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## Opening Words

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### Message from the UNCAC Coalition Chair

by Manzoor Hasan, 29 July 2015



This is the time of year when members of the UNCAC Coalition and others prepare for the upcoming Conference of the States Parties (COSP) in St. Petersburg whilst learning from the valuable insights gained during the Implementation Review Group (IRG) civil society briefing in Vienna. One of these insights is the need for continued advocacy for civil society participation in UNCAC-related bodies.

This post-Marrakesh ([4th COSP](#)) compromise on the issue of civil society participation at the IRG was meant to encourage confidence-building through dialogue with civil society organisations (CSOs), but consists of briefings on the “margins” of IRG meetings.

The UNCAC Coalition has actively participated in these briefings, and starting with the successful Town Hall meeting in June 2012 these sessions have proved to be both constructive and engaging. The UNCAC Coalition believes that the process has been participatory and has served its purpose very effectively. A number of recommendations have been put forward during these briefings, and the UNCAC Coalition is eager to play its advocacy role in order to foster a meaningful dialogue among the main stakeholders of the UNCAC.

But the UNCAC Coalition also believes that the time is right to move forward. We need greater participation of CSOs to ensure transparency and inclusiveness in the [UNCAC Review Mechanism](#).

## **The UNCAC Coalition calls for civil society observers at the IRG meetings.**

Article 13 and other provisions of the UNCAC state that transparency and participation of civil society are critical to the fight against corruption. The UN Office of Legal Affairs also [issued a legal opinion in 2010](#), which reinforced the UNCAC Coalition's position on participation.

The UNCAC Coalition strongly urges movement in this direction, and feels confident that the Coalition members will not be disappointed by decisions taken on future civil society participation. We eagerly await any change, but in the meantime will continue with the important task of raising awareness globally on the importance of the UNCAC.

### **About Manzoor Hasan**

*Manzoor Hasan is Chair of the UNCAC Coalition. In 2006, Mr Hasan became the Founding Director of the Institute of Governance Studies, BRAC University, and since 2011 IGS' Advisor. He has been an active member of civil society in Bangladesh for over two decades.*

## **Slow start to preparations for UNCAC Conference of States Parties in November 2015**

by Gillian Dell, Transparency International Secretariat, 26 July 2015

Considering the importance of the corruption issue and the strong public demand around the world to see it addressed, it is perhaps surprising that UNCAC gathering are such low-key affairs compared with the high profile summits that are keeping governments busy this year<sup>1</sup>. This is possibly because UNCAC meetings are quite process-oriented and technical. Some of those involved see the low profile as having the benefit of reducing the level of politicisation and increasing the possibility of progress.



However, UNCAC discussions can get quite polarized, especially when it comes to discussions of transparency and the role of civil society in the UNCAC review process. . This article gives an update on what happened at the UNCAC Implementation Review Group session and briefing for NGOs in June.

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<sup>1</sup>Many Vienna delegations participated in 13th UN Crime Congress in April 2015 and negotiated the [Doha Declaration](#) which, *inter alia*, reaffirmed states' commitment to implement UNCAC. And on 13 – 16 July, the 3<sup>rd</sup> International Conference on Financing for Development in Addis Ababa adopted an [Agenda for Action](#), which included a commitment to making UNCAC an effective instrument. In September, the UN General Assembly is expected to adopt the [Post-2015 Development Agenda](#) which includes the important Goal 16 on transparency, accountability and anti-corruption. On 30 November – 11 December an estimated 40,000 participants will meet at the 21st session of the Conference of the Parties to the United Nations Framework Convention on Climate Change and with efforts to raise US\$ 100 billion per annum, it is to be hoped that anti-corruption considerations and UNCAC will play a role

## UNCAC Conference of States Parties

This year is a significant one for UNCAC, with the 6<sup>th</sup> session of the UNCAC Conference of States Parties (COSP) due to take place in St. Petersburg, 2-6 November 2015. The [COSP holds sessions](#) every two years and the upcoming meeting will decide on next steps for the UNCAC review process as it nears the end of its first five-year review cycle. Over [90 country reviews](#) have been completed (not all are online) covering the UNCAC chapters on criminalisation, enforcement and international cooperation and more are expected to be finished by the time the 6<sup>th</sup> COSP meets in November.

Negotiations in preparation for the COSP started at the meeting of the intergovernmental UNCAC [Implementation Review Group](#) (IRG) at the UN in Vienna in June. The IRG is a part of the [UNCAC Review Mechanism](#) and is tasked with overseeing the progress of reviews and making recommendations to the COSP. It is composed of representatives of all States Parties and has met twice annually since it started work in June 2010. Civil society organisations have thus far been excluded from attending its meetings as observers due to ongoing opposition from a small but influential group of countries. Surprisingly, at the IRG's latest meeting, the Africa Group publicly joined the group opposing civil society observer status in all COSP subsidiary bodies. For an insight into UNCAC COSP negotiations see the interesting 2012 article by Matti Joutsen and Adam Graycar.<sup>2</sup>

## 6<sup>th</sup> UNCAC IRG Session in June 2015

At the [IRG's session on 1-5 June](#) there were no draft resolutions circulating; those are expected to appear at UNCAC meetings in September. The [UNCAC Coalition](#) and [Transparency International](#)<sup>3</sup> made written submissions for the consideration of States Parties that can be found on the UNODC and UNCAC Coalition websites.

Based on the official report and Coalition conversations with country delegations, the issues discussed at the IRG meeting included the following:

1. **Agenda for 6<sup>th</sup> COSP.** Countries that support CSO participation in UNCAC subsidiary bodies have proposed an agenda item on that subject for the next COSP. A small group of countries oppose this agenda item and may have won support from other countries. Informal consultations were due to take place alongside the IRG meeting in June.
  - Current status: There still appears to be no agreed agenda for the 6<sup>th</sup> COSP.
2. **2<sup>nd</sup> UNCAC review cycle.** States Parties agreed in Doha in 2009 in Resolution 3/1 that the 1<sup>st</sup> cycle of reviews (currently underway) would cover chapter III on criminalisation and enforcement and chapter IV on international cooperation. They also agreed that the 2<sup>nd</sup> five-year cycle of reviews would cover chapter II on

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<sup>2</sup> "When Experts and Diplomats Agree: Negotiating Peer Review of the UN Convention against Corruption", *Global Governance* 18, pp. 425-439 (2012) <http://journals.riener.com/doi/abs/10.5555/1075-2846-17.4.425>

<sup>3</sup> Civil society organisations may make short written submissions to some of the IRG meetings but these submissions may not include CSO reviews of country compliance with UNCAC –those may be submitted only to the COSP.

prevention and chapter V on asset recovery. UNODC has prepared a [draft self-assessment checklist](#) for the 2<sup>nd</sup> cycle and discussions are underway about its format, content and length. A few countries have even raised questions about the scope of coverage of the 2<sup>nd</sup> review cycle; they argue that it is impossible to cover both prevention and asset recovery in the 2<sup>nd</sup> cycle in any meaningful way. However, most countries favour covering both chapters as previously agreed and this is also the Coalition's position in its statement. A further issue that was discussed is the need to ensure consistency in the handling of 2<sup>nd</sup> cycle reviews, as well as the possibility of increasing transparency and civil society participation.

