

5. Crime and Corruption

Commitment [#98]

“We reiterate our commitment to the ratification and full implementation of the United Nations Convention against Corruption (UNCAC), and to more active engagement with the OECD working group on bribery on a voluntary basis.”

Los Cabos Summit Final Declaration

Assessment:

Country	Lack of Compliance	Work in Progress	Full Compliance
Argentina		0	
Australia		0	
Brazil		0	
Canada		0	
China		0	
France		0	
Germany	-1		
India		0	
Indonesia		0	
Italy		0	
Japan	-1		
Korea		0	
Mexico		0	
Russia		0	
Saudi Arabia		0	
South Africa		0	
Turkey		0	
United Kingdom		0	
United States		0	
European Union		0	
Average		-0.10	

Background

The G20 member states have spoken on the challenge of corruption: “Corruption threatens the integrity of markets, undermines fair competition, destroys public trust, and undermines the rule of law. Corruption is a severe impediment to economic growth, and a significant challenge for developed, emerging and developing countries.”⁸¹⁹ In June 2010, at the Toronto Summit, the G20 member states agreed to the establishment of a Working Group that would make recommendations on how the G20 could contribute practically and substantially to international efforts to combat corruption.⁸²⁰

⁸¹⁹ G20 Anti-Corruption Plan, Annex III: G20 Agenda for Action on Combatting Corruption, Promoting Market Integrity, and Supporting a Clean Business Environment, Organization for Economic Co-operation and Development (Paris) 27-28 April, 2011. Date of Access: 9 December 2012. <http://www.oecd.org/daf/briberyininternationalbusiness/47286902.pdf>.

⁸²⁰ The G20 Toronto Summit Declaration, G20 Information Centre (Toronto) 27 June 2010. Date of Access: 6 December 2012.

In November 2010, at the Seoul Summit, the G20 leaders agreed to lead by example and create an effective global anti-corruption regime, by adopting a series of measures⁸²¹, including the first Anti-Corruption Action Plan (Annex III).⁸²² The objective was “to ensure that countries have in place an effective anti-corruption framework, including necessary laws and institutions; that countries implement the necessary measures to prevent corruption; and that when corruption occurs, appropriate steps are taken against the corrupt and the proceeds of their crimes.”⁸²³

The G20 leaders have also recognized the importance of building upon and complementing existing global and regional mechanisms⁸²⁴; such as the United Nations Convention against Corruption (UNCAC)⁸²⁵ and the Organisation for Economic Co-operation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (the Anti-Bribery Convention)⁸²⁶.

The UNCAC, promoted and operationalized by the United Nations Office on Drugs and Crime (UNODC), forms the core of the Anti-Corruption Plan as it introduces a comprehensive set of standards, rules, and measures that states are offered to use in order to fight corruption through a framework for stronger cooperation between countries. A Mechanism to Review the Implementation of the UNCAC is also established in order to assist in identifying technical needs.⁸²⁷

The OECD Working Group on Bribery complements and supports the work of the UNCAC.⁸²⁸ The OECD Working Group on Bribery in International Business Transactions, established in 1994 is a three-phase peer-review monitoring system with the mandate to monitor the implementation and enforcement of the OECD Anti-Bribery Convention, which entered into

<http://www.g20.utoronto.ca/2010/to-communicate.html>.

⁸²¹ The Seoul Summit Document, G20 Information Centre (Toronto) 12 November 2010. Date of Access: 6 December 2012.

<http://www.g20.utoronto.ca/2010/g20seoul-doc.html>.

⁸²² Annex III: G20 Anti-Corruption Action Plan, G20 Information Centre (Toronto) 12 November 2010. Date of Access: 1 December 2012.

<http://www.g20.utoronto.ca/2010/g20seoul-anticorruption.html>.

⁸²³ 2012 Monitoring Report, G20 Information Centre (Toronto) June 2012. Date of Access: 1 December 2012. <http://g20mexico.org/images/stories/docs/canalsherpas/anticorrupt/02monitoringreport1.pdf>.

⁸²⁴ Annex III: G20 Anti-Corruption Action Plan, G20 Information Centre (Toronto) 12 November 2010. Date of Access: 9 December 2012.

<http://www.g20.utoronto.ca/2010/g20seoul-anticorruption.html>.

⁸²⁵ Background of the United Nations Convention Against Corruption, United Nations Office on Drugs and Crime (Vienna) December 2012. Date of Access: 9 December 2012.

<http://www.unodc.org/unodc/en/treaties/CAC/>.

⁸²⁶ OECD Anti-Bribery Convention: Entry into Force of the Convention (Paris) 15 February 1999. Date of Access: 1 December 2012.

<http://www.oecd.org/daf/briberyininternationalbusiness/anti-briberyconvention/oecdanti-briberyconventionentryintoforceoftheconvention.htm>.

⁸²⁷ Background of the United Nations Convention Against Corruption, United Nations Office on Drugs and Crime (Vienna) December 2012. Date of Access: 9 December 2012.

<http://www.unodc.org/unodc/en/treaties/CAC/>.

⁸²⁸ Anti-Bribery Convention: OECD Working Group on Bribery in International Business Transactions (Paris) December 2012. Date of Access: 1 December 2012.

<http://www.oecd.org/daf/briberyininternationalbusiness/anti-briberyconvention/oecdworkinggrouponbriberyininternationalbusinesstransactions.htm>.

force on 15 February 1999, the Recommendation on Further Combating Bribery of Foreign Bribery in International Business Transactions (2009), and other related instruments.⁸²⁹

The OECD has established a series of instruments with the goal to eliminate the supply of bribes to public official. All (1) the 1999 Anti-Bribery Convention, (2) the 2009 Recommendation on Further Combating Bribery of Foreign Public Officials in International Business Transactions (the 2009 Anti-Bribery Recommendation)⁸³⁰, (3) the 2009 Recommendation on Tax Measures for Further Combating Bribery of Foreign Public Officials in International Business Transactions⁸³¹, and (4) the 2006 Recommendation on Bribery and Officially Supported Export Credit⁸³² are the Organization's core instruments.

The mandate of the OECD Working Group is to monitor the implementation and enforcement of these instruments. All signatory states of the Anti-Bribery Convention are committed to approving the Convention by taking all necessary legislative measures to ratify and implement it in national law.⁸³³

In November 2010, at the Seoul Summit, the G20 leaders assigned the G20 Working Group to prepare annual reports with regards to individual and collective progress of member states.⁸³⁴ The former has convened three times within 2012, in London, Puerto Vallarta, and Paris.⁸³⁵ OECD, UNODG, the World Economic Forum (WEF), the Financial Action Task Force (FATF)⁸³⁶, the World Bank, and the International Monetary Fund were present as observers at those meetings.

⁸²⁹ Anti-Bribery Convention: OECD Working Group on Bribery in International Business Transactions (Paris) December 2012. Date of Access: 1 December 2012.
<http://www.oecd.org/daf/briberyininternationalbusiness/anti-briberyconvention/oecdworkinggrouponbriberyininternationalbusinessstransactions.htm>.

⁸³⁰ OECD Recommendation for Further Combating Bribery of Foreign Public Officials in International Business Transactions (Paris) 9 December 2009. Date of Access: 26 November 2012.
<http://www.oecd.org/daf/briberyininternationalbusiness/anti-briberyconvention/44176910.pdf>.

⁸³¹ OECD 2009 Recommendation on Tax Measures for Further Combating Bribery of Foreign Public Officials in International Business Transactions (Paris) 25 May 2009. Date of Access: 7 December 2012.
<http://www.oecd.org/ctp/taxandcrime/43188874.pdf>.

⁸³² OECD Recommendation on Bribery and Officially Supported Export Credits adopted by the OECD Council on 14 December 2006, (Paris) 14 December 2006. Date of Access: 7 December 2012.
<http://www.oecd.org/tad/exportcredits/oecdrecommendationonbriberyandofficiallysupportedexportcreditsadoptedbytheoecdouncilon14december2006.htm>.

⁸³³ OECD Anti-Bribery Convention: Entry into Force of the Convention (Paris) 15 February 1999. Date of Access: 1 December 2012.
<http://www.oecd.org/daf/briberyininternationalbusiness/anti-briberyconvention/oecdanti-briberyconventionentryintoforceoftheconvention.htm>.

⁸³⁴ Annex III: G20 Anti-Corruption Action Plan, G20 Information Centre (Toronto) 12 November 2010. Date of Access: 9 December 2012.
<http://www.g20.utoronto.ca/2010/g20seoul-anticorruption.html>.

⁸³⁵ G20 Anti-Corruption Working Group, G20 Information Centre (Toronto) 2012. Date of Access: 7 December 2012.
<http://g20mexico.org/index.php/en/working-groups>.

⁸³⁶ International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation - the FATF Recommendations (Paris) 16 February 2012. Date of Access: 3 December 2012.
<http://www.fatf-gafi.org/topics/fatfrecommendations/documents/internationalstandardscombatingmoneylaunderingandthefinancingofterrorismproliferation-thefatfrecommendations.html>.

In November 2011, at the Cannes Summit, the G20 Anti-Corruption Working Group released its first Monitoring Report. The Report focused on four areas in which further progress was needed: (1) the implementation of the international legislative framework; (2) national measures to prevent and combat corruption; (3) international cooperation; and (4) public-private partnerships.⁸³⁷

In June 2012, at the Los Cabos Summit, the G20 leaders endorsed the second Monitoring Report. The Report highlighted the progress that individual countries had made on the national level, as well as the collective progress that the Working Group and the G20 members achieved regarding the implementation of the Action Plan.⁸³⁸ It also signaled the need for further work.

Tables 5-1 and 5-2 detail signature/ratification statuses of both the UNCAC and the OECD Anti-Bribery Convention for the G20 members.

Table 5-1: UNCAC signature and ratification status as of 24 December 2012 for the G20 members⁸³⁹

Country	Date of signature	Date of ratification/approval (AA)
Argentina	10 December 2003	28 August 2006
Australia	9 December 2003	7 December 2005
Brazil	9 December 2003	15 June 2005
Canada	21 May 2004	2 October 2007
China	10 December 2003	13 January 2006
France	9 December 2003	11 July 2005
Germany	9 December 2003	N/A
India	9 December 2005	9 May 2011
Indonesia	18 December 2003	19 September 2006
Italy	9 December 2003	5 October 2009
Japan	9 December 2003	N/A
Korea	10 December 2003	27 March 2008
Mexico	9 December 2003	20 July 2004
Russia	9 December 2003	9 May 2006
Saudi Arabia	9 January 2004	N/A
South Africa	9 December 2003	22 November 2004
Turkey	10 December 2003	9 November 2006
United Kingdom	9 December 2003	9 February 2006
United States	9 December 2003	30 October 2006
European Union	15 September 2005	12 November 2008 (AA)

⁸³⁷ First Monitoring Report of the G20 Anti-Corruption Working Group to G20 Leaders, G20 Civil (Moscow) 3 November 2011. Date of Access: 9 December 2012. http://www.g20civil.com/documents/Final_G20_Anti-corruption_Working_Group_progress_Report.pdf.

⁸³⁸ 2012 Monitoring Report, G20 Information Centre (Toronto) June 2012. Date of Access: 1 December 2012. <http://g20mexico.org/images/stories/docs/canalsherpas/anticorrupt/02monitoringreport1.pdf>.

⁸³⁹ UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 21 January 2013. <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

Table 5-2: Ratification status of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions as of 20 November 2012 for the G20 members⁸⁴⁰

Country	Deposit of instrument of ratification/acceptance/ approval	Entry into force of the Convention	Entry into force of implementing legislation
Argentina	8 February 2001	9 April 2001	10 November 1999
Australia	19 October 1999	18 December 1999	17 December 1999
Brazil	24 August 2000	23 October 2000	11 June 2002
Canada	17 December 1998	15 February 1999	14 February 1999
China	N/A	N/A	N/A
France	31 July 2000	29 September 2000	29 September 2000
Germany	10 November 1998	15 February 1999	15 February 1999
India	N/A	N/A	N/A
Indonesia	N/A	N/A	N/A
Italy	15 December 2000	13 February 2001	26 October 2000
Japan	13 October 1998	15 February 1999	15 February 1999
Korea	4 January 1999	15 February 1999	15 February 1999
Mexico	27 May 1999	26 July 1999	18 May 1999
Russia	17 February 2012	17 April 2012	16 May 2011
Saudi Arabia	N/A	N/A	N/A
South Africa	19 June 2007 (accession instrument)	18 August 2007	27 April 2004
Turkey	26 July 2000	24 September 2000	11 January 2003
United Kingdom	14 December 1998	15 February 1999	14 February 2002
United States	8 December 1998	15 February 1999	10 November 1998
European Union	N/A	N/A	N/A

Commitment Features

At the Los Cabos Summit, the G20 leaders reaffirmed their commitment to intensify the fight against corruption, to fully implement the provisions of the Seoul Plan⁸⁴¹ by announcing the Anti-Corruption Action Plan for 2013-2014⁸⁴², renewing the Mandate of the G20 Working Group until 2014, and requesting for a revised Action Plan by the end of 2012 in order to “close the implementation and enforcement gap.”⁸⁴³ To that end, the members of the Summit confirmed their support for specific policy recommendations:

- Ratification and full implementation of the UNCAC for countries that have not still done so;

⁸⁴⁰ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organisation for Economic Co-operation and Development (Paris) 20 November 2012. Date of Access: 21 January 2013. <http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

⁸⁴¹ G20 Anti-Corruption Action Plan, G20 Information Centre (Toronto) 12 November 2010. Date of Access: 1 December 2012. <http://www.g20.utoronto.ca/2010/g20seoul-anticorruption.html>.

⁸⁴² G20 Anti-Corruption Plan, G20 Information Centre (Toronto) 30 July 2012. Date of Access: 1 December 2012. <http://g20mexico.org/images/stories/docs/canalsherpas/anticorrupt/01actionplan1.pdf>.

⁸⁴³ Intensifying the Fight against Corruption, G20 Information Centre (Toronto) 19 June 2012. Date of Access: 1 December 2012. <http://www.g20.utoronto.ca/2012/2012-0619-loscabos.html>.

- For countries that are not yet parties to the Anti-Bribery Convention, a more active engagement with the OECD Working Group on a voluntary basis with the purpose of ratifying the Convention in the future through the enactment, proactive implementation, and enforcement of legislation criminalizing foreign bribery by the end of 2012, and actively participating in its plenary meetings, workshops, and seminars and jointly hosting conferences and seminars with the OECD;
- Enforcement of anti-corruption legislation with specific focus on the receivers and solicitors of bribes as well as those who pay them, in accordance with national legislation including the liability of legal persons;
- Endorsement of principles for denial of entry to G20 countries of corrupt officials and those who corrupt them;
- Endorsement of principles for financial and asset disclosure systems in order to prevent, identify and manage conflicts of interests;
- Commitment to deny safe haven to proceeds of corruption and to the recovery and restitution of stolen assets;
- Sustain efforts to combat money laundering and the financing of terrorism and proliferation of weapons of mass destruction; and
- Enhancement of international cooperation in relation to matters of corruption.⁸⁴⁴

The principal commitment of G20 members is the ratification and full implementation of the UNCAC as it sets the general framework for combating crime and corruption. Commitments three to seven are among the UNCAC provisions.⁸⁴⁵ Therefore, implementation of the convention is assessed upon adherence to the above mention provisions three through eight.

Scoring Guidelines

-1	Member does not ratify and fully implement the UNCAC AND does not more actively engage with the OECD Working Group on Bribery.
0	Member declares intent to ratify and fully implement the UNCAC AND more actively engages with the OECD Working Group; OR member is in the process of ratifying and fully implementing the UNCAC AND more actively engages with the OECD Working Group on Bribery.
+1	Member ratifies and fully implements the UNCAC AND more actively engages with the OECD Working Group on Bribery.

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⁸⁴⁴Intensifying the Fight against Corruption, G20 Information Centre (Toronto) June 2012. Date of Access: 1 December 2012.

<http://g20mexico.org/images/stories/docs/g20/fichastec/09.pdf>.

⁸⁴⁵United Nations Convention Against Corruption, United Nations Office on Drugs and Crime (Vienna) 14 December 2005. Date of Access: 1 December 2012.

http://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf.

Argentina: 0

Argentina has partially complied with its commitment to combat corruption. Argentina is working towards the full implementation of the UNCAC: it has taken actions to promote anti-corruption regulation, renewed its anti-money laundering/terrorist financing legislation, and contributed to the strengthening of international cooperation in relation to matters of corruption.

Argentina has signed the United Nations Convention against Corruption (UNCAC) on 10 December 2003 and ratified it on 28 August 2006.⁸⁴⁶ Argentina has ratified the OECD Anti-Bribery Convention on 9 April 2001.⁸⁴⁷ It is also a member of the Financial Action Task Force (FATF)⁸⁴⁸ and the Financial Action Task Force on Money Laundering in South America (GAFISUD)⁸⁴⁹.

Argentina participated in the sessions of the UNCAC Implementation Review Group in Vienna on 18-22 June 2012⁸⁵⁰, 27-29 August 2012⁸⁵¹, 30-31 August 2012⁸⁵², 22-23 October 2012⁸⁵³, and 14-16 November 2012.⁸⁵⁴

On 25 July 2012, during a seminar entitled “Enhancing Capacity of the State to Continue Transforming Argentina,” Chief Cabinet Juan Manuel Abal Medina announced the introduction

⁸⁴⁶ UNCAC Signature and Ratification Status as of December 24, United Nations Office on Drugs and Crime (Vienna) 2012. Date of Access: 3 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

⁸⁴⁷ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organisation for Economic Co-operation and Development (Paris) 20 November 2012. Date of Access: 21 January 2013.

<http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

⁸⁴⁸ Argentina, Financial Action Task Force (Paris) 2012. Date of Access: 13 January 2013.

<http://www.fatf-gafi.org/countries/a-c/argentina/>.

⁸⁴⁹ Argentina, Financial Action Task Force (Paris) 2012. Date of Access: 13 January 2013

<http://www.fatf-gafi.org/countries/a-c/argentina/>.

⁸⁵⁰ Final List Of Participants, Conference of the States Parties to the United Nations Convention against Corruption, 22 June 2012, Date of Access: 3 January 2013

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

⁸⁵¹ Final List Of Participants, Conference of the States Parties to the United Nations Convention against Corruption, 29 August 2012, Date of Access: 3 January 2013

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/Final_LOP.pdf.

⁸⁵² Final List Of Participants, Conference of the States Parties to the United Nations Convention against Corruption, 31 August 2012, Date of Access: 3 January 2013

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/2012-August-30-31/Final_LOP.pdf.

⁸⁵³ Final List Of Participants, Conference of the States Parties to the United Nations Convention against Corruption, 23 October 2012, Date of Access: 3 January 2013

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/EMInternationalCooperation/22-23October2012/FINAL_List_of_Participants_EM_IntCoop_22-23_Oct_2012.pdf.

⁸⁵⁴ Final List Of Participants, Conference of the States Parties to the United Nations Convention against Corruption, 16 November 2012, Date of Access: 3 January 2013

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/Final_List_of_Participants.pdf.

of new features to the public system, specifically “the formulation of anti-corruption guidelines and improved opportunities to access the inter-recruitment.”⁸⁵⁵

On 13 September 2012, Argentina became the first South American country to become a member of the Multilateral Convention on Mutual Administrative Assistance in Tax Matters, confirming its commitment to tax transparency and exchange of tax information.⁸⁵⁶ The Convention entered into force on 1 January 2013.

On 14 December 2012, Argentina had a Tax Information Exchange Agreements (TIEAs) the Isle of Man that positively influenced the financial transparency⁸⁵⁷

Since June 2012, the Argentine government has taken substantial steps towards improving its anti-money laundering (AML) and counter-terrorist financing (CFT) regime such as putting into effect the Presidential Decree on freezing terrorist-related assets.⁸⁵⁸ The FATF has also welcomed Argentina’s updated action plan for an effective implementation of money laundering offences.⁸⁵⁹ Yet, despite the improvements, the FATF maintains that strategic AML/CFT deficiencies still remain. The FATF recommends the Argentinean government continues to focus on: (1) criminalization of money laundering and confiscation to funds related to it; (2) further enhancement of financial transparency; (3) addressing remaining issues for the Financial Intelligence Unit; (4) further enhancement of the AML/CFT supervisory for all financial sectors; (5) further improvement and broadening of customer due diligence measures; and (6) further enhancement of international cooperation and effective implementation.

On 10 January 2013, Argentina was present at the regional conference of the Open Government Partnership⁸⁶⁰—an organization that Argentina intends to join soon⁸⁶¹. The conference’s

⁸⁵⁵ Nuevo régimen de compras del sector public, Argentina Government (Buenos Aires) 25 July 2012, Date of Access: 3 January 2013.

<http://www.argentina.gob.ar/noticias/1192-nuevo-rgimen-de-compras-del-sector-pblico.php>.

⁸⁵⁶ Argentina becomes the first South American country to become a Party to the Multilateral Convention, Organisation for Economic Co-operation and Development (Paris) 13 September 2012. Date of Access: 13 January 2013.

<http://www.oecd.org/countries/argentina/taxargentinabecomesthefirstsouthamericancountrytobecomeapartytothemultilateralconvention.htm>.

⁸⁵⁷ Argentina, OECD Exchange of Tax Information Portal (Paris) Date of Access: 13 January 2013.

<http://www.eoi-tax.org/jurisdictions/AR#agreements>.

⁸⁵⁸ Improving Global AML/CFT Compliance: On-Going Process, Financial Action Task Force (Paris) 19 October 2012. Date of Access: 13 January 2013.

<http://www.fatf-gafi.org/topics/high-riskandnon-cooperativejurisdictions/documents/improvingglobalamlcftcomplianceon-goingprocess-19october2012.html>.

⁸⁵⁹ Outcomes of the Plenary Meeting of the FATF, Financial Action Task Force (Paris) 17 October 2012. Date of Access: 13 January 2013.

<http://www.fatf-gafi.org/countries/a-c/argentina/documents/outcomesoftheplenarymeetingofthefatfparis17-19october2012.html>.

⁸⁶⁰ Chile Hosts Regional Open Government Partnership Meeting and Welcomes Argentina to OGP, Open Government Partnership (Washington) 10 January 2013. Date of Access: 14 February 2013.

<http://www.opengovpartnership.org/news/chile-hosts-regional-open-government-partnership-meeting-and-welcomes-argentina-ogp>.

participants reiterated their commitment to transparency and accountability.⁸⁶² Members also noted the emergence of new sectors, such as health, the environment, and the extractive industry, where transparency issues have recently become of increased importance.⁸⁶³

On 21 March 2013, the La Sindicatura General de la Nación (SIGEN) spoke positively of the effects that the adaptation of the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption (MECISIC) of the Organization of the American States (OAS) had on Argentina's ability to enforce its anti-corruption legislation and to strengthen relevant agencies and supervisory bodies.⁸⁶⁴

Argentina is in the process of implementing the UNCAC provisions. Argentina has taken concrete actions to address the issues of money laundering and the financing of terrorism, worked to strengthen international cooperation in relation to matters of corruption, and taken steps to move towards a stricter tax regulation. Thus, Argentina is awarded a score of 0.

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Australia: 0

Australia has partially complied with its commitment to combat corruption. Australia has ratified the United Nations Convention against Corruption (UNCAC) and has taken a series of steps towards the implementation of its provisions. Australia has also been actively involved with the Organisation for Economic Co-operation and Development (OECD) Working Group on Bribery's initiatives.

On 7 December 2005, Australia ratified the UNCAC.⁸⁶⁵ On 17 December 1999, Australia it became member of the OECD Anti-Bribery Convention.⁸⁶⁶ Australia is also a member of the

⁸⁶¹ Argentina becomes the 58th member to join the Open Government Partnership, Open Government Partnership (Santiago) 6 November 2012. Date of Access: 15 February 2013.
<http://www.opengovpartnership.org/news/argentina-becomes-58th-country-join-open-government-partnership>.

⁸⁶² Latin America Moves Forward in the Fight For Transparency, OpenGovBlog (Washington) 14 January 2013. Date of Access: 14 February 2013.
<http://blog.opengovpartnership.org/2013/01/latin-america-moves-forward-in-the-fight-for-transparency/>.

⁸⁶³ Latin America Moves Forward in the Fight For Transparency, OpenGovBlog (Washington) 14 January 2013. Date of Access: 14 February 2013.
<http://blog.opengovpartnership.org/2013/01/latin-america-moves-forward-in-the-fight-for-transparency/>.

⁸⁶⁴ El país fortalece sus organismos de control, Argentina Government Guide (Buenos Aires) 14 May 2013. Date of Access: 22 June 2013.
<http://www.argentina.gob.ar/noticias/1883-el-país-fortalece-sus-organismos-de-control.php>

⁸⁶⁵ UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 3 January 2013.
<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

⁸⁶⁶ OECD Bribery in International Business, Australia - OECD Anti-Bribery Convention Organisation for Economic Cooperation and Development (Paris) 17 December 1999. Date of Access: 3 January 2013.
<http://www.oecd.org/daf/briberyininternationalbusiness/australia-oecdanti-briberyconvention.htm>.

Financial Action Task Force (FATF)⁸⁶⁷ and a member of the Asia/Pacific Group on Money Laundering (APG).⁸⁶⁸

In June 2012, Australia participated in the session of the UNCAC Implementation Review Group in Vienna.⁸⁶⁹ On 23-24 October 2012, Australia co-initiated the 11th Regional Seminar of the Asian Development Bank (ADB)/OECD Anti-Corruption Initiative for Asia and the Pacific and the Government Inspectorate of Vietnam on Tracing Illicit Flows, Asset Recovery, and Asset Disclosure.⁸⁷⁰

On 1 July 2012, the 2012 Commonwealth Procurement Rules (CPRs) came into effect. The CPR will guide departments and agencies in designing transparent and robust processes.⁸⁷¹ On 22 November 2012, the government released a Draft Tax Laws Amendment, introducing new transfer pricing rules with self-assessment and documentation requirements.⁸⁷² On 11 July 2012, the Attorney General's Department (AGD) had final public consultation discussing the formulation of Australia's first National Anti-Corruption Plan. The consultation was held with the participation of all stakeholders concerned.⁸⁷³

In October 2012, upon the completion and publication⁸⁷⁴ of the report on Australia's implementation of the Anti-Bribery Convention, the OECD expressed its "serious" concern with the lack of foreign bribery convictions in the country. The OECD described Australia's enforcement of its foreign bribery laws as "extremely low" and called for "vigorous pursuing" of

⁸⁶⁷ Australia, Countries Financial Action Task Force (Paris) Date of Access: 3 January 2013.

<http://www.fatf-gafi.org/countries/a-c/australia/>.

⁸⁶⁸ Australia, APG Members Asia/Pacific Group on Money Laundering (Bangkok) Date of Access: 11 January 2013.

<http://www.apgml.org/apg-members/default.aspx?JurisdictionID=1>.

⁸⁶⁹ Final List of Participants, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 3 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

⁸⁷⁰ ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, Asian Development Bank/ Organization for Economic Cooperation and Development (Hanoi) 23-24 October 2012. Date of Access: 11 January 2013.

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/11thRegSeminarPressRelease.pdf>.

⁸⁷¹ Corruption risks in public procurement, Association of Corporate Counsel (Victoria) 3 December 2012. Date of Access: 11 January 2013.

<http://www.lexology.com/library/detail.aspx?g=32dc693d-1cd1-41ed-9c5a-251609eeea6b>.

⁸⁷² Exposure Draft, Inserts for Tax Laws Amendment (Cross-Border Transfer Pricing) Bill 2013: Modernisation of transfer pricing rules International Tax Integrity Unit The Treasury, (Victoria) 22 November 2012. Date of Access: 11 January 2013.

http://www.treasury.gov.au/~media/Treasury/Consultations%20and%20Reviews/2012/Modernisation%20of%20transfer%20pricing%20rules/Key%20Documents/PDF/TPR_Exposure_Draft.ashx.

⁸⁷³ Update on Australia's National Anti-Corruption Plan and Final Public Consultation, Association of Corporate Counsel (Victoria) 12 July 2012. Date of Access: 5 January 2013.

<http://www.lexology.com/library/detail.aspx?g=6d26ebd3-8d37-489b-afde-1afd6cec0c87>.

⁸⁷⁴ Phase Three Report on Implementing the OECD Anti-Bribery Convention in Australia, Organisation for Economic Co-operation and Development (Paris) October 2012. Date of Access: 25 January 2013.

<http://www.oecd.org/daf/briberyininternationalbusiness/AustraliaPhase3en.PDF>.

foreign bribery allegations.⁸⁷⁵ Along with the deficiencies, the report also highlighted positive advances in Australia's anti-bribery legislation. Thus, the OECD Working Group has welcomed the development of the abovementioned National Anti-Corruption Plan.⁸⁷⁶

On 30 October 2012, Australian Councils further enhanced the existing anti-corruption framework following the recommendations of the Independent Commission against Corruption (ICAC).⁸⁷⁷ Some of the adopted measures included the creation of a new internal audit risk management committee with two independent members to limit potential corruption, code of conduct and e-procurement.⁸⁷⁸

On 13 November 2012, Australia's State Parliament introduced the Integrity and Accountability Bill⁸⁷⁹ and the Protected Disclosure Bill.⁸⁸⁰ The new legislation is meant to empower the Independent Broad-based Anti-corruption Commission (IBAC)⁸⁸¹ to make decisions on serious corruption issues as well as to investigate anyone in the private sector.⁸⁸² The legislation also adds new requirements regarding procedural fairness by providing oversight of the ombudsman by two parliamentary committees, the Accountability and Oversight Committee and making the process more transparent.⁸⁸³

On 22 November 2012, the Australian government tabled a draft of proposed amendments to reform Australia's transfer pricing rules. According to Assistant Treasurer, Minister Assisting for Deregulation David Bradbury, "these reforms will ensure that Australia's domestic laws are applied in a manner that is consistent with international best practice as set out by OECD

⁸⁷⁵ OECD seriously concerned by lack of foreign bribery convictions, but encouraged by recent efforts by the Australian Federal Police, Organisation for Economic Co-operation and Development (Paris) 25 October 2012. Date of Access: 25 January 2013.

<http://www.oecd.org/newsroom/oecdseriouslyconcernedbylackofforeignbriberyconvictionsbutencouragedbyrecenteffortsbytheaustralianfederalpolice.htm>.

⁸⁷⁶ National Anti-Corruption Plan, Australian Government Attorney's General Department (Barton) 11 July 2012. Date of Access: 25 January 2013.

<http://www.ag.gov.au/CrimeAndCorruption/AntiCorruption/Pages/NationalAntiCorruptionPlan.aspx>.

⁸⁷⁷ Independent Commission against Corruption (Sydney) Date of Access: 11 January 2013.

<http://www.icac.nsw.gov.au/>.

⁸⁷⁸ Councils React to ICAC Recommendations, ABC News (Sydney). 30 October 2012. Date of Access: 3 January 2013.

<http://www.abc.net.au/news/2012-10-30/councils-react-to-icac-recommendations/4340672>.

⁸⁷⁹ Integrity and Accountability Legislation Amendment Bill 2012, Parliament of Victoria (Victoria) 13 November 2012. Date of Access: 11 January 2013.

www.legislation.vic.gov.au/domino/Web_Notes/.../571212bi1.docx.

⁸⁸⁰ Protected Disclosure Bill 2012, Parliament of Victoria (Victoria) 13 November 2012. Date of Access: 11 January 2013.

[http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/PubPDocs.nsf/ee665e366dcb6cb0ca256da400837f6b/3def9fb442189536ca257ab5007b9365/\\$FILE/571041bi1.pdf](http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/PubPDocs.nsf/ee665e366dcb6cb0ca256da400837f6b/3def9fb442189536ca257ab5007b9365/$FILE/571041bi1.pdf).

