



Student Guide

Global Corruption, Good Governance and the United Nations Convention against Corruption



A Model Multi-Disciplinary Syllabus for All Students and University Departments from the United Nations Office on Drugs and Crime (2013)

Course Overview: Modules 1 -14

Course Name:	Global Corruption, Good Governance and the UNCAC	Credits:	2 to 5 credit (per semester) or non-credit certificate
Method:	Seminar or Course: Face-to-Face/Paper or On-Line/Blackboard Optional	Hours:	2 to 5 hours (weekly) or 1 week seminar (25 hours)
Assessment:	Class and on-line participation, reading assignments, real case studies, research papers, videos, documentaries, on-line games & quizzes	Duration:	14 weeks (optional) or 1 week seminar
Professor/Lecturer:	University Full-time or Adjunct Professors and Guest Speakers	Period:	Spring/Summer/Fall
Office Hours:	By appointment/on-line/e-mail/Skype	Prerequisites:	All students

Course Purpose and Scope

Purpose

The purpose of this course is to give students a strong understanding of the United Nations Convention against Corruption (UNCAC) and to explore how, as the only global, comprehensive and legally binding anti-corruption instrument in the world, it can act as framework for the international fight against corruption. Due to its global and comprehensive nature, the UNCAC provides an excellent framework for analyzing the issue of corruption from an international and holistic perspective.

The course will give students a snapshot of the emerging anti-corruption legal and governance landscape for the purpose of analyzing the forms, causes, cost, risks and prevention and law enforcement remedies associated with the global phenomenon of corruption. In doing so, it also aims to spark discussion, debate and more academic and applied research in the field of anti-corruption studies.

The United Nations Convention Against Corruption has now been ratified by 165 countries and counting, reflecting that there is now an international consensus both that preventing and addressing corruption is a high global priority and in relation to the type and range of measures that must be taken by various stakeholders in order to achieve this. At its core, the Convention promotes key transparency and accountability principles that are of equal importance to both the public and private sectors and civil society.

Scope

The scope of this course, reflecting the comprehensive nature of the UNCAC, includes all key fronts in the fight against corruption including; Prevention, Criminalization, International Cooperation and Asset Recovery.

Emphasis is placed at the beginning of the course on the preventive and good governance measures that both public and private sector bodies can put in place in order to reduce the risk of corruption taking place. The course then moves on to address the key corruption offences criminalized under the UNCAC, asking students to consider how national governments with different political and legal systems can implement the requirements of the Convention in this regard.

Having assessed the domestic preventive and criminalization steps that are required to effectively combat corruption, students will then consider how cooperation at both a national and international level can play a crucial role in the detection and punishment of corrupt acts. Finally, students will consider the relatively new field of asset recovery and the role it can play in returning the proceeds of corruption back to its rightful owners.

Multiple goals - multiple stakeholders - multiple jurisdictions.

Course Design

This template, adaptable curriculum is designed for university students studying varied disciplines, but it can also be easily adapted and used by key stakeholders in

and Description both the public and private sectors and civil society organizations. The course attempts to fill a serious education and training gap by merging the world of anti-corruption theory with the real world experience of anti-corruption practice, as seen through the collective eyes of different stakeholders in diverse country settings. Special emphasis is placed on analyzing these issues through the eyes of developing and emerging markets and democracies around the world.

Course emphasis and course definitions.

Students will learn to how to identify and concretely analyze the new risks and higher costs of both public and private sector corruption and how to use the UNCAC as a framework for fighting corruption and promoting the rule of law and good governance principles. For the purposes of this course “corruption” will include those criminal laws mandated or recommended in the United Nations Convention Against Corruption (UNCAC).

While the course includes a summary overview of all eight UNCAC chapters, primary emphasis is placed on the Convention’s mandated criminal laws, preventive and good governance provisions, and its international law enforcement cooperation and asset recovery provisions. The substance of these chapters will be considered in the context of both the public and private sectors.

Each module has both “required” and “recommended” readings. The required readings have been selected to provide students and stakeholders a foundational understanding of the key substantive areas of the UNCAC from the least to the most developed country. The recommended readings delve into key the issues more deeply or explore related additional topics.

