



REQUEST FOR PROPOSAL

Consultant to conduct a National Gap Analysis of Compliance with United Nations Convention against Corruption (UNCAC) Provisions

1. INTRODUCTION

1.1 Purpose

The purpose of this Request for Proposal (RFP) is to invite prospective research experts, individuals or group of experts, to submit a proposal to provide consultancy services to Transparency Maldives (TM) to conduct a national gap analysis of the country's compliance with the provisions of the United Nations Convention against Corruption (UNCAC). The RFP provides service providers with the relevant operational and performance requirements.

1.2 Coverage & Participation

Transparency Maldives (TM) reserves the right not to enter into any contract, to add and/or delete elements, or to change any element of the coverage and participation prior to the award without prior notification at any time without any liability or obligation of any kind or amount.

2. GENERAL INFORMATION

2.1 The Organization

Transparency Maldives (TM) is a non-partisan organization that endeavors to be a constructive force in society by promoting collaboration and discussion on corruption, transparency and accountability. TM seeks to engage with stakeholders from all sectors (government, business, political and civil society, among others) to raise awareness of corruption's detrimental effects on development and society, improve transparency and accountability in governance, and eliminate corruption from the daily lives of people.

Transparency Maldives is the National Chapter of Transparency International in the Maldives.

2.2 Schedule of Events

The following tentative schedule will apply to this RFP, but it may change in accordance with TM's needs or unforeseen circumstances. Changes will be communicated by email to all Service Providers.

Event	Date
Release of RFP	24 th March 2021
Questions from Service Providers Due	31 st March 2021, 5pm
Questions and requests for clarification related to this RFP are to be directed in writing to: Hassan Rushdhan procurement@transparency.mv	

Answers from TM will be provided in the online document .	3 rd April 2021, 5pm
RFP Closes – All Bids Due	7 th April 2021, 5pm

3. SCOPE OF WORK & GUIDELINES

3.1 Background

Various global indices and surveys conducted in the last five years show that corruption is an endemic in the Maldives. Since 2016, Maldives has remained among the two-third of countries to score below 50 in the Corruption Index. In the 2020 Financial Secrecy Index, Maldives scored as the most secretive among 133 jurisdictions surveyed. Since its formation in 2008 TM has been advocating for strengthening of the anti-corruption legal framework in the Maldives. TM technical support and advocacy efforts are informed by evidence-based research assessing the strength of the governance and anti-corruption framework including assessment on compliance against international frameworks such as the United Nations Convention against Corruption (UNCAC). UNCAC is the only legally binding universal anti-corruption instrument, and was adopted by the United Nations General Assembly on 31 October 2003. Maldives acceded to UNCAC on 22 March 2007. The Convention entered into force in Maldives on 21 April 2007.

3.2 Objectives, Scope and Description of Activities

The purpose of the study is to conduct an independent assessment of how well the existing legal framework and enforcement in the Maldives complies with the UNCAC provisions by

- i) Reviewing legislations, regulations and procedures/practices; and,
- ii) Identifying gaps and potential incompatibilities in existing laws and procedures.

The assessment must be conducted using UNODCs self-assessment questionnaire (refer to Annex 2). The UNODC’s self-assessment questionnaires should guide the analysis, and the Service Provider is required to propose a methodology that complements the self-assessment questionnaire, including literature review, focus group discussions and key informant interviews with government official and key stakeholders to determine the policy and institutional gaps.

4. Deliverables and Timeline

The Service Provider must submit an inception report setting out the conceptual framework; stakeholder mapping, methodology, information on data sources and collection, sampling and key indicators, work plan indicating timing, key deliverables and milestones; and templates that will be used for data collection. Following the acceptance of the inception report, Service Providers are must conduct the field research and submit a first draft of the report highlighting key findings and recommendations. Once TM reviews and accepts the first draft report, a validation workshops must be held with relevant stakeholders to establish content validity, and a final report must be submitted within 6 months of signing of the agreement. Service providers must provide field/interview notes, transcripts, and audio recordings TM. A summary and timeline of the deliverables are provided below.

Deliverable	Timeline
Inception report	30 days
Conduct desk and field research	90 days
First draft of the report	30 days
TM's review of first draft of the Report	12 days
Validation of Research findings	12 days
Final Report	08 days

4.1 Audience

The audience of the study is intended to be government partners, policy makers, civil society, and the public.

5. FUNCTIONAL REQUIREMENTS

Service Providers must start the assignment in **April 2021 for a period of 6 (six) months.**

6. FORM/CONTENT OF THE RESPONSE

Service Providers must provide the following information in order for their proposal to be considered. Both individuals and teams may submit proposals.

1. Details about the Service provider
 - Describe your experience in conducting research
 - Provide a brief description of each team member and a statement of how team members meet the knowledge and skills needs of the assignment.
2. Inception report.
 - Desk review proposal
 - Stakeholder mapping
 - Research methodology
 - Outline of how the research quality will be assured.
 - Organization of research team, field schedule, and logistics
 - Appendices should include bibliography of literature reviewed, secondary data/ stats analysis tables.
 - Annexes should include key informant interview guide based on the self-assessment questionnaire requirements.
3. Technical proposal detailing:
 - Outline of the development strategy
 - Proposed timeline from kickoff to launch

- The time frame for completion of the project will be evaluated. In addition, the time frames will be part of the contractual agreement; therefore, a realistic time frame for completion is requested.

4. Evidence of successful completion of a project of similar size and complexity. Please provide a list of project reference contacts. The URL should be submitted. Only sites that are live well qualify for the evaluation.

6.1 Technical Proposal

The technical proposal should include the following information:

Statement of Experience: This section should outline a statement of the Service Provider's capabilities and include details of previous related assignments of similar size and complexity. Please provide a list of projects and reference contacts.

Resource Plan: This section should describe a portfolio of team leader and other key staff, which details on assigned roles and responsibilities. Please include CV/resume of all team members providing evidence of how they meet the knowledge and skills needs of the assignment.

Proposed Methodology: This section should demonstrate the Service Provider's methodological approach for meeting the specifications set out in Section 4 of this RFP. This section must also include a method/s of research quality assurance which will be employed by the Service Provider.

6.2 Financial Proposal

Please see Annex 1 of this RFP.

6.3 Conflict of Interest Declaration

The Service Provider's must provide a conflict-of-interest declaration with details of potential conflict of interest and how to mitigate them. Failure to declare conflict of interest may result in disqualification of the Service Provider's proposal.

7. PROPOSAL PREPARATION INSTRUCTIONS

7.1 Service Providers' Understanding of the RFP

In responding to this RFP, Service Providers accept full responsibility to understand the RFP in its entirety, and in detail, including making any inquiries to TM as necessary to gain such an understanding. TM reserves the right to disqualify any Service Provider who demonstrates less than such understanding. Further, TM reserves the right to determine, at its sole discretion, whether Service Providers have demonstrated such understanding. Such disqualification shall be at not fault, cost, or liability whatsoever to TM.

