



# Conference of the States Parties to the United Nations Convention against Corruption

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## Report of the eighth open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption, held in Vienna on 31 May 2019

### I. Introduction

1. In resolution 4/2, entitled “Convening of open-ended intergovernmental expert meetings to enhance international cooperation”, adopted by the Conference of the States Parties to the United Nations Convention against Corruption at its fourth session, held in Marrakech, Morocco, from 24 to 28 October 2011, the Conference decided to convene open-ended intergovernmental expert meetings on international cooperation to advise and assist it with respect to extradition and mutual legal assistance.
2. In its resolution 5/1, the Conference directed the open-ended intergovernmental meeting of experts on international cooperation to continue studying the issue of the identification and analysis of existing obstacles to law enforcement cooperation in the detection of corruption offences in the framework of the Convention and to draw up recommendations on how those obstacles might be overcome.
3. In its resolution 7/1, the Conference invited the expert meeting to propose future agenda items. It also decided that the expert meeting should continue its work by exchanging information on common reasons for refusals of and delays in mutual legal assistance requests related to corruption offences under the Convention and on international cooperation in civil and administrative proceedings related to cases of corruption and possible measures to protect the confidentiality of the information provided in the context of assistance in criminal, civil and administrative measures.

### II. Organization of the meeting

#### A. Opening of the meeting

4. The eighth open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption was held in Vienna on 31 May 2019.
5. The 1st meeting was chaired by Maria Consuelo Porras Argueta (Guatemala), President-designate of the Conference of the States Parties to the United Nations Convention against Corruption at its seventh session, and the 2nd meeting was chaired



by Vivian N. R. Okeke (Nigeria), Vice-President of the Conference of the States Parties to the United Nations Convention against Corruption at its seventh session.

## **B. Adoption of the agenda and organization of work**

6. On 31 May 2019, the meeting adopted the following agenda:
  1. Opening of the meeting.
  2. Adoption of the agenda and organization of work.
  3. Implementation of chapter IV of the United Nations Convention against Corruption: lessons learned, good practices and challenges.
  4. Civil and administrative proceedings relating to corruption.
  5. Tools and services of the United Nations Office on Drugs and Crime to promote international cooperation.
  6. Adoption of the report, including conclusions and recommendations.

## **C. Attendance**

7. The following States parties to the Convention were represented at the meeting: Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Austria, Azerbaijan, Bahrain, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Czechia, Dominican Republic, Ecuador, Egypt, El Salvador, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lebanon, Libya, Malaysia, Malta, Mexico, Morocco, Myanmar, Netherlands, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Russian Federation, Saudi Arabia, Sierra Leone, Singapore, Slovakia, South Africa, Spain, State of Palestine, Switzerland, Thailand, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, United States of America, Venezuela (Bolivarian Republic of), Viet Nam, Zambia and Zimbabwe.

8. The European Union, a regional economic integration organization that is a party to the Convention, was represented at the meeting.

9. The World Bank, a specialized agency of the United Nations system, was represented by an observer.

10. The Basel Institute on Governance, an institute of the United Nations crime prevention and criminal justice programme network, was represented by an observer.

11. The following intergovernmental organizations were represented by observers: Asian-African Legal Consultative Organization, Cooperation Council for the Arab States of the Gulf, Eurojust, International Anti-Corruption Academy, League of Arab States and Organization for Security and Cooperation in Europe.

12. The Sovereign Order of Malta, an entity maintaining a permanent observer office at Headquarters, was represented.

## **III. Implementation of chapter IV of the United Nations Convention against Corruption: lessons learned, good practices and challenges**

13. In an effort to enhance the exchange of information and synergies between the open-ended intergovernmental expert meetings to enhance international cooperation under the United Nations Convention against Corruption and the Working Group on

