

CCPCJ

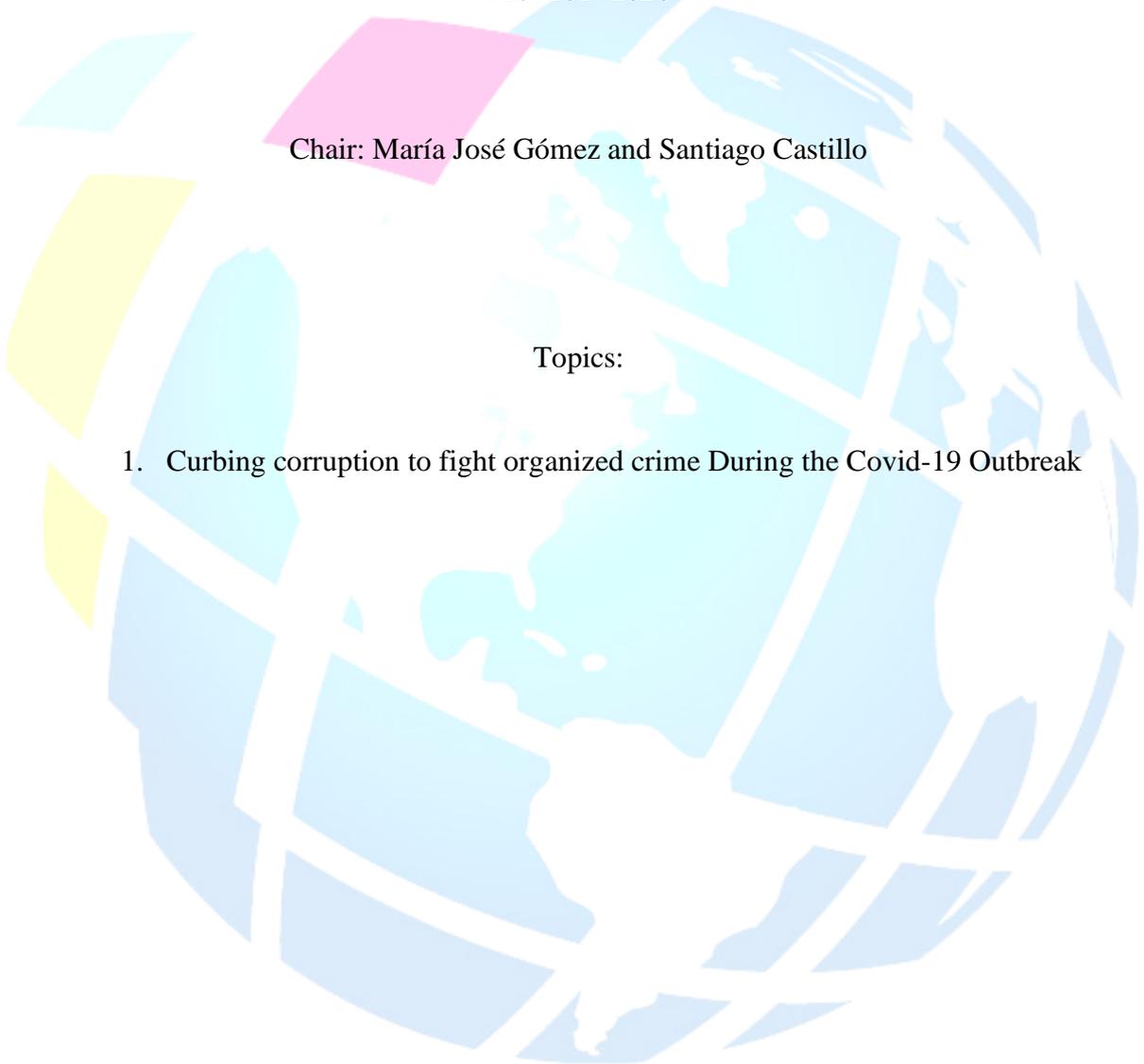
Commission on Crime Prevention and Criminal Justice

MSMUN 2020

Chair: María José Gómez and Santiago Castillo

Topics:

1. Curbing corruption to fight organized crime During the Covid-19 Outbreak



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## *1 Welcoming letter*

Honorable delegates,

We are María José Gomez from Marymount School, and Santiago Castillo from San Carlos School. This year, we have the wonderful opportunity of presiding over the Commission on Crime Prevention and Criminal Justice, a new committee that is coming to MSMUN 2020.

We have both participated in multiple Models of the United Nations, and we are certain that our participation in such has had a huge impact on the development of our investigative skills, debating abilities and global awareness. These simulations have contributed to our knowledge about the multiple issues concerning the international community, allowing us to brainstorm new solutions that are ingenious and inclusive. During the committee you will be constantly exposed to delegates that have different opinions regarding the topics, yet this is an opportunity to enrich your own knowledge by using the various points of views as a reference.