7.2 Good Faith Statement

All information provided by TM in the RFP is offered in good faith. Individual items are subject to change at any time. TM makes no certification that any item is without error. TM is not responsible or liable for any use of the information or for any claims asserted there from.

7.3 Communication



Verbal communication shall not be effective unless formally confirmed in writing by a TM staff in charge of managing this RFP process. In no case shall verbal communication govern over written communication.

7.3.1 Service Providers' Inquiries

Applicable terms and conditions herein shall govern communications and inquiries between TM and Service Providers as they relate to this RFP. Inquiries, questions and requests for clarification related to this RFP are to be directed in writing to:

Hassan Rushdhan

procurement@transparency.mv

7.3.2 Formal Communications shall include, but are not limited to:

- Questions concerning this RFP must be submitted in writing
- Service Providers shall recommend to TM any discrepancies, errors or omissions that may exist within this RFP. With respect to this RFP, Service Providers shall recommend to TM any enhancements, which might be in TM's best interests.
- Inquiries about technical interpretations must be submitted in writing.

7.3.3 Addenda

TM will make a good-faith effort to provide a written response to the questions or request for clarification that requires addenda per the Schedule of Events in 2.2.

7.3.4 Proposal Submission

It is mandatory for Service Providers to send a Technical and Financial proposal as separate documents in electronic copy via email to procurement@transparency.mv on or prior to 5pm on 7th April 2021, with the subject line, Proposal: UNCAC Gap Analysis

8. Criteria for Selection

TM will evaluate proposals based on the following criteria:		Points
Selection Criteria		
1. Technical Proposal		80%
1.1 Proposed methodology and approach <ul style="list-style-type: none"> – Is the scope of task well defined and does it correspond to the RFP? – Is there an adequate methodology in place for collecting data? – Is the presentation clear and is the sequence of activities and the planning logical, realistic, and promise efficient implementation to the project? – Is the research quality assurance method detailed? 	<p>20</p> <p>20</p> <p>20</p> <p>20</p>	20%
1.2 Service Provider Experience <ul style="list-style-type: none"> – Experience in conducting gap analysis of similar size and complexity. – Experience in drafting studies, reports, and policy briefs to a wide range of audience. Experience conducting research projects of similar size and complexity. <p>Service Providers are requested to provide a list of projects, your specific role, and reference contacts.</p>	<p>20</p> <p>20</p>	40%
1.3 Service Provider Qualifications <ul style="list-style-type: none"> – Postgraduate degree in a field related to public policy or a relevant field of education. – Relevant short-term trainings or professional qualifications. <p>Service providers must submit educational certificates (with transcripts) to support their merit and list relevant short-term training undertaken.</p>	<p>10</p> <p>20</p>	20%
2. Financial Proposal	10	20%

8.1 Selection & Notification

Service Providers determined by TM who possess the capacity to compete for this contract will be selected. The selected Service Provider will be notified via email. Those Service Providers not selected for the negotiation phase will also be notified via email.

9. ADDITIONAL TERMS & CONDITIONS

9.1 Non-Disclosure Agreement

TM reserves the right to require any respondent to enter into a non-disclosure agreement separate from the Consultancy Contract (refer to Annex 3)

9.2 Costs

The RFP does not obligate TM to pay for any costs, of any kind whatsoever, which may be incurred by a Service Provider or any third parties, in connection with the proposal.

9.3 Intellectual Property

Service Providers shall not use any intellectual property of TM including, but not limited to, all logos, registered trademarks or trade names of TM, at any time without the prior approval of TM, as appropriate.

9.4 Service Provider's Proposals

All proposals and supporting documentation shall become the property of TM, subject to claims of confidentiality in respect of the proposal and supporting documentation.

9.5 Partial Awarding

TM reserves the right to accept all or part of the quotation when awarding the Contract.

9.6 No Liability

TM reserves the right to accept or reject any quotation or stop the procurement process at any time, without assigning any reason or liability.

TM shall not be liable to any Service Provider, person or entity for any losses, expenses, costs, claims or damages of any kind:

- Arising out of, by reason of, or attributable to, the Service Provider responding to this RFP; or
- As a result of the use of information, error or omission contained in this RFP document or provided during the RFP process.

9.7 Entire RFP

This RFP, any addenda to it, and any attached schedules, constitute the entire RFP.

[End of RFP]

ANNEX 1: FINANCIAL PROPOSAL

Service Providers are required to prepare a Financial Proposal following the below format and submit as a separate document from the Technical Proposal. Proposals will be disqualified if they are not submitted using this price template.

Pricing must be in Maldivian Rufiyaa.

Bid Title:

Date:

A: Cost Breakdown per Deliverable

Deliverables (as per RFP)	Price (Lump Sum, All Inclusive)
Example: Cost for the time spent on the project	
Total	

**This shall be the basis of the payment tranches.*

B: Cost Breakdown by Component

No.	Activities	Quantity	Rate	No. of Days	Total Amount
A	Key Human Resources				
1	Eg: Budget analyst				
Subtotal A					
B	Administrative Costs				
1	Interviews				
Subtotal B					
C	Total A+B				
D	GST (6%) if applicable				
E	Grand Total (C+D)				

N. B. Administrative and other associated costs, if any, should be built into the above headings proportionately.

Name:

Designation:

Signature:

ANNEX 2: DRAFT COSULTANCY CONTRACT WITH TM

date

THE CONSULTANCY CONTRACT

Between Transparency Maldives
G. Liverpool North
Malé,
Maldives.
Tel: (+960) 330 4017
Fax: (+960) 300 6062

(hereinafter referred to as “the Client”)

And

(X)

(hereinafter referred to as “the Consultant”)

1. Contract Documents

1.1 The Consultant and the Client agrees to be bound by the provisions contained in the following documents, which shall take precedence over one another in case of conflict in the following order:

- a) This Contract;
- b) The Terms of Reference.

1.2 All the above shall form the Contract between the Consultant and the Client, superseding the contents of any other negotiations and/or agreements, whether oral or in writing, pertaining to the subject of this Contract.

1.3 Should individual clauses of this Agreement be ineffective, this shall not affect the effectiveness of any other clause of this Agreement.

2. Obligations of the Consultant

2.1 The Consultant shall perform and complete the services described in Annex I: Terms of Reference (the Services), with due diligence and efficiency and in accordance with the Contract.

2.2 This Agreement is a contract for the provision of services and not a contract of employment. Accordingly, the relationship of the Consultant to the Client will be that of an independent contractor and at no time will the Consultant hold him/herself out to be an employee of the Client. Given the Consultant's status as an independent contractor, the Consultant and the Client agrees that:

2.2.1 The Consultant's place and time of work shall be determined at the discretion of the Consultant within the agreed framework of tasks to be fulfilled.