- Current status: States Parties will hold informal consultations ahead of the 6<sup>th</sup> COSP on various issues relating to the 2<sup>nd</sup> cycle of reviews.
3. **Experience of the 1<sup>st</sup> cycle**: The [official report of the IRG meeting](#) describes two panel discussions held at the meeting. The first panel on review of implementation included presentations of country experiences in the first cycle of reviews by Israel, the Philippines and Ghana. The second panel discussion was on technical assistance, with speakers from Brazil, Malaysia and Micronesia. Country representatives discussed several issues relating to the 1<sup>st</sup> cycle.
- Current status: UNODC is preparing, *inter alia*, an update to its 2013 report on the "State of Implementation of the United Nations Convention against Corruption" (see: <https://www.unodc.org/documents/treaties/UNCAC/COSP/session5/V1388054e.pdf>)
4. **Follow-up to 1<sup>st</sup> cycle** of reviews. There is so far no formal process of follow-up to the recommendations from the 1<sup>st</sup> cycle of reviews. Such follow-up is typical in other anti-corruption review mechanisms. The [official report of the IRG meeting](#) describes how a number of countries are already following up on a voluntary basis. However, follow-up needs to be formalized. In discussions in Vienna, many countries reportedly expressed support for a follow-up process.
- Current status: There are no written proposals on the table yet for a formal follow-up process.
5. **CSO applications for observer status**: On 1 June 2015 the UNCAC Coalition and Transparency International applied to the UNCAC COSP Bureau for observer status in the upcoming UNCAC Working Groups on [Prevention](#) and [Asset Recovery](#) due to take place in August/September. The applications were based on UNCAC [COSP Rules of Procedure 2 and 17](#). The applications were discussed on 5 June in the UNCAC COSP Bureau, a body which is provided for in Rule 30 of the COSP Rules of Procedure and consists of the COSP President (currently Panama), three Vice Presidents (currently Namibia, Romania, Spain) and a Rapporteur (currently China). It met in June for the first time since the 5<sup>th</sup> COSP in Panama in 2013.

The issue of CSO observer status in the working groups was also discussed in the IRG meeting itself. Nigeria, speaking on behalf of the Africa Group: "*stressed the intergovernmental nature of the Mechanism and also stressed that the rules of procedure of the Conference did not allow for the participation of NGOs in*

*intergovernmental bodies and all working groups of the Conference and noted the compromise that had been reached in resolution 4/6.” (Note: see explanation of resolution 4/6 below) On the other hand, the representative of the European Union “stressed its view that the participation of NGOs in intergovernmental bodies was in full compliance with the rules of procedure of the Conference.”*

- Current status: The Bureau reportedly lacked consensus on whether to admit the applications by the UNCAC Coalition and Transparency International and thus no decision was made nor response sent.
6. **Venue for 6<sup>th</sup> COSP**: At the IRG meeting in June, a representative of the Russian Federation outlined the preparation underway to hold the 6<sup>th</sup> COSP in St. Petersburg. However, as of July, the Russian Federation had still not signed the host country agreement with UNODC, so the venue had not been confirmed.
- Current status: Confirmation is expected for the St. Petersburg venue but has not yet been provided.

#### **4<sup>th</sup> IRG Briefing for NGOs on 4 June**

For the last four years, the IRG has held a briefing for NGOs on the margins of the IRG meeting and the latest one was held on 4 June. This is the result of a compromise reached at the Marrakech COSP in 2011, when UNCAC States Parties held negotiations about their disagreement regarding the admission of CSOs as observers in IRG sessions. Supporters of CSO participation decided to accept a temporary compromise in [Resolution 4/6](#) which called for the IRG to provide a briefing for NGOs on the margins of its meetings, to build trust. [The agenda](#) for the latest all-day IRG briefing on 4 June can be found on the UNCAC Coalition website page dedicated to the 6<sup>th</sup> IRG. The briefing was quite well attended by country delegates during the morning session, with 85 delegates from 49 countries. Attendance fell off in the afternoon. The UNODC [report on the briefing](#) can be found on the UNODC website page on the 6<sup>th</sup> IRG.

In practice, most of what CSOs learn during these briefings can be captured from the documents for the IRG session on the UNODC website. However, the briefing also gives CSOs the opportunity to present recommendations, describe best practices and relate experiences supporting UNCAC implementation and review, though subject to a paradoxical rule that CSO representatives should not discuss specific country situations. A possible alternative to the full-day of CSO-organised panel discussions at the IRG briefing would be to hold lunchtime panel discussions during the entire week of the IRG session, which could also serve to promote constructive dialogue between delegations and civil society representatives.

The latest IRG briefing for NGOs began with a one-hour briefing by UNODC, followed by statements from several Coalition members. There were then three panels organised by the Coalition:

One of the panels presented proposals about the UNCAC review mechanism from

- Martin Matter, **Permanent Mission of Switzerland to the UN Office in Vienna**, *The UNCAC review mechanism: Moving into the 2nd cycle*

- Gillian Dell, **Transparency International**, *Increasing the UNCAC review mechanism's effectiveness*

You can find [both these presentations on the UNCAC Coalition website](#) in the section on the 6<sup>th</sup> IRG. They propose, *inter alia*, that the 6<sup>th</sup> COSP should establish a formal follow-up process to the 1<sup>st</sup> review cycle and an effective, well-resourced 2<sup>nd</sup> review cycle covering both prevention and asset recovery.

There were two further panels on priority anti-corruption topics, with proposals for the consideration of States Parties:

- The panel on “**Tackling money laundering**” focused on prevention, emphasizing the importance of public registers of beneficial ownership and the need to counter laundering through real estate, drawing on examples from London and New York City.
- The panel on “**Special measures against grand corruption**” covered approaches ranging from a proposal for an international anti-corruption court to a call for eliminating immunities in corruption cases.

You can find the panel presentations [on the UNCAC Coalition website](#) In the section on the 6<sup>th</sup> IRG.