⁸⁸¹ Final Bill for IBAC Tabled Parliament, ABC News (Sydney). 13 November 2012. Date of Access: 4 January 2013.

<http://www.abc.net.au/news/2012-11-13/government-to-introduce-final-ibac-bills/4368346>.

⁸⁸² Final Bill for IBAC Tabled Parliament, ABC News (Sydney) 13 November 2012. Date of Access: 4 January 2013.

<http://www.abc.net.au/news/2012-11-13/government-to-introduce-final-ibac-bills/4368346>.

⁸⁸³ Final Bill for IBAC Tabled Parliament, ABC News (Sydney) 13 November 2012. Date of Access: 4 January 2013.

<http://www.abc.net.au/news/2012-11-13/government-to-introduce-final-ibac-bills/4368346>.

guidelines.”⁸⁸⁴ The amendments seek to provide disincentives and combat tax evasion in working with industry and the wider community.

In January 2013, Government of Australia in partnership with Pacific Island states launched the Extractive Industries Transparency Initiative (EITI) designed to encourage mining companies to disclose the tax revenues and royalties they pay to governments, and encourage governments to disclose what they receive.⁸⁸⁵ Australia has agreed to host the sixth EITI Global Conference in May 2013.⁸⁸⁶

On 3 April 2013, the Treasury published its proposals aimed at improving the transparency of the corporate tax system. Under the proposed regulations, large multinational companies would have to disclose to the public their tax payables with total income earned of AD100 or more.⁸⁸⁷ The other two proposals of the same package referred to enhancing information sharing between government bodies and releasing companies’ mining or petroleum tax liabilities.⁸⁸⁸

On 12 May 2013, Assistant Treasurer Minister David Bradbury, announced Australia’s intention to sign a new tax treaty with Switzerland that would strengthen the cooperation between the two countries.⁸⁸⁹ According to the Assistant Treasurer Minister, “[this] is a key objective of both governments and reflects long-standing efforts to improve international standards of tax transparency and tax information exchange.”⁸⁹⁰

On 22 May 2013, Attorney General Mark Dreyfus QC announced the government’s decision to join the Open Government Partnership.⁸⁹¹ The Attorney General stated; “The [government] will start work on a National Action Plan to build on our existing commitments to open and

⁸⁸⁴ Progressing reforms to Australia's transfer pricing rules, Ministry of the Treasury (Canberra) 22 November 2012. Date of Access: 13 February 2013.
<http://ministers.treasury.gov.au/DisplayDocs.aspx?doc=pressreleases/2012/144.htm&pageID=003&min=djba&Year=&DocType=>.

⁸⁸⁵ Mining transparency initiative to help Pacific nations, Australia Network News (Sydney) 22 January 2013. Date of Access: 13 February 2013.

<http://www.abc.net.au/news/2013-01-22/an-mining-transparency-initiative-to-help-pacific/4479210>.

⁸⁸⁶ Extractive Industries Transparency Initiative, Department of Resources, Energy and Tourism (Canberra) 1 November 2012. Date of Access: 13 February 2013

http://www.ret.gov.au/resources/resources_programs/eiti/Pages/index.aspx.

⁸⁸⁷ Australia eyes corporate tax transparency, Financial Times (London) 3 April 2013. Date of Access: 30 June 2013. <http://www.ft.com/intl/cms/s/0/748c2952-9c49-11e2-9a4b-00144feabdc0.html#axzz2Xkv1zC00>.

⁸⁸⁸ Australia eyes corporate tax transparency, Financial Times (London) 3 April 2013. Date of Access: 30 June 2013. <http://www.ft.com/intl/cms/s/0/748c2952-9c49-11e2-9a4b-00144feabdc0.html#axzz2Xkv1zC00>.

⁸⁸⁹ Revised Tax Treaty with Switzerland, Assistant Treasurer Minister Assisting for Deregulation (Canberra) 12 May 2013. Date of Access: 30 June 2013.

<http://ministers.treasury.gov.au/DisplayDocs.aspx?doc=pressreleases/2013/067.htm&pageID=003&min=djba&Year=&DocType=>.

⁸⁹⁰ Revised Tax Treaty with Switzerland, Assistant Treasurer Minister Assisting for Deregulation (Canberra) 12 May 2013. Date of Access: 30 June 2013.

<http://ministers.treasury.gov.au/DisplayDocs.aspx?doc=pressreleases/2013/067.htm&pageID=003&min=djba&Year=&DocType=>.

⁸⁹¹ Australia Sends Letter of Intent to Join OGP, Open Government Partnership (Washington DC) 3 June 2013. Date of Access: 30 June 2013.

<http://www.opengovpartnership.org/news/australia-sends-letter-intent-join-ogp>.

transparent government [...] membership of the Open Government Partnership will complement Australia's leadership internationally in promoting democracy, transparency, and good governance.⁸⁹²

Thus, Australia has partially complied with its commitment to fight corruption by taking a series of measures to promote transparency of public procurement and corporate and international tax system and advance its national anti-corruption legislation — all in adherence with the UNCAC provisions — and by becoming involved with the ADB/OECD Anti-Corruption Initiative. Australia is awarded a score of 0.

Analyst: Darya Kutovaya

Brazil: 0

Brazil has partially complied with its commitment to combat crime and corruption by ratifying and working towards full implementation of the UNCAC.

Brazil signed the UNCAC on 9 December 2003 and ratified it on 15 June 2005.⁸⁹³ It has contributed voluntarily to the resources for the functioning of the Mechanism for the Review of Implementation of the UNCAC.⁸⁹⁴ On 24 August 2000, Brazil ratified the OECD Anti-Bribery Convention.⁸⁹⁵

Brazil participated in a series of UNCAC meetings and Working Groups in Vienna from June to November 2012. From 18 to 22 June 2012, the Brazilian government participated in the UNCAC Implementation Review Group (Third) session.⁸⁹⁶ On 27-29 August 2012, it participated in the UNCAC meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption,⁸⁹⁷ where the Brazilian panelist made a presentation outlining the Office of the

⁸⁹² Australia joins Open Government Partnership, Attorney-General for Australia Minister for Emergency Management (Canberra) 22 May 2013. Date of Access: 30 June 2013.

<http://www.attorneygeneral.gov.au/Mediareleases/Pages/2013/Second%20quarter/22May2013-AustraliajoinsOpenGovernmentPartnership.aspx>.

⁸⁹³ UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

⁸⁹⁴ Resources and expenditures for the functioning of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption: Note by the Secretariat, United Nations Office on Drugs and Crime (Vienna) 13 November 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/V1257290e.pdf>.

⁸⁹⁵ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organization for Economic Cooperation and Development (Paris) 20 November 2012. Date of Access: 14 January 2013. <http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

⁸⁹⁶ Report of the Implementation Review Group on its resumed third session, United Nations Office on Drugs and Crime (Vienna) 16 November 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/CacCospIrg2012-6Add1webversion.pdf>.

⁸⁹⁷ Report on the meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, United Nations Office on Drugs and Crime (Vienna) 7 September 2012. Date of Access: 4 January 2013.

Comptroller General's (CGU) experiences fostering private sector integrity by partnering with the Ethos Institute.⁸⁹⁸ It also participated in the UNCAC Meeting of Experts to Enhance International Cooperation on 22-23 October 2012.⁸⁹⁹

On 29 October 2012, Brazil released an assessment of "Brazil's Action Plan with the Open Government Partnership," in conjunction with an invitation for broad participation from the Brazilian people by contributing proposals for the next Action Plan online via E-democracy from 29 October to 5 December 2012.⁹⁰⁰ Brazil was a founding member of the Open Government Partnership. The multilateral initiative was the result of the announcement made by the United States and Brazil to establish a new framework for cooperative anti-corruption efforts⁹⁰¹. Brazil chaired the initiative until September 2012.

On 4 December 2012, Brazil's supreme audit institution (SAI) — the Federal Court of Accounts (TCU) — has commenced a process to reform the audit of the Accounts of President of the Republic.⁹⁰² Through the Public Governance Review of Brazil's Supreme Audit Institution, which has been developed by the TCU in collaboration with SAIs from other OECD countries, the OECD hopes to identify ways to enhance transparency and accountability of federal budget execution in Brazil.

On 13 December 2012, Brazil published the final report of the first National Conference on Transparency and Social Control (Consocial), under the aegis of the Comptroller General of the Union (CGU). According to Secretary of the Corruption Prevention and Strategic Information Vinicius Mario Spinelli "the report reflects a broad discussion process that highlights the priorities of society in building public policies to prevent and combat corruption."⁹⁰³

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/V1255805e.pdf>.

⁸⁹⁸ Report on the meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, United Nations Office on Drugs and Crime (Vienna) 7 September 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/V1255805e.pdf>.

⁸⁹⁹ Report on the meeting of experts to enhance international cooperation under the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) 24 October 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/EMInternationalCooperation/22-23October2012/V1256899e.pdf>.

⁹⁰⁰ Virtual Consultation on Open Government Begins on 29 October, The Office of the Comptroller General (Brasilia) 29 October 2012. Date of Access: 4 January 2013.

<http://www.cgu.gov.br/Imprensa/Noticias/2012/noticia16312.asp>.

⁹⁰¹ Fact Sheet on U.S. – Brazil Democracy, Human Rights, and Labor Cooperation, The White House, Office of the Press Secretary (Washington D.C.) 19 March 2011. Date of Access: 11 January 2013.

http://www.whitehouse.gov/sites/default/files/uploads/Brazil_Democracy_Human_Rights.pdf.

⁹⁰² Brazil's Supreme Audit Institution: Enhancing Audit Reporting and Communication is Key for Enhancing Integrity in Government Accounts, Organisation for Economic Co-operation and Development (Paris) 4 December 2012. Date of Access: 25 January 2013.

<http://www.oecd.org/gov/ethics/externalauditbrazil2012.htm>.

⁹⁰³ CGU publishes final report of the 1st Consocial, The Office of the Comptroller General (Brasilia) 13 December 2012. Date of Access 4 January 2013.

<http://www.cgu.gov.br/Imprensa/Noticias/2012/noticia20212.asp>.

Brazil expanded the Transparency Portal,⁹⁰⁴ under the supervision of the Comptroller General of the Union (CGU). On 30 July 2012, the government released information disclosing remuneration of active military and joined Armed Forces as well as the indemnity funds received by civilian and military employees on 30 August 2012.⁹⁰⁵

In November 2012, Brazil hosted the 15th International Anti-Corruption Conference (IACC).⁹⁰⁶ The focus of the Conference was the fight against corruption on a global level through the cooperation of national, regional, and international institutions.⁹⁰⁷

In December 2012, the National Legislature approved the Tax Transparency Law with the aim of informing citizens about tax money spending.⁹⁰⁸

On 28 December 2012, Brazil passed a legislation outlining new rules for the deductibility of intercompany interest. The proactive development outlines that an “efficient transfer pricing policy is key to mitigating any double taxation issues”,⁹⁰⁹ thus reducing issues of tax evasion. As noted, the changes do little to align Brazilian transfer pricing legislation with the international norm and continue to lack the economic rationale provided under the OECD guidelines.⁹¹⁰

On 5 March 2013, in preparation for the assessment of compliance by the OECD Working Group on Bribery, Secretary of Corruption Prevention and Strategic Information Sergio Seabra participated in the first meeting of Integrated Management of National Strategy for Combating Corruption and Money Laundering (ENCCLA).⁹¹¹ The goal the meeting was to address actions

⁹⁰⁴ The Transparency Portal was first established in 2004 to allow people to follow the Federal Government’s financial actions through its online database. Transparency Portal, The Office of the Comptroller General (CGU) (Brasilia) November 2004. Date of Access: 4 January 2013.

<http://www.cgu.gov.br/english/AreaPrevencaoCorrupcao/AreasAtuacao/IncrementoPortal.asp>.

⁹⁰⁵ Compensation and Joined Military are Available on the Transparency Portal, The Office of the Comptroller General (CGU) (Brasilia) 30 July 2012. Date of Access: 4 January 2013.

<http://www.cgu.gov.br/Imprensa/Noticias/2012/noticia11612.asp>.

⁹⁰⁶ Mobilising People: Connecting Agents of Change, 15th International Anti-Corruption Conference (IACC) (Brasilia) 7-10 November 2012. Date of Access: 11 January 2013.

<http://15iacc.org/about/hosts/language/en/>.

⁹⁰⁷ Mobilising People: Connecting Agents of Change, 15th International Anti-Corruption Conference (IACC) (Brasilia) 7-10 November 2012. Date of Access: 11 January 2013.

<http://15iacc.org/agenda/full-agenda/language/en/>.

⁹⁰⁸ Tax Transparency in Brazil Legislation, AlJazeera English (Rio de Janeiro) 26 December 2012. Date of Access: 11 January 2013.

<http://www.aljazeera.com/indepth/opinion/2012/12/201212247511859447.html>.

⁹⁰⁹ Getting to grips with Brazil’s transfer pricing legislation, World Finance (London) 7 January 2013. Date of Access: 12 February 2013.

<http://www.worldfinance.com/markets/transfer-pricing/getting-to-grips-with-brazils-transfer-pricing-legislation>.

⁹¹⁰ Getting to grips with Brazil’s transfer pricing legislation, World Finance (London) 7 January 2013. Date of Access: 12 February 2013.

<http://www.worldfinance.com/markets/transfer-pricing/getting-to-grips-with-brazils-transfer-pricing-legislation>.

⁹¹¹ Enccla inicia trabalhos de 2013 com investimentos na gestão de ações, A Controladoria-Geral da União (Brasilia) 5 March 2013. Date of Access: 28 June 2013.

<http://www.cgu.gov.br/Imprensa/Noticias/2013/noticia02713.asp>.

and targets of the agencies that operate under the supervision of the federal government, in order to enhance the prevention and fight against corruption and money laundering.⁹¹²

On 7-8 March 2013, at the Latin American Meeting on Private Sector Responsibility in the Fight Against Corruption, the Office of the Comptroller General (CGU) participated in the Regional Meeting on Private Sector Accountability in Combating Corruption, which brought together members of the Organization of American States and OECD representatives.⁹¹³

On 11 March 2013, the Inter-American Development Bank (IDB) announced a USD18 million loan agreement with the CGU in order to consolidate its institutional capacity and strengthen mechanisms to prevent and combat corruption in public service.⁹¹⁴ The initiative will strengthen the operational capacity of the CGU, which is charged with carrying out strategic measures to improve the integrity and management of public resources. The program will promote interactions between the CGU and federal public administrators and increase transparency and civil society oversight in the management of public resources.⁹¹⁵

On 21 March 2013, the CGU participated in the Sixth Technical Meeting of the National Council of Internal Control (CONACI).⁹¹⁶ Secretary Seabra stated that the intention is “to have a database of sanctions always updated so that the Register will serve as a reference to the organs of government, all members of the Federation, in respect of the procurement process, and also functions as a tool for transparency society in general.”⁹¹⁷

On 9 April 2013, Brazil’s Public Ministry, in collaboration with Federal Police, mounted a massive anti-corruption operation in 12 states.⁹¹⁸ The operation, coordinated by the National Group for Combating Criminal Organizations (Grupo Nacional de Combate às Organizações Criminosas: Gncoc), aimed at fulfilling eighty-six prison orders, 311 search and detain warrants,

⁹¹² Enccla inicia trabalhos de 2013 com investimentos na gestão de ações, A Controladoria-Geral da União (Brasília) 5 March 2013. Date of Access: 28 June 2013.

<http://www.cgu.gov.br/Imprensa/Noticias/2013/noticia02713.asp>.

⁹¹³ Brasil é reconhecido como exemplo em encontro da OEA sobre combate à corrupção, A Controladoria-Geral da União (Brasília) 12 March 2013. Date of Access 28 June 2013.

<http://www.cgu.gov.br/Imprensa/Noticias/2013/noticia03213.asp>.

⁹¹⁴ IDB \$18 million loan to help prevent and combat corruption in Brazil’s public administration, International Development Bank (Washington) 11 March 2013. Date of Access: 28 June 2013.

<http://www.iadb.org/en/news/news-releases/2013-03-11/prevent-and-combat-corruption-in-brazil,10363.html>.

⁹¹⁵ IDB \$18 million loan to help prevent and combat corruption in Brazil’s public administration, International Development Bank (Washington) 11 March 2013. Date of Access: 28 June 2013.

<http://www.iadb.org/en/news/news-releases/2013-03-11/prevent-and-combat-corruption-in-brazil,10363.html>.

⁹¹⁶ CGU participa da 6ª Reunião Técnica do Conaci, A Controladoria-Geral da União (Brasília) 27 March 2013. Date of Access: 28 June 2013.

<http://www.cgu.gov.br/Imprensa/Noticias/2013/noticia03913.asp>.

⁹¹⁷ CGU participa da 6ª Reunião Técnica do Conaci, A Controladoria-Geral da União (Brasília) 27 March 2013. Date of Access: 28 June 2013.

<http://www.cgu.gov.br/Imprensa/Noticias/2013/noticia03913.asp>.

⁹¹⁸ Operações de combate à corrupção têm pelo menos 62 detidos, entre eles quatro ex-prefeitos, O Globo (Rio de Janeiro) 9 April 2013. Date of Access: 29 June 2013.

<http://oglobo.globo.com/pais/operacoes-de-combate-corrupcao-tem-92-detidos-entre-eles-quatro-ex-prefeitos-8064100>.

sixty-five asset freezes, and twenty removals from public office.⁹¹⁹ In total 144 prosecutors, 1,200 federal, civil, and military police took part. Charges ranged from money laundering to the setting up of false companies, illicit enrichment of public officials, and tax evasion. The operation sought to break up corruption schemes in various states that had resulted in the diversion of an estimated BRL1.1 billion (USD555 million) in public funds.⁹²⁰

On 8-10 April 2013, the CGU attended the meeting of the Executive Committee of the International Association of Anti-Corruption Authorities (IAACA) in Delhi, India. During the meeting the CGU was recognized as: “one of the most active promoters of international cooperation against corruption not only in South America, but globally.”⁹²¹

On 23-24 April 2013, Brazil’s Minister of the Comptroller General Jorge Hage held a presentation titled “The Role of Civil Society in the Fight Against Corruption: The Brazilian Experience”⁹²² at the OECD “2013 Forum on Integrity: Improving Integrity in Practice.”⁹²³

On 24 April 2013, the Special Committee of the Brazilian House of Representatives passed the Clean Company Act, an anti-corruption bill designating the bribing of public officials a civil and administrative offense.⁹²⁴ Key provisions of the Act cover: (1) corporate liability; (2) prohibited conduct; (3) sanctions; (4) credits for compliance programs; (5) rewards on cooperation with governmental authorities; and (6) rewards on self-disclosures.⁹²⁵ Even though the passing of the bill was considered a positive step, there were still worries that it would fall short of international standards and might not meet the OECD Anti-Bribery Convention requirements.⁹²⁶

⁹¹⁹ Operações de combate à corrupção têm pelo menos 62 detidos, entre eles quatro ex-prefeitos, O Globo (Rio de Janeiro) 9 April 2013. Date of Access: 29 June 2013.

<http://oglobo.globo.com/pais/operacoes-de-combate-corrupcao-tem-92-detidos-entre-eles-quatro-ex-prefeitos-8064100>.

⁹²⁰ Operações de combate à corrupção têm pelo menos 62 detidos, entre eles quatro ex-prefeitos, O Globo (Rio de Janeiro) 9 April 2013. Date of Access: 29 June 2013.

<http://oglobo.globo.com/pais/operacoes-de-combate-corrupcao-tem-92-detidos-entre-eles-quatro-ex-prefeitos-8064100>.

⁹²¹ CGU participa da reunião da Associação Internacional de Autoridades Anticorrupção (IAACA), A Controladoria-Geral da União (Brasília) 16 April 2013. Date of Access: 28 June 2013.

<http://www.cgu.gov.br/Imprensa/Noticias/2013/noticia04413.asp>.

⁹²² 2013 Forum on Integrity: Improving Integrity in Practice, OECD Conference Centre (Paris) 23-24 April 2013. Date of Access: 28 June 2013.

<http://www.oecd.org/cleangovbiz/2013IntegrityForumAgenda.pdf>.

⁹²³ 2013 Forum on Integrity: Improving Integrity in Practice, OECD Conference Centre (Paris) 23-24 April 2013. Date of Access: 28 June 2013.

<http://www.oecd.org/cleangovbiz/2013IntegrityForumAgenda.pdf>.

⁹²⁴ Brazil’s anti-bribe bill moves ahead, but is it enough?, Reuters (New York) 26 April 2013. Date of Access: 1 July 2013.

<http://www.trust.org/item/20130426040830-k20de/>.

⁹²⁵ Brazil’s anti-bribe bill moves ahead, but is it enough?, Reuters (New York) 26 April 2013. Date of Access: 1 July 2013.

<http://www.trust.org/item/20130426040830-k20de/>.

⁹²⁶ Brazil’s anti-bribe bill moves ahead, but is it enough?, Reuters (New York) 26 April 2013. Date of Access: 1 July 2013.

<http://www.trust.org/item/20130426040830-k20de/>.

On 7 May 2013, the Federal Executive approved The Second Brazilian Action Plan for the Open Government Partnership.⁹²⁷ The Action Plan includes forty-five commitments made by the Brazilian government in five key areas: (1) increasing public integrity; (2) more effective management of public resources; (3) improving services; (4) creating safer communities; and (5) increased corporate responsibility.⁹²⁸

On 27-31 May 2013, Brazilian officials participated in the Fourth Session of the Implementation Review Group in Vienna.⁹²⁹ In a Note prepared by the Secretariat on “Technical assistance in support of the implementation of the United Nations Convention against Corruption” at the Fourth Session of the Implementation Review Group, Brazil was noted for receiving legislative drafting assistance and legal advice regarding the incorporation of provisions of the UNCAC into national legislation.⁹³⁰

On 26 June 2013, Senate approved bill PLS 204/2011 that designated corruption as a “heinous crime,” increasing the penalties that can be imposed and preventing any perpetrators who are convicted from being able to secure reduced sentences or release on bail. The bill increased the minimum sentence for corruption from two to four years.⁹³¹ Making corruption a heinous crime was one of President’s Dilma Rousseff commitments aimed at appeasing the protesters around the country.⁹³²

Brazil is working towards the full implementation of the UNCAC. Brazil has ratified the UNCAC and been actively involved in the work of the UNCAC working groups and meetings, contributed to promotion of the fight against corruption on the international level, taken steps to increase transparency and accountability of federal budget execution, as well as become actively involved with the initiatives of the OECD Public Sector Integrity Division. Thus Brazil is awarded a score of 0.

Analyst: Benjamin Crase

⁹²⁷ 2º Plano de Ação Brasileiro, Open Government Partnership (Washington) 7 May 2013. Date of Access: 3 July 2013.
http://www.cgu.gov.br/PrevencaoDaCorrupcao/CompromissosInternacionais/GovernoAberto/documentos/arquivos/ogp-brasil-plano_acao2.pdf.

⁹²⁸ Brasil lança 2º Plano de Ação da OGP, A Controladoria-Geral da União (Brasilia) 13 May 2013. Date of Access: 28 June 2013
<http://www.cgu.gov.br/Imprensa/Noticias/2013/noticia05413.asp>.

⁹²⁹ Final List of Participants, Implementation Review Group United Nations Office on Drugs and Crime (Vienna) 27-31 May 2013. Date of Access: 28 June 2013.
http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/27-31May2013/Final_list_of_participants.pdf.

⁹³⁰ Note by the Secretariat on technical assistance in support of implementation on UNCAC, Implementation Review Group United Nations Office on Drugs and Crime (Vienna) 27-31 May 2013. Date of Access: 28 June 2013.
<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/27-31May2013/V1381987e.pdf>.

⁹³¹ During meeting of five hours, Senate begins to follow most important agenda, Federal Senate (Brasilia) 28 June 2013. Date of Access: 3 July 2013.
<http://www12.senado.gov.br/internacional/en/2013/during-meeting-of-five-hours-senate-begins-to-follow-most-important-agenda>.

⁹³² Brazil’s Senate Toughens Punishments, BBC News (London) 27 June 2013. Date of Access: 15 July 2013. <http://newseurope.me/2013/06/29/brazil-senate-toughens-punishments-for-corruption/>.

Canada: 0

Canada has partially complied with the commitment on crime and corruption. Canada steadily moves towards the full implementation of the UNCAC provisions. Also, Canada continues to engage with the OECD Working Group on Bribery and conform to its policy recommendations.

On 2 October 2007, Canada ratified the United Nations Conventions against Corruption (UNCAC).⁹³³ On 17 December 1998, Canada ratified the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.⁹³⁴

On 13 October 2012, the Department of Finance published draft amendments to the Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations (PCMLTFR)⁹³⁵ with the purpose of adhering to the Financial Action Task Force's Recommendations on customer due diligence and record-keeping.⁹³⁶ More specifically, the amendment provided the definition of "business relationship"⁹³⁷ as well as the provisions regarding ongoing monitoring to the PCMLTFR⁹³⁸ and the circumstances under which reporting entities must take customer due diligence measures.⁹³⁹

On 11 July 2012, Public Works and Government Services Canada (PWGSC) extended the list of offences which render companies and individuals ineligible to bid on contracts under the Corruption of Foreign Public Officials Act (CFPOA). These are: (1) money laundering; (2) participation in activities of criminal organizations; (3) income and excise tax evasion; (4) bribing a foreign public official; and (5) drug trafficking.⁹⁴⁰ The newly extended list of offences will be applied to PWGSC solicitations and real property transactions allowing PWGSC to terminate

⁹³³ UNCAC Signatures and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 14 January 2013. <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

⁹³⁴ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions:

Ratification Status as of 20 November 2012, Organization for Economic Cooperation and Development (Paris) 20 November 2012. Date of Access: 16 January 2013. <http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

⁹³⁵ Regulations Amending the Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations, Canada Gazette (Ottawa) 31 October 2012. Date of Access: 30 December 2012. <http://www.gazette.gc.ca/rp-pr/p1/2012/2012-10-13/html/reg1-eng.html>.

⁹³⁶ Regulations Amending the Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations, Canada Gazette (Ottawa) 31 October 2012. Date of Access: 30 December 2012. <http://www.gazette.gc.ca/rp-pr/p1/2012/2012-10-13/html/reg1-eng.html>.

⁹³⁷ Regulations Amending the Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations, Canada Gazette (Ottawa) 31 October 2012. Date of Access: 30 December 2012. <http://www.gazette.gc.ca/rp-pr/p1/2012/2012-10-13/html/reg1-eng.html>.

⁹³⁸ Regulations Amending the Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations, Canada Gazette (Ottawa) 31 October 2012. Date of Access: 30 December 2012. <http://www.gazette.gc.ca/rp-pr/p1/2012/2012-10-13/html/reg1-eng.html>.

⁹³⁹ Regulations Amending the Proceeds of Crime (Money Laundering) and Terrorist Financing Regulations, Canada Gazette (Ottawa) 31 October 2012. Date of Access: 30 December 2012. <http://www.gazette.gc.ca/rp-pr/p1/2012/2012-10-13/html/reg1-eng.html>.

⁹⁴⁰ Canada's Fight against Foreign Bribery, The Thirteenth Annual Report to Parliament Implementation of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the Enforcement of the Corruption of Foreign Public Officials Act (September 2011 – August 2012) Foreign Affairs and International Trade Canada (Ottawa) August 2012. Date of Access: 30 December 2012. <http://www.international.gc.ca/trade-agreements-accords-commerciaux/ds/13-report-rapport.aspx?lang=eng&view=d>.

future contracts and leases with companies and individuals that are convicted before the end of their contract or lease.

On 15 October 2012, Minister of Finance Jim Flaherty presented in the House of Commons a Notice of Ways and Means Motion regarding the implementation of specific tax provisions from Economic Action Plan 2012. The provisions included regulations in relation to International Taxation designed to improve the integrity and fairness of the thin capitalization rules.⁹⁴¹ On 6 July 2012, Minister Flaherty announced new regulations for more transparent dispute resolution procedures protecting consumers on banking complaints.⁹⁴² These new regulations would set specific requirements for external complaints entities and give the Financial Consumer Agency of Canada (FCAC) the authority to monitor and enforce compliance with the new high standards.⁹⁴³

On 18 September 2012, Minister of State (Finance) Ted Menzies made public the government's plan of the expansion of the Code of Conduct for the Credit and Debit Card Industry in Canada to include mobile payments. The purpose of this Addendum was to ensure transparency and fairness of the Code's principles⁹⁴⁴ and deliver on the government's commitment to comply with the Task Force for the Payments System Review's final report.⁹⁴⁵

On 28 June 2012, at the third biennial review of the United Nations Global Counter-Terrorism Strategy, Foreign Affairs Minister John Baird reiterated the Canadian government's support of the international efforts to combat terrorism by launching capacity-building projects worth of CAD8 million through its Counter-Terrorism Capacity Building Program (CTCBP).⁹⁴⁶ The CTCBP will include training, equipment and technical assistance to assist other countries to prevent and respond to global acts of terrorism.

In addition, in its continuing effort to prevent fiscal evasion, the Canadian government has signed a series of conventions, protocols and agreements with a number of countries, including Colombia,⁹⁴⁷ Singapore,⁹⁴⁸ Switzerland,⁹⁴⁹ China's Hong Kong⁹⁵⁰, and Liechtenstein⁹⁵¹.

⁹⁴¹ Minister Flaherty Tables Notice of Ways and Means Motion to Implement Tax Provisions in Economic Action Plan 2012 and Other Tax Measures, Department of Finance Canada (Ottawa) 15 October 2012. Date of Access: 30 December 2012.

<http://www.fin.gc.ca/n12/12-124-eng.asp> .

⁹⁴² Harper Government Imposes Tough New Pro-Consumer Oversight on Banking Complaints, Department of Finance Canada (Ottawa) 6 July 2012. Date of Access: 30 December 2012.

<http://www.fin.gc.ca/n12/12-079-eng.asp>.

⁹⁴³ Harper Government Imposes Tough New Pro-Consumer Oversight on Banking Complaints, Department of Finance Canada (Ottawa) 6 July 2012. Date of Access: 30 December 2012.

<http://www.fin.gc.ca/n12/12-079-eng.asp> .

⁹⁴⁴ Harper Government Announces Code of Conduct Expansion to Mobile Payments, Department of Finance Canada (Ottawa) 18 September 2012. Date of Access: 30 December 2012.

<http://www.fin.gc.ca/n12/12-106-eng.asp> .

⁹⁴⁵ Task Force for the Payments System Review, Department of Finance Canada (Ottawa) 18 June 2010. Date of Access: 30 December 2012.

http://www.fin.gc.ca/n12/data/12-030_1-eng.asp .

⁹⁴⁶ Canada Further Increases Its Commitment to Global Terror Fight, Foreign Affairs and International Trade Canada (Ottawa) 28 June 2012. Date of Access: 30 December 2012.

<http://www.international.gc.ca/media/aff/news-communiqués/2012/06/28a.aspx?lang=eng&view=d> .

⁹⁴⁷ Entry Into Force of the Convention between Canada and the Republic of Colombia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and on Capital, Department of Finance Canada (Ottawa) 10 July 2012. Date of Access: 31 December 2012.

On 20 June 2012, Minister of Citizenship, Immigration and Multiculturalism Jason Kenney unveiled the Faster Removal of Foreign Criminals Act⁹⁵², which aligns with the government's commitment to the no-safe-haven policy for convicted foreign nationals through streamlining the processes of deportation and through posing barriers to enter the country. In addition, on 13 December 2012, Minister and United States Ambassador to Canada David Jacobson signed the Immigration Information Sharing Treaty further enhancing the two governments' mutual efforts to strengthen border security.⁹⁵³

On 5 February 2013, the federal government tabled amendments on the Corruption of Foreign Public Officials Act (CFPOA) conforming to the OECD's recommendations to tighten its anti-bribery legislation.⁹⁵⁴ The amendments also came after many allegations against Canadian companies operating abroad and Canada's ranking among countries with "moderate enforcement" in 2012 by Transparency International.⁹⁵⁵ Under Bill S-14, "An Act to Amend the Corruption of Foreign Public Officials Act"⁹⁵⁶, the penalty for bribing foreign officials will rise from five to 14 years, the prosecution of Canadian companies or individuals will be easier, the Royal Canadian

<http://www.fin.gc.ca/treaties-conventions/notices/colombia-colombie-eng.asp> .

