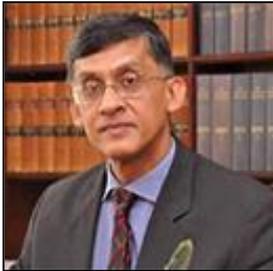


## MESSAGE FROM THE UNCAC COALITION CHAIR

Manzoor Hasan, Institute of Governance Studies, BRAC University [3 July 2014]



As the UNCAC review process enters its fifth year, it is worth recalling the remarkable distance travelled since the negotiations for an anti-corruption convention began 12 years ago. We now have a viable international framework for worldwide anti-corruption efforts.

Governments have produced the [UN Convention against Corruption](#) (UNCAC) and designed a peer review mechanism for the implementation of the Convention. To date 70 reviews have been completed and another 30 or so are on the way.

Significant progress has been made, but certainly there is still much to be done before we can say that the UNCAC has realised its potential or that its review process is truly effective.

It is crucial to sustain this momentum and avoid “UNCAC fatigue”.

Successful anti-corruption work yields a return many times its initial investment, but it requires political will, coupled with the engagement of all the key players in society. It also needs well-drafted laws and resources to conduct investigations and pursue prosecutions.

The UNCAC provides a framework for augmenting anti-corruption efforts and mobilising assistance for countries that need it. We know from our own country experiences that enforcement is not a smooth trajectory and that it often changes course. At times political commitment can diminish or even reverse, and currently in most countries – perhaps all – anti-corruption efforts are not robust enough.

We in the UNCAC Coalition have a responsibility to ensure that the UNCAC reaches its potential and plays its role in changing the landscape. At the national level this means ensuring that there are sufficient resources allocated to ensure the implementation of the UNCAC, and its review process and follow up. At the international level it means continuing effective advocacy, particularly for the right of civil society participation – the current [exclusion of civil society](#) from meetings of UNCAC subsidiary bodies is disturbingly incongruent with the principles and provision of the UNCAC itself. I am honoured to have taken over as Chair of the UNCAC Coalition Coordination Committee and very much look forward to working with the Coalition and stakeholders around the world to help ensure that the UNCAC keeps its promise.

On a personal note, I am delighted to re-engage with anti-corruption activists globally after my involvement with the post-UNCAC ratification process in Bangladesh a few years' back.

## ADVOCACY | FOCUS

A focus on advocacy work by the UNCAC Coalition and its members

### Put an end to money laundering, bribery and corruption

Cobus de Swardt, Transparency International [4 July 2014]



Corruption around the world is facilitated by the ability to launder and hide proceeds derived from the abuse of power, bribery and secret deals. Dirty money enters the financial system and is given the semblance of originating from a legitimate source often by using corporate vehicles offering disguise, concealment and anonymity. For example, corrupt politicians used secret companies to obscure their identity in 70 percent of more than 200 cases of grand corruption survey by the World Bank.

For far too long, corrupt figures have been able to easily stash the proceeds of corruption in foreign banks or to invest them in luxurious mansions, expensive cars or lavish lifestyles. They do this with impunity and in blatant disregard for the citizens or customers they are supposed to serve.

Importantly, the corrupt are aided by complacent and sometimes complicit governments of countries with banking centers that facilitate money laundering and allow the corrupt to cross their borders to enjoy stolen wealth. Weak government actions are failing to prevent the corrupt from evading justice and have enabled cross-border transfers of corrupt assets. Complacent governments responsible for protecting the public from such criminal acts are de facto supporting impunity for corruption.

Banks, real estate companies, and retailers of high-end goods are the final links in this chain as they facilitate criminal behavior by accepting illicit money as payment. Even basic due diligence and record-keeping recommendations are frequently overlooked.

The overall problem is indeed huge. According to the [United Nations Office on Drugs and Crime](#), the amount of money laundered globally in one year is up to five percent of global GDP. The ease of laundering and hiding stolen assets is of great concern to TI, many other organizations, governments and citizens and must be ended urgently.

Extensive research by numerous institutions have mapped the systems of money laundering, as well as the activities in international financial havens that permit corrupt individuals to easily set up “shell” holding companies. They indicate the complicity of all manner of financial institutions and the associated professional firms that handle the cash proceeds of corruption in secret, dark channels.

