

# THE OBSERVER

NEWS AND VIEWS FROM ORGANISATIONS IN THE CIVIL SOCIETY COALITION OBSERVING THE UNCAC COSP8



Photo: Eugenio Mazzino - Unsplash

## REVIEW UNDER REVIEW

*By David Banisar, Chair and Mathias Huter, Hub Coordinator - UNCAC Coalition*

10 years ago, the UNCAC implementation review mechanism was introduced. With the end of the delayed second review cycle approaching, it is high time to discuss how to improve the review process:

Currently, civil society is not fully recognised in the process and in practice, as is enshrined in Article 13 of the Convention. While it has been reported that there has been a high level of engagement with CSOs in national reviews, many UNCAC Coalition member organisations on the ground report a much less satisfactory level of engagement. It is time to move beyond the Marrakesh compromises and engage CSOs fully in both the national review process and CoSP subsidiary bodies, including the IRG. CSOs should not be seen just as pretty faces, but as key partners.

The review process is too limited. While the self-assessment and peer reviews produce detailed analysis and recommendations – which too often are not made public, there are no mechanisms for follow-up to the recommendations in order to evaluate if they have been adopted – or if other measures to fight corruption have been taken.

To make the Review Process more effective:

We ask UNODC and the IRG to prepare a proposal to continue the UNCAC review process beyond the second review cycle, with an evaluation of the review process so far, and proposals to improve it.

Importantly, the review process in the future should be provided with adequate resources, ensure the inclusion and participation of civil society and include a mandatory follow-up pro-

## REVIEW UNDER REVIEW (Continued from Page 1)

cess on the recommendations that were issued in previous cycles. The proposal on how to improve the review process should be discussed at the UNGASS and approved at the 9th CoSP.

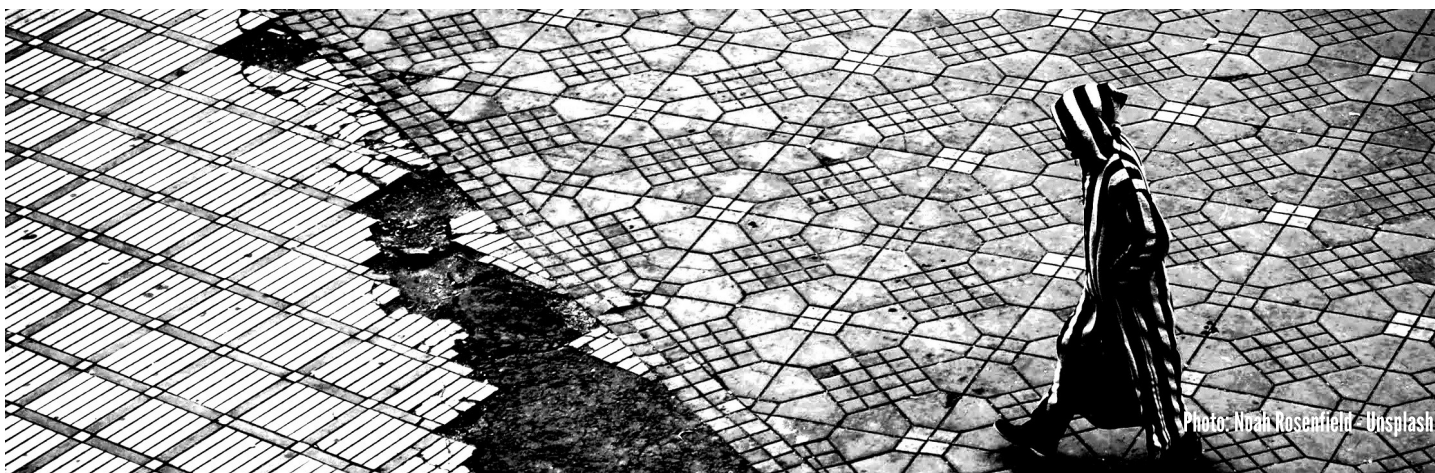
For any future processes, we suggest a multi-stakeholder model that brings together states, NGOs, academia and private sector to co-develop action plans to fight corruption. This would vastly expand stakeholder engagement and support. This model is already being effectively used by the Extractive Industries, Transparency Initiative (EITI), the Construction Transparency Initiative (CoST), the Open Government Partnership (OGP), and many others in over 100 countries collectively around the world.

Documents of the review process should be freely shared and constructive submissions to the process should be considered and incorpo-

rated into country reviews and recommendations.

NGOs should be allowed to be observers in the IRG processes, with the opportunity to intervene as appropriate.

19 governments have already signed the Transparency Pledge, voluntarily committing to six principles of transparency in the review process. They committed to publishing updated individual country review timetables and contact information of focal points, to publishing key review documents including the self-assessment checklist and full country reports, and organise organising country visits with the participation of civil society. We hope many other governments follow this lead and sign the Pledge, showing that they are committed to transparency and inclusion in the review process.



## SHRINKING CIVIC SPACE IN ARAB COUNTRIES

The story of Stevan Dojčinović, the Serbian journalist detained and deported yesterday upon arrival here in the UAE, is barely news to those of us living in this part of the world. Sadly, this has become the reality of many civil society activists, journalists and ordinary citizens determined to fight corruption and strive for a better future in the Arab region.

