

STRATEGIES FOR COUNTRY AUDIT OF COMPLIANCE WITH ANTI-CORRUPTION CONVENTIONS

presented by

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FORMAT OF PRESENTATION

- Background
- Content of the Audit
- Environmental and Cross- Cutting Issues
- Useful Templates

Content of the Audit

- Country status on ratification, domestication etc
- Existence or otherwise of a National Action Plan against corruption.
- Review of the conventions
- Review of relevant domestic instruments and policies
- Review of relevant environmental issues
- State of institutions such as the judiciary and police
- Political structure of the country and implications for the issue
- Political Will to combat corruption

ENVIRONMENTAL AND CROSS CUTTING ISSUES

The following questions may become relevant;

- What is the character and strength of the supporting security institutions?'
- What is the character and effectiveness of the judicial structures?
- How strong is the political will of the various actors within the governance chain?
- What is the political structure and is it capable of impacting on the scope of compliance?
- Separating mandatory and non –mandatory provisions.

Other key points

- Chapter by chapter analysis
- Layers of Analysis
- -Identification of the legal provisions of the State Party on each target issue
 - Identification of operative institution or structure
 - Identification of policy instruments and implementation structure.
 - Does the legal instrument capture the key issues prescribed by the Convention?
 - Is the character of the operative institutions in compliance with the prescription of the Convention? Such issues as independence, adequate funding, financial autonomy, security of tenure of key staff, powers to investigate and prosecute etc will form the indicators. [eg **Article 6[2] UNCAC requires State parties to create bodies to combat corruption and accord such bodies the independence, resources and staff needed to carry out their function, Art 5[3] AU CONVENTION mandates State Parties to create independent anti-corruption institutions]**