

*The below resolutions and decision are made available in advance for the purpose of supporting planning by all relevant parties. Some of the texts have not yet been formally edited.*

## **I. Draft resolution to be recommended by the Conference of the States Parties to the United Nations Convention against Corruption for adoption by the General Assembly**

### **Draft resolution**

#### **Special session of the General Assembly against corruption**

*The General Assembly,*

*Recalling* its resolutions [54/205](#) of 22 December 1999, [55/61](#) of 4 December 2000, [55/188](#) of 20 December 2000, [56/186](#) of 21 December 2001 and [57/244](#) of 20 December 2002, and recalling also its resolutions [58/4](#) of 31 October 2003, [58/205](#) of 23 December 2003, [59/242](#) of 22 December 2004, [60/207](#) of 22 December 2005, [61/209](#) of 20 December 2006, [62/202](#) of 19 December 2007, [63/226](#) of 19 December 2008, [64/237](#) of 24 December 2009, [65/169](#) of 20 December 2010, [67/189](#) and [67/192](#) of 20 December 2012, [68/195](#) of 18 December 2013, [69/199](#) of 18 December 2014, [71/208](#) of 19 December 2016 and [73/190](#) of 17 December 2018, and Human Rights Council resolutions [23/9](#) of 13 June 2013,<sup>1</sup> [29/11](#) of 2 July 2015<sup>2</sup> and [35/25](#) of 23 June 2017,<sup>3</sup>

*Recalling also* its resolution [73/191](#) of 17 December 2018, entitled “Special session of the General Assembly against corruption”, in which it decided to convene in the first half of 2021 a special session of the Assembly on challenges and measures to prevent and combat corruption and strengthen international cooperation,

*Recalling further* the entry into force on 14 December 2005 of the United Nations Convention against Corruption,<sup>4</sup> which is the most comprehensive and universal instrument on corruption, and recognizing the need to continue to promote its ratification or accession thereto and the full and effective implementation of its obligations,

*Bearing in mind* that the prevention and eradication of corruption is a responsibility of all States and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sector, and noting with appreciation the endeavours by States to promote their active participation,

*Recognizing* article 4 of the Convention, according to which States parties shall carry out their obligations under the Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and that of

<sup>1</sup> See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53 (A/68/53)*, chap. V, sect. A.

<sup>2</sup> *Ibid.*, *Seventieth Session, Supplement No. 53 (A/70/53)*, chap. V, sect. A.

<sup>3</sup> *Ibid.*, *Seventy-second Session, Supplement No. 53 (A/72/53)*, chap. V, sect. A.

<sup>4</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

non-intervention in the domestic affairs of other States, and recalling General Assembly resolution 70/1 of 25 September 2015,

*Bearing in mind* that nothing in the Convention shall entitle a State party to undertake in the territory of another State the exercise of jurisdiction and performance of functions that are reserved exclusively for the authority of that other State under its domestic law,

*Noting with appreciation* all relevant regional political declarations of States Members of the United Nations against corruption,

*Stressing* the importance of the special session for preventing and combating corruption and strengthening international cooperation for that purpose by, inter alia, promoting the full and effective implementation of the obligations of the Convention,

*Stressing also* that the 2030 Agenda for Sustainable Development<sup>5</sup> addresses the need to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, and concerned about the seriousness of the problems and threats to the stability and security of societies posed by corruption, which undermine the institutions and values of democracy, ethics and justice and jeopardize sustainable development and the rule of law,

1. *Decides* that the special session of the General Assembly on challenges and measures to prevent and combat corruption and strengthen international cooperation shall be convened for three days, from 26 to 28 April 2021, at United Nations Headquarters, in New York;

2. *Also decides* that the organizational arrangements for the special session shall be as follows:

(a) The special session shall consist of plenary meetings from 10 a.m. to 1 p.m. and from 3 to 6 p.m.;

(b) The opening of the special session shall include statements by the President of the General Assembly, the Secretary-General, the President of the Conference of the States Parties to the United Nations Convention against Corruption and the Executive Director of the United Nations Office on Drugs and Crime;

(c) The plenary meetings shall include statements by Member States, observer States, observers to the General Assembly and, time permitting, a limited number of representatives from relevant organizations attending the special session, in line with subparagraphs (d) and (e) below, selected by the President of the General Assembly, in consultation with Member States, with due regard for geographical balance and gender equity; the list of speakers shall be established in accordance with the established practices of the Assembly,<sup>6</sup> and the time limit for the statements will be five minutes for individual delegations and seven minutes for statements made on behalf of a group of States;

(d) Representatives of non-governmental organizations in consultative status with the Economic and Social Council are invited to participate in the special session in accordance with the established practice of the General Assembly;

(e) Recalls the established practice of the General Assembly, for the President of the General Assembly to draw up a list of other relevant representatives of non-governmental organizations, civil society organizations, academic institutions and the private sector who may attend the special session, taking into account the principles of transparency and equitable geographical representation, with due regard for the meaningful participation of women, in accordance with the established

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<sup>5</sup> General Assembly resolution 70/1.

<sup>6</sup> In accordance with the established practice of the General Assembly, if there are speakers from other non-governmental organizations that are not in consultative status with ECOSOC, this should be considered by Member States on a non-objection basis.

practice of the General Assembly and submit the list to Member States for their consideration on a non-objection basis;<sup>7</sup>

3. *Reiterates* the central role of the Conference of the States Parties to the United Nations Convention against Corruption to improve the capacity of and cooperation among States parties to achieve the objectives set forth in the United Nations Convention against Corruption and to promote and review its implementation;

4. *Also reiterates* its invitation to the Conference of the States Parties to lead the preparatory process for the special session by addressing all organizational and substantive matters in an open-ended manner;

5. *Invites* all relevant United Nations system entities, including programmes, funds, specialized agencies and regional commissions, as well as relevant intergovernmental, regional and subregional organizations, to participate in the special session;

6. *Requests* the extended Bureau of the Conference of the States Parties to organize all actions to be taken by the Conference in preparation for the special session and to address all organizational and substantive matters in an open-ended and transparent manner, including by appointing facilitators for the informal consultations on the draft political declaration;

7. *Also requests* the extended Bureau of the Conference of the States Parties, in consultation with Member States, to develop a workplan and timeline to advance consultations on the political declaration;

8. *Affirms* that the intersessional meetings of the Conference of the States Parties on the preparations for the special session will be open to participation by all States parties and observers, in accordance with the rules of procedure of the Conference and established practice;

9. *Reiterates* its request to the United Nations Office on Drugs and Crime to provide substantive expertise and technical support;

10. *Requests* the Conference of the States Parties to produce, in due time, a concise and action-oriented political declaration agreed upon in advance by consensus through intergovernmental negotiations, under the auspices of the Conference for adoption by the General Assembly at its special session;

11. *Also requests* the Conference of the States Parties to hold a special session for the purpose of approving the political declaration for subsequent transmittal to the General Assembly for adoption at its special session against corruption;

12. *Further requests* the Conference of the States Parties to report to the General Assembly at its special session on the preparations that have been undertaken by the Conference for the session;

13. *Reiterates* the importance of an inclusive preparatory process, including extensive substantive consultations, and invites the Conference of the States Parties to hold up to three intersessional meetings, as required, to advance such consultations, encourages organs, entities and specialized agencies of the United Nations system, relevant international and regional organizations, civil society, academia and other relevant stakeholders to fully contribute to the preparatory process, in accordance with the relevant rules of procedure and established practice and requests the United Nations Office on Drugs and Crime to collect such contributions, including specific recommendations on the issues to be addressed by the General Assembly at its special session, and make them available to the Conference;

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<sup>7</sup> The list of proposed as well as final names will be brought to the attention of the General Assembly. Where a name is objected to, the objecting Member State will, on a voluntary basis, make known to the Office of the President of the General Assembly the general basis of its objections and the Office will share any information received with any Member State upon its request.

14. *Requests* the secretariat of the Conference of the States Parties to prepare a report on creating synergies between the work and outcomes of the special session of the General Assembly and the forthcoming Conference of the States Parties to be held in 2021 and to present this report to the proposed intersessional meetings to be discussed and adopted by States parties;

15. *Invites* all Member States, observer States and observers to the General Assembly to consider being represented at the special session at the highest possible level;

16. *Invites* the President of the General Assembly to convene a high-level supporting event on the margins of the special session on challenges and measures to prevent and combat corruption and strengthen international cooperation;

17. *Encourages* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to organize a youth forum to discuss ways for young people to contribute to efforts to prevent and counter corruption, and invites a youth forum representative, selected by the President of the General Assembly, to participate in the special session, including through the delivery of a statement on the outcome of the discussions at the youth forum, during the opening segment of the special session;

18. *Reaffirms* its decision in resolution 73/191 to conduct the special session and its preparatory process from within existing resources.

## **II. Resolutions adopted by the Conference of the States Parties to the United Nations Convention against Corruption**

### **A. Resolutions**

1. At its eighth session, held in Abu Dhabi, from 16 to 20 December 2019, the Conference of the States Parties to the United Nations Convention against Corruption adopted the following resolutions:

#### **Resolution 8/1**

#### **Strengthening of international cooperation on asset recovery and of administration of frozen, seized and confiscated assets**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Welcoming* the entry into force on 14 December 2005 of the United Nations Convention against Corruption, which is the most comprehensive and universal instrument on corruption, and recognizing the need to continue to promote its ratification or accession thereto and its full and effective implementation;

*Noting* the high-level debate held on 23 May 2018 on the occasion of the fifteenth anniversary of the adoption of the Convention, at which the effectiveness of the Convention as a platform for mobilizing political and public action to fight corruption was reaffirmed,

*Reaffirming* its commitment to fully implementing the provisions of the Convention in order to prevent and detect, in a more effective manner, international transfers of property acquired through the commission of an offence established in accordance with the Convention and to strengthen international cooperation in asset recovery, bearing in mind that corruption is a transnational phenomenon that affects all societies and economies, making international cooperation to prevent and combat it essential;

*Acknowledging* the importance of promoting, facilitating and supporting international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery, as set out in article 1, subparagraph (b), of the Convention,

*Noting* the efforts of relevant international organizations and practitioner networks, including the Stolen Asset Recovery Initiative and the International Centre for Asset Recovery, whose activities are aimed at, inter alia, ensuring the effective sharing of information, best practices and experiences in asset recovery and the administration of proceeds of crime that have been frozen, seized or confiscated;

