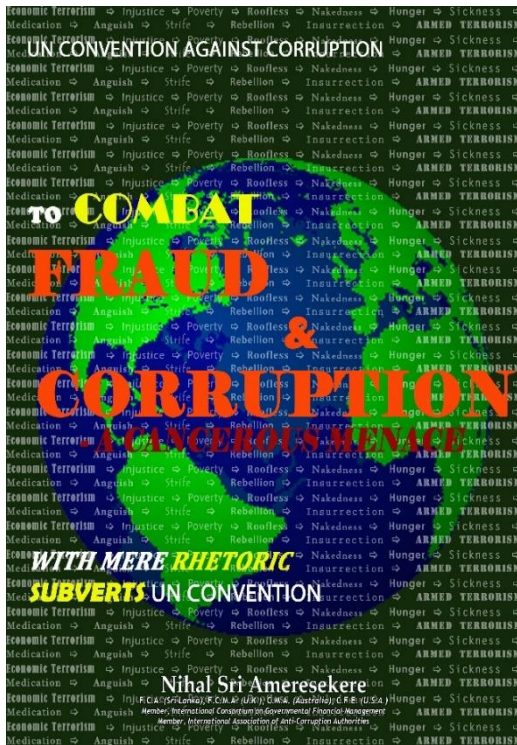


Synopsis of

UN CONVENTION AGAINST CORRUPTION TO COMBAT FRAUD & CORRUPTION - A CANCEROUS MENACE WITH MERE RHETORIC SUBVERTS UN CONVENTION

Google Books - [United Nations Convention Against Corruption - Mere 'Rhetoric' to Combat Fraud and Corruption, only subverts United Nations Convention](#)



Size - 8.25" X 11" – Pages 532

Convention Against Corruption.

This Book reveals that to really enforce the UN Convention Against Corruption, the leaders of countries must really act with true dedication and commitment; and in addition, the Author has extensively dealt with this subject of the cancerous menace of fraud and corruption, which has widely spread globally.

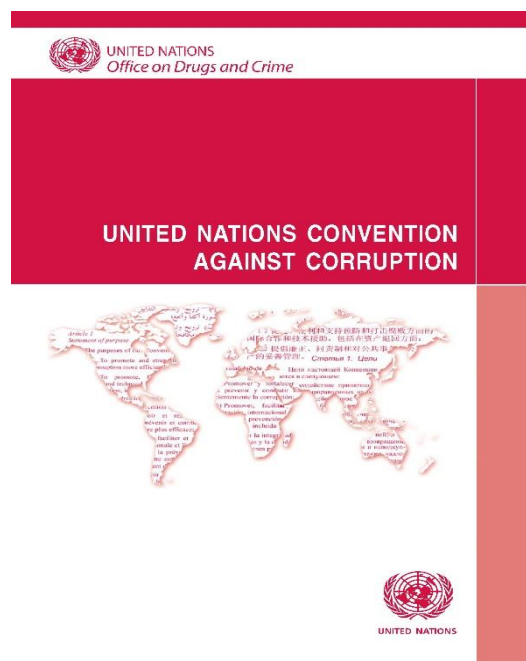
By this Book, the Author excellently exposes, as to how the valuable resources of the poor people are unashamedly, exploited, pillaged and plundered by their rulers and the powerful, with sheer disregard to the rubric, that they are only trustees of these resources, which really belong to the people; and that such is the reality across the contemporary world, and which has become a deep rooted cancerous menace.

This Book deals with and is written around the United Nations Convention Against Corruption, which came into force in December 2005. The Author advocates strongly that the mere rhetoric of critical pontificated castigation against this global deep rooted cancerous menace of fraud and corruption, would only be inimical to the the UN

The Author has traced and explained in great detail from the very genesis, the history of the formulation of the UN Convention Against Corruption, and the endeavours made and the historical Working Meetings had to formulate the Convention, and to have it passed by the General Assembly of the United Nations, until it came into force, which knowledge is invaluable to those who are committed to combatting fraud and corruption, to know the origins of the UN Convention Against Corruption.

