



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

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Review of the implementation of the United Nations Convention against Corruption

Technical assistance

Compliance with the United Nations Convention against Corruption

Report of the Secretariat**

Addendum

Self-assessment of technical assistance needs for the implementation of the United Nations Convention against Corruption

Contents

| | <i>Page</i> |
|---|-------------|
| I. Introduction | 3 |
| A. Legislative framework | 3 |
| B. Mandate of the Conference of the States parties | 3 |
| C. Open-ended Intergovernmental Working Group on Technical Assistance | 4 |
| D. Scope and structure of the report. | 4 |
| E. Summary of self-assessment reports submitted as at 14 August 2009 | 7 |

* CAC/COSP/2009/1.

** The submission of the present document was delayed owing to the need to wait for additional relevant information.



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|------|--|----|
| II. | Analysis of technical assistance needs for the implementation of selected articles of the United Nations Convention against Corruption | 8 |
| A. | Preventive measures (chapter II of the Convention) | 8 |
| B. | Criminalization and law enforcement (chapter III of the Convention). | 18 |
| C. | Asset recovery (chapter V of the Convention) | 26 |
| III. | Conclusions and recommendations | 39 |

I. Introduction

A. Legislative framework

1. The Conference of the States Parties to the United Nations Convention against Corruption was established in accordance with article 63 of the Convention to improve the capacity of and cooperation between States parties to achieve the objectives set forth in the Convention. The Conference is to take note of the technical assistance requirements of States parties with regard to the implementation of the Convention and to recommend any action it may deem necessary in that respect (art. 63, paras. 1 and 4 (g)).

2. To promote the implementation of the Convention, States parties should consider affording one another the widest measure of technical assistance, especially for the benefit of developing countries (art. 60, para. 2). States parties should also consider establishing voluntary mechanisms with a view to contributing financially to the efforts of, inter alia, developing countries to apply the Convention. States parties should further consider making voluntary contributions to the United Nations Office on Drugs and Crime (UNODC) for the purpose of fostering programmes and projects in developing countries with a view to implementing the Convention (art. 60, paras. 7 and 8, and art. 62, para. 2 (c)).

B. Mandate of the Conference of the States Parties

3. At its first session, held in Amman from 10 to 14 December 2006, the Conference emphasized the cross-cutting nature of technical assistance and its strong link with the implementation of the Convention. In its resolution 1/5, entitled “Technical assistance”, the Conference decided to establish an interim open-ended intergovernmental working group to advise and assist the Conference in the implementation of its mandate on technical assistance. The Conference also decided that the working group should perform the following functions: (a) review the needs for technical assistance; (b) provide guidance on priorities, based on programmes approved by the Conference and its directives; (c) consider information gathered through the self-assessment checklist approved by the Conference; (d) consider information, as appropriate and readily available and in the areas covered by the Convention, on technical assistance activities of the Secretariat and States; and (e) promote the coordination of technical assistance in order to avoid duplication. The Conference further decided that the working group should submit reports on its activities to the Conference (CAC/COSP/2006/12).

4. At its second session, held in Nusa Dua, Indonesia, from 28 January to 1 February 2008, the Conference adopted resolution 2/4, entitled “Strengthening coordination and enhancing technical assistance for the implementation of the United Nations Convention against Corruption”, in which it decided that the Open-ended Intergovernmental Working Group on Technical Assistance should continue to advise and assist the Conference on the implementation of its mandate on technical assistance and that it should submit reports on its activities to the Conference (CAC/COSP/2008/15).

C. Open-ended Intergovernmental Working Group on Technical Assistance

5. The Working Group held two intersessional meetings prior to the third session of the Conference, one on 18 and 19 December 2008 and another on 3 and 4 September 2009. The reports on both those meetings are included in CAC/COSP/2009/8.

D. Scope and structure of the report

6. The present report contains a summary of the technical assistance needs identified by States in order to implement selected articles of the Convention. The structure of the report follows the guidance received by the Conference and by States during the consultation process that led to the finalization of the self-assessment checklist in relation to the following: (a) the selection of provisions to be reviewed; (b) the formulation of questions to elicit information; and (c) the distinction between mandatory and optional questions. As a result, the report contains information on technical assistance needs related to the implementation of 15 articles of the Convention dealing with the following four thematic areas: prevention;¹ criminalization and law enforcement;² international cooperation;³ and asset recovery.⁴

¹ Paragraph 1 of article 5 (policies to prevent corruption), paragraphs 1 and 2 of article 6 (anti-corruption body or bodies; and independent status, resources and trained staff for the body or bodies), subparagraphs 1 (a)-(e), 2 (a)-(e) and paragraph 3 of article 9 (systems of procurement designed to prevent corruption; establishment of conditions for participation in public procurement; criteria for public procurement decisions; system of domestic review of public procurement decisions; measures regarding public procurement personnel; transparency and accountability in public finances; timely reporting on revenue and expenditures; accounting and auditing standards; systems of risk management and internal control; corrective action upon failure to comply; and prevention of falsification of public expenditure records).

² Subparagraphs (a) and (b) of article 15 (active and passive bribery of a national public official), paragraphs 1 and 2 of article 16 (active and passive bribery of a foreign public official or an official of a public international organization), article 17 (embezzlement, misappropriation or other diversion of property by a public official), subparagraphs (a) and (b) of paragraph 1 and subparagraphs (a)-(e) of paragraph 2 of article 23 (criminalization of conversion or transfer of property proceeds of crime; criminalization of acquisition, possession or use of property proceeds of crime; predicate offence in the laundering of proceeds of crime and notification obligation) and subparagraphs (a) and (b) of article 25 (criminalization of use of inducement, threats or force to interfere with witnesses or officials and criminalization of interference with actions of judicial or law enforcement officials).

³ Paragraph 6 (a) of article 44 (taking the Convention as the legal basis for cooperation on extradition) and paragraph 13 of article 46 (designation of a central authority to receive requests for mutual legal assistance).

⁴ Article 52 (verification of identity and enhanced scrutiny of customers of financial institutions; issuance of advisories to financial institutions; notifying financial institutions of identity of account holders for enhanced scrutiny; implementation of measures to require financial institutions to maintain adequate records; prevention of establishment of banks having no physical presence or affiliation to a regulated financial group; establishment of financial disclosure systems for public officials; and requiring public officials to report foreign financial accounts), article 53 (institution by a State party of measures to permit another State party to initiate civil action in its courts; institution by a State party of measures to permit its courts to

7. For each provision selected, information was elicited by asking States whether they had adopted the measures required by the Convention. The possible answers were: (a) yes; (b) yes, in part; and (c) no. When partial compliance or non-compliance was reported (“yes, in part” or “no”), States were requested to identify the type of technical assistance that, if available, would facilitate the adoption of the relevant provisions of the Convention. The possible types of assistance were: (a) model legislation; (b) legislative drafting; (c) legal advice; (d) site visit by an anti-corruption expert; and (e) development of an action plan for implementation. States were also offered the opportunity to describe needs for forms of technical assistance other than those listed above or to state that, despite partial or non-compliance with the provision under review, no assistance was required.

8. As prescribed by resolutions 1/5 and 2/4 of the Conference, the need to ensure coordination and avoid unnecessary duplication in the delivery of technical assistance was taken into account when designing the self-assessment checklist. To that end, further information was elicited from those States which indicated needs for technical assistance. In particular, such States were asked whether technical assistance necessary to implement the Convention was already being provided. In case of an affirmative answer, they were requested to specify by whom such assistance was being provided and whether its extension or expansion would further facilitate the implementation of the provision under review.

9. In order to render the present report as reader-friendly as possible, thereby enabling the Conference to promptly identify implementation gaps and make informed recommendations, the analysis of technical assistance needs for each of the 15 articles under review begins with a visual representation of the situation at the global level. Subsequently, technical assistance needs at the regional level are presented to make it easier to detect regional technical assistance needs and patterns in the provision of such assistance. The introduction of visual features has enabled the Secretariat to limit the narrative description of needs to those instances where a requesting State opted for “other assistance” and elaborated on that need. Requests for forms of assistance falling under one of the specific categories foreseen by the self-assessment checklist (all options but “other assistance”) are reflected in the figures and referred to, throughout the text of the report, as “specific technical assistance”. For coordination purposes, whenever assistance was reported as already available to a State, a description of such assistance, the identification of the

order payment of compensation or damages; and institution by a State party of measures to permit its courts or competent authorities to recognize another State party’s claim of legitimate ownership of property proceeds of crime), article 54 (institution by a State party of measures to permit its competent authorities to give effect to orders of confiscation issued by courts of another State party; confiscation of property of foreign origin; confiscation without a criminal conviction of property acquired through corruption; freezing or seizure of property upon freezing or seizure order; freezing or seizure of property upon request providing sufficient grounds; and preserving property for confiscation), paragraphs 1-3 of article 55 (submission of request for order of confiscation to competent authorities; identification, tracing, freezing or seizure of proceeds of crime for eventual confiscation; and content of request for order of confiscation), and article 57 (disposal of confiscated property; return of confiscated property upon request by another State party; return of property confiscated in accordance with article 55 of the Convention; deduction of expenses incurred in returning or disposing of confiscated property; and conclusion of agreements on final disposal of confiscated property).

provider and information on the request for such assistance to be extended to better comply with the Convention are provided.

10. The combination of visual features and narrative analysis in the present report has been made possible by the innovative information-gathering tool developed by the Secretariat (see CAC/COSP/2008/2, para. 10). The statistical function of the software package in which the self-assessment checklist has been embedded has greatly facilitated the analytical work of the Secretariat and it is hoped that it will provide the Conference with readily actionable information.

11. Since the Conference already considered, at its second session, information provided in the 44 self-assessment reports submitted by States parties received by the Secretariat as at 30 November 2007 (CAC/COSP/2008/2), the narrative analysis of the present report focuses on information provided by States parties between 1 December 2007 and 14 August 2009. During that reporting period, 33 new self-assessment reports were submitted to the Secretariat and five previously completed self-assessment reports were updated. In order to avoid misinterpreting the visual features illustrating the technical assistance needed to (better) implement each article, information is also provided through the self-assessment reports submitted prior to 30 November 2007 and are thus based on all 77 self-assessment reports received by the Secretariat as at 14 August 2009.

12. To make the report more comprehensive and reader-friendly, reference is made to articles and chapters rather than to individual provisions.

13. States parties were requested to fulfil their reporting obligations by utilizing the designated software, thus enabling the Secretariat to analyse the information provided while taking full advantage of the potential offered by the new information-gathering tool. Twenty-two States parties reporting for the first time complied with this formal reporting requirement, while 11 did not. The information provided by the latter had to be entered into the database by the Secretariat.

14. The following 28 States parties completed the self-assessment checklist through the computer-based application, with or without requesting the assistance of the Secretariat: Algeria (update), Australia, Azerbaijan, Bulgaria, China, Colombia (update), Croatia (update), Cuba, Ecuador, Egypt, Fiji, Greece, Guatemala, Hungary, Kenya, Mauritania, Mauritius, Mongolia, Morocco, Panama, Peru (update), Philippines (update), Republic of Korea, Serbia, Slovenia, Tunisia, Uganda and United Kingdom of Great Britain and Northern Ireland (update).

15. The following 11 States parties did not report through the software due to insurmountable technological problems in installing or operating it: Afghanistan, Angola, Armenia, Brunei Darussalam, Malta, Pakistan, Rwanda, Sierra Leone, Tajikistan, Togo and Yemen.

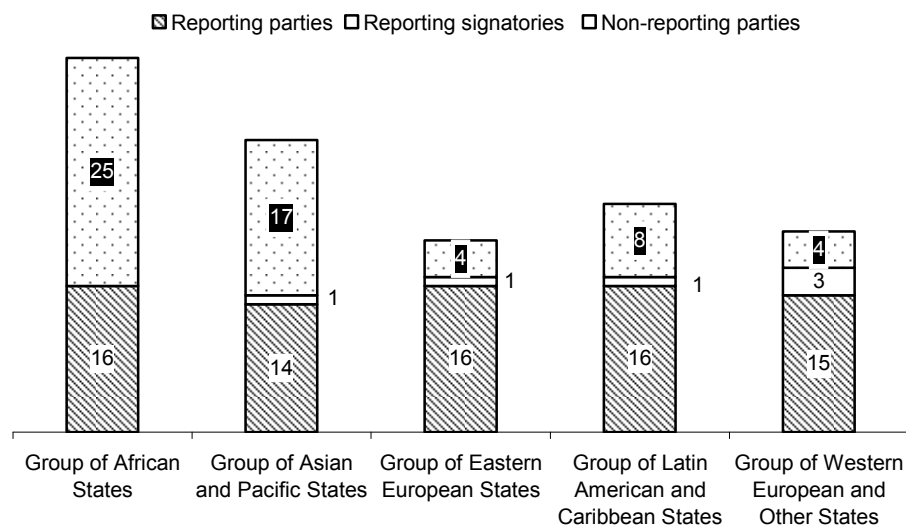
16. The present report does not purport to be comprehensive or complete, as it reflects the situation in only 57 per cent of the States parties to the Convention.