*Recognizing* the importance of technical assistance and capacity-building organizations;

*Recalling* its resolution 6/3 of 6 November 2015, in which it urged States parties to establish or strengthen domestic mechanisms for inter-agency coordination and intergovernmental cooperation and to ensure appropriate levels of information-sharing and coordination between competent authorities that have a role in efforts to prevent and prosecute corruption and in asset recovery, including, but not limited to, regulatory authorities, investigative authorities, financial intelligence units and prosecutorial authorities,

*Welcoming* the progress report on the implementation of the mandates of the Working Group on Asset Recovery in which the Working Group reemphasized the importance of asset recovery as an important factor of the domestic resource mobilization required for the achievement of the Sustainable Development Goals (SDGs) and recommended strengthening cooperation between financial intelligence units, anti-corruption authorities and central authorities responsible for mutual legal assistance at the national and international levels;

*Recalling* its resolution 7/1 of 6 November 2017, in which it urged States parties to ensure that the information provided regarding their central and competent authorities, in line with article 46, paragraph 13, of the Convention, was up to date, in order to enhance the dialogue on mutual legal assistance,

*Recalling also* article 35 of the Convention, which obliges States parties to take measures, in accordance with principles of their domestic law, to ensure that entities or persons who have suffered damage as a result of an act of corruption have the right to initiate legal proceedings against those responsible for that damage in order to obtain compensation,

*Recalling further* its resolution 7/1, in which it encouraged States parties to make full use of the possibility of concluding agreements or mutually acceptable arrangements for the return and final disposal of confiscated property pursuant to article 57, paragraph 5, of the Convention and to consider the Sustainable Development Goals in the use and management of recovered assets, while fully respecting the principles of sovereign equality and the territorial integrity of States and of non-intervention in the domestic affairs of other States, in line with article 4 of the Convention,

*Noting* that the effective implementation of the provisions of article 31, paragraph 3, of the Convention, relating to the administration of frozen, seized and confiscated assets, is essential to depriving criminals of the proceeds of their crimes,

*Welcoming* the preparation by the Secretariat of the study entitled *Effective Management and Disposal of Seized and Confiscated Assets* and also the draft non-binding guidelines on the management of frozen, seized and confiscated assets,<sup>8</sup> and noting the practical benefits of those documents in the framework of improving national legislation and implementing the provisions of the Convention,

*Stressing* the need for States parties to ensure, within their means and in accordance with the fundamental principles of their domestic law, that there are

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<sup>8</sup> CAC/COSP/WG.2/2018/3, annex.

adequate mechanisms in place to manage and preserve the value and condition of assets pending the conclusion of confiscation proceedings and, where appropriate, non-conviction-based proceedings to recover identified proceeds of crime,

*Recalling* its resolution 7/5 of 6 November 2017, in which it recalled the importance of States parties taking appropriate measures, within their means and in accordance with the fundamental principles of domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental and community-based organizations, the private sector and academia, in the prevention of and fight against corruption, and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption,

1. *Calls upon* States parties to the United Nations Convention against Corruption<sup>1</sup> to take effective measures at the national level to ensure effective implementation of the provisions of the Convention, in particular chapter V of the Convention on asset recovery;

2. *Encourages* States parties to take the necessary measures, in accordance with their domestic law, to implement the provisions of article 31, paragraph 3, of the Convention, relating to the administration by the competent authorities of frozen, seized and confiscated assets, in order to secure those assets or preserve their economic value, and to consider making that process of administration transparent;

3. *Also calls upon* States parties to consider, consistent with article 31, paragraph 3 of the Convention, where appropriate and consistent with their national legal systems, the possibility of establishing the necessary human and institutional capacities for competent authorities responsible for the administration of frozen, seized and confiscated proceeds of crime, as well as of improving the national legal basis for ensuring effective regulation of the administration of such proceeds, with a view to the return or disposal of the proceeds of crime, consistent with chapter V of the Convention;

4. *Emphasizes* that the principles of sovereign equality and territorial integrity of States and of non-intervention in the domestic affairs of other States should be fully respected during and after the return or disposal of confiscated property, and encourages States parties, where appropriate, to give special consideration to concluding agreements, or mutually acceptable arrangements, on a case-by-case basis, for return and final disposal of confiscated property, pursuant to article 57, paragraph 5;

5. *Encourages* States parties, in a common effort, to apply lessons learned in all areas of asset recovery cooperation by, inter alia, strengthening domestic institutions and enhancing international cooperation, including through participation in relevant international practitioner networks, such as the asset recovery focal points under the Convention against Corruption, the Global Focal Point Initiative, supported by the International Criminal Police Organization and the Stolen Asset Recovery Initiative, and the Camden Asset Recovery Inter-Agency Network and other similar networks, as well as regional initiatives, as appropriate;

6. *Calls upon* States parties to consider, with full respect of the fundamental principles of their domestic law and consistent with the Convention, the possibility of improving effectiveness of domestic inter-agency coordination by, inter alia, developing strategic policies to combat corruption and recover proceeds of crime;

7. *Urges* States parties to consider, in accordance with the fundamental principles of their domestic law and in accordance with the Convention, the establishment or further development of inter-agency or intergovernmental cooperation in identifying, tracing, freezing, seizing, confiscating and returning proceeds of crime which will enable States parties to better detect, deter and prevent acts of corruption;

8. *Calls upon* States parties to consider, in line with international standards and in accordance with their domestic law, with due respect for all the rights and

guarantees provided under that law, improving lawful access to relevant information sources, including international databases, which would positively affect the quality and efficiency of the tracing of proceeds of crime with due respect to personal data;

9. *Encourages* the States parties to consider, with due regard to article 4 of the Convention, within their domestic legal framework or administrative arrangements, the various possible models of disposal and administration of confiscated proceeds of offences established in accordance with the Convention, including, but not limited to, allocating such proceeds to the national revenue fund or the State treasury, reinvesting of funds for special purposes and compensating victims of the underlying crime, also through the social reuse of assets to the benefit of communities, including with a view to returning such proceeds of crime in accordance with chapter V of the Convention;

10. *Further calls upon* States parties to ensure the effective use of State resources in the process of administering frozen, seized and confiscated assets, where appropriate and in accordance with their domestic legal systems, by deepening internal cooperation between competent authorities and enhancing the capacities of competent authorities responsible for the administration of such assets, with a view to involving them in the early stages of the process of preparing and planning asset seizures;

11. *Welcomes* the study prepared by the Secretariat entitled *Effective Management and Disposal of Seized and Confiscated Assets*, and decides that the Working Group should continue its work by, inter alia:

(a) Continuing to collect information on best practices from States parties, with a view to completing the draft non-binding guidelines on the management of frozen, seized and confiscated assets and updating the study entitled *Effective Management and Disposal of Seized and Confiscated Assets*;

(b) Continuing its efforts to collect information on challenges and barriers that States parties face, as well as best practices in recovery and return of proceeds of crime, with a view to proposing possible recommendations for full and effective implementation of chapter V of the Convention;

(c) Continuing to provide reports to the Conference on its activities;

12. *Encourages* States parties to further work closely to strengthen capacities of competent authorities responsible for asset recovery to draw upon and improve the skills of experts on an ongoing basis in order to enhance the identification, tracing, seizure and confiscation of the proceeds of crime;

13. *Recommends* that States parties, where appropriate and in accordance with the fundamental principles of their domestic law and in accordance with the Convention, take necessary measures to develop or establish an appropriate legal framework and allocate the resources necessary to ensure that authorities responsible for investigating and prosecuting crimes of corruption, as well as tracing, seizing, freezing and confiscating the proceeds of crime and implementing measures for their return and administration are enabled to carry out their functions effectively and free from any undue influence;

14. *Encourages* States parties to remove barriers to applying measures for the recovery of assets, in particular by simplifying their legal procedures, where appropriate and in accordance with their domestic law, and by preventing abuse of such procedures;

15. *Requests* the Secretariat, within available resources, to provide assistance to the Open-ended Intergovernmental Working Group on Asset Recovery and the open-ended Intergovernmental Expert Meetings to enhance international cooperation under the Convention in the discharge of their functions, including through the provision of interpreting services in the six official languages of the United Nations;

16. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes specified in the present resolution, in accordance with the rules and procedures of the United Nations.

## Resolution 8/2

### **Celebrating the tenth anniversary of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Recalling* article 63, paragraph 1, of the United Nations Convention against Corruption,<sup>9</sup> which established the Conference of the States Parties to the Convention to promote and review the implementation of the Convention,

*Recalling also* its resolution 3/1 of 13 November 2009, entitled “Review mechanism”, in which it adopted the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and requested the Implementation Review Group to conduct an evaluation of the terms of reference, as well as the challenges encountered during the country reviews, at the conclusion of each review cycle, and to report to the Conference on the outcome of those evaluations,

*Acknowledging* that continuing the process of evaluation of the performance of the Implementation Review Mechanism before the completion of the second review cycle on the basis of the experiences gained in the first review cycle could significantly contribute to useful outcomes, and that this process should be started without prejudice to any subsequent continuation of such work following the completion of the second review cycle, in accordance with decision 5/1 of 29 November 2013,

*Bearing in mind* the terms of reference of the Implementation Review Mechanism, in particular the guiding principles and characteristics of the Mechanism and the functions of the Implementation Review Group, as established in section II and paragraph 44 of the terms of reference, respectively,

*Recalling* its resolutions 4/1, 4/5 and 4/6 of 28 October 2011, in which it provided further guidance on the Implementation Review Mechanism and on the work of the Implementation Review Group, its decision 5/1 on preparations for the performance assessment of the Mechanism, and its resolution 6/1 of 6 November 2015, by which it launched the second cycle of the Mechanism,

*Recognizing* that one of the goals of the Implementation Review Mechanism is to promote and facilitate international cooperation in the prevention of and the fight against corruption, including in the area of asset recovery, in accordance with the Convention,

*Welcoming* the convening of the “First meeting of chairpersons, governing bodies and secretariats of the international instruments and mechanisms devoted to preventing and combating corruption to commemorate the fifteenth anniversary of the United Nations Convention against Corruption (Merida Convention)”, held in Mexico City on 14 May 2019, and welcoming also in this regard the high-level debate convened on 23 May 2018 by the President of the General Assembly to highlight emerging trends and promote the effective implementation of the Convention,