International Cooperation established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, a representative of the Secretariat provided an overview of the salient outcomes of the deliberations of the Working Group on International Cooperation at its tenth meeting, which had been held in Vienna on 16 October 2018. At that meeting, the Working Group had considered challenges faced in expediting the extradition process, including addressing health and safety and other human rights issues, as well as litigation strategies utilized by defendants to delay the resolution of an extradition request. That discussion had been facilitated by panellists from China, Mexico and Switzerland. During the deliberations, speakers had underlined the importance of holding consultations among authorities and practitioners to expedite the extradition process. They had highlighted the usefulness of informal consultations as a means of exchanging information on legal requirements and standards, and on specific aspects of extradition cases, such as the identification of the person sought. As had also been pointed out, consultations played a pivotal role in providing assurances and guarantees regarding the treatment of persons sought after their surrender. The representative of the Secretariat also provided information on the anticipated future role of the Working Group within the framework of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, which had been established in accordance with resolution 9/1 of the Conference of the Parties to the Organized Crime Convention.

14. The speaker also made reference to an informal expert group meeting on international cooperation in criminal matters, held in Vienna from 9 to 11 April 2019, which had been attended by 36 experts and practitioners from 19 countries, representing both civil and common law legal systems. Participants at that meeting had discussed, among others, the use of the Organized Crime Convention as a legal basis for international cooperation in criminal matters; advantages, challenges, lessons learned and possible responses to international cooperation through mutual legal assistance; international cooperation for confiscation and disposal of confiscated assets; practical aspects, challenges encountered and good practices in the field of extradition; and United Nations Office on Drugs and Crime (UNODC) tools on international cooperation in criminal matters and regional networks. The discussion on the substantive topics of the meeting had led to a constructive exchange of views, experiences, good practices and lessons learned among the participants.

15. Following the presentation, several speakers emphasized the interlinkages between certain topics, such as international cooperation, discussed by both the Working Group on International Cooperation and the expert meeting, while also stressing that duplication should be avoided. A number of speakers suggested that future expert meetings could be linked more closely to the meetings of the Working Group on International Cooperation and the Open-ended Intergovernmental Working Group on Asset Recovery, either through joint or back-to-back meetings, or by introducing into the agenda of the expert meetings topics that were specifically related to the Convention against Corruption, such as, international cooperation in civil and administrative proceedings under the Convention. One speaker noted that the scheduling of future expert meetings should be carefully considered, given the resource constraints and potential overlap in topics, while several other speakers referred to important differences between the two Conventions (such as the possibility of postponing extradition, which was not permitted under the Convention against Corruption) and the need to reserve time for separate deliberations in view of the issues that were unique to each Convention. Those speakers also referred to the specific value of the expert meeting as a forum for the exchange of experiences among experts and practitioners under the Convention against Corruption. It was also suggested that joint meetings of the Open-ended Intergovernmental Working Group on Asset Recovery and the open-ended intergovernmental expert meeting to enhance international cooperation be considered.

16. One speaker noted that discussions on the methods of work and agenda of the expert meeting should be held before any decision on scheduling the meetings together with other meetings was made. Another speaker noted that the participation of experts in the expert meeting was constrained by the organization of the programme of work (back to back with meetings of other working groups under the Convention), while another speaker emphasized the benefit of the current organization of work as a useful means of maximizing expert participation.

17. In response to the statements made, the representative of the Secretariat noted that the matter of holding meetings back to back or jointly with the Working Group on International Cooperation had been discussed previously, and that the expert meeting did not have the mandate to take decisions pertaining to the organization of work of the Working Group on International Cooperation. One of the additional constraints mentioned was the fact that the meetings of the Working Group on International Cooperation were held during the sessions of the Conference of the Parties to the Organized Crime Convention. In that connection, it also was noted by the representative of the Secretariat that relevant considerations might need to include the anticipated role of the Working Group on International Cooperation under the newly established Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto. Another speaker referred to Conference resolution 5/1, paragraph 9, in that regard.

18. Several speakers suggested that the Secretariat, in consultation with the Bureau of the Conference, should explore the feasibility of holding joint meetings with the Working Group on International Cooperation and should present the expert meeting with information on that issue. One speaker suggested that the issue could be further discussed in informal consultations in the period leading up to the next meeting of the Working Group on International Cooperation.

19. Some speakers suggested that the Secretariat could explore the possibility of sharing information on registered participants of future expert meetings, with a view to helping delegations plan their attendance and to facilitating the scheduling of bilateral meetings and case consultations on the margins of the meetings. The Secretariat could also continue assisting practitioners in establishing contacts with counterparts in States where they had no pre-existing contacts.

