

Standards and applications of asset and interest declaration systems: *International standards and best practices from around the world*

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ASSET AND INTEREST DECLARATION IN THE UNCAC

7,4

ART. 7, PARA. 4

Each State Party shall, in accordance with the fundamental principles of its domestic law, endeavor to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.

8,5

ART. 8, PARA. 5

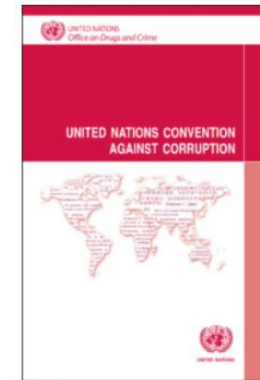
Each State Party shall endeavor, where appropriate and in accordance with the fundamental principles of its domestic law, to establish measures and systems requiring public officials to make declarations to appropriate authorities regarding, inter alia, their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials.

52,
5&6

ART. 52, PARAS. 5 AND 6

Para 5: *Each State Party shall consider establishing, in accordance with its domestic law, effective financial disclosure systems for appropriate public officials and shall provide for appropriate sanctions for non-compliance. Each State Party shall also consider taking such measures as may be necessary to permit its competent authorities to share that information with the competent authorities in other States Parties when necessary to investigate, claim and recover proceeds of offences established in accordance with this Convention.*

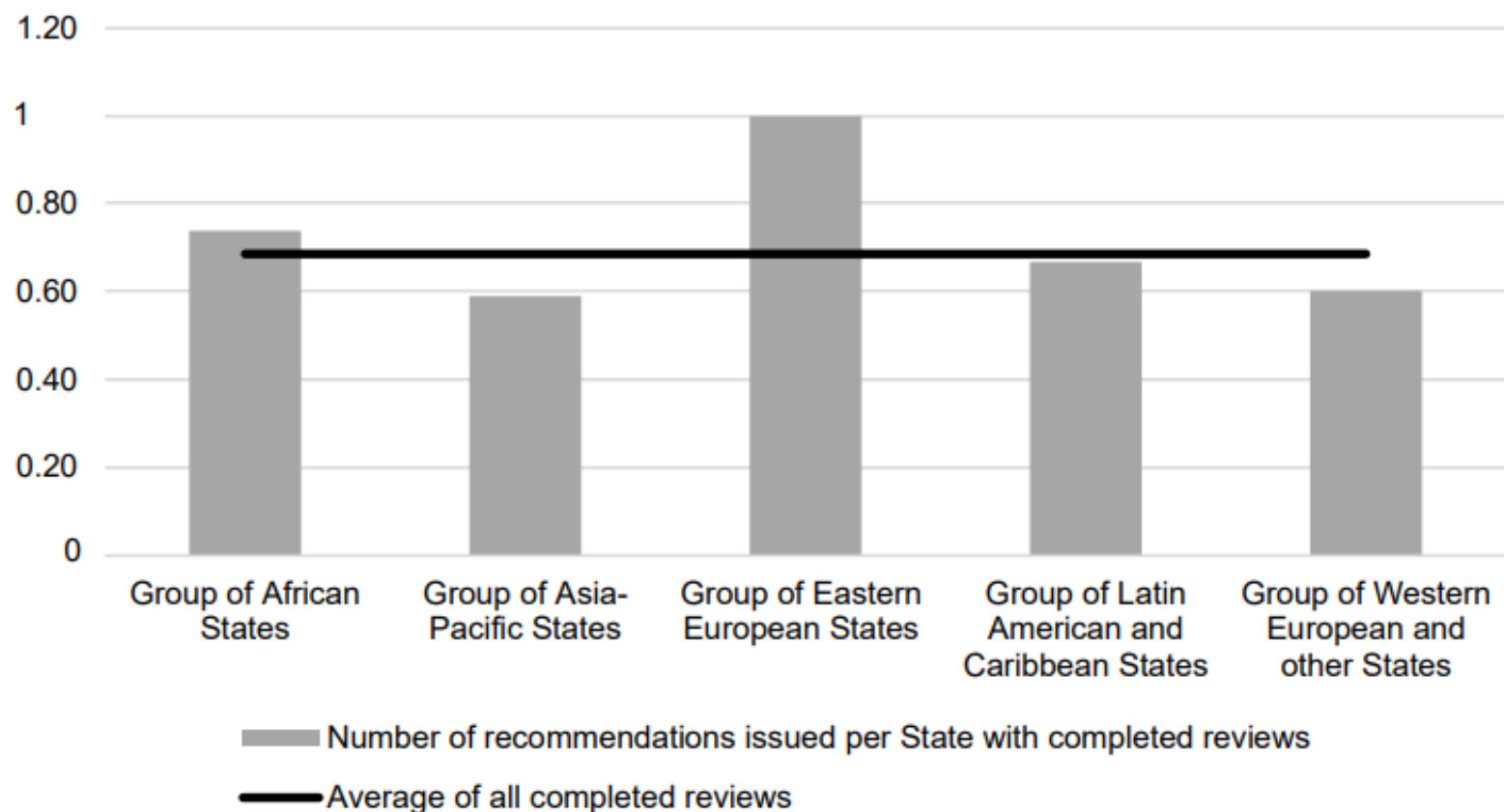
Para 6: *Each State Party shall consider taking such measures as may be necessary, in accordance with its domestic law, to require appropriate public officials having an interest in or signature or other authority over a financial account in a foreign country to report that relationship to appropriate authorities and to maintain appropriate records related to such accounts. Such measures shall also provide for appropriate sanctions for non-compliance.*



