Initial Concept for the Development of Knowledge Products

Pursuant to the concept note of the GlobE Network, UNODC in collaboration with StAR proposes to develop policy papers, guidebooks, fact-based analysis, proposals on strategies, methods to advance the fight against corruption and facilitate asset recovery by fostering direct international cooperation between anti-corruption law enforcement authorities. These knowledge products would complement tools already developed by UNODC, StAR, and other organizations such as the OECD, Interpol and Egmont Group.

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

The meeting started with a presentation from Ms. Liz David-Barret, Professor of Governance and Integrity, Director of the Centre for the Study of Corruption, University of Sussex. This presentation provided a framework for the discussion among ITF3 members of proposed knowledge products and how these might be delivered in cooperation with academia.

1. Aim and Objective of the development of knowledge for the GlobE members

Experts proposed that knowledge products developed within the GlobE Network could focus on international cooperation for the investigation and prosecution of corruption cases as well as asset recovery. Knowledge products could build capacity within the GlobE Network through sharing, learning and exchange of experience. Experts believe that the GlobE Network could provide a framework for knowledge products to be developed through collaboration between the Secretariat, the Members and other bodies such as academia, other relevant networks and organizations.

2. Delivery Methods

Knowledge products could be delivered in easily accessible formats, for example through an online platform or helpdesk. As well as being easily accessible, they could also be delivered in user-friendly formats that are appealing and digestible, for example in short videos, audio podcasts, interviews with key stakeholders, best-practice notes and memos. Consideration would be given to disseminating knowledge in innovative ways using new technologies, where appropriate. Methods could promote engagement, whether through feedback or group activities, and peer learning could happen in an informal and cooperative environment.

1 Anti-corruption law enforcement authorities refer to those authorities falling under article 36 of the United Nations Convention against Corruption.
3. Producing Knowledge Products for the GlobE Network

Experts welcomed the involvement of academia in efforts to develop relevant knowledge products. The presentation delivered by Professor David-Barret was instructive and highly appreciated. Some experts proposed that jurisdictional information for certain knowledge products could be collected by way of GlobE member questionnaires.

4. Proposed Knowledge Products

Building on the suggestions from Professor David-Barret (see presentation of Professor David-Barret’s proposed 8 knowledge products), certain experts proposed a series of additional knowledge products that would be useful and that, as far as could be established, were not yet available specifically for anti-corruption law enforcement authorities’ relevance and use.

- A tool that encourages investigators and prosecutors within anti-corruption authorities engaged in international cooperation to follow the phase of open-source investigation and pre-MLA (informal) cooperation whilst building up to formal Mutual Legal Assistance cooperation. This could include strengthening and upskilling Central Authorities, with administrative as well as operational functions, on the use of open-source information and informal exchange mechanisms/networks to better facilitate information exchange.

- Preparation of a guide containing commonly asked questions to each member jurisdictions would be of benefit during international cooperation.

Experts advise that:

- knowledge is lacking in measuring the effectiveness of the work of anti-corruption authorities. Low operational resource impacting mechanisms for evaluating the effectiveness of anti-corruption investigations, prosecutions and related asset recovery could be beneficial (see also Professor David-Barrett’s proposed product 4 on evaluating impact); and

- further research on the roles of whistle-blowers (see also Professor David-Barrett’s proposed product 8) and the identification of beneficial ownership (transparency) could also have value.

Experts highlighted:

- That anti-corruption law enforcement authorities would be required to assess as a matter of course the implications of disseminating information to other jurisdictions, in the course of making informal requests for information. Accordingly, the following were deemed to be potentially beneficial activities.
  - developing a guide on what jurisdictions will do with information that is shared with them would assist in standardizing elements of this “risk-assessment”;


• establishing common understandings on what will happen with information and intelligence being shared;

• establishing common understandings on the impact of data protection and data handling rules.

• 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.

• Forensic capability is needed for the investigation of many complex corruption cases, 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. Knowledge products aimed at developing skills in this, in conjunction with training, would be highly beneficial.

5. Avoiding duplication

Discussions within task force meetings revealed the large number of knowledge products already available to anti-corruption and asset recovery experts. Cooperation between the GlobE Network and its partner networks and international organizations should ensure that, inter-alia, members are sighted on and have access to existing knowledge products.

It was recognized that legislation and other jurisdictionally relevant material currently captured by the UNODC via existing tools would be made available in the One-Stop Hub.