Both the required and recommended readings are developed so that the themes and issues covered within each module are discussed within public and private sector comparative context, helping students to link and consider the actual implementation of a common set of anti-corruption values and best practices across both sectors.

Attendance and Participation Rules (xx Points)

Course Requirements

Student participation and engagement are critical for meeting this course’s objectives. Each week students are encouraged to actively engage with classroom colleagues either in class or through an on-line discussion board, or both, depending on the teaching method chosen by the institution teaching this course.

Required Course Text, Core Readings and Key

Students will greatly benefit at the beginning of this course if they take the time to summarily review some of the core reading materials and publications noted below. They should also begin to follow and research media stories of particular interest to them. Beginning each class with a new or updated corruption story/case is often one of the best ways to engage on a concrete set of issues.

Reference

Materials:

The core publications that will be referenced in and needed for virtually all of the modules are:

(i) *The United Nations Convention Against Corruption.*

UNODC. (2004). *United Nations Convention against Corruption*. Vienna, Switzerland: United Nations Office on Drugs & Crime. Retrieved December 11, 2012 from http://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf.

(ii) *The UNODC Legislative Guide for the Implementation of the UNCAC*

UNODC. *Legislative Guide for the Implementation of the UNCAC (2006)*. New York, NY: United Nations. Retrieved December 10, 2012 from http://www.unodc.org/documents/treaties/UNCAC/Publications/LegislativeGuide/06-53440_Ebook.pdf.

(iii) *The Many Faces of Corruption*

The Many Faces of Corruption, by J. Campos & S. Pradhan, <http://www.u4.no/recommended-reading/the-many-faces-of-corruption-tracking-vulnerabilities-at-the-sector-level/>.

The United Nations Convention against Corruption will be the core document used by students throughout the course. In light of its comprehensive scope, students will use it to explore the full range of measures required at a national and international level in order to address the issue of corruption. In most modules, reference will also be made to the Legislative Guide for the Implementation of the Convention which provides further detail and explanation on the provisions of the Convention.

The publication from Campos & Pradhan provides a good overview of the issue of corruption including sectoral analyses and a wide range of case studies and best practices tools. oth students and professors should also become familiar, at the beginning of the course, with the Required Readings listed immediately below. They will also be covered in more detail in individual modules.

Students are encouraged to do their own independent research, particularly as it relates to a specific sector, state and current events. Part of the student's learning experience is to learn how to undertake research and analysis, including how to analyze provisions of international conventions that are supplemented with guidance, like the UNODC Legislative Guide.

Almost all of these books, articles or treaties can all be accessed on-line, with the exception of a number of academic and scholarly articles (See the citations for each in the UNCAC Bibliography for this course).

UNODC. *Technical Guide to the United Nations Convention against Corruption*. (2009). Vienna: United Nations Office on Drugs and Crime. Retrieved December 10, 2012 from

http://www.unodc.org/documents/corruption/Technical_Guide_UNCAC.pdf.

Black Money (The BAE case -- 2009). PBS Frontline Documentary (watch the whole movie) <http://www.pbs.org/wgbh/pages/frontline/blackmoney/view/>

Doing Business 2012, an annual global report monitoring and reporting country progress on making the regulatory process more efficient, archives are available (<http://doingbusiness.org/reports/global-reports/doing-business-2013>).

J. Campos & S. Pradhan. *The Many Faces of Corruption: Tracking Vulnerabilities at the Sector Level*. Washington, DC: The International Bank for Reconstruction and Development / The World Bank. Retrieved December 15, 2012 from <http://www.u4.no/recommended-reading/the-many-faces-of-corruption-tracking-vulnerabilities-at-the-sector-level/>.

Mungiu-Pippidi, A. (2011). *Contextual Choices in Fighting Corruption: Lessons Learned*. Berlin, Oslo, Norway: NORAD – Norwegian Agency for Development Cooperation. Retrieved December, 15, 2012 from <http://www.norad.no/en/tools-and-publications/publications/evaluations/publication?key=383808>.

Nicholls, C., Daniel, T., Bacarese, A., and Hatchard, J. (2011). *Corruption and Misuse of Public Office* (2nd ed.). New York: Oxford University Press. Available for purchase from <http://ukcatalogue.oup.com/product/9780199577279.do#.UUqQMLWe58E>.