E. Summary of self-assessment reports submitted as at 14 August 2009

17. Details about the reporting of States parties and signatories by region are presented in figure I.

Figure I

Reporting by States parties and signatories to the Convention, by region



(a) Group of African States

18. The following 11 States parties submitted their self-assessments in the reporting period from 1 December 2007 to 14 August 2009: Angola, Egypt, Kenya, Mauritania, Mauritius, Morocco, Rwanda, Sierra Leone, Togo, Tunisia and Uganda. Algeria provided an update of its previous submission. The following 25 States parties did not provide a report: Benin, Burundi, Cameroon, Cape Verde, Central African Republic, Congo, Côte d'Ivoire, Djibouti, Ethiopia, Gabon, Ghana, Guinea-Bissau, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mozambique, Niger, Sao Tome and Principe, Senegal, Seychelles, South Africa and Zimbabwe.

(b) Group of Asian and Pacific States

19. The following nine States parties submitted their self-assessments in the reporting period from 1 December 2007 to 14 August 2009: Afghanistan, Brunei Darussalam,⁵ China,⁶ Fiji, Mongolia, Pakistan, Republic of Korea, Tajikistan and Yemen. The Philippines provided an update of its previous submission. The following 17 States parties did not provide a report: Cambodia, Cyprus,

⁵ Brunei Darussalam reported before 30 November 2007, but was not included in the previous analysis, as it was a signatory at the time of reporting.

⁶ Upon transmission of the self-assessment report to the Secretariat, China stated that the reports of the special administrative regions of Hong Kong and Macao should be considered part of the reply of China.

Iran (Islamic Republic of), Iraq, Kazakhstan, Kuwait, Lebanon, Malaysia, Maldives, Palau, Papua New Guinea, Qatar, Sri Lanka, Timor-Leste, Turkmenistan, United Arab Emirates and Uzbekistan.

(c) Group of Eastern European States

20. The following six States parties from the Group of Eastern European States submitted their self-assessments in the reporting period from 1 December 2007 to 14 August 2009: Armenia, Azerbaijan, Bulgaria, Hungary, Serbia and Slovenia. Croatia provided an update of its previous submission. The following four States parties did not provide a report: Albania, Bosnia and Herzegovina, Georgia and Republic of Moldova.

(d) Group of Latin American and Caribbean States

21. The following four States parties submitted their self-assessments in the reporting period from 1 December 2007 to 14 August 2009: Cuba, Ecuador, Guatemala and Panama. Colombia and Peru provided an update of their previous submission. The following eight States did not provide a report: Antigua and Barbuda, Bahamas, Guyana, Honduras, Jamaica, Nicaragua, Trinidad and Tobago and Venezuela (Bolivarian Republic of).

(e) Group of Western European and Other States

22. The following three States parties submitted their self-assessments in the reporting period from 1 December 2007 to 14 August 2009: Australia,⁷ Greece and Malta. The United Kingdom provided an update of its previous submission. The following four States parties did not provide a report: Belgium, Denmark, Israel and Luxembourg.

II. Analysis of technical assistance needs for the implementation of selected articles of the United Nations Convention against Corruption

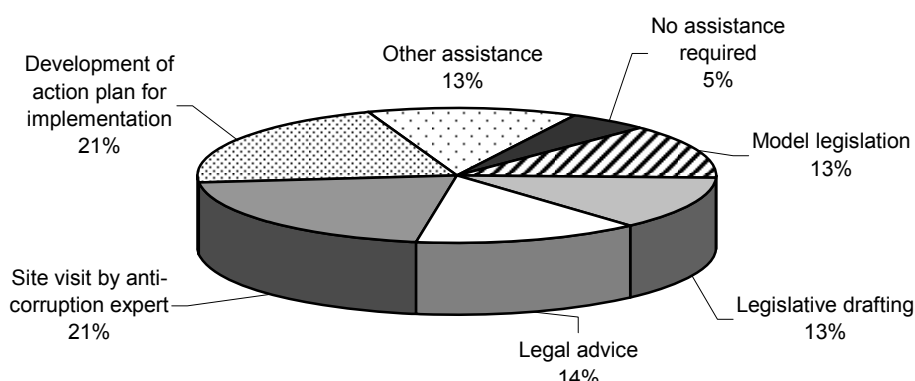
A. Preventive measures (chapter II of the Convention)

1. Preventive anti-corruption policies and practices (art. 5)

23. The technical assistance needs of the 18 parties reporting partial or no implementation of article 5 of the Convention are shown in figure II.

⁷ Australia submitted its self-assessment report prior to 30 November 2007. However, the submission reached the United Nations Office on Drugs and Crime (UNODC) only after the second session of the Conference of the States Parties.

Figure II
Technical assistance needs of the parties that reported partial or no implementation of article 5



(a) Group of African States

24. Angola, Mauritania, Sierra Leone and Togo reported that specific technical assistance needed to develop more effective anti-corruption policies was unavailable. Kenya indicated partial compliance with article 5 and stated that, in addition to needing all forms of specific technical assistance mentioned in the self-assessment checklist, training and capacity-building were also needed to better implement the article under review. Furthermore, Kenya stated that the expansion of assistance provided by unidentified development partners would improve its anti-corruption policies.

(b) Group of Asian and Pacific States

25. Afghanistan reported partial compliance with the article under review and indicated that the expansion of assistance being provided by UNODC, the United Nations Development Programme (UNDP), the United States Agency for International Development (USAID) and the Department for International Development (DFID) of the United Kingdom would enable it to adopt more effective anti-corruption policies. Afghanistan also indicated that its legislator needed training in order to further the implementation of the provision under review. Brunei Darussalam indicated that specific forms of technical assistance were required to overcome its partial compliance with article 5. Tajikistan reported that it had fully implemented such policies but nonetheless indicated the need for specific technical assistance, for financial support and for the professional qualifications of personnel involved in combating corruption to be enhanced. Tajikistan also indicated that expanding the assistance provided by UNODC through the anti-corruption mentor programme would advance implementation of effective anti-corruption policies. Yemen reported partial compliance with article 5 and indicated that specific forms of technical assistance were required. Furthermore, Yemen stated that training, capacity-building and technical support were required for its anti-corruption body.

(c) Group of Eastern European States

26. All reporting States parties indicated full compliance with article 5 and therefore did not require technical assistance to achieve full adherence to the Convention.

(d) Group of Latin American and Caribbean States

27. Ecuador and Peru reported partial compliance with the article under review, while Guatemala indicated that it had not implemented article 5. In addition to indicating the need for specific technical assistance, Ecuador reported that it required technical assistance to implement the Ecuadorian system for measuring corruption and anti-corruption efforts, to develop coordination mechanisms among the institutions responsible for fighting corruption and to develop mechanisms to ensure the participatory formulation of laws. While Ecuador stated that it had already received some forms of technical assistance to implement article 5, it did not comply with the obligatory reporting item of specifying who was providing such assistance. Guatemala and Peru reported needing specific technical assistance to implement article 5. Peru stated that it received technical assistance from UNDP, in particular in support of its national commission on the fight against corruption and on the promotion of ethics and transparency in public administration.

(e) Group of Western European and Other States

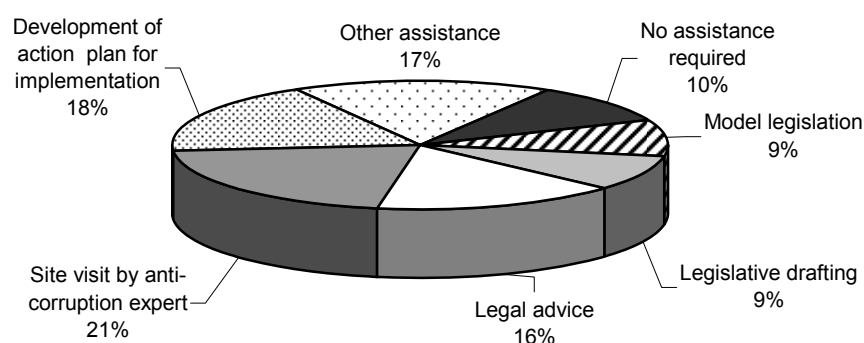
28. All reporting States parties, namely Australia, Greece and Malta, indicated full compliance with the article under review, thus reporting no need for technical assistance.

2. Preventive anti-corruption body or bodies (art. 6)

29. The technical assistance needs of States parties reporting partial or no implementation of article 6 of the Convention are shown in figure III.

Figure III

Technical assistance needs of the 29 parties that reported partial or no implementation of article 6



(a) Group of African States

30. Angola required specific technical assistance to overcome its non-compliance with paragraph 1 of article 6, on the existence of a body or bodies that prevent corruption, and its partial compliance with paragraph 2, on granting such a body or bodies the necessary independence, as well as the necessary material resources and specialized staff. Angola did not provide information on technical assistance already received, thereby not complying with an obligatory reporting item. Kenya indicated that, in order to achieve full compliance with the Convention, its Anti-Corruption Commission required specific technical assistance and the expansion of assistance already being provided by unidentified development partners (art. 6, para. 1), the Commonwealth Secretariat and UNODC (art. 6, para. 2). Mauritania and Togo also reported partial implementation and stated that the receipt of specific technical assistance would assist them in better complying with the Convention. With regard to paragraph 2 of article 6, Mauritania stated that the expansion of the assistance provided by unspecified donors would assist it in adopting measures to ensure that its anti-corruption body was independent and that it had adequate resources and trained staff. Togo indicated that no assistance was available. Sierra Leone stated that, to overcome its partial compliance with paragraph 1 of article 6, its Anti-Corruption Commission needed to receive specific technical assistance, while Tunisia indicated that it did not require such assistance. Uganda reported that the expansion of assistance provided by USAID, DFID and the Danish International Development Agency would facilitate implementation of article 6.

(b) Group of Asian and Pacific States

31. Afghanistan indicated that in order to overcome its partial compliance with paragraph 1 of article 6, on the existence of a body or bodies that prevent corruption, specific forms of technical assistance were required. In addition, the technical staff of the High Office of Oversight and Anti-Corruption needed to be trained. Afghanistan stated that expanding the assistance provided by UNODC, UNDP, USAID and DFID would contribute to the implementation of article 6. Tajikistan reported partial compliance with article 6, adding that specific technical assistance was required to achieve full compliance with paragraph 1 of that article. However, with regard to paragraph 2, on granting the body or bodies referred to in paragraph 1 of the same article the necessary independence, as well as the necessary material resources and specialized staff, Tajikistan did not comply with the obligatory reporting item of indicating potential needs for technical assistance. Indicating partial compliance with article 6, Yemen stated that it required specific technical assistance, as well as training in the prevention of corruption and training for the personnel of its anti-corruption body. Office equipment for its anti-corruption body was also needed.

(c) Group of Eastern European States

32. Azerbaijan reported full compliance with paragraph 2 of article 6, on granting the necessary independence, as well as the necessary resources and specialized staff, to its anti-corruption body. Nonetheless, it stated that its commission on the fight against corruption would benefit from study visits to institutions in other countries concerned with fighting corruption and from the establishment of channels of regular communication and consultation. Reporting full compliance with

paragraph 1 of article 6, on the existence of a body or bodies that prevent corruption, Serbia indicated that its anti-corruption agency would benefit from receiving specific forms of technical assistance.

(d) Group of Latin American and Caribbean States

33. Ecuador indicated partial compliance with paragraph 2 of article 6, on granting the necessary independence, as well as the necessary material resources and specialized staff, to its anti-corruption bodies, and reported needing specific technical assistance. Furthermore, it requested capacity-building for its officers and the expansion of the technical assistance already provided by the World Bank, USAID, the Inter-American Development Bank and the non-governmental organization CARE, as such assistance was not sufficient to cover the needs of all relevant domestic institutions. Guatemala reported no compliance with the provision under review and requested specific technical assistance to implement paragraph 2. Peru reported partial compliance with article 6 and stated that it needed specific technical assistance.