Annex

Presentation of Ms. Liz David-Barret, Professor of Governance and Integrity, Director of the Centre for the Study of Corruption, University of Sussex
GlobE ITF3

Proposed Knowledge Products

Liz Dávid-Barrett
Professor of Governance & Integrity
Director, Centre for the Study of Corruption
Objective: Build capacity of GlobE network through sharing learning and experience

Therefore, knowledge products should:
(a) be valuable in themselves, ie have relevant content
(b) encourage network members to engage, hence helping to strengthen the community, ie be delivered in accessible formats
To promote engagement, knowledge products should:

- Be easily accessible, e.g., available through the online platform, helpdesk or through an in-group App.
- Be delivered in user-friendly formats that are appealing and digestible, e.g., short videos, audio podcasts, interviews with key stakeholders, best-practice notes, memos.
- Invite engagement, whether through feedback or group activities.
**Rationale:** Research and practice suggest that interagency task forces are good at achieving results on particular complex cases. However, there has been very little systematic research on the conditions for success.

**Product:**
- Design of a framework for comparative analysis of interagency task forces, identifying variables that theory suggests are relevant
- Series of case studies examining the experience of individual task forces (shared as papers and videos)
- Comparative analysis of the series, to distil generalizable learning
Rationale: Law enforcement agencies have been cooperating on drugs, organised crime and terrorism in formal and informal networks for many years but not on corruption related offences.

Product: Series of case studies on inter-agency coordination in these areas to understand:

- what conditions led to success and failure in these networks
- why networks have not emerged for corruption-related offences
- what is different about corruption
**Rationale:** The behaviour of corrupt actors adapts constantly, just as with other criminals, to respond to new market opportunities or to find ways of evading regulation and law enforcement. GlobE needs to be able to share intelligence about emerging patterns of corrupt behaviour.

**Product:** Individuals fill out a ‘memo’ template on a platform, which is automatically shared. Other members could comment on whether they have seen similar behaviour to share suggestions for countering the crime.
**Rationale:** In their home settings, ACAs need to demonstrate their benefit to ensure continued political commitment and resourcing. A critical part of this is being able to evaluate their impact and demonstrate results that improve the business environment and social goals.

**Product:** Research on evaluation techniques used for ACAs in 6-8 settings. Critical analysis of methods used and relationship to theories of change. Learning and recommendations to improve monitoring and evaluation.
**Rationale:** Corruption often involves complex networks of actors.

Network analysis has advanced greatly in recent years, yet it is difficult to use to investigate corruption because of the difficulty of gaining evidence about informal links.

**Product:** Comparison of different methods for analysing criminal networks, and analysis of relevance for corrupt networks.

Modelling of how law enforcement networks should be constructed to counter corrupt networks.
**Rationale:** Public procurement is a key channel for grand corruption

Big data analytics methods have improved significantly in recent years, and digital platforms make these tools potentially available to law enforcement

Such tools allow identification of risk hotspots to allow for prioritization of resources

**Products:** Typology of corruption risks in public procurement and Best-practice note

Based on analysis of the methods and potential for big data analytics of public procurement to be used by ACAs
**Rationale:** Given that both parties to a corrupt transaction have an interest in concealing the crime, it is especially difficult to obtain evidence about corruption (relative to most other forms of economic crime). One potential source is wiretapped conversations. Yet these are not admissible as evidence in many countries.

**Product:** Comparative study of the extent to which wiretapping evidence is admissible in different jurisdictions. How it is used in court cases, given that it needs to be complemented by other evidence to prove a crime. Assessment of utility of such evidence, that might be used to advocate for reform.
Whistleblowing incentives

**Rationale:** Given that both parties to a corrupt transaction have an interest in concealing the crime, it is especially difficult to obtain evidence about corruption (relative to most other forms of economic crime)

One potential source is evidence from whistleblowers

Some countries provide financial incentives, others do not

**Product:** Comparative study of the impact of whistleblower incentives on countries’ capacity to investigate corruption

Research on how whistleblower evidence is used

Assessment of utility of such evidence
Liz Dávid-Barrett
Professor of Governance & Integrity
Director, Centre for the Study of Corruption
e.david-barrett@sussex.ac.uk

Centre for the Study of Corruption (CSC)
Research-Teaching-Policy
www.sussex.ac.uk/scsc