Take secret companies. Laws in many jurisdictions ensure that the identity of those relocating their money through them cannot be disclosed. This secrecy permits individuals and corporations to hide enormous financial transfers of stolen and illicit funds with few or no questions asked about the real, living person, who controls the money, nor where they came from. This person is the “beneficial owner” – not a nominee or another company. In many cases shell companies can be set

up in a few hours and then be used to transfer millions or billions of dollars with virtually no public oversight to determine the source or the intended recipients of such transfers. This creates an incentive for massive theft of public money to continue, and for the thieves to enjoy the proceeds of corruption.

An inventory of grand corruption cases compiled by the Financial Action Task Force (FATF) in 2011 showed that politicians and public officials often abuse corporate secrecy. For instance, out of 32 grand corruption cases analysed (including embezzlement, bribery, extortion and self-dealing), foreign accounts were used to hide the proceeds of corruption in 27 cases. In most cases, the assets were hidden in more than one foreign jurisdiction, including countries such as the United States (19 cases), United Kingdom (13 cases), Switzerland (15 cases), as well as well-known offshore havens such as the Cayman Islands, Singapore, Hong Kong, Jersey and the Bahamas. Moreover, in 28 cases, the individuals involved (or their families) made use of corporations and shell companies to hide the actual beneficiaries – those who actually used the money for investments, luxuries and lavish lifestyles.

The good news is that there are glimmers of hope. At the G8 summit last year in Northern Ireland, leaders committed to “take action to tackle the misuse of companies and legal arrangements.” They further produced a “G8 Action Plan Principles to prevent the misuse of companies and legal arrangements”, and member states agreed to add to these principles with national action plans.

In October 2013, the United Kingdom set the tone. During the Open Government Partnership summit, British Prime Minister David Cameron announced the creation of a central register of the beneficial owners of companies in the UK that would be publically accessible. In November 2013, leaders of Britain’s 14 Overseas Territories, including Gibraltar, agreed to consider establishing public registries listing the beneficial owners of trusts and companies. In a communique published by the Foreign and Commonwealth Office following the Joint Ministerial Council meeting, the leaders pledged to launch consultations “on the question of establishing a central registry of beneficial ownership, and whether this information should be publicly available.”

This is a start, but we need much more action by all leaders on this global threat to economic security. Governments leading the reform of the international financial system should commit to establish public corporate registers that include beneficial ownership information. The public has a right to know who owns, controls or ultimately benefits from these companies.

Each government should take concrete steps to end corporate secrecy by ensuring that their existing registers on companies contain beneficial ownership information about the true identity of the person or persons who own and profit from any company, legal trust or foundation. In addition, those countries with influence over secrecy jurisdictions such as Hong Kong, the Cayman Islands or Jersey, to name just a few, should push them to establish public registers of beneficial ownership.

Ending all theft of public money and eliminating bribery as an acceptable way of doing business are indeed complex challenges. TI will continue to work with dedicated individuals in government, the private sector and civil society to seek and implement solutions.

Stopping the facilitation of cross-border corruption through secret company ownership is an important step that we ask global leaders to act on in 2014.

## Coalition CSOs promote anti-corruption enforcement

Gillian Dell, UNCAC Coalition secretariat [8 July 2014]



Enforcement agencies frequently face constraints in their efforts to bring the corrupt to justice. This means widespread impunity for corruption offences.

As shown by [UNCAC reviews](#) and other studies, a key challenge for many enforcement agencies is the lack of adequate independence from the executive branch. Even more of them are handicapped by insufficient resources and know-how for conducting complex corruption investigations. And then there is the challenge of obtaining legal assistance from enforcement authorities in other countries, which may face constraints of their own. All of these problems could be overcome with sufficient political will, but this is often badly lacking.

Civil society organisations can play a role. If the authorities are unwilling or unable to investigate, bring charges and prosecute for corruption, civil society can promote or initiate action. In a series of meetings this year, UNCAC Coalition groups have organised discussions on this subject.

### UNCAC Implementation Review Group Briefing for NGOs

At the [UNCAC Implementation Review Group](#) (IRG) briefing for NGOs on 5 June 2014, the UNCAC Coalition organised a panel that outlined civil society work in the enforcement arena. The moderator, Manzoor Hasan of the Institute of Governance Studies in Bangladesh, cited a range of civil society work including research, analysis, awareness-raising, advocacy, training and – last but not least – preparing dossiers and filing complaints.