*Noting with appreciation* the continued commitment of States parties to the country review process, which has so far led to the successful completion of 169 reviews under the first review cycle and 29 reviews under the second cycle, and taking note of the information gathered so far through the review of implementation of chapters II (Preventive measures), III (Criminalization and law enforcement), IV (International cooperation) and V (Asset recovery) of the Convention in the course of 237 country visits and joint meetings under both cycles and the training of focal

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<sup>9</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.



points and governmental experts from 177 States for the review of the implementation of the Convention,

*Noting with concern* the significant delays encountered in completing the first and second review cycles and how far behind schedule the second cycle is, compared with the projected schedule outlined in resolution 6/1,

*Recognizing* the endeavour and existing practice of States parties to enhance their cooperation with relevant stakeholders, including the private sector, individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the context of the implementation review and country visits, while noting that each State party has the sovereign right to decide how to involve such stakeholders in the review process, in accordance with the fundamental principles of domestic laws,

*Commending* the secretariat and the Implementation Review Group for their immense efforts in the past decade and for operating on the basis of clear, established guidelines for the compilation, production and dissemination of information in the conduct of country reviews, including the submission of the outcome to the Conference, as provided in paragraph 3 (g) of the terms of reference of the Implementation Review Mechanism,

*Recognizing* the success of the Implementation Review Group in identifying good practices and challenges encountered by States parties in the fulfilment of their obligations under the Convention, disseminating the good practices and making efforts to address the challenges and provide technical assistance as needed,

*Remembering* Dimitri Vlassis, the former Secretary of the Conference and Chief of the Corruption and Economic Crime Branch of the United Nations Office on Drugs and Crime, whose vision in the drafting of the Convention and the designing of its mechanisms and whose everlasting endurance in managing its day-to-day operations have brought the Convention to universality,

1. *Commemorates* the tenth anniversary of the establishment of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, and congratulates the States parties, the United Nations Office on Drugs and Crime, as the secretariat, and the Implementation Review Group on their ongoing efforts and the significant progress made to date to conclude the reviews under the first and the second cycles of the Mechanism, which have led to a better understanding of the phenomenon of corruption and its challenges worldwide;

2. *Encourages* States parties to keep using the Implementation Review Group as a platform for the voluntary exchange of information on national measures taken during and after the completion of country reviews, including strategies adopted, challenges encountered and best practices identified, as well as, where appropriate, the follow-up to the recommendations made in the country review reports, while taking into account the need for efficient discussions and decision-making processes in the sessions of the Group;

3. *Welcomes* the important and useful thematic implementation reports, regional supplementary addenda and updates on technical assistance needs prepared by the secretariat for the consideration of the Implementation Review Group, and encourages States parties, the United Nations and other stakeholders to make full use of those documents;

4. *Encourages* States parties to make their country review reports publicly available, in accordance with paragraphs 36, 37, 38 and 39 of the terms of reference of the Implementation Review Mechanism;

5. *Notes with appreciation* the commitment of States parties to the country review process in their capacity as both States under review and reviewing States, recognizes the involvement of relevant stakeholders in the country reviews, in accordance with the fundamental principles of domestic law, and urges them to adhere to the indicative timelines for country reviews, as contained in the guidelines for

governmental experts and the secretariat in the conduct of country reviews, and to avoid, as much as possible, delays in the various stages of the review;

6. *Requests* the secretariat to continue to provide to the Implementation Review Group analyses of the time frames associated with the crucial stages of the review process, including statistics on the number of States parties that are behind schedule, with the aim of facilitating a more efficient process;

7. *Encourages* States parties to enhance active participation, including by representatives from competent authorities involved in preventing and combating corruption, in the meetings of the Implementation Review Group;

8. *Calls upon* States parties to further promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, in line with article 1 (b) of the Convention, with a view to facilitating the implementation of article 43 of the Convention;

9. *Welcomes* the secretariat's practice of arranging and facilitating trilateral meetings among States parties under review and reviewing States parties on the margins of sessions of the Implementation Review Group, and encourages States parties to make use of this helpful practice to enhance the efficiency of the review process;

10. *Approves* the set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III and IV of the Convention as a potentially useful guide for practitioners, prepared in accordance with paragraph 11 of its resolution 6/1 and with paragraph 44 of the terms of reference and acknowledged in its decision 7/1 of 10 November 2017, and acknowledges that, while these non-binding recommendations and conclusions may be used to ensure consistency in the Implementation Review Mechanism, nothing in them is to be regarded as the sole option for the implementation of the relevant articles of the Convention;

11. *Encourages* States parties to periodically update their lists of governmental experts for the second review cycle and to nominate experts for the training courses organized by the secretariat of the United Nations Office on Drugs and Crimes for focal points and governmental experts participating in the review process, in order to familiarize them with its methodology and increase their capacity to participate in the reviews;

12. *Requests* the Implementation Review Group to continue to hold regular sessions at least once a year, based on an annotated provisional agenda and programme of work issued as early as possible in order to enable the States parties to plan the composition of the delegations and prepare for focused and efficient discussions on the main topics of the session, and, while taking into consideration the directions of the Conference, being able to adjust topics of discussion to maximize the effectiveness of its discussions and work outcomes, subject to the availability of existing resources;

13. *Encourages* the States parties, with the help of the secretariat, to voluntarily share their views in the Implementation Review Group, without prejudice to the existing mandates of the Group and the terms of reference of the Implementation Review Mechanism, on the possible ways forward following the end of the first review phase, and requests that the Group submit its report to the Conference at its tenth session;

14. *Requests* the Implementation Review Group to continue to collect, with the support of the secretariat, relevant information, including the views of States parties, pertaining to the performance of the Implementation Review Mechanism, with a view to continuing, at the appropriate time, its assessment of the performance of the Mechanism, as provided for in paragraph 48 of its terms of reference and decision 5/1, and in this regard to continue to report to the Conference on progress made, bearing in mind the request in paragraph 5 of resolution 3/1 for the evaluation of the terms of reference at the conclusion of each review cycle;

15. *Encourages* the secretariat to continue to strengthen synergies with the secretariats of other relevant multilateral organizations in the field of anti-corruption, within their respective mandates, to avoid duplication of effort and enhance the performance of the various review mechanisms, in accordance with its resolutions 6/1 of 6 November 2015 and 7/4 of 10 November 2017, and requests the secretariat to report to the Implementation Review Group on progress made in this regard;

16. *Encourages* States parties that are members of different multilateral review mechanisms in the field of anti-corruption to support, within their respective organizations and within the governing bodies of those organizations, efficient and effective cooperation and coordination between the secretariats of those review mechanisms and the secretariat of the Conference, while respecting the mandates of all review mechanisms;

17. *Calls upon* States parties and the secretariat to continue to develop and promote the use of information and communications technologies in order to support the implementation of the Convention by the States parties and facilitate country reviews, in accordance with resolution 6/7 of 6 November 2015;

18. *Encourages* the Implementation Review Group to continue to conduct briefings on the outcomes of the review process for non-governmental organizations on the margins of the sessions of the Implementation Review Group, in accordance with resolution 4/6;

19. *Requests* the secretariat to submit a report to the Conference at its ninth session on the implementation of the present resolution.

### **Resolution 8/3**

## **Promoting integrity in the public sector among States parties to the United Nations Convention against Corruption**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Acknowledging* that the prevention of and the fight against all forms of corruption require a comprehensive and multidisciplinary approach, consistent with the United Nations Convention against Corruption<sup>10</sup> and the domestic legal frameworks of States parties, including by implementing chapter II and article 36 of the Convention, which, inter alia, require States parties to take appropriate legislative and regulatory measures and ensure the existence of specialized bodies to prevent and combat corruption, consistent with articles 6, 7 and 36 of the Convention,

*Highlighting* the prominence that the Convention has given to the prevention of corruption as an integral part of a comprehensive approach to fighting corruption, as reflected in the commitment of States parties under chapter II of the Convention to take measures aimed at the prevention of corruption,

*Emphasizing* that efforts by States parties to implement the Convention are mutually reinforcing and contribute to their efforts to implement the 2030 Agenda for Sustainable Development adopted by the General Assembly in its resolution 70/1 of 25 September 2015, and recalling all its Sustainable Development Goals, including Goal 16, which is to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels,

*Underlining*, in view of the ongoing review of the implementation of chapter II of the Convention during the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, the importance of the commitment of States parties to building legislative and institutional frameworks, policies, practices and capacities, consistent with the requirements of

<sup>10</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

that chapter, and urging States parties to actively engage in the second cycle to complete their country reviews in a timely manner,

*Highlighting* the importance of preventing and combating corrupt practices in the public sector and establishing a culture of integrity in that sector, given the severe economic and social impacts of corruption, including the citizens' loss of trust in the public sector,

*Recalling* its resolution 7/6, entitled "Follow-up to the Marrakech declaration on the prevention of corruption", in which States parties are called upon to take measures to enhance integrity, transparency, accountability and the rule of law in public administration, in accordance with the fundamental principles of their legal systems,

*Acknowledging* that sustainable efforts to uphold integrity in the public sector require strategies encompassing the broader public management and governance framework,

*Bearing in mind* that the promotion of integrity is one of the purposes of the Convention and that it is essential for ensuring good governance and building a culture that is intolerant of corruption,

*Recognizing* the importance of strengthening integrity in the public sector at all stages of the policy cycle, including, as appropriate, by undertaking a corruption risk analysis of internal policies and procedures in order to prevent, detect and sanction corruption,

*Recalling* the importance of States parties taking appropriate measures, within their means and in accordance with the fundamental principles of their domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental and community-based organizations, the private sector and academia, in the prevention of and the fight against corruption, including the adoption of integrity measures, and to raise public awareness regarding the existence, causes and gravity of, and the threat posed by, corruption,

*Stressing* the crucial importance of technical assistance in building and strengthening capacities and institutions of States parties so as to facilitate and promote the effective implementation of the provisions of chapter II of the Convention,

*Taking note with appreciation* of the contributions that relevant international organizations and institutions, such as the United Nations Office on Drugs and Crime and the International Anti-Corruption Academy, can provide in the areas of technical assistance and training, upon the request of States parties, to enhance integrity in the public sector of States parties,

1. *Urges* all States parties to the United Nations Convention against Corruption,<sup>11</sup> consistent with their obligations under the Convention, and in accordance with the fundamental principles of its legal system, to commit to concrete actions aimed at preventing public sector corruption, and to strengthen internal cooperation between anti-corruption bodies and other public bodies, including public agencies and enterprises in adopting and implementing effective public integrity measures;

