Initial Concept for Deployment of Rapid Capacity Development

Pursuant to the concept note of the GlobE Network, UNODC aims to support capacity building efforts through the organization of technical assistance and training. Focus should be on strengthening capacity of anti-corruption law enforcement personnel, in particular those in developing countries, to investigate and prosecute corruption offenses, as well as to engage in international cooperation through stronger bilateral communication and better use of existing tools. UNODC will also assist countries in establishing/improving national tools for international cooperation, including in jurisdictions with limited experience in either requesting or providing formal and informal assistance. Training may be tailor-made to individual jurisdictions and regions when deemed appropriate.

Where relevant, training should be developed in cooperation with the GlobE partner networks and international organizations based on their particular areas of expertise, e.g. with the OECD (criminalization and enforcement of the foreign bribery offence) and the Asset Recovery Inter-Agency Networks (ARINs) (asset recovery).

The fifth session of the Interim Task Force 3 on Tools and Services under the GlobE Network focused on the deployment of rapid capacity development and knowledge products for the GlobE Network members.

The meeting generated an active discussion on the anticipated technical assistance needs of the GlobE members and how capacity building could be delivered. The discussion was enriched by suggested knowledge products that could be developed by the GlobE Network. The link between the use of particular knowledge products to deliver technical assistance and therefore build capacity was recognized by experts and the discussion focused on both aspects together.

1. Aim and Objective of the GlobE Network Capacity Building, Technical Assistance and Training

Experts observed that the GlobE Network capacity building, technical assistance and training should be aimed at all domestic and international aspects of corruption cases including asset recovery. Experts also agreed that the GlobE Network could provide an important framework for the deployment of capacity building, coordinated by the GlobE Secretariat, to GlobE Members and other countries with the support and involvement of other relevant networks, governments, and organizations when appropriate.
2. Delivery Methods

In addition to classic training courses, consideration should be given to building capacity in a collaborative way, through (non-evaluation type) peer reviews of legislation, policies, and institutional frameworks for national anti-corruption regimes. Technical Assistance and training could be delivered using innovative methods and new technologies. The following suggestions for effectively delivering technical assistance were suggested:

- On an operational level, pairing anti-corruption law enforcement authorities together for knowledge sharing on practical aspects of corruption investigation and prosecution and institutional set-up may develop capacity more rapidly than static training courses. Pairing more developed jurisdictions together with less developed would provide developed jurisdictions the opportunity to build relationships with anti-corruption authorities from developing jurisdictions, thus laying the ground for better international cooperation. Sharing knowledge on national laws and practice and allowing personnel to gain experience through study visits would assist in putting the theory learned through classic training into practice.

- Mentoring and pairing programmes could be beneficial both for anti-corruption investigators and prosecutors.

- Experts also advised that peer-to-peer learning among practitioners could be provided through the provision of online forums.

3. Technical Assistance Needs for the GlobE Network

The benefit of conducting a "training needs analysis" was acknowledged by the experts, to avoid training that lacked focus or ran the risk of duplicating other training activities. Convening expert group meetings, focused on practitioner views of particular issues, would provide an avenue for gathering knowledge on the technical assistance needs of practitioners. Experts acknowledged the value of convening expert meetings nationally, regionally as well as globally, and all three should be considered within the GlobE Network capacity building programmes.

In addition to ensuring that training needs have been appropriately assessed, experts proposed the following technical assistance, specifically for anti-corruption law enforcement authorities:

- Investigators and prosecutors (within anti-corruption law enforcement responsibilities) require training on international cooperation that follows the information gathering phases of: open-source investigation, and pre-MLA (informal) cooperation which builds up to formal Mutual Legal Assistance cooperation. Such training should include strengthening and upskilling Central Authorities, with both administrative as well as operational functions, on the use of open-source information and informal/network exchange mechanisms to better facilitate information exchange.

- Experts discussed the particular challenges in sharing information between anti-corruption authorities and other non-anti-corruption bodies that may hold the information they need. Understanding and using mechanisms for informal
communication, to assist information held in one jurisdiction to be shared effectively during corruption cases with an ACLEA in another jurisdiction is still lacking in some jurisdictions. Training on regional and international mechanisms for international cooperation should include a requirement which could specifically address the particular challenges confronted in corruption cases.

- Forensic capabilities for the investigation of complex corruption cases can be crucial, both for investigation purposes and for the presentation of complex evidence in court. This is lacking within some anti-corruption law enforcement authorities and other relevant domestic investigation units, resulting in costly use of external providers. Training aimed at developing skills in this regard, in conjunction with supporting knowledge products, would be highly beneficial.

Finally, experts highlighted an additional challenge that may arise with the GlobE members requesting national technical assistance relating to anti-corruption efforts. The structures for financing technical assistance are such that it may be less likely for certain countries to ask for anti-corruption technical assistance than in other areas. The demand is there, the need is there, but the roads for requesting and funding that assistance in some instances were proving difficult to navigate. Experts requested the GlobE Network to consider this challenge when deciding on jurisdictions requiring support.

4. Avoiding duplication

Experts agreed that there was often an abundance of technical assistance opportunities available which, due to a lack of coordination between technical assistance providers, may result in overlapping and duplicated training, workshops, and working groups. Joint meetings of technical assistance providers would assist in avoiding duplication of capacity building efforts and enhance synergies. Experts requested the GlobE Secretariat play a coordination role in scheduling and providing invitations to ensure the attendance of appropriate practitioners.