## Conclusion

Negotiations ahead of the COSP are expected to resume at the meetings of the UNCAC Working Groups on [Prevention](#) and [Asset Recovery](#) in Vienna in September. It is to be hoped that after a slow start, preparations for the 6<sup>th</sup> COSP will pick up steam, that solutions will be found to process issues, and attention will be given to collective action on priority implementation issues. States Parties are invited to give consideration to the written and oral statements from the [UNCAC Coalition](#) and [Transparency International](#) and from other civil society representatives submitted to the IRG briefing for NGOs in June. Civil society organisation continue to call for greater transparency and CSO participation in the UNCAC review process, including CSO participation in UNCAC COSP subsidiary bodies such as the IRG and Working Groups.

## About Gillian Dell

*Gillian Dell is the head of the Conventions Unit at the Transparency International Secretariat in Berlin and a member of the UNCAC Coalition Coordination Committee. She was one of the two original co-convenors of the UNCAC Coalition in 2006 and the TIS Conventions Unit has provided secretariat support to the UNCAC Coalition since then.*

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## IRG Advocacy Focus

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### Tackling money laundering: a UK perspective

by Dr. Robert Barrington, Executive Director of Transparency International UK, 22 June 2015

Recent events in Ukraine have shone a light on the quantity of Ukrainian and Russian money invested in the UK. Coming hard on the Arab Spring, this has raised many interesting questions: how much is of corrupt origin, what checks were made and who should be responsible for ensuring the UK does not become a safe haven for the world's corrupt elite?



Money laundering of the proceeds of grand corruption is not unique to the UK: other global financial centres are both vulnerable and attractive to the corrupt. This is precisely why UNCAC seeks to create a joint responsibility for corruption between countries of origin and those that are the destination for corrupt funds. However, the UK has particular attractions as a leading global financial and luxury goods centre with strong property rights and opportunities for 'privacy'. This is compounded by the close relationships between the UK and its Crown Dependencies and Overseas Territories, some of which have features that might seem positively to encourage corrupt transactions.

If you are [laundering corrupt money through London](#), the chances of being detected or punished are very low. The UK's performance in freezing, seizing and recovering those assets, while relatively strong compared to other countries, is undeniably limited compared to the scale of the threat. The National Crime Agency estimates that around £100bn could be laundered through the UK each year. Typical detection rates of money laundering around the world by law enforcement agencies are believed by the UN to be in the region of 1 per cent; seizure rates are much lower.

At present, it is questionable whether the UK's asset recovery regime is fit for purpose. Under current UK legal powers, there is limited prospect of restraining suspicious transactions, unless there is already a pre-existing conviction against the individual. This reliance on achieving a conviction in the country from which the money was stolen is a fundamental flaw. As a result, huge amounts of unexplained suspicious wealth enters the UK each year, to be invested in the financial system, property, luxury goods or other areas of the economy.

A potential solution to this would be for the UK to introduce the kind of Illicit Enrichment Law envisaged in UNCAC, although the arguments against reversing the burden of proof in criminal law mean that it is unlikely to be introduced any time soon. An alternative measure might be to give law enforcement agencies the power under civil law to serve an Unexplained Wealth Order (UWO) on suspects of grand corruption, provided there was

enough initial suspicion of criminality.

Suspects issued with a UWO would be required to explain legitimate and legal sources of wealth for suspicious UK assets or transactions, Failure to respond to a UWO, or an inadequate response, together with the initial grounds for suspicion, could then be used to facilitate a civil recovery process against the asset.

Might this type of instrument work? We must hope so. Like most financial centres, the UK's record in this area is unimpressive. New approaches need to be considered, in the UK and elsewhere.

### **Note from Editor**

*A representative of TI-UK participated in a panel discussion organised by the UNCAC Coalition on Tackling Money Laundering during the 4<sup>th</sup> UNCAC IRG Briefing for NGOs on 4 June 2015 in Vienna, Austria. The full agenda, statements, and presentations can be [found here](#).*

## **Special measures against grand corruption**

by Akaash Maharaj, CEO of the Global Organisation of Parliamentarians Against Corruption (GOPAC), 21 June 2015



Every year, corruption kills 140 000 children worldwide, by depriving them of medical care, food, and water. Yet, far too often, the perpetrators of the most outrageous acts of corruption are able to use their illicit wealth and power to pervert the very laws and institutions that should call them to account. As a result, the worst offenders are the least likely to face domestic justice.

In such cases, when national authorities are unwilling or unable to act, the international community has a responsibility to step forward.

In February 2013, seven hundred parliamentarians and observers from across the world came together under the aegis of the [Global Organization of Parliamentarians Against Corruption \(GOPAC\)](#), and voted unanimously to seek [to establish “grand corruption” as a crime at international law](#), to enable international institutions to pursue, apprehend, prosecute, judge, and ultimately sentence the guilty.

Since then, GOPAC has joined hands in this effort with our allied international institutions and with citizen organisations across the world, most notably our partners at the [UNCAC Coalition](#) and [Transparency International](#).

Our global alliance believes that [there are some forms of corruption so grave, whose effects](#)

[on human life, human dignity, and human rights are so catastrophic, that they should shock the conscience of the international community](#) and mobilise the will of nations to act across borders.

To give effect to this belief, [we are bringing forward four initiatives to the Conference of States Parties to the UN Convention Against Corruption](#). Each option has its advantages and its disadvantages, and each strikes a different balance between the ideal and the possible.

The first option is to expand the ability of national courts to assert universal jurisdiction over grand corruption. The doctrine of universality asserts that some crimes are so egregious that they are an affront to all humanity and are therefore prosecutable by any state, irrespective of where the crime was committed and irrespective of the accused's nationality or place of residence. The Spanish courts' indictment of the Chilean dictator Augusto Pinochet demonstrated universal jurisdiction's powerful reach; their inability to bring him to trial exposed the doctrine's frequently feeble grasp.

The second option is to employ existing regional courts in Africa, Europe, and Latin America to prosecute grand corruption. Regional courts tend to enjoy greater credibility and standing in their subscribing states than do global institutions; they also tend to be derided for a timorous unwillingness to apply the powers at their disposal.

The third option is to argue for an expansive interpretation of the jurisdiction of the existing International Criminal Court (ICC) or for the creation of a new International Anti-Corruption Court, on the grounds that grand corruption is a Crime Against Humanity. The symbolism of the ICC as a global court of last resort and ultimate justice has captured public imagination; the reality of its resources has never soared to equal heights.

The fourth option is the use of civil actions against kleptocrats, to seize the proceeds of their crimes and restore stolen assets to the nations they have exploited. Making victims whole is one of the key objectives of any system of justice, but victims are unlikely to feel that justice has been served if their victimisers walk free.

Each option is imperfect, but in an imperfect world, success must be measured not by our ability to attain perfection, but instead by our ability to make tomorrow better than yesterday. The journey will be long; the path will be hard. But we would never reach the end if we allowed ourselves to be cowed by the start.