2. *Encourages* States parties to establish, in accordance with their financial capacity and domestic legal frameworks, customized integrity programmes for public bodies which are compatible with their size, complexity, structure and field of work, with a view to creating a framework for preventing, detecting and deterring acts of corruption;

3. *Invites* States parties to develop integrity programmes in public bodies, taking into consideration their institutional characteristics and responsibilities, and to

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<sup>11</sup> Ibid.

introduce organizational standards of ethics and rules of conduct capable of, among other things, preventing and managing conflicts of interest;

4. *Encourages* States parties to adopt specific measures to foster integrity in public enterprises and so that those enterprises have mechanisms for effectively identifying, assessing and mitigating corruption risks;

5. *Calls upon* States parties to ensure that public bodies have the mandate and capacity to analyse, evaluate and mitigate corruption risks, and routinely monitor the results of integrity programmes;

6. *Encourages* all States parties to provide the necessary resources, in accordance with their legal systems, as appropriate, for the development, implementation and assessment of domestic integrity programmes;

7. *Urges* States parties to consider adopting strategies to foster a culture of integrity, honesty and responsibility throughout all aspects of public administration and to consider adopting, in accordance with the fundamental principles of their legal systems, procedures that reflect responsiveness, reliability, regulatory improvement, accountability, transparency and impartiality;

8. *Also urges* States parties to include in the scope of their integrity programmes, in accordance with the fundamental principles of their legal systems, such measures as are necessary to promote compliance by public officials with applicable standards of conduct, anti-corruption measures and public integrity values in interactions with the private sector, civil society, academia and individuals;

9. *Further urges* States parties to promote effective integrity programmes at all levels of government and to ensure that integrity programmes provide sufficient training and timely advice to public officials so as to enable them to understand and apply public integrity standards, as well as to make available clear and up-to-date information about the organization's policies, rules and administrative procedures relevant to maintaining high standards of public integrity;

10. *Recommends* that States parties promote dialogue within their public bodies, regarding integrity matters, especially through the establishment of channels for discussion and advice on ethical dilemmas and public integrity concerns;

11. *Emphasizes* that senior public officials should take the lead in complying with integrity standards and that integrity programmes should have the support and commitment of senior public officials, who should exercise personal leadership in maintaining effective integrity programmes at their agencies and enterprises and should take necessary steps to foster a culture of integrity among public officials under their management;

12. *Encourages* States parties to enhance engagement of public bodies with relevant stakeholders, within their means and in accordance with the fundamental principles of their domestic laws, with regard to the promotion of integrity, including by granting relevant stakeholders effective access to information in the development and implementation of public policies in this area;

13. *Also encourages* States parties to engage the private sector in the promotion of integrity in its relations with the public sector, including, as appropriate, by encouraging the business community to develop and implement integrity programmes and policies that set forth clear integrity standards that regulate such relations;

14. *Calls upon* States parties to adopt mechanisms capable of providing effective, proportionate and dissuasive responses to violations of public integrity standards committed by public officials;

15. *Recommends* that States parties, in accordance with article 8 of the Convention, establish channels for reporting suspected violations of integrity standards, including, when appropriate, the possibility of confidentially reporting to a body with the mandate and capacity to initiate or conduct an independent

investigation, consistent with article 33 of the Convention on the protection of reporting persons;

16. *Calls upon* States parties to use, when applicable and in accordance with the resources available, information and communication technologies to enhance the effective and efficient implementation of chapter II of the Convention, in line with Conference resolution 6/7 of 6 November 2016;

17. *Requests* the Secretariat, within its mandate, to continue to collect information on the legislative and administrative measures adopted to promote integrity in the public sector, in consultation with States parties and taking into consideration, among other things, the information gathered during the second review cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and to make such information available to the Working Group on the Prevention of Corruption at its upcoming meetings, within existing reporting requirements;

18. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

#### **Resolution 8/4**

#### **Safeguarding sport from corruption**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Reaffirming* its resolution 7/8 of 10 November 2017, entitled “Corruption in sport”, in which it called upon States parties to strengthen and further coordinate their efforts to effectively mitigate the risks of corruption in sport,

*Recognizing* the important role played by the United Nations Convention against Corruption<sup>12</sup> in harmonizing the actions taken by Governments in the fight against corruption in all its forms, and reaffirming its relevance to promoting integrity, transparency and accountability and preventing corruption, including in sport,

*Reaffirming* that sport is an important enabler of sustainable development, and recognizing the growing contribution of sport to the realization of justice and peace through its promotion of tolerance, fairness and respect and the contributions it makes to the empowerment of women and young people, individuals and communities, as well as to development objectives relating to health, education and social inclusion,

*Recognizing* that sports organizations within the Olympic movement have the rights and obligations of autonomy, which include freely establishing and controlling the rules of sport, determining the structure and governance of their organizations, enjoying the right to elections free from any outside influence and the responsibility for ensuring that principles of good governance be applied,

*Recognizing also* that corruption in sport undermines the fundamental principles of Olympism, as reflected in the Olympic Charter,

*Noting with great concern* that corruption and organized and economic crime can undermine the potential of sport and its role in contributing to the achievement of the Sustainable Development Goals and targets contained in the 2030 Agenda for Sustainable Development,<sup>13</sup>

*Recognizing* the importance of protecting children and young people in sport from potential exploitation and abuse so as to ensure a positive experience and a safe environment that supports their healthy development,

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<sup>12</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

<sup>13</sup> General Assembly resolution 70/1.

*Concerned* that the challenges posed by corruption could undermine the potential of sports to advance gender equality and the empowerment of women,

*Affirming* the invaluable contribution of the Olympic and Paralympic movements in establishing sport as a unique means for the promotion of peace and development, in particular through the ideal of the Olympic Truce, acknowledging the opportunities provided by past Olympic and Paralympic Games, welcoming with appreciation all upcoming Olympic and Paralympic Games, and calling upon States parties that will host such Games and other major sporting events in the future, as well as other States parties, to enhance measures to address the risks of corruption related to such events,

*Recognizing* the importance of ensuring transparency and integrity in the process used for selecting locations for major sporting events,

*Acknowledging* the fundamental role played by States parties, with the assistance of the United Nations Office on Drugs and Crime, in preventing and combating corruption in sport,

*Recognizing* the crucial role of the United Nations in combating and preventing corruption in sport and promoting integrity in sport,

*Recognizing also* the contributions that other intergovernmental organizations and forums<sup>14</sup> make in the fight against corruption in sport and the promotion of integrity in sport,

*Noting* that, while the implementation of the United Nations Convention against Corruption is the responsibility of States parties, the promotion of integrity, transparency and accountability and the prevention of corruption in sport are responsibilities to be shared by all relevant stakeholders,

*Highlighting*, in this context, the contributions of sports organizations and the role of athletes, the media, civil society, academia and other private sector entities in safeguarding sport from corruption, and highlighting also the key role of public-private partnerships in this regard,

*Recognizing* the continuing importance of multi-stakeholder partnerships in combating and preventing corruption in sport, and noting the contributions of the United Nations Office on Drugs and Crime to those partnerships,

*Welcoming* the work of the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice and corruption, including through the development of relevant tools and guidance material and the provision of technical assistance, including in the context of the Global Programme for the Implementation of the Doha Declaration: Towards the Promotion of a Culture of Lawfulness, and the Global Programme on Safeguarding Sport from Corruption and Crime,

*Referring* to the Memorandum of Understanding between the International Olympic Committee and the United Nations Office on Drugs and Crime signed in May 2011, which provides a framework for cooperation between the two entities in the fields of preventing and fighting corruption in sport, including through the delivery of capacity-building and technical assistance, upon request,

*Recalling* General Assembly resolution [73/24](#) of 6 December 2018, entitled “Sport as an enabler of sustainable development”, and the references made therein to the threat to sport posed by corruption,

*Recalling also* Economic and Social Council resolution 2019/16 of 23 July 2019, entitled “Integrating sport into youth crime prevention and criminal justice strategies”, in which the Council expressed concern about the risks to youth posed by corruption and crime in sport,

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<sup>14</sup> Such as the Council of Europe, the Commonwealth Secretariat, the Organization of American States and the Organization for Economic Cooperation and Development. See also, inter alia, the Group of 20 leaders’ declarations of 5 and 6 September 2013 and 8 July 2017.

*Taking note with appreciation* of the report of the Secretary-General on strengthening the global framework for leveraging sport for development and peace,<sup>15</sup> in which he proposed an update to the United Nations Action Plan on Sport for Development and Peace,<sup>16</sup>

*Welcoming* the international conferences on the theme “Safeguarding sport from corruption”, held in Vienna on 5 and 6 June 2018 and on 3 and 4 September 2019, noting their contribution towards international progress, and acknowledging their outcomes,

1. *Calls upon* States parties to strengthen and further coordinate their efforts in an inclusive and impartial manner, including under the auspices of the United Nations, to promote synergies between all relevant work streams,<sup>17</sup> inter alia, but not limited to, existing multi-stakeholder partnerships, to ensure the mainstreamed consideration of efforts to safeguard sport from corruption, which will contribute to the implementation of the 2030 Agenda for Sustainable Development,<sup>2</sup> and to highlight the role of sport as a unique means for the promotion of peace, justice and dialogue during and beyond the period of the Olympic and Paralympic Games;

2. *Invites* States parties, entities of the United Nations system, the International Olympic Committee, the International Paralympic Committee and other stakeholders, including sports organizations, federations and associations, athletes, the media, civil society, academia and the private sector, to promote greater awareness, develop their capacity and provide technical assistance, where applicable and upon request, in order to address corruption in sport;

3. *Encourages* States parties to further increase capacity, where possible, to strengthen cooperation between their law enforcement authorities, with a view to more effectively tackling corruption crimes in sport, exacerbated, in particular, by the infiltration of organized crime, and to guarantee, without prejudice to their domestic law, the timely sharing of information concerning corruption, fraud and money-laundering in sport at the national, regional and international levels, and to do so using relevant modern technologies;

4. *Urges* States parties to enforce their national legislation criminalizing bribery and other forms of corruption by preventing, investigating and prosecuting corrupt acts involved in sports, bearing in mind, in particular, articles 12, 15 and 21 of the Convention and without prejudice to article 4 of the Convention;

5. *Encourages* States parties to enhance cooperation between their law enforcement authorities and sports organizations in order to effectively prevent, detect in a timely manner and counter corruption crimes in sport, as well as to facilitate the exchange of expertise and the dissemination of information, and to raise awareness within sports organizations and the sports community of the gravity of corruption offences;

6. *Requests* the United Nations Office on Drugs and Crime, building on the outcomes of the international conferences on the theme “Safeguarding sport from corruption”, to hold further international forums in Vienna to raise awareness and promote cooperation among relevant stakeholders;

7. *Invites* States parties to consider establishing a Vienna chapter of the Group of Friends of Sport for Development and Peace, an informal group of permanent missions to the United Nations in New York and Geneva serving as a platform to promote dialogue and exchange of views and information on issues

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<sup>15</sup> [A/73/325](#).

