

# AFTER 15 YEARS OF UNCAC'S ENTRY INTO FORCE, WHAT IS OUR WAY FORWARD ?

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## ► Consolidation on the gains of the Peer Reviews:

- The first and second cycles of the review of States Parties' implementation of the UNCAC disclosed successes and gaps. The way forward is to sustain the areas in which States Parties recorded successes and best practices, and to address areas where there are gaps, particularly with respect to legislation.

- ▶ Chapter V on Asset Recovery is the least implemented Chapter of the UNCAC. The Way Forward:
  - ▶ Article 51 provides that return of assets is a fundamental principle of the Convention, and States Parties shall afford one another the widest measure of cooperation and assistance in this regard. Efforts should therefore be intensified towards realizing the full intention of this Article.

**States Parties should be more cooperative and spontaneously share information on stolen assets within their respective jurisdictions with concerned States Parties, and remove all obstacles and barriers that hinder the recovery of such assets.**

- ▶ There should be primacy of unconditional return of assets and promotion of sovereignty in line with Art. 4 of the Convention.
- ▶ Returnable assets should be widely defined to include assets recovered from settlements and other non-trial resolutions.

- ▶ **Strongly recommends the establishment of UN's Special Committee on International Repatriation of Proceeds of Corruption.**
- ▶ **Consider making some of the discretionary provisions of the UNCAC mandatory to further strengthen the fight against corruption and promote recovery of proceeds of corruption.**

- ▶ **More emphasis should be placed on prevention of corruption.**