⁹⁴⁸ Protocol Amending the Convention Between the Government of Canada and the Government of Singapore for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, Done in Singapore on 6 March 1976, Department of Finance Canada (Singapore) 29 November 2012. Date of Access: 31 December 2012.

<http://www.fin.gc.ca/treaties-conventions/singapore-singapour-prot-eng.asp> .

⁹⁴⁹ Agreement Concerning the Interpretation of Article 25 of the Convention between the Government of Canada and the Swiss Federal Council for the Avoidance of Double Taxation with Respect to Taxes on Income and on Capital, Done at Berne on 5 May 1997, as Amended by the Protocol Done at Berne on 22 October 2010,

Department of Finance Canada (Ottawa) 23 July 2012. Date of Access: 31 December 2012.

<http://www.fin.gc.ca/treaties-conventions/switzerland-suisse2-eng.asp> .

⁹⁵⁰ Agreement Between the Government of Canada and the Government of the Hong Kong Special Administrative Region of the People's Republic of China for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, Department of Finance Canada (Hong Kong) 11 November 2012. Date of Access: 31 December 2012.

<http://www.fin.gc.ca/treaties-conventions/hongkong-eng.asp> .

⁹⁵¹ Canada Signs Tax Information Exchange Agreement with Liechtenstein, Government of Canada (Ottawa) 31 January 2013. Date of Access: 14 February 2013.

http://www.canadainternational.gc.ca/switzerland-suisse/highlights-faits/2013/TIEA_signature_AERF.aspx?lang=en&view=d.

⁹⁵² Faster Removal of Foreign Criminals Act, Citizenship and Immigration Canada, (Ottawa) 20 June 2012. Date of Access: 30 December 2012.

<http://www.cic.gc.ca/english/department/media/releases/2012/2012-06-20.asp> .

⁹⁵³ Strengthening Border Security, Citizenship and Immigration Canada (Ottawa) 13 December 2012. Date of Access: 30 December 2012.

<http://www.cic.gc.ca/english/department/media/releases/2012/2012-12-13.asp> .

⁹⁵⁴ Canada Toughens Foreign Bribery Law, Transparency International (Berlin) 7 February 2013. Date of Access: 14 February 2013.

http://www.transparency.org/news/feature/canada_toughens_foreign_bribery_law.

⁹⁵⁵ Canada Toughens Foreign Bribery Law, Transparency International (Berlin) 7 February 2013. Date of Access: 14 February 2013.

http://www.transparency.org/news/feature/canada_toughens_foreign_bribery_law.

⁹⁵⁶ Bill S-14, Parliament of Canada (Ottawa) 5 February 2013. Date of Access: 14 February 2013.

<http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=5960861&File=4>.

Mounted Police (RCMP) will have exclusive authority to lay charges, and extending the scope of the Act to apply to all business.⁹⁵⁷ Transparency International welcomed the amendments stating that “with these new changes, and Canada’s continued commitment to providing resources to investigate and prosecute those who continue to pay bribes, Canada can become a leader in the fight against international corruption.”⁹⁵⁸

On 15 April 2013, Minister of National Revenue Gail Shea reiterated the Federal government’s commitment to continue to combat tax evasion by: (1) the launching of a new Stop International Tax Evasion Program; (2) authorizing Canada Revenue Agency (CRA) to obtain information from third parties; and (3) introducing additional requirements for the reporting of detailed information.⁹⁵⁹

In May 2013, the OECD Working Group on Bribery released its Follow-Up to the Phase Three Report and Recommendations in regards to Canada’s progress. The Working Group welcomed the significant steps the Canadian government has made through Bill S-14. Nevertheless, it also noted that some recommendations remain to be fully met.⁹⁶⁰

On 12 June 2013, Prime Minister Stephen Harper announced the establishment of a new reporting regime to improve transparency and accountability in the extractive sector according to international standards.⁹⁶¹ The Canadian government will consult with its provincial and territorial counterparts, First Nations and Aboriginal groups as well as civil society organizations in the forthcoming months, on how to establish the most effective regime.⁹⁶²

Canada has enacted with some of the UNCAC recommendations as well as remained involved with the OECD Working Group on Bribery. Thus, Canada has partially complied with its commitment on crime and corruption and receives a score of 0.

Lead Analyst: Eleni Tsaliki

⁹⁵⁷ Canada to Boost Anti-Bribery Efforts, The Huffington Post (Ottawa) 5 February 2013. Date of Access: 14 February 2013.
http://www.huffingtonpost.ca/2013/02/05/canada-to-boost-anti-brib_n_2625013.html.

⁹⁵⁸ Transparency International Canada Says Ottawa’s Move to Strengthen Anti-Corruption Legislation Sends a Powerful Message to the Canadian Business Community, Transparency International Canada (Ottawa) 5 February 2013. Date of Access: 14 February 2013.
http://www.transparency.ca/9-Files/2013-New/20120205-TI-Canada_Response_to%20CFPOA_amendments.pdf.

⁹⁵⁹ Minister Shea highlights the Harper Government’s efforts at cracking down on international tax evasion and aggressive international tax avoidance, Canada Revenue Agency (Ottawa) 15 April 2013. Date of Access: 26 June 2013.
<http://www.cra-arc.gc.ca/nwsrm/rlss/2013/m04/nr130415-eng.html>.

⁹⁶⁰ Canada: Follow-Up To The Phase 3 Report & Recommendations, Organisation for Economic Co-operation and Development Working Group on Bribery (Paris) 14 May 2013. Date of Access: 26 June 2013.
<http://www.oecd.org/daf/anti-bribery/CanadaP3writtenfollowupreportEN.pdf>.

⁹⁶¹ Canada Commits to Enhancing Transparency in the Extractive Sector, Prime Minister of Canada (Ottawa) 12 June 2013. Date of Access: 26 June 2013.
<http://pm.gc.ca/eng/media.asp?id=5525>.

⁹⁶² Canada Commits to Enhancing Transparency in the Extractive Sector, Prime Minister of Canada (Ottawa) 12 June 2013. Date of Access: 26 June 2013.
<http://pm.gc.ca/eng/media.asp?id=5525>.

China: 0

China has partially complied with its commitment to combat crime and corruption. China has ratified the UNCAC and is presently working towards its full implementation by enhancing international cooperation and tightening legislation against corruption. China has not yet adopted the OECD Anti-Bribery Convention but is actively engaging with the Asian Development Bank (ADB)/OECD Anti-Corruption Initiative.

On 10 December 2003, China signed the United Nations Convention against Corruption (UNCAC) and ratified it on 13 January 2006.⁹⁶³ China is also a full member of the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific⁹⁶⁴, the Financial Action Task Force (FATF)⁹⁶⁵, co-founder of the Eurasian Group (EAG)⁹⁶⁶, and a member of the Asia/Pacific Group on Money Laundering (APG).⁹⁶⁷

In June 2012, China hosted the Fourth Seminar of the International Association of Anti-Corruption Authorities (IAACA), which was aimed at promoting effective implementation of the UNCAC.⁹⁶⁸ Delegates from 80 countries and regions convened to share anti-corruption experiences and discuss international cooperation in asset retrieval.⁹⁶⁹ The delegates consented to continue: (1) strengthening international cooperation to prevent and restrain across-the-border fund transfer of corruption crimes; (2) implementing related mechanisms of the UNCAC and actively launching bilateral and multilateral law-enforcement cooperation; and (3) actively connecting the domestic laws with the UNCAC to reduce the law barriers of asset retrieval.⁹⁷⁰

⁹⁶³ UNCAC Signatures and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 30 December 2012.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

⁹⁶⁴ Member Countries and Economies, ADB/OECD Anti-Corruption Initiative for Asia and the Pacific Organization for Economic Cooperation and Development (Paris) 19 April 2005. Date of Access: 11 January 2013. <http://www.oecd.org/site/adboecdanti-corruptioninitiative/theinitiativesmembercountriesandeconomies.htm>.

⁹⁶⁵ China, Countries, Financial Action Task Force (FATF) (Paris) June 2007. Date of Access: 14 January 2013. <http://www.fatf-gafi.org/countries/a-c/china/>.

⁹⁶⁶ China, People's Republic of, Eurasian Group (EAG) (Moscow) 6 October 2004. Date of Access: 14 January 2013. <http://www.eurasiangroup.org/China.php>.

⁹⁶⁷ China, People's Republic of, Asia/Pacific Group on Money Laundering (APG) (Bangkok) February 1997. Date of Access: 14 January 2013.

<http://www.apgml.org/apg-members/default.aspx?JurisdictionID=47>.

⁹⁶⁸ NBCP Office Attending the Fourth IAACA Seminar, National Bureau of Corruption Prevention of China (Beijing) 4 July 2012. Date of Access: 27 December 2012.

<http://www.nbc.gov.cn/article/English/InternationalExchangesandCooperation/201207/20120700017899.shtml>.

⁹⁶⁹ NBCP Office Attending the Fourth IAACA Seminar, National Bureau of Corruption Prevention of China (Beijing) 4 July 2012. Date of Access: 27 December 2012.

<http://www.nbc.gov.cn/article/English/InternationalExchangesandCooperation/201207/20120700017899.shtml>.

⁹⁷⁰ NBCP Office Attending the Fourth IAACA Seminar, National Bureau of Corruption Prevention of China (Beijing) 4 July 2012. Date of Access: 27 December 2012.

<http://www.nbc.gov.cn/article/English/InternationalExchangesandCooperation/201207/20120700017899.shtml>.

On 23-24 October 2012, China participated in the 11th Regional Seminar of the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific and the Government Inspectorate of Vietnam on Tracing Illicit Flows, Asset Recovery and Asset Disclosure.⁹⁷¹

On 5 November 2012, the Ministry of Supervision issued a statement on the repatriation of runaway corrupt officials. In the statement, the Ministry noted China's strengthened mechanisms for international prosecutorial cooperation.⁹⁷² The Ministry reported that since 2007 more than 500 fugitives of economic-related crimes have been captured outside China and sent back.⁹⁷³ According to the statement, the Ministry of Public Security has also tightened rules on the issuance of entry-exit certificates in order to prevent corrupt officials from escaping the country.⁹⁷⁴

On 14 November 2012, the Central Commission for Discipline Inspection (CCDI) of the Communist Party of China (CPC) submitted a report to the 18th CPC National congress. The report summarized its campaign over the past five years and called for toughened combat against corruption. According to the report, officials involved in bribery, power abuse, and other forms of infringement upon the people's economic, political, and personal rights and interests have been and will continue to be severely punished by the law.⁹⁷⁵ The CCDI ensured that all government personnel who with spouses and/or children living overseas will be closely watched. Additionally, a supervision system for those officials to report their personal assets will be enforced.⁹⁷⁶

On 17 November 2012, China's new Party Head Xi Jinping announced the launching of a massive "rectification" campaign in the spring of 2013 to root out corruption.⁹⁷⁷ This is expected to be the largest rectification movement since the Yan'an Rectification in the early 1940s. Local

⁹⁷¹ ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, Asian Development Bank/ Organization for Economic Cooperation and Development (Hanoi) 23-24 October 2012. Date of Access: 11 January 2013.

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/11thRegSeminarPressRelease.pdf>.

⁹⁷² Prosecutors Capture 76 Government Officials on the Run, Government of China (Beijing) 6 November 2012. Date of Access: 27 December 2012.

http://english.gov.cn/2012-11/06/content_2258321.htm.

⁹⁷³ Prosecutors Capture 76 Government Officials on the Run, Government of China (Beijing) 6 November 2012. Date of Access: 27 December 2012.

http://english.gov.cn/2012-11/06/content_2258321.htm.

⁹⁷⁴ Prosecutors Capture 76 Government Officials on the Run, Government of China (Beijing) 6 November 2012. Date of Access: 27 December 2012.

http://english.gov.cn/2012-11/06/content_2258321.htm.

⁹⁷⁵ 668,000 People Disciplined in Five Years in China, Government of China (Beijing) 19 November 2012. Date of Access: 27 December 2012.

http://english.gov.cn/2012-11/19/content_2270350.htm.

⁹⁷⁶ CPC Discipline Watchdog Vows Crackdown on Corruption, Government of China (Beijing) 19 November 2012. Date of Access: 27 December 2012.

http://english.gov.cn/2012-11/19/content_2270426.htm.

⁹⁷⁷ China's New Anti-Corruption Czar Gears up to 'Rectify' Communist Party, The Epoch Times (Beijing) 13 December 2012. Date of Access: 14 January 2013.

<http://www.theepochtimes.com/n2/china-news/chinas-new-anti-corruption-czar-gears-up-to-rectify-communist-party-323773.html>.

anti-corruption authorities in different regions have already dismissed corrupt officials “at unprecedented rate within 20 days.”⁹⁷⁸

On 27 September 2012, the Ministry of Finance and Central Bank jointly advocated for the implementation of specialized credit cards.⁹⁷⁹ To be used by civil servants, the special cards will carry traceable records of each transaction, which can enhance fiscal transparency and contribute to anti-corruption efforts.⁹⁸⁰

In December 2012, the Ministry of Finance released a policy entitled “Standards for Internal Controls for all Administrative Organizations” designed to strengthen internal control mechanisms of economic activities within administrative organizations, such as budget management, expenditure management, assets management, government procurement, and construction projects management.⁹⁸¹

On 31 December 2012, the CCDI submitted a report to the CPC Central Committee outlining the Party’s anti-graft plan for 2013 on preventing and punishing cases of extravagance, bureaucratic behaviour, and abuse of power.⁹⁸²

On 1 January 2013, the Interpretation on Several Issues Concerning the Specific Application of Law in the Trial of Criminal Cases on Offering Bribes (“Interpretation”) issued by the Supreme People’s Court and the Supreme People’s Procuratorate took effect. This interpretation offers more precise definitions and clarifications on the conviction and sentencing standards for crimes regarding bribery.⁹⁸³ On 8 January 2013, the Interpretation I on Several Issues Concerning the Application of Law in the Trial of Criminal Cases on Dereliction of Duty (“Interpretation”), also took effect, with the purpose of encouraging public officials to fulfill their duties more diligently.⁹⁸⁴

On 22 January 2013, during a CPC disciplinary watchdog meeting, Party Head Xi Jinping called for efforts to adopt more anti-corruption measures. Some of those measures include implementing

⁹⁷⁸China’s New Anti-Corruption Czar Gears up to ‘Rectify’ Communist Party, The Epoch Times (Beijing) 13 December 2012. Date of Access: 14 January 2013.
<http://www.theepochtimes.com/n2/china-news/chinas-new-anti-corruption-czar-gears-up-to-rectify-communist-party-323773.html>.

⁹⁷⁹ China Urges Quicker Adoption of Government Staff Credit Cards, Government of China (Beijing) 27 September 2012. Date of Access: 27 December 2012.
http://english.gov.cn/2012-09/27/content_2234722.htm.

⁹⁸⁰ China Urges Quicker Adoption of Government Staff Credit Cards, Government of China (Beijing) 27 September 2012. Date of Access: 27 December 2012.
http://english.gov.cn/2012-09/27/content_2234722.htm.

⁹⁸¹ Standards for Internal Control for all Administrative Units by Ministry of Finance, RSM China, (Beijing) 25 December 2012. Date of Access: 14 January 2013.
http://www.rsmchina.com.cn/news_detail.asp?log_ID=429.

⁹⁸² CPC Outlines Anti-Corruption Plan for New Year, English News (Beijing) 31 December 2012. Date of Access: 14 January 2013.
http://news.xinhuanet.com/english/china/2012-12/31/c_124173547.htm.

⁹⁸³ Monthly China Anti-Corruption Update Report – January 2013, Lexology (London) 4 February 2013. Date of Access: 12 February 2013.

<https://www.lexology.com/library/detail.aspx?g=eb6d1a6a-5a1f-4c4e-b483-366db02bcee1>.

⁹⁸⁴ Monthly China Anti-Corruption Update Report – January 2013, Lexology (London) 4 February 2013. Date of Access: 12 February 2013.

<https://www.lexology.com/library/detail.aspx?g=eb6d1a6a-5a1f-4c4e-b483-366db02bcee1>.

greater democratic centralism and improving government transparency through publicizing governing activities.⁹⁸⁵

On 23 January 2013, after Party Head Xi Jinping's vow for a renewed war on corruption, the disciplinary arm of the CPC issued a communiqué detailing new strategies. Specifically, the CCDI will be imbued with more supervisory power over officials at various levels in order to eliminate embezzlement of public money.⁹⁸⁶

On 18 January 2013, at the end of a two-day meeting in New Delhi, China along with its BRICS counterparts (Brazil, Russia, India, and South Africa) issued a joint communiqué identifying seven areas of tax policy and tax administration that could extend their cooperation, share capacity building, anti-avoidance and non-compliance practices and enhance the enforcement processes.⁹⁸⁷ The cooperation will extend to developing standards on international taxation and transfer pricing, problem-solving regarding incomplete information disclosure and fraudulent claims, enhancement of information exchange systems and resources sharing, and developing a BRICS mechanism to counter tax avoidance transactions, arrangements, shelters and schemes.⁹⁸⁸

On 24-26 April 2013, China and the United States co-hosted the Asia-Pacific Economic Cooperation (APEC) Anti-Corruption and Transparency Workshop on the Denial of Safe Haven, Asset Recovery and Extradition in Shanghai.⁹⁸⁹ The aim of the workshop was to reinforce the 2005 APEC agreement on prosecuting bribery and denying safe haven to individuals guilty of corruption, those who corrupt them, and the proceeds of corruption.⁹⁹⁰

On 24 May 2013, the Legislative Affairs Office of the State Council published a draft regulation on freezing assets of terrorist groups. The draft, which was compiled jointly by the People's Bank of China, the Ministry of Public Security and the Ministry of State Security, aims to provide the legal framework to combat terrorism by forbidding the raising of funds for terrorist organizations or the provision of any services.⁹⁹¹

⁹⁸⁵ Xi Jinping Vows Unswerving Fight Against Corruption, National Bureau of Corruption Prevention of China (Beijing) 22 January 2013. Date of Access: 8 February 2013.
<http://www.nbc.gov.cn/article/English/Updates/201301/20130100020346.shtml>.

⁹⁸⁶ CPC Disciplinarians Vow Penalties for Excessive Spending, National Bureau of Corruption Prevention of China (Beijing) 24 January 2013. Date of Access: 8 February 2013.
<http://www.nbc.gov.cn/article/English/ComprehensiveInformation/201301/20130100020347.shtml>.

⁹⁸⁷ BRICS Countries Vow to Address Transfer Pricing Enforcement Issues, International Trade Compliance Strategies (Manitoba) 24 January 2013. Date of Access: 13 February 2013.
<http://tradecompliance.ghy.com/2013/01/bric-countries-vow-to-address-transfer-pricing-enforcement-issues/>.

⁹⁸⁸ BRICS Countries Vow to Address Transfer Pricing Enforcement Issues, International Trade Compliance Strategies (Manitoba) 24 January 2013. Date of Access: 13 February 2013.
<http://tradecompliance.ghy.com/2013/01/bric-countries-vow-to-address-transfer-pricing-enforcement-issues/>.

⁹⁸⁹ Anti-Corruption Workshop to Conclude in Shanghai, Asia-Pacific Economic Cooperation (Singapore) 26 April 2013. Date of Access: 27 June 2013.
http://www.apec.org/Press/News-Releases/2006/0426_cn_actworkshopconcludes.aspx.

⁹⁹⁰ Anti-Corruption Workshop to Conclude in Shanghai, Asia-Pacific Economic Cooperation (Singapore) 26 April 2013. Date of Access: 27 June 2013.
http://www.apec.org/Press/News-Releases/2006/0426_cn_actworkshopconcludes.aspx.

⁹⁹¹ Draft rule on funding takes aim at terrorism, China Daily (Beijing) 24 May 2013. Date of Access: 29 June 2013. http://www.chinadaily.com.cn/china/2013-05/24/content_16526571.htm.

On 3 June 2013, President and General Secretary of the Chinese Communist Party Xi Jinping announced at a conference attended by members of the Politburo Standing Committee that he would be launching a “thorough clean-up” of the ruling Communist Party.⁹⁹² This upcoming yearlong anti-graft campaign will target work styles such as formalism, bureaucratism, laxity, and extravagance among party members.⁹⁹³ Shortly after this meeting, ten inspection teams were dispatched and arrived at relevant destinations to oversee local officials.⁹⁹⁴

On 24 June 2013, Bankers Acuity, the global standard for payment efficiency and compliance solutions, co-hosted the China Third-Party Payment Anti-Money Laundering seminar with China Centre of Anti-Money Laundering Studies (CCAMLS).⁹⁹⁵ The People’s Bank of China and the Chinese Ministry of Public Security and Industry also joined the discussion in preventing and tackling emerging trends of money laundering and terrorist financing.⁹⁹⁶

On 22-24 June 2013, the fifth meeting of the International Association of Anti-Corruption Authorities (IAACA) took place in Jinan, Shandong Province. At the seminar, China’s Supreme People’s Procuratorate signed a Memorandum of Understanding on anti-graft partnership with the Indonesian counterpart.⁹⁹⁷ Cooperation between the two agencies will include exchanging information and technical assistance, sharing practices to handle corruption and money-laundering cases, as well as recovering stolen assets to crack down on transnational and transregional corruption.⁹⁹⁸

China has not yet adopted the OECD Anti-Bribery Convention.⁹⁹⁹

⁹⁹² China’s Xi in ‘Thorough Clean-Up’ of Party: Media, Bangkok Post (Bangkok) 19 June 2013. Date of Access: 26 June 2013.

<http://www.bangkokpost.com/news/asia/355809/china-xi-in-thorough-clean-up-of-party-media>.

⁹⁹³ China’s Xi in ‘Thorough Clean-Up’ of Party: Media, Bangkok Post (Bangkok) 19 June 2013. Date of Access: 26 June 2013.

<http://www.bangkokpost.com/news/asia/355809/china-xi-in-thorough-clean-up-of-party-media>.

⁹⁹⁴ China’s Inspection Teams Overseeing Local Officials, Xinhuanet (Beijing) 3 June 2013. Date of Access: 27 June 2013.

http://news.xinhuanet.com/english/china/2013-06/03/c_132427874.htm.

⁹⁹⁵ AML Challenge to Combat Criminal Use of Third-Part Payment Platforms, AFP Network (Shanghai) 24 June 2013. Date of Access: 27 June 2013.

<http://www.bobsguide.com/guide/news/2013/Jun/24/aml-challenge-to-combat-criminal-use-of-third-party-payment-platforms.html>.

⁹⁹⁶ AML Challenge to Combat Criminal Use of Third-Part Payment Platforms, AFP Network (Shanghai) 24 June 2013. Date of Access: 27 June 2013.

<http://www.bobsguide.com/guide/news/2013/Jun/24/aml-challenge-to-combat-criminal-use-of-third-party-payment-platforms.html>.

⁹⁹⁷ China, Indonesia Sign Anti-Graft Cooperation Memo, Xinhuanet (Beijing) 25 June 2013. Date of Access: 27 June 2013.

http://news.xinhuanet.com/english/china/2013-06/25/c_132485617.htm.

⁹⁹⁸ Senior Officials Call for More International Anti-Corruption Cooperation, Global Times China (Beijing) 24 June 2013. Date of Access: 27 June 2013.

http://www.globaltimes.cn/content/791063.shtml#.Ucz_Zvk3stE.

⁹⁹⁹ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organization for Economic Co-operation and Development (Paris) 20 November 2012. Date of Access: 27 December 2012.

<http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

China has ratified the UNCAC and is currently implementing its provisions. China has not adopted yet the OECD Anti-Bribery Convention; however, China has more actively engaged with the ADB/OECD Anti-Corruption Initiative. Therefore, China is awarded a score of 0.

Analyst: Maggie Shi

France: 0

France has partially complied with its commitment to combat crime and corruption. Even though the French government has moved forward in its implementation of the UNCAC, the implementation remains incomplete. France has not been actively involved in the work of the OECD Working Group on Bribery since the Los Cabos Summit.

On 9 December 2003, France signed the United Nations Convention against Corruption (UNCAC) and ratified it on 11 July 2005.¹⁰⁰⁰ On 29 September 2000, France became full member of the OECD Anti-Bribery Convention by entering into force the implementing legislation.¹⁰⁰¹ It is also a member of the Financial Action Task Force (FATF),¹⁰⁰² and holds an observer status with the Asia Pacific Group on Money Laundering (APG),¹⁰⁰³ the Eurasian Group (EAG),¹⁰⁰⁴ the Financial Action Task Force of South America against Money Laundering (GAFISUD),¹⁰⁰⁵ and the Middle East and North Africa Financial Action Task Force (MENAFATF).¹⁰⁰⁶

On 18-22 June 2012, France participated in the third session of the Implementation Review Group of the UNCAC in Vienna.¹⁰⁰⁷ The Secretariat presented its Executive Summary on France's implementation of the UNCAC in relation to its legal system, the anti-corruption legal and institutional framework, criminalization and law enforcement, extradition, and international

¹⁰⁰⁰ UNCAC Signatures and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 16 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹⁰⁰¹ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions:

Ratification Status as of 20 November 2012 Organization for Economic Cooperation and Development (Paris) 20 November 2012. Date of Access: 16 January 2013.

<http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

¹⁰⁰² France, Countries, Financial Action Task Force (FATF) (Paris) July 1989. Date of Access: 16 January 2013. <http://www.fatf-gafi.org/countries/d-i/france/>.

¹⁰⁰³ Observer Jurisdictions and Organizations, France Asia Pacific Group on Money Laundering (APG) (Bangkok) Date of Access: 16 January 2013.

<http://www.apgml.org/observers/default.aspx?ObserverID=2>.

¹⁰⁰⁴ Observer states and organizations, Eurasian Group on Combating Money Laundering (EAG) (Moscow) Date of Access: 16 January 2013.

<http://www.eurasiangroup.org/observers.php>.

¹⁰⁰⁵ Observers, France Financial Action Task Force of South America against Money Laundering (GAFISUD) (Buenos Aires) 2000. Date of Access: 16 January 2013.

<http://www.gafisud.info/observadores.php?p=Francia>.

¹⁰⁰⁶ Members and Observers, Middle East and North Africa Financial Action Task Force (MENAFATF) (Manama) Date of Access: 16 January 2013.

<http://menafatf.org/topiclist.asp?ctype=about&id=430>.

¹⁰⁰⁷ Final List of Participants, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 16 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

cooperation.¹⁰⁰⁸ The overall findings were positive, with the reviewers observing adequate implementation of the provisions of chapters III and IV of the UNCAC.¹⁰⁰⁹ However, the assessors added that deficiencies remain and enlisted their recommendations for future actions.¹⁰¹⁰

On 12 October 2012, the OECD released the Phase 3 Report on the implementation of the OECD Anti-Bribery Convention in France.¹⁰¹¹ The Working Group praised the reforms are underway in relation to ensuring the independence of prosecutors from any political power or influence, the facilitation of legal procedures for seizure and confiscation, the establishment of legislation for the protection of whistleblowers, and the high performance of the Anti-Money Laundering Unit (TRACFIN)¹⁰¹² in detecting and reporting cases.¹⁰¹³

The Working Group called upon the French government for attention to and actions on: (1) the low number of proceedings and convictions on foreign bribery probably due to limited resources available to investigations; (2) the French authorities' weak response to sanctioned companies by other Parties to the Convention; and (3) the prohibition to victims of foreign bribery to initiate criminal prosecutions (with the exception of corruption within the European Union).¹⁰¹⁴ The Working Group also asked the French government to draw the attention of its law enforcement authorities to the importance of reacting to the full in cases of foreign bribery.¹⁰¹⁵

¹⁰⁰⁸ Executive Summaries, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session, United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 16 January 2013.
<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/V1187226e.pdf>.

¹⁰⁰⁹ Executive Summaries, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session, United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 16 January 2013.
<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/V1187226e.pdf>.

¹⁰¹⁰ Executive Summaries, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session, United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 16 January 2013.
<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/V1187226e.pdf>.

¹⁰¹¹ Phase Three Report on Implementing the OECD Anti-Bribery Convention in France, Organization for Economic Cooperation and Development (Paris) October 2012. Date of Access: 28 December 2012.
<http://www.oecd.org/daf/briberyininternationalbusiness/FrancePhase3en.PDF>.

¹⁰¹² Le Portail de l'Economie et des Finances, TRACFIN (Paris) Date of Access: 16 January 2013.
<http://www.economie.gouv.fr/tracfin/accueil-tracfin>.

¹⁰¹³ Phase Three Report on Implementing the OECD Anti-Bribery Convention in France, Organization for Economic Cooperation and Development (Paris) October 2012. Date of Access: 28 December 2012.
<http://www.oecd.org/daf/briberyininternationalbusiness/FrancePhase3en.PDF>.

¹⁰¹⁴ Phase Three Report on Implementing the OECD Anti-Bribery convention in France, Organization for Economic Cooperation and Development (Paris) October 2012. Date of Access: 28 December 2012.
<http://www.oecd.org/daf/briberyininternationalbusiness/FrancePhase3en.PDF>.

¹⁰¹⁵ Phase Three Report on Implementing the OECD Anti-Bribery convention in France, Organization for Economic Cooperation and Development (Paris) October 2012. Date of Access: 28 December 2012.
<http://www.oecd.org/daf/briberyininternationalbusiness/FrancePhase3en.PDF>.

On 27 November 2012, the Anti-Money Laundering Unit (TRACFIN) published a new special newsletter announcing changes in the reporting procedures from professionals in regards to money laundering and terrorist financing starting from 1 January 2013.¹⁰¹⁶

On 13 February 2013, the French government introduced a new bill granting the right to anti-corruption associations that have been lawfully registered for at least five years, to initiate lawsuits.¹⁰¹⁷

On 9 April 2013, Interior Minister Manuel Valls participated in the 15th meeting of the Western Mediterranean countries in Algiers.¹⁰¹⁸ The participants renewed their commitment to combat terrorism and organized crime through the strengthening of cooperation and coordination of security services. The ministers also have agreed to continue to advance their work to: (1) promote the exchange of information on organized crime networks; (2) enhance cooperation against illicit human trafficking as well as illicit trafficking of arms, drugs and ammunitions; and (3) improve security of internet networks against cybercrime.¹⁰¹⁹

On 24 April 2013, the French government presented a new bill on the process of wealth declaration by government officials. According to the proposed legislation, elected officials, ministerial staff, mayors, and other officials will be obliged to declare their assets, income and any potential conflicts of interest to an independent authority.¹⁰²⁰ As the government spokeswoman Najat Vallaud- Belkacem stated: “The aim is to restore public confidence in politicians and place our country among the most advanced democracies in terms of preventing conflict of interest in public life.”¹⁰²¹

On 22 May 2013, French President Francois Hollande in a joint press conference with British Prime Minister David Cameron announced the United Kingdom and France’s intention to join and implement the Extractive Industries Transparency Initiative (EITI).¹⁰²² The Chair of EITI

¹⁰¹⁶ Tracfin Published a New Special Newsletter for Professionals, Le Portail de l’Economie et des Finances, TRACFIN (Paris) 27 November 2012. Date of Access: 16 January 2013.

<http://www.economie.gouv.fr/tracfin/tracfin-publie-nouveau-special-lettre-dinformation-aux-professionnels>.