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Recommendations issued with regard to the implementation of article 7, paragraph 4, per State with completed reviews, by regional group



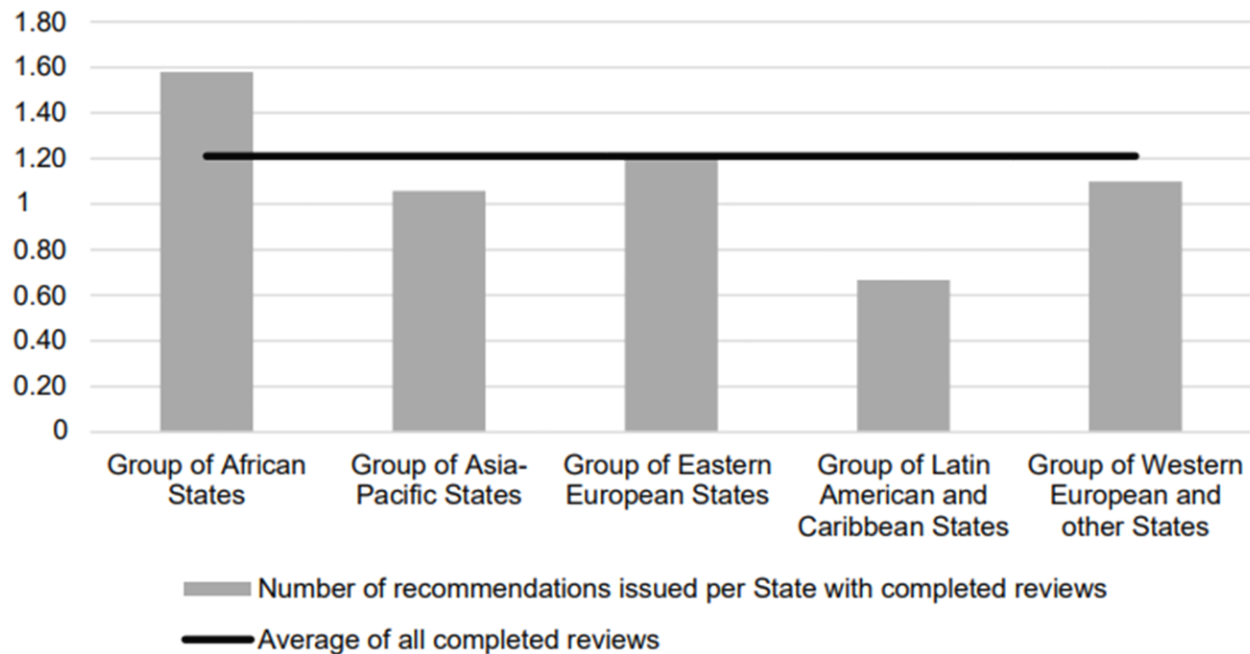
As for article 7, paragraph 4, of the Convention, a total of 39 recommendations were issued to 31 States parties. The broader range of measures that can be implemented by States parties to comply with this provision might explain the lower number of recommendations issued.