This commission and the topics to be discussed, require a high academic level. We are completely compromised in giving our best for the successful development of this committee, so we expect every delegate to excel in their performance during the debate. We hope that with your work, responsibility and compromise, our time of debate will be very productive. We wish you to take advantage of this time in MSMUN to challenge your knowledge and discover how much you are capable of achieving.

Welcome to the Commission on Crime Prevention and Criminal Justice. Don't forget that we are here to help you with any doubts or inconveniences you might have. Don't hesitate in contacting us.

María José Gómez Cortés

Santiago Castillo Sepúlveda

Presidents of CCPCJ

## ***2 Commission on Crime Prevention and Criminal Justice***

### ***2.1 Commissions history***

The Commission on Crime Prevention and Criminal Justice (CCPCJ) is a committee that operates as a functional branch for the Economic and Social Council (ECOSOC). This commission is also the principal branch that works on topics of transnational crime and criminal justice. In the 1990's the United Nations started to develop a bigger interest in the policy of criminal justice, which led to the creation of this commission.

In 1992 the Economic and Social Council decided to establish the CCPCJ committee as a branch of the UN Office on Drugs and Crime with the Resolution 1992/1. This committee is buildup of 40 member states, these members states are allowed into the commission with terms of three years as well as with quotas for each region of the world which will ensure the success of an all-embracing discussion and cooperation. The resolution 22 of the year 1992 defines the priorities of this commission more extensively. This resolution includes: To plan, implement and evaluate crime prevention and criminal justice assistance projects and to serve as a facilitating agent...with which to assist countries in preventing crime, promoting security, sustaining national development and enhancing justice and respect for human rights.” (The Commission in Crime Prevention and Criminal Justice 2020) Basing themselves on these guidelines the CCPCJ has carried out different discussions that range from the topic of money laundering to crime prevention in urban areas.

This committee is also in charge of directing the Congress on Crime Prevention and Criminal Justice, which meets every five years to discuss different issues. This congress gathers governmental agencies, nongovernmental organizations, policy makers and several other participants who will be in charge of leading a discussion on work pertaining in the CCPCJ. The recommendations that come out of these congress meetings are most of the time adopted by the Commission on Crime Prevention and Criminal Justice commission while revising the best strategies and best suitable recommendations for the actions that can affect the problem.

This commission also works hand in hand with the UN Crime Prevention and Criminal Justice Programme Network, which helps with the process of gathering data, research, train, and educate others in the topic concerning illicit activity (The Commission on Crime Prevention and Criminal Justice, 2020).

The CCPCJ only focuses on crime prevention and criminal justice matters, yet there are cases in which collaborations can happen. The commission works cooperatively with other UN agencies such as the Security Council, UNODC, the Commission on Narcotic Drugs, and the Conference of the States Parties to the United Nations Convention against Corruption. The CCPCJ encourages the sharing of information and constantly invites states and governments to participate in international dialogues to strengthen cooperation. Through the work of the CCPCJ, the UN can better prevent illicit activities and continue to foster greater international cooperation for the benefit of all states.

## ***2.2 Commissions objective***

The Commission on Crime Prevention and Criminal Justice acts as the main mechanism of policymaking body for the United Nations regarding as its name says the topics of crime prevention and criminal justice. The main tasks of the CCPCJ are efficiently improving the action that is taken internationally to combat transnational and national crime. It is also in

charge of the degree of efficiency and fairness of criminal justice administration systems. The CCPCJ also has a forum in which member states exchange their expertise, information, and their experience in order to come up with ideas and international strategies, which will help to identify the priorities for combating crime. (The Commission on Crime Prevention and Criminal Justice, 202).

The Commission will also be of great use when it comes to matters in the administrative field. The CCPCJ governs the UNODC through the responsibility of approving the budget of the UN Crime Prevention and Criminal Fund, with providing resources and technical for the crisis of worldwide criminal justice and crime prevention

### ***3 Topic 1: Curbing corruption to fight organized crime***

#### ***3.1 Theoretical Framework***

**Corruption:** Corruption is the abuse of entrusted power with the outcome of private gain. Corruption can be classified in different ways depending on the amount of monetary resources lost in the process of it and the sector in which the act of corruption takes place. (How do you define corruption? 2018)

**Grand corruption:** This type of corruption is based on acts that are committed against a high-level official or organization of the government. These acts result in the damage of the central functioning of the state or the distortion of policies (How do you define corruption? 2018).

**Petty/administrative corruption:** This type of corruption is based on the abuse that happens every day by public officials in the low and mid-level of the system and the interactions that they have with citizens that are accessing basic services or goods (How do you define corruption?, 2018).