The birth of the UN Convention Against Corruption had been, as far back as 1970, with a Declaration made at an UN Congress held in Kyoto, Japan, and upon which, with the United Nations Assembly in December 2000 having adopted a Resolution to constitute a Committee to negotiate and formulate the UN Convention Against Corruption.

Consequently, after several rounds of negotiations and discussions, in October 2003 the United Nations General Assembly adopted the formulated UN Convention Against Corruption, and designated December 9, as the ‘*International Anti-Corruption Day*’.



The then UN Secretary General, Kofi A. Annan, who delivered a Statement in 2004 on the UN Convention Against Corruption, *inter-alia*, stated as follows:

“Corruption is an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life and allows organized crime, terrorism and other threats to human security to flourish.

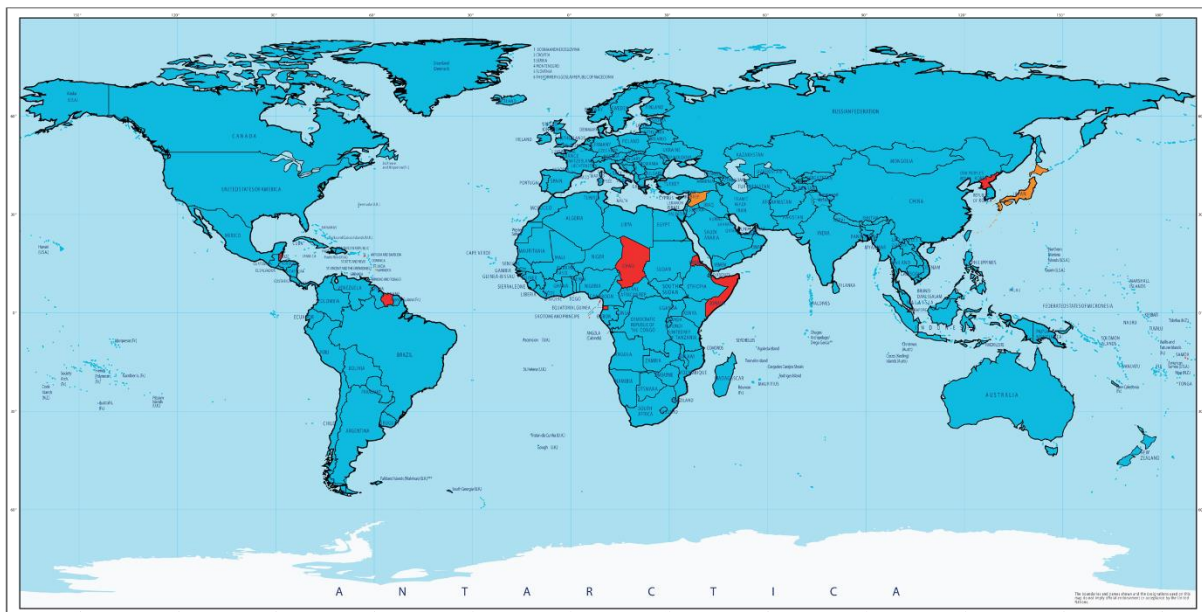
This evil phenomenon is found in all countries — big and small, rich and poor — but it is in the developing world that its effects are most destructive. Corruption hurts the poor disproportionately by diverting funds intended for development, undermining a Government’s ability to provide basic services, feeding inequality and injustice and discouraging foreign aid and investment. Corruption is a key element in economic underperformance and a major obstacle to poverty alleviation and development.”

Upon 30 countries having ratified and committed to enforce had signed the UN Convention Against Corruption, it came into force in December 2005. However, as revealed by the series of Books published by the Author, he had become an activist to combat fraud and corruption from the early 1990s, long before the UN Convention Against Corruption came into force in December 2005.

