

## What is the UNCAC?

The United Nations Convention against Corruption (UNCAC) is a legally binding international anti-corruption instrument. UNCAC provides a chance to mount a global response to a global issue. Adopted by the UN General Assembly in October 2003, it is the first global framework to harmonise anti-corruption efforts worldwide.

## Why is the UNCAC important?

165 countries (Zimbabwe included) are bound by the UNCAC. It is widely recognised as the most promising initiative to curb the scourge of corruption. The convention is unique not only in its worldwide coverage but also in the extensiveness and detail of its provisions. The UNCAC entered into force in December 2005, and as at October 2012 there were 165 countries that are acknowledged as Parties to the convention. Zimbabwe signed the UNCAC on the 20<sup>th</sup> of February 2004 and ratified it on 08 March 2007.

## What's the use of the UNCAC?

The UNCAC embodies a comprehensive approach to corruption, recognising the importance of both preventative and punitive measures. It also addresses the cross border nature of corruption, and includes provisions on the return of ill-gotten assets.

## What are the highlights of UNCAC?

**Prevention:** Corruption can be prosecuted after the fact, but first and foremost, it requires prevention. An entire chapter of the convention is dedicated to prevention, with measures directed at both the public and private sectors. These include model preventative policies, such as establishment (and operationalisation) of anti-corruption bodies.

**Criminalisation:** The convention requires countries to establish criminal and other offences to cover a wide range of acts of corruption, if these are not already crimes under domestic law. The convention goes beyond previous instruments of its kind, criminalizing not only basic forms of corruption such as bribery and embezzlement of public funds, but also trading in influence and the concealment and laundering of proceeds of corruption.

**Asset Recovery:** This is a particularly important issue for many developing countries where high level corruption has plundered the national wealth, and where resources are badly needed for the reconstruction and rehabilitation of societies under new governments.

**International Cooperation:** Countries have agreed to cooperate with one another in every aspect of the fight against corruption including assistance in gathering and transferring evidence for use in court, to extradite offenders.

## Why is the UNCAC relevant to the Parliament of Zimbabwe?

In 2012 Transparency International Zimbabwe (TI Z) conducted a review of the implementation and enforcement of the UNCAC in Zimbabwe and the following major **findings and recommendations:**

- There is no Whistle Blowers Protection Act in Zimbabwe. Whistle blowers are crucial in helping to expose corruption, fraud, abuse, mismanagement and other threats across all sectors. It is important for Zimbabwe to have such an act to increase this culture and thus increase transparency and accountability in our society.
- The Zimbabwean Anti-Corruption Commission (ZACC) needs to be capacitated in terms of its powers and functions in order to allow it to fulfil its constitutional mandate. It must also be afforded requisite space to operate.
- The protection of witnesses, experts and victims needs to be improved to include; easily accessible and anonymous complaints mechanisms, protection from employer reprisals and witness protection programmes.

- The legal framework in the Zimbabwean context has gaps when considering the requirements of the UNCAC (examples include bribery of foreign public officials, embezzlement, misappropriation or other diversion of property by a public official and trading in influence). Those gaps need to be filled in line with the guidelines of UNCAC.
- The authorities (ZACC, the Police, The National Prosecuting Authority (NPA), the judiciary (JSC) constitutionally responsible for fighting corruption must be adequately educated on the existence, provisions and benefits of the UNCAC.

## How do you contact Transparency International Zimbabwe (TI Z)?

You can contact TI Z from any of the offices in Harare, Bulawayo or Mutare on the following contact details :



Harare Office  
96 Central Avenue  
Causeway  
Harare  
Tel: 04-793246

Website  
[www.tizim.org](http://www.tizim.org)

Facebook page  
Transparency International  
Zimbabwe (TI-Z)

Bulawayo Office  
42 A Samuel Parirenyatwa  
Between 2nd and 3rd  
Avenue  
Bulawayo  
Tel: 09-881397

Mutare Office  
No. 4 Carlos Flats  
4th Street-Mutare  
Tel: 020- 60030