Panellist Sophie Lemaître of the French CSO Sherpa described her organisation’s ground-breaking work with TI France to file the “[Biens Mal Acquis](#)” complaint. The complaint concerned alleged ill-gotten gains stashed in France by three foreign leaders, as well as their family members and close associates. Before an investigation by French authorities could proceed, the French Supreme Court was called on to rule whether an anti-corruption CSO was permitted to submit a complaint as “partie civile”. The court, citing UNCAC, confirmed this possibility in a [landmark decision](#) in 2010 that was codified into [French law](#) at the end of 2013. In a recent development, the son of the President of Equatorial Guinea—one of the targets of the investigation—has been placed under [formal investigation for money laundering](#).

On behalf of Transparency International, Gillian Dell pointed to similar CSO initiatives, such as TI-Czech Republic’s [criminal complaint](#) concerning a former district mayor of Prague. She also explained that more than 60 TI chapters have [Advocacy and Legal Advice Centres](#) (ALACs) to assist whistleblowers and pursue legal remedies, and that TI chapters support enforcement in other ways from [monitoring](#) and [advocacy](#) to [training enforcement authorities](#).

TI Bulgaria representative Diana Kovatcheva emphasised the importance of constructive dialogue to advance implementation and cited her organisation’s consultations with government officials in preparing a study analysing whether weaknesses previously identified had been addressed. She

also highlighted several key areas for country enforcement efforts, including judicial independence, liability of legal persons and collection and compilation of adequate statistics.

The UNCAC Coalition also organised a panel on beneficial ownership transparency at the IRG briefing in June. More information about the briefing can be found in [UNODC's report](#) and on the [UNCAC Coalition website](#) and [Twitter account](#).

### **Multi-stakeholder UNCAC Workshops**

Enforcement was also a topic at two multi-stakeholder workshops organised jointly by UNODC and the UNCAC Coalition this year. The first of these was for Asian stakeholders in [Kuala Lumpur, Malaysia in February 2014](#) and the second for African stakeholders at the International Anti-Corruption Academy in [Laxenburg, Austria in June 2014](#). Both meetings provided participants with knowledge of UNCAC and its review process as well as a forum for dialogue.

The workshop discussions focused primarily on issues in the first cycle of the UNCAC review process, which covers UNCAC chapter III on criminalisation and enforcement and chapter IV on international cooperation. Participants exchanged views on gaps in criminal laws and weaknesses in enforcement systems and agreed that there was a role for civil society in helping to address these deficiencies. They discussed specific examples of civil society engagement, such as the work of [REN-LAC](#) in Burkina Faso and SHERPA in France. Many participants planned to continue the government-civil society dialogue on these issues when they returned home.

### **Conference on Legal Remedies for Corruption**

The most active CSO approaches to promoting enforcement – filing criminal complaints and pursuing public interest litigation – were the topic of a [Conference on Legal Remedies for Corruption](#) on 28 June 2014 at the Said Business School, University of Oxford. The conference was co-organised by Coalition member Open Society Justice Initiative together with the Oxford Institute for Ethics, Law and Armed Conflict.

The participants from civil society, academia and government considered examples of how civil society organisations – including OSJI, SERAP-Nigeria, SHERPA, TI-France, TRIAL and others --have supported, supplemented and triggered efforts by enforcement authorities in India, France, Kazakhstan, Nigeria, Switzerland and more. Academics contributing to the discussions included Paul Collier of Oxford University and Abiola Makinwa of the Hague University of Applied Sciences in the Netherlands, author of [Private Remedies for Corruption: Towards an International Framework \(2013\)](#).

The conference served to foster future collaboration among CSOs using legal remedies for corruption. An OSJI book is in the pipeline.

### **Role for CSOs**

The message of these meetings is clear: given the huge challenges faced by anti-corruption agencies around the world in pursuing corruption, civil society organisations are stepping in to play a supporting role. In view of the public outrage and frustration with the on-going experience of impunity for corruption offences, we can expect to see more CSO involvement in this area in the future.