**Political Corruption:** This type of corruption refers to the manipulation of institutions, policies and rules of the procedure that's in charge of the allotment of the resources and financing by political decision makers who want to gain private benefits. (How do you define corruption? 2018)

**Private gain:** The term refers to when an individual or a crime group (in the case of this topic) benefits personally from committing acts of corruption and seeking a personal benefit. (How do you define corruption? 2018)

**Organized Crime:** This refers to a group of criminals that are often experienced in delinquency who work together as members of an influential and classified group. ("Definition of ORGANIZED CRIME", 2020)

**Tax evasion:** This refers to an unlawful activity in which a citizen or an enterprise avoids paying taxes. This term is suitable for illegal nonpayment and illegal underpayment of taxes. A person cannot be accused of tax evasion if it isn't proven to be intentional. ("Tax Evasion", 2020)

**Bribery:** This refers to the act of trying to make someone do something for you by utilizing physical means such as monetary resources, presents, economic benefits or something else that the victim might want. ("Meaning of BRIBERY on the Cambridge Dictionary", 2020)

**Sustainable and inclusive growth:** It's crucial to reduce poverty in a country including all the dimensions of it. Corrupt activities can lead to leakages in public money, which is sometimes used for strategies to tackle poverty. ("Inclusive and sustainable growth | UNDP in Europe and Central Asia", 2019)

**Public sector:** The public sector is a part of the economy that is built of all the levels of government officials and the enterprises that are built by the government. This sector does not include any private enterprises (not owned by the government). ("Public sector | economics", 2020)

**Private sector:** The private sector is a part of the economy that is built of the businesses and industries that are not owned or controlled by the government or government officials. Individual citizens own these enterprises. ("THE PRIVATE SECTOR | meaning in the Cambridge English Dictionary", 2020)

**International cooperation:** This refers to when different countries and their representatives manage to come up with a common goal to tackle an issue or begin a new strategy that will benefit the parties involved. ("What does international cooperation mean?", 2020)

**Money laundering:** This refers to the process in which someone makes large amounts of money by participating in criminal activity. The types of criminal activity can be drug trafficking, terrorist funding or others that can make the monetary income be considered as "dirty". This dirty money is then laundered by moving it through different accounts that will work as a disguise, so the government doesn't suspect of its origin (they make it look clean). ("Money Laundering", 2020)

**Embezzlement:** This refers to when an individual takes money that was left for him to care for or that belongs to an enterprise or business that the individual works for without notifying them. ("EMBEZZLEMENT | meaning in the Cambridge English Dictionary", 2020)

**Fraud:** This refers to the crime that is based on getting money or any type of financial gain by lying or deceiving an individual or a business. ("FRAUD | meaning, definition from the Cambridge English Dictionary", 2020)

**Nepotism:** This refers to when an individual uses their power to get good positions or unfair advantages for himself or members of his close circle (family, close friends, amongst others). ("Meaning of NEPOTISM from the Cambridge English Dictionary", 2020)

**Cronyism:** This refers to when an individual grant a job position to someone that is part of their close circle (family, friends, amongst others) instead of focusing their choice on

the abilities and skills that are needed to fill up that particular position. ("CRONYISM | meaning in the Cambridge English Dictionary", 2020)

**Tax exemptions:** This refers to when an individual or an organization does not have to pay taxes. For example, sometimes a benefit of purchasing certain bonds is that the person that acquires the bond does not have the obligation of paying taxes. ("TAX EXEMPTION | meaning, definition from the Cambridge English Dictionary", 2020)

**Gross Domestic Product (GDP):** This refers to the total amount of monetary value of all the goods and services that a country manages to produce in a specific period. It helps to identify a country's economic health. ("The ABC on GDP: All You Need to Know About Gross Domestic Product", 2020)

**State-Owned Enterprises (SOEs):** This refers to a legal entity that is created by the government to engage in commercial activities on behalf of the government. They can be completely or partially owned by the country's government. ("State-Owned Enterprise (SOE)", 2020)

**Extortion:** This refers to when an individual attempt to get something, especially monetary benefits, using force or actual threats to another. ("EXTORTION | meaning in the Cambridge English Dictionary", 2020)

**Coercion:** This refers to when an individual uses force (not necessarily physical) as a method to persuade someone else into doing something that they do not want to do. ("Meaning of COERCION in the Cambridge English Dictionary", 2020)

**Blackmail:** This refers to when an individual manages to get money or other benefits by threatening them to expose a secret that could be damaging for their life or by threatening them with physical harm. ("Meaning of BLACKMAIL in the Cambridge English Dictionary", 2020)

**United Nations Convention Against Corruption (UNCAC):** This refers to a legally binding agreement between different countries to tackle corruption created by the United Nations UNODC commission. (United Nations Convention Against Corruption, 2020)

**Transnational organized crime:** This type of organized crime refers to a crime that is coordinated over national borders. This type of crime includes individuals that commit delinquent acts in more than one country. ("Transnational Organized Crime", 2020)

**Tampering:** This refers to the illegal act of touching or changing something such as a document, statement or file that is not supposed to be changed by anyone. ("Meaning of TAMPERING in the Cambridge English Dictionary", 2020)

**Sustainable development:** This refers to a development that meets the needs of today's society without it compromising future generations' ability to meet their own needs as the years go by ("What is sustainable development - Sustainable Development Commission", 2020).