<sup>16</sup> See [A/61/373](#).

<sup>17</sup> Including those on procurement, conflicts of interest, good governance and cooperation between criminal justice, law enforcement and sport organizations, other crimes, misconduct and misbehaviour in sport.



relevant to the present resolution, Conference resolution 7/8 and activities and mandates of the United Nations Office on Drugs and Crime;<sup>18</sup>

8. *Calls upon* States parties, where possible and in accordance with the fundamental principles of their legal systems, to inform the Secretariat of the names and addresses of authorities that may be able to assist other States parties in developing and implementing specific measures to address corruption in sport;

9. *Requests* the United Nations Office on Drugs and Crime to develop, within its mandate, in close consultation with States parties and in cooperation with interested stakeholders, a comprehensive thematic study on safeguarding sport from corruption, including consideration of how the Convention can be applied to prevent and counter corruption in sport, to update training materials, guides and tools for Governments and sports organizations, to disseminate information and good practices and to develop projects and deliver technical assistance, upon request, to support the implementation of the present resolution and further strengthen measures against corruption in sport;

10. *Urges* States parties and relevant stakeholders to address risks to vulnerable groups, in particular children and young athletes, posed by corruption in sport, with a view to promoting healthy lives and principles of integrity and to creating an atmosphere of intolerance towards corruption in junior and youth sport;

11. *Invites* States parties and relevant stakeholders, with a view to promoting gender equality and the empowerment of women, to actively encourage the greater participation and representation of women in sports-related activities, programmes and initiatives and in sports governing bodies, including by developing robust awareness programmes that address gender-related barriers in sport caused by corruption;

12. *Encourages* States parties and sports organizations, bearing in mind in particular articles 8, 32 and 33 of the United Nations Convention against Corruption,<sup>1</sup> in conformity with national legislation and in the context of sport, to consider developing reporting mechanisms in sport and establishing effective protection measures for reporting persons and witnesses, to increase awareness of such measures and to make use of the joint publication of the United Nations Office on Drugs and Crime and the International Olympic Committee entitled *Reporting Mechanisms in Sport: A Practical Guide for Development and Implementation* and the publication of the United Nations Office on Drugs and Crime entitled *Resource Guide on Good Practices in the Protection of Reporting Persons*;

13. *Encourages* States parties and relevant stakeholders, including organizing committees, in the course of organizing sports events, to take the necessary steps to establish appropriate systems of procurement, based on transparency, competition and objective criteria in decision-making, that are effective, inter alia, in preventing corruption and to make use of the United Nations Office on Drugs and Crime publication entitled *The United Nations Convention against Corruption: A Strategy for Safeguarding against Corruption in Major Public Events*, as well as of its support tool;

14. *Urges* States parties, in accordance with their domestic legal systems, to strongly encourage sports organizations at all levels and relevant stakeholders to promote and enhance ethical practices and transparency in sport, including through the adoption, where appropriate, of term limits for senior officials of sports organizations and by developing and implementing conflict of interest policies, preparing and making publicly available relevant information, including statutes, rules and regulations, annual activity reports and main events reports, annual financial reports and summaries of reports or decisions taken during executive board and committee meetings, election processes and results, and monitoring the implementation of such policies and procedures, and encourages the use by sports organizations of the publication of the United Nations Office on Drugs and Crime

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<sup>18</sup> See General Assembly resolution [73/24](#).

entitled *An Anti-Corruption Ethics and Compliance Programme for Business: A Practical Guide*;

15. *Encourages* States parties, in order to tackle the problems of competition manipulation, illegal betting and related money-laundering activities, to periodically evaluate national policies, effective practices and national law with a view to determining their efficiency and effectiveness in preventing and combating corruption in sport and to make use of the booklet entitled “Model criminal law provisions for the prosecution of competition manipulation” and the study entitled *Criminalization Approaches to Combat Match-Fixing and Illegal/Irregular Betting: A Global Perspective*, joint publications of the United Nations Office on Drugs and Crime and the International Olympic Committee, and of the *Resource Guide on Good Practices in the Investigation of Match-Fixing and National Anti-Corruption Strategies: A Practical Guide for Development and Implementation*, published by the United Nations Office on Drugs and Crime;

16. *Also encourages* States parties to enhance international cooperation to tackle illegal betting, given its cross-border dimension;

17. *Calls upon* States parties to ensure that organizations involved in host selection operate in a transparent manner and in conformity with the applicable rules and procedures;

18. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to provide information to the Secretary-General on the implementation of resolution 7/8 and the present resolution as a possible contribution to his report on the implementation of resolution 73/24 on sport as an enabler of sustainable development, to be submitted to the General Assembly at its seventy-fifth session;

19. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

## **Resolution 8/5**

### **Enhancing integrity by raising public awareness**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Welcoming* the commitments of the States parties to the United Nations Convention against Corruption<sup>19</sup> to achieving appropriate policies and preventive measures to enhance integrity and combat corruption,

*Acknowledging* the multiplicity and diversity of approaches to preventive measures, and that such approaches may require context-based, sector-specific and country-specific adaptation, bearing in mind the Convention as a starting point,

*Noting* the corrosive impact that corruption has on the development of the rule of law, including by undermining the legitimacy and effectiveness of key public institutions,

*Reaffirming* the need to implement chapter II of the Convention to prevent and combat corruption,

*Recognizing* that, while the implementation of the Convention is the responsibility of States parties, the promotion of a culture of integrity, transparency and accountability and the prevention of corruption are responsibilities shared by all stakeholders and sectors of society, in accordance with chapter II of the Convention,

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<sup>19</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

*Recalling* article 7, paragraph 1 (d), of the Convention, in which States parties are called upon to promote education and training programmes to enable public officials to meet the requirements for the correct, honourable and proper performance of public functions, including specialized training to enhance their awareness of the risks of corruption inherent in the performance of their functions,

*Recognizing* the important contribution of the United Nations Office on Drugs and Crime and other relevant international organizations and institutions, such as the International Anti-Corruption Academy, in providing technical assistance and training to raise public awareness and enhance integrity,

*Recalling* article 13 of the Convention, in which each State party is called upon to take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption,

*Convinced* that effective measures for the prevention of corruption promote good governance in all sectors, reinforce trust in public institutions and increase corporate social responsibility, in both the public and private sectors,

*Recalling* the adoption of the 2030 Agenda for Sustainable Development,<sup>20</sup> and that Sustainable Development Goal 16 of the 2030 Agenda addresses the need to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, and stressing the importance of target 16.5 to substantially reduce corruption and bribery in all its forms,

*Bearing in mind* the decision of the General Assembly in its resolution 58/4 of 31 October 2003 to designate 9 December as International Anti-Corruption Day,

1. *Calls upon* States parties to promote awareness of the concept of corruption and point out its dangers and effects, as well as the importance of maintaining integrity and of self-monitoring and the non-tolerance of corruption;

2. *Encourages* States parties to implement article 13 of the Convention, including by promoting the participation of the private sector and academia in the prevention of and the fight against corruption, and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption;

3. *Encourages* States parties to use technological innovations, including e-government instruments, and social media to promote public awareness and disseminate information aimed at contributing to the non-tolerance of corruption;

4. *Encourages* States parties to raise awareness of administrative procedures for accessing information regarding anti-corruption laws and programmes and to make them available to those interested in accordance with domestic laws;

5. *Also encourages* States parties to consider, where appropriate and without prejudice to the protection of privacy and personal data, the use of technology systems to raise public awareness of and provide relevant information on anti-corruption laws and regulations, noting that, in accordance with the principles of domestic laws, such information may include:

(a) Relevant information on the rights and obligations of public servants and the general public;

(b) Information on the evaluation of the performance of government programmes;

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<sup>20</sup> General Assembly resolution 70/1.

(c) The functions, responsibilities and roles of the designated public servants or offices;

(d) The decision-making process for obtaining public services;

6. *Calls upon* States parties to raise public awareness of the use of public communication channels to facilitate public reporting on corrupt practices by highlighting ways for reporting cases of corruption and, when appropriate, publish relevant statistical reports on corruption;

7. *Urges* States parties to increase public awareness of means for reporting instances of corruption, including by disseminating information regarding the rights and responsibilities of whistle-blowers in accordance with domestic legislations;

8. *Encourages* States parties to establish national educational programmes to build a culture of zero tolerance for corrupt practices, as a tool to raise awareness and enhance integrity among young people in order to mitigate risks of corruption;

9. *Also encourages* States parties to take advantage of capacity-building and training programmes provided by the United Nations Office on Drugs and Crime and other relevant international organizations and institutions, such as the International Anti-Corruption Academy, to increase public awareness and integrity;

10. *Invites* States parties, through their relevant entities, to raise public awareness of the threat posed by corruption and to launch national awareness campaigns, within their means and in accordance with the fundamental principles of their national laws, on the importance of integrity and the dangers of corruption;

11. *Emphasizes* to States parties the importance of raising public awareness of the threat posed by corruption and its consequences by means of public displays, such as billboards, text messages and broadcast advertising;

12. *Also emphasizes* to States parties the need to take appropriate measures to promote the active participation of individuals and groups outside the public sector, so that the conditions are present for their effective contribution to achieving the objectives of the Convention, such as measures for respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption, and for civil society institutions and the media to organize and operate independently and without fear of reprisal because of their efforts in that regard, consistent with relevant international norms and in accordance with domestic laws;

13. *Encourages* States parties that have not already done so to designate 9 December as International Anti-Corruption Day as an instrument to raise public awareness on the threat posed by corruption.