20. A representative of the Secretariat presented the most prevalent trends and findings in the implementation of chapter IV of the Convention against Corruption, based on an analysis of the completed reviews of the first cycle of the Mechanism for the Review of Implementation of the Convention, as well as challenges in the implementation of chapter IV of the Convention. She referred to the ongoing work to develop a set of non-binding recommendations and conclusions based on lessons learned during the first review cycle regarding the implementation of chapters III and IV of the Convention. In document [CAC/COSP/IRG/2019/3](#), which had been prepared pursuant to Conference resolution 6/1, the outcomes of the first cycle of the country reviews had been analysed in terms of successes, good practices, challenges, observations and technical assistance needs identified. The document was based on an analysis of over 6,000 recommendations and over 1,000 good practices identified in 167 completed country reviews from the first cycle, as well as written submissions received from States parties, and had been made available to the Implementation Review Group at its tenth session. The Group had welcomed the set of non-binding recommendations and conclusions, which represented important results of the outcomes of the first review cycle, and had suggested that there should be further consultations on the most appropriate method of transmitting the document to the Conference for its consideration and approval at its session in December. A fuller analysis of those issues, and the outcomes of the first review cycle in general, was included in the second edition of the *State of Implementation of the United Nations Convention against Corruption: Criminalization, Law Enforcement and International Cooperation*, which had been published in 2017.

21. The representative of the Secretariat provided an update on the implementation of the mandates contained in previous Conference resolutions and emanating from previous expert group meetings. She referred to a note verbale dated 17 December 2018 that had been sent to all States parties with a view to collecting information on electronic tools and systems for processing and tracking international requests for assistance; common reasons, observed by relevant authorities, for refusals of and delays in responding to mutual legal assistance requests related to offences established under the Convention and possible suggestions on how to avoid such refusals and delays; international cooperation in civil and administrative proceedings related to cases of corruption and suggestions on possible measures to protect the confidentiality of the information requested for the purposes of civil and administrative proceedings related to cases of corruption in the requesting country, where the relevant matter was addressed through criminal proceedings in the requested country; statistics and cases on the use of the Convention as a legal basis for mutual legal assistance by relevant authorities including, where appropriate and consistent with domestic legal systems, in relation to civil and administrative proceedings; and challenges and good practices in international cooperation and other topics outlined in the resolutions of the Conference and the recommendations of the expert meetings. A summary of all responses received as of 13 March 2019 was included in document [CAC/COSP/EG.1/2019/2](#). The Secretariat would continue to analyse the information received from States parties and would make it available at future expert meetings.

22. It was noted by the representative of the Secretariat that, in its resolution 7/1, the Conference had welcomed the recommendations of the open-ended intergovernmental expert meeting to enhance international cooperation under the Convention. In its recommendations, the sixth expert meeting, held in Vienna on 6 and 7 November 2017, had, *inter alia*, recommended that States parties should continue their efforts with regard to bridging the gap between different legal systems, particularly in the area of criminal procedure and evidence standards, by using the Convention as a legal basis, and by concluding detailed bilateral treaties and arrangements on mutual legal assistance, where needed. Also in its resolution 7/1, the Conference had requested the Secretariat to continue, within existing resources, to collect statistics or other relevant information on the use of the Convention as a legal basis for mutual legal assistance and to make the information available to the Conference. The sixth expert meeting had recommended that the Secretariat continue its work on the analysis of practical challenges arising in the work of central authorities responsible for requests under the Convention against Corruption, with a view to strengthening their effectiveness and efficiency.

23. During the ensuing discussion, speakers emphasized the importance of international cooperation in corruption-related cases under the Convention and underscored the need to provide each other the widest measure of assistance in that regard. Speakers referred to a series of legislative, administrative and policy measures taken in their countries to enhance their ability to provide effective cooperation and also highlighted specific challenges, good practices and experiences in extradition and mutual legal assistance cases. It was mentioned that the Convention had a positive impact on international cooperation and that many States, in order to improve the implementation of chapter IV of the Convention, had concluded or acceded to other international and regional instruments or entered into bilateral agreements on extradition and mutual legal assistance.