It is significant that Sri Lanka became the second country, to have become bound by the UN Convention Against Corruption by so ratifying it on 31.3.2004. Nevertheless, it was limited to the mere ratification, and there had been no systematic action pursued to combat fraud and corruption in Sri Lanka in compliance with the Articles of the UN Convention Against Corruption, whilst there had been a *lacuna* of proper law enforcement against fraud and corruption, whereas the reality had been that endeavours had been made to cover-up fraud and corruption, through political, social influences and pressures, to which tragically even the law enforcement authorities having become collusive parties thereto !

As at September 2016, the State Parties, who had signed and those who have become parties to the UN Convention Against Corruption is depicted in the following Chart and tabulation released by the United Nations Office on Drugs and Crime (UNODC), which is the Secretariat for the UN Convention Against Corruption – viz:

UNCAC Signature and Ratification Status



- States Parties
- Signatories
- Countries that have not signed or ratified the UNCAC

Signatories: 140
Parties: 180

Country	Signature	Ratification, Acceptance (A), Approval (AA), Accession (a), Succession (d)
Afghanistan	20.2.2004	25.8.2008
Albania	18.12.2003	25.5.2006
Algeria	9.12.2003	25.8.2004
Angola	10.12.2003	29.8.2006
Antigua and Barbuda		21.6.2006 a
Argentina	10.12.2003	28.8.2006
Armenia	19.5.2005	8.3.2007
Australia	9.12.2003	7.12.2005
Austria	10.12.2003	11.1.2006
Azerbaijan	27.2.2004	1.11.2005
Bahamas		10.1.2008 a
Bahrain	8.2.2005	5.10.2010
Bangladesh		27.2.2007 a
Barbados	10.12.2003	
Belarus	28.12.2004	17.2.2005
Belgium	10.12.2003	25.9.2008
Benin	10.12.2003	14.10.2004
Bhutan	15.9.2005	21.9.2016
Bolivia	9.12.2003	5.12.2005
Bosnia and Herzegovina	16.9.2005	26.10.2006
Botswana		27.6.2011 a
Brazil	9.12.2003	15.6.2005
Brunei Darussalam	11.12.2003	2.12.2008
Bulgaria	10.12.2003	20.9.2006
Burkina Faso	10.12.2003	10.10.2006
Burundi		10.3.2006 a
Cabo Verde	9.12.2003	23.4.2008
Cambodia		5.9.2007 a
Cameroon	10.12.2003	6.2.2006
Canada	21.5.2004	2.10.2007
Central African Republic	11.2.2004	6.10.2006
Chile	11.12.2003	13.9.2006
China ¹	10.12.2003	13.1.2006
Colombia	10.12.2003	27.10.2006
Comoros	10.12.2003	11.10.2012
Congo		13.7.2006 a
Cook Islands		17.10.2011
Costa Rica	10.12.2003	21.3.2007
Côte d'Ivoire	10.12.2003	25.10.2012
Croatia	10.12.2003	24.4.2005
Cuba	9.12.2005	9.2.2007
Cyprus	9.12.2003	23.2.2009
Czech Republic	22.4.2005	29.11.2013
Democratic Republic of the Congo		23.9.2010 a
Denmark ²	10.12.2003	26.12.2006
Djibouti	17.6.2004	20.4.2005
Dominica		28.5.2010 a
Dominican Republic	10.12.2003	26.10.2006
Ecuador	10.12.2003	15.9.2005
Egypt	9.12.2003	25.2.2005
El Salvador	10.12.2003	1.7.2004
Estonia		12.4.2010 a
Ethiopia	10.12.2003	26.11.2007
European Union	15.9.2005	12.11.2008 AA
Fiji		14.5.2008 a
Finland	9.12.2003	20.6.2006 A
France	9.12.2003	11.7.2005
Gabon	10.12.2003	1.10.2007
Gambia		8.7.2015 a
Georgia		4.11.2008 a
Germany	9.12.2003	12.11.2014