**Loansharking:** This refers to “predatory lending practices by individuals or organizations (aka loan sharks) that charge extraordinarily-high interest rates.” ("Loan Sharking Definition & Example | Investing Answers", 2020).

### **3.2 History of the topic**

The first signs of corruption, verifiable, date from approximately 3,500 BC in a cuneiform inscription that deals with the life of the student and refers to a student who after being punished by his teacher, his family invited him to dinner and gives gifts to that person, to which the person replies, “You have fulfilled your schoolwork well and have become a good man” (Apuntes sobre la historia de la Corrupción, n.d) . There is also written evidence, in papyrus, of acts of corruption in ancient Egypt, during the reign of Ramses III (1,198 BC. 1166 BC). In Rome, both in the times of the Republic and of the Empire, the subject of corruption was widespread despite the countless laws that existed to punish it; reaching its highest expression at the time of the Emperor Pertinax (Successor to the murdered Commodus) who

was killed by the Praetorian Guard, who put the throne up for sale to the highest bidder; Didio Juliano bought it for 5,000 drachmas from each soldier of the Praetorian Guard (Apuntes sobre la historia de la Corrupción, n.d).

After the Second World War, with the great number of projects needed to put back in track the affected countries, especially in Europe, the drive for wealth skyrocketed and as a result of this corruption started to manifest itself in the modern era. With the arrival of new technologies and better educational systems, forms of corruption began transforming to adapt to these new circumstances because the old ways were not as effective as before. Big multinational companies began to immerse themselves into the world of corruption by paying bribes with the purpose of benefiting from tantalizing contracts that would take place in different countries chosen by the company. We can take as an example the ENRON case (a huge enterprise dedicated to energy) in which this company managed to enter places such as South America, Africa and Asia by utilizing bribing strategies towards its public officials. The company altered or manufactured accounting records to deceive its shareholders after declaring itself in a state of bankruptcy (Pareja, 2019. Study of the Enron case: one of the worst frauds in history.) Although corruption is generally identified within the public sector, it is important to know that it also manifests itself in other areas (Apuntes sobre la historia de la Corrupción, n.d).

At the end of the 20<sup>th</sup> century different forms of corruption started to arise. Influence trafficking began to show up in the mode of use of inside information, by which persons, through payment of money or by the simple fact of obtaining profit from such information, carry out transactions that lead them to generate profits for themselves. Also, misappropriation of public property became a common method of corruption. This refers mainly to the use of goods for an effect other than that for which they were intended. As a more notorious example, we can cite the case of Colombia, with the National Narcotics Directorate. This public agency

was responsible for handling the goods seized from drug trafficking (the goods became public, not private). The officials of this entity delivered these goods to private third parties for the benefit of themselves (Colombia, the country with the most seized goods in the world, 2018). Another form of corruption that started in the end of the 20<sup>th</sup> century is Nepotism. This practice is understood as the action of public officials placing their family members and/or friends in government positions above persons more qualified to hold such positions. The case of François Duvalier (Papa Doc) who ruled Haiti from 1957 to 1971 is widely known by the world. He drafted a new constitution and left his son, Jean-Claude Duvalier (Baby Doc) as the life-long ruler of this country (Apuntes sobre la historia de la Corrupción, n.d). Another form of corruption that arose in those times and it is still present in today's society is Money Laundering. Although it may be manifested between the private and public sectors, it is generally a matter of corruption focused on the private sector. Through banking and/or asset movements, funds of illegal origin enter the financial system and become legal. As an example, the American bank Wachovia was fined more than US 160 million for engaging in these practices with Mexican and other exchange houses ("Wachovia will pay \$160 million for money laundering", 2010)

### ***3.3 Current situation***

Corruption in government establishments and organized crime are two problems that continue to be correlated. These two parties work hand in hand with one another, the organized crime groups need to rely their businesses on government officials that are willing to help by protecting their unlawful enterprises from being investigated by law enforcement and any other interference that might come up. The government officials use different strategies to help the organized crime groups such as bribery to custom officials, approving illegal border crossings, creating fake official records, turning a blind eye to illicit activity, amongst others. When the establishments or the specific individual proceeds with these actions they can eventually

receive payments for what they are constantly doing, become victims of blackmail or even coercion by the illicit groups. There have been some cases in which the criminal organizations manage to infiltrate government agencies and political campaigns or arenas to control the work from the inside. This leads to a complication of the government's opportunity of tackling the big obstacle of corruption and organized crime in today's society complicates the achieving of a sustainable and inclusive growth in the country ("UNODC and Corruption", 2020).

