

International Anti-Corruption Conference 2018 in Copenhagen

National Anticorruption Statement

United States

Preamble:

The United States continues to aggressively fight corruption and its corrosive effect on global security and prosperity. The U.S. employs a holistic approach to prevent and combat corruption globally including diplomatic engagement, foreign assistance, and domestic initiatives to enhance the prevention of corrupt practices and strengthen detection and enforcement. The United States actively supports civil society, the private sector, and the media's role in exposing corruption and holding the corrupt accountable and in our previous fiscal year, the U.S. Department of State and the U.S. Agency for International Development (USAID) provided over \$1 billion in assistance focused on good governance. This programming will combat corruption by promoting government transparency and accountability and strengthening market-oriented governance institutions. We also remain committed to providing support for capacity building and other technical assistance that helps countries adopt recognized good practices and effectively implement their international commitments.

Statement of anti-corruption commitments

- The United States remains committed to the effective implementation of the UN Convention Against Corruption (UNCAC), the OECD Anti-Bribery Convention, and relevant regional conventions, and will work with other countries, civil society, business, and international organizations to strengthen implementation. We continue to advocate for all jurisdictions to effectively implement international standards on combatting money laundering and the financing of terrorism and proliferation set by the Financial Action Task Force (FATF).
- The United States will continue to support review mechanisms such as the UNCAC, Inter-American Convention against Corruption, OECD Working Group on Bribery, Council of Europe, and the FATF. The United States is currently undergoing its second cycle review of the UNCAC Review Mechanism and is committed to implementing the voluntary transparency measures outlined in the UNCAC Coalition's Transparency Pledge, including civil society participation in the review process and publishing our self assessment questionnaire and full report, as we did in the first cycle. We encourage other countries to also publish their full reports and self-assessment checklists once they complete their reviews.
- The United States remains committed to the principles of open government and to advancing the Open Government Partnership's work to bring governments and civil society together to strengthen transparency and accountability, bolster citizen engagement, and harness new technologies that improve governance.
- The United States will continue to be a global leader in enforcing our robust legal framework, including by prosecuting cases for foreign bribery, embezzlement, money laundering, asset recovery, and related violations. We remain committed to actively investigating and prosecuting domestic and international corruption, targeting ill-gotten gains, and holding kleptocrats accountable, consistent with our obligations under the

UNCAC and other treaties. In 2017, the United States prosecuted 26 individuals for violations of the Foreign Corrupt Practices Act (FCPA), which represents the largest number of criminal charges ever brought by the Department of Justice. We encourage all states to criminalize the bribery of domestic and foreign officials and to actively enforce those laws.

- The United States will continue to encourage the private sector in its efforts to detect and prevent corruption, including by providing anticorruption information and resources through outreach domestically and abroad at conferences and on agency websites, guidance on the importance of effective compliance programs, and a mechanism for obtaining specific guidance on whether prospective conduct violates the FCPA. The United States also provides significant incentives to the private sector to voluntarily self-disclose criminal conduct, fully cooperate, and timely and appropriately remediate through the Department of Justice's new FCPA corporate enforcement policy.
- The United States will continue to use our authorities to seize and forfeit assets that represent the proceeds of, or were used to facilitate, crimes, including corruption. Through international cooperation and the Department of Justice's Kleptocracy Asset Recovery Initiative, the United States has seized or frozen over \$3.5 billion in corruption-related proceeds since 2010. The United States is committed to returning the proceeds recovered for the benefit of the people harmed by the corruption. The Department of Justice has returned more than \$150 million in confiscated assets to date with more than \$500 million in process. Asset recovery requires difficult, proactive cooperation between requested and requesting countries. We will continue to provide technical assistance and informal and formal cooperation to requesting countries to support global asset recovery efforts.
- We will also continue to partner closely with other governments, international organizations, and civil society to ensure that recovered proceeds of crime are returned in a manner that furthers the goals of transparency and oversight at all stages in the asset recovery process. The United States will promote the development of internationally-endorsed guidelines for the transparent and accountable return and management of stolen assets.
- The United States will continue to actively apply financial sanctions and visa restrictions to ensure corrupt actors can not benefit from their ill-gotten gains in the United States. We will continue to actively enforce the Global Magnitsky Human Rights Accountability Act and our visa restriction authorities and welcome civil society input into this process.
- We will increase our focus on global corruption that facilitates drug trafficking, wildlife trafficking, other forms of transnational organized crime, and U.S. national security threats.
- Anti-corruption technical assistance and capacity building remains a significant component of U.S. foreign policy, including sharing good practices and promoting implementation of UNCAC, as well as other international standards. We will continue to work with partner countries to create a culture of integrity to prevent corruption; mitigate risk against corruption; hold the corrupt accountable through laws and law enforcement; and strengthen civil society and oversight bodies.

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- The United States will continue to support the critical work of investigative journalists and civil society networks in exposing corruption, encouraging reform, and informing action by foreign and U.S. law enforcement. These initiatives, such as the Global Anti-Corruption Consortium, build on our continued partnerships with and support for non-governmental networks, and promote a safer environment for them to work across borders to expose corruption globally.