Ghana	9.12.2004	27.6.2007
Greece	10.12.2003	17.9.2008
Grenada		1.4.2015 a
Guatemala	9.12.2003	3.11.2006
Guinea	15.7.2005	29.5.2013
Guinea-Bissau		10.9.2007 a
Guyana		16.4.2008 a
Haiti	10.12.2003	14.9.2009
Holy See		19.9.2016 a
Honduras	17.5.2004	23.5.2005
Hungary	10.12.2003	19.4.2005
Iceland		1.3.2011 a
India	9.12.2005	9.5.2011
Indonesia	18.12.2003	19.9.2006
Iran (Islamic Republic of)	9.12.2003	20.4.2009
Iraq		17.3.2008 a
Ireland	9.12.2003	09.11.2011
Israel	29.11.2005	4.2.2009
Italy	9.12.2003	5.10.2009
Jamaica	16.9.2005	5.3.2008
Japan	9.12.2003	
Jordan	9.12.2003	24.2.2005
Kazakhstan		18.6.2008 a
Kenya	9.12.2003	9.12.2003
Kiribati		27.9.2013 a
Kuwait	9.12.2003	16.2.2007
Kyrgyzstan	10.12.2003	16.9.2005
Lao People's Democratic Republic	10.12.2003	25.9.2009
Latvia	19.5.2005	4.1.2006
Lebanon		22.4.2009 a
Lesotho	16.9.2005	16.9.2005
Liberia		16.9.2005 a
Libya	23.12.2003	7.1.2005
Liechtenstein	10.12.2003	8.7.2010
Lithuania	10.12.2003	21.12.2006
Luxembourg	10.12.2003	6.11.2007
Madagascar	10.12.2003	22.9.2004
Malawi	21.9.2004	4.12.2007
Malaysia	9.12.2003	24.9.2008
Maldives		22.3.2007 a
Mali	9.12.2003	18.4.2008
Malta	12.5.2005	11.4.2008
Marshall Islands		17.11.2011
Mauritania		25.10.2006 a
Mauritius	9.12.2003	15.12.2004
Mexico	9.12.2003	20.7.2004
Micronesia (Federated States of)		21.3.2012 a
Moldova	28.9.2004	1.10.2007
Mongolia	29.4.2005	11.1.2006
Montenegro ³		23.10.2006 d
Morocco	9.12.2003	9.5.2007
Mozambique	25.5.2004	9.4.2008
Myanmar	2.12.2005	20.12.2012
Namibia	9.12.2003	3.8.2004
Nauru		12.7.2012 a
Nepal	10.12.2003	31.3.2011
Netherlands ⁴	10.12.2003	31.10.2006 A
New Zealand	10.12.2003	1.12.2015
Nicaragua	10.12.2003	15.2.2006
Niger		11.8.2008 a
Nigeria	9.12. 2003	14.12.2004
Norway	9.12.2003	29.6.2006
Oman		9.1.2014