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Recommendations issued with regard to the implementation of article 8, paragraph 5, per State with completed reviews, by regional group



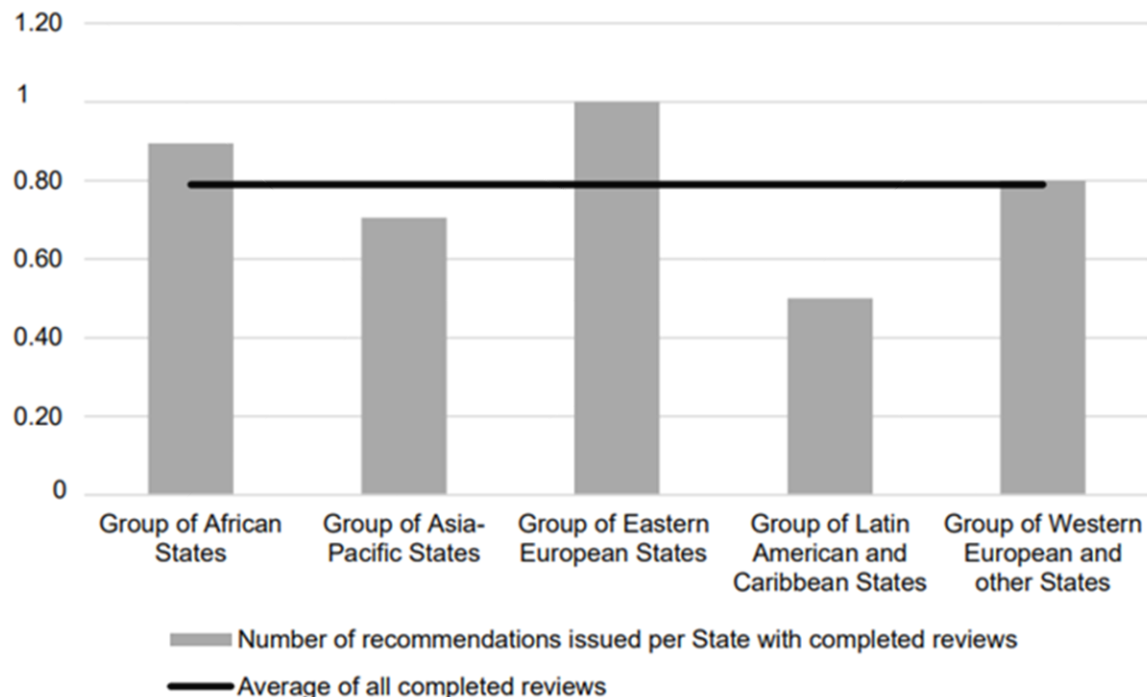
The highest number of recommendations were made in relation to article 8, paragraph 5, of the Convention. However, in comparison with the other articles analysed, a high number of good practices were identified. The majority of States parties analysed (47 out of 57) had received one of more of a total of 69 recommendations relating to this provision.



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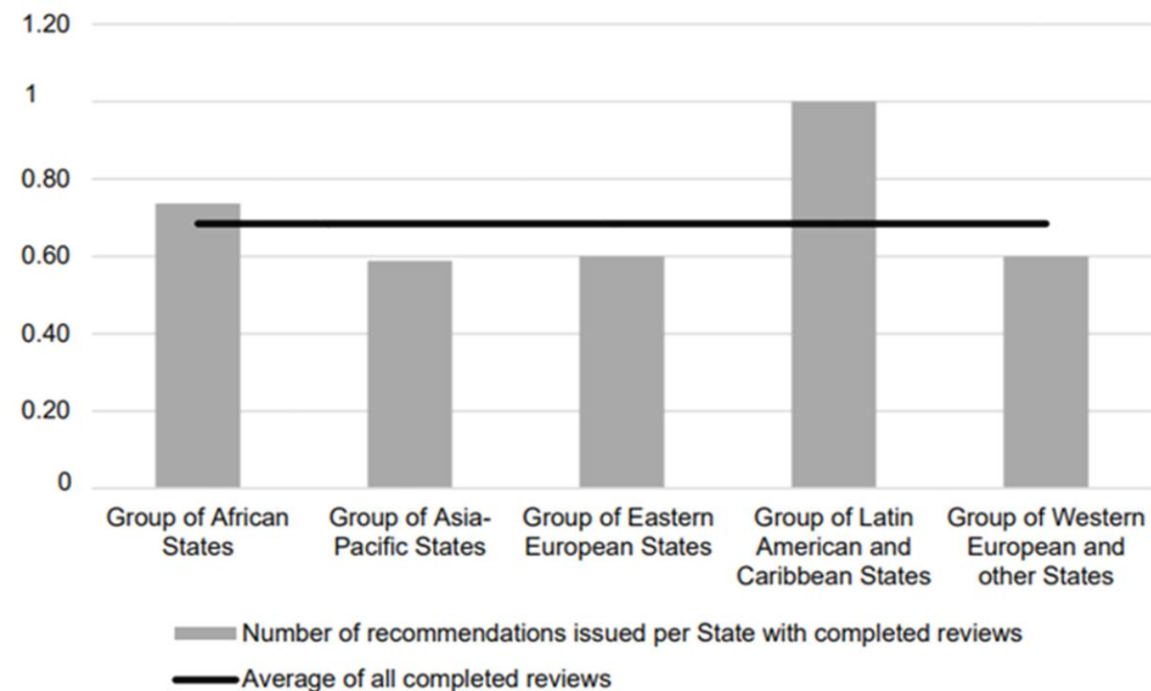
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Recommendations issued with regard to the implementation of article 52, paragraph 5, per State with completed reviews, by regional group