## Following up on UNCAC reviews

Marie Terracol, UNCAC Coalition secretariat [27 June 2014]



In 2009, States Parties of the *UN Convention against Corruption* (UNCAC) adopted a [review mechanism](#) to check countries' implementation of the Convention. Reviews of the provisions on criminalisation and international cooperation (UNCAC chapters III and IV) started in 2010.

To date, [70 countries](#) have been reviewed and have received recommendations on how to improve their compliance with the UNCAC and on how to further their anti-corruption efforts. These reviews have proved useful in identifying weaknesses and gaps in national legislation and enforcement systems, but the question remains: *what do countries do with those recommendations?*

Countries agree to the recommendations made by the review before they are published: the review report is a product of negotiation between the country under review and the reviewers, resulting in a consensus on the recommendations put forward. From this perspective then, countries should have no problem with following up on the recommendations proposed.

Some civil society organisations have encouraged their government to follow-up on the UNCAC review recommendations.

In June 2013, Transparency International Bangladesh (TI-Bangladesh) organised a round-table with experts and government officials on “the progress made by Bangladesh in implementing the UNCAC” since 2011, using as a basis for discussion the findings of the [“official” review](#) and TI-Bangladesh’s [parallel review](#).

Transparency International Bulgaria also conducted an UNCAC [parallel review](#) of compliance with the UNCAC in 2011 and decided to issue a [follow-up report](#) in 2014 to evaluate the progress made. The findings of this report were discussed at a round table with experts from all relevant institutions and academia.

Following up on the review recommendations is essential to reduce corruption and increase accountability. Without follow-up, the efforts put into the review itself will be lost.

In its [2013 UNCAC Progress Report](#), Transparency International recommended that governments prepare action plans within six months after country reviews to respond to those recommendations. Some countries have reportedly already done so.<sup>[1]</sup> Other countries should follow their example.

## UNCAC | NEWS

Recent news relating to UNCAC topics and anti-corruption issues

### Collaborating for common goals: UNCAC and OGP

Vincent Lazatin, UNCAC Coalition, and Andreas Pavlou, Access Info Europe [8 May 2014]



Opening up government and tackling corruption are two sides of the same coin that help governments become more accountable and more transparent and help increase citizen participation in government. The [Open Government Partnership](#) and the [United Nations Convention against Corruption](#), two different instruments that work to tackle these issues, are both prominent platforms where civil society can work together to promote these shared goals.

Whilst officially the UNCAC and OGP work separately, overlaps mean that many civil society actors and organisations follow and are already engaged in both mechanisms. Indeed, some civil society initiatives such as the [Open Government Standards](#) have looked towards linking these kinds of international instruments together via standards on transparency, accountability and participation.

From a civil society perspective, it is logical for both communities to leverage each other's work to achieve shared goals. Members of the [UNCAC Coalition](#), the foremost network of organisations working on the UN Convention against Corruption, could push for commitments in OGP national action plans which tackle difficult corruption issues. The persuasive economic and social benefits of non-corrupt and open administrations can be championed by open government organisations that would encourage governments to prevent corruption by opening up.

For governments, realising the requirements for UNCAC implementation and going further by adding the *open* element to it in OGP national action plans not only means they implement international standards and agreements, but they also can increase the benefits beyond those originally envisaged. All of this can be achieved using a constructive relationship with civil society promoted by the OGP and by the UNCAC Coalition as opposed to an 'us-versus-them' mentality. Consultations and ongoing open dialogue are the key OGP process through which governments engage with a broad number of relevant civil society organisations and actors, and could include members of the UNCAC Coalition, and others. The cyclical process of the UNCAC mechanism means governments work on certain areas to tackle corruption helping them focus resources, and indirectly, the campaigning activities of civil society, too.

Both can be used to maximise the quality and the stretch of commitments governments make in implementing the UNCAC and the second round of OGP national action plans. These may include working towards a code of conduct for public officials, an access to information law that meets the highest international standards, increasing the quantity and quality of proactively published data and information, or even the implementation of transparent public procurement processes and management of public finances.

What we are trying to say is that we are already all working towards the same goals and with the same level of ambition. Whilst some focus on preventing corruption, others focus on opening government so what better way to achieve our common goals of more transparency, more accountability and more citizen participation than to collaborate and push for solid commitments in second OGP national action plans.