¹⁰¹⁷ Proposition De Loi Tendat A Autoriser Les Associations Anticorruption A Ester En Justice, Assemble Nationale (Paris) 13 February 2013. Date of Access: 27 June 2013.

<http://www.assemblee-nationale.fr/14/propositions/pion0718.asp>.

¹⁰¹⁸ Western Mediterranean Interior Ministers Pledge to Fight Terrorism, Organized Crime, The North Africa Post (Algiers) 9 April 2013. Date of Access: 27 June 2013.

<http://northafricapost.com/3328-western-mediterranean-interior-ministers-pledge-to-fight-terrorism-organized-crime.html>.

¹⁰¹⁹ Western Mediterranean Interior Ministers Pledge to Fight Terrorism, Organized Crime, The North Africa Post (Algiers) 9 April 2013. Date of Access: 27 June 2013.

<http://northafricapost.com/3328-western-mediterranean-interior-ministers-pledge-to-fight-terrorism-organized-crime.html>.

¹⁰²⁰ France launches push to expose wealthy lawmakers' assets, Reuters (London) 24 April 2013. Date of Access: 27 June 2013.

<http://www.reuters.com/article/2013/04/24/us-france-lawmakers-idUSBRE93N0WN20130424>.

¹⁰²¹ France launches push to expose wealthy lawmakers' assets, Reuters (London) 24 April 2013. Date of Access: 27 June 2013.

<http://www.reuters.com/article/2013/04/24/us-france-lawmakers-idUSBRE93N0WN20130424>.

¹⁰²² The accession of France to the Transparency Initiative Extractive Industries, French Ministry of Foreign Affairs (Paris) 23 May 2013. Date of Access: 27 June 2013.

welcomed this initiative stating that “it is only through transparency of the production of oil, gas and mining across the world that we can limit corruption, make sure that the sector is well governed, and that the income from it leads to development.”¹⁰²³

On 6 June 2013, Finance Minister Pierre Moscovici stated that the government is considering amendments to the law related to transfer pricing rules in order to make the principle more explicit and close any gaps that can be exploited by multinational companies.¹⁰²⁴ The initiative came after an internal report of the Finance Ministry that indicated that the French transfer pricing rules have been out of date.¹⁰²⁵

France has partially complied with its commitment to combat crime and corruption by advancing its legal and institutional framework as the recommendations made by the UNCAC and the OECD Working Group on Bribery. Therefore, France is awarded a score of 0.

Lead Analyst: Eleni Tsaliki

Germany: -1

Germany has failed to comply with the commitment on crime and corruption, as Germany has not yet ratified the UNCAC.

Germany has signed the United Nations Convention against Corruption (UNCAC) on 9 December 2003 but has not yet ratified it.¹⁰²⁶ Germany ratified the OECD Anti-Bribery Convention on 15 February 1999.¹⁰²⁷ It is also a member of the Financial Action Task Force (FATF) since 1990, and holds an observer status with the Asia/Pacific Group on Money

<http://www.diplomatie.gouv.fr/fr/politique-etrangere-de-la-france/diplomatie-economique-901/actualites-liees-a-la-diplomatie/article/l-adhesion-de-la-france-a-l>.

¹⁰²³ France and United Kingdom Commit to Global Transparency Standard, Extractive Industries Transparency Initiative (Oslo) 22 May 2013. Date of Access: 27 June 2013.

<http://eiti.org/news/france-and-united-kingdom-commit-global-transparency-standard>.

¹⁰²⁴ France targets multinationals with tax rules shake-up, Reuters (London) 6 June 2013. Date of Access: 27 June 2013.

<http://www.reuters.com/article/2013/06/06/france-tax-idUSL5N0EI3DH20130606>.

¹⁰²⁵ France targets multinationals with tax rules shake-up, Reuters (London) 6 June 2013. Date of Access: 27 June 2013.

<http://www.reuters.com/article/2013/06/06/france-tax-idUSL5N0EI3DH20130606>.

¹⁰²⁶ UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 3 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹⁰²⁷ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions:

Ratification Status as of 20 November 2012 Organization for Economic Cooperation and Development (Paris) 20 November 2012. Date of Access: 16 January 2013.

<http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

Laundering (APG),¹⁰²⁸ Eurasian Group (EAG),¹⁰²⁹ and the Financial Action Task Force on Money Laundering in South America (GAFISUD).¹⁰³⁰

On 26 September 2012, the Federal Government adopted the High-Frequency Trading Act.¹⁰³¹ The purpose of this Act is to bring transparency, security, and clarity to electronic trading transactions. According to the Federal Ministry of Finance, “the German draft introduces national measures that anticipate and complement European efforts to regulate high-frequency trading.”¹⁰³²

On 14 October 2012, the Federal Ministry of Finance announced its agreement with Singapore to enhance their cooperation in tax matters with the purpose of tackling cross-border tax evasion.¹⁰³³ This agreement includes a series of amendments in relation to the Standard of exchanging information: (1) information for all types of tax; (2) exchange of information can also take place for non-residents of the contracting states; (3) the requested state must obtain information even when it does not require information for tax purposes; and (4) banking secrecy poses no longer obstacle to exchanging information.¹⁰³⁴ The agreement will come into force after both countries have ratified it domestically.

On 19 December 2012, the German Cabinet approved the draft of the Fee-Based Investment Advice Act.¹⁰³⁵ This law establishes a new regulatory framework, giving investors greater transparency regarding independent and fee-based advice on investments. Through this Act, Germany introduces the professional designations “fee-based investment adviser” and “fee-based

¹⁰²⁸ Asia/Pacific Group on Money Laundering (APG), Financial Action Task Force (Bangkok) Date of Access: 13 January 2013.

<http://www.fatf-gafi.org/pages/asiapacificgrouponmoneylaundryingapg.html> .

¹⁰²⁹ About EAG, Eurasian Group on combating money laundering and financing of terrorism (Moscow) Date of Access: 13 January 2013.

<http://www.eurasiangroup.org/>.

¹⁰³⁰ Federal Republic of Germany, Observers Financial Action Task Force of South America against Money Laundering (GAFISUD) 2002. Date of Access: 3 January 2013.

<http://www.gafisud.info/eng-observadores.php>.

¹⁰³¹ Speed limit for high-frequency trading – Federal Government adopts legislation to avoid risks and prevent abuse in high-frequency trading, Federal Ministry of Finance (Berlin) 26 September 2012. Date of Access: 29 January 2013.

<http://www.bundesfinanzministerium.de/Content/EN/Pressemitteilungen/2012/2012-09-26-speed-limit-for-high-frequency-trading.html>.

¹⁰³² Speed limit for high-frequency trading – Federal Government adopts legislation to avoid risks and prevent abuse in high-frequency trading, Federal Ministry of Finance (Berlin) 26 September 2012. Date of Access: 29 January 2013

<http://www.bundesfinanzministerium.de/Content/EN/Pressemitteilungen/2012/2012-09-26-speed-limit-for-high-frequency-trading.html>.

¹⁰³³ Germany and Singapore to enhance tax cooperation in exchange of information, Federal Ministry of Finance (Berlin) 14 October 2012. Date of Access: 29 January 2013.

<http://www.bundesfinanzministerium.de/Content/EN/Pressemitteilungen/2012/2012-10-14-PM65.html>.

¹⁰³⁴ Germany and Singapore to enhance tax cooperation in exchange of information, Federal Ministry of Finance (Berlin) 14 October 2012. Date of Access: 29 January 2013.

<http://www.bundesfinanzministerium.de/Content/EN/Pressemitteilungen/2012/2012-10-14-PM65.html>.

¹⁰³⁵ German Government Regulates Fee-Based Investment Advice, Creating New Model Which Gives Investors Greater Transparency, Federal Ministry of Finance (Berlin) 19 December 2012. Date of Access: 29 January 2013. <http://www.bundesfinanzministerium.de/Content/EN/Pressemitteilungen/2012/2012-12-18-PM85.html>.

financial investment adviser” into its Securities Trading Act and Trade Regulation Code respectively.¹⁰³⁶

On 1 January 2013, key components of the Act on the Strengthening of German Financial Supervision entered into force.¹⁰³⁷ According to the Act, there is a clear separation of tasks between Bundesbank and the Federal Financial Supervisory Authority (BaFin) as well as exchange of information and a structured collaboration between the two institutions.¹⁰³⁸ The creation of the Financial Stability Commission is a core element of the new Act. The role of the Commission is to ensure that a structured and transparent dialogue takes place between relevant institutions on financial stability.¹⁰³⁹ In addition, the Act establishes a consumer advisory council as well as new consumers’ complaints procedures, enhancing consumers’ protection.¹⁰⁴⁰

On 8 August 2012, Germany’s biggest business leaders criticised the government for not ratifying the UNCAC¹⁰⁴¹ and called for revision of Members of the Parliament bribery laws.¹⁰⁴² According to Federal Criminal Police Office (BKA) President Jörg Ziercke, “many trading transactions and commodity deals are becoming more and more transparent.”¹⁰⁴³

On 28 November 2012, the Group of States against Corruption (GRECO) — of which Germany is a member¹⁰⁴⁴ — issued an interim report concluding Germany’s compliance to the recommendations from GRECO has been “globally unsatisfactory.”¹⁰⁴⁵ The report identified

¹⁰³⁶ German Government Regulates Fee-Based Investment Advice, Creating New Model Which Gives Investors Greater Transparency, Federal Ministry of Finance (Berlin) 19 December 2012. Date of Access: 29 January 2013. <http://www.bundesfinanzministerium.de/Content/EN/Pressemitteilungen/2012/2012-12-18-PM85.html>.

¹⁰³⁷ Act on the Strengthening of German Financial Supervision, Federal Financial Supervisory Authority (Berlin) 18 January 2013. Date of Access: 29 January 2013.

http://www.bafin.de/SharedDocs/Veroeffentlichungen/EN/Fachartikel/fa_bj_2013_01_finstabg_en.html.

¹⁰³⁸ Act on the Strengthening of German Financial Supervision, Federal Financial Supervisory Authority (Berlin) 18 January 2013. Date of Access: 29 January 2013.

http://www.bafin.de/SharedDocs/Veroeffentlichungen/EN/Fachartikel/fa_bj_2013_01_finstabg_en.html.

¹⁰³⁹ Act on the Strengthening of German Financial Supervision, Federal Financial Supervisory Authority (Berlin) 18 January 2013. Date of Access: 29 January 2013.

http://www.bafin.de/SharedDocs/Veroeffentlichungen/EN/Fachartikel/fa_bj_2013_01_finstabg_en.html.

¹⁰⁴⁰ Act on the Strengthening of German Financial Supervision, Federal Financial Supervisory Authority (Berlin) 18 January 2013. Date of Access: 29 January 2013.

http://www.bafin.de/SharedDocs/Veroeffentlichungen/EN/Fachartikel/fa_bj_2013_01_finstabg_en.html.

¹⁰⁴¹ German Big Businesses Push Government To Sign Anti-Corruption Convention, Transparency International News, (Berlin) 8 August 2012. Date of Access: 3 January 2013.

http://www.transparency.org/news/feature/german_big_businesses_push_government_to_sign_anti_corruption_convention.

¹⁰⁴² German CEOs Join Transparency International Calls for Revision of MP Bribery Laws, Transparency International News (Berlin) 8 August 2012. Date of Access: 3 January 2013.

http://www.transparency.org/news/pressrelease/20120808_german_ceos_join_transparency_international_calls_for_revision_of.

¹⁰⁴³ Germany, a Safe Haven for Money Laundering, Deutsche Welle (Berlin) 30 October 2012. Date of Access: 29 January 2013.

<http://www.dw.de/germany-a-safe-haven-for-money-laundering/a-16343313>.

¹⁰⁴⁴ GRECO: Members and Observers, Council of Europe (Strasbourg) 16 January 2013. Date of Access: 25 January 2013.

http://www.coe.int/t/dghl/monitoring/greco/general/members_en.asp.

¹⁰⁴⁵ Council of Europe Anti-Corruption Group Critical of Party Funding Transparency in Germany, Council of Europe Newsroom (Brussels) 28 November 2012. Date of Access: 3 January 2013.

shortcomings in German bribery law and a failure “to tighten up laws that crack down on illegal party funding and bribing parliamentarians.”¹⁰⁴⁶

Germany’s government officials have repeatedly condemned corruption. Thus, on 26 August 2012, on a trip to Kyrgyzstan, Germany’s Federal Minister of Economic Cooperation and Development Dirk Niebel spoke of the importance of effective anti-corruption legislation: “Progress on anti-corruption, respect for human rights and the rule of law is the best long-term guarantee of stability, security and prosperity.”¹⁰⁴⁷ On 27 October 2012, Minister Niebel called upon the government of Cameroon to continue its efforts to fight corruption: “[...] Cameroon continues to be plagued by corruption. So I would like to expressly encourage its government to continue its anti-corruption efforts with determination.”¹⁰⁴⁸ On 5 December 2012, Minister Niebel again referred to corruption as “one of the biggest obstacles to development, making development cooperation difficult or even impossible.”¹⁰⁴⁹

Germany participated in the session of the UNCAC Implementation Review Group in Vienna as an observer on 18-22 June 2012¹⁰⁵⁰, 27-29 August 2012¹⁰⁵¹, 30-31 August 2012¹⁰⁵², and 14-16 November 2012¹⁰⁵³.

http://hub.coe.int/press/newsroom?p_p_id=newsroom&p_p_lifecycle=0&p_p_state=normal&p_p_mode=view&p_p_col_id=column-1&p_p_col_count=1&newsroom_struts_action=%2Fext%2Fnewsroom%2Fview_content&newsroom_displayGroupId=10226&newsroom_displayArticleId=1260844&newsroom_displayLanguageId=en_GB&newsroom_displayUrl=http%3A%2F%2Fhub.coe.int%2F%2Fjournal%2Fview_article_content%3FgroupId%3D10226%26articleId%3D1260844%26locale%3Den_GB

¹⁰⁴⁶ Criticism by Council of Europe: Germany Falling Behind in Fight against Corruption, Spiegel Online International (Hamburg) 28 November 2012. Date of Access: 3 January 2013.

<http://www.spiegel.de/international/germany/germany-too-lax-on-fighting-political-corruption-says-watchdog-a-869763.html>.

¹⁰⁴⁷ Dirk Niebel arrives in Kyrgyzstan, Federal Ministry for Economic Cooperation and Development, (Berlin) 26 August 2012. Date of Access: 3 January 2013.

http://www.bmz.de/en/press/aktuelleMeldungen/2012/August/20120826_pm_202_kirgisistan/index.html.

¹⁰⁴⁸ Dirk Niebel leaves for visit to Cameroon, Federal Ministry for Economic Cooperation and Development, (Berlin) 27 October 2012. Date of Access: 3 January 2013.

http://www.bmz.de/en/press/aktuelleMeldungen/2012/October/20121027_pm_260_kamerun/index.html.

¹⁰⁴⁹ “Corruption is an obstacle to development” says Dirk Niebel, Federal Ministry for Economic Cooperation and Development, (Berlin) 5 December 2012. Date of Access: 3 January 2013.

http://www.bmz.de/en/press/aktuelleMeldungen/2012/December/20121205_pm_294_korruption/index.html.

¹⁰⁵⁰ Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 3 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

¹⁰⁵¹ Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Office on Drugs and Crime (Vienna) 29 August 2012. Date of Access: 3 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/Final_LOP.pdf

¹⁰⁵² Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Office on Drugs and Crime (Vienna) 31 August 2012. Date of Access: 3 January 2013.

On 14 March 2013, the German Financial Intelligence Unit under Bundeskriminalamt signed a Memorandum of Understanding with the Turkish Finance Ministry's Financial Crimes Investigative Board (MASAK) as a part of a wider strategy to fight terrorism. Under the new agreement, the two parties will share evidence relating to terrorism financing.¹⁰⁵⁴

On 30 March 2013, Germany urged Uganda for continued implementation of reforms to fight corruption in a bilateral negotiation. Development Minister Dirk Niebel stated "Germany appreciates the steps that the Ugandan government has taken so far to tackle corruption. That is why, in future, we will provide direct assistance to key institutions responsible for public financial management such as the audit office, the finance ministry and the procurement executive. Our aim is to help strengthen accountability and transparency in public financial management."¹⁰⁵⁵

On 7 April 2013, Germany and four other European states agree to include additional capital income, such as dividends, in the comprehensive system for automatic exchange of tax information, in order to halt profit shifting and tax evasion by large companies and to enforce financial transparency.¹⁰⁵⁶

On 19 April 2013, the OECD Working Group on Bribery released its Follow-Up to Phase Three Report and Recommendations on Germany's progress. The Working Group welcomed Germany's ongoing efforts. However, the report concluded that the German government has taken limited substantive action in many areas since its last evaluation. Approximately half of the Working Group's recommendations have not or have been only partially implemented.¹⁰⁵⁷

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/2012-August-30-31/Final_LOP.pdf.

¹⁰⁵³ Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Office on Drugs and Crime (Vienna) 16 November 2012. Date of Access: 3 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/Final_List_of_Participants.pdf.

¹⁰⁵⁴ Memorandum Of Understanding Between The Ministry Of Finance, Financial Crimes Investigation Board

(Masak) Of The Republic Of Turkey And Zentralstelle Für Verdachtsmeldungen At The Bundeskriminalamt (Bka) Of The Federal Republic Of Germany Concerning The Exchange Of Financial Intelligence Related To Money Laundering And Terrorist Financing, Ministry Of Finance, Financial Crimes Investigation Board

(Masak) Of The Republic Of Turkey (Ankara) 13 March 2013. Date of Access: 26 June 2013.

<http://www.masak.gov.tr/media/portals/masak2/files/MoU-Almanya.pdf>.

¹⁰⁵⁵ Protecting Human Rights and Preventing Corruption Are of Key Importance, Federal Ministry for Economic Cooperation and Development (Berlin) 30 May 2013. Date of Access: 22 June 2013.

http://www.bmz.de/en/press/aktuelleMeldungen/2013/mai/130530_pm_112_Dirk-Niebel-in-Uganda-Protecting-human-rights-and-preventing-corruption-are-of-key-importance/index.html.

¹⁰⁵⁶ Pursuing Fair Taxation through International Negotiations, Federal Ministry of Finance (Berlin) 31 May 2013. Date of Access: 22 June 2013.

http://www.bundesfinanzministerium.de/Content/EN/Standardartikel/Topics/Fiscal_policy/Articles/2013-04-18-tax-havens.html.

¹⁰⁵⁷ Germany: Follow-Up To Phase 3 Report And Recommendations Implementation Of The Convention On Combating Bribery Of Foreign Public Officials In International Business Transactions And The Recommendation

On 29 May 2013, Germany came to an agreement with the United States to exchange relevant information in order to improve international transparency and tax compliance.¹⁰⁵⁸

Despite Germany's active promotion of anti-corruption policies both domestically and internationally, Germany receives a score of -1, as Germany has not yet ratified the UNCAC.

*Analyst: Jihae Jang
Lead Analyst: Eleni Tsaliki*

India: 0

India has partially complied with its commitment to combat crime and corruption through active avocation for anti-corruption policies in the international arena and developments of its own legislation in relation to matters of corruption, money laundering, and public procurement.

On 9 December 2005, India signed the United Nations Convention against Corruption (UNCAC) and ratified it on 9 May 2011.¹⁰⁵⁹ India is a member of the Financial Action Task Force (FATF),¹⁰⁶⁰ of the Asia Pacific Group on Money Laundering (APG),¹⁰⁶¹ and of the Eurasian Group (EAG).¹⁰⁶² India has not yet signed the Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Convention.

On 18-22 June 2012, India participated in the UNCAC Implementation Review Group in Vienna.¹⁰⁶³

On 23-24 October 2012, India participated in the 11th Regional Seminar of the Asian Development Bank (ADB)/OECD Anti-Corruption Initiative for Asia and the Pacific and the Government Inspectorate of Vietnam on Tracing Illicit Flows, Asset Recovery, and Asset

For Further Combating Bribery in International Business Transactions, Directorate for Financial and Enterprise Affairs Working Group On Bribery In International Business Transactions (Paris) 15 April 2013. Date of Access: 26 June 2013.

[http://search.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DAF/WGB\(2013\)15/FINAL&docLanguage=En](http://search.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DAF/WGB(2013)15/FINAL&docLanguage=En).

¹⁰⁵⁸ Cabinet Approves Cross-Border Tax Compliance Agreement with the US, Federal Ministry of Finance (Berlin) 29 May 2013. Date of Access: 22 June 2013.

<http://www.bundesfinanzministerium.de/Content/EN/Pressemitteilungen/2013/2013-05-29-tax-compliance-agreement-with-us.html>.

¹⁰⁵⁹ UNCAC Signatures and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 16 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹⁰⁶⁰ India, Countries, Financial Action Task Force (FATF) (Paris) 29 June 2010. Date of Access: 16 January 2013. <http://www.fatf-gafi.org/countries/d-i/india/>.

¹⁰⁶¹ India, Members Asia Pacific Group on Money Laundering (APG) (Bangkok) March 1998. Date of Access: 16 January 2013.

<http://www.apgml.org/apg-members/default.aspx?JurisdictionID=9>.

¹⁰⁶² Republic of India, Eurasian Group on Combating Money Laundering (EAG) (Moscow) December 2010. Date of Access: 16 January 2013.

<http://www.eurasiangroup.org/India.php>.

¹⁰⁶³ Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 16 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

Disclosure.¹⁰⁶⁴ A day earlier, on 22 October 2012, India participated in the 17th Steering Group Meeting of the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific where it reported on its recently pursued anti-corruption reforms.¹⁰⁶⁵

In December 2012, the Anti-Corruption Bureau (ACB) set up a Technical Analysis Wing (TAW) and a recommendation cell. The purpose of the two cells is to bring more discipline to various departments. The cells will be charged with collecting technical evidence and making recommendations on the punishment of officials involved in corruption cases.¹⁰⁶⁶

On 29 May 2012, a draft of the Public Procurement Bill was published¹⁰⁶⁷ and was referred to the Standing Committee on Finance for discussion. The Bill is still pending in the House of the People for discussion. Upon the ratification, the Bill is expected to provide a single overarching legislative framework on public procurement processes. It entails provisions on the issues of: (1) procurement costs; (2) establishment of code of integrity; (3) grievance process; (4) creation of an accessible to the public Central Public Procurement Portal; and (5) non-compliance penalties.¹⁰⁶⁸

On 29 November 2012, the House of the People approved amendments to the law against money laundering.¹⁰⁶⁹ The new legislation extends the definitions of terms such as “cheating,” “concealment,” “acquisition,” and “use of proceeds of crime.”¹⁰⁷⁰ According to Finance Minister P. Chidambaram, these amendments confirm India’s intention to intensify its fight against money laundering (especially in relation to terrorist financing) and to align its domestic legislation with the FATF international standards.¹⁰⁷¹

¹⁰⁶⁴ ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, Asian Development Bank/ Organization for Cooperation and Development (Hanoi) 23-24 October 2012. Date of Access: 11 January 2013.

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/11thRegSeminarPressRelease.pdf>.

¹⁰⁶⁵ Compilation of Written Reports by Steering Group Members on Recent Developments and Activities, 17th Steering Group Meeting ADB/OECD Anti-Corruption Initiative for Asia and the Pacific Asian Development Bank/ Organization for Cooperation and Development (Hanoi) 22 October 2012. Date of Access: 16 January 2013. <http://www.oecd.org/site/adboecdanti-corruptioninitiative/meetingsandconferences/SG17StepsTakentoImplementAnti-CorruptionPlan&UNCAC.pdf>.

¹⁰⁶⁶ Anti-corruption bureau sets up two new cells to nail graft accused, The Times of India (Mumbai) 1 January 2013. Date of Access: 16 January 2013.

<http://timesofindia.indiatimes.com/city/mumbai/Anti-corruption-bureau-sets-up-two-new-cells-to-nail-graft-accused/articleshow/17837613.cms>.

¹⁰⁶⁷ Bulletin-Part II, Lok Sabha (New Delhi) 26 September 2012. Date of Access: 16 January 2013.

<http://164.100.47.132/bull2/2012/26.9.2012.pdf>.

¹⁰⁶⁸ The Public Procurement Bill, 2012, Lok Sabha (New Delhi) 16 April 2012. Date of Access: 16 January 2013. http://164.100.24.219/BillsTexts/LSBillTexts/asintroduced/58_2012_LS_EN.pdf.

¹⁰⁶⁹ Lok Sabha Approves Changes to Money Laundering Law, The Financial Express (New Delhi) 30 November 2012. Date of Access: 16 January 2013.

<http://www.financialexpress.com/news/lok-Soecd-abha-approves-changes-to-money-laundering-law/1038259>.

¹⁰⁷⁰ Lok Sabha approves changes to money laundering law, The Financial Express (New Delhi) 30 November 2012. Date of Access: 16 January 2013.

<http://www.financialexpress.com/news/lok-sabha-approves-changes-to-money-laundering-law/1038259>.

¹⁰⁷¹ Parliament Passes Stringent Law against Money Laundering, The Economic Times (New Delhi) 30 November 2012. Date of Access: 16 January 2013.

http://articles.economictimes.indiatimes.com/2012-12-17/news/35869028_1_financial-action-task-force-bill-money.

On 17 January 2013, Indian Finance Minister P. Chidambaram urged the BRICS countries — Brazil, Russia, India, China, and South Africa — to be more proactive in modifying existing standards on international taxation and transfer pricing to safeguard their tax revenue interests.¹⁰⁷² Chidambaram reiterated the Indian government's commitment to a stable tax regime, moderate tax rates, non- adversarial tax administration, and a fair mechanism for dispute resolution.¹⁰⁷³

Working towards this goal, on 3 February 2013, the Confederation of Indian Industry (CII) called for domestic transfer pricing practices to be aligned with OECD guidelines in the 2013 Budget to remove uncertainties and instill confidence among investors.¹⁰⁷⁴ Such moves would lead to disincentives regarding tax evasion of larger multinational and conglomerate corporations. On 24 January 2013, the Indian cabinet approved a bilateral extradition treaty and liberalized visas with Bangladesh allowing for greater people-to-people contact and limiting the scope of illegal smuggling and cross-border crime.¹⁰⁷⁵

On 5 April 2013, the government of India signed a treaty and a mutual legal assistance pact on criminal matters with Azerbaijan. The treaty aims to advance the performance of both states in investigations and prosecutions of transnational crimes by providing the necessary legal framework for exchange of mutual legal assistance.¹⁰⁷⁶

On 30 May 2013, the governments of India and Thailand signed an extradition treaty. The treaty tightens the countries' cooperation on security issues, specifically, combating terrorism, organized crime, drug trafficking, and counterfeiting by establishing the institutional and legal framework.¹⁰⁷⁷ Two decades of negotiations preceded the signing of the treaty.

India has partially complied with its commitment to combat crime and corruption. It has taken a series of steps towards enhancing its anti-money laundering and anti-corruption legislation and has been more active in participating in international initiatives. However, it is still not a member

¹⁰⁷² BRICS should cooperate to modify international tax standards: Chidambaram, Daily News (New York), 17 January 2013. Date of Access 13 February 2013.
<http://india.nydailynews.com/newsarticle/e190f4ea359d26dcf35c6e95e52d5a48/brics-should-cooperate-to-modify-international-tax-standards-chidambaram>.

¹⁰⁷³ BRICS should cooperate to modify international tax standards: Chidambaram, Daily News (New York), 17 January 2013. Date of Access 13 February 2013.
<http://india.nydailynews.com/newsarticle/e190f4ea359d26dcf35c6e95e52d5a48/brics-should-cooperate-to-modify-international-tax-standards-chidambaram>.

¹⁰⁷⁴ Budget 2013: Align transfer pricing norms with global best practices, says CII, Economic Times (Mumbai) 3 February 2013. Date of Access: 14 February 2013.
http://articles.economictimes.indiatimes.com/2013-02-03/news/36721408_1_chandrajit-banerjee-domestic-transfer-industry-body-cii.

¹⁰⁷⁵ Extradition treaty and visa pact should take India-Bangladesh ties to new high, The Times of India (Mumbai) 30 January 2013. Date of Access: 13 February 2013.
http://articles.timesofindia.indiatimes.com/2013-01-30/edit-page/36616776_1_extradition-treaty-anup-chetia-visa-pact.

¹⁰⁷⁶ India signs mutual legal assistance pact with Azerbaijan, The Times of India (New Delhi) 5 April 2013. Date of Access: 27 June 2013.
http://articles.timesofindia.indiatimes.com/2013-04-05/india/38305534_1_criminal-matters-law-minister-ashwani-kumar-mutual-legal-assistance.

¹⁰⁷⁷ Joint Statement on the Prime Minister's visit to Thailand, Prime Minister of India (New Delhi) 30 May 2013. Date of Access: 27 June 2013.
<http://pminindia.nic.in/press-details.php?nodeid=1629>.

of the OECD Anti-Bribery Convention and has not fully implemented the UNCAC. Therefore it is awarded a score of 0.

Lead Analyst: Eleni Tsaliki

Indonesia: 0

Indonesia has partially complied with its commitment to battle crime and corruption. It has taken a series of measures to promote international cooperation and develop a more comprehensive legislation governing the process of recovery of stolen assets.

On 19 September 2006 Indonesia ratified the United Nations Convention against Corruption (UNCAC).¹⁰⁷⁸ Indonesia is also a member of the Asia/Pacific Group on Money Laundering (APG)¹⁰⁷⁹ and one of the founding members of the Open Government Partnership (OGP) “a new multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, [and] fight corruption [...]”¹⁰⁸⁰ In compliance with the group’s rotation system, Indonesia assumed co-chairmanship of the Steering Committee with the UK in September 2012 and will become lead chair in September 2013.¹⁰⁸¹

On 18-22 June 2012, Indonesia participated in the UNCAC Implementation Review Group in Vienna,¹⁰⁸² where the Executive Summaries of the Review of Implementation of the UNCAC were released. The Executive Summaries included recommendations for further strengthening and amending of Indonesia’s existing legal system.¹⁰⁸³

On 23-24 October 2012, Indonesia participated in the 11th Regional Seminar of the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific and the Government Inspectorate of Vietnam on Tracing Illicit Flows, Asset Recovery and Asset Disclosure.¹⁰⁸⁴

¹⁰⁷⁸ UNCAC Signatures and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 14 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹⁰⁷⁹ Indonesia, Asia/Pacific Group on Money Laundering (APG) (Bangkok) August 1999. Date of Access: 14 January 2013.

<http://www.apgml.org/apg-members/default.aspx?JurisdictionID=10>.

¹⁰⁸⁰ Open Government Partnership (OGP) (Washington D.C.) 20 September 2011. Date of Access: 14 January 2013. <http://www.opengovpartnership.org/about>.

¹⁰⁸¹ Brazil publishes OGP Action Plan Implementation Assessment for Public Comment, Open Government Partnership (OGP) (Washington D.C.) 12 November 2012. Date of Access: 14 January 2013.

<http://www.opengovpartnership.org/news/brazil-publishes-ogp-action-plan-implementation-assessment-public-comment>.

¹⁰⁸² Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Convention against Corruption (Vienna) 22 June 2012. Date of Access: 1 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

¹⁰⁸³ Executive Summaries, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session, United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 14 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/V1187232e.pdf>.

¹⁰⁸⁴ ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, Asian Development Bank/ Organization for Cooperation and Development (Hanoi) 23-24 October 2012. Date of Access: 11 January 2013.