The world is littered with women and men who feed on the misery of entire societies, who have grown fat in their spoils and comfortable in their impunity, sheltering behind national jurisdictions and national institutions that they have been able to twist to their benefit.

[But there is a higher law. There is a deeper justice. And we have a responsibility to stand up for it.](#)

## Note from Editor

*Akaash Maharaj participated in panel discussion organised by the UNCAC Coalition on Special Measures against Grand Corruption that took place during the 4<sup>th</sup> UNCAC IRG Briefing for NGOs on 4 June 2015 at the UN in Vienna, Austria. The full agenda, statements, and presentations can be [found here](#).*

## UNCAC review in Tunisia: The ownership dilemma

by Achref Aouadi, President of I WATCH, 1 July 2015

The UNCAC review in Tunisia began well even before its official start date in 2013. Civil society preparations commenced in 2012 when I WATCH attended a training session in Johannesburg jointly organised by UNODC and the UNCAC Coalition.

The training meant that I WATCH was better able to contribute to Tunisia's self-assessment and to engage other civil society organisations (CSOs) through UNCAC awareness-raising events.



Additionally, the [UN Development Programme](#) (UNDP) made a call for proposals to participate in the review process, and conducted a “training of trainers” to develop the capacity of civil society experts to participate in the review and contribute to a common government-civil society report. This helped trigger CSO activity since many CSOs had not seen the UNCAC as a priority at first. However, there were some concerns raised about the extent of UNDP's role in shaping CSO engagement in the process.

### **These preparations set in motion the civil society contribution to the 2013 review process.**

However, government and civil society relations did not run smoothly initially, as there was a lack of trust on both sides. UNDP played a crucial role in helping to solve this problem by encouraging the government focal point for the review to work inclusively with civil society experts. In August 2013, civil society also created an alliance, supported by UNDP, to accompany the process and act as a contact point for the government during consultations.

Of the alliance members, a commission of five CSOs was elected to work directly with the government team to review the self-assessment report. To increase its legitimacy, the alliance launched a consultation tour with local CSOs outside Tunis, where it shared the assessment report and gathered feedback from different perspectives.

However, the collaboration on the part of the peer reviewers was apparently not as effective as it could have been. For example the Seychelles, which was one of the two assigned peer reviewers, reportedly declined to travel to Tunisia citing lack of resources. This development led to a delay in the review process for Tunisia.

But despite initial difficulties the process was ultimately successful. On completion of the review, I WATCH published a [parallel report](#), which differs only slightly from the [government-endorsed review report](#). This government consultation showed a commendable willingness to take on civil society contributions.

In many ways the UNCAC review process in Tunisia can be seen as a blueprint for others to learn from – the government and civil society from all levels worked together to produce a meaningful and transparent review. However, in future it will be essential to establish the ownership of the participation processes and ensure that Tunisian civil society is truly effective, respected and heard in subsequent reviews.

## **The connection between corruption and shrinking civic space**

by Cathal Gilbert, CIVICUS, 21 July 2015

Citizens everywhere are finding it more and more difficult to have their voices heard. All over the globe, peaceful protestors are brutally attacked, investigative journalists are threatened and organisations promoting rights are raided or shut down.

While many activists are attacked because they fight to defend the rights of minorities or oppose brutal dictatorships, a growing number are targeted because they seek to expose corrupt politicians and officials who abuse positions of power for personal gain.



Much like corruption, civic space violations are now perpetrated in all parts of the world – rich and poor, democratic and authoritarian alike. The situation is so bad that in 2014 alone [civic space was seriously violated in almost a half of the world's 193 countries](#).

Former UN Secretary General Kofi Annan reminds us in his foreword to the United Nations Convention Against Corruption (UNCAC) that corruption doesn't just impoverish society; it also "undermines democracy and...leads to violations of human rights." In Article 13, the UNCAC requires governments to take "appropriate measures" to involve civil society in fighting corruption, ensuring citizens have access to information and people have the freedom to share information concerning corruption.

All too often, however, governments prefer confrontation to cooperation. Instead of dealing with civil society as equal partners and working to address the rights violations they unearth, many states choose to implement restrictive laws on foreign funding, vilify civil society in the media and imprison their harshest critics. Meanwhile, government officials continue to benefit from inadequate financial management controls and weak public

accountability. This results in theft of public resources including illicit financial flows to rich countries from some of the world's poorest countries.

Although the situation is [slowly improving](#), civil society organisations continue to struggle to effectively monitor financial relationships between governments, banks and the private sector that operate as the veins of an internationalised system of corruption. However, civil society organisations increasingly expose corrupt arrangements, governments are reacting by escalating civic space violations.

On the face of it, targeted attacks on civil society may be aimed at silencing critical voices, but in many instances repression is also designed to keep a lid on cases of corruption and to maintain networks of patronage. CIVICUS's recently released [State of Civil Society Report 2015](#) reveals that anger at corruption has motivated numerous citizen movements over the last year, and governments have responded by closing civic space. In Brazil and Mexico, corruption scandals fuelled public anger that led to large-scale protest movements. Frustration at pervasive government corruption also lay at the heart of citizen movements in Azerbaijan, Cambodia and Turkey.

To respond to this situation, civil society will have to rely on two of its most important strengths: innovation and resilience. CIVICUS, through its global alliance of civil society organisations, is developing new tools – including the [Civic Space Monitor](#) and [Civic Pulse](#) – to enable civil society to properly track and respond to civic space violations in real time. But, much more needs to be done by all concerned – from the grassroots level to the international stage – to enable civil society voices to fight corruption in a healthy and protected civic space.

Requiring our leaders to breathe life into Article 13 of the UNCAC would be a good way to start.

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## Interviews

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### Interview with Ambassador Bente Angell-Hansen, Royal Norwegian Embassy (Vienna) 4 June, 2015

Interviewed by Shaazka Beyerle



#### ***What are your first impressions of this year's IRG?***

We are at the start of preparations for the St. Petersburg Conference of the States Parties to UNCAC (CoSP) (November 2-6, 2015). I came today [to the UNCAC IRG Briefing for NGOs] to listen to the views of civil society and to take them into consideration when establishing Norwegian positions.

In this, as in other important areas of work, it is always useful to get input from civil society. I have read with interest the UNCAC Civil Society Coalition's statement paper, including the recommendations regarding civil society participation and transparency in the second cycle of the UNCAC review process.

#### ***What were the main challenges?***

*On civil society* - We need to find a way out on the civil society issue because the positions thus far have been far apart. The [Universal Periodic Review of Human Rights](#) is an example of a review process that works well. Each country review includes information from the State under review, the Office of the High Commissioner for Human Rights (OHCHR), and national human rights bodies and civil society organizations. There are linkages between corruption and human rights - freedom of expression for persons putting forward claims of corruption is one such example.

