



# G20 High-Level Principles on Corruption related to Organized Crime

Today's globalized economy has exposed new and sophisticated forms of corruption, increasingly linked to serious crimes, including by using corruption to facilitate and enable the infiltration of the public and private sectors by organized crime. In line with the rapidly evolving nature of organized crime, combined with the effects of the COVID-19 pandemic, corruption has also changed over time and its manifestations and forms have adapted. Corruption and organized crime can often be intertwined, reinforcing each other.

Against this background, the G20 Anti-Corruption Working Group (ACWG) has focused attention on the prevention of and fight against corruption linked to organized crime with the aim to raise awareness on the emerging threats outlined above, provide political guidance for a new era of strengthened and coordinated action to prevent and counter corruption when related to activities of organized criminal groups and networks, and outline actions on which these efforts should focus.

Leading by example and noting that the transnational character of corruption can only be effectively tackled through a collective multilateral approach, the G20 ACWG adopts the High-Level Principles on Corruption related to Organized Crime.

G20 members recognize that fighting corruption requires a strong foundation, which includes respect for international law, a commitment to respecting human rights and the rule of law as well as a commitment to respecting the sovereignty of each country and international commitments and domestic legal systems.



***Principle 1:***

***“Deepen the understanding of the interlinkages between corruption and organized crime in a transnational, regional and country-specific context as a basis for action”***

To ensure responses are tailored and effective, G20 countries need to further deepen their understanding of the interlinkages, risks and impact of corruption linked to organized crime. This requires greater focus on definitional clarity and greater emphasis on measurement, combined with an approach that prioritizes the understanding of specific contexts and the complex and often transnational nature of corruption linked to organized crime, and on incentives for local actors to respond. A greater understanding would assist countries to assess how to build effective responses to corruption linked to organized crime.

***G20 countries will endeavour to apply this principle by:***

- Facilitating further research into the linkages between corruption and organized crime in order to better understand and tailor responses to the specific contexts, actors involved, challenges, risks, and impact at the global, regional and national levels. Such approaches should not be focused on isolated country units but should respond to the complex nature of these - often transnational - phenomena.
- Leading international efforts to strengthen measurement, including through greater definitional and terminological clarity and the promotion of improved access to relevant data.
- Recognizing the importance of understanding different contexts; being specific with respect to sectors, the different types of organized crime and corruption; and the need to design interventions that respond to those contexts.
- Considering functionality – recognizing that corruption and organized crime often provide solutions to everyday problems, particularly in resource-scarce environments. This requires identifying and responding to issues that local actors are motivated and incentivized by.
- Periodically undertaking comprehensive corruption threat assessments that take into account corruption aspects linked to organized crime especially in vulnerable sectors.
- Partnering with academia, civil society and the private sector to collect experiences, challenges and good practices that address corruption related to organized crime.
- Continuing to keep corruption linked to organized crime high on the political agenda and working together to find collective and strategic responses.

***Principle 2:***

***“Reinforce preventive measures to address corruption linked to organized crime”***

Measures to prevent corruption linked to organized crime through dedicated efforts aimed at strengthening the integrity of the public sector and public procurement processes, the reinforcement of technical capacities as well as enhancing transparency to raise public awareness.

***G20 countries will endeavour to apply this principle by:***

- Implementing chapter II of the United Nations Convention against Corruption (UNCAC) on preventive measures, as well as the preventive measures in the Financial Action Task Force (FATF) Standards as sound institutions provide a foundation for efforts to counter organized crime and corruption.



- Minimizing organizational risks and making the public sector more resilient against corruption related to organized crime by strengthening transparency, integrity and accountability throughout public sector institutions, following the G20 High Level Principles on Organizing against Corruption.
- Developing, implementing or maintaining effective coordinated anti-corruption policies, practices or strategies to counter corruption linked to organized crime, following the G20 High-Level Principles for the Development and Implementation of National Anti-Corruption Strategies.
- Focusing on transparency, accountability and other controls throughout public procurement processes, in line with the G20 Principles for Promoting Integrity in Public Procurement.
- Enhancing the use of information and communication technologies (ICT) and digital approaches to prevent corruption related to organized crime within relevant mandated institutions, following the G20 High-Level Principles for Promoting Public Sector Integrity Through the Use of Information and Communications Technologies.
- Gathering and sharing information as widely as possible, where appropriate and while respecting data protection rules, related to criminal, civil and administrative proceedings addressing the links between corruption and organized crime to promote transparency.
- Enhancing public and civil society participation in the prevention of and fight against corruption linked to organized crime, taking into account article 13 of UNCAC.