#### **Resolution 8/6**

### **Implementation of international obligations to prevent and combat bribery as defined under the UN Convention against Corruption**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Reaffirming* that the full and effective implementation of the Convention's obligations is essential for preventing and combatting corruption more effectively and efficiently,

*Noting* that those who engage in transnational bribery, whether natural or legal persons, should be held accountable by all States parties, consistent with domestic law and the requirements of the United Nations Convention against Corruption,<sup>21</sup>

<sup>21</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

*Reaffirming* that chapter III of the Convention obligates all States parties to criminalize and punish transnational bribery as provided by the Convention, and reaffirming also the commitment of States parties to giving effect to those obligations, and recognizing the relevance of implementation of chapters II, IV and V in that regard,

*Bearing in mind* that States parties giving effect to their obligations under chapters III, IV and V would be conducive to dissuading criminals,

*Recognizing* article 4 of UNCAC, according to which its parties shall carry out the obligations under this Convention in a manner consistent with the principle of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States, and *recalling* General Assembly resolution 70/1, adopting the 2030 Agenda for Sustainable Development, and, in this regard, encouraging States parties to remove restrictive measures that negatively impact international cooperation in preventing and combatting corruption,

*Bearing in mind* that nothing in the UNCAC shall entitle a State party to undertake in the territory of another State the exercise of jurisdiction and performance of functions that are reserved exclusively for the authority of other States by its domestic law,

*Recognizing* the barriers and international challenges of States parties in implementing and enforcing the Convention, and at the same time finding appropriate balance between any immunities or jurisdictional privileges and enforcement of the Convention, in accordance with obligations under article 30 paragraph 2,

*Recognizing* the relevance of chapters IV and V of the Convention to preventing and combatting corruption, including bribery,

*Welcoming* the progress made by States parties in giving effect to chapter III of the Convention, in particular regarding the criminalization of bribery of national public officials and of foreign public officials and officials of public international organizations, while recognizing that further efforts must be made to achieve full and effective implementation and, in particular, enforcement, of the obligations, and fully respecting the provisions, of the UNCAC by all States parties,

*Recognizing* the critical importance of effective international cooperation in efforts to detect, investigate, and prosecute acts of bribery of national public officials and of foreign public officials and officials of public international organizations, and recalling article 46 of the Convention in which States parties are mandated to afford one another the widest measure of mutual legal assistance in investigations, prosecutions, and judicial proceedings in relation to the offences covered by the Convention as well as improving the effectiveness and the efficiency of the cooperation in the recovery of proceeds of crime emanating from the bribery,

*Taking note of* the role that the private sector can play in preventing and combating bribery of national public officials and of foreign public officials and officials of public international organizations, and the importance of promoting cooperation between corruption prevention agencies, law enforcement agencies and relevant private entities in that regard, in accordance with domestic law, while maintaining strong enforcement efforts against those entities that choose to engage in bribery,

*Noting also* the efforts of other international and regional organizations and forums to prevent and combat bribery of national public officials and of public foreign officials and officials of public international organizations,

1. *Calls upon* States parties to fulfil their obligations under articles 15 and 16 of the United Nations Convention against Corruption,<sup>1</sup> in accordance with the Convention and its terms, to criminalize the bribery of national public officials, as well as of foreign public officials and officials of public international organizations, including the solicitation and acceptance of bribes by a national public official, and to strengthen their efforts to effectively enforce those laws;

2. *Also calls upon* States parties to the Convention to fulfil their commitments under article 26 of the Convention, in accordance with its terms, to establish the liability of legal persons for participation in the offences established in the Convention, including bribery of national public officials and of foreign public officials and officials of public international organizations, and to effectively enforce those laws with effective, proportionate and dissuasive criminal or non-criminal sanctions;

3. *Further calls upon* States parties to the Convention to fulfil their commitments, under articles 12 and 13, to prevent corruption involving the private sector, including the bribery of national and of foreign public officials and officials of public international organizations, by taking measures in accordance with their domestic law and regulations regarding the maintenance of books and records, financial statement disclosures and accounting and auditing, and calls upon States parties to effectively enforce those measures;

4. *Encourages* States parties to use the outcome of their country reviews to strengthen their anti-corruption frameworks including implementation of the mandatory provisions of articles 15 and 16 and encourages States parties to consider using the Implementation Review Group to update each other on their efforts to do so, and invites the Secretariat to collect good practices and lessons learned in this regard;

5. *Encourages* States parties to ensure in particular that all modalities of the commission of bribery of national and of foreign public officials and officials of public international organizations (promising, offering, giving, soliciting, accepting), as well as third party beneficiaries and indirect acts, are criminalized in accordance with the requirements set forth in the Convention, and that the subjects of the offense include all categories of persons listed in article 2 of the Convention,

6. *Stresses* the importance of sustained and enhanced political will and the commitment of all States parties, consistent with the Convention, to criminalize bribery of national public officials and foreign public officials and officials of public international organizations and to hold accountable those who commit those offences, noting the importance of international cooperation in that regard;

7. *Encourages* States parties to take all measures to prevent and detect article 15 and article 16 bribery offenses, ensuring that, consistent with domestic legislation, information useful to competent authorities for investigative and evidentiary purposes is referred in a timely fashion to law enforcement authorities responsible for investigating and prosecuting such crimes;

8. *Notes* the efforts of State Parties to sanction bribery of national public officials and foreign public officials and officials of public international organizations

consistent with the terms of the Convention including through alternative legal mechanisms and non-trial resolutions, including settlements;

9. *Encourages* States parties that are using alternative legal mechanisms and non-trial resolutions, including settlements to sanction cases of bribery of national public officials and of foreign public officials and officials of public international organizations, where appropriate and consistent with domestic legal systems and the terms of the Convention, to cooperate with all relevant States parties to enhance information-sharing bearing in mind that will enhance prevention and prosecution of bribery offences;

10. *Calls on* States parties to ensure that easy, accessible channels and appropriate measures are in place for the reporting of suspected acts of bribery of national public officials and of foreign public officials and officials of public international organizations in business transactions to competent authorities, in accordance with their domestic legal systems;

11. *Also urges* States parties to encourage their law enforcement authorities, in accordance with their domestic law, to be active in effectively investigating and prosecuting bribery of national public and of foreign public officials and officials of public international organizations, including acts of solicitation and the acceptance of bribes by national public officials;

12. *Encourages* States parties to conduct training and awareness-raising activities, consistent with articles 7 and 13 of the Convention, to enhance the familiarity of both national public officials and the general public with domestic bribery laws, implementing articles 15 and 16 of the convention, including laws on the solicitation of bribes, with a view to stopping bribery offenses;

13. *Encourages* States parties using alternative legal mechanisms and non-trial resolutions, including settlements to resolve cases of bribery of national public officials and of foreign public officials and officials of public international organizations to share information and make public concluded cases, consistent with the Convention and in line with requirements on the national level, and where appropriate, to promote prosecutions consistent with obligations under articles 15 and 16 of the Convention;

14. *Stresses* the importance of international cooperation and the sharing of information between States parties, in accordance with domestic law, in the detection, investigation and prosecution of cases involving the bribery of national public officials and of foreign public officials and officials of public international organizations and those involving asset recovery, as set forth in-chapters III, IV and V of the Convention;

15. *Emphasizes* that it is crucial to establish jurisdiction to combat bribery offenses in accordance with article 42 of the Convention and urges States parties for their competent authorities to, consistent with domestic law and as appropriate, consult one another and work together with a view to coordinating their actions and resolving conflicts on jurisdiction for prosecution or enforcement in bribery cases involving multiple jurisdictions;

16. *Calls upon* States parties to dispose of and return the confiscated proceeds of crime derived from bribery cases in accordance with their domestic legal systems and article 57 of the Convention;

17. *Encourages* States parties that have not yet done so to consider the Convention as a legal basis for extradition in respect of offences covered by it, when possible in their domestic legal system, and to endeavour to conclude bilateral extradition agreements and arrangements to carry out or to enhance the effectiveness of extradition;

18. *Encourages* States parties to conclude appropriate bilateral or multilateral agreements or arrangements, for the use of special investigative techniques in the context of international cooperation to investigate and prosecute transnational bribery cases, as set forth in article 50 of the Convention, without prejudice to article 4 of the Convention;

19. *Also encourages* States parties to, consistent with domestic law, transmit information related to foreign bribery without prior request, to interested competent authorities of other States parties, in line with article 46, paragraph 4, of the Convention, when they believe that such information could assist those authorities, without prejudice to mutual legal assistance;

20. *Invites* States parties to take measures as may be necessary to encourage, in accordance with their domestic law and article 39 of the Convention, the effective cooperation of the private sector with their national authorities in investigations and prosecutions of offenses established in accordance with the Convention, including, in particular, articles 15 and 16;

21. *Recommends* that States parties consider, in accordance with their domestic legal systems, establishing confidential complaint systems and effective programmes and measures for the protection of witnesses, experts and victims and reporting persons, consistent with articles 32 and 33 of the Convention;

22. *Strongly encourages* States parties to raise awareness within the private sector on the need to establish and implement appropriate anti-corruption ethics and compliance programmes or measures and invites States parties to consider in accordance with their domestic laws to provide appropriate incentives for the effective implementation of such programmes or measures;

23. *Invites* States parties, in accordance with domestic law, to consider the possibility of providing appropriate incentives for effective cooperation with national authorities in investigations and prosecutions of offences established in accordance with the Convention, including, in particular, articles 15 and 16;

24. *Calls upon* States parties to continue the exchange of best practices and precise information on successful cases of cooperation between different States parties relating to the implementation of articles 15 and 16 of the Convention;

25. *Decides* that the Implementation Review Group should include as a topic for 2020 best practices and lessons learned by States parties in investigating and enforcing their laws implementing articles 15 and 16 of the Convention including solicitation, as well as strengthening international cooperation in this regard.