Corruption is responsible for the delegitimization and destabilization of democratic government institutions. Also, this phenomenon blocks economic development by creating financial barriers between small local businesses and scaring away foreign investors due to the high rate of extortion and money-laundering occurring in the area. Transnational organized crime is a factor that greatly enables corruption. These types of crimes are usually committed in different states, across states or affecting two or more states. These include drug trafficking, money-laundering, counterfeit goods, amongst others. This specific type of organized crime shines a light on the great difficulties of disassembling global criminal networks and the impressive need for comprehensive cooperation amongst countries. The consequences of organized crime and corruption can be identified by any state since it affects almost every sector in society ("Corruption & Organized Crime", 2020). The relationship that is established between corrupt government officials and criminal groups or organizations makes the citizens lack credence on the elected representatives, leading to governmental instability. The legal branch of a lot of countries sometimes finds themselves with the problem of a criminalized justice system (created by the presence of corrupt lawyers and judges), which creates a threat towards public safety. In some cases, organized crime groups are used as a source of protection, which is paid for and leads to private sector corruption which can also expand to the funding of terrorist groups. Corruption can also affect a country's borders: when the officers that work in the borders are corrupted it allows for transnational crime to move freely and without legal

consequences due to the coverage that is provided by these officers ("Corruption & Organized Crime", 2020.).

Bribery is one of the many strategies that are used by organized crime groups to find ways to commit corrupt acts. These strategies can be used once or continuously. Bribes that are used one time can manifest themselves with the creation of false documents, leak of private information, tampering of records and evidence, amongst others. We can look at the issue of drug trafficking as one of the many scenarios where bribes take place when a drug shipment needs to be carried across state lines: the border officers are usually bribed to let the cargo pass without any inconveniences. Bribes that are offered continuously can provide criminal groups with constant access to confidential information that will help them develop illicit activities in the long-term without the fear of police intrusion. For example, when an organized crime group bribes an officer with the purpose of receiving monthly information about police operations, raids, and investigations. Another course of action is extortion, which manifests in a different way than bribery. Extortion places the victim at high risk of physical injury, property damage, unfair imprisonment, and others. In cases of extortion, the use of violence is prominent to happen against victims or fellow members of the criminal group. ("Bribery versus extortion" UNODC, 2018)

Organized crime groups use violence as a strategy for control of the government and its citizens. This hinders the legitimacy of the state and the ability that it has to maintain public order, which immediately disrupts how society functions on a daily basis. When this happens, a debate opens amongst the citizens to question the abilities of the government to provide safety for its citizens which often results in the individuals looking for protection and order elsewhere, in this case, organized crime groups. Another strategy used by these groups is to infiltrate government positions. They can manage to infiltrate low-ranking positions by buying the job through bribery or even threats. These groups can even manage to infiltrate senior positions

and entire government branches which leads to a corrupt government that will benefit the crime groups by granting them control over economic sectors, military and others that provide advantages to carry out more illicit activities. (“Modus operandi of organized crime, violence, corruption and money laundering”, 2016)

### ***3.3.1 Public Sector Corruption***

Corruption is very present in the public sector; this allows organized crime groups to operate illegal businesses and exploit public officers. Mob members manage to find their way into public office with violence and bribing strategies. The organized crime groups target elected officials and bribe them or extort them into doing what they want, they also target elections to move them in their favor and distort the electoral process by compromising the officials. Tactics such as these were seen in countries such as Mexico during the 2018 elections when 132 politicians were murdered. It is believed that many of these murders were made by members of drug cartels ("death of 132 politicians in Mexico ", 2020). Public officials issued laws, agreements, and court rulings, favoring certain individuals in return for direct or indirect economic retribution (Rules are issued to favor their own or their friends) ("The 10 types of corruption”, 2020). It can be difficult to eliminate corruption from government offices when this happens, the right to vote and run for criminal groups without the knowledge of the government can infiltrate office. However, strategies of investigation can be held, and background checks can be made more efficient with campaigns proposed by the government. ("Anti-corruption basics", 2020.)