24. While some speakers mentioned that they could cooperate in the absence of a treaty, other speakers mentioned that the Convention often served as a legal basis for international cooperation and provided relevant statistics with regard to its use. Some speakers expressed concern that, even when the Convention was used as a legal basis, requested States sometimes did not recognize it as such and declined to provide the assistance requested, referring to domestic legislative arrangements.

25. Similarly, many speakers emphasized that cases concerning the provision of mutual legal assistance and extradition were frequently very lengthy and often lasted

in excess of one year. One speaker provided an example of an important piece of evidence being provided by the requested State only after considerable delay, which had ultimately prevented the prosecutors from being able to rely on it at trial. Another speaker, while acknowledging the lengthy nature of many international cooperation cases, suggested that, in certain circumstances, alternative measures, such as direct engagement with foreign financial intelligence units to freeze the bank accounts of suspects, should be pursued until a formal request for mutual legal assistance was prepared and submitted.

26. Another common challenge in extradition and mutual legal assistance cases mentioned by speakers included a lack of responses to requests or insufficient details in reasons given for denying requests. Some speakers suggested that those challenges often resulted from a lack of knowledge of the laws and procedures guiding the provision of international cooperation in the requested State, while another speaker stressed that such cases denied opportunities for the requesting States to correct the request if it was deemed deficient. Another speaker referred to situations in which some requests were deemed as “fishing expeditions”, on the ground that the requests were not supported by evidence deemed sufficient by requested States. As a solution to some of those issues, several speakers suggested that draft requests could be shared in advance to permit the requested State to assist in correcting the request. One speaker proposed sharing information on reasons for refusal of the implementation of requests related to corruption and on the length of their implementation for possible further development of a plan of action on improving that practice. Another speaker suggested that the Secretariat develop standardized guidelines on rules and procedures on mutual legal assistance applicable in different countries.

27. Other challenges highlighted by speakers included dual criminality requirements, strict evidentiary rules, the inability to provide specific measures such as the return of immovable objects, a lack of simplified procedures and strict bank secrecy rules in requested States. Some speakers noted that many cases in which requests were denied owing to the lack of dual criminality could often be overcome through early communication and coordination.

28. Finally, speakers also reported on how their countries took steps to establish new or strengthen existing domestic and international coordination and communication platforms to expedite proceedings and ensure their success. One speaker referred to her country’s experience in establishing joint investigation teams and opening parallel investigations to fight transnational crime, including corruption. Several speakers mentioned the significance and importance of direct police-to-police cooperation or cooperation through the International Criminal Police Organization (INTERPOL) and similar regional initiatives and stressed the effectiveness of informal asset recovery practitioner networks in particular. The representative of Eurojust described how his organization provided a platform to support European Union practitioners in cases of serious and transnational criminality and had a network of 47 focal points in non-European Union member States. He stressed that the legal basis for the work of such joint teams also had the benefit of building trust and team spirit.

29. To facilitate the deliberations under the agenda item and in line with the recommendations of previous expert meetings, a thematic panel discussion was held on the subject of common reasons for refusals of and delays in responses to mutual legal assistance requests related to corruption offences under the Convention, and innovative solutions, in accordance with Conference resolution 7/1, paragraph 27. Experts from Brazil, the Republic of Korea and Switzerland and the Terrorism Prevention Branch of UNODC participated in the panel.

30. The panellist from the Republic of Korea listed a number of common reasons for refusals and delays and offered three solutions for overcoming them based on his country’s experience. First, he emphasized the need to strengthen the capacity of the domestic authorities responsible for international cooperation in criminal matters by allocating necessary resources. Second, he highlighted that an effective and efficient

system to manage all incoming and outgoing mutual legal assistance requests was key to promote international cooperation. Third, he mentioned that more regular face-to-face communication and consultations between authorities was an effective way to overcome issues regarding delays in the execution of requests. The speaker referred to the senior-level workshop on extradition and mutual legal assistance in Asia and the Pacific as an example of a platform hosted by the Republic of Korea that enabled such communication and consultations.