Rose-Ackerman, S. (1999). *Corruption and Government: Causes, Consequences and Reforms*. New York: Cambridge University Press.

Transparency International. (2007). *Global Corruption Report 2007: Corruption in Judicial Systems*. Cambridge: Cambridge University Press. Retrieved December 15, 2012 from http://www.transparency.org/whatwedo/pub/global_corruption_report_2007_corruption_and_judicial_systems.

U.S. Foreign Corrupt Practices Act of 1977 (Pub. L. 95-213, 91 Stat. 1494). Retrieved December 10, 2012 from <http://www.justice.gov/criminal/fraud/fcpa/statutes/regulations.html>.

Recommended Readings & Academic/Scholarly Articles

The following books and resources are for students to select from depending on interest and time. If you do not have the time to read them during the course itself save these titles to expand your knowledge base later. These books are all worth reading and can be purchased on-line (note that some may be down-loadable for free and that some are available in various languages):

- ADB. (2000). *ADB/OECD Anti-Corruption Initiative for Asia and the Pacific*. Retrieved December 10, 2012 from http://www.oecd-ilibrary.org/governance/adb-oecd-anti-corruption-initiative-for-asia-and-the-pacific_20743440.
- African Union. (2003). *The African Union Convention on Preventing & Controlling Corruption*. Retrieved December 15, 2012 from http://www.africanunion.org/official_documents/Treaties_%20Conventions_%20Protocols/Convention%20on%20Combating%20Corruption.pdf.
- Cheng, C. & Zaum, D. (2011). *Corruption and Post-Conflict Peacebuilding: Selling the Peace?*. New York: Routledge.
- Collier, P. (2007). *The Bottom Billion*. New York: Oxford University Press.
- Council of Europe. (1999). *The CoE Convention Against Corruption*. Retrieved December 15, 2012 from <http://conventions.coe.int/Treaty/en/Treaties/Html/173.htm>.
- De Soto, H. (2000). *The Mystery of Capital*. New York: Basic Books.
- Gounev, P. & Ruggiero, V. (2012). *Corruption and Organized Crime in Europe*. New York: Routledge. Available for purchase from <http://www.routledge.com/books/details/9780415693622/>.
- Henning, P. & Radek, L. (2011). *The Prosecution and Defense of Public Corruption*. New York: Oxford University Press. Available for purchase from <http://www.oup.com/us/catalog/general/subject/Law/~~/dm1ldz11c2EmY2k9OTc4MDE5NTM3ODQxMg==?view=usa&sf=toc&ci=9780195378412>.
- Herman, A. (2007). *How the Scots Created the Modern World*. New York: Broadway. Available for Purchase from <http://www.amazon.com/How-Scots-Invented-Modern-World/dp/0609809997>.
- Klitgarrd, R. (1991). *Controlling Corruption*. Berkeley, CA: University of California Press. Available for purchase from <http://www.ucpress.edu/book.php?isbn=9780520074088>.
- Ledeneva, A. (2006). *How Russia Really Works: The Informal Practices that Shaped*

Post-Soviet Policy & Business. New York: Cornell University Press (2006).
Available for purchase from
<http://www.cornellpress.cornell.edu/book/?GCOI=80140100059380>.

McClymount, M. & Grubb, S. (1994). *Many Roads to Justice: The Law Related Work of Ford Foundation Grantees Around the World*. New York: Ford Foundation.

Milhaupt, C. & Pistor, K. (2008). *Law and Capitalism, What Corporate Crises Reveal about Legal Systems and Economic Development around the World*. Chicago: University of Chicago Press.

OECD. (2011). Convention on Combating Bribery of Foreign Public Officials in International Transactions. Retrieved December 15, 2012 from
<http://www.oecd.org/investment/briberyininternationalbusiness/anti-briberyconvention/38028044.pdf>.

The OECD Recommendations of the Council for Furthering Combatting Bribery of Foreign Government Officials in International Business Transactions (<http://www.cgu.gov.br/conferenciabrocde/arquivos/English-2009-Recommendation-of-the-Council.pdf>).

Organization of American States. (1996). The Inter-American Human Rights Convention Against Corruption. Retrieved December 15, 2012 from
<http://www.oas.org/juridico/english/treaties/b-58.html>.