Pakistan	9.12.2003	31.8.2007
Palau		24.3.2009 a
Panama	10.12.2003	23.9.2005
Papua New Guinea	22.12.2004	16.7.2007
Paraguay	9.12.2003	1.6.2005
Peru	10.12.2003	16.11.2004
Philippines	9.12.2003	8.11.2006
Poland	10.12.2003	15.9.2006
Portugal	11.12.2003	28.9.2007
Qatar	1.12.2005	30.1.2007
Republic of Korea	10.12.2003	27.3.2008
Romania	9.12.2003	2.11.2004
Russian Federation	9.12.2003	9.5.2006
Rwanda	30.11.2004	4.10.2006
Saint Lucia		25.11.2011
Sao Tome and Principe	8.12.2005	12.4.2006
Saudi Arabia	9.1.2004	29.4.2013
Senegal	9.12.2003	16.11.2005
Serbia	11.12.2003	20.12.2005
Seychelles	27.2.2004	16.3.2006
Sierra Leone	9.12.2003	30.9.2004
Singapore	11.11.2005	06.11.2009
Slovakia	9.12.2003	1.6.2006
Slovenia		1.4.2008 a
Solomon Islands		6.1.2012 a
South Africa	9.12.2003	22.11.2004
South Sudan		23.1.2015 a
Spain	16.9.2005	19.6.2006
Sri Lanka	15.3.2004	31.3.2004
State of Palestine		2.4.2014 a
Sudan	14.1.2005	5.9.2014
Swaziland	15.9.2005	24.9.2012
Sweden	9.12.2003	25.9.2007
Switzerland	10.12.2003	24.9.2009
Syrian Arab Republic	9.12.2003	
Tajikistan		25.9.2006 a
Thailand	9.12.2003	1.3.2011
The Former Yugoslav Republic of Macedonia	18.8.2005	13.4.2007
Timor-Leste	10.12.2003	27.3.2009
Togo	10.12.2003	6.7.2005
Trinidad and Tobago	11.12.2003	31.5.2006
Tunisia	30.3.2004	23.9.2008
Turkey	10.12.2003	9.11.2006
Turkmenistan		28.3.2005 a
Tuvalu		04.9.2015 a
Uganda	9.12.2003	9.9.2004
Ukraine	11.12.2003	02.12.2009
United Arab Emirates	10.8.2005	22.2.2006
United Kingdom of Great Britain and Northern Ireland ^b	9.12.2003	9.2.2006
United Republic of Tanzania	9.12.2003	25.5.2005
United States of America	9.12.2003	30.10.2006
Uruguay	9.12.2003	10.1.2007
Uzbekistan		29.7.2008 a
Vanuatu		12.7.2011 a
Venezuela (Bolivarian Republic of)	10.12.2003	2.2.2009
Viet Nam	10.12.2003	19.8.2009
Yemen	11.12.2003	7.11.2005
Zambia	11.12.2003	7.12.2007
Zimbabwe	20.2.2004	8.3.2007

The Author in this Book has well dealt with the Articles of the UN Convention Against Corruption, to afford a good understanding thereof. The UN Convention Against Corruption is not only applicable to the Public Sector managing public resources and finances, but also the Convention applies with equal force to those in the Private Sector, who manage public resources and finances. Accordingly, not only the Public Sector, but also the Private Sector, become bound by the Articles of the UN Convention Against Corruption, and Sri Lanka Government stands bound to enforce the obligations in compliance with the Articles of the UN Convention Against Corruption. The Articles of UN Convention Against Corruption are set out below, to afford an understanding thereof:

1. **PREAMBLE**

2. **CHAPTER I - GENERAL PROVISIONS**

Article 1	Statement of Purpose
Article 2	Use of terms
Article 3	Scope of application
Article 4	Protection of sovereignty

3. **CHAPTER II - PREVENTIVE MEASURES**

Article 5	Preventive anti-corruption policies and practices
Article 6	Preventive anti-corruption body or bodies
Article 7	Public sector
Article 8	Codes of conduct for public officials
Article 9	Public procurement and management of public finances
Article 10	Public reporting
Article 11	Measures relating to the judiciary and prosecution services
Article 12	Private sector
Article 13	Participation of society
Article 14	Measures to prevent money-laundering

4. **CHAPTER III - CRIMINALIZATION AND LAW ENFORCEMENT**

Article 15	Bribery of national public officials
Article 16	Bribery of foreign public officials and officials of public International organizations
Article 17	Embezzlement, misappropriation or other diversion of property by a public official
Article 18	Trading in influence
Article 19	Abuse of functions
Article 20	Illicit enrichment
Article 21	Bribery in the private sector
Article 22	Embezzlement of property in the private sector
Article 23	Laundering of proceeds of crime
Article 24	Concealment
Article 25	Obstruction of justice
Article 26	Liability of legal persons
Article 27	Participation and attempt
Article 28	Knowledge, intent and purpose as elements of an offence
Article 29	Statute of limitations
Article 30	Prosecution, adjudication and sanctions
Article 31	Freezing, seizure and confiscation
Article 32	Protection of witnesses, experts and victims
Article 33	Protection of reporting persons