(e) Group of Western European and Other States

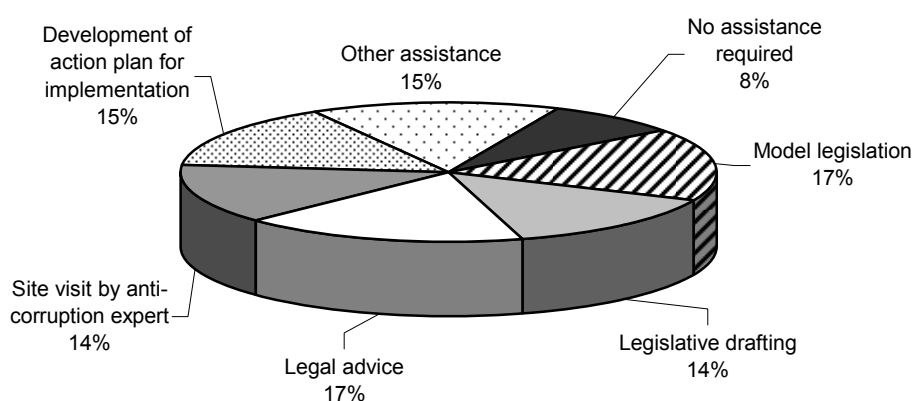
34. All reporting parties except Malta indicated full compliance with article 6. While reporting partial compliance with paragraph 2 of article 6, on granting anti-corruption bodies the necessary independence, as well as the necessary material resources and specialized staff, Malta did not comply with the obligatory reporting item of providing information about technical assistance needs.

3. Public procurement and management of public finances (art. 9)

35. The technical assistance needs of parties reporting partial or no implementation of article 9 of the Convention are shown in figure IV.

Figure IV

Technical assistance needs of the 28 parties that reported partial or no implementation of article 9



(a) Group of African States

36. Angola and Kenya reported that specific technical assistance was required to overcome their partial compliance with paragraph 1 of article 9, on the establishment of systems of procurement designed to prevent corruption, in particular paragraph 1 (a), on the public distribution of information relating to procurement procedures and contracts. Angola added that no such assistance was available at the time of reporting. Kenya indicated that the Millennium Challenge Corporation of the United States of America and other development partners were partially meeting that need. Kenya stated that training and capacity-building would also facilitate the implementation of paragraph 1 (a). Sierra Leone and Togo reported that, in order to overcome their partial compliance with paragraph 1 (a), they needed specific technical assistance that was not available.

37. Kenya reported that it had fully implemented paragraph 1 (b) of article 9, on the establishment of conditions for participation in public procurement. Kenya indicated needing specific technical assistance, training and capacity-building, and requested the expansion of the assistance provided by the Millennium Challenge Corporation and other development partners. Togo, while reporting full compliance with paragraph 1 (b), indicated that it needed specific technical assistance that was not being provided. Mauritania also required currently unavailable specific technical assistance to be provided in order to overcome its partial compliance with the provision under review. Sierra Leone reported that, in order to overcome its partial compliance with paragraph 1 (b), it needed specific technical assistance that was not currently available.

38. In order to overcome partial compliance with paragraph 1 (c) of article 9, on the use of objective and predetermined criteria for public procurement decisions, Sierra Leone and Togo indicated that they needed specific technical assistance.

39. Kenya stated that currently unavailable training and capacity-building were needed to overcome partial compliance with paragraph 1 (d) of article 9, on an effective system of domestic review of public procurement decisions. Angola reported non-compliance with the provision under review and indicated needing specific technical assistance not being provided at the time of reporting. Sierra Leone stated that specific technical assistance would enable it to overcome its partial compliance with the provision. Mauritania and Togo indicated the need for specific technical assistance to achieve full compliance with the Convention.

40. Angola, Kenya, Mauritania and Sierra Leone reported partial compliance with paragraph 1 (e) of article 9, on measures to regulate matters regarding personnel responsible for procurement, and indicated the need for currently unavailable specific technical assistance in order to achieve full compliance. Togo indicated that its personnel needed training to overcome its non-compliance with paragraph 1 (e).

41. Togo did not report on the implementation of paragraphs 2 and 3 of article 9, thereby not complying with an obligatory reporting item. Kenya requested specific technical assistance to achieve full compliance with paragraph 2 of article 9, concerning measures to promote transparency and accountability in the management of public finances. Kenya also requested specific technical assistance to enhance public participation in the budget-making process (art. 9, para. 2 (a)), adding that no such assistance was currently being provided. Sierra Leone indicated that no

assistance was required to overcome its partial compliance with the provision under review.

42. Angola reported that it had not implemented paragraph 2 (b) of article 9, on the timely reporting on revenue and expenditures, and indicated the need for specific technical assistance that was currently unavailable to achieve full compliance with the Convention. Kenya requested specific technical assistance, training and capacity-building to overcome its partial compliance with those provisions and added that no such assistance was currently being provided. Mauritania reported that the receipt of specific technical assistance not being provided at the time of reporting would enable it to achieve full compliance with the provision under review. Sierra Leone did not report on the implementation of paragraph 2 (b), thus not providing information about potential technical assistance needs.

43. Sierra Leone did not report on the implementation of paragraph 2 (c) of article 9, on a system of accounting and auditing standards and related oversight. In order to achieve full compliance with paragraph 2 (c), Kenya reported needing specific technical assistance, training and capacity-building, and indicated that the World Bank had provided the Kenya National Audit Office with 30 computers. Mauritania also requested specific technical assistance to comply with the provision under review and added that the expansion of assistance provided by the German Agency for Technical Cooperation (GTZ) and UNDP would facilitate greater implementation of the provision under review. Updating information previously submitted, Algeria indicated that specific forms of technical assistance were required to overcome its partial compliance with paragraph 2 (c).

44. Algeria also indicated that specific forms of technical assistance were required to overcome its partial compliance with paragraph 2 (d) of article 9, on systems of risk management and internal control. Angola reported that it had not implemented paragraph 2 (d), indicating the need for specific technical assistance that was currently unavailable. To overcome its non-compliance with paragraph 2 (d), Mauritania indicated the need for specific technical assistance that was not available at the time of reporting. Sierra Leone indicated that, in order to fully implement paragraph 2 (d), it required specific technical assistance and capacity-building, specifying that no such assistance was being provided at the time of reporting. Uganda reported partial compliance with paragraph 2 (d), but did not provide information on what forms of technical assistance would, if available, facilitate full compliance with the Convention. Angola reported that specific technical assistance that was currently unavailable was required to overcome its non-compliance with paragraph 2 (e), on corrective action in the case of failure to comply with the requirements established in paragraph 2. In relation to that same provision, Kenya required specific technical assistance, training and capacity-building. Sierra Leone reported that specific technical assistance that was currently unavailable was necessary to implement that provision. Updating its previous submission, Algeria indicated that specific forms of technical assistance were required to overcome its partial compliance with paragraphs 2 (a) and 3.

45. To achieve full compliance with paragraph 3 of article 9, on taking the civil and administrative measures necessary to preserve the integrity of accounting books, records, financial statements or other documents related to public expenditure and revenue and to prevent the falsification of such documents, Kenya

required specific technical assistance, training and capacity-building, which were not available at the time of reporting. Sierra Leone indicated that it did not require assistance to fully implement the provision under review. Togo did not report on the implementation of paragraph 3 of article 9.

(b) Group of Asian and Pacific States

46. Afghanistan, Brunei Darussalam and Pakistan reported partial implementation of paragraph 1 (a) of article 9, on systems of procurement designed to prevent corruption, and indicated that specific forms of technical assistance were required to achieve full compliance with the Convention. Afghanistan required assistance in establishing e-procurement systems and stated that the expansion of assistance provided by the World Bank and UNDP would further facilitate the implementation of such systems. Reporting no implementation of the provision under review, Tajikistan stated that specific technical assistance was required. Tajikistan did not, however, comply with the obligatory reporting item of indicating whether the expansion of assistance provided by UNODC through the anti-corruption mentor programme would further facilitate implementation of the provision under review.

47. Tajikistan did not provide information on the implementation of paragraphs 1 (b)-3 of article 9, thereby not complying with an obligatory reporting item. Afghanistan reported partial compliance with paragraph 1 (b), on the establishment of conditions for participation in public procurement. It also reported that implementation of the provision under review would profit from the expansion of assistance provided by the World Bank and UNDP. Yemen reported partial compliance with the provision under review and indicated that specific forms of technical assistance were required to achieve full compliance.

48. While Afghanistan indicated that it had fully implemented paragraph 1 (c) of article 9, on the use of objective and predetermined criteria for public procurement decisions, it nevertheless indicated that specific forms of technical assistance and the expansion of the assistance provided by the World Bank and UNODC were needed. Brunei Darussalam indicated that it had not implemented the provision under review and it did not comply with the obligatory reporting item of providing information on technical assistance needs. Pakistan indicated that it had partially implemented the provision under review and stated that assistance in verifying the correct application of the rules was required. Yemen reported full implementation of paragraph 1 (c); however, it also indicated that financial assistance for devising and implementing training programmes would be required.

49. With regard to paragraph 1 (d) of article 9, on an effective system of domestic review of public procurement decisions, Afghanistan reported full compliance but indicated the need for specific technical assistance and the expansion of assistance provided by the World Bank and different United Nations entities. Brunei Darussalam reported no implementation of such a system and indicated the need for specific technical assistance. Reporting partial compliance with the provision under review, Pakistan added that technical assistance for domestic review and second-tier grievance redress was required.

50. Reporting on paragraph 1 (e) of article 9, on measures to regulate matters regarding personnel responsible for procurement, Afghanistan assessed its legislation as fully compliant but stated that specific forms of technical assistance

and the expansion of assistance provided by the World Bank were required. Brunei Darussalam reported that it had not implemented paragraph 1 (e) and stated that specific technical assistance was required. Yemen reported partial compliance with the provision under review but did not comply with the obligatory reporting item of providing information on technical assistance needs.

51. Concerning paragraph 2 of article 9, on measures to promote transparency and accountability in the management of public finances, and, in particular paragraph 2 (a) on procedures for the adoption of the national budget, Afghanistan reported full compliance but nevertheless indicated that specific technical assistance was required. Yemen reported partial compliance and indicated that the establishment of coordination mechanisms for data exchange between Government agencies, the auditing unit, the Ministry of Finance and the judicial authorities was required to achieve full compliance.

52. Reporting full compliance with paragraph 2 (b) of article 9, on timely reporting on revenue and expenditure, Afghanistan assessed its legislation as fully compliant with the requirements of the Convention but indicated the need for specific technical assistance. In order to overcome its partial compliance with the provision under review, Yemen requested financial assistance to further implement its budgeting system and training on the preparation and execution of the budget.

53. With regard to paragraph 2 (c) of article 9, on a system of accounting and auditing standards and related oversight, Afghanistan reported full compliance with the Convention but nevertheless indicated the need for specific technical assistance. Fiji reported partial compliance with the article under review and stated that specific technical assistance that was currently unavailable was needed to achieve full compliance with the Convention. Reporting partial compliance with the provision under review, Yemen stated that training on internal auditing and an assessment of Yemen's internal auditing system, which needed to be modernized, were required to achieve full compliance.

54. Concerning paragraph 2 (d) of article 9, on systems of risk management and internal control, Afghanistan indicated that it was fully compliant with the requirements of the Convention but nevertheless stated that specific forms of technical assistance were required. Brunei Darussalam reported that no assistance was required to overcome its partial compliance with the provision under review. Reporting partial compliance with the same provision, Yemen stated that practical training on its systems and the setting of standards for risk management and internal control were required to achieve full compliance.

55. Reporting full implementation of paragraph 2 (e) of article 9, on corrective action in the case of failure to comply with the requirements of paragraph 2 of article 9, Afghanistan indicated that specific technical assistance was required. Reporting partial compliance with the provision, Yemen requested specific technical assistance and added that standards to evaluate public officials' performance were required for it to become fully compliant with the provision.