Sen, A. (1999). *Development as Freedom*. New York: Knoff.

U.K. Bribery Act (2010). Questions and Answers (UK Serious Fraud Office Guidance). <http://www.sfo.gov.uk/bribery--corruption/the-bribery-act/questions-and-answers.aspx>.

The United Nations Convention against Transnational Organized Crime and the Protocols Thereto (<http://www.unodc.org/unodc/en/treaties/CTOC/index.html>).

Wrage, A., *Bribery and Extortion: Undermining Business, Governments and Security* (2007). Westport, Conn.: Praeger Security International.

WSJ (November 14, 2012). The USDOJ and SEC Finally Release FCPA Resource Guide <http://blogs.wsj.com/law/2012/11/14/fcpa-guidance-is-here/>.

Academic & Scholarly Articles:

Eigen, P. (2002). Measuring and Combating Corruption, *The Journal of Policy*

Reform, 5(4), 187-201.

Heidenheimer, A. and Johnston, M. *Political Corruption: Concepts and Contexts* (2009), 3rd Edition, Retrieved 20 May 2013 from http://books.google.at/books?id=49y50pzjAzAC&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false

McCusker, R. (2006). Review of Anti-Corruption Movements, Mechanisms and machines – An Introduction. *Australian Institute of Criminology, Technical and Background Paper*, No. 23. Retrieved March 20, 2013 from <http://www.aic.gov.au/documents/8/F/1/%7B8F179E8B-B998-4761-84B3-AD311D7D3EA8%7Dtbp023.pdf>.

Moroff, H., Schmidt-Pfister, D. (2010). Anti-Corruption Movements, Mechanisms, and Machines – An Introduction, *Global Crime*, 11(2). Retrieved March 20, 2013 from <http://www.tandfonline.com/action/showCitFormats?doi=10.1080%2F17440571003669118>.

Sampford, C., Shacklock, A., Connors, C., Galtung, F. (eds.). (2006). *Measuring Corruption* (Law, Ethics and Governance Series). Aldershot, England: Ashgate Publishing Limited.

**Course Points
and Grading
Scale – Student
Honors Grading
Policy**

The following table is an example grading scale for this course. The scores for each module quiz are self-graded. Professors should however use whichever grading scale would be appropriate for their institution. Students are required to turn in their overall score (number of questions answered correctly) at the end of the course. There is a student honors policy/system in effect, which means students are expected to record and turn-in accurate and honest scores on all of their quizzes. During the semester, students are encouraged to do their own research but they are allowed and encouraged to discuss the questions and answers with fellow students. As noted below, students for this class operate under an honors code. This means they are expected not to engage in any copying, plagiarism or dishonesty with respect to the quizzes or class paper. Clear evidence of a violation of this class policy will lead to automatic dismissal from the class.

Assignment/Project	Points Value
<i>Attendance and Participation</i>	xx points (professor decides all points for each category)
<i>Blog or Wiki for your Classroom</i>	xx Points
<i>Discussion Board</i>	xx Points
<i>Quizzes</i>	xx Points
<i>Case Studies</i>	xx Points
<i>Final Project</i>	xx Points
<i>Total Points</i>	XXX

Course Grade = %Value

Letter Grade	%
A	100 – 95
A-	94.9 – 90
B+	89.9 – 87
B	86.9 – 84
B-	83.9 – 80

United Nations Convention Against Corruption: New Global Rules of the Road to Promote Transparency and Accountability, Public and Private Sector Good Governance and the Rule of Law

