



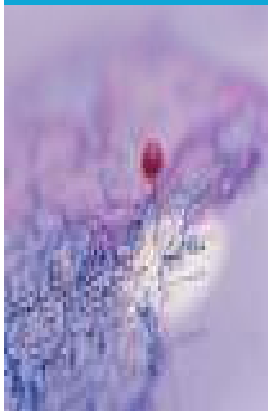
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# The United Nations Convention Against Corruption

## Public Procurement and Public-Private Cooperation

**Shannon Bullock**  
Programme Officer, UNODC



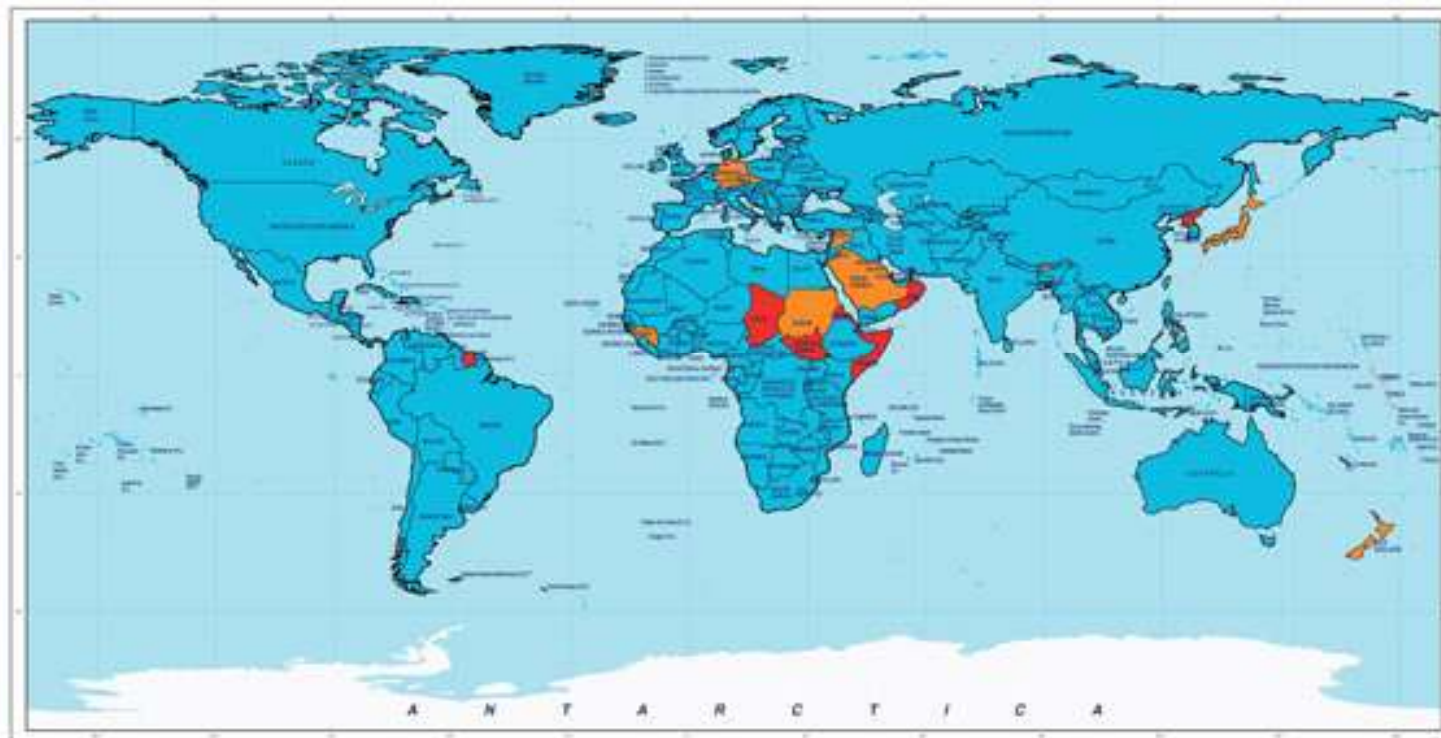


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## Signature and Ratification Status

