ANTI-CORRUPTION INITIATIVE FOR ASIA AND THE PACIFIC

From Pandemic to Recovery:

Building Resilient Economies through Transparency, Integrity, and Trust

Law Enforcement Responses to Corruption in Emergencies

Practical Guidelines

Law Enforcement Responses to Corruption in Emergencies

Purpose

- Strengthen the capacities of law enforcement to combat corruption in emergencies.

- Builds on the lessons from the COVID-19 pandemic.

- Provides practical advice on the challenges law enforcement face during emergencies

- Illustrates good detection, investigation and prosecution during emergencies.

- Identifies key challenges that may arise in future emergencies.

- Informs about the benefits of emerging technologies and innovative institutional developments.

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Law Enforcement Responses to Corruption in Emergencies
Background and definitions

- Background

- Definitions

Law Enforcement Responses to Corruption in Emergencies
Content and structure

- Content
  - Sources of detection
  - Investigation and prosecution
  - International cooperation
  - Annex – training curricula

- Structure
  - Description
  - Case examples
  - Recommendations

Law Enforcement Responses to Corruption in Emergencies
Changes to operational practices

- OECD survey regarding challenges and responses by law enforcement during the COVID-19 pandemic

- Impact on four main categories
  - Organisational changes
  - Amended legal procedures
  - Prioritisation of law enforcement activities
  - International cooperation

- Conducting risks assessments
  - Evaluation of risks and threats arising from the emergency

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Law Enforcement Responses to Corruption in Emergencies
Sources of detection

- Criminal and financial intelligence

- Inter-agency cooperation

- Investigative journalism, media and social media platforms

- Whistleblowers

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Law Enforcement Responses to Corruption in Emergencies
Sources of detection – Recommendations

- Conducting risk assessment

- Design a response to mitigate the identified risks

- Identify key institutions in the public and private sectors

- Enhance activities and capabilities of analytical departments

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Law Enforcement Responses to Corruption in Emergencies

Investigation and prosecution

- Open-source intelligence

- Special investigative techniques

- Forensic expertise

- Pre-trial and trial proceedings

- Cooperating witnesses, witness protection and plea agreements

- Freezing, seizure and confiscation

- High-profile corruption

Law Enforcement Responses to Corruption in Emergencies
Investigation and prosecution – Recommendations

- Establish specific methods and guidelines applied to OSINT and data gathering

- Identify the forensic expertise required during the investigation planning stage

- Assess the impact of an emergency on pre-trial and trial proceedings and identify mitigating measures while preserving the rule of law and the right to a fair trial

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Law Enforcement Responses to Corruption in Emergencies
International cooperation

- International Financial Institutions – integrity and investigation units

- International FIU platforms

- Law enforcement cooperation platforms

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Law Enforcement Responses to Corruption in Emergencies
International cooperation – Recommendations

- Strengthen the use of law enforcement cooperation platforms as a mechanism to verify and confirm lines of inquiry in their investigations (prior to MLA)

- Ensure cooperation and collaboration mechanisms between FIUs and national law enforcement authorities.

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Law Enforcement Responses to Corruption in Emergencies
Annex – training curricula

- Training curricula
  - Sources of detection
  - Investigation and prosecution
  - International cooperation
  - Asset recovery

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Thank you!