C+	79.9 – 77
C	76.9 – 74
C-	73.9 – 70
D	69 – 60
F	Below 60

<p>Information about the University and the School or Department, Plagiarism and Dishonesty</p>	<p>Help Desk:</p> <p>Plagiarism: Academic Regulations and Dishonesty Policy for this Class</p> <p>Plagiarism is the representation of someone else’s words, ideas, or work as one’s own without attribution. Plagiarism may involve using someone else’s wording without using quotation marks—a distinctive name, a phrase, a sentence, or an entire passage or essay. Misrepresenting sources is another form of plagiarism. The issue of plagiarism applies to any type of work, including exams, papers, or other writing, computer programs, art, music, photography, video, and other media. For purposes of this class, clear evidence of plagiarism related to the required class paper will mean automatic dismissal from this course. Students are encouraged to disclose plagiarism or dishonesty by fellow students to the Professor either anonymously or in person.</p>
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<p>Course Outline</p> <p>Module I</p>	<p>Introduction to the United Nations Convention Against Corruption (UNCAC) and the Inextricably Issues of Corruption, Good Governance and the Rule of Law</p> <p>Chapters 1-8: Summary Overview of Articles 1-71: Strengths and Weaknesses</p> <p>Key Issues/Topics: Overview of the global corruption phenomenon through an UNCAC anti-corruption, good governance, rule of law lens</p> <p>Some of the main topics covered are:</p> <ul style="list-style-type: none"> • Introduction to global corruption, including its basic forms, manifestations and costs (political, socio-economic, legal and cultural) • Brief history of the evolution of the global anti-corruption movement, including key international anti-corruption conventions/treaties, non-governmental organizations and international organizations • UNCAC’s unique legal and institutional framework for addressing and preventing corruption and simultaneously promoting good governance and the rule of law/human rights (A1) • UNCAC’s Purpose, Terms and Scope • Definitions: UNCAC’s terminology and definitions of corruption offenses (A2) • Corruption risks and opportunities for key stakeholders in the public and private sector • UNCAC’s emphasis on engaging all relevant stakeholders in national and international anti-corruption efforts. • UNCAC implementation and enforcement issues <p>Emerging/breaking topics, issues and scandals are openly discussed and debated.</p>
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Module II	<p style="text-align: center;">Prevention: Good Governance and the Rule of Law</p> <p>Chapter 2: Articles 1 - 14 (with emphasis on A6 – 9)</p> <p>Key Issues/Topics: Rule of law; good governance; civil service reform; codes of conduct; conflicts of interest; transparency and accountability.</p> <p>Some of the main issues/topics to be covered include:</p> <ul style="list-style-type: none">• Promoting the key principles of transparency and accountability in public administration.• Considering, as a whole, the wide range of good governance measures that can be taken to reduce corruption in public administration (Arts. 7 – 13)• Promoting civil service reform and integrity (A7, 8)• Promoting the adoption of codes of conduct, ethics disclosure and conflict of interest laws for public officials (A8, 9)• Promoting access to financial disclosure statements made by public officials (Art 8)• Promoting integrity in justice and prosecutorial authorities (Art 11) <p>Emerging/breaking topics, issues and scandals are openly discussed/debated</p>
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Module III	<p>Prevention: Public Participation, Open Government and Education</p> <p>Chapter 2: Article 13 (and related Articles 8 &10)</p> <p>Key Issues/Topics: Open Government Laws and Policies; The Role of Civil Society; Public Monitoring & Reporting</p> <p>Some of the main issues/topics to be covered include:</p> <ul style="list-style-type: none">• Accessing government information/data (A13)• Transparency in the government decision-making process and in public administration, particularly public budgets and expenditures (A8)• Legislating prevention-oriented measures, including access to information laws and policies protecting and promoting corruption reporting and freedom of expression rights (A10)• Promoting public awareness and public education through anti-corruption bodies and through the development of school and university curricula (A 6 & 13)• Seeking, receiving, publishing and disseminating information related to corruption (A13)• Issuing public independent audits and adopting global accounting standards <p>Emerging/breaking topics, issues and scandals are openly discussed/debated</p>
