call for action in implementing UNCAC in the ASEAN

14 February 2017

This post was originally published on the United Nations Office on Drugs and Crime *website.*

The regional conference on Fast-tracking Implementation of United Nations Convention Against Corruption (UNCAC) for Economic and Social Development in Southeast Asia that took place in Bangkok from 31 January to 3 February came at a pivotal time, as ASEAN (the association

of Southeast Asian nations) turns 50 this year. Built on the momentum generated by the UK Anti-Corruption Summit of May 2016, the conference provided an opportunity to create and foster partnerships and to establish a regional platform to fast track implementation of UNCAC in support of the 2030 Sustainable Development Agenda, in particularly Goal 16.

The event, organized by UNODC with the support of the Foreign and Commonwealth Office (UK) was attended by over 180 participants, including 17 civil society representatives from eight Southeast Asian countries as well as national authorities and representatives from the private sector.

From left to right: Cynthia Gabriel, Center to Combat Corruption and Cronyism, Gillian Dell, Transparency International, Kol Preap, Transparency International Cambodia, and Mirella Dummar Frahi, UNODC

During the conference, Civil Society Organizations (CSOs) agreed on a set of proposals for action by states acting at ASEAN and national levels. Their recommendations reflect the following priorities:

1. Member States should join efforts within ASEAN to fight grand corruption and create a regional mechanism to receive and review complaints about cross-border corruption

2. they should also commit to activating and resourcing the "ASEAN Integrity Dialogue" in order to hold joint discussions on follow up to the anti-corruption commitments in UNCAC and Goal 16, as well as those in the ASEAN Community Vison 2025 and the three Community Blueprints 2025

3. promote passage and application of comprehensive freedom of information legislation, as well as

4. establish comprehensive and effective whistleblowing systems that include protection of witnesses and whistle blowers in both the public and private sectors.

At the national level, States were called upon to ensure political and functional independence and resourcing of anti-corruption institutions, establish in law and practice that a list of Politically Exposed Persons (PEPs) and their asset declarations is made public in line with open data principles build the legal framework for public central registers of beneficial ownership and ensure adequate penalties against professional enablers of corruption and tax evasion.

Furthermore, CSOs highlighted the importance of establishing a transparent and comprehensive second cycle of the UNCAC review process. "States should ensure civil society participation in the fight against corruption in line with UNCAC Article 13, including through public consultation processes, inclusion in enforcement efforts and asset recovery processes and through making provision for private prosecutions and public interest litigation on behalf of victims. They should publicly commit to and, where required, adopt measures to guarantee protection of civil society space and media freedom as well as citizen's participation", noted Ms. Cynthia Gabriel, Founding Director of Center to Combat Corruption and Cronyism in Malaysia.

In order to facilitate the implementation of the above recommendations, civil society representatives committed to building a regional network for sharing information about UNCAC review and ensuring CSO participation in the review process. These, among other outcomes of the conference, will contribute to the ongoing work of UNODC in the region.

» The Civil Society Statement can be viewed here

Member in the spotlight

Ligue Congolaise De Lutte Contre La Corruption (LICOCO)

Membership Type: Ordinary member
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Full Address: 14, Avenue Loango, Quartier 1, Commune de N'djili-Kinshasa, Democratic Republic of Congo
Region: Africa
Organisation Contact Name: Mireille Kima

What is your organisation's mission?

Our mission is to combat corruption and promote transparency and accountability with the participation of the population of the Democratic Republic of Congo (DRC). We also aim to mobilise citizens to fight corruption and corruption-related impunity.

How are you involved in the UNCAC Coalition?

LICOCO is involved in UNCAC Coalition advocacy activities both at national and international levels. LICOCO supported Coalition advocacy when it attended the UNCAC Conferences of States Parties in Marrakesh, Morocco and in St Petersburg, Russia. At the national level, LICOCO carries out advocacy activities towards the Ministry of Justice calling for:

1. Preparation of the self-assessment report on UNCAC implementation

2. Effective participation of civil society organisations in the development of the self-assessment report and in the UNCAC review process generally

3. Adoption of legislation in line with the UNCAC

What do you find most exciting about UNCAC work?

