



**UNODC**

United Nations Office on Drugs and Crime



# The United Nations Convention against Corruption and its Implementation Review Mechanism

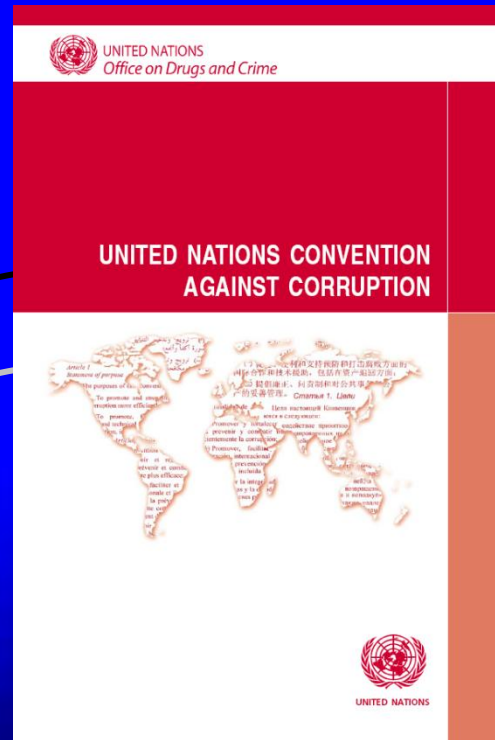
UNODC



## Summary of UNCAC Requirements

**Mandatory requirements**

**“Shall Consider” requirements**



**Optional measures**



## Chapter III: Criminalization and Law Enforcement

### Mandatory Offences

- Bribery of National Public Officials (Art. 15)
- Active Bribery of Foreign Public Officials (Art.16, para.1)
- Embezzlement, Misappropriation or Other Diversion of Property (Art. 17)
- Laundering of proceeds of crime (Art. 23)
- Obstruction of Justice (Art. 25)
- Participation in such offences (Art. 27, para. 1)



### Optional Offences

- Passive Bribery of Foreign Public Officials (Art.16)
- Trading in Influence (Art. 18)
- Abuse of Functions (Art. 19)
- Illicit Enrichment (Art. 20)
- Bribery in Private Sector (Art. 21)
- Embezzlement of Property in Private Sector (Art. 22)
- Concealment (Art. 24)
- Attempt / preparation of UNCAC offences (Art.27, paras. 2-3)



## Chapter IV: International Cooperation

- **International cooperation in investigations and proceedings; dual criminality (Article 43)**
- **Extradition (Article 44)**
- **Mutual legal assistance (Article 46)**



## UNCAC Implementation Review Mechanism

### Self-assessment checklist

**UNCAC**

Start Self-Assessment

**UNTOC**

Start Self-Assessment

Start Self-Assessment  
Trafficking Protocol

Start Self-Assessment  
Smuggling Protocol

Start Self-Assessment  
Firearms Protocol



## Terms of Reference – Main Elements

- Peer review process
- Drawing of lots
- Two cycles of five years
  - First cycle: Chapter III (Criminalization and law enforcement)  
Chapter IV (International cooperation)
  - Second cycle: Chapter II (Preventive measures)  
Chapter V (Asset recovery)
- Desk review of self-assessment reports
- Country visits
- Outcome – Executive Summary and Report
- Role of the Secretariat



Three Weeks: Nomination of Focal Point

Soon After: Secretariat organizes initial teleconference to decide –

- Date of submission of Checklist
- Language(s) of the review
- Division of Labour

Within Two Months: Checklist submitted and translated

Four to Six Weeks: Reviewing experts conduct review (also translated)

Two Weeks: Analysis sent to State and country visit discussed

Six to Eight Weeks: Country Visit and conclusion of report

**FINISH BEFORE JUNE**



## Challenges

- Delays in appointing focal points and experts
- Self-assessment checklist and software
- Language and translation
- Different legal systems
- Report drafting process and executive summaries





# UNODC

United Nations Office on Drugs and Crime

## For further information:

Division for Treaty Affairs

United Nations Office on Drugs and Crime

P.O.Box 500 Vienna

A-1400 Austria

Tel: +43-1-26060-4534

Fax: +43-1-26060-5841



<http://www.unodc.org/unodc/en/treaties/CAC/index.html>

[jason.reichelt@unodc.org](mailto:jason.reichelt@unodc.org)