Article 34	Consequences of acts of corruption
Article 35	Compensation for damage
Article 36	Specialized authorities
Article 37	Cooperation with law enforcement authorities
Article 38	Cooperation between national authorities
Article 39	Cooperation between national authorities and the private sector
Article 40	Bank secrecy
Article 41	Criminal record
Article 42	Jurisdiction

5. **CHAPTER IV - INTERNATIONAL COOPERATION**

Article 43	International cooperation
Article 44	Extradition
Article 45	Transfer of sentenced persons
Article 46	Mutual legal assistance
Article 47	Transfer of criminal proceedings
Article 48	Law enforcement cooperation
Article 49	Joint investigations
Article 50	Special investigative techniques

6. **CHAPTER V - ASSET RECOVERY**

Article 51	General provision
Article 52	Prevention and detection of transfers of proceeds of crime
Article 53	Measures for direct recovery of property
Article 54	Mechanisms for recovery of property through international cooperation in confiscation
Article 55	International cooperation for purposes of confiscation
Article 56	Special cooperation
Article 57	Return and disposal of assets
Article 58	Financial intelligence unit
Article 59	Bilateral and multilateral agreements and arrangements

7. **CHAPTER VI - TECHNICAL ASSISTANCE AND INFORMATION EXCHANGE**

Article 60	Training and technical assistance
Article 61	Collection, exchange and analysis of information on corruption
Article 62	Other measures: implementation of the Convention through economic development and technical assistance

8. **CHAPTER VII - MECHANISMS FOR IMPLEMENTATION**

Article 63	Conference of the States Parties to the Convention
Article 64	Secretariat

9. **CHAPTER VIII - FINAL PROVISIONS**

Article 65	Implementation of the Convention
Article 66	Settlement of disputes
Article 67	Signature, ratification, acceptance, approval and accession
Article 68	Entry into force
Article 69	Amendment
Article 70	Renunciation
Article 71	Depositary and languages

Accordingly, to promote and facilitate the implementation of the UN Convention Against Corruption, the International Association of Anti-Corruption Authorities (IAACA) was inaugurated in October 2006, with the patronage of the Chinese Government, and supported by UNODC. The Author became an Individual Member of IAACA since its inauguration in October 2006; and now is a Co-ordinator.



Hence, this Book discloses the endeavours taken by IAACA over the years to promote and facilitate the implementation of the UN Convention Against Corruption. In addition to the Annual Conferences of IAACA held in different countries, regular Seminars and Workshops have been held to educate those involved in combatting fraud and corruption. The Author himself had been selected, as a Member of a 30 Member Experts Panel, to formulate the Work Plan of IAACA.

The UN conducts Conferences of State Parties every two years to review the progress of implementation of the UN Convention Against Corruption, and to make any further improvements thereto. Recently, a 'review mechanism' had been commenced, for selected countries to be reviewed by other countries, on the progress made on the compliance with the Articles of the UN Convention Against Corruption.

IAACA has 'Observer' status to attend the Conferences of State Parties, and has the opportunity to make recommendations to further strengthen and improve the UN Convention Against Corruption.

One of the special features contained in this Book is the disclosure by the Author from his own true experiences, and the challenges he had to face, in combatting fraud and corruption, described by him as 'economic terrorism', which has to be combatted, and that otherwise such 'economic terrorism' would only precipitate and given birth to 'armed terrorism' and its growth and development, as witnessed in the contemporary world.