Public sector corruption has a daily impact on individuals such as having to pay bribes to corrupt officials that demand them by using organized crime groups to gain monetary benefits. In Nigeria it was found that public officials in return for services demanded a big number of bribes that were meant to be provided without any additional cost. This shows that bribery can occur either by organized crime groups or public officials that monetarily exploit

citizens (Corruption in Nigeria, 2020). In these cases, corruption manages to create social costs that magnify existing issues and instabilities. Corruption in the public sector can also cause human lives to be at risk due to the lack of access to healthcare, clean water, food or others because basic needs come with a price to pay to a public official. Citizens that suffer through these types of conditions can be discouraged to participate in society, elections, and politics, amongst others. In this matter there is also a violation to human rights due to corrupt courts that are responsible for violating the right of access to justice. ("Universal Declaration of Human Rights", 2020.) Corruption in the public sector can also lead to economic inequality by disadvantaging people that live in poverty, It can also contribute to damage in the environment as high levels of corruption undermine the good management of the natural resources in the country ("Corruption & Organized Crime", 2020.).

### ***3.3.2 Compromised Criminal Justice Systems***

Organized Crime Groups often use police and law enforcement, and judiciary systems as an object to apply corrupt activities. This is a great obstacle that is faced by different governments in the battle of defeating corruption due to the possible manipulation that may occur to the strategies that are trying to be implemented in society by these organized crime groups. Moreover, corruption greatly affects the rule of law and the goals of sustainable development due to the consequence of the destruction of the principle of the rule of law (independence, impartiality, integrity, and equality) that are required by all the legitimate justice systems around the world. This prompts distrust of law in every state and it leads to a possible severe complication and jeopardy regarding the enforcement of the rights that every citizen deserves. ("Integrity in the Criminal Justice System", 2020.). It can be difficult to combat corruption when it's so deeply integrated into a country's justice system by criminal groups. This can also lead to corruption extending into society's everyday life.

In society, policemen are often the ones that face interactions with members of organized crime groups on a day-to-day basis, which makes them easy targets of corruption tactics. When policemen agree to cooperate with these criminal groups, they tend to release private information about police investigations, raids or possible inconveniences that might not be good for that criminal organization. We need to know that public trust in authorities is vital for the good functioning of society and these incidents weaken it drastically. The country of Brazil can be taken as an example of cases in which criminal organizations that are partaking in activities such as extortion, human trafficking, drug gambling, and others are creating relationship with officials or whole police groups to help cover their tracks and keep their activities on the down-low (John Bailey, Matthew M. Taylor, 2009). Prisons have become a key victim of high vulnerability to undergo influence of Organized Crime groups and corruption due to the lack of transparency that these institutions possess. Corruption in prison raises a red flag to drug and weapon trafficking inside the facilities, which often happens with a “payment” in different forms that will benefit the prisoners. We can see how in different countries around the world the phenomenon of prison gangs is drastically present. These gangs maintain connections with members that are still in the streets of the city and communicate their needs to each other (Wood, 2020.).

A greater threat is also responsible for the endangerment of Criminal Justice Systems, this being the constant presence of corruption inside the judiciary system. Judicial sectors can only be effective if they carry the principles of the Rule of Law. They have an everyday responsibility to defend its citizens in different aspects such as objective rulings, human rights violations, amongst others. According to the UNODC, the most common faces of corruption inside the criminal justice systems manifest themselves through the obstruction of investigations, prosecutions, and selling confidential or personal information in cases, amongst others. These are all done with the sole purpose of benefiting an outside party that could be

part of an organized crime group or a corrupt member of government offices ("Judicial integrity", 2020.).

### **3.4 Countries position regarding the topic**

Most of the World Powers have anti-corruption laws for both the domestic and external spheres. In the case of European nations, the laws issued by the European Union are of particular importance.

**United States of America:** Domestically, the United States has laws that punish acts of corruption, accompanied by heavy economic sanctions for those who inflict them. Externally, there is the Foreign Corrupt Practices Act (1977) and the Foreign Corrupt Practices Act ("Prácticas Anticorrupción Ley Foreign Corrupt Practice Act (FCPA)", 2020), which prohibits US companies or any of their subsidiaries, regardless of where their operations and employees are located, directly or indirectly encouraging bribery of public officials abroad in order to benefit from this action. The Magnitsky Global Law is also important, as it empowers the president to impose sanctions on officials from any part of the world who commit acts of corruption ("¿Qué es la Ley Global Magnitsky?", 2017).

**The Russian Federation:** On the occasion of the constant acts of corruption in the organization of major events (Olympic and World Football Games), the Russian government enacted a new anti-corruption plan in which public officials will be severely punished, and shall be placed on a list which shall be published on the Internet for a period of five years and a body shall be set up to deal with the confiscation of property derived from corruption in other countries ("Putin Approves Anti-corruption Plan for Officials and World, n.d.).