2.2.2 The Consultant is paid neither for illness or vacation. The Consultant will be responsible for accounting for, filing of, and being liable for the Consultant's tax, social security and any other liabilities.

2.2.3 The Consultant shall provide all technical and administrative support needed in order to ensure the timely and satisfactory performance of the Services. The Consultant shall work with the Consultant's own facility, equipment and premises.

2.2.4 Neither of the parties to this Contract is the partner of the other and nothing in this Contract shall render the Consultant an employee or a partner of or joint venture with the Client.

2.3 All documents shall be transmitted by the Consultant by e-mail to the Client.

2.4 The Consultant represents and warrants the accuracy of any information or data provided to the Client for the purpose of entering into this Contract, as well as the quality of the deliverables and reports foreseen under this Contract in accordance with the highest industry and professional standards.

2.5 The Consultant shall maintain confidentiality in any and all matters in the course of activities with the Client. This provision shall remain in force after termination of this Contract. In the event of termination of the contract, the Consultant is obliged to submit to the Client all property, records and documents related in any way to the consultant's activities and work for the Client. The Consultant shall also have the obligation to keep the Client informed of matters of interest or concern to the Client that arise in connection with the Consultancy.

3. Intellectual Property, Copyrights and other Property

3.1 The Client owns the exclusive, transferable and unrestricted rights in any work completed under this Contract whether patentable or not. With regard to copyrights, the Client is granted an exclusive world-wide sub licensable licence for unlimited use.

3.2 All documents and results produced by the Consultant under this contract are the exclusive property of the Client; this includes all accounts, data gathered and produced, discs, documents, letters, memoranda, notes, papers, publications, records, reports, samples, tapes and other items provided to or produced by the Consultant in providing the Services, shall be and remain the property of the Client, and shall be handed over to the Client from time to time on demand and in any event on the Termination Date.

3.3 The Consultant will promptly disclose all works in which copyright or design rights may exist which s/he may make in the cause of providing the Services. Any such copyright works or designs created in the course of providing the Services shall be the vested in the Client by way of an exclusive world-wide sub licensable licence for unlimited use and to the extent that such copyright or design rights are not vested in the Client, the Consultant hereby assigns the same to the Client absolutely for the entire period or copyright in such invention and all and any renewals and extensions therefore perpetuity throughout the world.

3.4 The Consultant shall immediately notify the Client of any circumstances, which may place the consultant in a real or apparent conflict of interest in relation to the obligations under the Contract or the interests of the Client, generally. There is a conflict of interests where the impartial and objective exercise of the functions of any person under this Contract is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with another person. There may be a conflict of interest where the Consultant uses the title and association with the Client from this contract for securing other assignments performed in the Consultant's own name, and in such instance the Consultant shall seek the prior Contract of the Client to enter into such other assignment.

3.5 The Consultant shall inform the Client of other assignments undertaken over the duration of this contract. The Consultant shall not work for any competitor of the Client or any company affiliated with such competitors, except with the agreement of the Executive Director of the Client.

4. Payment

4.1 In full consideration for the complete and satisfactory performance of the Services under this Contract, the Client shall pay the Consultant professional consultancy fees in amount not to exceed (X)

4.2 Payments effected by the Client to the Consultant shall be deemed neither to relieve the Consultant of its obligations under this Contract nor as acceptance by the Client of the Consultant's performance of the Services.

5. Method of Payment

5.1 Upon delivery of the outputs, the Consultant shall be entitled to a total fee of (X).

5.2 The Consultant shall be obligated to maintain records of work and expenses for a period of eight (8) years and the Client reserves the right to request such records of work for the purposes of audit. The Consultant shall fully cooperate with the requirements of any such audit.

5.3 If any delay is to be expected from the consultant in submitting the deliverables on time, the consultant shall be obligated to inform the Client in writing for approval, not less than five (5) working days prior to the deadline for submission.

5.4 All delays must be communicated to the Client and a mutually agreeable date for submission must be agreed to. All uncommunicated and unapproved delays will be penalized by up to 20% of the amount tied to the deliverable, depending on the delay in submission. Delays of up to (3) days will be penalized by 5%, a week by 10%, and over a week by 20%.

6. Submission of invoices

6.1 An original invoice shall be submitted by mail by the Consultant for each payment under the Contract to the following address:

Transparency Maldives,
H. Fennaage,
2nd Floor,
Buruzu Magu
Male', Maldives

Attn: Executive Director

6.2 Invoices submitted by fax shall not be accepted by the Client.

7. Time and manner of payment

Invoices shall be processed within fourteen (14) days of the date of their receipt and acceptance by the Client.

8. Entry into force. Time limits.

8.1 The Contract shall enter into force upon its signature by both parties.

8.2 The Consultant shall complete the Services as detailed in the timeline presented in Annex 1 of this Contract.

8.3 All time limits contained in this Contract shall be deemed to be of the essence in respect of the performance of the Services.

9. Termination

9.1 The Consultant or the Client may terminate this fixed term contract without cause before the date of its expiry by giving 1 months' notice in writing. In this instance the Client will seek to pay for any deliverable met by the consultant, as outlined in clause 5.1, at the time of termination.

9.2 In the event of termination of the contract, the Consultant is obliged to submit to the Client all property, records and documents related in any way to the work under this contract. The Consultant shall also pass on all material information to the Client.

9.3 In the event of termination of the contract due to a lack of good faith on the part of the Consultant, the Client shall be entitled a refund of any monies paid out already under the Contract.

10. Liabilities

10.1 The Consultant shall be responsible for complying with any legal obligations incumbent upon them.

10.2 The Consultant shall bear sole responsibility vis-à-vis third parties, including for damage of any kind sustained by them as a result of implementing the Contract. The Consultant shall discharge the Client of all liability arising from any claim or action brought as a result of an infringement by the Consultant or the Consultant's employees or individuals for whom those employees are responsible of rules or regulations, or as a result of violation of a third party's rights.

10.3 Except in cases of *force majeure*, the Consultant shall make good any damage sustained by the Client or the Donor as a result of the faulty execution of the Contract.

10.4 The Client reserves the right to suspend or cancel payments or claim repayment in full or in part including the interest accrued to the contribution if the funds are found to be misused, not satisfactorily accounted for and/ or the stated project objectives and contractual requirements are not being met.

11. Confidentiality

The Client and the Consultant undertake to preserve the confidentiality of any document, information or other material directly related to the subject of the Contract that is duly classed as confidential, if the disclosure could cause prejudice to the other party or the Donor. The parties shall remain bound by this obligation beyond the closing date of the action.

12. Evaluation, Checks and Audits

In case the Client decides to carry out a check, an audit or an interim or final evaluation of the project involving the Services, the Consultant agrees to provide the Client, or any other outside body authorised by the Client, with all such access, documents and information that can help it to complete these tasks.