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Module IV	<p style="text-align: center;">Preventing Corruption in the Private Sector</p> <p>Chapter 2: Articles 12, 21, 22, 23, 24, 26, 39 & 40</p> <p>Key Issues/Topics: Bribery of Foreign Government Officials; Criminal Liability for False Financial Disclosure; National and International Law Enforcement Cooperation, Asset Recovery and Money Laundering</p> <p>Some of the main issues/topics to be covered include:</p> <ul style="list-style-type: none">• Adopting global private sector internal accounting and auditing standards and financial disclosure statements (A12)• Adopting codes of conduct and addressing conflict of interest in the private sector (A12)• Requiring transparent corporate legal identities (A12)• Preventing conflicts of interest by regulating the professional activities of former public officials.• Adopting criminal sanctions for bribery, embezzlement, concealment, within the private sector - such as in the private procurement process (A21, 22, 24)• Participating in law enforcement cooperation on a range of corruption issues, including money laundering and bank secrecy (A12, 14, 39 & 40)• Placing requirements on financial institutions to report “suspicious transactions” and money laundering (A23)• Enforcing criminal liability for bribery of foreign government officials and false financial disclosures in international business transactions (A21)• Establishing corporate legal liability for UNCAC criminal, civil or administrative offenses (A26) <p>Emerging/breaking topics, issues and scandals are openly discussed/debated</p>
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Module V	<p>Prevention: Whistleblowing and the role of the Media in Reporting Corruption</p> <p>Chapter 2: Articles 8, 10, 12, 13 (and the UDHR A19)</p> <p>Key Issues/Topics: transparent decision-making; access to information; whistleblowing and anti-corruption reporting protection; civil society participation and justice systems with integrity</p> <p>Some of the main issues/topics include:</p> <ul style="list-style-type: none">• Promoting open and anonymous internal and external whistleblowing (A8, 13)• Promoting incentives for reporting on corruption and whistleblowers, witnesses, experts and victims in the public and private sectors, including protection (A32 & 33 and see reading materials)• Protecting the right to seek, receive, publish and disseminate corruption information (A13 and the UDHR)• Requiring periodic anti-corruption reports on public administration and financial reporting reports from the public and private sectors (A 10)• Linking monitoring and reporting and the rule of law -- fair and effective enforcement of the law (reading materials) <p>Emerging/breaking topics, issues and scandals are openly discussed/debated</p>
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<p>Module VI</p>	<p>Prevention: Corruption in Justice, Prosecutorial and Anti-Corruption Institutions</p> <p>Chapter 2: Article 11 (and related UDHR A10)</p> <p>Key Issues/Topics: judicial and prosecutorial corruption; judicial and prosecutorial independence; law enforcement corruption; anti-corruption authorities corruption; justice sector transparency; justice sector accountability; judicial enforcement; anti-corruption institution/authority corruption; international and national judicial cooperation and human rights</p> <p>[This crosscutting article relates and supports many articles throughout all chapters of the UNCAC, including those related to prevention, law enforcement, cooperation, technical assistance, asset recovery, implementation and universal human rights].</p> <p>Some of the main issues/topics to be covered include:</p> <ul style="list-style-type: none"> • Measuring the scope and nature of justice and prosecutorial sector corruption from both an UNCAC implementation and rule of law perspective (A11&UDHR A10) • Linking judicial integrity and independence as promoted by the UNCAC with fair, effective and efficient enforcement of universal human rights in the UDHR (A11 & UDHR A10) • Linking human rights prevention and fair and effective enforcement and corruption within the justice sector (courts) (A11 & UDHR A10) • Consider the relevance of UNCAC’s corruption prevention and criminal law mandates to the prevention of corruption in law enforcement and anti-corruption authorities (including the police and the ministries of justice and security) (A11 & A5-65 and UDHRA10) • Addressing justice and prosecutorial corruption through international cooperation and asset recovery, as mandated by the UNCAC (A11 & 46-63) • Linking to the UNCAC and UDHR mandates on the independence of judicial, law enforcement and anti-corruption authorities with the prevention of justice sector corruption (A6 & 11&UDHR A10) <p>Emerging/breaking topics/issues/scandals are openly discussed/debated</p>