*On implementation* - The accountability and credibility aspects of putting UNCAC into practice are important. Accountability and transparency contribute to building a trusting relationship between governments and people and to more sustainable leadership. Accountability and transparency are also linked to public support and respect for politicians and government. One should never underestimate the wisdom and common sense of people.

*On the review mechanism* - Corruption goes on in all countries to varying degrees and reflects the situation and history of each country. Thus, UNCAC should act as a unifier. It's not about countries pointing fingers at each other. The review mechanism covers all States Parties. If we can build upon this commonality we have good possibilities to move forward. UNCAC is a young convention. We need to build trust among the States, as well as between states and civil society at large. Technical assistance is very important for countries in order to do more and to do better. This is an integral part of promoting good governance and

hopefully an important objective of the post-2015 agenda soon to be adopted.

***What are your expectations for the second round of the UNCAC reviews?***

More transparency, more inclusiveness and better implementation of the Convention. My hope is to build a positive agenda where we can learn from each other. Norway will work cross-regionally with colleagues and we place strong emphasis on a close cooperation with civil society. But cooperation doesn't mean we follow everything from that comes from civil society. As governments, we need to listen to civil society and the input from them helps improve our work. This is my experience and my belief. Civil society is following the issues often at the local level and helps us improve and evolve. Civil society is close to peoples' challenges. I came to this briefing to tap into their knowledge and experience and to get their perspective on what works for people.

***What are your expectations for the CoSP in St. Petersburg?***

It's still early; ask me that question in the fall. Then the picture will be more clear.

## **Interview with Angelica Maytin Justiniani, Director General of the National Authority on Transparency and Access to Information**

14 July 2015

***What was your role during the IRG session?***

My role at the past IRG session in Vienna was to chair the meetings because of my position as President of the Conference of the States Parties. The Republic of Panama was elected President of the Fifth Session of the Conference of the States Parties to the United Nations Convention against Corruption, which was held in Panama, from 25 to 29 November 2013.



Besides chairing the IRG session, we took the opportunity to provide information about our follow-up to the recommendations in the Panama country review report, and our administration's implementation.

Panama's report to the IRG on its follow-up can be viewed at:

<http://www.antai.gob.pa/publicaciones/transparencia/Informe%20Vienna.pdf>

***What are your first impressions from this year's IRG?***

I consider the IRG to be developing into a strong body. The thematic reports, self-assessment evaluations, cooperation, and identification of technical assistance needs are very helpful to many countries in their efforts to implement the convention and to adopt or modify legal anti-corruption provisions. This year's IRG proved that the implementation review process works and, as proof, more countries have joined the anti-corruption convention making a total of 175 nations. Moreover, many countries expressed the opinion that because of the self-assessment process, their countries adopted new legislation on anti-corruption matters.

There are many issues still to be discussed such as the right time to begin the second review cycle and what adjustments to make to the self-assessment checklist for the second cycle; as well as when to close the first cycle including how to address the long delays in some first cycle reviews and how to handle the few cases of States parties that did not respond to communications from the Secretariat.

***What were the main challenges?***

One challenge was the issue of promoting the broad participation of civil society in the review process as well as to grant them observer status in the UNCAC working groups. Also, during the session, many States identified problems of interpretation of provisions of the Convention which led to the formulation of a variety of recommendations in the UNCAC reviews.

***What are your expectations for the second round of UNCAC reviews?***

I expect that a follow-up mechanism for country reviews can be established and can really implement what's necessary with respect to the outcome of the country reviews.

In the second round, countries can benefit from the self-assessment process, which can provide an accurate assessment of the status of implementation and provide national efforts to implement the convention and perhaps adoption of new anticorruption legislation.

We consider that the second round of reviews will produce better thematic reports because of the experiences and lessons learned from the first cycle over the past 5 years. Even though the first cycle has not ended, the IRG has had the opportunity to analyze the many reports available at all IRG meetings. This led to a better overview in order to identify challenges and good practices and to consider technical assistance requirements to ensure effective implementation of the Convention.

Issues such as ensuring the consistency of the country reviews and assistance to governmental experts in drafting review reports should contribute considerably to the second round of UNCAC reviews.

***What are your expectations for the COSP in St. Petersburg?***

The issue of promoting participation of civil society in the review process and working groups can be included in the agenda of the COSP6 and be widely discussed.

Follow up on the following Resolutions should be taken into consideration:

- Resolution 5/1: Enhancing the effectiveness of law enforcement cooperation in the detection of corruption offences in the framework of the United Nations Convention against Corruption.
- Resolution 5/2: Strengthening the implementation of the criminalization provisions of the United Nations Convention against Corruption, in particular with regard to solicitation
- Resolution 5/3: Facilitating international cooperation in asset recovery
- Resolution 5/4: Follow-up to the Marrakech declaration on the prevention of Corruption
- Resolution 5/5: Promotion of the contribution of young people and children in preventing corruption and fostering a culture of respect for the law and integrity
- Resolution 5/6: Private sector

Furthermore, the Conference of the States Parties should decide when the first cycle of reviews will finish and the second begin. The Conference should also decide what to do concerning those few cases of States parties that did not respond to communications from the Secretariat as well as adjustments to the self-assessment checklist for the consideration of the second cycle.

## **Interview with Mark Lugton, Detective Constable, Operations, UK Overseas Anti-Corruption Unit**

23 July 2015



***What is the role of the [City of London Police \(CoLP\)](#) regarding corruption and laundering of proceeds of corruption?***

Until 29 May 2015, the CoLP had responsibility for investigating all international bribery and corruption offences committed by UK nationals and companies abroad – focusing specifically on countries that received international foreign aid from DFID ([UK Department for International Development](#)).

It also investigated any foreign national or company who committed offences against the [Bribery Act of 2010](#), which had a nexus to the UK. Investigations were conducted by the [Overseas Anti-Corruption Unit](#) (OACU), which was wholly funded by DFID along with the Metropolitan Police Proceeds of Crime Act (POCA) Unit), whose responsibility is to look at PEPs.

The [National Crime Agency](#) (NCA) has now taken on these responsibilities, but the OACU

will continue to be funded to deal with all existing investigations and to assist the NCA investigators in the early stages of transition with their new investigations.

***What is the aim of the [European Cross-Border Bribery Task Force](#) and which organisations are involved?***

The European Cross Border Bribery Taskforce (ECBT) is an EU-funded project designed to bring together European law enforcement agencies with remits to investigate and prosecute cross-border bribery and corruption.