13. Publicity

Unless requested otherwise by the Client, any communication or publication by the Consultant related to the Services (if allowed by the Client), shall indicate that these were coordinated and are owned by the Client.

14. Modifications

Any modification to this Contract shall require an amendment in writing between both parties duly signed by the authorized representative of the Consultant and the Client. Amendments shall be marked with consecutive numbers.

15. Applicable Law and Jurisdiction

This contract is deemed made in Maldives and shall be construed and applied in all respects in accordance with Maldivian law. The parties hereto submit and agree to jurisdiction of a court of Maldives, should disagreements arise.

16. Terrorism

The Consultant must not engage in transactions with, or provide resources or support to, individuals and organizations associated with terrorism.

17. Human Trafficking

The Consultant must not engage in: 1) Trafficking in persons (as defined in the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention against Transnational Organized Crime). 2) Procuring a commercial sex act. 3) Use of forced labor in the performance of this Contract. 4) Acts that directly support or advance trafficking in person, including the following acts: i. Destroying, concealing, confiscating, or otherwise denying access to the employee's identity or immigration documents; ii. Failing to provide return transportation or pay for return transportation costs to an employee from a country outside the United States to the country from which the employee was recruited upon the end of employment if requested by the employee, unless: a. exempted from the requirement to provide or pay for such return transportation; or b. the employee is a victim of human trafficking seeking victim services or legal redress in the country of employment or a witness in a human trafficking enforcement action. iii. Soliciting a person for the purpose of employment, or offering employment, by means of materially false or fraudulent pretenses, representations, or promises regarding that employment; iv. Charging employees' recruitment fees; or v. Providing or arranging housing that fails to meet the host country housing and safety standards.

18. Whistleblowing

An employee of a Consultant may not be discharged, demoted, or otherwise discriminated against as a reprisal for "whistleblowing." In addition, whistleblower protections cannot be waived by any Contract, policy, form, or condition of employment. A management official or other employee of the Consultant who has the responsibility to investigate, discover, or address misconduct. The Consultant must inform its employees working on this assignment in the native language of the workforce that they are afforded the employee whistleblower rights and protections Whistleblower Protection Act 2019.

19. Children's Rights Protection

If this assignment may involve children, or if personnel implementing this assignment may come into contact with children (defined as anyone less than 18 years old), the Consultant must abide by the following child safeguarding core principles and include them in its code of conduct for all personnel: 1) Ensure compliance with host country and local child welfare and protection legislation or international standards, whichever gives greater protection, and with Maldives law where applicable; 2) Prohibit all personnel from engaging in child abuse, exploitation, or neglect; 3) Consider child safeguarding in project planning and implementation to determine potential risks to children that are associated with project activities and operations; 4) apply measures to reduce the risk of child abuse, exploitation, or neglect, including, but not limited to, limiting unsupervised interactions with children; prohibiting exposure to pornography; and complying with applicable laws, regulations, or customs regarding the photographing, filming, or other image



generating activities of children; 5)Promote child-safe screening procedures for personnel, particularly personnel whose work bring them in direct contact with children; and 6)Have a procedure for ensuring that personnel and others recognize child abuse, exploitation, or neglect; mandating that personnel and others reports allegations; investigating and managing allegations; and taking action in response to such allegations, including, but not limited to, dismissal of personnel.

20. Notifications

For the purpose of notifications under the Contract, the contact persons and addresses of the Client and the Consultant are as follows:

For the Client:

For the Consultant:

If the above terms and conditions meet with your Contract, please initial every page of this document and its attachments, and return to the Client, duly signed and dated.

Agreed and Accepted:

Signature

Signature

Name

Name

Position

Position

Day Month Year

Day Month Year

For the Client

For the Consultant



ANNEX 3: UNCAC SELF ASSESSMENT QUESTIONNAIRE

Service Providers must use the below UNCAC self-assessment questionnaire as a base of their study.



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

Distr.: General
15 March 2016

Original: English

Implementation Review Group

Seventh session

Vienna, 20-24 June 2016

**Revised draft self-assessment checklist on the
implementation of chapters II (Preventive measures) and
V (Asset recovery) of the United Nations Convention against
Corruption**

Summary

A conference room paper containing the first revised draft of the self-assessment checklist for the second cycle of the Implementation Review Mechanism was made available to the Conference of the States Parties to the United Nations Convention against Corruption at its fifth session (CAC/COSP/2013/CRP.6).

Taking into account the comments received on that first draft, an updated second version of the draft was prepared, and it was subsequently shared with States parties and signatories for comments in December 2014. The comments received on the second draft were incorporated in the third draft of the self-assessment checklist for the second cycle of the Implementation Review Mechanism (CAC/COSP/IRG/2015/CRP.1), which was made available to the Implementation Review Group at its sixth session in all official languages of the United Nations.

Pursuant to resolution 6/1 of the Conference of the States Parties, a fourth draft was produced for discussion and made available to States parties and signatories for further comments in December 2015. The fourth draft contained further amendments aimed at continuing to improve the comprehensive self-assessment checklist for the second cycle of the Implementation Review Mechanism without prejudice to its comprehensiveness and to the methodology applied during the first cycle.

The substantive feedback received on the fourth draft was, to the greatest extent possible, incorporated in the fifth draft, which was shared with States parties in February 2016. Further comments received on the fifth draft have been incorporated in the sixth draft, which appears in the present document.



General information

Focal point	Name and position
Institutions consulted	List of institutions consulted

1. Please provide information on the ratification/acceptance/approval/accesion process of the United Nations Convention against Corruption in your country (date of ratification/acceptance/approval of/accesion to the Convention, date of entry into force of the Convention in your country, procedure to be followed for ratification/acceptance/approval of/accesion to international conventions etc.).
2. Please briefly describe the legal and institutional system of your country.
3. In a separate communication addressed and e-mailed to the secretariat (uncac.cop@unodc.org), please provide a list of relevant laws, policies and/or other measures that are cited in the responses to the self-assessment checklist along with, if available online, a hyperlink to each document and, if available, summaries of such documents. For those documents not available online, please include the texts of those documents and, if available, summaries thereof in an attachment to the e-mail. If available, please also provide a link to, or the texts of, any versions of these documents in other official languages of the United Nations (Arabic, Chinese, English, French, Russian or Spanish). Please revert to this question after finishing your self-assessment to ensure that all legislation, policies and/or other measures you have cited are included in the list.
4. Please provide a hyperlink to or copy of any available assessments of measures to combat corruption and mechanisms to review the implementation of such measures taken by your country that you wish to share as good practices.
5. Please provide the relevant information regarding the preparation of your responses to the self-assessment checklist.
6. Please describe three practices that you consider to be good practices in the implementation of the chapters of the Convention that are under review.
7. Please describe (cite and summarize) the measures/steps, if any, your country needs to take, together with the related time frame, to ensure full compliance with the chapters of the Convention that are under review, and specifically indicate to which articles of the Convention such measures would relate.