### UNCAC Signature and Ratification Status as of 24 December 2012



-  States Parties
-  Signatories
-  Countries that have not signed or ratified the UNCAC

**Signatories: 140**  
**States Parties: 165**

Latest accession: Guinea, May 2013 = 167<sup>th</sup> State party



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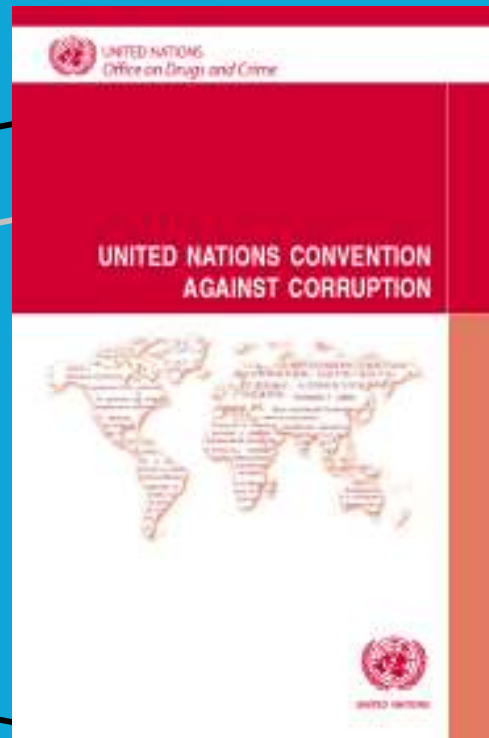
## United Nations Convention against Corruption