## **Confiscation of ill-gotten gains: the EU changes the rules of the game**

Maud Perdriel-Vaissiere, UNCAC Coalition [9 April 2014]



Photo: Flickr/Pa\_Le

On 14 March 2014, the European Union (EU) adopted a new Directive on the freezing and confiscation of proceeds of crime which aims to make it easier for national authorities in EU countries to confiscate ill-gotten gains made by criminals.

The Directive is welcome as to date, in most EU countries (just as elsewhere in the world), the burden of proof that is imposed on enforcement authorities seeking the confiscation of criminal assets is so heavy that, in practice, it amounts to granting criminals with a pass for enjoying their ill-gotten gains in total impunity.

In fact, in most jurisdictions, criminal confiscation can only occur where a conviction has been secured against the defendant. Confiscation orders are usually issued as part of sentencing following conviction at trial and usually the only assets subject to such orders are those that represent the proceeds of the criminal offence for which the offender was duly convicted. In other words, prosecuting authorities need to prove that assets were obtained through or derived from this particular offence (the so-called “paper trail” challenge). If one of these two conditions is lacking, the whole confiscation process falls through. Indeed, no confiscation order can be made if the accused manages to prove that the assets were not derived from this criminal act but another one – for example for which no conviction can be made for a host of reasons such as limitations of the time period or lack of sufficient evidence to meet the high-level standard of proof that applies in criminal matters. No confiscation order can be made either, if no conviction can be secured against the defendant – for example because he enjoys immunity or because he doesn’t appear before the trial court. It is therefore no big surprise that of the hundreds of trillions of dollars of illicit money, that are being laundered globally every year, so little has been recovered!

### ***How does the EU Directive change the rules?***

First, it facilitates the confiscation of proceeds of crime in cases where the accused does not appear before a trial court (Article 4). In other words, from now on, the absconding of the accused should not prevent enforcement authorities within the EU from getting his/her ill-gotten gains confiscated!

The directive also provides for extended powers of confiscation (Article 5) by providing for the confiscation of assets belonging to a convicted person that are not (or not proven to be) directly linked to the offence for which he/she has been convicted. Such a confiscation is based on the presumption that their origin is unlawful considering, among other facts, the discrepancy between the assets and the known sources of income of the convicted person.

These two provisions are laudable and explicitly echo the commitments taken by States Parties to the UNCAC during the last Conference of States Parties in Panama in relation to the confiscation of assets of corrupt origin in one of its resolutions: *“Urges Member States consistent with chapter V, to ensure that they have adequate laws and mechanisms in place to prosecute those involved in acts of corruption, to detect the illegal acquisition and transfer of assets derived from corruption and to ensure that there are suitable mechanisms in place — conviction and, where appropriate, non-conviction-based — to recover through confiscation the identified proceeds of corruption, and that such laws and mechanisms are vigorously enforced”* ([Resolution 5/3. Facilitating international cooperation in asset recovery](#); op.clause n°2).

However, it is unfortunate that the EU Directive did not go as far as calling on Member States to introduce non-conviction based confiscation (NCB). Also known as civil forfeiture or *in rem* proceedings, NCB actions are brought against the property itself rather than the person who owns/controls it and allows the confiscation of illegal property without requiring prior criminal conviction of the offender. NCB offers several advantages since it is available in situations where criminal confiscation is not, and applies a lower standard of proof. This confiscation tool has been recently used by the US Department of Justice (DoJ) in relation to the assets that Teodoro Nguema Obiang - the son of the president of Equatorial Guinea, an oil-rich West African country, and government minister - has amassed in the United States.<sup>[1]</sup>

By depriving corrupt actors and other criminals of the proceeds of their crime, confiscation tools such as those envisioned by the EU Directive or provided for by the US have a powerful deterrent effect: if confiscation is rendered more likely, those criminals will probably be less tempted to engage in illegal activities since there will be no more incentive to do so in the first place.

UNCAC States Parties should take concrete measures to live up to the action points adopted in Panama. In the meantime, EU member states should adopt without delay the necessary domestic provisions to comply with the new directive.

## Whistleblower protection – still a long way to go

Indira Carr, University of Surrey [7 July 2014]



Photo: flickr / stevendepolo

Corruption, like drug trafficking and human trafficking, is an activity conducted in the shadows. Investigations to a large extent are dependent on third parties (whistleblowers) who speak out in the public interest.