Thematic areas

A. Prevention (arts. 5-13)

Article 5. Preventive anti-corruption policies and practices

Article 5, paragraph 1

1. *Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption*

policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 5, paragraph 2

2. Each State Party shall endeavour to establish and promote effective practices aimed at the prevention of corruption.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 5, paragraph 3

3. Each State Party shall endeavour to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 5, paragraph 4

4. States Parties shall, as appropriate and in accordance with the fundamental principles of their legal system, collaborate with each other and with relevant international and regional organizations in promoting and developing the measures referred to in this article. That collaboration may include participation in international programmes and projects aimed at the prevention of corruption.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Polymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 6. Preventive anti-corruption body or bodies

Article 6, paragraph 1

1. Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption by such means as:

(a) Implementing the policies referred to in article 5 of this Convention and, where appropriate, overseeing and coordinating the implementation of those policies;

(b) Increasing and disseminating knowledge about the prevention of corruption.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 6, paragraph 2

2. Each State Party shall grant the body or bodies referred to in paragraph 1 of this article the necessary independence, in accordance with the fundamental principles of its legal system, to enable the body or bodies to carry out its or their functions effectively and free from any undue influence. The necessary material resources and specialized staff, as well as the training that such staff may require to carry out their functions, should be provided.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 6, paragraph 3

3. Each State Party shall inform the Secretary-General of the United Nations of the name and address of the authority or authorities that may assist other States Parties in developing and implementing specific measures for the prevention of corruption.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Has your country provided the information as prescribed above? If so, please also provide the appropriate reference.

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policy-making: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 7. Public sector

Article 7, paragraph 1

1. Each State Party shall, where appropriate and in accordance with the fundamental principles of its legal system, endeavour to adopt, maintain and strengthen systems for the recruitment, hiring, retention, promotion and retirement of civil servants and, where appropriate, other non-elected public officials:

(a) That are based on principles of efficiency, transparency and objective criteria such as merit, equity and aptitude;

(b) That include adequate procedures for the selection and training of individuals for public positions considered especially vulnerable to corruption and the rotation, where appropriate, of such individuals to other positions;

(c) That promote adequate remuneration and equitable pay scales, taking into account the level of economic development of the State Party;

(d) That promote education and training programmes to enable them to meet the requirements for the correct, honourable and proper performance of public functions and that provide them with specialized and appropriate training to enhance their awareness of the risks of corruption inherent in the performance of their functions. Such programmes may make reference to codes or standards of conduct in applicable areas.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 7, paragraph 2

2. Each State Party shall also consider adopting appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to prescribe criteria concerning candidature for and election to public office.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 7, paragraph 3

3. Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 7, paragraph 4

4. Each State Party shall, in accordance with the fundamental principles of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Technical assistance

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2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 8. Codes of conduct for public officials

Article 8, paragraph 1

1. In order to fight corruption, each State Party shall promote, inter alia, integrity, honesty and responsibility among its public officials, in accordance with the fundamental principles of its legal system.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 8, paragraphs 2 and 3

2. *In particular, each State Party shall endeavour to apply, within its own institutional and legal systems, codes or standards of conduct for the correct, honourable and proper performance of public functions.*

3. *For the purposes of implementing the provisions of this article, each State Party shall, where appropriate and in accordance with the fundamental principles of its legal system, take note of the relevant initiatives of regional, interregional and multilateral organizations, such as the International Code of Conduct for Public Officials contained in the annex to General Assembly resolution 51/59 of 12 December 1996.*

1. Is your country in compliance with these provisions?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with these provisions of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 8, paragraph 4

4. *Each State Party shall also consider, in accordance with the fundamental principles of its domestic law, establishing measures and systems to facilitate the reporting by public officials of acts of corruption to appropriate authorities, when such acts come to their notice in the performance of their functions.*

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 8, paragraph 5

5. *Each State Party shall endeavour, where appropriate and in accordance with the fundamental principles of its domestic law, to establish measures and systems requiring public officials to make declarations to appropriate authorities regarding, inter alia, their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials.*

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 8, paragraph 6

6. Each State Party shall consider taking, in accordance with the fundamental principles of its domestic law, disciplinary or other measures against public officials who violate the codes or standards established in accordance with this article.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Technical assistance

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Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 9. Public procurement and management of public finances

Article 9, paragraph 1

1. *Each State Party shall, in accordance with the fundamental principles of its legal system, take the necessary steps to establish appropriate systems of procurement, based on transparency, competition and objective criteria in decision-making, that are effective, inter alia, in preventing corruption. Such systems, which may take into account appropriate threshold values in their application shall address, inter alia:*

(a) The public distribution of information relating to procurement procedures and contracts, including information on invitations to tender and relevant or pertinent information on the award of contracts, allowing potential tenderers sufficient time to prepare and submit their tenders;

(b) The establishment, in advance, of conditions for participation, including selection and award criteria and tendering rules, and their publication;

(c) The use of objective and predetermined criteria for public procurement decisions, in order to facilitate the subsequent verification of the correct application of the rules or procedures;

(d) An effective system of domestic review, including an effective system of appeal, to ensure legal recourse and remedies in the event that the rules or procedures established pursuant to this paragraph are not followed;

(e) Where appropriate, measures to regulate matters regarding personnel responsible for procurement, such as declaration of interest in particular public procurements, screening procedures and training requirements.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 9, paragraph 2

2. *Each State Party shall, in accordance with the fundamental principles of its legal system, take appropriate measures to promote transparency and accountability in the management of public finances. Such measure shall encompass, inter alia:*

(a) Procedures for the adoption of the national budget;

(b) Timely reporting on revenue and expenditure;

(c) A system of accounting and auditing standards and related oversight;

(d) Effective and efficient systems of risk management and internal control; and

(e) Where appropriate, corrective action in the case of failure to comply with the requirements established in this paragraph.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 9, paragraph 3

3. Each State Party shall take such civil and administrative measures as may be necessary, in accordance with the fundamental principles of its domestic law, 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.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Technical assistance

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No assistance would be required

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Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

- 3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.**

Article 10. Public reporting

Article 10, subparagraph (a)

Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include, inter alia:

(a) Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public;

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

Article 10, subparagraph (b)

Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include, inter alia:

...

(b) Simplifying administrative procedures, where appropriate, in order to facilitate public access to the competent decision-making authorities;

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

Article 10, subparagraph (c)

Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision-making processes, where appropriate. Such measures may include, inter alia:

...