31. The panellist from Switzerland presented information on how human rights considerations guided the competent authorities in his country in international cooperation in criminal matters. He explained that his country followed the “mutual legal assistance friendliness” principle, whereby the authorities strove to respond to all foreign requests as long as they were not contrary to domestic law and, in particular, did not contravene the standards set by the country’s constitutional provisions on human rights, which included the European Convention on Human Rights. In determining whether a particular requested action was consistent with the applicable human rights standard, Swiss courts took into account information from a variety of sources, including Swiss diplomatic representatives abroad and open sources. The courts could also ask the requesting State to provide further assurances as a condition to Switzerland providing assistance. Finally, it was stressed that the process could take several months as the courts thoroughly considered all relevant facts to arrive at a well-informed decision.

32. The panellist from Brazil shared her country’s experience in civil and administrative proceedings and in criminal proceedings related to corruption and asset recovery. She explained that a number of innovative measures beyond traditional criminal law tools had been introduced to increase effective responses to corruption. She referred to recent high-profile corruption cases, in particular those stemming from the “car wash” investigations, in which the authorities had applied a combination of criminal, civil and administrative tools to advance the investigation and to maximize the effect of sanctions. Among other steps, investigation taskforces had been established, which included tax authorities, State auditors and other government entities, and over 300 mutual legal assistance requests had been sent to foreign States to collect evidence, arrest suspects and freeze, seize and confiscate assets, among others. She further described additional measures that had been taken to expedite the return of assets, such as the conclusion of leniency agreements with companies and cooperation agreements with witnesses and suspects. Finally, as a testament to the effectiveness of the measures that had been introduced, she provided statistics that showed a significant increase in the amounts that had been frozen, seized and confiscated in comparison to the past.

33. The panellist from UNODC presented the *Practical Guide for Requesting Electronic Evidence Across Borders*, which was aimed at overcoming challenges in international cooperation in terrorism cases but could also be used in other cases. The panellist described the reasons for and steps taken in the development of the guide and provided a brief overview of it. She explained that the Guide contained summary descriptions of laws and procedures, contact points, platforms and relevant guidelines available in 36 countries, as well as model requests and forms. The guide also provided important and practical notes and case studies. Lastly, she shared detailed instructions on how to access the guide through the Sharing Electronic Resources and Laws on Crime (SHERLOC) knowledge management portal and noted that access to the guide was restricted to government officials only.

34. In the ensuing discussion, speakers welcomed the panel presentations and the opportunity to exchange practical information on common reasons for refusals of and delays in responding to mutual legal assistance requests related to offences under the Convention, as well as innovative solutions. Speakers agreed that human rights values should always be considered in matters pertaining to international cooperation between States. One speaker stressed that true justice in the fight against corruption could only be achieved if lawful procedures were followed and human rights standards were observed. Several speakers referred to the types and sources of

information that judicial authorities considered in determining whether a requested action was consistent with applicable human rights standards. Speakers urged caution with regard to the use of open-source information and mentioned that requesting States should be afforded an opportunity to respond to any human rights allegations. A reference was also made to paragraph 16 of article 46 of the Convention, pursuant to which requested States could request additional information that appeared necessary for or could facilitate the execution of requests. Several speakers noted with concern that assurances that used the form and language prescribed in the domestic law of requesting States could sometimes be deemed insufficient in requested States. One speaker emphasized that assurances should be designed to advance and should not impede international cooperation.

35. One speaker mentioned a high-profile corruption case in his country against a former prime minister. According to the speaker, a number of mutual legal assistance requests had been sent to foreign countries but only three responses had been received. Another speaker referred to difficulties that arose when States refused assistance owing to the lack of a bilateral treaty or when States did not consider the Convention as a legal basis or refused to provide assistance on the basis of reciprocity. Such delays and lack of cooperation had a significant impact on domestic investigations and prosecutions.

36. In response to the concerns and questions raised, the panellist from Switzerland explained that judicial reviews were not designed to assess the human rights situation in requesting States but rather to ensure that the competent authorities in Switzerland did not contravene Swiss law in responding to international cooperation requests. It was also explained that, in terms of delays in responses to requests for mutual legal assistance or the absence of responses, countries had different timelines to respond based on their domestic law, practice and available resources. As a first solution, the panellist from Brazil suggested that regular and direct communication with foreign competent authorities helped to expedite and streamline international cooperation responses.