The City of London Police is leading the project, working with partners from Denmark, France and Slovenia to bring together their expertise in tackling cross-border bribery and corruption. The aim is for all member states, as well as other interested states outside of the EU, to join the task force and work together in the fight against corruption. The main objectives of the ECBT are to:

- Strengthen and consolidate law enforcement cooperative networks within the EU in relation to cross-border bribery matters
- Encourage information sharing within the EU in relation to cross-border bribery matters and related contemporary practices and case studies
- Improve knowledge of the EU agencies' legal, jurisdictional and operational parameters
- Use the existence of an EU cross-border bribery taskforce as an avenue of engagement with other relevant stakeholders
- Encourage greater engagement in [Eurojust's](#) Joint Investigative Team (JIT) arrangements

***Is the level of international cooperation in enforcement against cross-border bribery adequate? Increasing?***

In my experience international cooperation is increasing and will continue to increase. The OACU and indeed the Economic Crime Directorate of the City of London Police have always sought to work closely with international colleagues. As economic crime is not restricted by borders criminals will often seek to use many different jurisdictions to hide or disguise their criminality. Therefore it has always been a priority for UK law enforcement to reach out to the relevant jurisdictions in order to investigate and convict individuals or organisations involved in criminality.

Through this cooperation we are able to share information and intelligence that enables each jurisdiction to deal efficiently with any matters crossing their borders. As such, the OACU have had several joint investigations with colleagues within Europe. This is facilitated through [Europol](#), which allows European law enforcement to meet and discuss investigations with a view to setting up joint investigation teams. The advantage of these teams is the free flow of material, both intelligence and evidence, without the need for Letters of Request. This makes a huge difference to investigations, and without this cooperation many investigations could fail or at best would be substantially delayed.

The challenge for the future will be trying to get that same level of cooperation in some of the more difficult regions of the world, where bribery and corruption are more deeply rooted. This is where the work of civil society groups is so important as they continue to expose and highlight corruption to the world. This, combined with foreign aid and training within those countries, will eventually pay dividends, but the world's expectations will have to be managed, as it will not be a quick or painless process. It is absolutely vital therefore that the rest of the world tackles corruption at home. By doing so they will eventually stop companies being prepared to take the risk, and therefore restrict the opportunities in the country of receiving any money.

***What are your views on public registers of beneficial ownership? Would this help your work? If so, how?***

This is an excellent idea and has been lobbied for by law enforcement for some time. Clearly not being able to trace the real owner of a company is open to abuse, not only for bribery and corruption but also for other fraud offences. The idea that in this global market individuals can hide behind companies is no longer acceptable. This will obviously make the work of law enforcement that little bit easier at least within the UK and will provide a further hurdle for the criminal elements within business to jump over.

***How can people in companies engaging in cross-border bribery be moved away from regarding it as a necessary part of doing business?***

In these times of global recession, the pressure is even greater on companies and individuals to perform and deliver, which if internal governance procedures are weak or non-existent will bring risks.

Companies and individuals involved in corruption need to be reminded of the consequences of their actions if they become involved in bribery and what the long-term effects could be if they are caught. We need to bring to life the personal ramifications of non-compliance and law breaking, which will affect them and the people closest to them.

I suspect that too many people involved in bribery do not believe that they are breaking the law; they see it as something you have to do in certain regions in order to win or keep the business. I'm not convinced that people involved in this type of offence ever think of the potential victims in the country. If they do think of them, they would be able to rationalise it to themselves by thinking that they are merely providing a product or service that is required – indeed they might even provide the best. Therefore it is extremely important that we:

- **Engage** with these companies or at least put ourselves in a position where we afford them the opportunity to engage with us. This can be done via presentations, forums, conferences, etc.
- **Educate** by showing the OACU's 4 x [ABC Videos](#) to companies and by providing a contact point where people can seek more information or guidance; offering information on our external webpage; and using the [CoLP Training Academy](#), [Economic Crime Academy](#) which provides an extensive range of courses on all

aspects of economic crime, but crucially does bespoke training to fit into a relevant company or sector. We would also like to see a requirement on all companies (both domestic and those who trade internationally) to have a bribery management system to look at their adequate procedures and governance, which if successfully completed would result in the company obtaining a certificate or kite mark, such as the [BS 10500 Anti-Bribery](#). The extent of systems required by companies would be based on each company's risk and would be proportionate to that risk. The ultimate aim would be to easily identify all those companies that take their responsibilities seriously and as such should trade and promote themselves accordingly.

- **Robust enforcement** of the UK Bribery Act, for those individuals who ignore the law. This means not just the big organisations through Deferred Prosecution Agreements (DPAs), but across the range of companies and sectors, by individuals and companies going through the court system and being judged by their peers. We need to reinforce through engagement and education that these decisions are not business decisions, they are criminal decisions, and that if you are involved in this type of offence you will be arrested as a suspect no matter what your position within a company or local community. To put it into perspective, the maximum prison sentence for someone stealing is seven years, while the maximum sentence for bribery is 10 years and/or unlimited fines. So companies in certain quarters should not allow themselves to continue with the attitude that what they are doing is simply a necessary part of business. It's not, it is highly risky and depending on resources could be the catalyst for destroying a company.

#### ***How would you describe the current level of foreign bribery originating in the UK?***

That is very difficult to assess as we only see what comes over our desk for investigation. The very secretive nature of the offence makes it very difficult to penetrate. However, the government has just published a report on this issue, [Insight into awareness and impact of the Bribery Act 2010: Among small and medium sized enterprises \(SMEs\)](#). For the purpose of this report, an SME was a business with fewer than 250 employees and exporting goods and/or services, or considering doing do in the next five years.

It found that only four out of 10 SMEs surveyed said they had put anti-bribery procedures in place and only a third had apparently risk-assessed the likelihood of being asked for bribes. Of those aware of the Bribery Act, 75 per cent had not heard of the Ministry of Justice Guidance. Therefore the conclusion can rightly be made that there is still a lot of work to be done around engagement and education at least within the SMEs.

#### ***How do you see the global trend in foreign bribery enforcement?***

The OACU has done a great deal of work over the years through the initiatives of ECBT and the International Foreign Bribery Taskforce (IFBT), both of which are designed to strengthen and consolidate existing cooperation between the members in relation to foreign bribery, as well as to further develop information sharing and engagement with other

relevant bodies.

In 2014, the government ordered a review of the [UK Anti-corruption Plan](#), and one of the key actions was that the NCA would form a new central bribery and corruption unit by bringing together resources from the NCA and the DFID-funded units (Metropolitan Police PEPs Unit and the City of London Police, OACU). In May 2015, the NCA took over that responsibility, and the new unit is called the International Corruption Unit (ICU). It will also establish a national multi-agency intelligence team focusing on serious domestic and international bribery and corruption.

Therefore, I see the UK's approach being even more coordinated with the formation of the ICU, which should make it easier for international law enforcement in terms of engagement and liaison. It should also be easier to form a greater understanding of the problem within the UK through intelligence and reporting. This in turn will make it more efficient to identify sectors or companies that need to be targeted either through engagement, education, or by enforcement.