(c) Publishing information, which may include periodic reports on the risks of corruption in its public administration.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Technical assistance

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Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 11. Measures relating to the judiciary and prosecution services

Article 11, paragraph 1

1. Bearing in mind the independence of the judiciary and its crucial role in combating corruption, each State Party shall, in accordance with the fundamental principles of its legal system and without prejudice to judicial independence, take measures to strengthen integrity and to prevent opportunities for corruption among members of the judiciary. Such measures may include rules with respect to the conduct of members of the judiciary.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 11, paragraph 2

2. Measures to the same effect as those taken pursuant to paragraph 1 of this article may be introduced and applied within the prosecution service in those States Parties where it does not form part of the judiciary but enjoys independence similar to that of the judicial service.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Technical assistance

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2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 12. Private sector

Article 12, paragraphs 1 and 2

1. Each State Party shall take measures, in accordance with the fundamental principles of its domestic law, to prevent corruption involving the private sector; enhance accounting and auditing standards in the private sector and, where appropriate, provide effective, proportionate and dissuasive civil, administrative or criminal penalties for failure to comply with such measures.

2. Measures to achieve these ends may include, inter alia:

(a) Promoting cooperation between law enforcement agencies and relevant private entities;

(b) Promoting the development of standards and procedures designed to safeguard the integrity of relevant private entities, including codes of conduct for the correct, honourable and proper performance of the activities of business and all relevant professions and the prevention of conflicts of interest, and for the promotion of the use of good commercial practices among businesses and in the contractual relations of businesses with the State;

(c) Promoting transparency among private entities, including, where appropriate, measures regarding the identity of legal and natural persons involved in the establishment and management of corporate entities;

(d) Preventing the misuse of procedures regulating private entities, including procedures regarding subsidies and licences granted by public authorities for commercial activities;

(e) Preventing conflicts of interest by imposing restrictions, as appropriate and for a reasonable period of time, on the professional activities of former public officials or on the employment of public officials by the private sector after their resignation or retirement, where such activities or employment relate directly to the functions held or supervised by those public officials during their tenure;

(f) Ensuring that private enterprises, taking into account their structure and size, have sufficient internal auditing controls to assist in preventing and detecting

acts of corruption and that the accounts and required financial statements of such private enterprises are subject to appropriate auditing and certification procedures.

1. Is your country in compliance with these provisions?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with these provisions of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 12, paragraph 3

3. In order to prevent corruption, each State Party shall take such measures as may be necessary, in accordance with its domestic laws and regulations regarding the maintenance of books and records, financial statement disclosures and accounting and auditing standards, to prohibit the following acts carried out for the purpose of committing any of the offences established in accordance with this Convention:

(a) The establishment of off-the-books accounts;

(b) The making of off-the-books or inadequately identified transactions;

(c) The recording of non-existent expenditure;

(d) The entry of liabilities with incorrect identification of their objects;

(e) The use of false documents; and

(f) The intentional destruction of bookkeeping documents earlier than foreseen by the law.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 12, paragraph 4

4. Each State Party shall disallow the tax deductibility of expenses that constitute bribes, the latter being one of the constituent elements of the offences established in accordance with articles 15 and 16 of this Convention and, where appropriate, other expenses incurred in furtherance of corrupt conduct.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Technical assistance

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2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 13. Participation of society

Article 13, paragraph 1

1. Each State Party shall take appropriate measures, within its means and in accordance with the fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as:

(a) Enhancing the transparency of and promoting the contribution of the public to decision-making processes;

(b) Ensuring that the public has effective access to information;

(c) Undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula;

(d) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary:

(i) For respect of the rights or reputations of others;

(ii) For the protection of national security or ordre public or of public health or morals.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 13, paragraph 2

2. Each State Party shall take appropriate measures to ensure that the relevant anti-corruption bodies referred to in this Convention are known to the public and shall provide access to such bodies, where appropriate, for the reporting, including anonymously, of any incidents that may be considered to constitute an offence established in accordance with this Convention.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Technical assistance

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Institution-building: please describe the type of assistance

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Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

B. Money-laundering (arts. 14, 52 and 58)

Article 14. Measures to prevent money-laundering

Article 14, paragraph 1 (a)

1. Each State Party shall:

(a) Institute a comprehensive domestic regulatory and supervisory regime for banks and non-bank financial institutions, including natural or legal persons that provide formal or informal services for the transmission of money or value and, where appropriate, other bodies particularly susceptible to money-laundering, within its competence, in order to deter and detect all forms of money-laundering, which regime shall emphasize requirements for customer and, where appropriate, beneficial owner identification, record-keeping and the reporting of suspicious transactions;

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 14, paragraph 1 (b)

1. Each State Party shall:

...

(b) Without prejudice to article 46 of this Convention, ensure that administrative, regulatory, law enforcement and other authorities dedicated to combating money-laundering (including, where appropriate under domestic law, judicial authorities) have the ability to cooperate and exchange information at the

national and international levels within the conditions prescribed by its domestic law and, to that end, shall consider the establishment of a financial intelligence unit to serve as a national centre for the collection, analysis and dissemination of information regarding potential money-laundering.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 14, paragraph 2

2. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiable instruments.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.

Article 14, paragraph 3

3. States Parties shall consider implementing appropriate and feasible measures to require financial institutions, including money remitters:

(a) To include on forms for the electronic transfer of funds and related messages accurate and meaningful information on the originator;

(b) To maintain such information throughout the payment chain; and

(c) To apply enhanced scrutiny to transfers of funds that do not contain complete information on the originator.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

- 3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

Article 14, paragraph 4

4. In establishing a domestic regulatory and supervisory regime under the terms of this article, and without prejudice to any other article of this Convention, States Parties are called upon to use as a guideline the relevant initiatives of regional, interregional and multilateral organizations against money-laundering.

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

Article 14, paragraph 5

5. States Parties shall endeavour to develop and promote global, regional, subregional and bilateral cooperation among judicial, law enforcement and financial regulatory authorities in order to combat money-laundering.

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, available statistics etc.**

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

- 1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.**
- 2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:**

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 52. Prevention and detection of transfers of proceeds of crime

Article 52, paragraph 1

1. Without prejudice to article 14 of this Convention, each State Party shall take such measures as may be necessary, in accordance with its domestic law, to require financial institutions within its jurisdiction to verify the identity of customers, to take reasonable steps to determine the identity of beneficial owners of funds deposited into high-value accounts and to conduct enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are, or have been, entrusted with prominent public functions and their family members and close associates. Such enhanced scrutiny shall be reasonably designed to detect suspicious transactions for the purpose of reporting to competent authorities and should not be so construed as to discourage or prohibit financial institutions from doing business with any legitimate customer.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 52, paragraph 2 (a)

2. In order to facilitate implementation of the measures provided for in paragraph 1 of this article, each State Party, in accordance with its domestic law and inspired by relevant initiatives of regional, interregional and multilateral organizations against money-laundering, shall:

(a) Issue advisories regarding the types of natural or legal person to whose accounts financial institutions within its jurisdiction will be expected to apply enhanced scrutiny, the types of accounts and transactions to which to pay particular attention and appropriate account-opening, maintenance and record-keeping measures to take concerning such accounts;

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 52, paragraph 2 (b)

2. In order to facilitate implementation of the measures provided for in paragraph 1 of this article, each State Party, in accordance with its domestic law and inspired by relevant initiatives of regional, interregional and multilateral organizations against money-laundering, shall:

...