On 4 December 2012, Directorate General of Tax (DJP) commemorated the International Anti-Corruption Day in the Head Office of DJP, Jakarta. At this event, the charter conducted by Director General of Tax Fuad Rahmany and Secretary Directorate General of Tax Dedi Rudaedi, was signed — “a manifestation of the DJP’s commitment in supporting the prevention and eradication of corruption.”¹⁰⁸⁵

On 27 December 2012, Chairman of the Corruption Eradication Commission (KPK) of Indonesia Abraham Samad announced that “the anti-graft body, [the KPK], had produced a road map that would be used as the main reference in dealing with grand corruption [...]”¹⁰⁸⁶ This road map is meant to guide the prosecution of perpetrators, as well as prevent future cases of corruption. The chairman stated that KPK will “focus on tackling the large-scale corruption as well as national integrity and fraud control systems.”¹⁰⁸⁷

On 27 September 2012, Secretary-General of the OECD Angel Gurría presented the OECD Economic Survey of Indonesia and signed a Framework of Cooperation Agreement. Secretary-General Gurría presented the OECD Regulatory Reform Review of Indonesia together with Armida Salsiah Alisjahbana, the minister of national development planning.¹⁰⁸⁸ In his speech, Secretary-General Gurría stated that “Indonesia’s recent economic performance has been remarkable [...], corruption is still an issue [...]”¹⁰⁸⁹ Mr. Gurría emphasized the importance of focusing on improving governance, as reform implementation and development “will not be possible under the country’s current complex, disorderly policy-making process,” noting that the OECD’s Regulatory Reform Review for Indonesia should provide helpful guidance in this issue.¹⁰⁹⁰

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/11thRegSeminarPressRelease.pdf>.

¹⁰⁸⁵ DJP Commemorated World Anti-Corruption Day, Republic of Indonesia Ministry of Finance, (Jakarta) 5 December 2012. Date of Access: 1 January 2013.

http://www.depkeu.go.id/Eng/Read/?type=ixNews&id=25390&thn=2012&name=en_05122012_1.htm.

¹⁰⁸⁶ KPK Ready for more Challenges, The Jakarta Post (Jakarta) 28 December 2012. Date of Access: 1 January 2013.

<http://www.thejakartapost.com/news/2012/12/28/kpk-ready-more-challenges.html>.

¹⁰⁸⁷ KPK Ready for more Challenges, The Jakarta Post (Jakarta) 28 December 2012. Date of Access: 1 January 2013.

<http://www2.thejakartapost.com/news/2012/12/28/kpk-ready-more-challenges.html>.

¹⁰⁸⁸ Official Visit of the OECD Secretary-General to Indonesia, Organization for Economic Cooperation and Development (Paris) 27-28 September 2012. Date of Access: 30 December 2012.

<http://www.oecd.org/indonesia/officialvisitoftheoecdsecretary-generaltoindonesiajakarta27th-28thseptember2012.htm>.

¹⁰⁸⁹ Remarks by OECD Secretary-General Angel Gurría at the Roundtable Discussion at the Indonesia Centre for Strategic and International Studies (CSIS): Keeping up the Reform Effort for Stronger, Cleaner and Fairer Growth in Indonesia, Organization for Economic Cooperation and Development (Paris) 28 September 2012. Date of Access: 30 December 2012.

<http://www.oecd.org/about/secretary-general/keepingupthereformeffortforstrongercleanerandfairergrowthinindonesia.htm>.

¹⁰⁹⁰ Remarks by OECD Secretary-General Angel Gurría at the Roundtable Discussion at the Indonesia Centre for Strategic and International Studies (CSIS): Keeping up the Reform Effort for Stronger, Cleaner and Fairer Growth in Indonesia, Organization for Economic Cooperation and Development (Paris) 28 September 2012. Date of Access: 30 December 2012.

<http://www.oecd.org/about/secretary-general/keepingupthereformeffortforstrongercleanerandfairergrowthinindonesia.htm>.

On 19 October 2012, the Financial Action Task Force (FATF) in its Public Statement recognized Indonesia among the countries with strategic deficiencies in their AML/CFT standards that can put at risk the international financial system and encouraged for greater compliance.¹⁰⁹¹ More specifically, the Report mentioned that Indonesia has not made sufficient progress in implementing its action plan and it should take further steps to address deficiencies in relation to: (1) the criminalization of terrorist financing; (2) establishment and implementation of procedures regarding identifying and freezing assets of terrorism; (3) amendment and implementation of laws in order to fully implement the Terrorist Financing Convention.¹⁰⁹²

On 25 January 2013, a delegation led by Ambassador and Permanent Representative of the Republic of Indonesia to the United Nations Office on Drugs and Crime (UNODC) Rachmat Budiman visited the International Anti-Corruption Academy (IACA) in Vienna. Both parties expressed their commitment to combat corruption, and their confidence in a successful future cooperation.¹⁰⁹³

On 29 January 2013, Transparency International released its Government Defence Anti-Corruption Index, placing Indonesia in Band E, among countries with a very high risk of corruption.¹⁰⁹⁴ Deputy Chairman of House Commission I Ramadhan Pohan, which oversees defense issues, questioned the published results as “baseless.”¹⁰⁹⁵

On 12 February 2013, the Indonesian legislature passed a Bill on fighting terrorism financing. According to the new legislation, the government will have the authority to freeze bank accounts and seize assets, whereas the Financial Transaction and Reports and Analysis Center (PPATK) will focus on cutting off funding to terrorists.¹⁰⁹⁶ Under the new law, financial institutions also have an obligation to report any suspicious transactions. Furthermore, the government is working on amendments to the country’s antiterrorism legislation.¹⁰⁹⁷

¹⁰⁹¹ Indonesia, FATF Public Statement, Financial Action Task Force (FATF) (Paris) 19 October 2012. Date of Access: 14 January 2013.

<http://www.fatf-gafi.org/countries/d-i/indonesia/documents/fatfpublicstatement-19october2012.html>.

¹⁰⁹² Indonesia, FATF Public Statement, Financial Action Task Force (FATF) (Paris) 19 October 2012. Date of Access: 14 January 2013.

<http://www.fatf-gafi.org/countries/d-i/indonesia/documents/fatfpublicstatement-19october2012.html>.

¹⁰⁹³ IACA welcomes Indonesian delegation, International Anti-Corruption Academy (Luxemburg) 25 January 2013. Date of Access: 7 February 2013.

http://www.iaca.int/index.php?option=com_content&view=article&id=99&Itemid=91.

¹⁰⁹⁴ 70% of Governments Fail To Protect Against Corruption in The Defence Sector, Transparency International (London) 29 January 2013. Date of Access: 11 February 2013.

http://www.transparency.org/news/pressrelease/70_of_governments_fail_to_protect_against_corruption_in_the_defence_sector.

¹⁰⁹⁵ Disputes on Indonesia’s Defense Corruption Index, The Jakarta Globe (Jakarta) 31 January 2013. Date of Access: 7 February 2013.

<http://www.thejakartaglobe.com/home/disputes-on-indonesias-defense-corruption-index/568636>.

¹⁰⁹⁶ Indonesia Takes Aim at Financing of Terrorism, Wall Street Journal (New York) 12 February 2013. Date of Access: 2 July 2013.

<http://online.wsj.com/article/SB10001424127887323511804578299911897063222.html>.

¹⁰⁹⁷ Indonesia Takes Aim at Financing of Terrorism, Wall Street Journal (New York) 12 February 2013. Date of Access: 2 July 2013.

<http://online.wsj.com/article/SB10001424127887323511804578299911897063222.html>.

On 23 April 2013, Indonesia released its first Extractive Industries Transparency Initiative (EITI) Report in an effort to improve transparency in the field of resource extraction.¹⁰⁹⁸ Indonesia is the first ASEAN member to publish data on state revenue from companies involved in the extractive industry. Indonesia's Member on the EITI International Board Erry Riyana Hardjapamekas stated: "With the issuance of Indonesia's first EITI report, the government has reached a milestone in transparency in order to achieve a more open and accountable system of governance."¹⁰⁹⁹

On 29 May 2013, PPATK Chairman Muhammad Yusuf announced that a Memorandum of Understanding will soon be signed between the Center and its Singaporean counterpart. The aim is to formalize and enhance cooperation between the two countries in retrieving stolen assets.¹¹⁰⁰ The two states have also signed an extradition treaty yet it has not been ratified to date.¹¹⁰¹

Indonesia has partially complied with its commitment to fight crime and corruption and therefore it has been awarded a score of 0.

*Analyst: Mila Gavrilova
Lead Analyst: Eleni Tsaliki*

Italy: 0

Italy has partially complied with the commitment to combat corruption by adopting a series of anti-corruption measures regarding whistleblower protection, harder sentences for convicted officials, tightening expenditure controls for political parties, and by actively engaging with the Anti-Bribery Working Group.

On 5 October 2009, Italy signed the United National Convention against Corruption (UNCAC). On 9 December 2003, Italy ratified it.¹¹⁰² On 15 December 2000, Italy ratified the Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Convention.¹¹⁰³

Italy participated in a series of UNCAC meetings and Working Groups in Vienna from June to November 2012. On 18-22 June 2012, it participated in the UNCAC Implementation Review

¹⁰⁹⁸ First Indonesian Report on Extractive Industries Transparency Sees Release, Jakarta Post (Jakarta) 25 April 2013. Date of Access: 2 July 2013.

<http://www.thejakartaglobe.com/business/first-indonesian-report-on-extractive-industries-transparency-sees-release/>.

¹⁰⁹⁹ First Indonesian Report on Extractive Industries Transparency Sees Release, Jakarta Post (Jakarta) 25 April 2013. Date of Access: 2 July 2013.

<http://www.thejakartaglobe.com/business/first-indonesian-report-on-extractive-industries-transparency-sees-release/>.

¹¹⁰⁰ Ri, S'pore To Sign Mou On Asset Recovery, Jakarta Post (Jakarta) 30 May 2013. Date of Access: 2 July 2013. <http://www.thejakartapost.com/news/2013/05/30/ri-spore-sign-mou-asset-recovery.html>.

¹¹⁰¹ Ri, S'pore To Sign Mou On Asset Recovery, Jakarta Post (Jakarta) 30 May 2013. Date of Access: 2 July 2013. <http://www.thejakartapost.com/news/2013/05/30/ri-spore-sign-mou-asset-recovery.html>.

¹¹⁰² UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹¹⁰³ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organization for Economic Cooperation and Development (Paris) 20 November 2012. Date of Access: 14 January 2013. <http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

Group (Third) session¹¹⁰⁴. In August 2012, Italy was present at the UNCAC meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption.¹¹⁰⁵ On 22-23 October 2012, Italy participated in the UNCAC Meeting of Experts to Enhance International Cooperation.¹¹⁰⁶ On 14-16 November 2012, Italy partook in the UNCAC meeting of the Implementation Review Group.¹¹⁰⁷

On 31 October 2012, the Italian parliament approved the Provisions for the Prevention and Suppression of Corruption and Illegality in Public Administration. This new anti-corruption legislation includes measures such as the establishment of a national anti-corruption authority (implementing article 6 of UNCAC and articles 20 and 21 of the Criminal Law Convention on Corruption)¹¹⁰⁸, anonymity for whistleblowers, annual anti-corruption renewal plans, banning those convicted of corruption from running for office, and increased prison sentences and penalties for convicted officials.¹¹⁰⁹ Measures included in legislation directly respond to recommendations made in Italy's Phase 3 monitoring report found in the OECD Working Group on Bribery Annual Report 2011.¹¹¹⁰

In October 2012, the government also announced the establishment of an anti-corruption commissioner with investigative powers¹¹¹¹ as well as the reassertion of control of regional

¹¹⁰⁴Report of the Implementation Review Group on its resumed third session, Implementation Review Group United Nations Office on Drugs and Crime (Vienna) 14- 16 November 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/CacCospIrg2012-6Add1webversion.pdf>.

¹¹⁰⁵ Report on the meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, United Nations Office on Drugs and Crime (Vienna) 7 September 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/V1255805e.pdf>.

¹¹⁰⁶ Report on the Meeting of Experts to Enhance International Cooperation under the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) 24 October 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/EMInternationalCooperation/22-23October2012/V1256899e.pdf>.

¹¹⁰⁷ Report of the Implementation Review Group on its resumed third session, Implementation Review Group United Nations Office on Drugs and Crime (Vienna) 14- 16 November 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/CacCospIrg2012-6Add1webversion.pdf>.

¹¹⁰⁸ Italy: Anti-Corruption Law Adopted, The Law Library of Congress, (Washington D.C.) 7 November 2012. Date Accessed: 4 January 2013.

http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205403389_text.

¹¹⁰⁹ New Italy Law Tackles Rampant Corruption, Reuters (London) 30 October 2012. Date of Access: 4 January 2013.

<http://uk.reuters.com/article/2012/10/30/uk-italy-corruption-idUKBRE89T1MS20121030>.

¹¹¹⁰ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organization for Economic Co-operation and Development (Paris) 20 November 2012. Date of Access: 29 January 2013. <http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

¹¹¹¹ Italy: Anti-Corruption Law Adopted, The Law Library of Congress (Washington) 7 November 2012. Date Accessed: 4 January 2013.

http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205403389_text.

governments that have been involved in corruption allegations through constitutional amendments.¹¹¹²

On 28 November 2012, the Anti-Corruption Law entered into force. The new law is set to improve transparency in public sector, by strengthening the Criminal Code, introducing whistleblower protection and new measures to be adopted by public services, identifying risk areas particularly exposed to corruption, and by introducing new corruption-related offenses.¹¹¹³ Through the new legislation, a National Anti-Corruption Authority (Commissione Nazionale per la Valutazione, la Trasparenza e l'Integrità delle Amministrazioni Pubbliche — CIVIT) is established with a mandate to set general guidelines and assess causes and measures among others.¹¹¹⁴

On 22 February 2013, Italy provided its Biennial Update to the Mutual Evaluation Report (MER) of the Financial Action Task Force (FATF).¹¹¹⁵ The areas that Italy provided with updates were: (1) Suspicious Transaction Reports by Unità di Informazione Finanziaria (UIF); (2) domestic cooperation; (3) actions in banking, securities, and insurance sectors; (4) actions in law enforcement sectors; and (5) sanctions by the Ministry of Economy and Finance for infringement of AML/CFT preventive measures.¹¹¹⁶

On 5 March 2013, the Italian Guardia di Finanza held a workshop entitled “The fight against corruption in the international context.” The workshop was held at the School of Tax Police with Italian officials, EU officials, and international representatives from the OECD.¹¹¹⁷

On 7-8 March 2013, Italy participated at the Latin American Meeting on Private Sector Responsibility in the Fight Against Corruption.¹¹¹⁸ From 27-31 May 2013, Italian officials also participated in the Fourth Session of the Implementation Review Group in Vienna.¹¹¹⁹

¹¹¹² Italy: Anti-Corruption Law Adopted, The Law Library of Congress (Washington) 7 November 2012. Date Accessed: 4 January 2013.

http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205403389_text.

¹¹¹³ Italy's New Anti-Corruption Law, Lexology (London) 17 January 2013. Date of Access: 14 February 2013. <http://www.lexology.com/library/detail.aspx?g=36b5d961-2724-4026-8a67-33e18be0bb8a>.

¹¹¹⁴ Italy's New Anti-Corruption Law, Lexology (London) 17 January 2013. Date of Access: 14 February 2013. <http://www.lexology.com/library/detail.aspx?g=36b5d961-2724-4026-8a67-33e18be0bb8a>.

¹¹¹⁵ Italy FATF Mutual Evaluation Second Biennial Update, Financial Action Task Force (Paris) 22 February 2013. Date of Access: 29 June 2013.

<http://www.fatf-gafi.org/topics/mutualevaluations/documents/biennialupdatetothemutualevaluationofitaly.html>

¹¹¹⁶ Italy FATF Mutual Evaluation Second Biennial Update, Financial Action Task Force (Paris) 22 February 2013. Date of Access: 3 July 2013.

http://www.dt.tesoro.it/export/sites/sitodt/modules/documenti_it/prevenzione_reati_finanziari/prevenzione_reati_finanziari/FATF_-_Italyxs_Second_Biennial_Update_February_2013.pdf.

¹¹¹⁷ Eventi, Guardia di Finanza (Rome) 5 March 2013. Date of Access: 29 June 2013.

http://www.gdf.gov.it/GdF/it/Chi_siamo/Organizzazione/Reparti/Scuole/Post_formazione/Scuola_di_Polizi_a_Tributaria/Eventi/2013/info-62074416.html.

¹¹¹⁸ Summary Report Latin American Meeting on Private Sector Responsibility in the Fight Against Corruption, (Bogotá) 7-8 March 2013. Date of Access: 28 June 2013.

http://www.google.ca/url?q=http://www.oas.org/juridico/PDFs/enc_summary.pdf&sa=U&ei=uj_QUcCmKqaoywHZ6IG4Ag&ved=0CBwQFjAA&usq=AFQjCNEmV8QF9N8cLPR46Ni3mupUtjKlBw

¹¹¹⁹ Final List of Participants, Implementation Review Group United Nations Office on Drugs and Crime (Vienna) 27-31 May 2013. Date of Access: 28 June 2013.

On 31 May 2013, the Italian Council of Ministers approved draft legislation to eliminate public financing for political parties and to regulate the voluntary contributions made to them. The new rules are meant to further enhance transparency and expenditure control for political parties.¹¹²⁰

On 20 June 2013, the European Commission sent a Reasoned Opinion to Italy asking them to notify the transposition of The Directive on Administrative Cooperation, which aims to improve important tools for fighting tax evasion such as increasing transparency and tightening cross-border cooperation. Member States had a legal obligation to commence application of this Directive on 1 January 2013. If a satisfactory answer is not received in two months, the Commission may refer Italy to the EU's Court of Justice.¹¹²¹

Italy has ratified UNCAC and made steps towards its implementation, specifically tightened its national anti-corruption legislation. Thus Italy is awarded a score of 0.

Analyst: Benjamin Crase

Japan: -1

Japan has not complied with its commitment to combat crime and corruption, as it has neither ratified the United Nations Convention against Corruption (UNCAC) nor more actively engaged with the Organisation for Economic Co-operation and Development (OECD) Working Group on Bribery.

Japan signed the United Nations Convention against Corruption on 9 December 2003 but has not yet ratified it.¹¹²² Japan ratified the OECD Anti-Bribery Convention on 13 October 1998.¹¹²³ Japan is also a member of the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific¹¹²⁴, the Financial Action Task Force (FATF)¹¹²⁵, and the Asia/Pacific Group on Money Laundering

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/27-31May2013/Final_list_of_participants.pdf.

¹¹²⁰ Italy: Draft Legislation to Eliminate Public Financing for Political Parties, The Law Library of Congress (Washington) 7 June 2013. Date of Access 29 June 2013.

http://www.loc.gov/lawweb/servlet/lloc_news?disp1_l205403612_text.

¹¹²¹ Taxation: Commission demands that 5 Member States implement key EU rules against tax evasion, European Commission (Brussels) 20 June 2013. Date of Access: June 29 2013.

http://europa.eu/rapid/press-release_IP-13-572_en.htm.

¹¹²² UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 30 December 2012.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹¹²³ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organization for Economic Co-operation and Development (Paris) 20 November 2012. Date of Access: 27 December 2012.

<http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

¹¹²⁴ Formal Endorsement of the Anti-Corruption Action Plan for Asia-Pacific, ADB/OECD Anti-Corruption Initiative for Asia and the Pacific (Tokyo) 30 November 2001. Date of Access: 11 January 2013.

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/35112939.pdf>.

¹¹²⁵ Japan, Financial Action Task Force (FATF) (Paris) 1990. Date of Access: 14 January 2013.

<http://www.fatf-gafi.org/countries/j-m/japan/>.

(APG).¹¹²⁶ It also holds an observer status with the Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL).¹¹²⁷

On 18-22 June,¹¹²⁸ 22-23 October,¹¹²⁹ and 14-16 November 2012,¹¹³⁰ Japan participated as an observer state in three sessions of the UNCAC Implementation Review Group.

On 23-24 October 2012, it participated in the 11th Regional Seminar of the Asian Development Bank (ADB)/OECD Anti-Corruption Initiative for Asia and the Pacific and the Government Inspectorate of Vietnam on Tracing Illicit Flows, Asset Recovery and Asset Disclosure.¹¹³¹

On 24 September 2012, Japan's Minister of Foreign Affairs Koichiro Gemba issued a statement at the side-event of the first High Level Meeting on the Rule of Law. According to the minister, Japan is committed to the anti-corruption effort and will contribute to enhance global cooperation in curbing corruption.¹¹³² The Japanese government will also continue to support the activities of the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI)¹¹³³ and the United Nations Office on Drugs and Crime (UNODC).¹¹³⁴ However, the statement did not explicitly refer to the UNCAC or its ratification.

¹¹²⁶ Japan, Asia/Pacific Group on Money Laundering (APG) (Bangkok) 1997. Date of Access: 14 January 2013. <http://www.apgml.org/apg-members/default.aspx?JurisdictionID=11>.

¹¹²⁷ Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL), Council of Europe (Brussels) 1997. Date of Access: 14 January 2013. http://www.coe.int/t/dghl/monitoring/moneyval/About/MONEYVAL_in_brief_en.asp.

¹¹²⁸ Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group United Nations Convention against Corruption (Vienna) 19 July 2012. Date of Access: 2 January 2013. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/V1254853e.pdf>.

¹¹²⁹ Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group United Nations Convention against Corruption (Vienna) 24 October 2012. Date of Access: 2 January 2013. http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/EMInternationalCooperation/22-23October2012/FINAL_List_of_Participants_EM_IntCoop_22-23_Oct_2012.pdf.

¹¹³⁰ Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group United Nations Convention against Corruption (Vienna) 16 November 2012. Date of Access: 2 January 2013. http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/Final_List_of_Participants.pdf.

¹¹³¹ ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, Asian Development Bank/ Organization for Cooperation and Development (Hanoi) 23-24 October 2012. Date of Access: 11 January 2013. <http://www.oecd.org/site/adboecdanti-corruptioninitiative/11thRegSeminarPressRelease.pdf>

¹¹³² Statement by Minister of Foreign Affairs Koichiro Gemba at the High Level Meeting on the Rule of Law, Side Event "The Fight against Corruption and its Impact on Sustainable Economic Growth" Ministry of Foreign Affairs of Japan (Tokyo) 24 September 2012. Date of Access: 2 January 2013. http://www.mofa.go.jp/policy/inter_law/law/statement_1209.html.

¹¹³³ United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) (Tokyo) Date of Access: 14 January 2013. <http://www.unafei.or.jp/english/>.

On 30 January 2013, as a measure to combat the financing of terrorism, the Japanese government imposed asset-freezing measures on Taliban-associated entity subjects and others designated by the United Nations Security Council Sanctions Committee.¹¹³⁵

On 5 June 2013, Foreign Policy Deputy Vice-Minister Kenji Hiramatsu, held the first Japan-United Nations Office on Drugs and Crime (UNODC) Strategic Policy Dialogue with Yury Fedotov, the executive director of UNODC.¹¹³⁶ In the meeting, Deputy Vice-Minister Hiramatsu and Executive Director Fedotov discussed future cooperation in areas of countering international organized crime, corruption, and terrorism.¹¹³⁷

On 18 June 2013, the Ministry of Foreign Affairs released the Japan Action Plan to Prevent the Misuse of Companies and Legal Arrangement. This plan recognized the importance of adopting AML/CFT measures in accordance with the revised FATF standards on enhancing global cooperation in combating money laundering and terrorist financing.¹¹³⁸ Specifically, Japan intends to implement seven measures that jointly help to improve corporate transparency and repress illicit activities.¹¹³⁹

On 21 June 2013, the Japanese government announced its plan to conduct a comprehensive assessment of domestic money laundering activities.¹¹⁴⁰ A task force comprising members of the Finance Ministry, the Financial Services Agency, the National Police Agency, and other government ministries will be set up to carry out the review.¹¹⁴¹ In addition, the government intends to implement new countermeasures and legislations to prevent financial transactions deemed illicit overseas.¹¹⁴²

¹¹³⁴ Statement by Minister of Foreign Affairs Koichiro Gemba at the High Level Meeting on the Rule of Law, Side Event "The Fight against Corruption and its Impact on Sustainable Economic Growth" Ministry of Foreign Affairs of Japan (Tokyo) 24 September 2012. Date of Access: 2 January 2013.
http://www.mofa.go.jp/policy/inter_law/law/statement_1209.html.

¹¹³⁵ Addition of a Taliban-associated Entity Subject to Asset-freezing Measures, Ministry of Economy, Trade and Industry (Tokyo) 30 January 2013. Date of Access: 8 February 2013.
http://www.meti.go.jp/english/press/2013/0129_02.html.

¹¹³⁶ Japan-United Nations Office on Drugs and Crime (UNODC) Strategic Policy Dialogue, Ministry of Foreign Affairs of Japan (Tokyo) 4 June 2013. Date of Access: 27 June 2013.
http://www.mofa.go.jp/press/release/press3e_000003.html.

¹¹³⁷ Japan-United Nations Office on Drugs and Crime (UNODC) Strategic Policy Dialogue, Ministry of Foreign Affairs of Japan (Tokyo) 4 June 2013. Date of Access: 27 June 2013.
http://www.mofa.go.jp/press/release/press3e_000003.html.

¹¹³⁸ Japan Action Plan to Prevent the Misuse of Companies and Legal Arrangement, Ministry of Foreign Affairs of Japan (Tokyo) 18 June 2013. Date of Access: 26 June 2013.
<http://www.mofa.go.jp/files/000006562.pdf>.

¹¹³⁹ Japan Action Plan to Prevent the Misuse of Companies and Legal Arrangement, Ministry of Foreign Affairs of Japan (Tokyo) 18 June 2013. Date of Access: 26 June 2013.
<http://www.mofa.go.jp/files/000006562.pdf>.

¹¹⁴⁰ Japan to Crack Down on Money Laundering, China Centre for Anti-Money Laundering Studies (Beijing) 21 June 2013. Date of Access: 26 June 2013.
<http://www.ccamls.org/article.aspx?id=4383a3887a2d41e484e213c84253f743>.

¹¹⁴¹ Japan to Crack Down on Money Laundering, China Centre for Anti-Money Laundering Studies (Beijing) 21 June 2013. Date of Access: 26 June 2013.
<http://www.ccamls.org/article.aspx?id=4383a3887a2d41e484e213c84253f743>.

¹¹⁴² Japan to Crack Down on Money Laundering, China Centre for Anti-Money Laundering Studies (Beijing) 21 June 2013. Date of Access: 26 June 2013.

Although actively pursuing anti-corruption policies domestically and internationally, Japan receives a score of -1 for not ratifying the UNCAC.

Analyst: Maggie Shi

Korea: 0

Korea has partially complied with its commitment to combat corruption through the ratification and partial implementation of the United Nations Convention against Corruption (UNCAC), and active engagement with the Organisation for Economic Co-operation and Development (OECD) Working Group on Bribery.

Korea has ratified the United Nations Convention against Corruption (UNCAC) on 27 March 2008.¹¹⁴³ On 4 January 1999, Korea ratified the OECD Anti-Bribery Convention.¹¹⁴⁴ Korea is also a member of the Financial Action Task Force (FATF)¹¹⁴⁵ and the Asia/Pacific Group on Money Laundering (APG).¹¹⁴⁶

Korea participated in the sessions of the UNCAC Implementation Review Group in Vienna on 18-22 June 2012¹¹⁴⁷, 27-29 August 2012¹¹⁴⁸, 30-31 August 2012¹¹⁴⁹, and 14-16 November 2012¹¹⁵⁰. On 23-24 October 2012, Korea also participated in the 11th Regional Seminar of the

<http://www.ccamls.org/article.aspx?id=4383a3887a2d41e484e213c84253f743>.

¹¹⁴³ UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 3 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹¹⁴⁴ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organization for Economic Co-operation and Development (Paris) 20 November 2012. Date of Access: 27 December 2012.

<http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

¹¹⁴⁵ Korea, Financial Action Task Force (FATF) (Paris) 16 October 2009. Date of Access: 30 January 2013.

<http://www.fatf-gafi.org/countries/j-m/korea/>.

¹¹⁴⁶ Republic of Korea, Asia/Pacific Group on Money Laundering (APG) (Bangkok) March 1998. Date of Access: 3 January 2013.

<http://www.apgml.org/apg-members/default.aspx?JurisdictionID=12>.

¹¹⁴⁷ Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 3 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

¹¹⁴⁸ Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Office on Drugs and Crime (Vienna) 29 August 2012. Date of Access: 3 January 2013

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/Final_LOP.pdf.

¹¹⁴⁹ Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Office on Drugs and Crime (Vienna) 31 August 2012, Date of Access: 3 January 2013

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/2012-August-30-31/Final_LOP.pdf.

¹¹⁵⁰ Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Office on Drugs and Crime (Vienna) 16 November 2012. Date of Access: 3 January 2013

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/Final_List_of_Participants.pdf.

Asian Development Bank (ADB)/OECD Anti-Corruption Initiative for Asia and the Pacific and the Government Inspectorate of Vietnam on Tracing Illicit Flows, Asset Recovery and Asset Disclosure.¹¹⁵¹

On 29 August 2012, Korea's Anti-Corruption and Civil Rights Commission (ACRC) extended its Memorandum of Understanding (MoU) with the Vietnamese Office of the Central Steering Committee for Anti-Corruption for three more years.¹¹⁵²

On 2 July 2012, the ACRC organized a two-week training seminar for Columbian government officials to help build their anti-corruption capacity.¹¹⁵³

On 10 July 2012, the ACRC received a United Nations Public Service Award in recognition for their integrity assessment.¹¹⁵⁴

On 12 July 2012, the ACRC released a list of recommendations of effective anti-corruption measures to local government-funded organizations.¹¹⁵⁵

From June to August 2012, the ACRC organized three rounds of expert workshops for the development of the Ethical Management Model by Business Type.¹¹⁵⁶

In July 2012, the Ministry of Public Administration and Security, in its effort to introduce a mandatory Integrity Pact system, announced the amendment of the Act on Contracts to Which the Local Government is a Party.¹¹⁵⁷

¹¹⁵¹ ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, Asian Development Bank/ Organization for Cooperation and Development (Hanoi) 23-24 October 2012. Date of Access: 11 January 2013.

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/11thRegSeminarPressRelease.pdf>.

¹¹⁵² Korea and Vietnam to Step up Cooperation in Fighting against Corruption, Civil Rights Commission, (Seoul) 29 August 2012. Date of Access: 3 January 2013

<http://www.korea.net/Government/Briefing-Room/Press-Releases/view?articleId=1581>.

¹¹⁵³ Columbian Officials Learn about Korea's Anti-Corruption Strategies, Civil Rights Commission (Seoul) 29 August 2012. Date of Access: 3 January 2013.

<http://www.korea.net/Government/Briefing-Room/Press-Releases/view?articleId=1580>.

¹¹⁵⁴ Korea's UN Award-Winning E-Government Goes Borderless, Korea Net (Seoul) 10 July 2012. Date of Access: 3 January 2013.

<http://www.korea.net/NewsFocus/Policies/view?articleId=101133>.

¹¹⁵⁵ ACRC Offers Recommendations for Preventing Corruption at the Local Government-Funded Organizations, Civil Rights Commission (Seoul) 12 July 2012. Date of Access: 3 January 2013.

http://www.acrc.go.kr/eng_index.html.

¹¹⁵⁶ Compilation of Written Reports by Steering Group Members on Recent Developments and Activities ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, (Hanoi) 23-24 October 2012. Date of Access: 13 January 2013.

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/meetingsandconferences/SG17StepsTakentoImplementAnti-CorruptionPlan&UNCAC.pdf>.

¹¹⁵⁷ Compilation of Written Reports by Steering Group Members on Recent Developments and Activities ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, (Hanoi) 23-24 October 2012. Date of Access: 13 January 2013.

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/meetingsandconferences/SG17StepsTakentoImplementAnti-CorruptionPlan&UNCAC.pdf>.

