



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

Distr.: Limited
10 September 2021

English only

**Open-ended Intergovernmental Expert
Meeting to enhance international
cooperation under the United Nations
Convention against Corruption**
Tenth session
Vienna, 6–10 September 2021

Draft report

Addendum

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

1. One speaker stressed that gaps between confiscation and return of assets would continue to widen if the challenges in international cooperation in recovery of proceeds of corruption remained untackled. He noted that international cooperation was time-consuming and involved complex procedures and stringent conditions, which contributed to the minimized success of asset recovery that in turn affected developing countries in achieving goals of the 2030 Agenda for Sustainable Development. The speaker expressed regret that UNODC had not been mandated to coordinate among different stakeholders in asset recovery cases. He therefore suggested the establishment of a United Nations Special Committee to coordinate with States parties in order to find common understanding on the barriers to international cooperation and help foster an atmosphere of trust. The Committee would help find common understanding to ensure the timely responses to requests for international cooperation. In the view of the speaker, such a Special Committee should report back to the Conference of the States Parties.

2. Another speaker highlighted that experience of her country demonstrated that strengthening the role of central authorities for mutual legal assistance could significantly promote international cooperation. Noting the inadequacy of technical assistance provided to central authorities, she stressed the importance of providing such assistance, in particular granting essential capacity and resources to central authorities and facilitate communication among them. Furthermore, she commended the role played by the Mechanism for the Review of Implementation of the Convention in identifying country specific needs which helped her country, as a technical assistance provider better understand the capacity gaps of relevant States. In this regard, she cited successful experience of her country in providing technical assistance with regard to investigation of cross border corruption cases and asset recovery.



3. The Speaker also requested further information on the use of the MLA writer tool provided by UNODC. In response, a representative of the secretariat explained that the MLA Tool, which was widely used including in capacity building activities, was developed by UNODC to assist practitioners in drafting expeditiously MLA requests, thereby enhancing cooperation between States and accelerating responses to such requests. In its revised and expanded version, the Tool provides guidance to practitioners through each step of the drafting process and further helps them draft MLA requests by filling in all appropriate and relevant information. He further explained that it was important to also focus on the quality and content of MLA requests to ensure the ultimate success of the assistance. In this regard, the representative indicated that UNODC had established several networks for central authorities in different regions which aimed to provide, inter alia, technical assistance in relation to mutual legal assistance. In addition, the newly established GlobE Network, though focusing on providing pre-MLA assistance, also is expected to also positively impact on the preparation of high quality mutual legal assistance requests. In concluding, he reiterated the Secretariat's readiness to continue to provide technical assistance to States parties upon request, including their central authorities on mutual legal assistance.
4. One speaker, suggested that UNODC should also focus on providing technical assistance in the use of technology in facilitating mutual legal assistance and extradition.
5. A speaker from Interpol shared his organization's tools and activities related to international cooperation including the Match-Fixing Task Force (IMFTF) and tools dedicated to data collection for measuring corruption in sport.

IV. Proposals made during the meeting

6. The discussions of the meeting generated a number of proposals to enhance international cooperation including:
 - Taking practical measures to implement the political declaration adopted by the General Assembly at its special session against corruption;
 - Making full use of the Convention including as a basis for international cooperation;
 - Early and direct communication and coordination including through participation in cooperation and practitioners' networks including the newly established GlobE Network;
 - Strengthening the role and capacity of central authorities for mutual legal assistance;
 - Enhancing communication among central authorities in order to ensure effective mutual legal assistance;
 - Making use of electronic systems at the national level to facilitate the processing of requests and for gathering data on such requests;
 - Making better use of online resources, such as the TRACK portal and its legal library, in particular under difficult situations caused by the COVID-19 pandemic;
 - Increasing synergies between the open-ended intergovernmental expert meeting to enhance international cooperation under the UNCAC and the Working Group on International Cooperation established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime by further exploring the possibility of holding joint or back to back meetings, while at the same time continuing the joint thematic meetings of the Implementation Review Group, the Working Group on Asset Recovery and the open-ended intergovernmental expert meeting to enhance international cooperation;

- Establishing a United Nations special committee to coordinate with interested States parties, with a view to addressing challenges in international cooperation and helping foster trust and communication.
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