## **Resolution 8/7**

### **Enhancing the effectiveness of anti-corruption bodies in fighting corruption**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Recalling* article 65, paragraph 1, of the United Nations Convention against Corruption,<sup>22</sup> on implementation of the Convention, which states that each State party shall take the necessary measures, including legislative and administrative measures, in accordance with the fundamental principles of its domestic law, to ensure the effective implementation of the Convention,

*Recalling also* that the purposes of the Convention are:

- (a) To promote and strengthen measures to prevent and combat corruption more efficiently and effectively;
- (b) To promote, facilitate and support international cooperation and technical assistance in the prevention of and the fight against corruption, including in asset recovery;
- (c) To promote integrity, accountability and the proper management of public affairs and public property,

*Recalling further* article 61 of the Convention, on the collection, exchange and analysis of information on corruption, in particular paragraph 3, by which each State party is required to consider monitoring its policies and actual measures to combat corruption and making an assessment of their effectiveness and efficiency,

*Recalling* Conference resolution 3/1 of 13 November 2009, by which the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption were adopted,

*Highlighting the importance* of other relevant multilateral and regional instruments on preventing and combating corruption,

*Noting also* the holding of the Regional Conference on Effectiveness of Anti-Corruption Agencies and Financial Intelligence Units in Fighting Corruption and Money-Laundering in Africa, in Mauritius in May 2018, in collaboration with the African Development Bank, at which the need to develop effectiveness indicators and a monitoring and evaluation framework for anti-corruption agencies was identified,

*Taking note* of the communiqué of the above-mentioned Regional Conference, in which participants recommended that the outcome of the Regional Conference be reflected in a formal resolution to be adopted by the Conference of the States Parties to the United Nations Convention against Corruption at its eighth session,

*Taking note also* of the Jakarta Statement on Principles for Anti-Corruption Agencies, issued on 27 November 2012, in which the participants of the Jakarta conference called for accountability and the safeguarding of political, functional, operational and financial independence as a means of ensuring the effectiveness of anti-corruption authorities,

*Taking note further* of the work of the first Global Expert Group Meeting on Corruption Involving Vast Quantities of Assets, held in Lima from 3 to 5 December 2018, and of the second Global Expert Group Meeting on Corruption Involving Vast Quantities of Assets, held in Oslo from 12 to 14 June 2019, in identifying best practices for strengthening cooperation between experts in order to more effectively prevent and combat corruption involving vast quantities of assets,

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<sup>22</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

*Recognizing* that increasingly complex and sophisticated methods are being used to avoid anti-corruption measures, and acknowledging the emerging challenges in the fight against corruption and other offences covered by the Convention,

*Highlighting* the need to coordinate and share the necessary tools, experiences and means of taking up the challenge of more effectively countering different forms of corruption,

*Recognizing* that natural and legal persons that engage in corrupt acts should be held accountable and be prosecuted by the respective domestic authorities, consistent with domestic law and the requirements of the Convention, and that public and private organizations should take anti-corruption measures,

*Recognizing also* that consistent with article 65, paragraph 2, of the Convention and in accordance with the fundamental principles of a State's domestic law, each State party may adopt measures for preventing and combating corruption that are stricter or more severe than those provided for in the Convention,

1. *Encourages* States parties to the United Nations Convention against Corruption<sup>1</sup> to give adequate consideration and resources to enhance the effectiveness of anti-corruption agencies and agencies with anti-corruption responsibilities, consistent with article 6 of the Convention, in order to meet the emerging challenges in preventing and combating different forms of corruption;

2. *Calls upon* States parties to use the outcome of their country reviews to strengthen their anti-corruption framework, including through technical assistance, where requested;

3. *Decides to include* the issue of enhancing the effectiveness of anti-corruption bodies in the agenda of the Working Group on the Prevention of Corruption;

4. *Requests* the secretariat to carry out a study on best practices, lessons learned and challenges encountered by States parties in their efforts to enhance the effectiveness of anti-corruption bodies, and invites States parties to submit information in this regard;

5. *Also requests* the secretariat, in collaboration with the Working Group on the Prevention of Corruption, to submit to the Conference at its ninth session a report on the progress made and the challenges encountered in the implementation of the present resolution, for follow-up and review;

6. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and regulations of the United Nations.

#### **Resolution 8/8**

### **Follow-up to the Marrakech declaration on the prevention of corruption**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Concerned* about the seriousness of the threats that corruption poses to the stability of societies by eroding the legitimacy and effectiveness of key public institutions and the values of democracy and by jeopardizing sustainable development and the rule of law,

*Highlighting* the importance of the United Nations Convention against Corruption<sup>23</sup> and the prominence it has given to the prevention of corruption as part

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<sup>23</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

of a comprehensive approach to fighting corruption by having its entire chapter II devoted to measures to prevent corruption,

*Reaffirming* its resolution 6/1 of 6 November 2015, in which it launched the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, including the review of chapter II (Preventive measures),

*Underlining*, in view of the ongoing review of the implementation of chapter II of the Convention during the second cycle of the Implementation Review Mechanism, the importance of building legislative and institutional frameworks and capacities consistent with the requirements of that chapter,

*Recalling* its resolution 5/6 of 29 November 2013, entitled “Private sector”, and resolution 6/5 of 6 November 2015, entitled “St. Petersburg statement on promoting public-private partnership in the prevention of and fight against corruption”,

*Welcoming* the progress made by States parties and the Secretariat in the implementation of Conference resolutions 5/4 of 29 November 2013 and 6/6 of 6 November 2015, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”, and underlining the need to maintain efforts in that regard,

*Acknowledging* the crucial importance of technical assistance, in particular to developing countries, in strengthening structural, institutional and human capacity and thereby facilitating implementation of the provisions of chapter II of the Convention,

1. *Encourages* States parties to promote universal adherence to the United Nations Convention against Corruption,<sup>1</sup> and urges all States that have not yet done so to consider ratifying or acceding to the Convention as soon as possible;

2. *Calls upon* States parties to continue and to reinforce the effective implementation of the preventive measures outlined in chapter II of the Convention, including by addressing the recommendations emanating from the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, and in the resolutions of the Conference of the States Parties;

3. *Welcomes* the ongoing efforts of the Open-ended Intergovernmental Working Group on the Prevention of Corruption to facilitate the sharing of information between States parties on their initiatives and good practices relating to the topics considered at the meetings of the Working Group held in Vienna from 5 to 7 September 2018 and 4 to 6 September 2019;

4. *Underlines* the importance of the conclusions and recommendations of the Working Group at the above-mentioned meetings, and encourages States parties to implement them as appropriate;

5. *Decides* that the Working Group should continue its work to advise and assist the Conference in the implementation of its mandate on the prevention of corruption and should hold at least two meetings prior to the ninth session of the Conference;

6. *Welcomes* the commitment made and efforts undertaken by States parties to provide information on good practices in preventing corruption that is gathered, systematized and disseminated by the Secretariat in the performance of its functions as an international observatory, requests States parties to continue sharing information, and requests the Secretariat, subject to the availability of extrabudgetary resources, to continue its work as an international observatory, including by updating the thematic website of the Working Group with relevant information;

7. *Highlights* the importance of the Secretariat’s work, in accordance with the agreed terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, on the preparation of thematic reports on the implementation of chapter II of the Convention, as well as

supplementary regional addenda, and requests the Secretariat to share those reports with the Working Group;

8. *Encourages* States parties to develop, revise and update, where appropriate and in accordance with the fundamental principles of their legal systems, national anti-corruption strategies and/or action plans addressing, inter alia, the needs identified during their country reviews and to promote such strategies and/or action plans as a tool for country-led and country-based, integrated and coordinated technical assistance programming and delivery;

9. *Calls upon* States parties to ensure that anti-corruption bodies have the necessary independence and competence, in accordance with the fundamental principles of their legal systems, as well as the material resources and specialized staff, and the training that such staff may require to carry out their functions effectively and free from undue influence, in accordance with article 6, paragraph 2, of the Convention, and to take note of the Jakarta Statement on Principles for Anti-Corruption Agencies, developed by the International Conference on Principles for Anti-Corruption Agencies, held in Jakarta on 26 and 27 November 2012;

10. *Reminds* States parties of their commitment under article 6 of the Convention, which states that each State party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption by such means as:

(a) Implementing the policies referred to in article 5 of the Convention and, where appropriate, overseeing and coordinating the implementation of those policies;

(b) Increasing and disseminating knowledge about the prevention of corruption;

11. *Calls upon* States parties to take measures to enhance integrity, transparency, accountability and the rule of law in public administration, in accordance with the fundamental principles of their legal systems, including through the promotion of effective public service delivery, the use of information and communications technologies and the establishment of measures and systems to facilitate the reporting of incidents that may be considered to constitute offences established in accordance with the Convention;

12. *Urges* States parties to promote the integrity and accountability of their criminal justice systems, including by developing innovative ways of enhancing judicial integrity, in accordance with the Convention and consistent with paragraph 5(d) of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,<sup>24</sup> adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, while bearing in mind the independence of the judiciary, in accordance with the fundamental principles of their legal systems, and notes with appreciation the assistance provided by the United Nations Office on Drugs and Crime to States parties, upon request, to strengthen integrity and anti-corruption measures in institutions of the criminal justice system;

13. *Calls upon* States parties to strengthen measures to prevent corruption in the public procurement process and the management of public finances, as well as to ensure adequate access to information, and to promote, as appropriate, the involvement of the private sector in the prevention of corruption;

14. *Also calls upon* States parties to use the Convention as a framework for the development of tailored anti-corruption safeguards, including in specific vulnerable areas, and requests the Secretariat to assist States parties in doing so, upon request and subject to the availability of extrabudgetary resources;

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<sup>24</sup> General Assembly resolution 70/174, annex.