***Principle 3:***

***“Strengthen domestic legal frameworks to ensure that corruption and organized crime offences are subject to sanctions appropriate to their gravity”***

Organized criminal groups and corrupt actors seek to benefit from gaps in domestic legal frameworks to evade justice. Furthermore, these actors misuse corporate vehicles to commit severe and sophisticated crimes, mask individual involvement in offences and preserve ownership of the proceeds of their crimes.

***G20 countries will endeavour to apply this principle by:***

- Strengthening domestic legal frameworks by ensuring the criminalization of the offences required by the United Nations Convention against Corruption (UNCAC) and United Nations Convention against Transnational Organized Crime (UNTOC) and Protocols thereto, and adopting effective, proportionate and dissuasive criminal and non-criminal sanctions for such offences.
- Ensuring domestic jurisdiction is established in corruption matters in line with article 42 of UNCAC and working together to avoid jurisdictional gaps which would allow criminals to evade justice.
- Ensuring that legal persons are held liable for their participation in corrupt acts linked to organized crime following the G20 High Level Principles on the Liability of Legal Persons for Corruption.
- Adopting measures, including legislative ones, and using analytical and investigative instruments that promote the timely identification of beneficial owners of legal persons and legal arrangements, following the G20 High-Level Principles on Beneficial Ownership Transparency and implementing the FATF Standards effectively, including by ensuring competent authorities have access to adequate, accurate and timely information on the beneficial ownership and control of legal persons and arrangements. Countries could implement this, for example, through central registers of beneficial ownership of legal persons or other appropriate mechanisms.
- Promoting the availability of and facilitating access to information on legal and beneficial ownership of private sector entities between law enforcement agencies and other administrative or regulatory



authorities, including foreign competent authorities, where appropriate and in accordance with respective domestic laws.

***Principle 4:***

***“Support law enforcement and criminal justice authorities to tackle corruption related to organized crime by enhancing mechanisms for detection, investigation and prosecution”***

Corruption related to organized crime is dynamic and fast evolving. It challenges law enforcement and criminal justice authorities to keep pace with technological innovation and increasingly complex criminal ventures penetrating all sectors of the economy and society.

***G20 countries will endeavour to apply this principle by:***

- Exploring ways to better facilitate the gathering and admissibility in court of evidence derived from special investigative techniques, in line with article 50 of UNCAC, in a proportionate manner and in accordance with domestic laws.
- Strengthening inter-agency investigative coordination, and, where appropriate, considering organizational arrangements, such as the establishment of offices or units specifically mandated to investigate cases of corruption linked to organized crime and adequately resourcing them.
- Establishing procedures for identifying cases where parallel financial investigations and a wide range of technology and investigative tools will strengthen the response to corruption linked to organized crime investigations.
- Promoting access by law enforcement to relevant data sources to facilitate investigations, such as administrative and tax data or financial intelligence, as appropriate and in accordance with domestic legislation.
- Promoting the reporting or disclosure of offences and cooperation with law enforcement agencies, with a view to facilitate the detection of corruption related to organized crime, including through providing incentives such as mitigated sanctions or immunity from prosecution or mechanisms for non-trial resolutions in accordance with domestic laws.
- Providing adequate human, financial and technical resources to the bodies responsible for investigations, prosecutions and judicial proceedings of corruption related to organized crime, including financial intelligence units (FIUs) and strengthen their capacity where needed.

***Principle 5:***

***“Enhance measures to prevent corrupt actors and organized criminal groups from enjoying the proceeds of their crimes”***

Depriving corrupt actors and organized criminal groups of their illegally acquired assets by prioritizing the recovery of these assets is crucial to prevent them from being hidden, laundered and reinvested in legal or illegal business activities.

***G20 countries will endeavour to apply this principle by:***

- Employing risk-based approaches, preventive mechanisms and tools as well as adequate domestic legal frameworks to protect the integrity of financial and public contract systems.