**The People's Republic of China:** The Chinese government is in the process of reforming all its legislation on penalties for corruption. In the current code, which dates from 1997, the penalties are based on the amount of money that was subject to the act of corruption. In the new legislation, the account will be taken not only of the amount of the act but also of

the seriousness of the act. In addition, the Chinese government has sanctioned a large number of people from the ruling party for acts of corruption such as influence trafficking, especially in the army (China proposes stricter anti-corruption laws, 2020.).

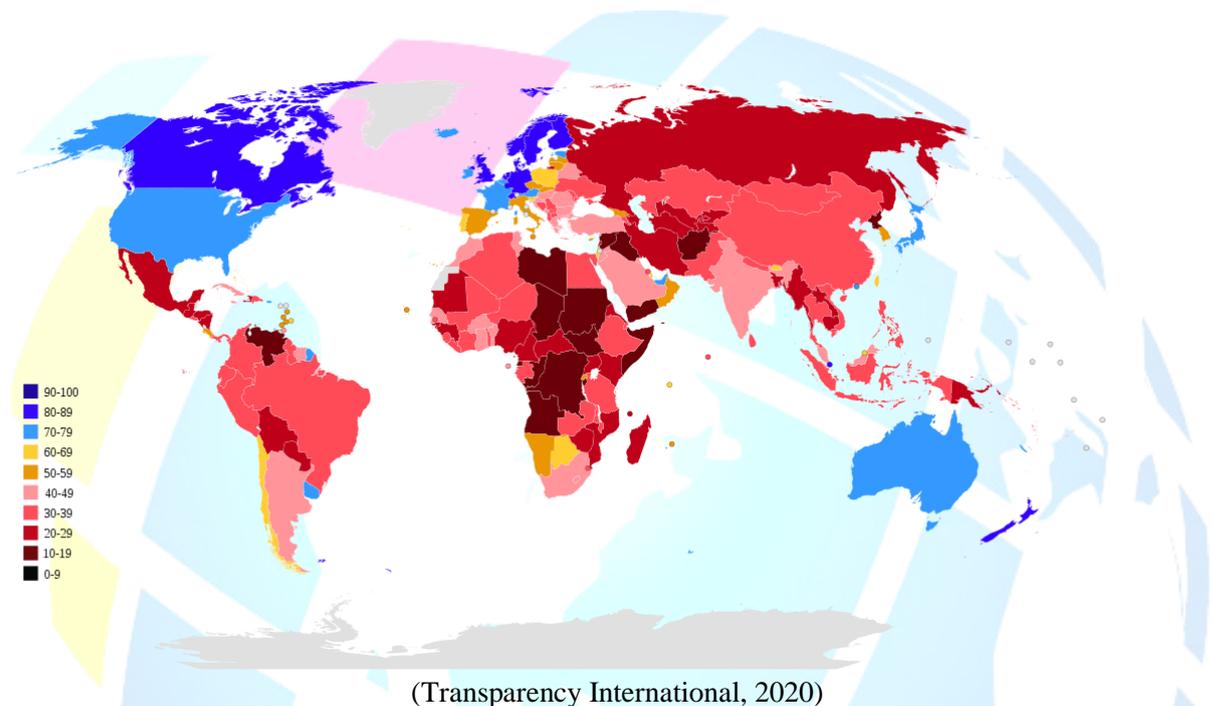
**United Kingdom of Great Britain and Northern Ireland:** The United Kingdom of Great Britain and Northern Ireland has several long-standing anti-corruption laws, such as the Corrupt Practices in Public Bodies Act of 1889, and the Prevention of Corruption Act of 1906 (primarily targeting the private sector). The Bribery Act 2010 amended many of these laws to bring them into line with modern times and was based primarily on the 1977 American Corrupt Practices Abroad Law. The Act provides for penalties for both public and private officials, whether committed in the United Kingdom or abroad ("The United Kingdom Anti-bribery Act (BRIBERY ACT, 2010)", 2010.).

**Republic of France:** In the public sphere, a bill was introduced to update the law on corruption and is called the "moralization of public life." It ranges from constitutional reform to the amendment of existing procedural codes. On the private side, the country has the SAPIN II or the Law on Transparency, Fight against Corruption and Modernization of Economic Life, (Law No. 2016-1691). This law seeks to ensure that France adopts the highest anti-corruption standards and matches them to other countries ("Macron proposes ambitious anti-corruption", 2020). In short, this law imposes an obligation on companies with more than 500 employees to have in-house anti-corruption programs ("Compliance and the fight against corruption", 2020).

### ***3.5 Current Situation regarding the Covid-19 Outbreak***

Currently, the world is facing one of the most paradigmatic scenarios in post-modern history. The Covid-19 Pandemic has affected jointly the economic and political systems of several countries around the world, where the different governments have found themselves obliged to take comprehensive measures in order to guarantee the well being of the population. Nevertheless, the situation is very prone to unleash in massive corruption due to the media's

tendency to inform over issues majorly regarding the public health crisis; and, on the other hand, due to the possibility to carry out diverse corrupt actions -illicit enrichment, funds embezzlement, blackmail, murky contracts, among others- in countries without the infrastructure to put into operation the control organisms that oversee public processes (Transparency International, 2020).