*Chapter II  
Preventive  
measures*

*Chapter III  
Criminalization &  
Law Enforcement*

*Chapter V  
Asset Recovery*

*Chapter IV  
International  
Cooperation*

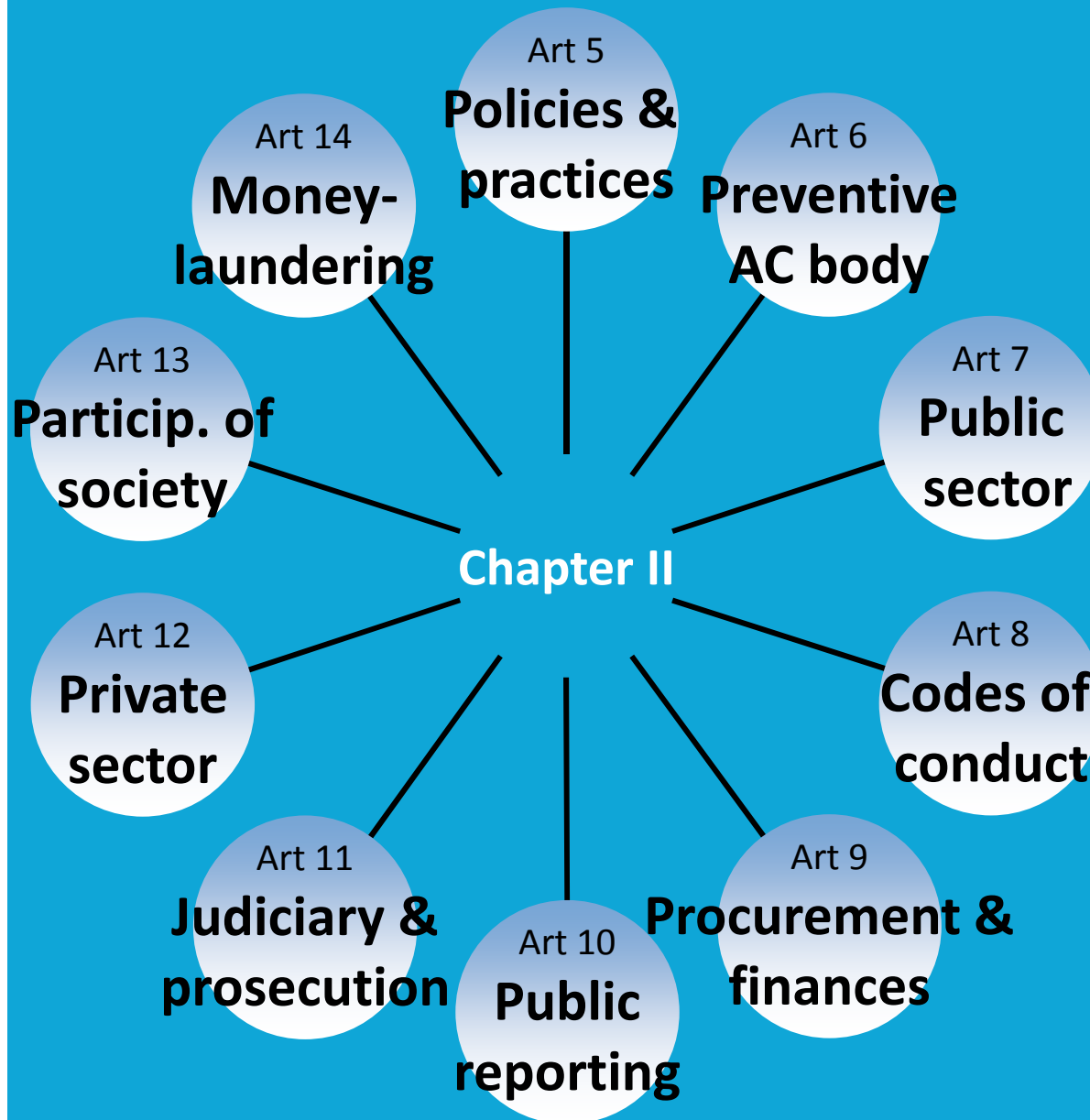




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## Chapter II – Preventive Measures



- 10 articles = entire chapter devoted to prevention
- Interlinked and mutually reinforcing measures
- PUBLIC and PRIVATE sectors addressed
- Key components: enhance **integrity, transparency and accountability**



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# Article 9

## Public Procurement and the Management of Public Finances



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## **Article 9 of UNCAC: Public procurement and management of finances**

1. Establish procurement systems based on transparency, competition and objective criteria.
  - Public distribution of information on procurement procedures and contracts
  - Advanced establishment and publication of conditions of participation
  - Use of objective and predetermined criteria for decisions
  - Effective system of appeal and legal recourse, in event rules are not followed
  - Where appropriate, regulation of personnel, such as through declaration of interest, screening and training



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## **Article 9 of UNCAC: Public procurement and management of finances**

2. Each State Party shall take steps to promote transparency and accountability in the management of public finances, such as:
  - Adoption of national budget
  - Reporting of revenue and expenditure
  - Accounting and auditing standards
  - Systems of risk management and internal control
  - Where appropriate, corrective action for failure to comply



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## **Article 9 of UNCAC: Public procurement and management of finances**

3. Each State Party shall take steps to preserve the integrity of accounting books, records, financial statements, and other documents concerning public expenditure and revenue





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## How to implement article 9?

- UNODC developing checklist for review of Chapter 2 on Prevention in 2015 (internal and external guidance notes).
- UNODC developed new guidebook on global good practices to be launched at CoSP.
- UNCITRAL Model Law, OECD and World Bank guidelines
- Importance of considering related articles 10 (public reporting) and 12 (private sector) and 13 (participation of society)



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# **PUBLIC-PRIVATE PARTNERSHIP ANTI-CORRUPTION IN PUBLIC PROCUREMENT**



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## **UNODC Public Procurement Research in India and Mexico (public and private sectors)**

### **Major Findings:**

- Project design/market research/consultants
- Exceptional circumstances
- Lack of laws versus too many laws
- Laws versus day to day realities
- Challenge decisions/filing complaints
- Need for increased skills development and awareness in public and private sectors



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## **UNODC Resources to be launched at CoSP Panama 24-29 November 2013**

- UNODC/IACA Guidebook on anti-corruption in public procurement and the management of public finances
- UNODC/IACA PACT training (Public Procurement Anti-Corruption Training)
- UNODC/IACA Resource Guide for State Parties on Sanctions and Incentives for Corporate Integrity
- UNODC Anti-corruption Compliance Programmes: A Practical Guide
- UNODC Anti-Corruption in Major Public Events



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