The premise of the Author's such endeavours of combatting fraud and corruption had been based on the Buddhist philosophy prevalent in Sri Lanka, particularly the historic record of Sri Lanka in the Mahawamsa ("The Great Chronicle"), recording the history and heritage of Sri Lanka from 543 BC, disclosing that in the 3rd Century BC, Arahath Mahinda had delivered a Sermon to King Devanampiya Tissa, that the resources of the country being governed do not belong to the King, but the resources belonged to the people, on whose behalf the King, as a trustee of the people, manages such resources, in trust for the people.

Furthermore, through his own true experiences, the Author revealingly establishes, as to how reputed international financial institutions, banks and other international organisations have perpetrated transactions, with public funds, devoid of any accountability, even defrauding and gambling with such public funds.

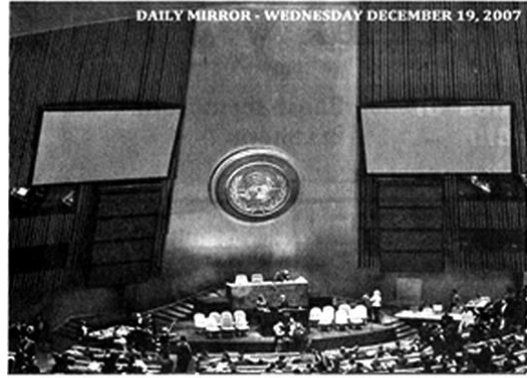
In another detailed Chapter in this Book, the Author has included extensive writings of 'exposés' of educative value on the subject of fraud and corruption, investigated and researched by him, which had been published in the *media* to be made known globally on this cancerous menace of fraud and corruption, to demonstrate the dire need to combat the same, and which writings would be invaluable to those concerned, interested and activists in combatting fraud and corruption – viz:

Exposé 1	- Corruption & Politics
Exposé 2	- Corruption Everywhere
Exposé 3	- Seeking Justice on Corruption
Exposé 4	- Covering-up Corruption
Exposé 5	- Corruption & Rhetoric
Exposé 6	- Closets of Corruption
Exposé 7	- Corruption & the Law
Exposé 8	- Intertwined Evils of Corruption
Exposé 9	- Resolution on Corruption
Exposé 10	- Diplomatic Exposure of Corruption
Exposé 11	- Private Sector Corruption
Exposé 12	- Lackeys of Corruption
Exposé 13	- Conflict & Corruption
Exposé 14	- Policy & Corruption
Exposé 15	- Commission of Corruption
Exposé 16	- Deals of Corruption
Exposé 17	- Action on Corruption
Exposé 18	- Immunity from Corruption
Exposé 19	- Duplicity on Corruption
Exposé 20	- SAARC blind to Corruption
Exposé 21	- SAARC tolerates Corruption
Exposé 22	- Flash a light on Corruption

What is shockingly exposed is that, whilst the United Nations and the International Community, with great rhetoric are pontificatingly castigating fraud and corruption, whilst at the very same time, the Author citing real life experiences and incidents, with documentary evidence adduced, appallingly discloses that the World Bank and other International Organisations had merely been restricted to mere 'hollow rhetoric' castigating fraud and corruption, but in reality, they had failed and/or had been reluctant to take action against fraud and corruption. Likewise, the Author citing examples in this Book discloses that the Sri Lanka Government too had followed the same reality !



Sri Lanka's apathetic absence at the 4th Conference of State Parties on the UN Convention Against Corruption held in Morocco, October 2011



UN Convention against Corruption:
**Is Sri Lanka
in default?**

This Book well and truly discloses the global endeavours being made to combat fraud and corruption, and the duties and obligations cast upon countries, who have become parties to the UN Convention Against Corruption, and the actions that need be taken by them to formulate laws to combat fraud and corruption, in accordance with the Articles in the UN Convention Against Corruption, and to develop institutional capacity and capability, with political commitment, to investigate and prosecute fraud and corruption; and thus this Book is practically invaluable to those pursuing such cause.