Article 33 of the UN Convention against Corruption requires States Parties to consider incorporating mechanisms that would provide protection to whistleblowers against any unjustified treatment, as long as they report in good faith and on reasonable grounds. A number of jurisdictions have whistleblower protection legislation in place but it is highly questionable whether these laws really do protect those who have the courage to speak out in the public interest.

The fate of whistleblowers who expose wrongdoing within the police force is illustrative. For instance, Officer [Adrian Schoolcraft](#) of the New York Police Department (NYPD) was reportedly sent to a psychiatric unit on the basis that he was “a danger to himself” when he alleged the “fudging” of crime statistics in 2009.

A more recent example from the UK, again deals with the manipulation of crime figures. The UK is one of the countries to have adopted solid whistleblower protection legislation (Public Interest Act 1998). A reasonable expectation is that this legislation would effectively protect those who speak out from harassment and also encourage institutions to act in a manner that promotes integrity and protects those who reveal malpractices.

Instead [PC James Patrick](#) of the Metropolitan police (Met) who took the step of speaking out in the public interest about the manipulation of the crime figures found himself subject to misconduct proceedings, bullying and “sustained attacks against his character”, eventually resulting in his resignation. According to PC James Patrick his experience led him “to see just how flawed the whistleblowing system is, how it fails, but also to firmly believe that no police officer should normally resign or retire while subject to any misconduct investigation”.

The steps that PC James Patrick took did result in some good: the setting up of a public administration select committee, which resulted in the admission by the head of HM Inspectorate of Constabulary Tom Winsor and the Met Commissioner Sir Bernard Hogan-Howe that the [figures were being fiddled](#). However, the difficulties faced by PC Patrick James in exposing the unacceptable practices will deter others who may contemplate blowing the whistle.

Does this mean that whistleblower protection legislation has no teeth? It seems like it. Unless the primacy of integrity as an inviolable value is entrenched within an institution, whistleblowers remain open to harassment and threats. In the case of PC James Patrick, senior officers in the Met reportedly [put pressure on him](#) to stop him speaking out and went “so far as to insist he be barred from having any contact with any member of the public”.

Bringing about a change of attitude towards integrity within an institution is not an easy task. It needs willing participants and time. Training sessions alone may be insufficient unless integrity as a core value is internalised by those within the institution. In an ideal world it would be celebrated and whistleblowers promoted as guarantors of integrity. Unfortunately we have not yet reached this ideal state.

So what can we do in the short-term to give teeth to whistleblower legislation? Perhaps one avenue available to us is to include a provision within the legislation to fine both institutions and individuals actively engaged in discriminating and bullying those who speak up in the public interest.

## COALITION | IN ACTION

Recent news from the UNCAC Coalition and its members

### TI Malaysia Calls for civil society engagement in the UNCAC review process

*Reflections following an UNCAC workshop in Kuala Lumpur*

Jessica Sercombe, Transparency International Malaysia [3 July 2014]



On 24–27 February, the United Nations Office on Drugs and Crime (UNODC) and the UNCAC Coalition organised a regional [workshop](#) on the UNCAC review mechanism. It was held in Kuala Lumpur and coincided with the release of Malaysia's first [country review report](#).

The four days provided a unique opportunity for civil society organisations (CSOs) and government anti-corruption agencies in the Asia Pacific region to clarify key concepts on the UNCAC framework and discuss its implementation in national contexts. Importantly, it was also a space for CSOs and government to strengthen their collaboration and voice their positions on enhancing anti-corruption efforts. Among the participants were [TI Malaysia](#) and representatives from the [Malaysian Anti-Corruption Commission](#) (MACC).

In his opening speech, TI Malaysia's President Dato' Akhbar Satar emphasised the need for strengthened CSO collaboration and engagement with government to implement the UNCAC: TI Malaysia extends its hand out to all CSOs in Malaysia to work together to raise awareness and advocate for reforms in conjunction with UNCAC ... through our collaboration we need to continue to urge the government to further engage with civil society in implementing UNCAC and prepare for the next review cycle.

A fundamental point in the discussion raised by TI Malaysia with government officials was the engagement of CSOs in the second UNCAC review cycle. In the past only minimal efforts had been made to involve CSOs and there had been a significant lack of information available to the public about the UNCAC review and implementation.