Article 52, paragraphs 5 and 6.

Recommendations issued with regard to the implementation of article 52, paragraph 6, per State with completed reviews, by regional group



“Several States indicated that legislative and other measures were in the process of being implemented at the time of the country visit or had been implemented after the country visit. This confirms the role of the Implementation Review Mechanism as a catalyst for change in fight against corruption”.



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Best practices from African States: South Africa



The financial disclosure requirements of South Africa encompass a comprehensive range of public officials as described under article 52, paragraph 5, of the Convention. The disclosure systems are guided by clearly defined objectives, clear reporting requirements and sanctions for non-compliance. Training and available guidelines have been issued for all but members of the executive.

- Public service employees
- Members of parliament
- Members of the executive



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Best practices from the Asia-Pacific: Thailand



Thailand's legalist system includes the obligation to submit supporting evidence proving the actual existence of assets and liabilities, including evidence of the income tax of a natural person in previous tax years.



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Best practices from Eastern Europe: Armenia



Armenia represent a best practice under Article 8, Paragraph 5 in its establishment a system of interest declaration aimed at preventing and resolving conflicts of interest were commended.

- A dedicated website contains declarations of property and income.



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Best practices from Latin America: Bolivia and Cuba



- The Plurinational State of Bolivia has a process dedicated to the verification of the information contained in the sworn declarations of assets and income and the summaries of the information in the declarations were published on a dedicated website.
- Cuba obliged all public officials to report the origin of the funds when depositing large amounts in bank accounts.
- Both of these are considered best practices under Article 52, paragraph 5.



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Best practices from Western Europe: France



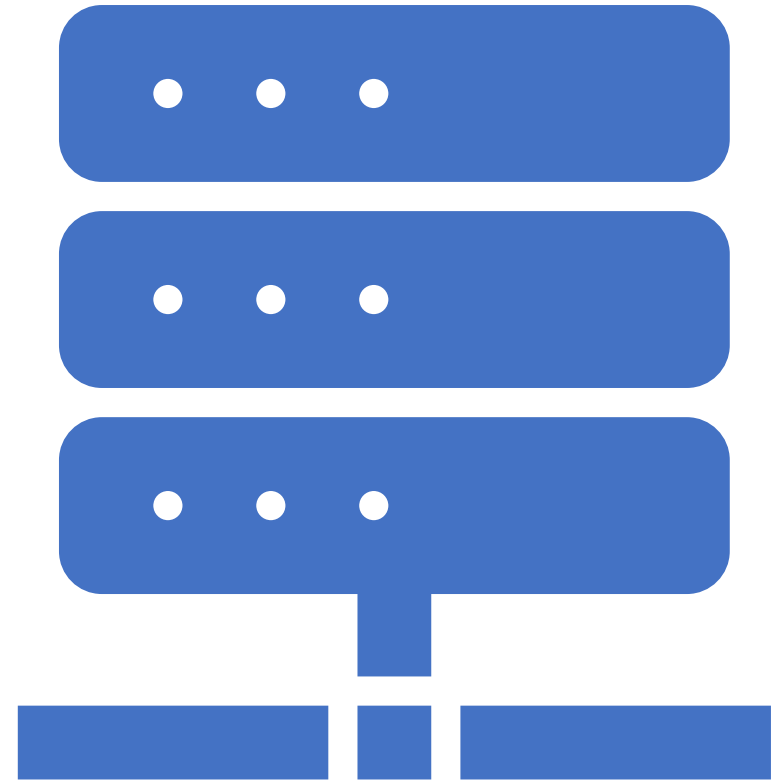
The verification process in France, which was carried out in close cooperation with the tax authorities and using specialized software, was regarded as a good practice.



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So, are these
systems
effective?



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Thank you!