

Joint Project IACA – UNODC

Providing Specialized Training on Anti-Corruption Legislation to Least Developed Countries to Fast-Track UNCAC Implementation

Duration	1 Year
Starting Date	Preferably 1 st quarter of 2020
Location	Laxenburg, Austria
Budget	EUR 510,000.-

Introduction

Tackling corruption is vital for sustaining economic growth, maintaining security of society, protecting human rights, reducing poverty, protecting the environment for future generations and addressing serious and organized crime. SDG 16.5 requires States to substantially reduce corruption and bribery in all their forms by 2030 in order to achieve peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

Out of the 186 UNCAC States parties, 45 are currently categorized as Least Developed Countries (LDCs). The UNCAC review mechanism has shown that the capacity of these countries to address corruption is often in stark contrast to their desire to find effective means to address the gaps in their anti-corruption regimes. The outflow of illegally acquired assets deprives these countries of resources vital for stable and sustainable development, including for basic public services such as food, housing, healthcare, education or infrastructure. This, in turn, can lead to economic instability as well as rising inequality and obstacles to social inclusion, with the most disproportionately affected being disadvantaged groups, such as women, children and the poor.

Training on legislative drafting to accelerate UNCAC implementation

Focus on Least Developed countries

Providing LDCs, through hands-on training, with the skills to effectively combat corruption is essential for ensuring that they are in a position to stop the outflow of assets including natural resources as well as prevent further illicit financial flows, and, in the long run, stabilise their economies in order to decrease reliance on aid, increase trade and attract foreign investment.

Solid legislation and institutional frameworks are the very basis of any anti-corruption regime and must be accompanied by effective and efficient law enforcement. Mechanisms of international cooperation must be available to address cross-border corruption offences. Data on the criminalization of corruption offences, on law enforcement and on instruments for international cooperation is available for 39 LDCs from the first cycle of the UNCAC review mechanism: The 39 LDCs for which the review has been finalized have been issued over 2000 recommendations for improving their domestic systems for criminalization and international cooperation so as to comply with the provisions of UNCAC.

Based on the outcome of the country reviews, LDCs face some common challenges in fighting corruption, starting with the comprehensive criminalization of basic offences such as bribery and money laundering, areas for which about two thirds of the LDCs received recommendations for improvement. 80% of LDCs had implementation gaps when it came to prosecution, adjudication and sanctioning and 87% received recommendations regarding the

freezing, seizing and confiscation of assets. A total of 350 implementation gaps were identified in 38 out of the 39 LDCs with regard to the provision of mutual legal assistance.

Given these common challenges and legal and institutional gaps, there is an opportunity to address some of these challenges through the provision of joint training courses and capacity building workshops. Through bringing the technical and policy experts from LDCs together, solutions could be developed and implemented for a larger pool of countries, peer exchange and learning would be encouraged, and south-south partnerships could be built and fostered.

Structure of project

The project would consist of one initial workshop to prioritize training and capacity building needs back to back with a legal drafting workshop. The workshops will be conducted at the International Anti-Corruption Academy (IACA) in Laxenburg, with the technical expertise on UNCAC being provided by UNODC. The workshops would address policy makers and members of anti-corruption authorities with which UNODC has established strong working relationships. The primary focus of the workshops will be on priority gaps of criminalization, law enforcement and international cooperation.

The first workshop will consist of a technical discussion to pinpoint exactly what actions would best address the needs identified in the countries, while the subsequent workshops will then focus on specific areas, while splitting the countries into groups according to the similarity of their needs. Depending on the needs, two workshops will be conducted over the course of the year with groups of the LDCs focusing on identified priority areas.

Project outcomes

The outcomes of this project would be:

- States' legal and policy frameworks address corruption risks in line with UNCAC:
- Anti-corruption practitioners and other stakeholders have and apply the capacity to prevent and combat corruption
- Policy-makers, practitioners and other stakeholders use evidence-based knowledge and tools on anti-corruption to inform decision making

Implementation

It is proposed that all activities are carried out by IACA with the substantive support of UNODC for the identification of participants and of technical assistance needs based on the UNCAC reviews, as well as the provision of training as relevant.