#### **IV. Civil and administrative proceedings relating to corruption**

37. A representative of the Secretariat presented a summary of the information collected pursuant to Conference resolution 7/1 on practical issues encountered by States parties when requesting and providing assistance in investigations of and proceedings in civil and administrative matters related to cases of corruption, and possible measures to protect the confidentiality of the information provided in the context of assistance in criminal, civil and administrative measures.

38. Most of the States that had responded to a note verbale sent by the Secretariat had reported that they had limited or no experience in international cooperation in civil and administrative proceedings related to cases of corruption. Some States had reported that they could provide assistance only with regard to criminal measures, while some had noted that there were no obstacles in their legal system to providing such assistance.

39. Suggestions that had been made by States regarding enhancing measures to protect the confidentiality of information included making confidentiality an explicit requirement when submitting a request, better coordination and consultation between the parties and the development of procedural guidance on the subject.

40. In the ensuing discussion, one speaker noted that the possible assistance that could be provided by her country in relation to transnational corruption cases could include assistance involving criminal, administrative and civil proceedings. Another speaker highlighted the effective practice in her country of applying civil and administrative mechanisms to international cooperation and encouraged the Secretariat to continue to collect information on the use of civil and administrative proceedings in order to facilitate international cooperation. One speaker mentioned that his country had not had sufficient experience in civil and administrative



proceedings in international cooperation related to corruption cases and that such requests were usually dealt with in criminal proceedings.

## **V. Update on the tools and services of the United Nations Office on Drugs and Crime to promote international cooperation**

41. A representative of the Secretariat, recalling chapter IV (International cooperation) of the Convention against Corruption and the terms of reference of the Implementation Review Mechanism, provided an update on the work of UNODC to promote international cooperation through the delivery of technical assistance and other means. The speaker indicated that UNODC continued to provide capacity-building and advisory services at the regional and national levels on matters related to international cooperation and asset recovery. UNODC also continued to work with States parties in South Asia, South-East Asia and East Africa to implement the priority recommendations identified in the Implementation Review Mechanism through regional platforms established to fast-track the implementation of the Convention in the area of international cooperation, among others. Furthermore, UNODC continued to provide technical assistance in relation to asset recovery, which frequently overlapped with technical assistance related to international cooperation. A detailed description of those technical assistance activities was contained in the note by the Secretariat on progress made in the implementation of the mandates of the Working Group on Asset Recovery ([CAC/COSP/WG.2/2019/2](#)). UNODC also participated in meetings and conferences aimed at coordinating international cooperation among States parties. In addition, it organized various workshops in different countries and regions, including a training event on corruption investigations and regional cooperation in the Greater Mekong region, two workshops on international cooperation in criminal matters and financial investigations related to corruption and money-laundering in Bangkok and New Delhi, and two workshops in Singapore and Addis Ababa concerning financial investigations and international cooperation, respectively. The representative further highlighted UNODC efforts to develop and disseminate guides, handbooks and other tools, including a handbook on international cooperation for the investigation of corruption cases in South-East Asia, which was expected to be launched in 2019.

42. Another representative of the Secretariat provided an update on the online directory of competent national authorities under the Convention against Corruption. She indicated that the Secretariat was collecting information on five different types of authorities, pursuant to articles 6 and 46 of the Convention and the recommendations of the Conference of the States Parties and the expert meeting.

43. The representative of the Secretariat indicated that, as at 1 May 2019, 115 States had provided information on their prevention authorities, in accordance with article 6, paragraph 3, of the Convention; 129 States had shared information with regard to their central authorities for mutual legal assistance, pursuant to article 46, paragraph 13, of the Convention; 80 States had provided information on their asset recovery focal points, pursuant to Conference resolution 4/4; 24 States had designated their central authorities for extradition, following the recommendation made at the fifth expert meeting; and 32 States parties had provided information about their focal points on the use of civil and administrative proceedings relating to corruption, in accordance with Conference resolution 6/4 and the recommendation made at the fifth expert meeting. In addition, the representative introduced the current data migration of the directory of competent national authorities to another directory of competent national authorities on the SHERLOC knowledge management portal, with the aim of providing a single-entry point for practitioners to access information regarding various types of competent authorities under different Conventions. She indicated that a note verbale regarding the data migration and changes resulting from that migration would be circulated once the process was finalized. She also explained the procedure for submitting new information or updates to the directory and

encouraged States parties to continue providing information in that regard, with a view to reinforcing the important role of the directory in facilitating effective international cooperation.