56. Afghanistan reported that it had fully implemented paragraph 3 of article 9, on the civil and administrative measures necessary to preserve the integrity of accounting books, records, financial statements or other documents related to public expenditure and revenue and to prevent the falsification of such documents, but nevertheless indicated the need for specific technical assistance. Reporting partial

compliance with the provision, Mongolia stated that specific forms of technical assistance and training for relevant officials were required to fully adhere to the Convention. Reporting partial compliance with the provision under review, Yemen stated that financial support for its budgeting system, office equipment and training were required.

(c) Group of Eastern European States

57. While reporting that measures had been adopted to comply with paragraph 2 (b) of article 9, on timely reporting on revenue and expenditure, and with paragraph 2 (c) of article 9, on a system of accounting and auditing standards and related oversight, Azerbaijan required specific technical assistance that was currently unavailable to be provided. With regard to paragraph 2 (e) of article 9, on corrective action in case of failure to comply with the requirements in paragraph 2 of article 9, Azerbaijan reported full adherence to the Convention but indicated the need for specific technical assistance nevertheless. Reporting partial implementation of paragraph 2 (d) of article 9, on systems of risk management and internal control, and of paragraph 2 (e), Hungary stated that no assistance was required to achieve full compliance with the Convention. In order to overcome its partial compliance with paragraphs 2 (d) and 2 (e), Serbia reported the need for specific technical assistance that was unavailable at the time of reporting.

(d) Group of Latin American and Caribbean States

58. Cuba did not report on the implementation of paragraphs 1 (b)-(e), thereby not complying with an obligatory reporting item. With regard to paragraph 1 of article 9, on systems of procurement designed to prevent corruption, Ecuador indicated the need for specific technical assistance to overcome its partial compliance and stated that the expansion of technical assistance provided by, inter alia, the Swiss Agency for Development and Cooperation and the Government of Mexico would further the implementation of the provision under review. Guatemala reported partial compliance with paragraph 1 (c) of article 9, on the use of objective and predetermined criteria for public procurement decisions, and indicated the need for specific technical assistance. It also stated that the expansion of the assistance provided by the Organization of American States, which had developed a model law on public acquisitions for Guatemala, would facilitate implementation of the provision under review. Ecuador reported no implementation of the provision under review and indicated the need for specific technical assistance that was currently not available. With regard to paragraph 1 (d) of article 9, on a system of domestic review of public procurement decisions, Guatemala reported partial implementation and Ecuador reported no implementation. Both States indicated the need for specific technical assistance. Guatemala reported partial compliance with paragraph 1 (e) of article 9, on measures to regulate matters regarding personnel responsible for procurement, and requested specific technical assistance. It reiterated that the expansion of technical assistance provided by the Organization of American States would further the implementation of the provision under review. Ecuador reported no implementation of such measures and requested specific technical assistance. Furthermore, Ecuador stated that the expansion of technical assistance received by, inter alia, the Organization of American States would further facilitate the implementation of the provision under review.

59. Ecuador reported no implementation of paragraph 2 (a) of article 9 and did not comply with the obligatory reporting item of providing information on technical assistance needs. Reporting partial implementation of paragraph 2 (d) of article 9, on systems of risk management and internal control, Ecuador indicated the need for specific technical assistance and stated that no such assistance was being provided. Reporting partial compliance with paragraph 2 (e) of article 9, on corrective action in the case of failure to comply with the requirements of paragraph 2, Guatemala indicated the need for specific technical assistance and specified that no assistance was being provided at the time of reporting. Panama reported partial implementation of paragraph 2 of article 9, on measures to promote transparency and accountability in the management of public finances but did not comply with the obligatory reporting item to provide information about potential technical assistance needs. Peru indicated partial compliance with paragraphs 1 (a)-(e) of article 9 and reported the need for specific technical assistance, specifying that no such assistance was being received.

60. Concerning paragraph 3 of article 9, on taking the civil and administrative measures necessary to preserve the integrity of accounting books, records, financial statements or other documents related to public expenditure and revenue and to prevent the falsification of such documents, Ecuador reported no implementation and indicated the need for specific technical assistance not available at the time of reporting. Guatemala reported no implementation of paragraph 3.

(e) Group of Western European and Other States

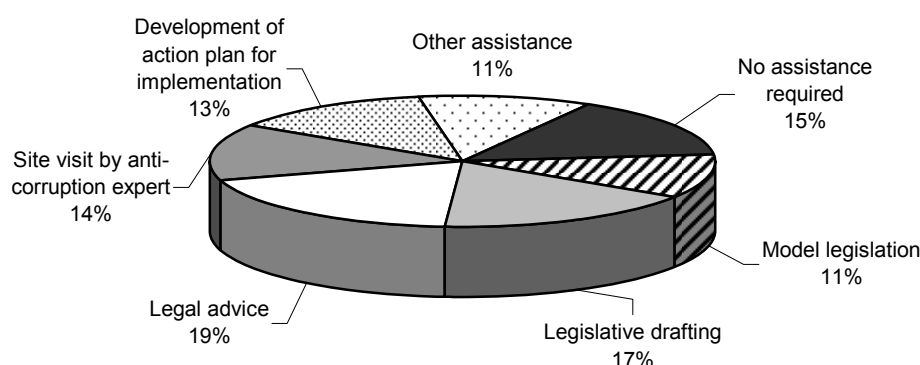
61. All reporting parties except Malta indicated full compliance with article 9. Reporting partial implementation of paragraph 2 (d) of article 9, on systems of risk management and internal control and of paragraph 2 (e), on corrective action in the case of failure to comply with the requirements of paragraph 2, Malta requested specific technical assistance that was not available at the time of reporting.

B. Criminalization and law enforcement (chapter III of the Convention)

1. Bribery of national public officials (art. 15)

62. The technical assistance needs of parties reporting partial or no implementation of article 15 of the Convention are shown in figure V.

Figure V

Technical assistance needs of the 14 parties that reported partial or no implementation of article 15**(a) Group of African States**

63. Kenya stated that, in order to overcome its partial compliance with article 15, specific technical assistance was required. Kenya added that the expansion of the assistance provided by the Commonwealth Secretariat and UNODC would further facilitate the implementation of the article. Sierra Leone indicated that it required specific technical assistance and training for its Anti-Corruption Commission on the investigation of such crimes in order to achieve full compliance with subparagraph (a). Sierra Leone stated that, while it had identified suitable training options, no assistance was being provided at the time of reporting. Uganda indicated partial implementation of article 15 and stated that, while specific technical assistance unavailable at the time of reporting was required to achieve full compliance with subparagraph (a), no assistance was necessary to implement subparagraph (b).

(b) Group of Asian and Pacific States

64. Reporting partial compliance with article 15, Afghanistan stated that specific forms of technical assistance and training and capacity-building were required to achieve full compliance with the Convention. China indicated that no assistance was required to overcome its partial compliance with subparagraph (a), while Hong Kong, China, indicated that it was in full compliance with the Convention. Mongolia also indicated partial compliance with the provision under review and required specific forms of technical assistance to achieve full compliance with the Convention. Tajikistan indicated that it had not criminalized the active bribery of national public officials (subpara. (a)) and that it required specific technical assistance to achieve full compliance with the Convention. It added that the expansion of assistance provided by UNODC through the anti-corruption mentor programme would further facilitate implementation of the provision. Reporting no compliance with the requirement to criminalize passive bribery of a national public official (subpara. (b)), Mongolia added that specific technical assistance was needed to fully implement that provision.

(c) Group of Eastern European States

65. While reporting partial compliance with subparagraph (b), Serbia did not provide information on technical assistance needs, thereby not complying with an obligatory reporting item. All other reporting parties indicated full compliance with the article under review, thus reporting no need for technical assistance.

(d) Group of Latin American and Caribbean States

66. Reporting partial compliance with article 15, Ecuador indicated the need for specific technical assistance. While it stated that some such assistance was being received in relation to subparagraph (a), Ecuador did not comply with the obligatory reporting requirement of indicating by whom such assistance was being provided. With regard to subparagraph (b), Ecuador reported that no assistance was being provided. Peru also reported partial compliance with the article under review and indicated the need for specific technical assistance that was currently not available.

(e) Group of Western European and Other States

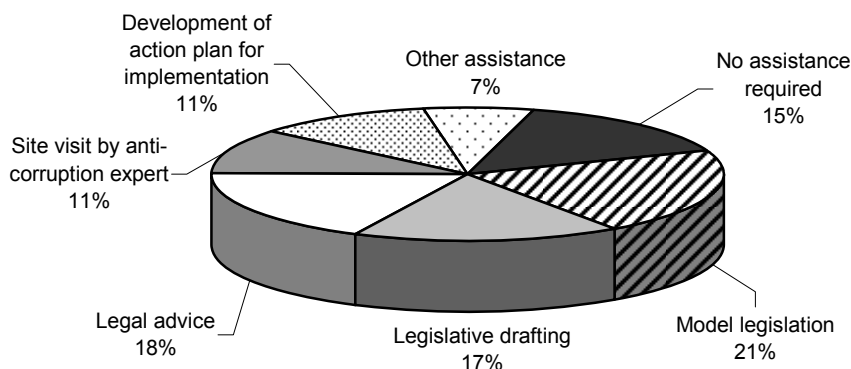
67. All three reporting States parties indicated full compliance with the article under review.

2. Bribery of foreign public officials and officials of public international organizations (art. 16)

68. The technical assistance needs of parties reporting partial or no implementation of article 16 of the Convention are shown in figure VI.

Figure VI

Technical assistance needs of the 43 parties that reported partial or no implementation of article 16

**(a) Group of African States**

69. Angola reported no compliance with article 16 and indicated the need for specific technical assistance that was currently unavailable in order to comply fully with that article. Reporting partial implementation of article 16, Egypt indicated the need for specific technical assistance that was unavailable at the time of reporting, adding that it required information on comparative best practices and legislation of

those States which had implemented the article under review. Kenya reported partial implementation of paragraph 1 and no compliance with paragraph 2. In order to achieve full compliance with article 16, specific technical assistance was required. Mauritania reported no compliance with the article under review and indicated that no assistance was needed to incorporate paragraph 1 into its legislation. Mauritania did not comply with the obligatory reporting item of providing information about potential technical assistance needed to implement paragraph 2. Mauritius reported no compliance with the article under review and indicated that it required specific technical assistance to fully adhere to the Convention. Morocco reported that its legislation was partially compliant with article 16, while Sierra Leone and Uganda stated that they had not implemented the article. Specific technical assistance that was currently unavailable was required by Morocco, Sierra Leone and Uganda to achieve full compliance.

(b) Group of Asian and Pacific States

70. Reporting partial implementation of article 16, Afghanistan and Brunei Darussalam stated that specific technical assistance would enable them to criminalize the active and passive bribery of foreign public officials and officials of public international organizations, thus achieving full compliance with the Convention. Afghanistan also reported the need for capacity-building to better implement article 16. Tajikistan and China indicated that they had not implemented article 16, although Hong Kong, China, reported full compliance. China stated that no assistance was required to achieve full compliance with the Convention, while Tajikistan reported the need for specific technical assistance. Reporting no implementation of article 16, Mongolia did not comply with the obligatory reporting item of providing information on technical assistance needs related to paragraph 1, while it indicated that specific technical assistance would advance the implementation of paragraph 2. Pakistan and Yemen reported partial compliance with article 16. While stating that no assistance was required to implement paragraph 1, Pakistan indicated the need for specific technical assistance to better implement paragraph 2. Yemen requested specific forms of technical assistance to fully implement the article under review. The Republic of Korea assessed its legislation as being non-compliant with paragraph 2, adding that specific technical assistance that was currently unavailable would facilitate the implementation of that provision. Updating its previous reports, the Philippines indicated that no assistance was required to overcome its non-compliance with article 16.

(c) Group of Eastern European States

71. All reporting States parties reported full compliance with the article under review, thus indicating no need for technical assistance.

(d) Group of Latin American and Caribbean States

72. Cuba reported that no assistance was required to overcome its non-compliance with the requirement to criminalize the active bribery of a foreign public official or of an official of a public international organization. Furthermore, Cuba stated that it did not require assistance to implement paragraph 2. With regard to the same provision, Ecuador and Guatemala reported no compliance and stated that specific

technical assistance that was currently not available was required in order to adhere to the Convention.