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Module VII	<p style="text-align: center;">Prevention: Public Procurement and Financial Management</p> <p>Chapter 2: Articles 5-13 (with emphasis on A9)</p> <p>Key Issues/topics: public and private sector corruption, civil service integrity, transparency, accountability.</p> <p>Some of the main issues/topics to be covered include:</p> <ul style="list-style-type: none">• Mandating transparency in public procurement and financial management processes (A9)• Promoting integrity in the civil service and public officials (A7, 8 & 9))• Promoting accountability and the rule of law in the public procurement and financial management process (A9 and related A6, 9 & 11)• Using technology and E-government to prevent corruption in public procurement and financial management processes (reading materials)• Calculating the cost of public procurement corruption to governments, businesses, society and citizens (reading materials)• Using methodologies to analyze corruption and its risks within the public procurement process step-by-step through a value chain and the identification of best practices (reading materials)• Promoting civil society and private sector monitoring and reporting and public/private partnerships (A5, 9,10,11&13 and reading materials) <p>Emerging/breaking topics, issues and scandals openly discussed/debated</p>
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Module VIII	<p style="text-align: center;">Prevention: Money Laundering</p> <p style="text-align: center;">Chapters 2 and 3: Articles 14, 15, 16, 23, 37, 40, 46, 51, 52 & 58</p> <p>Key Issues/topics: addressing and preventing Money Laundering; money laundering/corruption and criminal predicate offenses and FIU's and suspicious transactions</p> <p>Some of the main issues/topics to be covered include:</p> <ul style="list-style-type: none">• Requiring financial sector institutions to report on “suspicious transactions” -- Internal and External Reporting (A14)• Promoting financial intelligence units (FIUs) (A14 & 58)• Requiring state parties to include a comprehensive range of crimes as predicate offenses to money laundering money (A14 & 23)• Requiring national and international cooperation to prevent and combat money-laundering (A39, 43, 44, 46, 48 and A14)• Requiring cooperation between the law enforcement community and the financial sector• Requiring fair and effective enforcement of money laundering laws and policies by a law enforcement community with integrity (A11) <p>Emerging/breaking topics, issues and scandals openly discussed/debated</p>
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Module IX	<p style="text-align: center;">Key Criminalized Offenses and Enforcement</p> <p style="text-align: center;">Chapter 3: Articles 1-42</p> <p>Key Issues: public sector bribery; private sector bribery; embezzlement; illicit enrichment; justice sector integrity, organized crime and enforcement.</p> <p>Some of the main issues/topics to be covered include:</p> <ul style="list-style-type: none">• Preventing and addressing public and private sector bribery within national and international context (A15, 16, 20)• Explaining the selection and definitions of key criminalized corruption offenses mandated under the UNCAC• Best practices examples of legislative reform enacted by States parties to implement the requirements of the Convention• Calculating and minimizing your legal criminal and civil risks for violating a country's foreign Bribery law (A63)• Preventing and addressing Embezzlement and Illicit Enrichment (A17, 20, 22)• Calculating and minimizing legal criminal and civil risks for Embezzlement and Illicit Enrichment• Linking-up the crimes of Bribery, Embezzlement and Illicit Enrichment with Asset Seizure and Confiscation laws/UNCAC mandates(A31)• Preventing and addressing corruption in the justice sector is key to UNCAC implementation and enforcement success (A11)• Gauging the international scope of and precedents in the US Foreign Corrupt Practices Act (A16) <p>Emerging/breaking topics, issues and scandals openly discussed/debated</p>
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Module X	<p style="text-align: center;">UNCAC Law Enforcement Provisions and Human Rights</p> <p>Chapter 3: Articles 25, 32, 33, 34, 36, 37 & 39 and related Articles 5, 6, 8, 10, 11 & 13 & the UDHR A10 &19)</p> <p>Key Issues: protection for victims, witnesses, reporting persons, whistleblowers, defense lawyers, justice system officials, journalists and bloggers, corruption and organized crime and the fair and effective enforcement of human rights</p> <p>Some of the main issues/topics covered include:</p> <ul style="list-style-type: none">• Exploring the role of specialized anti-corruption authorities in the enforcement of anti-corruption legislation.• Linking human rights related issues, laws, policies and good governance in the UDHR and the UNCAC law enforcement provisions, (A 8, 10, 13, 25, 32, 33)• Linking UNCAC provisions related to the independence of justice and anti-corruption authorities with the effective enforcement of corruption offences. (A5, 6, 11 & 36)• Linking fair and effective enforcement of human rights and the fair and effective implementation of anti-crime/anti-corruption conventions, laws, regulations and policies (A11, 30, 34 & 35) <p>Emerging/breaking topics, issues and scandals openly discussed/debated</p>