(b) Where appropriate, notify financial institutions within its jurisdiction, at the request of another State Party or on its own initiative, of the identity of particular natural or legal persons to whose accounts such institutions will be expected to apply enhanced scrutiny, in addition to those whom the financial institutions may otherwise identify.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 52, paragraph 3

3. In the context of paragraph 2 (a) of this article, each State Party shall implement measures to ensure that its financial institutions maintain adequate records, over an appropriate period of time, of accounts and transactions involving the persons mentioned in paragraph 1 of this article, which should, as a minimum, contain information relating to the identity of the customer as well as, as far as possible, of the beneficial owner.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 52, paragraph 4

4. *With the aim of preventing and detecting transfers of proceeds of offences established in accordance with this Convention, each State Party shall implement appropriate and effective measures to prevent, with the help of its regulatory and oversight bodies, the establishment of banks that have no physical presence and that are not affiliated with a regulated financial group. Moreover, States Parties may consider requiring their financial institutions to refuse to enter into or continue a correspondent banking relationship with such institutions and to guard against establishing relations with foreign financial institutions that permit their accounts to be used by banks that have no physical presence and that are not affiliated with a regulated financial group.*

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 52, paragraph 5

5. *Each State Party shall consider establishing, in accordance with its domestic law, effective financial disclosure systems for appropriate public officials and shall provide for appropriate sanctions for non-compliance. Each State Party shall also consider taking such measures as may be necessary to permit its competent authorities to share that information with the competent authorities in other States Parties when necessary to investigate, claim and recover proceeds of offences established in accordance with this Convention.*

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 52, paragraph 6

6. *Each State Party shall consider taking such measures as may be necessary, in accordance with its domestic law, to require appropriate public officials having an interest in or signature or other authority over a financial account in a foreign country to report that relationship to appropriate authorities and to maintain appropriate records related to such accounts. Such measures shall also provide for appropriate sanctions for non-compliance.*

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Polymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 58. Financial intelligence unit

States Parties shall cooperate with one another for the purpose of preventing and combating the transfer of proceeds of offences established in accordance with this Convention and of promoting ways and means of recovering such proceeds and, to that end, shall consider establishing a financial intelligence unit to be responsible for receiving, analysing and disseminating to the competent authorities reports of suspicious financial transactions.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.
3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.
2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:
 - No assistance would be required
 - Legislative assistance: please describe the type of assistance
 - Institution-building: please describe the type of assistance
 - Policymaking: please describe the type of assistance
 - Capacity-building: please describe the type of assistance
 - Research/data-gathering and analysis: please describe the type of assistance
 - Facilitation of international cooperation with other countries: please describe the type of assistance
 - Others: please specify
3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

C. Asset recovery (arts. 51, 53-57 and 59)

Article 51. General provision

Article 51

The return of assets pursuant to this chapter is a fundamental principle of this Convention, and States Parties shall afford one another the widest measure of cooperation and assistance in this regard.

1. Is your country in compliance with this provision?
 - Yes/Yes, in part/No
2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention,

including identifying both any legal authorities/procedures for accepting requests for asset recovery and assessing that these requests are reasonably substantiated and supplemented as well as any time frame established under domestic laws and procedures for their execution, taking into account requests received from countries with similar or different legal systems and any challenges faced in this context.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 53. Measures for direct recovery of property

Article 53, subparagraph (a)

Each State Party shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit another State Party to initiate civil action in its courts to establish title to or ownership of property acquired through the commission of an offence established in accordance with this Convention;

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 53, subparagraph (b)

Each State Party shall, in accordance with its domestic law:

...

(b) Take such measures as may be necessary to permit its courts to order those who have committed offences established in accordance with this Convention to pay compensation or damages to another State Party that has been harmed by such offences;

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 53, subparagraph (c)

Each State Party shall, in accordance with its domestic law:

...

(c) Take such measures as may be necessary to permit its courts or competent authorities, when having to decide on confiscation, to recognize another State Party's claim as a legitimate owner of property acquired through the commission of an offence established in accordance with this Convention.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policy-making: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 54. Mechanisms for recovery of property through international cooperation in confiscation

Article 54, paragraph 1 (a)

1. Each State Party, in order to provide mutual legal assistance pursuant to article 55 of this Convention with respect to property acquired through or involved in the commission of an offence established in accordance with this Convention, shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit its competent authorities to give effect to an order of confiscation issued by a court of another State Party;

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 54, paragraph 1 (b)

1. Each State Party, in order to provide mutual legal assistance pursuant to article 55 of this Convention with respect to property acquired through or involved in the commission of an offence established in accordance with this Convention, shall, in accordance with its domestic law:

...

(b) Take such measures as may be necessary to permit its competent authorities, where they have jurisdiction, to order the confiscation of such property of foreign origin by adjudication of an offence of money-laundering or such other offence as may be within its jurisdiction or by other procedures authorized under its domestic law;

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 54, paragraph 1 (c)

1. Each State Party, in order to provide mutual legal assistance pursuant to article 55 of this Convention with respect to property acquired through or involved in the commission of an offence established in accordance with this Convention, shall, in accordance with its domestic law:

...

(c) Consider taking such measures as may be necessary to allow confiscation of such property without a criminal conviction in cases in which the offender cannot be prosecuted by reason of death, flight or absence or in other appropriate cases.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 54, paragraph 2 (a)

2. Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a freezing or seizure order issued by a court or competent authority of a requesting State Party that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (a) of this article;

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 54, paragraph 2 (b)

2. Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law:

...

(b) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a request that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (a) of this article;

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 54, paragraph 2 (c)

2. Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law:

...