In June 2012, the ACRC identified ten best practices on the implementation of the Code of Conduct for Public Officials such as the “issuance of a corruption watch” distributing promotional material to its public organizations.¹¹⁵⁸

On 28 July 2012, Korea’s President Park Geun-hye expressed her strong views on the problem of corruption among government officials: “[...] I will create a clean government; [...] I will become a president who will break the cycle of corruption.”¹¹⁵⁹

On 16 August 2012, the ACRC stated an intention to “toughen its crackdown on public officials involved in irregularities as part of efforts to root out corruption in the public sector and to regain people’s trust.”¹¹⁶⁰ The ACRC proposed a new bill, tentatively named “Anti-Corruption and Conflicts of Interests Act,” which would increase punishment for bribery and corruption.¹¹⁶¹

On 22 August 2012, the ACRC announced the Bill on the Prohibition of Illegal Solicitations and the Prevention of Conflicts of Interest of Public Officials. Under the new legislation public officials, who receive money or any other item of value, will face criminal charges regardless of the relationship between the public official’s duties and the bribery.¹¹⁶²

In January 2013, the National Tax Service, in compliance with its commitment to the OECD Anti-Bribery Convention, will revise its internal regulations, making the examination of violations of the OECD Convention mandatory.¹¹⁶³

On 16 January 2013, Korea and Malaysia signed an extradition treaty for the repatriation of wanted criminals, combat cross-border crime, and exchange intelligence information. Both countries expect to strengthen their bilateral ties through this treaty.¹¹⁶⁴

¹¹⁵⁸Compilation of Written Reports by Steering Group Members on Recent Developments and Activities ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, (Hanoi) 23-24 October 2012. Date of Access: 13 January 2013.

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/meetingsandconferences/SG17StepsTakentoImplementAnti-CorruptionPlan&UNCAC.pdf>.

¹¹⁵⁹Park Geun-Hye Pledges to Root Out Corruption, Yonhap News, (Seoul) 28 July 2012. Date of Access: 3 January 2013.

<http://english.yonhapnews.co.kr/national/2012/07/28/86/0301000000AEN20120728002200315F.HTML>.

¹¹⁶⁰Gov’t Puts Forth Anti-Corruption Bill for Civil Servants, Yonhap News (Seoul) 16 August 2012. Date of Access: 3 January 2013.

<http://english.yonhapnews.co.kr/national/2012/08/16/86/0301000000AEN20120816002251315F.HTML>.

¹¹⁶¹Gov’t Puts Forth Anti-Corruption Bill for Civil Servants, Yonhap News (Seoul) 16 August 2012. Date of Access: 3 January 2013.

<http://english.yonhapnews.co.kr/national/2012/08/16/86/0301000000AEN20120816002251315F.HTML>.

¹¹⁶²Compilation of Written Reports by Steering Group Members on Recent Developments and Activities ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, (Hanoi) 23-24 October 2012. Date of Access: 13 January 2013.

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/meetingsandconferences/SG17StepsTakentoImplementAnti-CorruptionPlan&UNCAC.pdf>.

¹¹⁶³Compilation of Written Reports by Steering Group Members on Recent Developments and Activities ADB/OECD Anti-Corruption Initiative for Asia and the Pacific, and the Government Inspectorate of Vietnam, (Hanoi) 23-24 October 2012. Date of Access: 13 January 2013.

<http://www.oecd.org/site/adboecdanti-corruptioninitiative/meetingsandconferences/SG17StepsTakentoImplementAnti-CorruptionPlan&UNCAC.pdf>.

In April 2013, the Anti-Corruption and Civil Rights Commission (ACRC) announced that they would be pushing to enact a bill — tentatively named the Anti-Corruption and Conflicts of Interests Act — for persecution of civil servants suspected of corruption.¹¹⁶⁵

Although has not fully implemented the UNCAC yet, Korea has actively sought international cooperation and made progress in its fight against crime and corruption by drafting new legislations and recommendations as well as receiving recognition from the United Nations for its effort in combating crime and corruption among its civil servants. Thus Korea has partially complied with the commitment and is awarded a score of 0.

Analyst: Jihae Jang
Lead Analyst: Eleni Tsaliki

Mexico: 0

Mexico has partially complied with its commitment to combat crime and corruption. Mexico is working towards the implementation of the United Nations Convention against Corruption (UNCAC) and has been involved with the Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Working Group.

Mexico ratified the UNCAC on 20 July 2004¹¹⁶⁶ and the OECD Anti-Bribery Convention on 27 May 1999.¹¹⁶⁷ Mexico is a member of the Financial Action Task Force (FATF)¹¹⁶⁸, the Financial Action Task Force of South America against Money Laundering (GAFISUD).¹¹⁶⁹ It holds an observer status with the Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL)¹¹⁷⁰, and is one of the Co-operating and Supporting Nations (COSUNs) of the Caribbean Financial Action Task Force (CFATF).¹¹⁷¹

On 26 June 2012, the Secretariat of Public Function (SFP), which oversees matters of corruption in Mexico, participated in the United Nations Capacity Building Workshop on Prevention of

¹¹⁶⁴ Malaysia and South Korea Sign Extradition Pact, The Star (Kuala Lumpur) 17 January 2013. Date of Access: 14 February 2013.

<http://thestar.com.my/news/story.asp?file=/2013/1/17/nation/20130117224635&sec=nation>.

¹¹⁶⁵ Gov't to Push for Anti-Corruption Bill for Civil Servants, Yonhap News Agency (Seoul) 8 April 2013. Date of Access: 22 June 2013.

<http://english.yonhapnews.co.kr/news/2013/04/08/0200000000AEN20130408002200315.HTML>.

¹¹⁶⁶ UNCAC Signatures and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 30 December 2012.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹¹⁶⁷ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organization for Economic Co-operation and Development (Paris) 20 November 2012. Date of Access: 27 December 2012.

<http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

¹¹⁶⁸ Mexico, Financial Action Task Force (FATF) (Paris) 2000. Date of Access: 14 January 2013.

<http://www.fatf-gafi.org/countries/j-m/mexico/>.

¹¹⁶⁹ Financial Action Task Force of South America against Money Laundering (GAFISUD) (Buenos Aires) 2000. Date of Access: 14 January 2013.

<http://www.gafisud.info/eng-miembros.php?p=Mexico>.

¹¹⁷⁰ Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL), Council of Europe (Brussels) 1997. Date of Access: 14 January 2013.

http://www.coe.int/t/dghl/monitoring/moneyval/About/MONEYVAL_in_brief_en.asp.

¹¹⁷¹ Caribbean Financial Action Task Force (CFATF) Date of Access: 14 January 2013.

<http://www.fatf-gafi.org/pages/caribbeanfinancialactiontaskforcecfatf.html>.

Corruption in Public Administration. The SFP shared with international specialists its anti-corruption experience and emphasized the importance of citizen involvement in combating corrupt practices.¹¹⁷²

From 9 to 12 October 2012, Mexico participated in the plenary meeting of the OECD Working Group on Bribery in France. There, the Mexican government discussed its recent adoption of the Federal Law on Public Procurement Corruption, which empowered the SFP to investigate and punish acts of corruption in both national and international public procurement processes.¹¹⁷³

On 7 November 2012, the Congress of Mexico passed a disclosure law that obliges all government officials to publish clear, public accounts of local spending.¹¹⁷⁴ Experts in Mexico described the law as a milestone in curbing potential opportunities for corruption at the state and municipal levels.¹¹⁷⁵

On 18 September 2012, at the fourth meeting of the Merida Initiative High-Level Consultative Group, Mexico and the United States agreed to increase their efforts in a combat against transnational organized crime, including money laundering, and arms trafficking.¹¹⁷⁶ At the meeting, Mexico committed to continue to work on increasing the transparency and accountability of public institutions, as well as fighting corruption through institutional restructuring, enhanced training, and employing internal controls for law enforcement forces.¹¹⁷⁷

¹¹⁷² Comparte Mexico en la Onu, a Traves de SFP, Experiencias en Combate a la Corrupcion, Rendicion de Cuentas y Transparencia, Secretaria de la Funcion Publica (Mexico City) 26 June 2012. Date of Access: 27 December 2012. <http://portal.funcionpublica.gob.mx/index.php/sala-de-prensa/junio-2012/nota-260612.html>.

¹¹⁷³ Presenta Mexico Ante OCDE Avances en Recomendaciones Emitidas por Grupo Anticohecho Internacional, Secretaria de la Funcion Publica (Mexico City) 12 October 2012. Date of Access: 27 December 2012. <http://portal.funcionpublica.gob.mx/index.php/sala-de-prensa/octubre-2012/comunicado-121012-2.html>.

¹¹⁷⁴ Disclosure Law Passed on Mexican Finances, The Financial Times (London) 7 November 2012. Date of Access: 27 December 2012. <http://www.ft.com/intl/cms/s/0/1c8c2c34-286d-11e2-a335-00144feabdc0.html#axzz2HEiCVK00>.

¹¹⁷⁵ Disclosure Law Passed on Mexican Finances, The Financial Times (London) 7 November 2012. Date of Access: 27 December 2012. <http://www.ft.com/intl/cms/s/0/1c8c2c34-286d-11e2-a335-00144feabdc0.html#axzz2HEiCVK00>.

¹¹⁷⁶ Joint Statement of the Merida Initiative High-Level Consultative Group on Bilateral Cooperation against Transnational Criminal Organizations Fourth Meeting, Ministry of Foreign Affairs (Mexico City) 18 September 2012. Date of Access: 27 December 2012. http://www.sre.gob.mx/en/index.php?option=com_content&view=article&id=1666:joint-statement-of-the-merida-initiative-high-level-consultative-group-on-bilateral-cooperation-against-transnational-criminal-organizations-fourth-meeting-september-18-2012&catid=27:archives&Itemid=64.

¹¹⁷⁷ Joint Statement of the Merida Initiative High-Level Consultative Group on Bilateral Cooperation against Transnational Criminal Organizations Fourth Meeting, Ministry of Foreign Affairs (Mexico City) 18 September 2012. Date of Access: 27 December 2012. http://www.sre.gob.mx/en/index.php?option=com_content&view=article&id=1666:joint-statement-of-the-merida-initiative-high-level-consultative-group-on-bilateral-cooperation-against-transnational-criminal-organizations-fourth-meeting-september-18-2012&catid=27:archives&Itemid=64.

On 23 July 2012, the Mexican government made public the new Regulations of the Organic Law of the Office of the Attorney General where new units under the aegis of the Deputy Attorney Office against Organised Crime (SIEDO) would be established.¹¹⁷⁸

On 17 October 2012, the Federal Law for the Prevention and Identification of Transactions with Proceeds of Illegal Origin (Anti-Money Laundering Law) was published in the Federal Official Gazette.¹¹⁷⁹ The purpose of the new law is to establish rules and procedures for the prevention and detection of transactions or activities involving illegal proceeds and proceeds used to fund organised crime, imposing obligations with the administration and penalties in case of non-compliance.¹¹⁸⁰

On 19 July 2012, the Secretariat of Finance and Public Credit (SHCP) issued General Provisions applicable to insurance and bonding companies with the aim of updating prevention obligations against Money Laundering/ Terrorist Financing (ML/TF).¹¹⁸¹

On 16 January 2013, President Enrique Peña Nieto and members of his cabinet submitted their Assets Declaration in compliance with the Federal Law of Responsibilities for Civil Servants.¹¹⁸² In his address to the Senate members and opposition parties, the president promoted bills to establish the National Anti-Corruption Commission and to expand the faculties of the Federal Institute of Access to Information and Data Protection (IFAI), which are designed to jointly combat corruption and ensure accountability in every order of the government.¹¹⁸³

On 5 February 2013, Julian Olivas Ugalde, the new undersecretary of Procurement and Administrative Responsibilities of the Secretariat of Public Function (SPF), participated in the meeting of the Joint Committee on Constitutional, Anti-corruption, and Citizenship of the State to discuss the creation of a new corruption-fighting agency.¹¹⁸⁴

¹¹⁷⁸ Mutual Evaluation of Mexico: Interim Follow-Up Report, Third Follow-Up Report, Financial Action Task Force (FATF), (Paris) 19 October 2012, Date of Access: 14 January 2013.

<http://www.fatf-gafi.org/media/fatf/documents/reports/Interim%20Follow-up%20Report%20Mexico.pdf>.

¹¹⁷⁹ New Federal Anti-Money Laundering Law, Santa Marina STETA (Mexico City) 22 November 2012. Date of Access: 14 January 2013.

<http://www.s-s.com.mx/site/eng/?p=1508>.

¹¹⁸⁰ New Federal Anti-Money Laundering Law, Santa Marina STETA (Mexico City) 22 November 2012. Date of Access: 14 January 2013.

<http://www.s-s.com.mx/site/eng/?p=1508>.

¹¹⁸¹ Mutual Evaluation of Mexico: Interim Follow-Up Report, Third Follow-Up Report, Financial Action Task Force (FATF) (Paris) 19 October 2012, Date of Access: 14 January 2013.

<http://www.fatf-gafi.org/media/fatf/documents/reports/Interim%20Follow-up%20Report%20Mexico.pdf>.

¹¹⁸² National Anti-Corruption Commission to Establish a Transparent Government: Enrique Pena Nieto, Presidencia de la Republica (Mexico City) 16 January 2013. Date of Access: 8 February 2013.

<http://en.presidencia.gob.mx/articles-press/national-anti-corruption-commission-to-establish-a-transparent-government-enrique-pena-nieto/>.

¹¹⁸³ National Anti-Corruption Commission to Establish a Transparent Government: Enrique Pena Nieto, Presidencia de la Republica (Mexico City) 16 January 2013. Date of Access: 8 February 2013.

<http://en.presidencia.gob.mx/articles-press/national-anti-corruption-commission-to-establish-a-transparent-government-enrique-pena-nieto/>.

¹¹⁸⁴ El Subsecretario de la SFP, Julian Olivas Ugalde, Asistio al Senado Para Analizar la Creacion de un Nuevo Organismo Anticorrupcion, Secretaria de la Funcion Publica (Mexico City) 6 February 2013. Date of Access: 8 February 2013.

<http://www.funcionpublica.gob.mx/index.php/sala-de-prensa/notas/nota-06-02-13.html>.

On 6 February 2013, the OECD published its Public Procurement Review of the Mexican Institute of Social Security and Services for State Workers (ISSSTE)¹¹⁸⁵ where it recognized deficiencies and made some key recommendations for the improvement of procurement, management, solicitation, integrity, and transparency procedures.¹¹⁸⁶

On 25 April 2013, the government of Mexico passed the country's first anti-corruption law, which will levy fines to foreigners and Mexican citizens guilty of corruption or bribery linked to public work contracts.¹¹⁸⁷ Under the new legislation, public servants will also be obliged to report illegal actions and omissions of which they are aware, and failing to do so could result in their punishment.

On 7 May 2013, President Enrique Peña Nieto signed the addendum to the Pact for Mexico, which not only ratifies the validity of the agreement but also expands its scope to include commitments to meet initiatives related to state transparency and fighting corruption.¹¹⁸⁸

On 18 June 2013, President Enrique Peña Nieto released a press statement in which he emphasized the importance of transparency. According to the statement, the Congress has already promoted two major bills, one to expand the constitutional anatomy of IFAI, and another for the creation of a National Anti-Corruption Commission.¹¹⁸⁹ The President stated that Mexico will co-chair the Alliance for Open Government in 2013.¹¹⁹⁰

Mexico has partially adhered to the provisions of the UNCAC through both international agreements and national regulations. Specifically, progress has been made in the areas of fighting

¹¹⁸⁵ OECD Public Procurement Review of the Mexican Institute of Social Security and Services for State Workers (ISSSTE), Organisation for Economic Cooperation and Development (Paris) 6 February 2013. Date of Access: 12 February 2013.
[http://search.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=GOV/PGC/ETH\(2013\)4&docLanguage=En](http://search.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=GOV/PGC/ETH(2013)4&docLanguage=En).

¹¹⁸⁶ OECD Public Procurement Review of the Mexican Institute of Social Security and Services for State Workers (ISSSTE), Organisation for Economic Cooperation and Development (Paris) 6 February 2013. Date of Access: 12 February 2013.
[http://search.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=GOV/PGC/ETH\(2013\)4&docLanguage=En](http://search.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=GOV/PGC/ETH(2013)4&docLanguage=En).

¹¹⁸⁷ Mexico Launches Anti-Corruption Law As Wal-Mart Scandal Worries Government, Forbes (New York) 27 April 2013. Date of Access: 26 June 2013.
<http://www.forbes.com/sites/ivancastano/2012/04/27/mexico-launches-anti-corruption-law-as-wal-mart-scandal-worries-government/>.

¹¹⁸⁸ The Pact for Mexico Remains in Force: Enrique Pena Nieto, Presidencia de la Republica (Mexico City) 7 May 2013. Date of Access: 27 June 2013.
<http://en.presidencia.gob.mx/articulos-press/the-pact-for-mexico-remains-in-force-enrique-pena-nieto/>.

¹¹⁸⁹ President Pena Nieto Shares Mexico's Actions Regarding Trade, Transparency, and Tax with World Leaders,, Presidencia de la Republica (Mexico City) 18 June 2013. Date of Access: 27 June 2013.
<http://en.presidencia.gob.mx/articulos-press/president-pena-nieto-shares-mexicos-actions-regarding-trade-transparency-and-tax-with-world-leaders/>.

¹¹⁹⁰ President Pena Nieto Shares Mexico's Actions Regarding Trade, Transparency, and Tax with World Leaders , Presidencia de la Republica (Mexico City) 18 June 2013. Date of Access: 27 June 2013.
<http://en.presidencia.gob.mx/articulos-press/president-pena-nieto-shares-mexicos-actions-regarding-trade-transparency-and-tax-with-world-leaders/>.

organized crime and increasing accountability of government officials.¹¹⁹¹ Thus, Mexico is awarded a score of 0.

Analyst: Maggie Shi

Russia: 0

Russia has partially complied with the commitment on corruption.

Russia ratified the UNCAC on 9 May 2006.¹¹⁹²

During the monitoring period Russia participated in all international meetings on UNCAC implementation (all held in Vienna):

- Meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption on 27-29 August 2012;¹¹⁹³
- Sixth Intersessional Meeting of the Open-ended Intergovernmental Working Group on Asset Recovery on 30-31 August 2012;¹¹⁹⁴
- First session of the Open-ended Intergovernmental Expert Meeting on International Cooperation on 22-23 October 2012;¹¹⁹⁵
- Resumed third session of the Implementation Review Group of the United Nations Convention against Corruption on 14-16 November 2012.¹¹⁹⁶

At the third session of the Implementation Review Group Russia presented three reports on:

- Implementation of article 12 of the UNCAC (Private sector), including the use of Public-Private Partnerships;¹¹⁹⁷

¹¹⁹¹ Mutual Evaluation of Mexico: Interim Follow-Up Report, Third Follow-Up Report, Financial Action Task Force (Paris) 19 October 2012, Date of Access: 14 January 2013.

<http://www.fatf-gafi.org/media/fatf/documents/reports/Interim%20Follow-up%20Report%20Mexico.pdf>.

¹¹⁹² United Nations Convention against Corruption, UNCAC signature and ratification status as of 31 March 2011, United Nations Office on Drugs and Crime 31 March 2011.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>

¹¹⁹³ Open-ended Intergovernmental Working Group on the Prevention of Corruption Vienna, 27 to 29 August 2012. Final List of Participants, United Nations Office on Drugs and Crime.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/Final_LOP.pdf.

¹¹⁹⁴ Open-ended Intergovernmental Working Group on Asset Recovery Vienna, 30-31 August 2012. Final List of Participants, United Nations Office on Drugs and Crime.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/2012-August-30-31/Final_LOP.pdf.

¹¹⁹⁵ First session of the Open-ended Intergovernmental Expert Meeting on International Cooperation (Vienna, 22-23 October 2012). Final List of Participants, United Nations Office on Drugs and Crime. http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/EMInternationalCooperation/22-23October2012/FINAL_List_of_Participants_EM_IntCoop_22-23_Oct_2012.pdf.

¹¹⁹⁶ Implementation Review Group. Resumed third session, Vienna, 14-16 November 2012. Final List of Participants, United Nations Office on Drugs and Crime.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/Final_List_of_Participants.pdf.

- Measures to implement the UNCAC in relation to conflicts of interest in the reporting of acts of corruption and the submission of declarations of income;¹¹⁹⁸
- Examples of successful anti-corruption measures taken by the federal bodies of the Russian Government (Prosecutor-General, Federal Security Service, Ministry of Internal Affairs, Ministry of Finance).¹¹⁹⁹

The Russian G20 Presidency has included the Denial of Safe Haven principles into its agenda. On 26 February 2013, the G20 Anti-Corruption Working Group agreed “to create a network to share information to ensure that those convinced of corruption can be denied entry to [G20] countries”.¹²⁰⁰ On 6-7 June 2013, at the second meeting of the G20 Anti-Corruption Working Group the Denial of Entry Network contact list was completed and the group agreed “to circulate it to the concerned officials within national governments”.¹²⁰¹ However, no facts that Russia has taken domestic actions in accordance with the ACWG principles have been registered.

Russia deposited its instrument of OECD Anti-Bribery Convention ratification on 17 February 2012.¹²⁰²

According to the Plan on Countering Corruption of the Russian Ministry of Justice adopted on 22 June 2012 the Ministry together with the Foreign Affairs Ministry ensures effective participation of Russia in the OECD Working Group on Bribery on the constant basis.¹²⁰³

On 25 July 2012, the Russian Presidential Anti-Corruption Council Presidium issued a directive “to the concerned federal state agencies to draft a plan for the second phase of monitoring” of Russia’s compliance with the OECD Anti-Bribery Convention within the framework of the OECD Working Group on Bribery.¹²⁰⁴

¹¹⁹⁷ Information materials on issues to be discussed at the third meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, UN Office on Drugs and Crime (Vienna) 29 August 2012. Date of Access: 18 April 2013. http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/Responses_NVs_2012/20120716_Russia_English_1.pdf.

¹¹⁹⁸ Information materials on issues to be discussed at the third meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, UN Office on Drugs and Crime (Vienna) 29 August 2012. Date of Access: 18 April 2013. http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/Responses_NVs_2012/20120716_Russia_English_1.pdf

¹¹⁹⁹ Information materials on issues to be discussed at the third meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, UN Office on Drugs and Crime (Vienna) 29 August 2012. Date of Access: 18 April 2013. http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/Responses_NVs_2012/20120716_Russia_English_1.pdf

¹²⁰⁰ The G20 Anti-Corruption Working Group specified its working plan for 2013, 26 February 2013. <http://en.g20russia.ru/news/20130226/781243304.html>.

¹²⁰¹ The Second G20 Anti-Corruption Working Group Meeting was held in Ottawa, 8 June 2013. <http://en.g20russia.ru/news/20130608/781435847.html>.

¹²⁰² Russia - OECD Anti-Bribery Convention, OECD. <http://www.oecd.org/daf/anti-bribery/russia-oecdanti-briberyconvention.htm>.

¹²⁰³ Order No. 121 of 22 June 2012, Russian Ministry of Justice 22 June 2012. <http://minjust.ru/ru/node/2409>.

¹²⁰⁴ Meeting of Presidential Anti-Corruption Council Presidium Russian President 25 July 2012. <http://eng.state.kremlin.ru/council/12/news/4252>.

On 10-14 December 2012, Russia participated in the OECD Working Group on Bribery meeting in Paris.¹²⁰⁵

Russia ratified the UNCAC and OECD Anti-Bribery Convention. Russia has taken some measures to implement UNCAC but not in all areas identified in the guidelines and engage with the OECD Working Group on Bribery. It has been awarded a score of 0.

Analyst: Mark Rakhmangulov

Saudi Arabia: 0

Saudi Arabia has partially complied with the commitment to fight crime and corruption. Saudi Arabia has recently ratified United Nations Convention against Crime (UNCAC) but not the Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Convention.

On 9 January 2004, Saudi Arabia signed the UNCAC and ratified it on 29 April 2013.¹²⁰⁶ Saudi Arabia has not ratified the OECD Anti-Bribery Convention.¹²⁰⁷ Saudi Arabia is a member of the Middle East and North Africa Financial Action Task Force (MENAFATF).¹²⁰⁸

On 11 September 2012, Saudi Arabia's capital, Riyadh, hosted a three-day symposium titled "Role and Responsibility of Public Prosecutors and Judicial Bodies in Combating Money Laundering and Terrorist Financing." The symposium was organized collaboratively by Saudi Arabia's Bureau of Investigation and Prosecution and the MENAFATF. The symposium's focus was on money laundering: specifically, banks' ability to detect and report fraud and suspicious transactions.¹²⁰⁹

On 9 March 2013, the Saudi Arabian Monetary Agency (SAMA) advised local banks and money exchange agencies to enhance their mechanisms on countering money laundering and terrorist financing. According to the Agency, banks should confirm client identities and inform authorities of any suspicious actions.¹²¹⁰

On 26-27 March 2013, Vice Governor of SAMA Dr. Abdulrahman Al-Hamidy, in a speech at the Fifth Annual Gathering on Compliance and Anti-Money Laundering, reiterated the Kingdom's

¹²⁰⁵ OECD Working Group Meeting Held, Russian Ministry of Justice. <http://minjust.ru/ru/node/2718>.

¹²⁰⁶ UNCAC Signature and Ratification Status as of 29 May 2013, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 3 January 2013. <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹²⁰⁷ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organization for Economic Co-operation and Development (Paris) 20 November 2012. Date of Access: 3 January 2013. <http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

¹²⁰⁸ Middle East and North Africa Financial Action Task Force (MENAFATF), Financial Action Task Force (FATF) (Paris) Date of Access: 3 January 2013. <http://www.fatf-gafi.org/pages/menafatf.html>.

¹²⁰⁹ Riyadh Symposium Combats Money Laundering and Terror Financing, Al-Shorfa (Jeddah) 11 September 2012. Date of Access: 25 January 2013. http://al-shorfa.com/en_GB/articles/meii/features/2012/09/11/feature-02.

¹²¹⁰ Saudi monetary agency urges local banks to counter terrorism financing, Al-Shorfa (Riyadh) 9 March 2013. Date of Access: 1 July 2013. http://al-shorfa.com/en_GB/articles/meii/newsbriefs/2013/03/09/newsbrief-07?change_locale=true.

commitment to combat money laundering.¹²¹¹ The Vice Governor also mentioned the First Follow-Up Report that Saudi Arabia submitted to the MENAFATF in February 2012. The Report included all new and updated legislations according to international standards.¹²¹² Dr. Abdulrahman Al-Hamidy stated: “The Kingdom will not hesitate to undertake all measures and means to attain the highest levels of quality and to meet International Anti-Money Laundering standards. I would like reiterate the importance of cooperation among relevant domestic, regional and international entities, intensifying efforts and exchanging technical information and expertise to detect, monitor and pinpoint Money Laundering operations.”¹²¹³

Saudi Arabia has very recently ratified the UNCAC as well as taken steps to promote anti-money laundering regulation domestically. However, Saudi Arabia has been actively engaged with the OECD Working Group on Bribery. Therefore, Saudi Arabia is awarded a score of 0.

*Analyst: Darya Kutovaya
Co-director of Compliance: Vera V. Gavrilova*

South Africa: 0

South Africa has partially complied with the commitment to eradicate crime and corruption by ratifying and partially implementing the United Nations Convention against Corruption (UNCAC). South Africa, however, has not been actively engaged with the Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Working Group.

South Africa signed the UNCAC on 9 December 2003, and ratified it on 22 November 2004.¹²¹⁴ South Africa has acceded to the OECD Anti-Bribery Convention on 19 June 2007.¹²¹⁵ South

¹²¹¹ Address by Vice Governor Dr. Abdulrahman Al-Hamidy at the Fifth Annual Gathering on Compliance and Anti-Money Laundering, Saudi Arabian Monetary Agency (Riyadh) 26- 27 March 2013. Date of Access: 1 July 2013.

<http://www.sama.gov.sa/sites/samaen/News/Pages/TheFifthAnnualGatheringOnComplianceAndAnti-MoneyLaundering.aspx>.

¹²¹² Address by Vice Governor Dr. Abdulrahman Al-Hamidy at the Fifth Annual Gathering on Compliance and Anti-Money Laundering, Saudi Arabian Monetary Agency (Riyadh) 26- 27 March 2013. Date of Access: 1 July 2013.

<http://www.sama.gov.sa/sites/samaen/News/Pages/TheFifthAnnualGatheringOnComplianceAndAnti-MoneyLaundering.aspx>.

¹²¹³ Address by Vice Governor Dr. Abdulrahman Al-Hamidy at the Fifth Annual Gathering on Compliance and Anti-Money Laundering, Saudi Arabian Monetary Agency (Riyadh) 26- 27 March 2013. Date of Access: 1 July 2013.

<http://www.sama.gov.sa/sites/samaen/News/Pages/TheFifthAnnualGatheringOnComplianceAndAnti-MoneyLaundering.aspx>.

¹²¹⁴ UNCAC Signatures and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 28 December 2012.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹²¹⁵ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organisation for Economic Co-operation and Development (Paris) 20 November 2012. Date of Access: 21 January 2013.

<http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

Africa is a member of the Financial Action Task Force (FATF)¹²¹⁶ and of the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG).¹²¹⁷

On 18-22 June 2012, South Africa participated in the meeting of the UNCAC Implementation Review Group in Vienna.¹²¹⁸

On 5 December 2012, the 2012 Transparency International Corruption Perceptions Index rated South Africa as 69th out of 176 countries, which is a fall from the standing of 2011¹²¹⁹. In response, Executive Director of the Corruption Watch¹²²⁰ David Lewis noted the abundance of publicly announced concern for corruption; yet he pointed to the “[...] disjuncture between strong words and weak action.”¹²²¹ Mr. Lewis previously noted that the national crime statistics released by the parliament do not correctly define and identify corruption. Abuse of public resources is not accurately identified as corruption, and Section 34 of the Prevention and Combating of Corrupt Activities Act (Precca) is not enforced, leading to failure of those in position of authority to report corruption.¹²²²

On 10 December 2012, Chairperson of the National Anti-Corruption Forum Zwelinzima Vavi expressed his concern for insufficient law reinforcement. He emphasized the importance of “a zero-tolerance approach” to corruption, particularly in cases of private business dealing with governmental funds.¹²²³

On 18 January 2013, at the end of a two-day meeting in New Delhi, South Africa along with its BRICS counterparts (Brazil, Russia, India, and China) issued a joint communiqué identifying seven areas of tax policy and tax administration that could extend their cooperation, share capacity building, anti-avoidance and non-compliance practices and enhance the enforcement

¹²¹⁶ South Africa, Financial Action Task Force (FATF) (Paris) 2003. Date of Access: 14 January 2013. <http://www.fatf-gafi.org/countries/s-t/southafrica/>.

¹²¹⁷ Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG) (Dar es Salaam) 2004. Date of Access: 14 January 2013.

<http://www.fatf-gafi.org/pages/easternandsouthernafricaanti-moneylaundryinggroupesaamlg.html>.

¹²¹⁸ Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 1 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

¹²¹⁹ Corruption Perceptions Index 2012, Transparency International (Berlin) 5 December 2012. Date of Access: 28 December 2012.

<http://www.transparency.org/cpi2012/results>.

¹²²⁰ Who We Are and What We Do, Corruption Watch (Johannesburg) 26 January 2012. Date of Access: 1 January 2013.

<http://www.corruptionwatch.org.za/content/who-we-are-and-what-we-do>.

¹²²¹ TI Survey Confirms SA’s Corruption Fears Rising, Corruption Watch (Johannesburg) 5 December 2012. Date of Access: 28 December 2012.

<http://www.corruptionwatch.org.za/content/ti-survey-confirms-sas-corruption-fears-rising>.

¹²²² National Crime Stats Don’t Help Corruption Fight, Corruption Watch (Johannesburg) 20 September 2012. Date of Access: 28 December 2012.

<http://www.corruptionwatch.org.za/content/national-crime-stats-don%E2%80%99t-help-corruption-fight>.