Low-income countries that are usually located at the bottom of Transparency International's Corruption Perception Index, are the countries whose populations are more likely to suffer the effects of the pandemic if effective policies are not implemented. Yet, said countries are also the most prone to be affected by corruption acts, carried out by power elites. Traditional anti-corruption policies appear not to be enough to tackle all the possibilities. Civil society along with independent control organs such as NGO's is part of the confinement, hence being unable to act in a timely manner if needed. The funds displayed internationally to aid countries with poor infrastructure are very likely to fall onto the hands of corruption and the worst is that surveillance and control is very difficult to achieve either nationally, or internationally (Anti-corruption Resource Center, 2020).

Moreover, the situation has opened the possibility for governments to impose authoritarian measures in order to guarantee the least dramatic situations for people.

However, the authoritarian outbreak, result of emergency states and unilateral decisions, is prone to undermine other branches of public power. Desperation may, as well, erode into the hoarding of health services on behalf of the wealthiest social sectors.

During the Ebola outbreak, over \$6 million USD ended up being lost to corruption and fraud, and even if statistics about the corruption rates in light of the current situation are still not public it is evident that several resources are likely to be lost to corruption. Nationally and internationally countries should seek to decrease this risk. In moments of crisis, it cannot be allowed that delinquency within governments ends up jeopardizing people's health and well-being.

The Coronavirus has really affected the way that anti-corruption policies are being applied in different countries. The strategies that are set right now to fight corruption are most likely to fail due to the different conditions that the country was in before the pandemic started. One of the main focuses is adapting the measures that have been taken to attack corruption and modify them to fit the situation that is being faced nowadays. Recruitment and management in the health workforce has also been affected due to lack of transparency and ineffectiveness in ensuring staff that they will have the opportunity to implement complex protocols in the health systems of developing countries. On the other hand, corruption methods to fight drug smuggling in the different countries should still remain monitored, and some countries have stopped taken these important actions due to the amount of work that has to be done in healthcare which creates loopholes in which corruption can enter society (Corruption in the time of COVID-19: A double-threat for low income countries, 2020).

There has also been an increase in corruption within the health system. People have implemented emergency procurement which increases the risks of corruption skyrocketing,

lack of available supplies have created a price gouging, and release on the grey and black markets where people look for this that are currently unavailable or in low supply. Additionally, there has been a high increase of falsified products that are sold to those in need of medical equipment as a scam to get money from it, which puts every person in danger due to the big increase of contagion risk that appears when using botched supplies. (Corruption in the time of COVID-19: A double-threat for low-income countries, 2020)

#### ***4 Quarmas***

1. Has your country been a victim of corruption increase during the COVID-19 pandemic?
2. Has your country implemented strategies to fight against corruption and how can they be modified for the times of pandemic?
3. Is your country a victim of drug and human trafficking?
4. Has your country's government suffered through corruption cases involving public officials, and have they increased during the pandemic?
5. What are some strategies that could be implemented by the international community to tackle corruption?
6. Is your country part of the United Nations Convention Against Corruption?
7. Has your country been part of international cooperation strategies to fight corruption, and have they been modified due to COVID-19?
8. What is the most common corruption phenomenon in your country, and has it changed since the pandemic started?

#### ***5 Useful Links***

<https://www.interpol.int/en/Crimes/Corruption>

<https://www.transparency.org/what-is-corruption>

[Corruption: Costs and Mitigating Strategies; IMF Staff ...https://www.pactomundial.org > uploads > 2016/09 > L...](#)

[Corruption by topic - Private sector - Transparency Internationalhttps://www.transparency.org > topic > detail > private...](#)

[\(PDF\) Corruption in the Public Sector: A comparative analysis.https://www.researchgate.net > publication > 2745098...](#)

[Why corruption matters: understanding causes, effects and ...https://assets.publishing.service.gov.uk > uploads > file](#)

[How Corruption Affects Emerging Economies - Investopediahttps://www.investopedia.com > ... > Emerging Markets](#)

[UNITED NATIONS CONVENTION AGAINST CORRUPTIONhttps://www.unodc.org > documents > brussels > UN\\_...](#)

[Corrupción y coronavirus - Transparency Internationalwww.transparency.org > news > feature > corrupcion\\_y\\_coronavirus](#)

[Corruption, political blockages, threaten international efforts to ...news.un.org > story > 2020/05](#)

[The global response to the coronavirus pandemic must not be ...www.oecd.org > corruption > the-global-response...](#)

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