44. In the ensuing discussion, several speakers welcomed the development by the Secretariat of online tools to facilitate international cooperation and the technical assistance provided by UNODC that enabled participants from different States to strengthen their international cooperation capacities. Some speakers also highlighted their domestic measures to promote international cooperation.

## VI. Conclusions and recommendations

45. The eighth expert meeting re-emphasized the importance of States parties providing to each other the greatest possible extent of assistance in the investigation and prosecution of corruption offences and enhancing the efficiency of international cooperation by endeavouring to simplify relevant procedures, in accordance with domestic law.

46. The eighth expert meeting reaffirmed the recommendations made by the third, fourth, fifth, sixth and seventh expert meetings (see [CAC/COSP/EG.1/2014/3](#), [CAC/COSP/EG.1/2015/3](#), [CAC/COSP/EG.1/2016/2](#), [CAC/COSP/EG.1/2017/3](#) and [CAC/COSP/EG.1/2018/4](#)).

47. Furthermore, the eighth expert meeting agreed on the following recommendations:

(a) States parties are encouraged to continue to provide to the Secretariat information on challenges and good practices in international cooperation and other topics outlined in the Conference's resolutions and the recommendations of the expert meetings, with a view to the Secretariat continuing its analytical work with regard to challenges in international cooperation based on the Convention and relevant to the implementation of chapter IV;

(b) States parties are encouraged to share information on their legal requirements for international cooperation as well as statistical information and examples relevant to international cooperation in transnational corruption cases;

(c) States parties are encouraged to simplify relevant procedures, consistent with domestic law, and to take appropriate steps to ensure that dual criminality is not an obstacle to mutual legal assistance where the underlying conduct is not criminalized in both the requesting and requested States parties;

(d) States parties are encouraged to proactively share information with each other on transnational corruption cases and to more actively use law enforcement cooperation channels and networks such as the asset recovery practitioners' networks and parallel investigations or joint investigation teams, in particular before submitting formal mutual legal assistance requests;

(e) States parties are encouraged to enhance direct communication between central and other competent authorities in charge of international cooperation, including through the development of good practices and by ensuring that relevant contact information and requirements applicable to incoming mutual legal assistance requests are made available and regularly updated;

(f) The Secretariat is requested to continue organizing expert panel discussions on matters pertaining to the mandates of the expert meeting;

(g) The Secretariat should continue its efforts to ensure synergies between the work of the open-ended intergovernmental expert meetings to enhance international cooperation under the Convention against Corruption and the work of the Working Group on International Cooperation established by the Conference of the Parties to the Organized Crime Convention and to explore further ways to use available

resources in the most effective way by taking into account the need to streamline the work of both forums and differences and similarities in their mandates;

(h) The Secretariat should continue its efforts to enhance expert participation in the open-ended intergovernmental expert meetings to enhance international cooperation, including measures to facilitate operational coordination.

## **VII. Adoption of the report**

48. On 31 May 2019, the report on the eight meeting of experts ([CAC/COSP/EG.1/2019/L.1](#), [CAC/COSP/EG.1/2019/L.1/Add.1](#) and [CAC/COSP/EG.1/2019/L.1/Add.3](#)), as orally amended, was adopted. Parts of the report on agenda item 3, “Implementation of chapter IV of the United Nations Convention against Corruption: lessons learned, good practices and challenges”, agenda item 4, “Civil and administrative proceedings relating to corruption”, and agenda item 5, “Tools and services of the United Nations Office on Drugs and Crime to promote international cooperation”, were adopted after the conclusion of the meeting, following a silent procedure.

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