High profile news reports such as bribery and corruption within FIFA have brought the whole subject back into the limelight. Although there had been many rumours around FIFA over the years no one had tackled the issues until the recent [FBI](#) action. This highlights the continuing change in attitudes towards these types of offence and the willingness of law enforcement globally to tackle these crimes in a cross-border manner, utilising the resources and cooperation of local law enforcement.

So my message to those involved in these types of offences or unaware of the changes in legislation is simple; don't wait for a whistleblower to expose lack of procedures or checks and balances within your company or for police to conduct a dawn raid on your premises for. Instead companies should take the lead and:

- Understand the relevant legislation and seek advice if uncertain
- Identify the risks relevant to their organisation
- Take proportionate action to protect themselves with meaningful management and governance systems
- Ensure senior management communicates beliefs and standards on anti-corruption throughout their organisation no matter how big or small
- Ensure that they monitor and review the risks and their response to them

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## Coalition updates

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### UNCAC review reports

Since December 2014, the following UNCAC review reports have been released:

- **Executive summaries:** Bahrain, Cook Island, Egypt, FYR Macedonia, Ireland, Israel, Kiribati, Liechtenstein, Madagascar, Marshall Islands, Qatar, Slovenia, Sri Lanka, Tunisia
- **Full country reports:** Armenia, Bolivia, Italy, Liechtenstein, Luxembourg, Nigeria, Russia
- **Civil society reports:** Haiti, Poland, Tunisia

Official country reports are available on both the UNODC website [here](#) and on the UNCAC Coalition website [here](#). Civil society reports can be [viewed on the UNCAC Coalition website here](#).

### Coalition Coordination Committee election results

Following elections ending on 15 April 2015, the UNCAC Coalition Coordination Committee welcomed five new members:

<b>International</b>	Christine Clough, <i>Global Financial Integrity</i>
<b>Asia-Pacific</b>	KM Loi, <i>TI Malaysia</i>
<b>Europe</b>	Grzegorz Makowski, <i>Stefan Batory Foundation</i>
<b>Middle East &amp; North Africa</b>	Achref Auoadi, <i>I WATCH</i>
<b>Sub-Saharan Africa</b>	Gladwell Otieno, <i>AfriCOG</i>

A warm thank you to the outgoing members of the Coordination Committee for their dedicated service. Those are TAN Philippines (Vincent Lazatin), Transparency International-Macedonia (Slagjana Taseva), Transparency Maroc (Saad Filali Meknassi) and Zero Corruption Coalition (Auwal Musa). Each of them served two terms. Slagjana Taseva and Vincent Lazatin were respectively the Coalition's first and second Chairs and provided outstanding leadership during their terms.

## UNCAC Coalition Coordination Committee elects Chair and Vice-Chairs

The UNCAC Coalition Coordination Committee met on 5 June and agreed on the following appointments of Chair and Vice Chair:

*Chair:* Manzoor Hasan (continuing)

*Vice Chair:* Christine Clough (continuing)

*Vice Chair:* David Banisar (continuing)

*Vice Chair:* KM Loi (new)

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## New Anti-Corruption Resources and Events

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### IACC Registration

The 16<sup>th</sup> International Anti-Corruption Conference will take place this year in Putrajaya Malaysia on 2-4 September. Registration for the Conference closes on August 14. The Conference will be jointly hosted by the Government of Malaysia, the Malaysian Anti-Corruption Commission ([MACC](#)), the Malaysian Society for Transparency and Integrity ([TI Malaysia](#)), and the Transparency International Secretariat.



The theme of the conference is *Ending Impunity: People. Integrity. Action.* The organisers welcome 800 participants from around the world for plenary debates and workshops to discuss what we can do to end impunity for corruption.

## ProfessorUNCAC Blog



[ProfessorUNCAC](#) is a new anti-corruption blog space initiated by lawyer and anti-corruption expert [Keith Henderson](#). An UNCAC Coalition member, Keith has been teaching students and professionals about curbing corruption for almost two decades and in over 50 countries. The new blog aims to feature content from experts around the globe and to explore a range of UNCAC-related topics. One of the main ideas behind the new site is to help promote UNCAC awareness, understanding and coalition-building among key stakeholders, with a keen eye on the human rights, business, education, research and anti-corruption communities, among others. Learn more about the scope and potential of the UN Convention against Corruption (UNCAC) and how it relates to a variety of issue areas such as development, governance, gender, security, climate change, and much more!

## GOPAC Newsletter – June 2015 [edition](#)

The latest edition of the GOPAC newsletter includes a Global Conference update, introduces new chapters, and outlines events in Austria, Fiji, Serbia & Tonga.



## CIVICUS – State of Civil Society Report [2015](#)



CIVICUS' recently released report offers a comprehensive picture of civil society and the conditions it works in around the world. The 2015 report draws from a series of inputs contributed by members of the CIVICUS alliance, including thematic inputs from civil society leaders and experts, a survey of national level civil society networks, and interviews with people close to the key civil society stories of the day. This year's report has focuses on the resourcing of civil society.

## UNCAC Coalition website thematic pages on access to information and whistleblowing

The UNCAC Coalition website features two new thematic pages on:

- **The right of access to information and the UNCAC:** <http://www.uncaccoalition.org/en/learn-more/access-to-information>
- **Whistleblowing and the UNCAC: Protecting people who report corruption:** <http://www.uncaccoalition.org/en/learn-more/whistleblowing>



## Statements to the 4th UNCAC Implementation Review Group Briefing for NGOs



The UNCAC Coalition website contains a collection of documents from the 4th UNCAC Implementation Review Group Briefing for NGOs in Vienna on 4 June. This includes the [UNCAC Coalition statement “Making UNCAC Work”](#) (available in Arabic, Chinese, English, French, Russian and Spanish), which outlines the UNCAC Coalition’s proposals for the upcoming COSP in St. Petersburg. You can also find the [Transparency International statement](#), as well as the agenda and panel presentations from the briefing, and more.