(e) Group of Western European and Other States

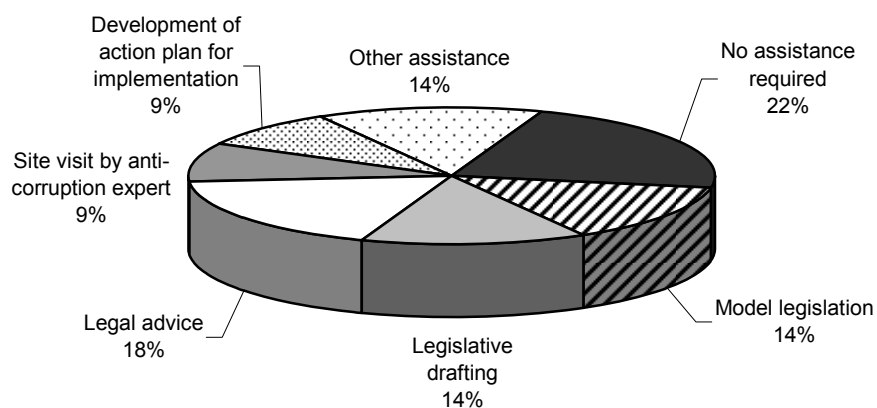
73. No assistance was required by Australia to comply with the non-mandatory provision contained in paragraph 2.

3. Embezzlement, misappropriation or other diversion of property by a public official (art. 17)

74. The technical assistance needs of parties reporting partial or no implementation of article 17 of the Convention are shown in figure VII.

Figure VII

Technical assistance needs of the nine parties that reported partial or no implementation of article 17



(a) Group of African States

75. To adequately criminalize the embezzlement, misappropriation or other diversion by a public official of any property, public or private funds or securities or any other thing of value entrusted to the public official by virtue of his or her position, Kenya stated that specific technical assistance was required. It reported its legislation to be partially compliant with the requirements of article 17 and indicated that the expansion of technical assistance provided by UNODC would facilitate full adherence to the Convention. Sierra Leone indicated that capacity-building to investigate such offences was required to overcome its partial compliance with the Convention.

(b) Group of Asian and Pacific States

76. Afghanistan reported that it had adequately criminalized the behaviour described in article 17, but nevertheless indicated the need for specific technical assistance. While reporting partial compliance with the article under review, Yemen did not comply with the obligatory reporting item of providing information on technical assistance needs to better implement article 17.

(c) Group of Eastern European States

77. All nine responding States reported having implemented the article under review, thus indicating no need for technical assistance.

(d) Group of Latin American and Caribbean States

78. Ecuador reported partial compliance with the article under review. To achieve full compliance, Ecuador requested that specific technical assistance currently not available be provided to it.

(e) Group of Western European and Other States

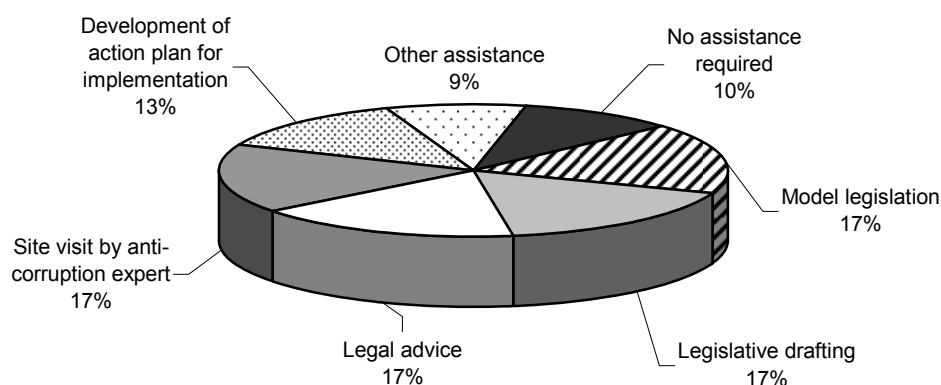
79. Malta reported that no assistance was required for it to comply with article 17.

4. Laundering of proceeds of crime (art. 23)

80. The technical assistance needs of parties reporting partial or no implementation of article 23 of the Convention are shown in figure VIII.

Figure VIII

Technical assistance needs of the nine parties that reported partial or no implementation of article 23

**(a) Group of African States**

81. While Angola did not provide information on whether it had criminalized the conversion or transfer of property that is the proceeds of crime as set forth in paragraph (a) (i) of article 23, it required specific technical assistance to overcome its partial compliance with paragraph 1 (b) (i). Angola added that no assistance on that matter was currently being provided. Kenya indicated the need for specific technical assistance, training and capacity-building to better implement article 23 and stated that the expansion of assistance provided by UNODC and the Commonwealth Secretariat would facilitate greater implementation of that article. Mauritania also reported that specific technical assistance was required to achieve full compliance with the Convention. Mauritius required specific technical assistance to become fully compliant with paragraphs 2 (a)-(c) and (e). Reporting partial compliance with paragraph 1 (a) (i), Sierra Leone indicated that

capacity-building was required to trace the proceeds of crime; such assistance was unavailable at the time of reporting. Uganda indicated that its non-compliance with article 23 could be overcome with specific technical assistance.

(b) Group of Asian and Pacific States

82. While Afghanistan reported full compliance with paragraph 1 (a) of article 23, it nevertheless indicated the need for specific technical assistance and capacity-building. Assessing its legislation as fully compliant with paragraph 1 (b), Afghanistan nevertheless required specific technical assistance, training and capacity-building. Yemen reported partial compliance with the provision under review, but did not comply with the obligatory reporting item of providing information on the technical assistance needed to better implement the article. With regard to predicate offences in the laundering of proceeds of crime (paras. 2 (a)-(c) and (e)), Afghanistan reported partial compliance and indicated the need for specific technical assistance and capacity-building. China indicated that no assistance was required to overcome its partial compliance with article 23, while Hong Kong, China, stated that it had fully implemented the article under review. Brunei Darussalam did not provide information about the implementation of article 23, thereby not complying with an obligatory reporting item.

(c) Group of Eastern European States

83. Reporting no implementation of measures to determine the range of predicate offences subject to anti-money-laundering legislation (paras. 2 (a)-(c) and (e)), Azerbaijan reported that all forms of technical assistance included in the self-assessment checklist would further compliance with the Convention. No technical assistance was being provided to achieve compliance with article 23 at the time of reporting.

(d) Group of Latin American and Caribbean States

84. Cuba and Ecuador reported partial implementation of paragraph 1 of article 23. Cuba indicated that it did not require assistance to achieve full compliance with the Convention, while Ecuador reported the need for specific technical assistance. Providing further information on technical assistance received to comply with paragraph 1 (b), Ecuador stated that its applicable legislation had been developed with assistance received through international cooperation. Although reporting no compliance with paragraphs 2 (a)-(c), Cuba indicated that no assistance was required; Cuba did not comply with the mandatory reporting item of providing information on whether such assistance was already being provided. Ecuador reported no compliance with the provisions under review and indicated the need for specific technical assistance, unavailable at the time of reporting, to achieve full compliance with the Convention. In relation to paragraphs 2 (a)-(c), Guatemala reported partial compliance and indicated the need for specific technical assistance that was currently unavailable.

(e) Group of Western European and Other States

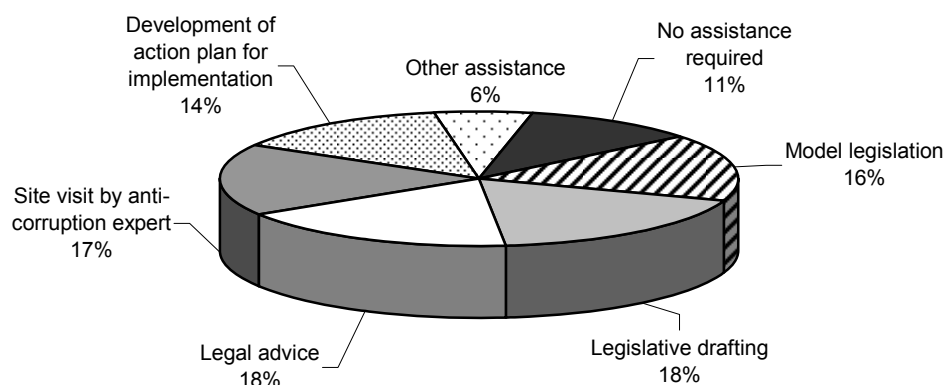
85. All three reporting States parties indicated full compliance with the article under review.

5. Obstruction of justice (art. 25)

86. The technical assistance needs of parties reporting partial or no implementation of article 25 of the Convention are shown in figure IX.

Figure IX

Technical assistance needs of 17 parties that reported partial or no implementation of article 25



(a) Group of African States

87. Angola and Uganda indicated that specific technical assistance that was not currently available was necessary to fully comply with subparagraph (a) of article 25, on the use of physical force, threats or intimidation to interfere in the giving of testimony. Uganda added that the expansion of assistance provided by USAID under the Millennium Challenge Corporation (anti-corruption threshold programme) was required to become fully compliant with the Convention. Kenya reported partial compliance with the requirement to criminalize the obstruction of justice and added that specific technical assistance, training and capacity-building were required to achieve full compliance with the Convention.

(b) Group of Asian and Pacific States

88. Reporting full compliance with article 25, Afghanistan reported that specific technical assistance was nevertheless required. The Republic of Korea stated that no assistance was required to overcome its partial compliance with subparagraph (a), while Tajikistan reported that specific forms of technical assistance that were currently unavailable would enable it to overcome its partial compliance with the article under review. Brunei Darussalam did not report on the implementation of article 25, thereby not complying with an obligatory reporting item.

(c) Group of Eastern European States

89. Serbia indicated no need for technical assistance to overcome its partial compliance with subparagraph (a) of article 25. It added that no assistance was being provided to achieve full compliance with the Convention.

(d) Group of Latin American and Caribbean States

90. Ecuador and Panama did not report on the implementation of article 25 and therefore did not comply with an obligatory reporting item. Guatemala, reporting no implementation, requested specific forms of technical assistance that were currently not available to comply with subparagraph (a). Reporting partial compliance with subparagraph (b), Guatemala reiterated its need for specific technical assistance to achieve full compliance with the Convention.

(e) Group of Western European and Other States

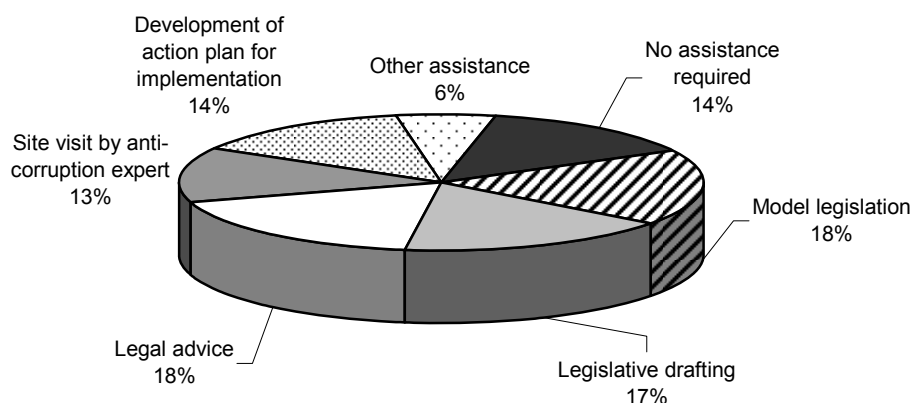
91. No assistance was requested by Malta to achieve full compliance with subparagraph (a) of article 25.

C. Asset Recovery (chapter V of the Convention)**1. Prevention and detection of transfer of proceeds of crime (art. 52)**

92. The technical assistance needs of parties reporting partial or no compliance with the implementation of article 52 of the Convention are shown in figure X.

Figure X

Technical assistance needs of the 43 parties that reported partial or no implementation of article 52

**(a) Group of African States**

93. Angola reported no compliance with article 52, on the prevention and detection of transfers of proceeds of crime, and stated that it required specific technical assistance to implement the article. Kenya indicated that specific technical assistance, training and capacity-building were required to achieve full compliance with article 52. Mauritania reported that it had not adopted any measures to require financial institutions, inter alia, to verify the identity of customers (para. 1) and that it required specific technical assistance. Furthermore, Mauritania indicated partial compliance with paragraph 5, on, inter alia, establishing effective financial disclosure systems for appropriate public officials, and required specific technical

assistance to become fully compliant. Mauritius and Morocco stated that they had partially implemented paragraph 6, on requiring appropriate public officials to report having an interest in or signature or other authority over a financial account in a foreign country, adding that specific technical assistance would further the implementation of the provision under review. Sierra Leone reported that it had partially adopted measures to comply with paragraph 1 and added that receiving specific technical assistance that was currently unavailable would advance the implementation of such measures. Reporting no implementation of paragraphs 2-4, Sierra Leone indicated that specific technical assistance was needed to achieve full compliance with the Convention.