MACC representatives explained that the review process had been closed to civil society due to a perception that they did not have the necessary technical expertise. However, with a constructive emphasis on the importance of UNCAC Article 13 (participation of society) the tone of the dialogue changed and the MACC representatives supported TI Malaysia becoming a member of its UNCAC Working Committee, due to be established for the second UNCAC review cycle. They also invited them to provide a list of other CSOs to involve in the committee and requested assistance to review the self-assessment report; confirming that the report would be circulated for CSO input before it was finalised.

The workshop also enabled discussion on the progress made on weaknesses identified in the previous review cycle. Although Malaysia had been praised for some of its anti-corruption work, it had also been criticised for weak legislation. In open discussions with MACC officials, it became

clear that changes were being considered to increase the independence of the MACC by changing the way in which its chief commissioner is appointed and dismissed.[\[1\]](#)

Furthermore, the increased interaction with other local CSOs laid the foundations of an UNCAC CSO Coalition in Malaysia. Although this has yet to be fully established, it is another step towards engaging a wider range of stakeholders and mobilising demand for necessary anti-corruption reforms. Together CSOs were able to agree a priority for their work: mobilising the public to demand change. This will be integrated into upcoming TI Malaysia advocacy events to ensure that citizens are informed and equipped to act as public monitors of government efforts.

The workshop had multiple advantages: it opened a neutral space for CSO engagement with state agencies; it provided opportunities to share information and learn about UNCAC implementation progress; and it enabled greater CSO networking in the region. For TI Malaysia the exchange of regional practices and experiences contributed greatly to their approach to the MACC and the meeting's successful outcomes.

## COALITION | UPDATES

### Coalition Coordination Committee election results

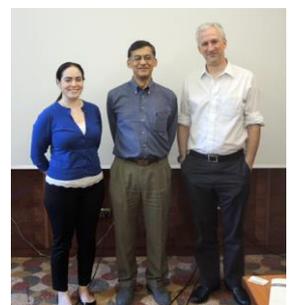
Following elections ending on 24 April 2014, the [UNCAC Coalition Coordination Committee](#) welcomed five new members: **Article 19** (David Banisar), **FOL Movement** (Fidan Kalaja), **Institute of Governance Studies**, **BRAC University** (Manzoor Hasan), **Fundación Mujeres en Igualdad** (Monique Thiteux-Altschul) and **Transparency International Zambia** (Goodwell Lungu). The Committee thanked the five outgoing CCC members for their valuable contributions to the Coalition during their recent tenures on the Committee: **5<sup>th</sup> Pillar** (Vijay Anand), **Christian Aid** (Eric Gutierrez), **Asociación Civil por la Igualdad y la Justicia** (Ezequiel Nino), **SHERPA** (Sophia Lakhdar) and **AfriCOG** (Wycliffe Adongo).

### UNCAC Coalition Coordination Committee Elects New Chair and Vice Chairs

The UNCAC Coalition Coordination Committee held elections on 6 June for the positions of Chair and Vice Chair and are pleased to announce the following results:

- Chair: Manzoor Hasan
- Vice Chair: Christine Clough
- Vice Chair: David Banisar

The Committee also expressed their gratitude and appreciation to the outgoing Chair Vincent Lazatin and Vice Chair Slagjana Taseva for their outstanding service.



*From left: Christine Clough, Manzoor Hasan, David Banisar*

## **Member in the Spotlight** | Transparencia por Colombia.

### **Organisation Mission**

We are an independent citizens' group that helps to prevent corruption by working with the public, the private sector and community stakeholders. Through the provision of training tools on the [UN Convention against Corruption](#), as well as on methodologies, reports and advocacy, we aim to increase public awareness of corruption-related issues. For example, we created a website, called '[Clear Accounts on Elections](#)', which enables citizens to learn how they can promote accountability of candidates and political parties in elections. We've also developed an open-source tool, [Internet for Accountability](#), which provides local governments with solutions to become more transparent. Although Colombia is a party to the UNCAC, serious corruption scandals in the country continue to surface. Such revelations, coupled with results from investigations by the judiciary on such matters, have revealed just how much drug trafficking, violence and corruption has led the country astray from the tenets of the UNCAC.



### **How did your organisation get involved in the Coalition?**

It became clear that to have a more active role in implementing the UNCAC, TI Colombia needed to join the Coalition, which it did in 2010.