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## Calendar

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

<b>31 August – 4 September 2015</b>	UNCAC Working Groups on Prevention and Asset Recovery, Vienna, Austria
<b>2-4 September, 2015</b>	16 <sup>th</sup> International Anti-Corruption Conference (IACC), Putrajaya, Malaysia
<b>2-3 November, 2015</b>	4 <sup>th</sup> session of the Open-ended Intergovernmental Expert Meeting on International Cooperation, St Petersburg, Russia
<b>3-4 November, 2015</b>	Resumed 6 <sup>th</sup> session of the Implementation Review Group, St Petersburg, Russia
<b>2-6 November, 2015</b>	Sixth session of the Conference of the States Parties to the United Nations Convention against Corruption, St Petersburg, Russia
<b>9 December 2015</b>	International Anti-Corruption Day

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## Member in the Spotlight

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### Socio-Economic Rights and Accountability Project (SERAP)



**Membership Type:** National

**Website:** [www.serap-nigeria.org](http://www.serap-nigeria.org)

**Email:** [info@serap-nigeria.org](mailto:info@serap-nigeria.org)

**Telephone:** +2348160537202

**Full Address:** No.4 Akintoye Shogunle Street, Off John Olugbo Street, P.O. Box 14037 Ikeja, Lagos, Nigeria

**Region:** Sub-Saharan Africa

**Organisation Contact Name:** Sunday Olowoyo (Admin Officer) and Mrs. Ugochi Okpe (Staff Attorney)

#### Organisation Mission

Commensurate with its name (Socio-Economic Rights and Accountability Project) and its expertise SERAP focuses specifically on economic and social rights in Nigeria and on anti-corruption work, addressing all four areas where change is needed:

We are dedicated to promoting transparency and accountability in the use of Nigeria's natural resources. We believe that Nigeria's large natural resource base should be used to meet the basic needs of its population. We are committed to increasing the legal protection for internationally recognized economic, social and cultural rights, and to securing respect for these rights.

The organization aims to use human rights law to encourage the Nigerian government and others to address developmental and human rights challenges such as corruption, poverty, inequality and discrimination

#### How is your organisation involved in the Coalition?

Among others, through proactive and reactive work in Nigeria on the areas covered by the UN Convention against Corruption; sharing information among Coalition members about SERAP work and other relevant documents for the fight against corruption; working and partnering with members of the Coalition; and participation in the meetings and conferences sponsored or supported by the Coalition.

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

The area of Asset Recovery and the process of progressive development of international accountability of states for corruption.

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

Most of SERAP's work relates either directly or indirectly to the substantive scope of UNCAC. To that extent, SERAP has been very much involved in UNCAC-related activities. These activities include:

**SERAP v Nigeria:** Following discovery of massive and systemic corruption by public officials, SERAP petitioned the International Criminal Court's Prosecutor in The Hague in 2008 asking him to use "his position and powers to examine and investigate whether the systemic/grand corruption in Nigeria amounts to a crime against humanity within the jurisdiction of the ICC, and to prevail on the Nigerian government to fulfil its obligations to effectively and fairly investigate and prosecute all allegations of grand corruption since 1985". The petition was widely covered in the media. The petition is still pending before the ICC.

**SERAP v Nigeria:** Following the discovery that \$16 billion budgeted for supply of electricity to millions of Nigerians was stolen or mismanaged, SERAP in 2009 sued the government in court "over the failure to effectively tackle corruption in the power sector, which has resulted in the theft of \$16b meant for the power projects, and the denial of access to reliable and uninterrupted electricity services for majority of Nigerians," arguing that "without access to improved quality and quantity of electricity services, Nigeria cannot achieve the Millennium Development Goals (MDGs), including eradicating extreme poverty and hunger; achieving universal primary education; reducing child mortality; combating HIV/AIDS, malaria, and other diseases." The case is pending before the court.

**SERAP v Nigeria:** This suit filed in 2011 before the Federal High Court in Ikeja alleged the "failure of the government to release information and documents on the spending of recovered stolen funds." In the case, SERAP argued that "the disclosure of the information requested will give the general public a true picture and a clear understanding of how the spending of recovered public stolen funds have impacted on the lives of the poor and indigent and other disadvantaged Nigerians."

SERAP has successfully obtained the court's permission to sue for the release of documents on the spending of recovered stolen funds since the return of civilian rule in 1999. The order has now cleared the way for SERAP to advance its case against the government. The order for leave for an order of mandamus was granted against the Accountant-General of the Federation, Jonah Otunla, and the Attorney-General of the Federation, Mohammed Adoke. The case, which is seeking several declaratory reliefs, is still pending in court.

Prof. Dr. Peter Eigen, founder of Transparency International hailed SERAP for instituting the case and for obtaining the court's order when he wrote: "Excellent work, SERAP! Please keep me informed of further development in the case."

**Training magistrates and support staff on anti-corruption laws and standards:** Another core area of our work is to improve the justice delivery system in the country in terms of it being corruption-free and accessible to the citizens. For example, with the support of the Royal Netherlands Embassy in Abuja, SERAP successfully carried out anti-corruption and

ethics training and sensitisation seminars for 200 magistrates and support staff in Lagos State. SERAP has also researched, drafted and produced a 14-point programme for promoting ethics and integrity at magistrates' courts level. This publication has been widely distributed among magistrates and support staff in Lagos State, and among the general public.

Another element of our magistrate court anti-corruption project is a media roundtable where lawyers, judges, parliamentarians, civil society leaders and other stakeholders discuss problem of corruption in the justice delivery system and propose strategies for addressing the problem.

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

- Reforming of anticorruption institutions and agencies
- Ending impunity for large-scale corruption especially encouraging the new government in Nigeria to prosecute outstanding cases of corruption
- Asset recovery, including repatriation of stolen assets and promoting the transparent and accountable use of recovered assets
- Education and capacity building for government ministries and agencies on UNCAC and other relevant anticorruption treaties and standards
- International accountability for corruption including the establishment of the International Anticorruption Corruption Court.
- Addressing private sector corruption especially those involving multinational cooperation

Effective remedies for victims of corruption

#### **Quote:**

“Recognising the unexplored potential of international human rights law for increasing transparency, accountability, and protection of economic and social rights in Nigeria”

#### **Social Links:**

[Facebook](#)

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## Photos from the IRG

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*4<sup>th</sup> UNCAC IRG Briefing for NGOs at UN Vienna*



*Angelica Maytin Justiniani speaking at the 4<sup>th</sup> UNCAC IRG Briefing for NGOs*



*Rose Gill Hearn (Bloomberg Associates) presenting at a panel discussion on tackling money laundering at the 4<sup>th</sup> UNCAC IRG Briefing for NGOs with Nick Maxwell (TI-UK)*



*Panel discussion on the UNCAC Review Mechanism at the 4<sup>th</sup> UNCAC IRG Briefing for NGOs with Gillian Dell and Manzoor Hasan*



*Judge Mark Wolff speaking at a panel discussion on special measures against grand corruption at the 4<sup>th</sup> UNCAC IRG Briefing for NGOs*



*UNCAC Coalition co-vice chair David Banisar (Article 19) speaking at the 4<sup>th</sup> UNCAC IRG Briefing for NGOs*

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This UNCAC Coalition Newsletter was produced by Gillian Dell and Karl Sorri of the Transparency International Secretariat Conventions Unit, which acts as secretariat to the UNCAC Coalition. It was produced with the assistance of consultants Rebecca Dobson (text editor) and Kai Chan (web developer).

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