

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE UNITED NATIONS OFFICE ON DRUGS AND CRIME  
AND  
THE NATIONAL COUNTER CORRUPTION COMMISSION OF THAILAND**

WHEREAS the United Nations Office on Drugs and Crime (hereafter the "UNODC") is established to implement the Organization's drug programme and crime programme in an integrated manner, addressing the interrelated issues of drug control, crime prevention and criminal justice in the context of sustainable development and human security;

WHEREAS the National Counter Corruption Commission (hereafter the "NCCC") is established as an independent agency and therefore positioned to conduct anti-corruption activities and it recognizes the serious threats of corruption on national political stability, the rule of law, as well as sustainable social and economic development in Thailand;

WHEREAS the UNODC is the custodian of the UN Convention against Corruption (hereafter the "Convention"), which entered into force in December 2005, and is the first global legally binding instrument which includes strong anti-corruption measures on: prevention, criminalization and law enforcement, international cooperation and asset-recovery;

WHEREAS the NCCC has been a driving force in the implementation of the provision of the UNCAC and contributing to the process of Thailand becoming a State Party to the United Nations Convention against Corruption;

WHEREAS the NCCC is currently endeavouring to improve its working systems, at domestic, regional and international levels, and to build the capacity of its personnel;

WHEREAS the Convention, as well as subsequent resolutions by the General Assembly and by the Economic and Social Council, provide a clear mandate for UNODC, to support Member States in the ratification and implementation of the provisions of the Convention. Further, they request Member States and the Secretary General to provide UNODC with the resources necessary to enable it to promote in an effective manner the implementation of the Convention (Art. 63 para 8 UNCAC, A/RES/58/4, A/RES/59/155). The Economic and Social Council in its Resolution 2006/24 also requests UNODC to continue to assist States, upon request with sustainable capacity-building focused on the promotion of implementation of the UNCAC.

WHEREAS the NCCC requested technical assistance through the Anti-Corruption Mentor Programme for capacity building including the development of anti-corruption laws, strategies and policies. The mentor will carry-out training programmes to build the capacity of Thailand in conjunction with civil society and the media;

CONSIDERING that both UNODC and the NCCC aim at strengthening relations between them in order to effectively implement the Anti-Corruption Mentor Programme activities;

NOW THEREFORE, the UNODC and the NCCC wish to express their intention:

1. To conclude this Memorandum of understanding (MOU) with the view to supporting the achievement of their respective goals by forming a strategic partnership which aims at strengthening cooperation of both parties and to draw a framework of collaborative actions under the Anti-Corruption Mentor Programme.

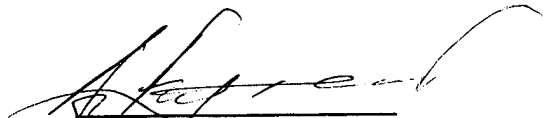
- Within the framework of the UNODC's and the NCCC's respective policies, mandates and programmes, both parties in close consultation shall develop partnership initiatives and shall identify common areas for collaboration to develop relevant technical cooperation programmes and projects under the Anti-Corruption Mentor Programme. The NCCC will provide the Anti-Corruption Mentor with all the support needed for the development of "activities" outlines in the TOR of the Mentor;
2. Any such "Activity" shall be subject to the availability of resources.
  3. The NCCC shall guarantee to fulfill its obligations as a recipient Member State to support the Mentor in-kind through the provision of practical support, specifically an appropriately-equipped office, and through facilitating access for both the Mentor and the UNODC to relevant data and records, as deemed appropriate, and their involvement in existing anti-corruption policies and strategies.
  4. The UNODC and the NCCC shall keep each other informed of and consult on matters of common interest, which in their opinion are likely to lead to mutual cooperation. Such consultation and exchange of information shall be without prejudice to arrangements which may be required to safeguard the confidential nature and restricted character of certain information and documents.
  5. The UNODC and the NCCC shall assign officials to serve as focal points for the collaboration. Periodic consultative meetings shall be organized for senior executives of both parties to discuss the planning and implementation of the collaboration. Specific roles and responsibilities of each party in support of the planning and implementation of the collaboration shall be discussed and identified through these consultative meetings.
  6. The development and implementation of technical cooperation programmes/projects and activities shall take into account the national anti-corruption plan and implementation mechanisms as well as the UNODC administrative and financial rules and procedures.
  7. The UNODC and the NCCC will address efforts to mobilize resources from government and non-government actors as well as international development partners aimed at sustaining the development of activities under the Anti-Corruption Mentor Programme..
  8. Nothing in this MOU shall constitute a financial or legal commitment under the financial rules and regulations of either of the parties. Any future mandate, contract, project or arrangement, shall be approved by the competent officials or relevant bodies of the parties in conformity with their applicable internal policies and guidelines, and reflected in writing.
  9. This MOU shall take effect on the date of its signature by the duly authorized representatives of the parties and with approval by the Commission. It may be terminated by either party by written notice to the other and shall terminate sixty days after receipt of such notice, provided that the termination shall become effective with respect to ongoing activities only with the concurrence of both parties.

On behalf of the NCCC:



Mr. Saravut Menasavet  
Secretary General  
Office of the National Counter Corruption  
Commission

On behalf of the UNODC:



Mr. Akira Fujino  
UNODC Representative  
Regional Center for East  
Asia and the Pacific