- Strengthening regulatory and supervisory regimes for financial institutions and designated non-financial businesses and professions (DNFBPs) in accordance with the FATF Standards.
- Addressing the role of professional gatekeepers, such as financial, legal, accounting and other relevant professionals in the transfer and laundering of proceeds of crime.
- Tracing, freezing, seizing and confiscating assets acquired as a result of corruption related to organized crime.
- Making use of flexible methods in asset recovery, which may include non-conviction-based confiscation and measures for direct recovery of property in line with article 53 of UNCAC, allowing for the enforcement of foreign non-conviction-based confiscation orders and exploring the mutual recognition of non-conviction-based freezing orders and confiscation judgments where appropriate and in accordance with domestic law.
- Establishing mechanisms, where appropriate, for the recovery and effective return of confiscated assets to the prior legitimate owner, restitution to or compensation of victims in line with article 57 of UNCAC, models of disposal and administration of confiscated proceeds in accordance with UNCAC, including, where feasible, through the social reuse of assets.
- Adopting or, where necessary, strengthening measures to provide for the recovery of assets derived from corruption linked to organized crime, in line with UNCAC.

***Principle 6:***

***“Provide for effective and adequate protection and reporting mechanisms for whistle-blowers, witnesses and victims of corruption related to organized crime”***

Reporting persons, witnesses and victims are critical to the fight against corruption related to organized crime. G20 countries should strengthen or, where necessary, adopt measures to effectively allow for the reporting of corruption related to organized crime and for the protection of reporting persons, following the G20 High-Level Principles for the Effective Protection of Whistle-blowers and in line with the provisions of article 33 of UNCAC. G20 countries should take measures to provide witnesses and victims who give testimony concerning such corruption offences, as well as, as appropriate, their relatives and other persons close to them, with effective protection from retaliation or intimidation in line with article 32 of UNCAC.

***G20 countries will endeavour to apply this principle by:***

- Developing and implementing specialized witness protection programmes, including by sharing best practices.
- Establishing adequate and fully inclusive reporting channels to safely report corruption related to organized crime.
- Reassessing and strengthening existing whistle-blower protection systems to effectively respond to the needs of individuals reporting corruption related to organized crime.
- Expanding the scope of existing whistle-blower and witness protection legislation to ensure that corruption related to organized crime is included.

***Principle 7:***

***“Encourage international cooperation to counter corruption related to organized crime”***



International cooperation is key to effectively prevent and counter corruption and transnational organized crime as corrupt actors and organized criminal groups take advantage of globalization. Accordingly, the investigation, prosecution and prevention of crime can no longer be confined within national boundaries.

***G20 countries will endeavour to apply this principle by:***

- Promoting effective and timely communication and cooperation between competent authorities to ensure corruption related to organized crime is adequately addressed, in line with the G20 High-Level Principles on Cooperation on Persons Sought for Corruption and Asset Recovery.
- Encouraging to conclude bilateral or multilateral agreements or arrangements, including for joint, parallel or related investigations, in cases that relate to corruption and organized crime, in line with article 49 of UNCAC.
- Ensuring that domestic legal and administrative frameworks allow for and facilitate mutual legal assistance to the fullest extent possible for investigations, prosecutions, judicial proceedings and asset recovery in relation to corruption linked to organized crime, especially through the implementation and acceptance of mutual legal assistance (MLA) through digital means.
- Promoting a secure and confidential exchange of data, information and intelligence, such as by making use of existing networks for information exchange, including the new Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE), the Camden Asset Recovery Inter-Agency Network (CARIN), the Regional Asset Recovery Networks, the Egmont Group of Financial Intelligence Units, INTERPOL's Global Focal Point Network (GFPN) and the G20 Denial of Entry Experts Network.
- Adopting and effectively implementing measures to increase the efficiency of extradition mechanisms, in accordance with the fundamental principles of national legal systems, in relation to corruption offences linked to organized crime.
- Engaging actively in informal international cooperation mechanisms, including peer learning, where appropriate, and undertaking groundwork before formal requests are submitted.
- Providing technical assistance, such as training and capacity-building activities, among G20 countries and to other countries upon request.
- Partnering with other countries to support their efforts to counter corruption and organized crime through bilateral, regional and multilateral initiatives.