The UNCAC contains provisions that citizens are unaware of, but which could provide the basis for finding that corruption has been committed; for example with respect to gifts made to public officials. UNCAC Article 15 tells us that making gifts to public officials is a corruption offence.

However, in DRC giving a gift to a public official is not an offence and there is no law limiting the value of a present that a citizen may give to a public official nor are citizens concerned about large gifts being made.

What, if any, UNCAC related activities have you been involved in?

- The preparations for the UNCAC self-assessment process organised by the Ministry of Justice on 12 December 2016 by the focal point.
- A workshop for stakeholders and collection of information on 10 January 2017 at the Ministry of Justice, organised by the focal point.
- Since 2010, training sessions organised by UNODC and the UNCAC Coalition in Kinshasa and Vienna.

What UNCAC related activities/work are you most looking forward to?

The main activity that LICOCO would like to participate in is the elaboration of the self-assessment report on UNCAC implementation in the DRC and a meeting with the groups of experts preparing the UNCAC review report.

Calendar of events

22-26 May 2017: UN Commission on Crime Prevention and Criminal Justice, Vienna, Austria
19-23 June 2017: UNCAC Implementation Review Group Meeting and Briefing for NGOs, Vienna, Austria
11-14 July 2017: Global Forum on Asset Recovery, Washington DC, USA
21-23 August 2017: Working Group on Asset Recovery, Vienna, Austria
24-25 August 2017: Working Group on Prevention of Corruption, Vienna, Austria
6-7 November 2017: Open-ended Working Group on International Cooperation, Vienna, Austria
6-10 November 2017: UNCAC Conference of States Parties, Vienna, Austria
7-8 November 2017: UNODC resumed Implementation Review Group, Vienna, Austria
See additional dates here.

Useful resources

Access all Areas: When EU Politicians Become Lobbyists
In this first comprehensive analysis of the revolving doors between EU institutions and other sectors, Transparency International EU has analysed the career paths of 485 members of the European Parliament and 27 Commissioners. It highlights concerns about conflicts of interest beyond the individual scandals and provides recommendations for reform to the European Commissioners, Members of the European Parliament and the staff of EU institutions more generally.

Read the Transparency International EU Access All Areas Report, January 2017.

Anti-bribery and Corruption Benchmarking Report 2017
A report by Kroll and the Ethisphere Institute based on the survey responses of senior executives working in ethics, compliance or anti-corruption. It finds that reputational risk is

high on the agenda of executives around the world and that 57 per cent expected their organisational risk to persist in 2017.

Read the Kroll and Ethicsphere Institute Anti-bribery and Corruption Benchmarking Report, March 2017.

Doors Wide Open: Corruption in Real Estate in Four Key Markets
This 2017 title from Transparency International investigates how real estate is used to launder the proceeds of crime and corruption. Focusing on Australia, Canada, the UK and the US markets, it tells a compelling story and presents recommendations for cleaning up the real estate sector.

Read the Transparency International Doors Wide Open Report, March 2017.

On Combatting Corruption and Fostering Integrity
In a report by the High Level Advisory Group on Anti-Corruption and Integrity, the OECD has published recommendations to help it strengthen its work in combatting corruption and fostering integrity. It focuses on improving existing regulations, developing new international benchmarks and enhancing coordination.

Read the OECD On Combatting Corruption and Fostering Integrity Report, March 2017.

UNCAC review reports

There are now 150 executive summaries, 71 full country reports and 15 self-assessments from the first review cycle published on the UNODC website on the Country Profiles page.

Official country reports are available on both the UNODC website (linked above) and on the UNCAC Coalition website (currently being updated).

UNCAC Coalition regional platforms

The UNCAC Coalition has two new regional platforms for sharing experiences and corruption-monitoring methodologies, building partnerships and exchanging updates about the status of UNCAC reviews.

See our South-East Europe Anti-Corruption Platform here.
See our African Region Anti-Corruption Platform here.

This UNCAC Coalition Newsletter was produced by Gillian Dell, Transparency International Secretariat and Rebecca Dobson, editor, with assistance from Kai Chan, web developer.

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