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Module XI	<p>Cooperation between National Authorities, Public Officials and the Private Sector</p> <p>Chapters 3 & 4: Articles 38, 39, 40, 42 (and related articles 6, 11, 12 & 13 and UDHR A10)</p> <p>Key Issues: Mutual legal assistance; bank secrecy; national law enforcement and public/private sector cooperation and legal jurisdiction</p> <p>Some of the main issues/topics to be covered include:</p> <ul style="list-style-type: none">• Promoting formal and informal coordination and cooperation between national authorities, law enforcement authorities and public officials and /private sector cooperation -- particularly in the financial system (A39, 48 & 11, 12, 13 & 14)• Establishing legal jurisdiction over UNCAC offenses (A42)• Reporting acts of corruption to the national and international law enforcement community and relevant government authorities safely (A32, 33, 38, 39, 43 & 11)• Scaling bank secrecy walls through enhanced law enforcement cooperation, mutual legal assistance, whistleblowing and information networking (A39, 40, 46, & 11 -13) <p>Emerging/breaking topics, issues and scandals openly discussed/debated</p>
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Module XII	<p style="text-align: center;">International Cooperation and Mutual Legal Assistance</p> <p>Chapter 4: Articles 43 & 46 (and related A44, 46, 47, 48 & 54 & 10 – 13 and UDHR A10)</p> <p>Key Issues: international law enforcement cooperation; extradition; legal basis for mutual legal assistance; dual criminality; private sector cooperation; access to information from law enforcement and international organizations; reporting corruption to the law enforcement community and law enforcement community integrity</p> <p>Some of the main issues/topics to be covered include:</p> <ul style="list-style-type: none">• Requiring international law enforcement cooperation, in relation to mutual legal assistance and extradition. (A14, 43-50 & 54 & 11&13)• Rendering extradition and mutual legal assistance under the UNCAC where no country-to-country treaty exists (A46)• Taking a flexible approach to the requirement of dual criminality as required under the UNCAC (A46)• Requiring formal and informal coordination and good governance mechanisms to promote international cooperation and public/private sector cooperation (A43-50 & 11-13)• Promoting justice, prosecutorial and anti-corruption authorities integrity within international law enforcement cooperation context (A11 and UDHR A10)) <p>Emerging/breaking topics, issues and scandals openly discussed/debated</p>
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Module XIII	<p style="text-align: center;">International Law Enforcement Cooperation and Asset Recovery</p> <p>Chapter V: Articles 50 – 58 (and related Articles 6, 11, 13, 14, 31, 38, 40 and 43 and UDHR A10)</p> <p>Key Issues: International and national cooperation/asset recovery; civil forfeiture; money laundering and financial investigative units (FIU's); corruption reporting to other State parties; return and disposal of stolen State assets</p> <p>Some of the main issues/topics to be covered include:</p> <ul style="list-style-type: none">• Requiring national and international cooperation among law enforcement, judicial and regulatory institutions on asset recover and money laundering (A52 & 14)• Requiring related laws and procedures that allow for civil forfeiture (A53)• Requiring cooperation to assist in the recovery of stolen assets of another UNCAC State (A55)• Requiring laws and procedures that allow for the return of State assets (A57)• Promoting the establishment of financial intelligence units (FIUs –A 14 & 58)• Promoting Integrity in the justice, prosecutorial and anti-corruption authorities as a precondition for effective international cooperation on asset recovery (A6, 10 & UDHR A10) <p>Emerging/breaking topics, issues and scandals openly discussed/debate</p>
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Module XIV	<p style="text-align: center;">UNCAC Summary and Implementation Issues</p> <p style="text-align: center;">UNCAC Chapters: Chapters I – VIII: Articles 1-71</p> <p>Key Issues: Corruption prevention; criminal law; national international law enforcement cooperation; asset recovery; corruption in the justice/enforcement community and universal human rights</p> <p>Main Topics:</p> <ul style="list-style-type: none">• Identifying and discussing the main challenges in the domestic implementation by States Parties of the requirements of the UNCAC.• Analysing areas of reform where the greatest progress has been made following the adoption of UNCAC.• Summarising and considering the key elements of the UNCAC in relation to prevention, criminalization, international cooperation and asset recovery;• UNCAC articles related to justice, institutional integrity and fair, effective and efficient enforcement;• Considering the mechanisms available, including the UNCAC Implementation Review Mechanism to assist State Parties in their implementation of the Convention;• UNCAC career related opportunities in the corruption, good governance and rule of law spheres. <p>Written/online Exam and/or Research Paper and/or Course Certificate (options)</p> <p>Course Evaluation</p>
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