(c) Consider taking additional measures to permit its competent authorities to preserve property for confiscation, such as on the basis of a foreign arrest or criminal charge related to the acquisition of such property.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Polymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 55. International cooperation for purposes of confiscation**Article 55, paragraph 1**

1. A State Party that has received a request from another State Party having jurisdiction over an offence established in accordance with this Convention for confiscation of proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention situated in its territory shall, to the greatest extent possible within its domestic legal system:

(a) Submit the request to its competent authorities for the purpose of obtaining an order of confiscation and, if such an order is granted, give effect to it; or

(b) Submit to its competent authorities, with a view to giving effect to it to the extent requested, an order of confiscation issued by a court in the territory of the requesting State Party in accordance with articles 31, paragraph 1, and 54, paragraph 1 (a), of this Convention insofar as it relates to proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, situated in the territory of the requested State Party.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 55, paragraph 2

2. Following a request made by another State Party having jurisdiction over an offence established in accordance with this Convention, the requested State Party shall take measures to identify, trace and freeze or seize proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention for the purpose of eventual confiscation to be ordered either by the requesting State Party or, pursuant to a request under paragraph 1 of this article, by the requested State Party.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 55, paragraph 3

3. The provisions of article 46 of this Convention are applicable, mutatis mutandis, to this article. In addition to the information specified in article 46, paragraph 15, requests made pursuant to this article shall contain:

(a) In the case of a request pertaining to paragraph 1 (a) of this article, a description of the property to be confiscated, including, to the extent possible, the location and, where relevant, the estimated value of the property and a statement of the facts relied upon by the requesting State Party sufficient to enable the requested State Party to seek the order under its domestic law;

(b) In the case of a request pertaining to paragraph 1 (b) of this article, a legally admissible copy of an order of confiscation upon which the request is based issued by the requesting State Party, a statement of the facts and information as to the extent to which execution of the order is requested, a statement specifying the measures taken by the requesting State Party to provide adequate notification to bona fide third parties and to ensure due process and a statement that the confiscation order is final;

(c) In the case of a request pertaining to paragraph 2 of this article, a statement of the facts relied upon by the requesting State Party and a description of the actions requested and, where available, a legally admissible copy of an order on which the request is based.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 55, paragraph 4

4. The decisions or actions provided for in paragraphs 1 and 2 of this article shall be taken by the requested State Party in accordance with and subject to the provisions of its domestic law and its procedural rules or any bilateral or multilateral agreement or arrangement to which it may be bound in relation to the requesting State Party.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 55, paragraph 5

5. Each State Party shall furnish copies of its laws and regulations that give effect to this article and of any subsequent changes to such laws and regulations or a description thereof to the Secretary-General of the United Nations.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please provide a reference to the date these documents were transmitted, as well as a description of any documents not yet transmitted.

Article 55, paragraph 6

6. If a State Party elects to make the taking of the measures referred to in paragraphs 1 and 2 of this article conditional on the existence of a relevant treaty, that State Party shall consider this Convention the necessary and sufficient treaty basis.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 55, paragraph 7

7. *Cooperation under this article may also be refused or provisional measures lifted if the requested State Party does not receive sufficient and timely evidence or if the property is of a de minimis value.*

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 55, paragraph 8

8. *Before lifting any provisional measure taken pursuant to this article, the requested State Party shall, wherever possible, give the requesting State Party an opportunity to present its reasons in favour of continuing the measure.*

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 55, paragraph 9

9. *The provisions of this article shall not be construed as prejudicing the rights of bona fide third parties.*

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policy-making: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 56. Special cooperation

Without prejudice to its domestic law, each State Party shall endeavour to take measures to permit it to forward, without prejudice to its own investigations, prosecutions or judicial proceedings, information on proceeds of offences established in accordance with this Convention to another State Party without prior request, when it considers that the disclosure of such information might assist the receiving State Party in initiating or carrying out investigations, prosecutions or judicial proceedings or might lead to a request by that State Party under this chapter of the Convention.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policy-making: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 57. Return and disposal of assets

Article 57, paragraph 1

1. Property confiscated by a State Party pursuant to article 31 or 55 of this Convention shall be disposed of, including by return to its prior legitimate owners, pursuant to paragraph 3 of this article, by that State Party in accordance with the provisions of this Convention and its domestic law.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 57, paragraph 3 (a)

3. In accordance with articles 46 and 55 of this Convention and paragraphs 1 and 2 of this article, the requested State Party shall:

(a) In the case of embezzlement of public funds or of laundering of embezzled public funds as referred to in articles 17 and 23 of this Convention, when confiscation was executed in accordance with article 55 and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party;

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 57, paragraph 3 (b)

3. In accordance with articles 46 and 55 of this Convention and paragraphs 1 and 2 of this article, the requested State Party shall:

...

(b) In the case of proceeds of any other offence covered by this Convention, when the confiscation was executed in accordance with article 55 of this Convention and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party, when the requesting State Party reasonably establishes its prior ownership of such confiscated property to the requested State Party or when the requested State Party recognizes damage to the requesting State Party as a basis for returning the confiscated property;

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Article 57, paragraph 3 (c)

3. In accordance with articles 46 and 55 of this Convention and paragraphs 1 and 2 of this article, the requested State Party shall:

...

(c) In all other cases, give priority consideration to returning confiscated property to the requesting State Party, returning such property to its prior legitimate owners or compensating the victims of the crime.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

- 3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

Article 57, paragraph 2

2. Each State Party shall adopt such legislative and other measures, in accordance with the fundamental principles of its domestic law, as may be necessary to enable its competent authorities to return confiscated property, when acting on the request made by another State Party, in accordance with this Convention, taking into account the rights of bona fide third parties.

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, statistics, etc.**

Article 57, paragraph 4

4. Where appropriate, unless States Parties decide otherwise, the requested State Party may deduct reasonable expenses incurred in investigations, prosecutions or judicial proceedings leading to the return or disposition of confiscated property pursuant to this article.

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

Article 57, paragraph 5

5. Where appropriate, States Parties may also give special consideration to concluding agreements or mutually acceptable arrangements, on a case-by-case basis, for the final disposal of confiscated property.

- 1. Is your country in compliance with this provision?**

Yes/Yes, in part/No

- 2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.**
- 3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.**

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.

Article 59. Bilateral and multilateral agreements and arrangements

States Parties shall consider concluding bilateral or multilateral agreements or arrangements to enhance the effectiveness of international cooperation undertaken pursuant to this chapter of the Convention.

1. Is your country in compliance with this provision?

Yes/Yes, in part/No

2. Please describe (cite and summarize) the measures/steps your country has taken, if any, (or is planning to take, together with the related appropriate time frame) to ensure full compliance with this provision of the Convention.

3. Please provide examples of the implementation of those measures, including related court or other cases, statistics etc.

Technical assistance

[At the end of each article, the following set of questions on technical assistance will be included.]

1. Please outline actions required to ensure or improve the implementation of the article under review and describe any specific challenges you might be facing in this respect.

2. Do you require technical assistance for the implementation of this article? If so, please specify the forms of technical assistance that would be required. For example:

No assistance would be required

Legislative assistance: please describe the type of assistance

Institution-building: please describe the type of assistance

Policymaking: please describe the type of assistance

Capacity-building: please describe the type of assistance

Research/data-gathering and analysis: please describe the type of assistance

Facilitation of international cooperation with other countries: please describe the type of assistance

Others: please specify

3. Is any technical assistance already being provided to you? If so, please provide a general description of the nature of the assistance, including donor information.