(b) Group of Asian and Pacific States

94. Although Afghanistan reported full compliance with paragraphs 1 and 2 (a) of article 52, it indicated the need for specific technical assistance and capacity-building. Mongolia indicated partial compliance with the provisions and requested specific forms of technical assistance to further their implementation. Pakistan, Tajikistan and Yemen reported partial implementation of paragraph 1. Pakistan and Yemen added that no assistance was required to achieve full compliance with the Convention, while Tajikistan stated that specific forms of technical assistance and the expansion of assistance provided by UNODC would enable it to better implement the provision under review. China indicated that no assistance was required to overcome its non-compliance with paragraph 2 (a), while Hong Kong, China, stated that it had fully implemented the provision. Tajikistan reported no compliance with paragraph 2 (a) and indicated the need for specific technical assistance that was currently unavailable. Afghanistan reported that specific technical assistance and capacity-building were required to overcome its partial compliance with paragraph 2 (b). China indicated partial compliance with the provision under review and stated that no assistance was required to achieve full compliance, while Hong Kong, China, reported that it had fully implemented the provision. Tajikistan reported that it had not implemented paragraph 2 (b) and indicated the need for specific technical assistance that was currently unavailable.

95. With regard to the implementation of measures to require financial institutions to maintain adequate records (para. 3), Afghanistan reported full compliance but nevertheless indicated the need for specific technical assistance. Mongolia indicated that specific forms of technical assistance would enable it to overcome its partial compliance with the provision under review. Specific technical assistance was also required by Tajikistan to overcome its non-compliance with the provision under review.

96. Reporting on the implementation of paragraph 4, on preventing the establishment of banks having no physical presence and having no affiliation to a registered financial group, Afghanistan assessed its legislation as fully compliant but nevertheless indicated the need for specific technical assistance that was not being provided at the time of reporting. Mongolia assessed its legislation as non-compliant with the provision under review and stated that it required specific forms of technical assistance to achieve full adherence to the Convention. Tajikistan reported that it had not implemented paragraph 4 and indicated the need for specific technical assistance that was currently unavailable. Yemen did not require assistance to overcome its partial compliance with the provision under review.

97. Afghanistan stated that its legislation was in full compliance with paragraph 5 of article 52 on the establishment of financial disclosure systems for public officials and the provision of sanctions for non-compliance but indicated the need for specific technical assistance, training and capacity-building. China did not require assistance to overcome its non-compliance with paragraph 5, while Hong Kong, China, reported full compliance with the provision. Mongolia assessed its legislation to be partially compliant with paragraph 5 but did not comply with the obligatory reporting item of providing information on potential technical assistance needs. Tajikistan indicated partial compliance with paragraph 5 and added that specific technical assistance was required to achieve full adherence to the Convention. Yemen also reported partial compliance with the provision under review and indicated the need for specific technical assistance to advance implementation.

98. Reporting full compliance with paragraph 6 of article 52, on requiring public officials to report foreign financial accounts, Afghanistan nevertheless stated that it required specific technical assistance that was currently unavailable. China reported no compliance with paragraph 6 and added that no assistance was required to overcome its non-compliance. Hong Kong, China, stated that it had fully implemented the provision under review. Mongolia indicated that it was not compliant with paragraph 6 and indicated the need for specific technical assistance that was currently unavailable. Specific technical assistance was also required by Tajikistan to overcome its non-compliance with the provision under review. Yemen reported partial compliance with the provision under review and indicated the need for specific technical assistance to advance its implementation.

99. Brunei Darussalam did not report on the implementation of any of the provisions contained in paragraphs 2 (a)-6, thereby not complying with an obligatory reporting item. The Republic of Korea did not report on the implementation of article 52, thus not complying with an obligatory reporting item.

(c) Group of Eastern European States

100. To overcome its partial compliance with the requirements of the Convention on the verification of identity and enhanced scrutiny of customers of financial institutions (art. 52, para. 1) and the issuance of advisories to financial institutions (art. 52, para. 2 (a)), Serbia required specific technical assistance and the expansion of legal advisory services that were currently being provided to national authorities by the Council of Europe and the Department of the Treasury of the United States. Serbia assessed its legislation as non-compliant with paragraph 2 (b), on notifying financial institutions of the identity of account holders for enhanced scrutiny. In order to implement that provision, Serbia indicated that all forms of specific technical assistance mentioned in the self-assessment checklist would be required. While Serbia reported partial compliance with paragraph 4, on preventing the establishment of banks having no physical presence and having no affiliation to a registered financial group, it did not comply with the obligatory reporting item of providing information on technical assistance needs to achieve full compliance with the Convention. All other reporting parties indicated full compliance with article 52, thus not requiring technical assistance.

(d) Group of Latin American and Caribbean States

101. Not complying with an obligatory reporting item, Cuba did not report on the implementation of paragraph 2 (b) of article 52, on notifying financial institutions of the identity of account holders for enhanced scrutiny, or on the implementation of paragraphs 4-6. Reporting partial compliance with paragraph 1, on verifying the identity of customers of financial institutions and the conduct of enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are or have been entrusted with prominent public functions, their family members and close associates, Guatemala indicated that specific technical assistance that was not currently available would facilitate full implementation of that provision. Updating its previous report, Colombia indicated that specific forms of technical assistance were required to overcome its partial compliance with paragraph 5. With regard to the non-mandatory provision of paragraph 6, on requiring public officials to report foreign financial accounts, Guatemala reported no implementation and requested specific technical assistance that was currently not available. Panama did not report on the implementation of the provision, thereby not complying with an obligatory reporting item.

(e) Group of Western European and Other States

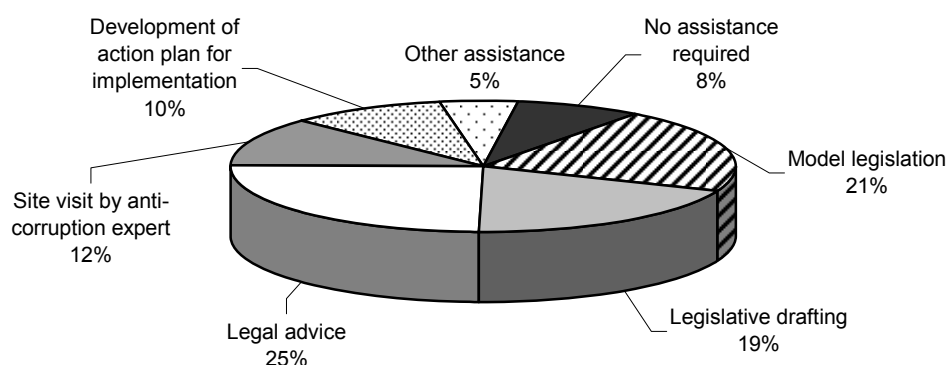
102. No assistance was required by Malta to achieve full compliance with the non-mandatory provision of paragraph 5 of article 52, on the establishment of a financial disclosure system for public officials. While reporting partial compliance with the non-mandatory provision of paragraph 6, requiring public officials to report foreign financial accounts, Malta did not provide information on technical assistance needs.

2. Measures for direct recovery of property (art. 53)

103. The technical assistance needs of parties reporting partial or no implementation of article 53 of the Convention are shown in figure XI.

Figure XI

Technical assistance needs of the 43 parties that reported partial or no implementation of article 53



(a) Group of African States

104. Angola and Mauritania reported that no measures had been adopted to permit another State party to initiate civil action in their courts to establish title or ownership of property acquired through the commission of an offence of corruption (art. 53, subpara. (a)), while Kenya, Mauritius and Sierra Leone indicated partial implementation of such measures. To comply with the provision under review, specific technical assistance that was currently not being provided was required by all States except Sierra Leone, which reported partial or no implementation. Angola and Sierra Leone further indicated partial adoption of measures that would permit its courts to order those having committed offences of corruption to pay compensation or damages to another State party harmed by such offences (art. 53, para. (b)); Kenya, Mauritania, Mauritius and Uganda indicated no adoption of such measures. All parties reporting partial or no compliance, except Sierra Leone, indicated the need for specific technical assistance. Angola, Kenya, Mauritania, Mauritius, Morocco and Uganda reported no adoption of measures to permit their courts to recognize another State party's claim as a legitimate owner of property acquired through the commission of an offence of corruption (para. (c)), while Sierra Leone indicated that its legislation was partially compliant with the provision under review. To achieve full compliance with the Convention, all States reporting partial or no compliance reported that they required specific technical assistance.

(b) Group of Asian and Pacific States

105. Afghanistan reported that it had not adopted measures for direct recovery of property, as required by article 53. To overcome its non-compliance, Afghanistan indicated that specific forms of technical assistance and training and capacity-building were required. Brunei Darussalam indicated that it had not implemented measures to permit another State party to initiate civil action in its courts (subpara. (a)) and indicated the need for specific technical assistance to achieve full compliance with the Convention. Brunei Darussalam did not report on the implementation of subparagraphs (b) and (c), thereby not complying with an obligatory reporting item. Reporting no implementation of measures to permit its courts to order payment of compensation or damages (subpara. (b)), Mongolia indicated that specific technical assistance that was currently unavailable was required. Reporting partial compliance with subparagraphs (a) and (b), Pakistan indicated that specific forms of technical assistance were required to become fully compliant with the Convention. Yemen indicated that no assistance would be required to overcome its partial compliance with subparagraphs (b) and (c). Tajikistan and China indicated that they had not implemented article 53 and added that specific technical assistance would be required to do so, while Hong Kong, China, stated that it was in full compliance with the article under review.

(c) Group of Eastern European States

106. To overcome its partial implementation of measures for direct recovery of property as set forth in article 53, Armenia requested specific technical assistance that was not available at the time of reporting. To achieve full compliance with subparagraph (a), on the adoption of measures to permit another State party to initiate civil action in its courts, Azerbaijan indicated the need for specific technical assistance that was currently unavailable. With regard to the adoption of measures

to permit its courts or competent authorities to recognize another State party's claim of legitimate ownership of property that is the proceeds of crime (subpara. (c)), Azerbaijan reported no need for specific technical assistance to overcome its partial compliance. Hungary, however, stated that it required specific technical assistance to fully adhere to the Convention. Serbia requested specific technical assistance to implement subparagraph (b), on the adoption of measures to permit its courts to order payment of compensation or damages. Serbia did not comply with the obligatory reporting item of providing information on whether technical assistance was already provided to achieve full compliance with the Convention.

(d) Group of Latin American and Caribbean States

107. Cuba reported no implementation of measures permitting courts or competent authorities to recognize another State party's claim of legitimate ownership of property acquired with the proceeds of crime as set forth in subparagraph (c) of article 53, thereby not complying with an obligatory reporting item. Ecuador indicated that its non-compliance with the article under review could be overcome by receiving all forms of technical assistance mentioned in the self-assessment checklist. Furthermore, Ecuador stated that no such assistance was available at the time of reporting. Reporting no implementation of measures to permit another State party to initiate civil action in its courts (subpara. (a)), Guatemala required specific technical assistance that was currently unavailable to achieve compliance with the Convention. Guatemala did, however, report partial implementation of measures to permit its courts to order the payment of compensation or damages to another State party pursuant to subparagraph (b) and indicated the need for specific forms of technical assistance that were not available at the time of reporting. Panama did not report on the implementation of measures for direct recovery of property as set forth in article 53, thereby not complying with an obligatory reporting item. Updating its previous report, Peru indicated no compliance with article 53 and provided no information on technical assistance needs, thereby not fulfilling an obligatory reporting item.