Corruption is thriving in the region, and corrupt officials and politicians are living in full impunity. Governments, on other hand, are making empty promises without any

accountability or real will to carry out serious anti-corruption reforms. Much worse, authoritarian and oppressive governments in the region are suppressing those who are fighting against corruption and defending human rights. Speaking truth to power is very costly here.

Political violence, mass arrests, shutting down CSOs, travel bans, kidnapping, censorship, surveillance, draconian laws, and crackdown on civil liberties, free speech and press are the norm. According to CIVICUS, not a single Arab country has an open or even narrowed state of civic space. Six of those are at the top ten most corrupt countries in the world at Transparency International's Corruption Perceptions Index. The crisis is real.

# ANTI-MONEY LAUNDERING IN MENA COUNTRIES



By Salim AL Armali, Jordan Transparency Center

Since 2012, Regulatory Bodies within MENA countries have been tightening their grip on banks to alleviate money laundering and terrorist financing risks. They have now imposed Anti-Money Laundering (AML) and Combating Terrorism Financing (CTF) measures on new sectors such as insurance, stock exchange, exchange companies and many more.

One of the primary reasons that has driven regulators to expand the scope of AML/CTF measures is the ranking of their respective countries on the Basel AML index. The low score of individual countries on the Basel AML Index, and on other indices e.g. the Corruption Perception Index have negatively contributed to their Country Risk, and thus, minimized their capabilities to obtain financing from the international community. The Basel AML Index is an interactive country ranking and risk assessment tool to address money laundering and terrorist financing. It is a composite risk index based on 15 publicly available sources

such as the Financial Action Task Force (FATF), Transparency International, the World Bank and the World Economic Forum. The AML index covers five key areas. These are quality of anti-money laundering frameworks (65%), corruption and bribery risks (10%), financial transparency and standards (15%), public transparency and accountability (5%) and political and legal risks (5%).

Since its inception in 2012, certain MENA countries have managed to improve their AML/TF risk ratios while, unfortunately others, have worsened. The increased risk ratios in those countries have been mostly attributable to political, economic and social instability.

The lowest performance was of three MENA countries in 2015, Lebanon, Yemen, Algiers (Yemen, Algiers and Morocco in 2019), while the highest performance countries in 2015 are Tunisia, Egypt and Jordan (Egypt, Jordan and Qatar in 2019).

The described case shows the relevance of using a combination of corruption measurement tools. These indices can offer an incentive for regulators to improve implementation of measures to prevent money laundering and financing of terrorism. Once at the implementation level of UNCAC preventive measures, measures such as increased access to information and further transparency in financial and beneficial ownership can also offer concrete steps to prevent illicit flows of money such as money laundering and financing terrorism.

For further info on the Basel AML Index go to: <https://www.baselgovernance.org/baselaml-index>

## SOME OF YOUR ANTI CORRUPTION WISHES

“I will not take what is not mine, or more than I deserve. I will only earn what I was contracted for”

“Keep going! More respect for truth and journalists”

“To end impunity”

“I wish that our resources can be used well to meet sustainable development goals”

“I wish is for my country, Namibia, to adopt a law on access to Information”

“Defend civic space, we need civil society to fight corruption”



“Expedite the prosecution of corruption cases”

“Take more corrupt to court”

“I want leaders without vested interests”

“I wish all assets and financial gain obtained illegally must be recovered”

## SHRINKING CIVIC SPACE IN ARAB COUNTRIES (Continued from Page 2)

As we convene here under the big banner of “United against Corruption”, one cannot help but wonder how governments in the region intend to fight corruption while escalating their crackdown on civic space and restricting any attempt of accountability. Article 13 of the UNCAC 13 requires that each State Party promotes the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organisations and community-based organisations, in the prevention of and the fight against corruption.

This is not a kind invitation or an earned privilege. It is a necessity, and an urgent one. Civic space and participation is the foundation of any democratic society

where citizens and civil society can organise, participate and express their views without any fear. This is vital for promoting transparency and accountability as well as fighting corruption.

It’s time for governments in the region to fulfil their obligations under the UNCAC, and other international treaties, to promote and protect active engagement with civil society, safeguard human rights and allow citizens to monitor and hold their governments accountable without fear of retaliation.

For the [full statement](#) on the state of civil society in the MENA region, go to <https://uncaccoalition.org/cosp8-statement-on-shrinking-civic-space-in-arab-countries/>

# BOWLING AGAINST CORRUPTION



Each bowling pin you knock down can earn you an anti corruption victory: smash barriers to recover frozen assets, open spaces for participation, liberate data on beneficial ownership. If you succeed, you get some chocolate coins! Come by the UNCAC Coalition Bowling Lane near the NGO Lounge

## EVENTS

WHEN	TITLE	WHERE
20 DEC 09.00	TECHNOLOGY DRIVEN APPROACHES TO FACILITATE PUBLIC ACCESS TO INFORMATION. Speakers from the Slovak Republic, Public and Private Development Centre, Nigeria, Open Corporates, UK and the Indonesian Anti Corruption Commission. Moderated by Article 19	CR 6

### THE OBSERVER



The Observer is a publication by the UNCAC Coalition, a global network of over 300 civil society organisations in over 100 countries, committed to promoting the ratification, implementation and monitoring of the UN Convention against Corruption (UNCAC).

Established in August 2006, the Coalition mobilises civil society action for UNCAC at international, regional and national levels.

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You can find the UNCAC Coalition team at the NGO Lounge during the COSP8

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