### **What do you find most exciting about UNCAC work?**

Working collectively with networks and groups from all over the world to help enforce laws and standards that aim to prevent, uncover, investigate and end corrupt acts in the public and private sectors.

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

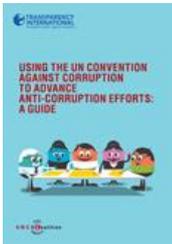
In 2011, with support from representatives of the UN Office on Drugs and Crime in Colombia, we developed a civil society report on the UNCAC review mechanism in the country. Following completion of the report, we were invited to participate in the evaluation committee of the UNCAC review mechanism in early 2013.

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

Raising awareness of UNCAC provisions, so that public entities at the national, departmental and municipal level, as well as the private sector, can identify how to implement UNCAC mandates in their everyday tasks. And by using national laws and other relevant tools, we can encourage the development of a comprehensive state policy that empowers all efforts towards achieving transparency and accountability and fighting corruption in Colombia.

## NEW RESOURCES

Recent tools and resources on UNCAC and international anti-corruption approaches and initiatives



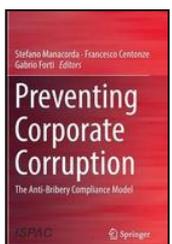
**Using the UN Convention against Corruption to Advance Anti-corruption Efforts: a Guide (2014):** This new guide is designed to support civil society organisations in using the UNCAC effectively. It leads you through UNCAC processes and institutions, and explains how to devise effective monitoring and advocacy that will bring about change and enhance anti-corruption efforts at both the national and international levels. Available in English, French and Spanish [here](#)

**Guide to the Role of Civil Society Organisations in Asset Recovery (2014):** This recently published guide was developed by the International Centre on Asset Recovery, in consultation with participants of the Arab Forum on Asset Recovery in September 2013. It shows the diverse ways in which civil society organisations can contribute to the fight against corruption and help get assets back to their rightful owners. Civil society's role ranges from advocacy, research and awareness-raising, through to evidence gathering and even litigation to recover stolen assets. Available [here](#)



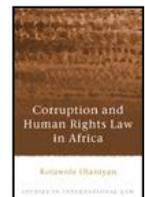
**The latest in anti-corruption research: Issue 16 of the ACRN Newsletter (July 2014):** This newsletter is part of the Anti-Corruption Research Network (ACRN), a Transparency International initiative to strengthen the knowledge community and information service for anti-corruption research. Available [here](#)

**The Global Anti-Corruption Blog:** This new blog, which started up in February 2014, is devoted to promoting analysis and discussion of the problem of corruption around the world. The blog is intended to provide a forum for exchanging information and ideas across disciplinary and professional boundaries, and to foster rigorous, vigorous, and constructive debate about corruption's causes, consequences, and potential remedies: <http://globalanticorruptionblog.com/>.



**Preventing Corporate Corruption: The Anti-Bribery Compliance Model, Ed. Manacorda, Centonze, Forti (2014):** This book presents the results of a two-year international research project conducted by five academic institutions, under the coordination of ISPAC, in co-operation with the United Nations Office on Drugs and Crime (UNDOC) to investigate and provide solutions for reducing bribery and corruption in corporations and institutions.

**Corruption and Human Rights Law in Africa** by Kolawole Olaniyan (2014): This book examines the impact of large-scale corruption in Africa on human rights and the degree to which a human rights approach to confronting corruption can buttress the traditional criminal law response.



## CALENDAR

Important upcoming dates for UNCAC and other international anti-corruption meetings

08 – 10 September	<a href="#">UNCAC Working Group on Prevention, Vienna, Austria</a>
11 – 12 September	<a href="#">UNCAC Working Group on Asset Recovery, Vienna, Austria</a>
6 – 10 October	<a href="#">Conference of the Parties to the UN Convention against Transnational Organised Crime and the Protocols Thereto, 7<sup>th</sup> session, Vienna, Austria</a>
13 – 15 October	<a href="#">UNCAC Implementation Review Group, Vienna, Austria</a>
21 – 24 October	<a href="#">16<sup>th</sup> International Anti-Corruption Conference</a>
2014 (date TBC)	<a href="#">UNCAC Expert Meeting on International Cooperation, Vienna, Austria</a>