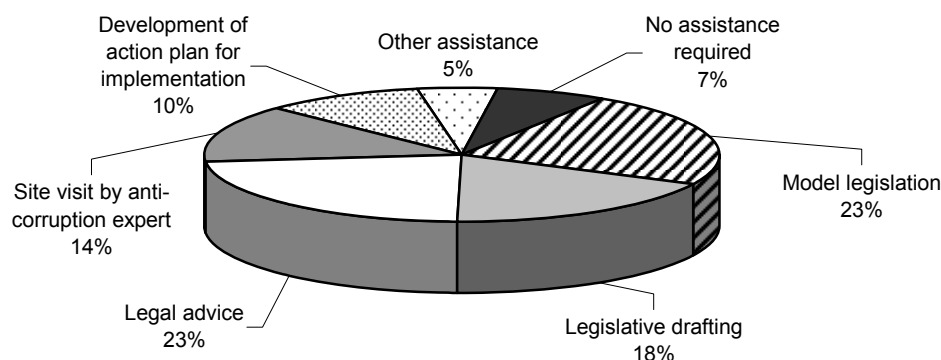
(e) Group of Western European and Other States

108. No assistance was requested by Malta to adopt measures to permit other States parties to initiate civil action in its courts (art. 53, subpara. (a)) and to permit its courts or competent authorities to recognize another State party's claim of legitimate ownership of property that is the proceeds of crime (art. 53, subpara. (c)).

3. Mechanisms for recovery of property through international cooperation for the purposes of confiscation (art. 54)

109. The technical assistance needs of parties reporting partial or no implementation of article 54 of the Convention are shown in figure XII.

Figure XII

Technical assistance needs of the 46 parties that reported partial or no implementation of article 54**(a) Group of African States**

110. Angola and Uganda reported no implementation of mechanisms for recovery of property through international cooperation in confiscation, as set forth in article 54; Mauritius reported partial implementation. Those States indicated that specific technical assistance would be required to achieve compliance with the Convention. Egypt and Sierra Leone assessed their legislation as non-compliant with the non-mandatory provision of subparagraph 1 (c), on measures to allow the confiscation of property acquired through corruption without a criminal conviction. Both States indicated that specific technical assistance would be required. Egypt added that information on best comparative practices and samples of legislation in States that had complied with the provision under review would facilitate greater consistency with the Convention. Concerning paragraphs 1 (a), on measures to permit competent authorities to give effect to orders of confiscation issued by the courts of another State party, and 1 (b), on measures permitting competent authorities to order the confiscation of property of foreign origin by adjudication, inter alia, of an offence of money-laundering, Kenya and Morocco reported partial compliance and indicated that specific technical assistance was required to achieve full compliance with the Convention. Kenya added that training and capacity-building would also facilitate implementation of such measures. Sierra Leone requested capacity-building to overcome its partial compliance with paragraph 1 (b). Kenya reported no implementation of paragraphs 1 (c)-2 (c) and indicated that it needed specific technical assistance, training and capacity-building to implement the provisions under review. Reporting no compliance with paragraph 1 (b), Mauritania assessed its legislation as partially compliant with article 54 and indicated that specific technical assistance was required to achieve full compliance with the Convention. Reporting partial compliance with paragraphs 2 (a)-(c), Morocco indicated requiring specific technical assistance to fully implement the Convention, while Sierra Leone stated that capacity-building was necessary.

(b) Group of Asian and Pacific States

111. Reporting partial compliance with paragraph 1 (a) of article 54, on the adoption of measures to permit competent authorities to give effect to orders of

confiscation issued by the courts of another State party, Afghanistan indicated the need for specific technical assistance that was currently unavailable in order to become fully compliant with the Convention. Brunei Darussalam reported no compliance with the provision under review and stated that specific technical assistance unavailable at the time of reporting would facilitate implementation. Brunei Darussalam did not, however, comply with the obligatory reporting item of providing information on the implementation of paragraphs 1 (b)-2 (c). In order to overcome its partial compliance with paragraph 1 (b), on the confiscation of property of foreign origin, Afghanistan stated that specific forms of technical assistance that were not being provided at the time of reporting were required. Yemen stated that no assistance was required to overcome its partial compliance with the provision under review. Afghanistan indicated partial compliance with paragraph 1 (c) of article 54, on measures to allow the confiscation of property acquired through corruption without a criminal conviction of property, and indicated that specific forms of technical assistance were required to achieve full compliance with the Convention. The Republic of Korea stated that it had not implemented the provision under review and indicated that specific technical assistance would facilitate the implementation. Pakistan stated that specific technical assistance would facilitate implementation of the provision under review, while Yemen stated that it did not require assistance to comply with the Convention.

112. While Afghanistan reported full compliance with paragraph 2 (a) of article 54, on measures to permit competent authorities to freeze or seize property upon a freezing or seizure order issued by a requesting State party, it nevertheless indicated that specific technical assistance was required. Yemen reported partial compliance with the provision under review and added that no assistance was required to become fully compliant with the Convention. To overcome its partial compliance with paragraph 2 (b), on the freezing or seizure of property upon requests providing a reasonable basis for requested States parties to believe that there are sufficient grounds for taking such action, Afghanistan indicated that specific technical assistance that was currently unavailable was required. Yemen reported partial compliance with paragraph 2 (b), adding that no assistance was required to achieve full compliance. Afghanistan reported partial compliance with paragraph 2 (c), on measures for the preservation of property for confiscation, and indicated that specific technical assistance, training and capacity-building were required to fully adhere to the Convention. Yemen stated that no assistance was needed to overcome its partial compliance with the provision under review. Tajikistan indicated that it had not implemented mechanisms for recovery of property through international cooperation in confiscation as required by article 54 and added that specific technical assistance would facilitate implementation of the article.

(c) Group of Eastern European States

113. Assessing measures to allow the confiscation of property acquired through corruption without a criminal conviction (art. 54, para. 1 (c)), Armenia indicated that its criminal justice system did not provide for the confiscation of property without a sentence. Armenia did not comply with the obligatory reporting item of providing information about technical assistance needs to overcome non-compliance. Serbia also reported partial compliance with the provision under review and called for specific technical assistance that was not available at the time of reporting. Azerbaijan reported no implementation of paragraphs 1 (a)-(c) and

indicated that all forms of specific technical assistance mentioned in the self-assessment checklist were required to achieve full compliance. Azerbaijan added that no such assistance was being provided at the time of reporting. To overcome its partial implementation of article 54, Hungary reported the need for specific technical assistance that was currently unavailable.

(d) Group of Latin American and Caribbean States

114. In order to fully implement article 54, Ecuador indicated that it required all forms of technical assistance mentioned in the self-assessment checklist. Ecuador assessed its legislation as non-compliant with the article under review, except with regard to paragraph 1 (c), on the confiscation of property acquired through corruption without a criminal conviction, which Ecuador reported to have fully implemented. To overcome its partial compliance with paragraph 1 (b), on the confiscation of property of foreign origin, and its non-compliance with the other provisions of article 54, Guatemala reported the need for specific technical assistance that was currently unavailable. Panama did not report on the implementation of article 54, nor did it provide information on technical assistance needs (an obligatory reporting item).

115. Peru provided an update of legislation pertaining to paragraphs 1 (a) and 1 (c) of article 54 and indicated that it was not compliant with paragraphs 2 (b) and 2 (c) of the same article. Peru stated that while there was no legislation implementing the preservation of property for confiscation as set forth in paragraph 2 (c), there were institutions tasked with administering such property.

(e) Group of Western European and Other States

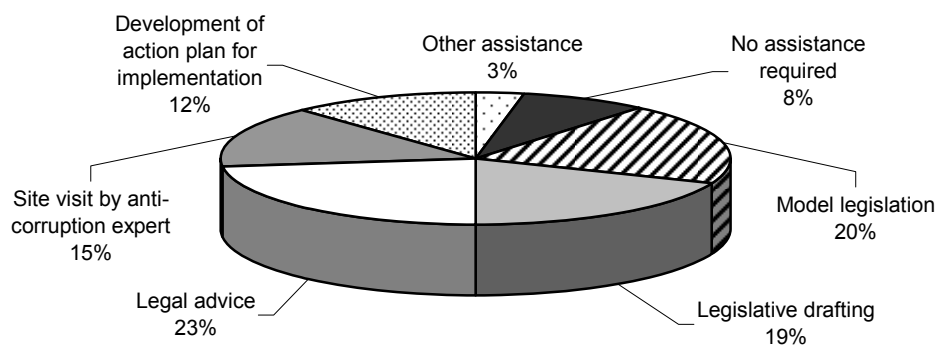
116. No assistance was requested by Australia, Greece or Malta to achieve full compliance with the article under review.

4. International cooperation for purposes of confiscation (art. 55)

117. The technical assistance needs of parties reporting partial or no implementation of article 55 of the Convention are shown in figure XIII.

Figure XIII

Technical assistance needs of the 31 parties that reported partial or no implementation of article 55



(a) Group of African States

118. Reporting partial compliance with paragraph 1 of article 55, concerning requests for orders of confiscation of the proceeds of crime made by one State party to the competent authorities of another State party, Angola and Morocco indicated that specific technical assistance was required to achieve full compliance with the Convention. While Morocco reported full compliance with paragraph 2, concerning the identification, tracing, freezing or seizure of proceeds of crime for eventual confiscation, it indicated that specific technical assistance was required to better implement that provision. Angola indicated that it had not implemented paragraph 2 or paragraph 3, concerning the content of requests for orders of confiscation, and that it required specific forms of technical assistance. Reporting partial compliance with paragraphs 1 and 2, Sierra Leone indicated that specific technical assistance that was currently unavailable was required. Morocco indicated that specific forms of assistance were required to overcome its partial compliance with paragraph 3. Sierra Leone indicated the need for specific technical assistance to overcome its non-compliance with the provision under review. Kenya, Mauritania and Uganda indicated no implementation. Mauritius reported partial implementation of article 55. Kenya, Mauritania, Mauritius and Uganda all stated that specific technical assistance was required to become fully compliant with the Convention. Kenya added that it also required capacity-building and training to implement article 55.

(b) Group of Asian and Pacific States

119. Reporting partial compliance with article 55, Afghanistan indicated requiring specific forms of technical assistance to become fully compliant with the Convention. Fiji and Tajikistan stated that they had not implemented the article under review. While Fiji added that it did not require assistance, Tajikistan reported the need for specific assistance to achieve full compliance with the Convention. Yemen assessed its legislation as partially compliant with article 55 and indicated that no assistance was required for such legislation to become fully compliant with the Convention. Brunei Darussalam indicated that it had not implemented paragraph 1 of article 55, concerning requests for orders of confiscation of the proceeds of crime made by one State party to the competent authorities of another State party, and added that specific technical assistance was needed to fully adhere to the Convention. However, Brunei Darussalam did not report on the implementation of paragraphs 2 and 3 of article 55, thereby not complying with an obligatory reporting item. Pakistan did not report on the implementation of paragraph 3, concerning the content of requests for orders of confiscation (an obligatory reporting item).

(c) Group of Eastern European States

120. Armenia did not comply with the obligatory reporting item to provide information about potential technical assistance needs to overcome partial compliance with paragraph 1 of article 55, concerning requests for orders of confiscation of the proceeds of crime made by one State party to the competent authorities of another State party. Azerbaijan reported that the provision of specific technical assistance would advance the implementation of paragraph 2, concerning the identification, tracing, freezing or seizure of proceeds of crime for eventual

confiscation, and stated that no such assistance was being received at the time of reporting. Hungary indicated that specific technical assistance was needed to fully implement the measures set forth in article 55. Indicating partial compliance with the article, Hungary stated that no assistance was being received at the time of reporting.

(d) Group of Latin American and Caribbean States

121. To overcome its non-compliance with measures providing for international cooperation for the purposes of confiscation set forth in article 55 of the Convention, Ecuador indicated the need for all forms of technical assistance mentioned in the self-assessment checklist and stated that no such assistance was available at the time of reporting. Similarly, Guatemala assessed its legislation as non-compliant with the requirements of the Convention and required specific technical assistance to achieve full compliance.

122. With regard to paragraph 2 of article 55, Peru provided an update of its previous report and indicated partial compliance with the requirements of the Convention. However, Peru did not comply with the obligatory reporting item of providing information on needs for technical assistance to further the implementation of the provision under review.