¹²²³ Address by Zwelinzima Vavi, on his Appointment as Chairperson of the National Anti-Corruption Forum, COSATU (Johannesburg) 10 December 2012. Date of Access: 1 January 2013.

<http://www.cosatu.org.za/show.php?ID=6779>.

processes.¹²²⁴ The cooperation will extend to developing standards on international taxation and transfer pricing, problem-solving regarding incomplete information disclosure and fraudulent claims, enhancement of information exchange systems and resources sharing, and developing a BRICS mechanism to counter tax avoidance transactions, arrangements, shelters and schemes.¹²²⁵

On 6 June 2013, a proposal to establish the Anti-Corruption Bureau through the passage of a Public Administration Management Bill was published for public comment. Public Service and Administration Minister Lindiwe Sisulu urged “ordinary South Africans and Parliamentarians to get behind the proposed bureau to tackle corruption in the public sector.”¹²²⁶

On 9 June 2013, South African Justice and Constitutional Development Minister Jeff Radebe released the names of forty-two people convicted of fraud and corruption as a sign of the government’s intent to clamp down on corrupt officials. Minister Radebe noted this “aggressive stance has been initiated to ensure that, for the first time in the history of our democracy, criminals in our society will be made known and held accountable for their actions publicly.”¹²²⁷ The list of the convicted fraudsters was posted on government websites to ensure that they were not re-employed in any government department.

South Africa has partially complied with the crime and corruption commitment by ratifying the UNCAC. However, it has not fully implemented it and has not been more actively engaged with the OECD Anti-Bribery Working Group. Therefore, it is awarded a score of 0.

Analyst: Mila Gavrilova

Turkey: 0

Turkey has partially complied with the commitment to combat crime and corruption. Turkey has ratified both the UNCAC and the OECD Anti-Bribery Convention. Recently, Turkey has taken action to address its anti-corruption legal framework’s major deficiencies regarding terrorist financing.

On 10 December 2003 Turkey signed the UNCAC and ratified it on 9 November 2006.¹²²⁸ Turkey ratified the OECD Anti-Bribery Convention on 26 July 2000.¹²²⁹ Turkey is a member of the Financial Action Task Force (FATF)¹²³⁰, and an observer to the Eurasian Group (EAG).¹²³¹

¹²²⁴ BRICS Countries Vow to Address Transfer Pricing Enforcement Issues, International Trade Compliance Strategies (Manitoba) 24 January 2013. Date of Access: 13 February 2013. <http://tradecompliance.ghy.com/2013/01/bric-countries-vow-to-address-transfer-pricing-enforcement-issues/>.

¹²²⁵ BRICS Countries Vow to Address Transfer Pricing Enforcement Issues, International Trade Compliance Strategies (Manitoba) 24 January 2013. Date of Access: 13 February 2013. <http://tradecompliance.ghy.com/2013/01/bric-countries-vow-to-address-transfer-pricing-enforcement-issues/>.

¹²²⁶ New anti-corruption bureau set to roll, Independent Online (Cape Town) 6 June 2013. Date of Access: 1 July 2013.

<http://www.iol.co.za/news/crime-courts/new-anti-corruption-bureau-set-to-roll-1.1528068>.

¹²²⁷ Radebe names, shames fraudsters, Independent Online (Cape Town) 9 June 2013. Date of Access: 1 July 2013. <http://www.iol.co.za/news/crime-courts/radebe-names-shames-fraudsters-1.1529541>.

¹²²⁸ UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 16 January 2013. <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

On 18-22 June 2012, Turkey participated in the meeting of the UNCAC Implementation Review Group in Vienna.¹²³²

On 22 June 2012, the FATF called on Turkey to fulfill its commitments as a member of the Task Force by criminalising Terrorist Financing (TF) and establishing a legal framework for the identification and freezing of terrorist assets.¹²³³ The FATF warned that if the Turkish government does not take any appropriate action by October 2012, then the FATF will initiate discussions on Turkey's membership status.¹²³⁴

On 19 October 2012, the FATF published a Statement on Turkey. The Statement expressed FATF's concern on serious deficiencies that "continue to exist" in the country's legal framework in relation to terrorist financing (TF) and identifying and freezing assets that come from terrorist actions.¹²³⁵ The report stated that, despite constant monitoring on behalf of the FATF, and measures taken by the Turkish government, there has been no substantive action against TF. The Statement concluded with the FATF's decision to suspend Turkey's membership on 22 February 2013.¹²³⁶

On 7 February 2013, Turkish parliament passed a new anti-terrorism financing law.¹²³⁷ However, Hakki Koylu, the deputy chair of the parliament's Justice Committee, said that new law might not

¹²²⁹ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, (Paris) 20 November 2012. Date of Access: 16 January 2013. <http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

¹²³⁰ Turkey, Financial Action Task Force (FATF) (Paris) 1991. Date of Access: 16 January 2013. <http://www.fatf-gafi.org/countries/s-t/turkey/>.

¹²³¹ Observer states and organizations, Eurasian Group on Combating Money Laundering (EAG) (Moscow) Date of Access: 16 January 2013.

<http://www.eurasiangroup.org/observers.php>.

¹²³² Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Convention against Corruption (Vienna) 22 June 2012. Date of Access: 16 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

¹²³³ Outcomes of the Plenary Meeting of the FATF, Financial Action Task Force (Rome) 22 June 2012. Date of Access: 16 January 2013.

<http://www.fatf-gafi.org/countries/s-t/turkey/documents/outcomesoftheplenarymeetingofthefatfrome20-22june2012.html>.

¹²³⁴ Outcomes of the Plenary Meeting of the FATF, Financial Action Task Force (Rome) 22 June 2012. Date of Access: 16 January 2013.

<http://www.fatf-gafi.org/countries/s-t/turkey/documents/outcomesoftheplenarymeetingofthefatfrome20-22june2012.html>.

¹²³⁵ Outcomes of the Plenary Meeting of the FATF, Financial Action Task Force (Paris) 17-19 October 2012. Date of Access: 16 January 2013.

<http://www.fatf-gafi.org/countries/s-t/turkey/documents/outcomesoftheplenarymeetingofthefatparis17-19october2012.html>.

¹²³⁶ Outcomes of the Plenary Meeting of the FATF, Financial Action Task Force (Paris) 17-19 October 2012. Date of Access: 16 January 2013.

<http://www.fatf-gafi.org/countries/s-t/turkey/documents/outcomesoftheplenarymeetingofthefatparis17-19october2012.html>.

¹²³⁷ Turkish Parliament Approves Anti-Terrorism Financing Law, Chicago Tribune (Chicago) 7 February 2013. Date of Access: 14 February 2013.

http://articles.chicagotribune.com/2013-02-07/news/sns-rt-us-turkey-financing-lawbre91614k-20130207_1_turkish-parliament-nick-tattersall-terrorism-legislation

satisfy OECD and international standards¹²³⁸ and not considered in line with FATF recommendations.¹²³⁹

On 22 February 2013, FATF issued a statement on Turkey's progress. FATF welcomed the new anti-terrorism financing law as a significant step towards addressing many of the shortcomings identified in Turkey's legal framework and announced that Turkey's membership would not be revoked, as had previously been suggested.¹²⁴⁰ However, the FATF pointed to a series of still existing shortcomings that the government of Turkey would promptly need to address to comply with international standards.¹²⁴¹

On 23 March 2013, the Turkish Finance Ministry's Financial Crimes Investigative Board (MASAK) signed a Memorandum of Understanding with the German Financial Intelligence Unit under Bundeskriminalamt.¹²⁴² Under the new agreement the two parties will work together in combating terrorism financing and money laundering.¹²⁴³

Turkey has ratified the UNCAC and taken action to attend to the shortcomings of its legal framework in relation to terrorist financing, as detected and regulated by the FATF, thus implementing the UNCAC provision in relation to terrorism financing. Thus, Turkey is awarded a score of 0.

Lead Analyst: Eleni Tsaliki

¹²³⁸ Turkey Concerned Terror-Finance Law May Not Satisfy OECD, Bloomberg Media (New York) 24 January 2013. Date of Access: 14 February 2013.
<http://www.bloomberg.com/news/2013-01-24/turkey-concerned-terror-finance-law-may-not-satisfy-oecd.html>

¹²³⁹ Terror Financing Bill not Exactly in Line with FATF Recommendation, Hurriyet Daily News (Ankara) 9 February 2013. Date of Access: 14 February 2013.
<http://www.hurriyetdailynews.com/terror-financing-bill-not-exactly-in-line-with-fatf-recommendations.aspx?pageID=449&nID=40758&NewsCatID=403>.

¹²⁴⁰ Statement on Turkey, Outcomes of the FATF Plenary, Financial Action Task Force (Paris) 22 February 2013. Date of Access: 27 June 2013.
<http://www.fatf-gafi.org/documents/documents/outcomesofthefatfplenary20-22february2013.html>.

¹²⁴¹ Statement on Turkey, Outcomes of the FATF Plenary, Financial Action Task Force (Paris) 22 February 2013. Date of Access: 27 June 2013.
<http://www.fatf-gafi.org/documents/documents/outcomesofthefatfplenary20-22february2013.html>.

¹²⁴² Memorandum Of Understanding Between The Ministry Of Finance, Financial Crimes Investigation Board

(Masak) Of The Republic Of Turkey And Zentralstelle Für Verdachtsmeldungen At The Bundeskriminalamt (Bka) Of The Federal Republic Of Germany Concerning The Exchange Of Financial Intelligence Related To Money Laundering And Terrorist Financing, Ministry Of Finance, Financial Crimes Investigation Board

(Masak) Of The Republic Of Turkey (Ankara) 13 March 2013. Date of Access: 27 June 2013.
<http://www.masak.gov.tr/media/portals/masak2/files/MoU-Almanya.pdf>.

¹²⁴³ Memorandum Of Understanding Between The Ministry Of Finance, Financial Crimes Investigation Board

(Masak) Of The Republic Of Turkey And Zentralstelle Für Verdachtsmeldungen At The Bundeskriminalamt (Bka) Of The Federal Republic Of Germany Concerning The Exchange Of Financial Intelligence Related To Money Laundering And Terrorist Financing, Ministry Of Finance, Financial Crimes Investigation Board

(Masak) Of The Republic Of Turkey (Ankara) 13 March 2013. Date of Access: 27 June 2013.
<http://www.masak.gov.tr/media/portals/masak2/files/MoU-Almanya.pdf>.

United Kingdom: 0

United Kingdom has partially complied with its commitment to combat corruption. United Kingdom has ratified the UNCAC and taken measures to promote transparency and tighten its legal framework on corruption.

United Kingdom signed the UNCAC on 9 December 2003 and ratified it on 9 February 2006.¹²⁴⁴ On 15 February 1999, it became a member of the OECD Anti-Bribery Convention.¹²⁴⁵ United Kingdom is a member of the Financial Action Task Force (FATF)¹²⁴⁶, and an observer in the Asia/Pacific Group on Money Laundering (APG)¹²⁴⁷, the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG)¹²⁴⁸, and the Middle East and North Africa Financial Action Task Force (MENAFATF).¹²⁴⁹

In June 2012, United Kingdom participated in the session of the UNCAC Implementation Review Group in Vienna from.¹²⁵⁰

On 30 September 2012, the Serious Fraud Office (SFO) implemented a new tougher approach under the Bribery Act. The SFO has withdrawn a number of regulations that demonstrated leniency to specific breaches of the law, signaling a shift from plea bargains to criminal prosecutions.¹²⁵¹

On 14 December 2012, Foreign Office Minister Alistair Burt welcomed the opening of a Centre of Excellence on Countering Violent Extremism in Abu Dhabi and termed it “an important milestone in the global fight against terrorism.”¹²⁵² The British government will actively participate in the works of the new Centre through membership in the International Steering

¹²⁴⁴UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 3 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹²⁴⁵OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, (Paris) 20 November 2012. Date of Access: 3 January 2013. <http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

¹²⁴⁶United Kingdom, Financial Action Task Force (Paris) 1990. Date of Access: 3 January 2013. <http://www.fatf-gafi.org/countries/u-z/unitedkingdom/>.

¹²⁴⁷United Kingdom, Asia/Pacific Group on Money Laundering (Bangkok) Date of Access: 11 January 2013.

<http://www.apgml.org/observers/default.aspx?ObserverID=8>.

¹²⁴⁸Eastern and Southern Africa Anti-Money Laundering Group (Dar es Salaam) 2004. Date of Access: 11 January 2013.

<http://www.esaamlg.org/>.

¹²⁴⁹Middle East and North Africa Financial Action Task Force (Manama) Date of Access: 11 January 2013. <http://menafatf.org/>.

¹²⁵⁰Final List of Participants, Conference of the States Parties to the United Nations Convention against Corruption, Implementation Review Group, United Nations Convention against Corruption (Vienna) 22 June 2012. Date of Access: 3 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

¹²⁵¹SFO Gets Tougher over Bribery Act, The Telegraph (London) 30 September 2012. Date of Access: 3 January 2013.

<http://www.telegraph.co.uk/finance/financial-crime/9576336/SFO-gets-tougher-over-Bribery-Act.html>

¹²⁵²UK Welcomes New Counter Terrorism Centre in UAE, Foreign and Commonwealth Office (London) 14 December 2012. Date of Access: 29 January 2013.

<https://www.gov.uk/government/news/uk-welcomes-new-counter-terrorism-centre-in-uae>.

Board and the seconding of a Director of Training and Capacity-Building into the Centre's senior management team.¹²⁵³ The inauguration of the Centre took place under the framework of the third Global Counterterrorism Forum in Abu Dhabi.¹²⁵⁴

On 2 January 2013, Prime Minister David Cameron, in a letter issued on the occasion of the United Kingdom's presidency in the Group of Eight (G8), confirmed his intention to place transparency high on the G8 agenda.¹²⁵⁵ On 24 January 2013, on his keynote speech to the World Economic Forum in Davos, Prime Minister Cameron reaffirmed his commitment to strengthen international tax standards and enhance transparency especially when it comes to international development aid.¹²⁵⁶

In September 2012, the British government established the British Asset Recovery Taskforce with the purpose of tracking down assets linked to the Mubarak regime and return them to Egypt.¹²⁵⁷ Under the new Taskforce, all relevant UK agencies will collaborate together, strengthening their links with their Egyptian counterparts.¹²⁵⁸ A Regional Asset Recovery Adviser will also be based in Cairo in order to assist the efforts of the Egyptian, Libyan and Tunisian authorities.¹²⁵⁹

On 14 January 2013, on a joint press conference with delegates from the British Asset Recovery Taskforce Minister of State for Crime Prevention Jeremy Browne, stated the efforts of the British government to proceed with the asset recovery while reassuring that the United Kingdom will not be a safe haven for the storage of stolen assets.¹²⁶⁰

¹²⁵³ UK Welcomes New Counter Terrorism Centre in UAE, Foreign and Commonwealth Office (London) 14 December 2012. Date of Access: 29 January 2013.

<https://www.gov.uk/government/news/uk-welcomes-new-counter-terrorism-centre-in-uae>.

¹²⁵⁴ Ministers Gathered in Abu Dhabi under Co-chairmanship of Turkey and United States Support Victims of Terrorism, Take Steps against Kidnapping for Ransom and Violent Extremism, Global Counterterrorism Forum (New York) 14 December 2012. Date of Access: 29 January 2013.

<http://www.thegctf.org/web/guest/home>.

¹²⁵⁵ Prime Minister's letter to G8 leaders, Inside Government (London) 2 January 2013. Date of Access: 11 January 2013.

<https://www.gov.uk/government/news/prime-ministers-letter-to-g8-leaders>.

¹²⁵⁶ Address by Prime Minister David Cameron at the World Economic Forum, British Prime Minister's Office (London) 24 January 2013. Date of Access: 29 January 2013.

<http://www.number10.gov.uk/news/prime-minister-david-camersons-speech-to-the-world-economic-forum-in-davos/>.

¹²⁵⁷ Asset Recovery Taskforce Addresses Repatriation of Foreign Funds, Daily News Egypt (Cairo) 14 January 2013. Date of Access: 29 January 2013.

<http://www.dailynewsegypt.com/2013/01/14/asset-recovery-taskforce-addresses-repatriation-of-foreign-funds/>.

¹²⁵⁸ UK Asset Recovery Task Force: Ensuring proceeds of corruption go where they rightfully belong, British Embassy (Cairo) 14 January 2013. Date of Access: 29 January 2013.

http://ukinegypt.fco.gov.uk/en/about-us/working-with-egypt/visits/jeremy_brown/851877082.

¹²⁵⁹ UK Asset Recovery Task Force: Ensuring proceeds of corruption go where they rightfully belong, British Embassy (Cairo) 14 January 2013. Date of Access: 29 January 2013.

http://ukinegypt.fco.gov.uk/en/about-us/working-with-egypt/visits/jeremy_brown/851877082.

¹²⁶⁰ Asset Recovery Taskforce Addresses Repatriation of Foreign Funds, Daily News Egypt (Cairo) 14 January 2013. Date of Access: 29 January 2013.

<http://www.dailynewsegypt.com/2013/01/14/asset-recovery-taskforce-addresses-repatriation-of-foreign-funds/>.

The British government is also developing an enhanced Tax Information Exchange Agreement (TIEA) with the Isle of Man designed to combat tax evasion.¹²⁶¹

On 14 January 2013, Home Secretary Theresa May tabled amendments to the Crime and Courts Bill. The amendments are meant to modify the 2003 Extradition Act by introducing a forum bar and transferring the Home Secretary's responsibilities regarding representations on human rights grounds to the High Court.¹²⁶² Although the British Law Society welcomed the proposed amendments as means to create a more modern and effective judicial system, it also raised concerns for some of the provisions.¹²⁶³

On 6 March 2013, the Group of States against Corruption released its Evaluation Report on Corruption prevention in respect of Members of Parliament, judges and prosecutors.¹²⁶⁴ The report praised the United Kingdom's performance, emphasizing transparency in the judicial system, fair and impartial procedures in the appointment of prosecutors, and lack of delays in handling cases.¹²⁶⁵ It also encouraged government authorities to enhance transparency and accountability for Members of the Parliament.¹²⁶⁶

On 9 April 2013, Her Majesty's Revenue and Customs announced new multilateral agreements to tackle tax evasion with France, Germany, Italy, and Spain.¹²⁶⁷ According to the new agreements the five countries will automatically exchange a wide range of financial information ensuring minimal costs for both companies and governments.¹²⁶⁸

¹²⁶¹ UK, IoM To Sign Enhanced TIEA, Global Tax News (London) 11 December 2012. Date of Access: 12 January 2013.

http://www.tax-news.com/news/UK_IoM_To_Sign_Enhanced_TIEA_58707.html.

¹²⁶² MPs Consider Extradition Forum Bar, The Law Society Gazette (London) 15 January 2013. Date of Access: 14 February 2013.

<http://www.lawgazette.co.uk/news/mps-consider-extradition-forum-bar>.

¹²⁶³ MPs Consider Extradition Forum Bar, The Law Society Gazette (London) 15 January 2013. Date of Access: 14 February 2013.

<http://www.lawgazette.co.uk/news/mps-consider-extradition-forum-bar>.

¹²⁶⁴ Evaluation Report on Corruption prevention in respect of members of Parliament, judges and prosecutors, Group of States against Corruption, Council of Europe (Strasbourg) 6 March 2013. Date of Access: 3 July 2013.

[http://www.coe.int/t/dghl/monitoring/greco/evaluations/round4/GrecoEval4\(2012\)2_UnitedKingdom_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round4/GrecoEval4(2012)2_UnitedKingdom_EN.pdf).

¹²⁶⁵ Evaluation Report on Corruption prevention in respect of members of Parliament, judges and prosecutors, Group of States against Corruption, Council of Europe (Strasbourg) 6 March 2013. Date of Access: 3 July 2013.

[http://www.coe.int/t/dghl/monitoring/greco/evaluations/round4/GrecoEval4\(2012\)2_UnitedKingdom_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round4/GrecoEval4(2012)2_UnitedKingdom_EN.pdf).

¹²⁶⁶ Evaluation Report on Corruption prevention in respect of members of Parliament, judges and prosecutors, Group of States against Corruption, Council of Europe (Strasbourg) 6 March 2013. Date of Access: 3 July 2013.

[http://www.coe.int/t/dghl/monitoring/greco/evaluations/round4/GrecoEval4\(2012\)2_UnitedKingdom_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round4/GrecoEval4(2012)2_UnitedKingdom_EN.pdf).

¹²⁶⁷ New UK multilateral action to combat tax evasion, Inside Government (London) 9 April 2013. Date of Access: 3 July 2013.

<https://www.gov.uk/government/news/new-uk-multilateral-action-to-combat-tax-evasion>.

¹²⁶⁸ New UK multilateral action to combat tax evasion, Inside Government (London) 9 April 2013. Date of Access: 3 July 2013.

<https://www.gov.uk/government/news/new-uk-multilateral-action-to-combat-tax-evasion>.

On 24 April 2013, Prime Minister David Cameron, in his letter to the President of the European Council Herman Van Rompuy, expressed hope that EU leaders would take the opportunity to raise international efforts and take radical action to tackle tax evasion and tax avoidance.¹²⁶⁹ The letter mentioned four key areas of action: (1) a new global standard for multilateral information exchange; (2) enhance transparency in beneficial ownership; (3) reform of global tax rules; and (4) improve the ability of tax collection in developing countries.¹²⁷⁰

On 9 May 2013, Her Majesty's Revenue and Customs announced its cooperation with the United States Internal Revenue Service and Australian Taxation Office on data sharing related to complex offshore structures and the concealment of assets by wealthy natural and legal entities.¹²⁷¹ As Chancellor of the Exchequer George Osborne stated: "Ahead of the UK's presidency of the G8 this year, the Prime Minister has made it a key priority to drive an international effort to increase transparency and clamp down on tax avoidance and evasion. By working with our international partners in this way, we are again demonstrating our commitment to this work."¹²⁷²

On 10 May 2013, Chancellor of the Exchequer George Osborne, in his closing remarks at the G7 meeting, spoke of the need to develop "a new multilateral global standard on the automatic exchange of information based on FATCA and action to improve the transparency of legal structures [...] so as both developed and developing countries can collect the tax that is due to them."¹²⁷³ On 13 May 2013, Chancellor also urged his fellow EU Finance Ministers to sign the delayed savings directive as an essential precondition in creating a global standard on tax information.¹²⁷⁴

On 20 May 2013, Prime Minister David Cameron, in his letter to leaders of British overseas territories and Crown dependencies, including Bermuda, British Virgin Islands, Cayman Islands, Gibraltar, Anguilla, Montserrat, the Turks and Caicos Islands, Jersey, Guernsey, and the Isle of Man, stressed the need for cooperation in the areas of tax information exchange and beneficial ownership as a means to tackle tax evasion and aggressive tax avoidance.¹²⁷⁵

On 22 May 2013, at a joint press conference in Paris, British Prime Minister David Cameron and French President Francois Hollande announced their commitment to implement the Extractive

¹²⁶⁹ PM letter to the EU on tax evasion, G8 Information Centre (Toronto) 25 April 2013. Date of Access: 3 July 2013. <http://www.g8.utoronto.ca/summit/2013lougherne/130424-cameron.html>.

¹²⁷⁰ PM letter to the EU on tax evasion, G8 Information Centre (Toronto) 25 April 2013. Date of Access: 3 July 2013. <http://www.g8.utoronto.ca/summit/2013lougherne/130424-cameron.html>.

¹²⁷¹ No safe havens for offshore tax cheats, Inside Government (London) 9 May 2013. Date of Access: 3 July 2013. <https://www.gov.uk/government/news/no-safe-havens-for-offshore-tax-cheats>.

¹²⁷² No safe havens for offshore tax cheats, Inside Government (London) 9 May 2013. Date of Access: 3 July 2013. <https://www.gov.uk/government/news/no-safe-havens-for-offshore-tax-cheats>.

¹²⁷³ Chancellor's closing remarks at the G7 meeting, G8 Information Centre (Toronto) 10 May 2013. Date of Access: 3 July 2013.

<http://www.g8.utoronto.ca/finance/fm130511.htm>.

¹²⁷⁴ Chancellor's letter to EU finance ministers on fighting tax avoidance and evasion, Inside Government (London) 13 May 2013. Date of Access: 3 July 2013.

<https://www.gov.uk/government/publications/chancellors-letter-to-eu-finance-ministers-on-fighting-tax-avoidance-and-evasion>.

¹²⁷⁵ G8: PM writes to crown dependency leaders, Inside Government (London) 20 May 2013. Date of Access: 3 July 2013.

<https://www.gov.uk/government/news/g8-pm-writes-to-crown-dependency-leaders>.

Industries Transparency Initiative (EITI).¹²⁷⁶ The announcement was made on the eve of the EITI Global Conference in Sydney where a strengthened standard was to be adopted.¹²⁷⁷ Development Ministers Pascal Canfin for France and Justine Greening for United Kingdom welcomed the revised EITI standard, stating that “France and the United Kingdom fully encourage the strengthening and the extension of the Extractive Industries Transparency Initiative.”¹²⁷⁸

On 28 May 2013, the Financial Times reported that an important piece of the Bribery Act will be reviewed in June 2013 that has the potential to undermine the government’s promise to clamp down on corruption.¹²⁷⁹ The focus of the review is on “facilitation payments” — payments to officials to allow or speed up a service. The review is part of the government’s effort to reduce the regulatory burden on Small- and Medium-Enterprises.¹²⁸⁰

On 29 May 2013, British Ambassador Scott Wightman to South Korea participated in the Anti-Corruption Symposium organized by UN Global Compact Korea. In his speech on the UK Bribery Act, the Ambassador reiterated Britain’s commitment to focus on trade, tax and enhanced transparency. According to the British Ambassador, “[the] global economic recovery and sustainable future prosperity depends on getting [trade, tax and transparency] right.”¹²⁸¹

United Kingdom has taken a series of measures to enhance international cooperation on transparency, asset recovery, tax evasion, and terrorism. For the ratification of the UNCAC and promotion of transparency and inclusive review process United Kingdom has been awarded a score of 0.

Analyst: Darya Kutovaya
Lead Analyst: Eleni Tsaliki

United States: 0

United States has partially complied with its commitment to combat crime and corruption. The United States’ efforts to achieve the full implementation of the United Nations Convention against Corruption (UNCAC) are strong and ongoing.

¹²⁷⁶ UK raises the bar for transparency in the extractive industries, Inside Government (London) 23 May 2013. Date of Access: 3 July 2013.

<https://www.gov.uk/government/news/uk-raises-the-bar-for-transparency-in-the-extractive-industries>.

¹²⁷⁷ Charting the next steps for transparency in extractives, Extractive Industries Transparency Initiative (Washington D.C.) 10 May 2013. Date of Access: 3 July 2013.

<http://eiti.org/blog/charting-next-steps-transparency-extractives>.

¹²⁷⁸ The United Kingdom and France work together on transparency for development, Inside Government (London) 22 May 2013. Date of Access: 3 July 2013.

<https://www.gov.uk/government/news/the-united-kingdom-and-france-work-together-on-transparency-for-development>.

¹²⁷⁹ Relaxation of UK bribery law on government agenda, Financial Times (London) 28 May 2013. Date of Access: 4 July 2013.

<http://www.ft.com/intl/cms/s/0/cab2111c-c6c8-11e2-a861-00144feab7de.html#axzz2Y8G24uhF>.

¹²⁸⁰ Relaxation of UK bribery law on government agenda, Financial Times (London) 28 May 2013. Date of Access: 4 July 2013.

<http://www.ft.com/intl/cms/s/0/cab2111c-c6c8-11e2-a861-00144feab7de.html#axzz2Y8G24uhF>.

¹²⁸¹ Speech by Ambassador Scott Wightman at Anti-Corruption Symposium in Korea, Inside Government (London) 29 May 2013. Date of Access: 3 July 2013.

<https://www.gov.uk/government/speeches/ambassadors-speech-at-anti-corruption-symposium-in-korea>.

The American government signed the UNCAC on 9 December 2003 and ratified it on 30 October 2006.¹²⁸² On 8 December 1998, it ratified the Organisation for Economic Co-operation and Development (OECD) Anti-Bribery Convention.¹²⁸³

The United States participated in a series of UNCAC meetings and Working Groups in Vienna from June to November 2012. On 18-22 June 2012, the American government participated in the UNCAC Implementation Review Group (Third) session.¹²⁸⁴ The United States has been corresponding with the UNCAC Open-ended Intergovernmental Working Group on the Prevention of Corruption; and on 24 August 2012, the American delegation submitted “The United States of America executive branch financial disclosure system” conference room paper to the UNCAC Open-ended Intergovernmental Working Group on the Prevention of Corruption.¹²⁸⁵ On 28 August 2012, the United States submitted “The United States Efforts to Implement Article 12” report.¹²⁸⁶ The United States also partook in the UNCAC Meeting of Experts to Enhance International Cooperation on 22-23 October 2012¹²⁸⁷ and in the Implementation Review Group on 14-16 November 2012.¹²⁸⁸

In September 2012, the United States co-organized the inaugural meeting of the Arab Forum on Asset Recovery in Doha. The Forum called upon the Group of Eight (G8) and Deauville countries to initiate essential capacity building to assist in tracing, freezing, and recovering stolen assets

¹²⁸² UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹²⁸³ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012 (Paris) 20 November 2012. Date of Access: 14 January 2013. <http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

¹²⁸⁴ Report of the Implementation Review Group on its Resumed Third Session, Implementation Review Group United Nations Office on Drugs and Crime (Vienna) 14-16 November 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/CacCospIrg2012-6Add1webversion.pdf>.

¹²⁸⁵ The United States of America Executive Branch Financial Disclosure System, Open-Ended Intergovernmental Working Group on the Prevention of Corruption United Nations Office on Drugs and Crime (Vienna) 24 August 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/V1255546e.pdf>.

¹²⁸⁶ The United States Efforts to Implement Article 12, Open-ended Intergovernmental Working Group on the Prevention of Corruption United Nations Office on Drugs and Crime (Vienna) 28 August 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup4/2012-August-27-29/V1255580e.pdf>.

¹²⁸⁷ Report on the meeting of experts to enhance international cooperation under the United Nations Convention against Corruption, United Nations Office on Drugs and Crime (Vienna) 24 October 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/EMInternationalCooperation/22-23October2012/V1256899e.pdf>.

¹²⁸⁸ Report of the Implementation Review Group on its resumed third session, Implementation Review Group United Nations Office on Drugs and Crime (Vienna) 14-16 November 2012. Date of Access: 4 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/CacCospIrg2012-6Add1webversion.pdf>.

from corruption.¹²⁸⁹ At the Forum, President of the United States Barak Obama reaffirmed his country's willingness to partner with those willing to combat corruption.¹²⁹⁰ On 28 September 2012, the United States of America's Department of State committed USD2.5 million to support efforts of asset recovery and fighting corruption in the Middle East.¹²⁹¹

On 23 August 2012, the Securities and Exchange Commission (SEC) approved new transparency measures in relation to the Dodd-Frank Wall Street Reform and Consumer Protection Act.¹²⁹² These new SEC rules set new standards for transparency in the extractive industries (oil, natural gas and mining companies) and hope to target corruption in operations within countries where government transactions lack in their transparency.¹²⁹³

On 27 December 2012, the Whistleblower Protection Enhancement Act took effect, revamping protection for federal employees who report misconduct, abuse of authority or law violation.¹²⁹⁴

On 21 December 2012, the American Congress approved the Government Accountability Project (GAP), which would provide protection for whistle-blowers under contract with the Defense Department.¹²⁹⁵ This Project is part of the National Defense Authorization Act of 2013 (NDAA 2013), which President Obama signed on 2 January 2013, and which extends the whistle-blower protection, safeguards government contracts and strengthens free speech rights for police officers in the United Nations peacekeeping missions.¹²⁹⁶

On 21 December 2012, the Commodity Futures Trading Commission (CFTC) published in its "Final Rules" the requirement of tape recording of all oral communications that can lead to a commodity interest transaction for Futures Commission Merchants (FCMs), larger Introducing Brokers (IBs), Retail Foreign Exchange Dealers (RFEDs) and Commodity Trading Advisors

¹²⁸⁹ Arab Forum on Asset Recovery-Doha Meeting, Stolen Asset Recovery Initiative (Doha) September 2012. Date of Access: 10 January 2013.

