

ANNEX D: UNCAC AS AN ANTI-CORRUPTION FRAMEWORK FOR REDD+



The table below provide an example of UNCAC might be used as an anti-corruption framework to guide anti-corruption measures in national REDD+ strategies.¹³⁴

UNCAC		Implications for national REDD++ strategies
Article	Obligation on State	
Chapter II - Preventive measures		
Article 5: Anti-corruption policies	To develop, implement and maintain effective and coordinated anti-corruption policies that promote participation, transparency and accountability	National REDD+ strategy should address the legal framework, strategies and processes which will be used to address corruption in REDD+.
Article 6: Preventive anti-corruption bodies	To establish an independent body or bodies (eg corruption commissions, Corruption Court) to implement anti-corruption policies and to disseminate knowledge on corruption prevention	Does the national REDD+ strategy make provision to link REDD+ to the country's anti-corruption bodies? Are the anti-corruption bodies informed about REDD+ and prepared to implement anti-corruption measures and to take enforcement action if indications of corruption emerge in REDD+ activities.
Article 7: Public sector	To adopt, maintain and strengthen systems for the recruitment, hiring, retention promotion and retirement of civil servants ... that include training of individuals for public positions considered especially vulnerable to corruption to enhance their awareness of the risks of corruption.	Does the national REDD+ strategy address the need for civil service capacity building in the institutions who will be responsible for implementing REDD+ (Treasury, finance, department of Forestry, department of Lands/ Planning, etc)? Does the strategy include training for staff on the specific risks of corruption in REDD+?
Article 8: Codes of conduct for public officials	To apply codes or standards of conduct to encourage the proper performance of public functions, to facilitate reporting by public officials of acts of corruption, and to require public officials to declare conflicts of interest	Does the national REDD+ strategy identify whether the institutions responsible for implementing REDD+ have codes of conduct which are suitable for REDD+? If not, the strategy should identify the need to develop codes of conduct.
Article 9: Public procurement and management of public finance	To take steps to establish appropriate systems of procurement based on transparency, competition and objective criteria. To take measure to promote transparency and accountability in the management of public finances.	Does the national REDD+ strategy identify how REDD+ revenues will be administered in a manner that is transparent and accountable?
Article 10: Public reporting	To take measures to adopt procedures or regulations allowing members of the public to obtain information on the organization, functioning and decision-making processes of public administration. Publishing information on the risks of corruption in public administration.	Does the national REDD+ strategy include freedom of information provisions regarding decision making processes under REDD+, e.g. in relation to zoning decisions, applications for rezoning, REDD+ approvals, benefit distribution systems, enforcement action

134 The idea for this table was drawn from UNDP Anti-corruption Guidance Note (2008), p 9, Table 3 which contains a table setting out "UNCAC as a democratic governance and development framework".



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Article	Obligation on State	
Article 11: Judiciary and prosecution services	To take measures to strengthen integrity and to prevent opportunities for corruption among members of the judiciary, e.g. through rules of conduct	Does the national REDD+ strategy identify the corruption risk involving the judiciary? Does the strategy include prosecution guidelines? Does the strategy provide opportunities for judicial education on REDD+?
Article 12: Private sector	To take measures to prevent corruption involving the private sector.	Does the national REDD+ strategy address the risk of corruption from the private sector in REDD+? Does national legislation make it a criminal offence for private sector actors to engage in corrupt practices?
Article 13: Civil society	To promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and fight against corruption, e.g. by ensuring that the public has effective access to information.	Does the national REDD+ strategy provide for capacity building of NGOs engaged with REDD+? Does the strategy make provision for access to information?
Chapter III – Criminalization and law enforcement		
Article 15: Bribery of national public officials	To adopt legislation making it a criminal offence to bribe a public official to induce the official to act or refrain from acting in the exercise of his or her official duties.	Does the national REDD+ strategy identify whether such legislation is in place, and if not, recommend that such legislation be adopted as part of the REDD+ readiness process?
Article 16: Bribery of foreign public officials and officials of public international organisations	To adopt legislation making it a criminal offence to bribe a foreign public official or an official of a public international organization to induce the official to act or refrain from acting in accordance with their duties.	Does the national REDD+ strategy identify whether such legislation is in place, and if not, recommend that such legislation be adopted as part of the REDD+ readiness process?
Article 17: Embezzlement, misappropriation of property by public official	To adopt legislation establishing as criminal offences, the embezzlement, misappropriation or other diversion by a public official for his or her own benefit of property or funds entrusted to the public official.	Does the national REDD+ strategy identify whether such legislation is in place, and if not, recommend that such legislation be adopted as part of the REDD+ readiness process?