(e) Group of Western European and Other States

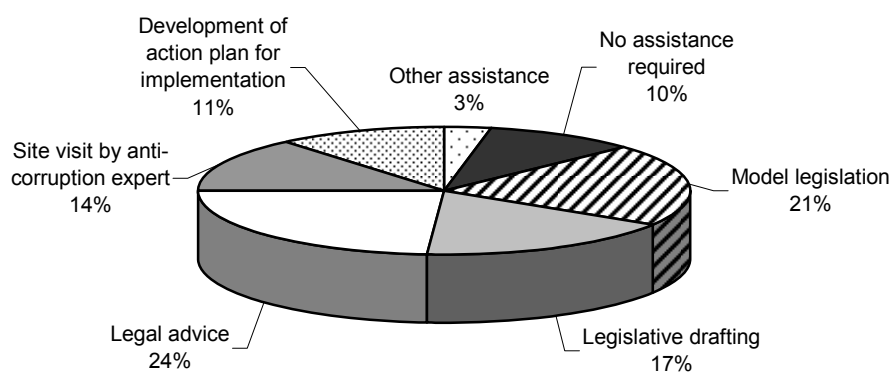
123. No assistance was requested by Greece to achieve full compliance with the article under review. Australia did not report on the implementation of paragraph 3 of article 55, thereby not complying with an obligatory reporting item.

5. Return and disposal of assets (art. 57)

124. The technical assistance needs of parties reporting partial or no implementation of article 57 of the Convention are shown in figure XIV.

Figure XIV

Technical assistance needs of the 46 parties that reported partial or no implementation of article 57



(a) Group of African States

125. Angola and Uganda assessed their legislation as non-compliant with article 57, concerning the return and disposal of assets, and stated that specific forms of technical assistance were required to implement the article. Reporting on the disposal of confiscated property (para. 1), Kenya indicated that specific forms of technical assistance, capacity-building and training were required to overcome its partial compliance. Mauritania reported that it had not implemented the provision under review, while Mauritius reported that it had done so partially. Both indicated that they needed specific forms of technical assistance to implement the provision.

126. Kenya and Mauritania reported that they had not implemented paragraph 2 of article 57, concerning the return of confiscated property upon request by another State party, and added that specific forms of technical assistance were required. Mauritius also stated that such assistance was required to overcome its partial compliance with the provision under review.

127. Reporting no implementation of paragraph 3 of article 57, concerning the return of property confiscated in accordance with article 55 of the Convention, Kenya indicated that specific technical assistance was required to implement that provision. Mauritius stated that its partial compliance with the provision under review could be overcome by receiving specific forms of technical assistance.

128. Kenya and Mauritania reported that they had not implemented paragraph 4, concerning the deduction of expenses incurred in proceedings leading to the return or disposition of confiscated property, and reported the need for specific technical assistance. Mauritius indicated partial compliance with the provision under review and added that specific technical assistance was required to achieve full adherence to the Convention.

129. Rwanda indicated that it had not implemented paragraph 5 of the article under review, on the consideration of concluding agreements or mutually acceptable arrangements, and that it did not comply with the obligatory reporting item of indicating technical assistance needs. Kenya indicated that specific forms of assistance, training and capacity-building were required to overcome its partial compliance with paragraph 5. Mauritania and Mauritius also required specific technical assistance to overcome its non-compliance with the provision under review.

130. Morocco reported that its legislation was in partial compliance with the requirements of article 57, with the exception of paragraph 4 of article 57, in respect of which no compliance was reported, and added that specific forms of technical assistance would be required to achieve full compliance. Sierra Leone indicated that its legislation was non-compliant with article 57, with the exception of paragraph 3, which it reported to have partially implemented. While Sierra Leone stated that specific forms of technical assistance were required to implement paragraphs 4 and 5, it did not comply with the obligatory reporting requirement of providing information on technical assistance needed to implement paragraphs 1-3.

(b) Group of Asian and Pacific States

131. Afghanistan indicated that it had partially implemented article 57, on the return and disposal of assets. To overcome its partial compliance, Afghanistan

required specific forms of assistance, training and capacity-building. Brunei Darussalam indicated that it had not implemented paragraph 1, concerning the disposal of confiscated property and paragraph 2, on the return of confiscated property upon request by another State party. It further stated that specific forms of technical assistance that were currently unavailable were required to achieve full compliance with the Convention. However, Brunei Darussalam did not report on the implementation of paragraphs 3-5, thereby not complying with an obligatory reporting item. Yemen reported partial compliance with paragraph 1 but did not comply with the obligatory reporting item of indicating the technical assistance needed to become fully compliant with the Convention. Tajikistan reported that specific technical assistance was required to overcome its non-compliance with article 57. Mongolia indicated that it had not implemented paragraph 2 or 3, concerning the return of property confiscated in accordance with article 55 of the Convention. To become fully compliant with those provisions, Mongolia indicated the need for specific technical assistance that was currently unavailable. Yemen stated that it was in partial compliance with paragraph 2 and added that no assistance was required to overcome such partial compliance. Pakistan did not require assistance to become fully compliant with paragraph 3. While Yemen reported partial compliance with paragraph 3, it did not comply with the obligatory reporting item of indicating potential needs for technical assistance to better implement the provision under review. The Republic of Korea stated that it required specific technical assistance to overcome its partial compliance with paragraph 4, concerning the deduction of expenses incurred in proceedings leading to the return or disposition of confiscated property. Pakistan reported no implementation of the provision under review and stated that specific technical assistance was required to become fully compliant with the Convention. To overcome its non-compliance with paragraph 5, concerning the consideration of concluding agreements or mutually acceptable arrangements for the final disposal of confiscated property, Mongolia required specific forms of technical assistance. Pakistan reported the need for specific technical assistance to better implement the provision under review.

(c) Group of Eastern European States

132. Assessing its legislation as non-compliant with paragraph 5, concerning the consideration of concluding agreements or mutually acceptable arrangements for the final disposal of confiscated property, Armenia indicated that no assistance was required to achieve full compliance with the Convention. Reporting partial implementation of article 57, with the exception of paragraph 5, in respect of which no compliance was reported, Azerbaijan indicated the need for specific technical assistance to achieve full compliance with the Convention. It also stated that no such assistance was being received at the time of reporting. To overcome its partial compliance with paragraphs 1-3, Hungary reported that specific technical assistance that was currently unavailable would facilitate greater compliance with the Convention. Hungary and Slovenia reported no compliance with paragraphs 4 and 5 but, while Hungary reported the need for specific technical assistance that was currently unavailable, Slovenia stated that no assistance was required to address its non-compliance.

(d) Group of Latin American and Caribbean States

133. Reporting no compliance with paragraphs 4 and 5, Cuba indicated that no technical assistance was required to achieve full adherence to the Convention. To overcome their non-compliance with article 57, Ecuador and Guatemala reported the need for all forms of specific technical assistance included in the self-assessment checklist and stated that no such assistance was currently available to them.

(e) Group of Western European and Other States

134. No assistance was requested by Greece or Malta to achieve full compliance with article 57.

III. Conclusions and recommendations

135. The present report leads to two sets of conclusions. The first relates to the means utilized to gather and analyse information on technical assistance and the second to the substantive findings of the exercise.

136. With regard to the first set of conclusions, the self-assessment checklist has been instrumental in enabling the identification of specific needs for technical assistance and in satisfying the equally essential requirement of promoting better coordination for the delivery of such assistance. The innovative layout of the present report and the utilization of visual representations have been made possible by exploiting solutions offered by modern information technology applications. Such a comprehensive picture of the technical assistance required to implement the Convention will enable the Conference to fulfil its mandate on technical assistance on the basis of evidence.

137. While the present report is based on information elicited through the experimental self-assessment checklist launched in 2007, a comprehensive self-assessment tool covering the entire Convention was mandated by the Conference at its second session (in its resolution 2/1) and will be presented at the Conference's next session. That comprehensive tool, which includes templates for answers and technological enhancements, will make it easier for States to carry out more in-depth self-assessments of their compliance with the Convention and to identify the technical assistance required to implement it. It will improve the ability of the Conference to receive additional and more detailed information to perform its functions, including with regard to the identification of areas and priorities for technical assistance and with regard to recommendations for appropriate action.

138. The Conference may wish to endorse the comprehensive self-assessment tool, which will also facilitate the identification and subsequent dissemination of good practices in implementation and in the provision of technical assistance. Furthermore, the Conference may wish to take note of the recommendations of the Open-ended Intergovernmental Working Group on Technical Assistance established by the Conference, which requested the development of a comprehensive software-based information-gathering tool for the Convention and each of its Protocols. In fulfilling those mandates, UNODC has developed an information-gathering tool that enables States to assess their compliance with all the crime-related treaties supported by UNODC. One of the additional benefits of such an integrated tool lies

in its ability to help States avoid duplication of efforts. States that have already collected information on compliance with one treaty can, as relevant and appropriate, import such information when assessing their compliance with another treaty. A detailed description of the steps taken by the Secretariat to develop such a tool, as well as of its key features, is contained in CAC/COSP/2009/CRP.3.

139. In relation to the substantive findings of the analytical exercise captured by the present report, the following conclusions may be drawn:

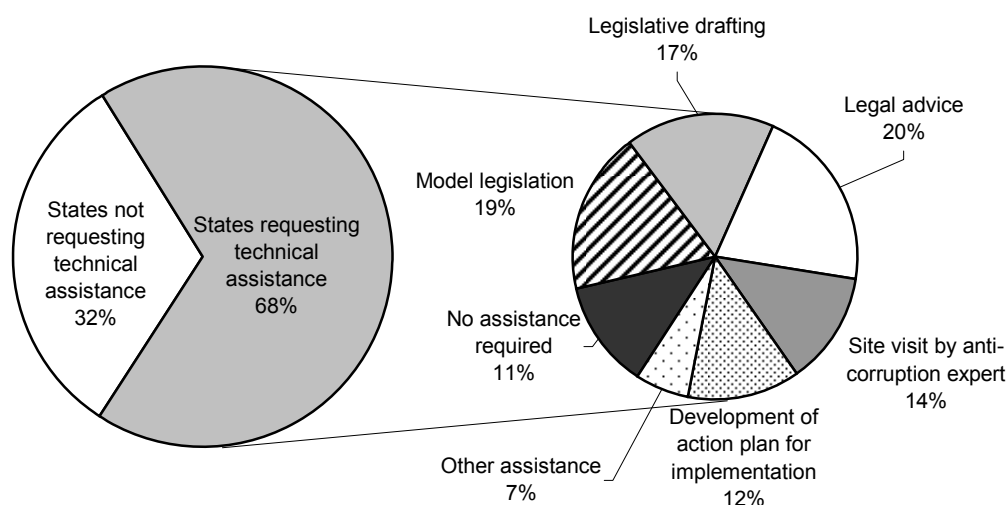
(a) Preventive measures (chapter II): 92 per cent of States reporting partial or no compliance with the chapter under review requested technical assistance. The development of an action plan for implementation and site visits by anti-corruption experts were the types of assistance most frequently requested (17 per cent each), followed by requests for legal advice (15 per cent) and model legislation (14 per cent);

(b) Criminalization and law enforcement (chapter III): 86 per cent of States reporting partial or no compliance with the chapter under review requested technical assistance. The provision of model legislation was the form of technical assistance most frequently requested (19 per cent), followed by the provision of legal advice (18 per cent), assistance in legislative drafting (17 per cent) and requests for on-site visits by anti-corruption experts (14 per cent);

(c) Asset recovery (chapter V): 91 per cent of States reporting partial or no compliance with the chapter under review requested technical assistance. The provision of legal advice (23 per cent), model legislation (21 per cent) and support to legislative drafting (18 per cent) were the forms of assistance most frequently requested.

140. The overview of technical assistance needs depicted in figure XV shows that legal advice and model legislation (20 per cent and 19 per cent, respectively) are the forms of technical assistance most needed to implement the 15 articles of the Convention surveyed through the existing self-assessment checklist. This is followed by assistance in legislative drafting and site visits by anti-corruption experts (17 and 14 per cent, respectively). Assistance in the formulation of action plans for implementation (12 per cent), followed by other country-specific forms of assistance (7 per cent), are the least requested.

Figure XV
Global technical assistance needs



141. At this early stage of implementation of the Convention, the self-assessment reports submitted to the Secretariat indicate that assistance in bringing normative frameworks in compliance with the Convention is the most sought-after form of assistance. In accordance with Conference resolutions 1/5 and 2/4, and the recommendations of the Open-ended Intergovernmental Working Group on Technical Assistance (CAC/COSP/2009/8), UNODC has developed a set of proposals to meet the needs for technical assistance as identified through the self-assessment checklist. Those proposals are contained in a background document prepared by the Secretariat (CAC/COSP/2009/5). The Conference may wish to act upon these findings by providing guidance to the Secretariat on developing a programme of work and project proposals to address the needs identified and by recommending ways and means for the mobilization of the resources necessary for technical assistance to be provided.