<http://star.worldbank.org/star/ArabForum/About>.

¹²⁹⁰ Report of the First Meeting of the Arab Forum on Asset Recovery, Arab Forum on Asset Recovery (Doha) September 2012. Date of Access: 4 January 2013.

http://star.worldbank.org/star/sites/star/files/report_arab_forum_on_asset_recovery.pdf.

¹²⁹¹ U.S. to Boost Support for Middle Eastern and North African Countries in Recovering Proceeds of Corruption, U.S. Department of State (Washington D.C.) 28 September 2012. Date of Access: 4 January 2013. <http://www.state.gov/r/pa/prs/ps/2012/09/198452.htm>.

¹²⁹² Final Rules for Dodd-Frank Sections 1502 and 1504, U.S. Department of State (Washington D.C.) 23 August 2012. Date of Access: 4 January 2013.

<http://www.state.gov/r/pa/prs/ps/2012/08/196882.htm>.

¹²⁹³ New U.S. Rules Promote Transparency in Extractive Industries, U.S. Department of State (Washington) 24 September 2012. Date Accessed: 4 January 2013.

<http://iipdigital.usembassy.gov/st/english/article/2012/09/20120923136454.html#axzz2GH0VoCP1>.

¹²⁹⁴ Whistleblower Protection Enhancement Act, Congress of the United States of America (Washington, D.C.) 27 December 2012. Date of Access: 11 January 2013.

<http://www.gpo.gov/fdsys/pkg/BILLS-112s743enr/pdf/BILLS-112s743enr.pdf>.

¹²⁹⁵ Federal Contractor Whistleblower Provisions Included in NDAA 2013, Government Accountability Project (Washington, D.C.) 21 December 2012. Date of Access: 11 January 2013.

<http://www.whistleblower.org/press/press-release-archive/2012/2453-federal-contractor-whistleblower-provisions-included-in-ndaa-2013>.

¹²⁹⁶ Government Accountability Project, (Washington, D.C.) 21 December 2012. Date of Access: 11 January 2013. <http://www.whistleblower.org/press/press-release-archive/2012/2453-federal-contractor-whistleblower-provisions-included-in-ndaa-2013>.

(CTAs). The Final Rules will become effective on 19 February 2013 and all registrants of the CFTC must comply with them by December 2013.¹²⁹⁷

On 20 December 2012, the OECD Working Group on Bribery released the Follow-up to Phase 3 Report and Recommendations.¹²⁹⁸ In the Report, the Working Group on Bribery recognized that the United States has implemented all but one of the recommendations. The Working Group on Bribery highlighted the United States' ongoing preparation of the "Resource Guide to Foreign Corrupt Practices Act (FCPA)," which the Report referred to as a "major initiative" on the behalf of the United States.¹²⁹⁹

On 17 January 2013, the United States Department of the Treasury and the Internal Revenue Service (IRS) issued final regulations on the reporting of information and withholding tax provisions commonly known as the Foreign Account Tax Compliance Act (FATCA).¹³⁰⁰ These regulations provide additional certainty for financial institutions and government counterparts by finalizing the systematic process for United States account identification, information reporting, and withholding requirements for foreign financial institutions (FFIs), other foreign entities, and United States withholding agents.¹³⁰¹

On 8 February 2013, the United States Department of the Treasury backed away from earlier proposals to toughen rules on banks to fight money laundering.¹³⁰² However, the government still intends to enforce the rules on data collection, obliging financial institutions to gather more data than they do presently.

On 13 February 2013, the United States Department of the Interior and the United States Extractive Industries Transparency Initiative (USEITI) Advisory Committee held its first public meeting in Washington, District Columbia.¹³⁰³ The Extractive Industries Transparency Initiative (EITI) is a voluntary, global effort designed to increase transparency, strengthen the

¹²⁹⁷ CFTC, Federal Register Rules and Regulations (Washington, D.C.) 21 December 2012. Date of Access: 11 January 2013.

<http://www.cftc.gov/ucm/groups/public/@lrfederalregister/documents/file/2012-30691a.pdf>.

¹²⁹⁸ Follow-up on Phase Three Report, Organisation for Economic Co-operation and Development (Paris) 20 December 2012. Date of Access: 26 January 2013.

<http://www.oecd.org/daf/briberyininternationalbusiness/UnitedStatesPhase3WrittenFollowUpReportEN.pdf>

¹²⁹⁹ Follow-up on Phase Three Report, Organisation for Economic Co-operation and Development (Paris) 20 December 2012. Date of Access: 26 January 2013.

<http://www.oecd.org/daf/briberyininternationalbusiness/UnitedStatesPhase3WrittenFollowUpReportEN.pdf>

¹³⁰⁰ Treasury and IRS Issue Final Regulations to Combat Offshore Tax Evasion, United States Department of the Treasury (Washington) 17 January 2013. Date of Access: 14 February 2013.

<http://www.treasury.gov/press-center/press-releases/Pages/tg1825.aspx>.

¹³⁰¹ Treasury and IRS Issue Final Regulations to Combat Offshore Tax Evasion, United States Department of the Treasury (Washington, D.C.) 17 January 2013. Date of Access: 14 February 2013.

<http://www.treasury.gov/press-center/press-releases/Pages/tg1825.aspx>.

¹³⁰² Treasury eases off on bank rules, Wall Street Journal (New York) 8 February 2013. Date of Access: 14 February 2013.

<http://online.wsj.com/article/SB10001424127887324906004578292143699201924.html>.

¹³⁰³ First Meeting of the U.S. Extractive Industries Transparency Initiative (USEITI) Advisory Committee, United States Department of State (Washington, D.C.) 13 February 2013. Date of Access: 14 February 2013. <http://www.state.gov/r/pa/prs/ps/2013/02/204578.htm>.

accountability of natural resource revenue reporting, and build public trust for the governance of these vital activities.¹³⁰⁴

On 25 February 2013, the United States released its updated report, Steps Taken by the United States to Implement and Enforce the OECD Anti-Bribery Convention. The report summarizes the 117 Foreign Corrupt Practices Act Enforcement Actions taken by the United States.¹³⁰⁵

On 6 March 2013, Federal Reserve Governor Jerome Powell stated that the central bank “places great importance” on fighting money laundering and terrorist financing.¹³⁰⁶ In his remarks to the United States Senate Banking Committee, he noted that the Federal Reserve is committed to working cooperatively with law enforcement and financial regulators to ensure a coordinated response to the threat of illicit financing and ensuring financial institutions comply with the Bank Secrecy Act and American economic sanctions.¹³⁰⁷

Since March 2010, the United States has enacted provisions of the Foreign Account Tax Compliance Act (FATCA), which introduces reporting requirements for foreign financial institutions (FFIs) with respect to certain accounts. The Treasury Department is engaged with more than seventy-five jurisdictions to develop bilateral agreements to ensure implementation of FATCA.¹³⁰⁸

The United States participated in the Fourth Session of the Implementation Review Group held on 27-31 May 2013 in Vienna.¹³⁰⁹

In June 2013, the United States and Switzerland signed an Interpretation Agreement providing a framework for cooperation to ensure the implementation of FATCA by financial institutions located in Switzerland.¹³¹⁰ Provisions under this framework include obligations of Swiss financial

¹³⁰⁴ U.S. Extractive Industries Transparency Initiative Advisory Committee First Meeting, United States Department of the Interior (Washington, D.C.) 29 January 2013. Date of Access: 14 February 2013. <http://www.doi.gov/news/doinews/us-extractive-industries-transparency-initiative-advisory-committee-first-meeting.cfm>.

¹³⁰⁵ Steps Taken by the United States to Implement and Enforce the OECD Anti-Bribery Convention, U.S. Department of Justice (Washington, D.C.) 25 February 2013. Date of Access 29 June 2013. <http://www.justice.gov/criminal/fraud/fcpa/docs/2013-02-25-steps-taken-oecd-anti-bribery-convention.pdf>.

¹³⁰⁶ Powell Sees “Great Importance” in Fighting Terrorist Financing, Bloomberg (New York) 6 March 2013. Date of Access: 1 July 2013. <http://www.bloomberg.com/news/2013-03-06/powell-sees-great-importance-in-fighting-terrorist-financing.html>.

¹³⁰⁷ Powell Sees “Great Importance” in Fighting Terrorist Financing, Bloomberg (New York) 6 March 2013. Date of Access: 1 July 2013. <http://www.bloomberg.com/news/2013-03-06/powell-sees-great-importance-in-fighting-terrorist-financing.html>.

¹³⁰⁸ An Update on FATCA: Momentum Building Worldwide, United States Department of the Treasury (Washington, D.C.) 9 April 2013. Date of Access: 1 July 2013. <http://www.treasury.gov/connect/blog/Pages/An-Update-on-FATCA-Momentum-Building-Worldwide.aspx>.

¹³⁰⁹ Final List of Participants, Implementation Review Group United Nations Office on Drugs and Crime (Vienna) 27-31 May 2013. Date of Access: 28 June 2013. http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/27-31May2013/Final_list_of_participants.pdf.

¹³¹⁰ Joint Statement from the United States and Switzerland Regarding a Framework for Cooperation to Facilitate the Implementation of FATCA, United States Department of the Treasury (Washington, D.C.) 28 May 2013. Date of Access: 1 July 2013.

institutions and confirm the simplified self-declaration process for “exempt Swiss beneficial owners” under the FATCA agreement to combat tax evasion.

On 3-7 June 2013, the United States Department of Justice organized the West Africa Regional Anti-Corruption Workshop in conjunction with the United States Department of State. In attendance were Benin, Burkina Faso, Niger, Togo, and Senegal, all of which received technical training to become better equipped in their ability to investigate and prosecute public corruption offences.¹³¹¹

On 14 June 2013, the United States Department of State announced a series of partnerships with Burkina Faso¹³¹², Guinea¹³¹³, and Myanmar¹³¹⁴. The goal of these partnerships is to improve the availability of information and transparency regarding the sale of extractives through land transactions, to improve governance in handling significant mineral resources.

The United States has been continuously working towards the full implementation of the UNCAC and remained engaged in the work of the OECD Working Group on Bribery. Thus the United States has been awarded a score of 0.

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European Union: 0

The European Union has partially complied with its commitment on crime and corruption, by ratifying and partially implementing the United Nations Convention against Corruption (UNCAC) and by getting actively engaged with the Organisation for Economic Co-operation and Development (OECD) Working Group on Bribery.

The European Union signed the UNCAC on 15 September 2005 and approved it on 12 November 2008.¹³¹⁵ As of 20 November 2012, the European Union has not ratified the OECD Anti-Bribery Convention.¹³¹⁶

<http://www.treasury.gov/press-center/press-releases/Documents/FATCA%20Joint%20Statement%20US-Switzerland.pdf>.

¹³¹¹ U.S. Government hosts regional anti-corruption workshop, Embassy of the United States Benin (Cotonou) 7 June 2013. Date of Access: 29 June 2013.

<http://allafrica.com/stories/201306121558.html>.

¹³¹² Land Transparency Partnership Announced Between U.S. and Burkina Faso, U.S. Department of State (Washington, D.C.) 14 June 2013. Date of Access: June 29 2013.

<http://www.state.gov/r/pa/prs/ps/2013/06/210687.htm>.

¹³¹³ Extractives Industries Transparency Partnership Between the United States and Guinea, U.S. Department of State (Washington, D.C.) 14 June 2013. Date of Access: June 29 2013.

<http://www.state.gov/r/pa/prs/ps/2013/06/210675.htm>.

¹³¹⁴ Extractives Industries Transparency Partnership Between the United States and Myanmar, U.S. Department of State (Washington, D.C.) 14 June 2013. Date of Access: June 29 2013.

<http://www.state.gov/r/pa/prs/ps/2013/06/210679.htm>.

¹³¹⁵ UNCAC Signature and Ratification Status as of 24 December 2012, United Nations Office on Drugs and Crime (Vienna) 24 December 2012. Date of Access: 2 January 2013.

<http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>.

¹³¹⁶ OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions: Ratification Status as of 20 November 2012, Organisation for Economic Co-operation and Development (Paris) 20 November 2012. Date of Access: 21 January 2013.

On 18-22 June 2012, the European Union participated in the third session of the Implementation Review Group of the UNCAC in Vienna.¹³¹⁷ The Secretariat of the Conference of the State Parties to the UNCAC released its executive summaries on the process of implementation of the Convention (specifically the legal system, the anti-corruption legal and institutional framework, criminalization and law enforcement, and international cooperation) for two European Union member states, France¹³¹⁸ and Bulgaria.¹³¹⁹ The European Union also attended an analogous session held on 14-16 November 2012¹³²⁰, where the Secretariat released its executive summaries for two more members of the European Union, Estonia¹³²¹ and Lithuania.¹³²²

On 18 July 2012, the European Commission released progress reports on Bulgaria¹³²³ and Romania¹³²⁴ under the Cooperation and Verification Mechanism with semi-annual assessment of fight against corruption in the two countries.¹³²⁵

<http://www.oecd.org/daf/anti-bribery/antibriberyconventionratification.pdf>.

¹³¹⁷ Final List of Participants, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 2 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/FINAL_List_of_Participants.pdf.

¹³¹⁸ Executive Summaries, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session, United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 2 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/V1187226e.pdf>.

¹³¹⁹ Executive Summaries, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session, United Nations Office on Drugs and Crime (Vienna) 22 June 2012. Date of Access: 2 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/18-22June2012/V1187232e.pdf>.

¹³²⁰ Final List of Participants, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session United Nations Office on Drugs and Crime (Vienna) 14-16 November 2012. Date of Access: 2 January 2013.

http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/14-16November2012/Final_List_of_Participants.pdf.

¹³²¹ Executive Summary, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session, United Nations Office on Drugs and Crime (Vienna) 14-16 November 2012. Date of Access: 3 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/ExecutiveSummaries/V1255516e.pdf>.

¹³²² Executive Summary, Conference of the State of Parties to the United Nations Convention against Corruption Implementation Review Group Third Session, United Nations Office on Drugs and Crime (Vienna) 14-16 November 2012. Date of Access: 3 January 2013.

<http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/ImplementationReviewGroup/ExecutiveSummaries/V1255483e.pdf>.

¹³²³ Report from the Commission to the European Parliament and the Council: On Progress in Bulgaria under the Cooperation and Verification Mechanism, European Commission (Brussels) 18 July 2012. Date of Access: 3 January 2013.

http://ec.europa.eu/cvm/docs/com_2012_411_en.pdf.

¹³²⁴ Report from the Commission to the European Parliament and the Council: On Progress in Romania under the Cooperation and Verification Mechanism, European Commission (Brussels) 18 July 2012. Date of Access: 3 January 2013.

http://ec.europa.eu/cvm/docs/com_2012_410_en.pdf.

On 4 December 2012, the Council of the European Union approved an agreement with the European Parliament on the reform of the European Anti-Fraud Office (OLAF)¹³²⁶, an anti-fraud body charged with combating fraud and corruption in the European Union.¹³²⁷ The reform aims “to increase the efficiency of OLAF’s investigation, to strengthen cooperation between the office and the competent authorities of the member states and third countries, and to increase OLAF’s accountability.”¹³²⁸

On 10-11 December 2012, the Anti-Corruption Network (ACN)¹³²⁹ High Level Meeting and the 14th Steering Group took place in Paris¹³³⁰ with the participation of the top anti-corruption decision-makers from Eastern European countries and Central Asia, members of the OECD Working Group on Bribery and representatives of international organizations, civil society and business. The participants discussed issues regarding: (1) robust anti-corruption policies, (2) legislation against corruption and law-enforcement, (3) the prevention of corruption in public administration, and (4) the engagement of the private sector in a dialogue to prevent corruption.¹³³¹

On 31 January 2013, the European Network of Transmission System Operators for Electricity (ENTSO-E) will hold a Public Stakeholder Workshop as part of the development of the future transparency platform, which includes transparency regulation, obligations for data providers and ENTSO-E.¹³³²

¹³²⁵ Mechanism for Cooperation and Verification for Bulgaria and Romania, European Commission (Brussels) 19 July 2012. Date of Access: 3 January 2013.

http://ec.europa.eu/cvm/progress_reports_en.htm.

¹³²⁶ Amended Proposal for a Regulation of the European Parliament and of the Council Amending Regulation (EC) No 1073/1999 Concerning Investigations Conducted by the European Anti-fraud Office (OLAF) and Repealing Regulation (EURATOM) No 1074/1999 (first reading), Council of the European Union (Brussels) 20 July 2012. Date of Access: 2 January 2013.

<http://register.consilium.europa.eu/pdf/en/12/st12/st12735-ad01.en12.pdf>.

¹³²⁷ What We Do, European Commission: European Anti-Fraud Office (Brussels) 5 December 2012. Date of Access: 2 January 2013.

http://ec.europa.eu/anti_fraud/about-us/mission/index_en.htm.

¹³²⁸ Council Approves Reform of the European Anti-Fraud Office, Council of the European Union (Brussels) 4 December 2012. Date of Access: 3 January 2013.

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ecofin/134002.pdf.

¹³²⁹ The ACN is a regional outreach programme of the OECD Working Group on Bribery with a mandate to support its member states in their efforts to prevent and fight corruption.

Anti-Corruption Network for Eastern Europe and Central Asia, Organization for Economic Co-operation and Development (Paris) Date of Access: 4 January 2013.

<http://www.oecd.org/corruption/acn/aboutthenetwork/>.

¹³³⁰ 2012 Anti-Corruption Network High Level Meeting and 14th Steering Group Meeting, Organization for Economic Co-operation and Development (Paris) 10-11 December 2012. Date of Access: 4 January 2013.

<http://www.oecd.org/corruption/acn/2012anti-corruptionnetworkhighlevelmeetingandsteeringgroupmeeting.htm>.

¹³³¹ Reinforcing Political Will to Fight Corruption in Eastern Europe and Central Asia, High-Level Meeting, Organization for Economic Co-operation and Development (Paris) 10 December 2012. Date of Access: 14 January 2013.

<http://www.oecd.org/corruption/acn/HLMeetingDec2012ENG.pdf>.

¹³³² European Network of Transmission System Operators for Electricity (Brussels) Date of Access: 14 January 2013.

<https://www.entsoe.eu/news-events/events/public-transparency-stakeholder-workshop/>.

On 18 December 2012, the Internal Market and Consumer Protection Committee adopted a legislation proposed by the European Parliament and the Council of Europe on public procurement.¹³³³ According to the new legislation, sub-contracting will become more transparent whereby the responsibilities of the main contractor will be more clearly defined, thus reducing the risk of abuse.¹³³⁴

On 8 January 2013, the OECD Working Group on Bribery presented reports on the implementation and application of the OECD Anti-Bribery Convention in three European Union member states, Austria¹³³⁵, the Netherlands¹³³⁶, and Spain¹³³⁷. In Austria, the Working Group on Bribery reported on the “picking up” of enforcement of the foreign bribery legislation.¹³³⁸ The Netherlands’ ability and proactivity in investigating and prosecuting the crime of foreign bribery have been heavily criticized and brought into question.¹³³⁹ The Working Group on Bribery found Spain’s enforcement of its foreign bribery regulations “extremely low” and called for strengthening of the existing legal framework and “vigorous pursuing” of foreign bribery allegations.¹³⁴⁰

In January 2013, the European Food Safety Agency (EFSA) announced its initiative to “facilitate access to data and enhance transparency” after coming under constant attack about conflicts of

¹³³³ Towards Greener and More Responsible Public Procurement, European Parliament News (Brussels) 18 December 2012. Date of Access: 14 January 2013.

<http://www.europarl.europa.eu/news/en/pressroom/content/20121214IPR04658/html/Towards-greener-and-more-responsible-public-procurement>.

¹³³⁴ New rules for public procurement: EP Internal Market Committee proposes clear line. Frank Engel MEP and Andreas Schwab MEP, EPP Group in the European Parliament (Brussels) 18 December 2012. Date of Access: 14 January 2013.

<http://www.eppgroup.eu/press/showpr.asp?prcontroldoctypeid=1&prcontrolid=11615&prcontentid=19307&prcontentlg=en>.

¹³³⁵ Phase Three Report on Implementing the OECD Anti-Bribery Convention in Austria, Organisation for Economic Co-operation and Development (Paris) 14 December 2012. Date of Access: 26 January 2013.

<http://www.oecd.org/daf/briberyininternationalbusiness/AustriaPhase3ReportEn.pdf>.

¹³³⁶ Phase Three Report on Implementing the OECD Anti-Bribery Convention in the Netherlands, Organisation for Economic Co-operation and Development (Paris) 14 December 2012. Date of Access: 26 January 2013.

<http://www.oecd.org/daf/briberyininternationalbusiness/NetherlandsPhase3ReportEn.pdf>.

¹³³⁷ Phase Three Report on Implementing the OECD Anti-Bribery Convention in Spain, Organisation for Economic Co-operation and Development (Paris) 14 December 2012. Date of Access: 26 January 2013.

<http://www.oecd.org/daf/briberyininternationalbusiness/SpainPhase3ReportEn.pdf>.

¹³³⁸ Austria’s enforcement of foreign bribery laws far too weak, but could pick up soon says OECD, Organisation for Economic Co-operation and Development (Paris) 14 December 2012. Date of Access: 26 January 2013.

<http://www.oecd.org/daf/briberyininternationalbusiness/austriasenforcementofforeignbriberylawsfartooweakbutcouldpickupsoonsaysoced.htm>.

¹³³⁹ Netherlands must significantly step up its foreign bribery enforcement, says OECD, Organisation for Economic Co-operation and Development (Paris) 14 December 2012. Date of Access: 26 January 2013.

<http://www.oecd.org/daf/briberyininternationalbusiness/netherlandsmustsignificantlystepupitsforeignbriberyenforcementsaysoced.htm>.

¹³⁴⁰ OECD seriously concerned by absence of foreign bribery convictions in Spain, Organisation for Economic Co-operation and Development (Paris) 14 December 2012. Date of Access: 26 January 2013.

<http://www.oecd.org/daf/briberyininternationalbusiness/oecdseriouslyconcernedbyabsenceofforeignbriberyconvictionsinspain.htm>.

interests impacting its operation.¹³⁴¹ As EFSA Executive Director Catherine Geslain-Laneelle stated, “the transparency initiative builds on a range of measures already undertaken by EFSA to increase understanding, strengthen scrutiny and build confidence in its work.”¹³⁴²

On 24 January 2013, the Internal Market Committee of the European Parliament approved European Union public procurement rules on concession contracts. According to Parliament’s rapporteur Phillipe Juvin, “[this] text establishes clear, pragmatic, and efficient rules at EU level and makes available additional tools to help public authorities develop and modernise public services [...]”¹³⁴³

On 24- 25 January 2013, the European Union funded project “EU Support to Law Enforcement” took place in Sarajevo, with a focus on the Implementation Review of the UNCAC by Bosnia and Herzegovina (BiH).¹³⁴⁴ During the workshop, Austrian experts shared their knowledge and experiences with their colleagues from BiH. Recommendations that resulted from the project will also be used for capacity building in order to enhance the effectiveness of the UNCAC’s implementation.¹³⁴⁵

On 5 February 2013, the European Commission adopted two proposals for the enhancement of the European anti-money laundering legislative framework: (1) a directive on the prevention of using the financial system for money laundering and terrorism financing (ML/TF)¹³⁴⁶ and (2) a regulation on information accompanying fund transfers to secure “due traceability” of the former.¹³⁴⁷ Both proposals focus on a more risk-based approach taking into account the latest

¹³⁴¹ EFSA Announces New Proposals Designed to Boost Transparency, The Parliament.com (Brussels) 17 January 2013. Date of Access: 11 February 2013.
<http://www.theparliament.com/latest-news/article/newsarticle/efsa-announces-new-proposals-designed-to-boost-transparency/>.

¹³⁴² EFSA Announces New Proposals Designed to Boost Transparency, The Parliament.com (Brussels) 17 January 2013. Date of Access: 11 February 2013.
<http://www.theparliament.com/latest-news/article/newsarticle/efsa-announces-new-proposals-designed-to-boost-transparency/>.

¹³⁴³ EU Public Procurement Concession Plans Approved by MEPs, New Europe (Brussels) 25 January 2013. Date of Access: 11 February 2013.
<http://www.neweurope.eu/article/eu-public-procurement-concession-plans-approved-meps>.

¹³⁴⁴ EU Support to Law Enforcement in Bosnia and Herzegovina, Federal Ministry of the Interior (Vienna) 25 January 2013. Date of Access: 12 February 2013.
http://www.lawenforcement-bih.eu/index.php?option=com_content&view=article&id=51:januar-25-2013-press-release-un-convention-against-corruption-uncac-workshop&catid=13&Itemid=180&lang=en.

¹³⁴⁵ EU Support to Law Enforcement in Bosnia and Herzegovina, Federal Ministry of the Interior (Vienna) 25 January 2013. Date of Access: 12 February 2013.
http://www.lawenforcement-bih.eu/index.php?option=com_content&view=article&id=51:januar-25-2013-press-release-un-convention-against-corruption-uncac-workshop&catid=13&Itemid=180&lang=en.

¹³⁴⁶ Proposal for a Directive of the European Parliament and of the Council on the Prevention of the Use of the Financial System for the Purpose of Money Laundering and Terrorist Financing, European Commission (Strasbourg) 5 February 2013. Date of Access: 12 February 2013.
http://ec.europa.eu/internal_market/company/docs/financial-crime/130205_proposal-directive-money-laundering_en.pdf.

¹³⁴⁷ Anti-Money Laundering: Stronger Rules to Respond to New Threats, European Commission (Brussels) 5 February 2013. Date of Access: 12 February 2013.
http://europa.eu/rapid/press-release_IP-13-87_en.htm.

FATF recommendations¹³⁴⁸ and promoting higher standards regarding anti-money laundering and terrorism financing: (1) more clear and consistent rules across Member States; (2) a clear mechanism to identify beneficial owners as well as record keeping by companies identifying those who stand behind the company; (3) improvement of customer due diligence through simplified procedures; (4) expanded provisions in regards to domestic politically exposed persons; (5) extended scope of threats and vulnerabilities; (6) the inclusion of the gambling sector with an explicit reference to tax crimes; (7) extending the FATF scope to all persons dealing in goods or services for cash payments of EUR7.5 thousand or more; and (8) strengthening cooperation among national Financial Intelligence Units (FIUs) for the dissemination of information regarding ML/TF.¹³⁴⁹

On 5 February 2013, the European Union also proposed a Directive of battling counterfeit euro currency. Advocated by Vice-President Viviane Reding, Vice-President Olli Rehn, and Commissioner for Taxation, Customs, Audit and Anti-Fraud Algirdas Šemeta, this directive requires the Member States to develop tools for investigating and combating currency counterfeiting, on par with fighting any other serious crime.¹³⁵⁰

On 18 March 2013, the European Union announced a new project in West Africa that will contribute to the fight against money laundering in Ghana, Nigeria, Senegal and Cape Verde.¹³⁵¹ EU Development Commissioner Andris Piebalgs stated: “[With] this new project, we will provide training, technical support — to establish electronic databases or secure e-mail for instance — to law enforcement agencies and foster cross-border exchanges among the public authorities.”¹³⁵² The project is worth EUR1.8 million and is funded under the Instrument for Stability and the Cocaine Route Program.¹³⁵³

On 9 April 2013, the European Commission announced a proposed Directive on disclosure requirements for the extractive and forestry industries.¹³⁵⁴ Commissioner Barnier stated, the position “will bring in a new era of transparency to an industry which is far too often shrouded in

¹³⁴⁸ European Commission report on the application of the Third Anti-Money Laundering Directive, European Commission (Brussels) 11 April 2012. Date of Access: 12 February 2013.

http://europa.eu/rapid/press-release_MEMO-12-246_en.htm?locale=en.

¹³⁴⁹ Anti-Money Laundering: Stronger Rules to Respond to New Threats, European Commission (Brussels) 5 February 2013. Date of Access: 12 February 2013.

http://europa.eu/rapid/press-release_IP-13-87_en.htm.

¹³⁵⁰ European Commission strengthens the protection of the euro by means of criminal law, European Union (Strasbourg) 5 February 2013. Date of Access: 7 February 2013.

http://europa.eu/rapid/press-release_IP-13-88_en.htm.

¹³⁵¹ The EU steps up its response to fight money laundering and drug trafficking in West Africa, European Commission (Brussels) 18 March 2013. Date of Access: 1 July 2013.

http://europa.eu/rapid/press-release_IP-13-230_en.htm.

¹³⁵² The EU steps up its response to fight money laundering and drug trafficking in West Africa, European Commission (Brussels) 18 March 2013. Date of Access: 1 July 2013.

http://europa.eu/rapid/press-release_IP-13-230_en.htm.

¹³⁵³ The EU steps up its response to fight money laundering and drug trafficking in West Africa, European Commission (Brussels) 18 March 2013. Date of Access: 1 July 2013.

http://europa.eu/rapid/press-release_IP-13-230_en.htm.

¹³⁵⁴ Statement by Commissioner Michel Barnier welcoming the agreement reached on disclosure requirements for the extractive industry and loggers of primary forests and on simpler accounting requirements for small companies, European Commission (Brussels) 9 April 2013. Date of Access: 1 July 2013.

http://europa.eu/rapid/press-release_MEMO-13-323_en.htm?locale=en.

secrecy and help fight tax evasion and corruption as well as create the framework so both companies and governments can be held to account on the use of revenues from natural resources.”¹³⁵⁵

On 22 May 2013, EU leaders agreed that the automatic exchange of tax information for large companies, a key measure for the prevention of tax evasion, will come into effect by the end of 2013.¹³⁵⁶ On 21 May 2013, EU Tax Commissioner Algirdas Semeta announced the establishment of a tax governance platform for monitoring national policies combating tax evasion.¹³⁵⁷

On 12 June 2013, European Parliament voted the new Accounting and Transparency Directives. Commissioner Barnier said: “We have created a framework where businesses and governments must disclose revenues from natural resources. This framework will also contribute to the fight against tax fraud and corruption.”¹³⁵⁸ The rules will take effect in 2015, and will apply to all listed and large unlisted companies registered in the European Union without exemption.

The European Union has ratified and is steadily moving towards the full implementation of the UNCAC. The European Union also remains engaged with the OECD Working Group on Bribery. Thus, the European Union is awarded a score of 0.

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¹³⁵⁵ Statement by Commissioner Michel Barnier welcoming the agreement reached on disclosure requirements for the extractive industry and loggers of primary forests and on simpler accounting requirements for small companies, European Commission (Brussels) 9 April 2013. Date of Access: 1 July 2013.

http://europa.eu/rapid/press-release_MEMO-13-323_en.htm?locale=en.

¹³⁵⁶ EU Leaders See "Momentum" to Tackle Tax Evasion, Fraud, Wall Street Journal (New York) 22 May 2013. Date of Access: 1 July 2013.

<http://online.wsj.com/article/BT-CO-20130522-710626.html>.

¹³⁵⁷ EU seeks quick deal on tax transparency, Euobserver (Brussels) 25 April 2013. Date of Access: 1 July 2013. <http://euobserver.com/economic/119943>.

¹³⁵⁸ Commissioner Barnier Welcomes European Parliament Vote On The Accounting And Transparency Directives, European Commission (Brussels) 12 June 2013. Date of Access: 1 July 2013.

http://ec.europa.eu/commission_2010-2014/barnier/headlines/speeches/2013/06/20130612_en.htm.