15. *Reiterates* the importance of efforts by States parties to promote, in accordance with the fundamental principles of their domestic legal systems, the measures outlined in article 12 of the Convention, which are designed to prevent and, if appropriate, combat corruption involving the private sector, and requests the Secretariat to continue to assist States parties, upon request, in those efforts;

16. *Encourages* States parties, in accordance with their domestic law, to consider taking measures to encourage cooperation between their competent authorities and the private sector and to endeavour to periodically evaluate these measures in order to better prevent and detect corruption;

17. *Also encourages* States parties to consider, where appropriate and in accordance with the fundamental principles of their domestic law, promoting the development of standards and procedures designed to safeguard the integrity of relevant private entities, including codes of conduct for the correct, honourable and proper performance of the activities of business and all relevant professions, and the prevention of conflicts of interest, and for the promotion of the use of good commercial practices among businesses and in the contractual relations of businesses with the State;

18. *Further encourages* States parties, with the assistance of the Secretariat and in collaboration with relevant regional and international organizations, where appropriate, to continue strengthening public-private partnerships in the prevention of and the fight against corruption by, inter alia, facilitating the adoption of domestic legislation or regulations implementing article 12 of the Convention, where appropriate and necessary, organizing opportunities for the exchange of relevant experience and good practices in this field and raising awareness of the principles of the Convention within the private sector;

19. *Calls upon* States parties to promote, in accordance with the fundamental principles of their legal systems, the adoption, maintenance and strengthening of systems that promote transparency and prevent conflicts of interest and, where appropriate, to make use of innovative and digital instruments in this field;

20. *Welcomes* the work of the United Nations Office on Drugs and Crime under its Global Programme for the Implementation of the Doha Declaration, supported by Qatar, on judicial integrity and education through its Education for Justice initiative, and requests the Office to continue, in close consultation with States parties, its efforts to promote education on the rule of law, anti-corruption and crime prevention and criminal justice in collaboration with other international organizations, as well as with other relevant partners;

21. *Requests* States parties to promote training and education on the prevention of corruption, welcomes the achievements made under the Anti-Corruption Academic Initiative, and requests the United Nations Office on Drugs and Crime to continue, in cooperation with relevant partners, to develop comprehensive academic and other educational materials in the field of anti-corruption for universities and other institutions and to support States parties in this field;

22. *Requests* the United Nations Office on Drugs and Crime to continue to provide and develop capacity-building initiatives, including new knowledge products, guidance notes on implementation of article 6 of the Convention and technical tools, upon request and subject to extrabudgetary resources, on measures to prevent corruption, to identify comparative good practices, and to facilitate the exchange of expertise and lessons learned among States parties;

23. *Recognizes* the importance of including the prevention of corruption in the broader development agenda, including through the implementation of Sustainable Development Goal 16 and other relevant goals of Transforming our world: the 2030 Agenda for Sustainable Development<sup>25</sup> and through other initiatives aimed at

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<sup>25</sup> General Assembly resolution 70/1.

strengthening the coordination and exchange of such information with development partners;

24. *Encourages* States parties to take measures within their means and in accordance with the fundamental principles of their domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, the private sector, academia, non-governmental organizations and community-based organizations, in the prevention of and fight against corruption, and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption;

25. *Requests* the Secretariat to continue, in close cooperation with multilateral and bilateral assistance providers, to provide technical assistance to States parties, particularly developing countries, upon request and subject to extrabudgetary resources, with a view to advancing the implementation of chapter II of the Convention, including in the form of tailored assistance for participation in the review process for chapter II;

26. *Notes* that a large number of States parties have informed the Secretary-General of the designation of competent authorities that may assist other States parties in developing and implementing specific measures for the prevention of corruption, as required under article 6, paragraph 3, of the Convention, and calls upon States parties that have not yet done so to provide that information and to update existing information as necessary;

27. *Underlines* the importance of providing the United Nations Office on Drugs and Crime with sufficient and adequate funding to be able to respond to the increasing demand for its services, and encourages Member States to make adequate voluntary contributions to the account referred to in article 62 of the Convention, operated within the United Nations Crime Prevention and Criminal Justice Fund,<sup>26</sup> for the provision to developing countries and countries with economies in transition of the technical assistance that they may require to improve their capacities to implement chapter II of the Convention;

28. *Requests* the Secretariat to report on the implementation of the present resolution to the Open-ended Intergovernmental Working Group on the Prevention of Corruption at its intersessional meetings and to the Conference at its ninth session;

29. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

#### **Resolution 8/9**

### **Strengthening asset recovery to support the 2030 Agenda for Sustainable Development**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Recalling* that the return of proceeds of crime is a fundamental principle of the United Nations Convention against Corruption, and bearing in mind that chapter V of that Convention is one of the chapters critical to the successful implementation of the Convention,

*Emphasizing* the importance of international cooperation in the area of asset recovery, including in relation to tracing, freezing and confiscating the proceeds of crime in accordance with the provisions of the Convention, and recalling article 51 of the Convention,

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<sup>26</sup> See General Assembly resolution 58/4, para. 4.

obligating States parties to afford one another the widest measure of cooperation and assistance with regard to the return of assets,

*Taking note* of the contributions of the Stolen Asset Recovery Initiative, the International Centre for Asset Recovery and similar initiatives committed to improving the capacity of States to effectively implement the Convention and, in particular, the recommendations made as part of these initiatives to improve the process of asset recovery, as well as the legally non-binding Guidelines for the Efficient Recovery of Stolen Assets emanating from the Lausanne process,

*Taking note* also of the draft non-binding guidelines on the management of frozen, seized and confiscated assets, developed by the United Nations Office on Drugs and Crime pursuant to Conference resolution 7/1 on the basis of the study prepared by the Office entitled Effective Management and Disposal of Seized and Confiscated Assets, which is aimed at enhancing the effective implementation of article 31, paragraph 3, of the Convention,

*Taking note* further of the study conducted by the Stolen Asset Recovery Initiative entitled Left Out of the Bargain: Settlements in Foreign Bribery Cases and Implications for Asset Recovery, which highlights the use of settlements and other alternative legal mechanisms to conclude transnational corruption cases, and the implications of such use for asset recovery,

*Recalling* General Assembly resolution 70/1 of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, in which the Assembly adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets, committed itself to working tirelessly for the full implementation of the Agenda by 2030, and recognized that eradicating poverty in all its forms and dimensions, including extreme poverty, was the greatest global challenge and an indispensable requirement for sustainable development, and bearing in mind that strengthening the recovery of stolen assets and their return in accordance with the Convention will support the implementation of the 2030 Agenda,

*Reaffirming* the commitment of States parties, and determined to give effect to the obligations set out in the Convention, in particular in chapter V, to prevent, detect and deter the domestic and international transfer of proceeds of crime and to strengthen international cooperation in asset recovery,

*Reiterating* that corruption in all its forms, poses a serious challenge to the stability and security of States, undermines institutions, ethical values and justice and jeopardizes sustainable development and the rule of law,

*Underlining* that the full and effective implementation of relevant provisions of the Convention, particularly with respect to preventive measures, criminalization and law enforcement, and international cooperation, has a bearing on asset recovery;

*Recalling* its resolution 6/3, in which it recognized that those who engage in corrupt acts, whether natural or legal persons, consistent with the requirements of the Convention, should be held accountable and prosecuted by the competent authorities, and that all efforts should be made to conduct a financial investigation into assets illegally acquired by them and to recover such assets through domestic confiscation proceedings, international cooperation for the purposes of confiscation or appropriate direct recovery measures,

*Recalling* its Resolution 6/2 on facilitating international cooperation in asset recovery, and reiterating, without prejudice to domestic law, the importance of the spontaneous sharing of information, the expeditious return of proceeds of crime consistent

with article 57, paragraph 3, of the Convention and the establishment of practical guidelines to facilitate the recovery of assets,

*Recalling* also the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, in which the international community was encouraged to develop good practices on asset return,

*Noting* the international expert meeting on the management and disposal of recovered and returned stolen assets, including in support of sustainable development, held in Addis Ababa from 14 to 16 February 2017, and the international expert meeting on the return of stolen assets, held in Addis Ababa from 7 to 9 May 2019,

*Noting also* the Global Expert Group Meetings on Corruption involving Vast Quantities of Assets held in Lima from 3 to 5 December 2018 and in Oslo from 12 to 14 June 2019,

*Noting with concern* the ongoing problem of the increase in proceeds of crime derived from corruption flowing from developing countries in particular, and the danger that increase poses to the sustainable development, rule of law and security of nations,

*Recognizing* that States continue to face challenges in the recovery of assets owing, inter alia, to differences in their legal systems, the limited implementation of tools such as non-conviction-based confiscation, as foreseen in article 54, paragraph 1 (c) of the Convention, the complexity of multi-jurisdictional investigations and prosecutions, lack of familiarity with the mutual legal assistance procedures of other States parties and difficulties in identifying and exposing the flow of proceeds of corruption,

*Recalling* its resolution 6/2, which noted in particular that a large proportion of the proceeds of corruption, including those emanating from transnational bribery and other offences established under the Convention, were yet to be returned to the requesting States parties, their prior legitimate owners and victims of the crimes, and recognizing that since 2014, when the study entitled “Few and Far – the hard facts on stolen asset recovery” was concluded, further work to enhance recovery of assets has been done, and welcoming the most recent initiative of the Stolen Asset Recovery Initiative to update and collect relevant data regarding asset recovery cases;

*Recalling* its resolution 7/1, in which it stressed the need for countries to ensure, in accordance with national legislation, that there are adequate mechanisms in place to manage and preserve the value and condition of assets pending the conclusion of confiscation proceedings, with a view to returning the assets in the future, and, where appropriate, non-conviction-based proceedings to recover identified proceeds of crime,

*Concerned* about the practical difficulties that both requested and requesting States face in asset recovery,

*Noting* that alternative legal mechanisms and non-trial resolutions, including settlements, that have proceeds of crime for confiscation and return, in accordance with the Convention, have, in some cases, enhanced the effectiveness of enforcement actions and mindful that such resolutions should be used in a manner consistent with the Convention to effectively combat corruption, enhance the recovery of proceeds of crime and international cooperation among all affected States parties;

*Noting* the positive role of international investments and the importance of minimizing opportunities for corruption and transfer of proceeds of crime in this context;



*Noting* the growing practice by some States parties of the use of alternative legal mechanisms and non-trial resolutions, including settlements, that have proceeds of crime for confiscation and return, in accordance with the Convention and with domestic law, to conclude transnational corruption cases, and mindful of the need to give due consideration to the interest of the affected States parties;

*Noting* in this regard that improving international cooperation, including information sharing amongst affected States parties can contribute to combatting corruption more effectively in those States parties;

*Recalling* its resolution 6/3 of 6 November 2015, in which it encouraged States parties to make widely available information on their legal frameworks and procedures, including those used in settlements and alternative legal mechanisms, in a practical guide or other format designed to facilitate use by other States, and encouraged State parties and the United Nations Office on Drugs and Crime to continue sharing experiences and building knowledge on the management, use and disposal of frozen, seized, confiscated and recovered assets, and to identify good practices as necessary,

1. *Urges* all States parties, in accordance with the United Nations Convention against Corruption, to cooperate to recover the proceeds of crime, at home and abroad, and to demonstrate strong commitment to ensuring the return of confiscated assets in accordance with article 57 of the Convention;

2. *Urges* States parties to make full use of the asset recovery measures set forth in chapter V of the Convention,

3. *Urges* States parties to, in accordance with the fundamental principles of their legal systems, take appropriate measures to promote transparency and accountability in the management of public finances, including recovered and returned assets;

4. *Encourages* States parties to consider establishing effective financial disclosure systems for appropriate public officials, where appropriate and consistent with article 52, paragraph 5, of the Convention, and to consider taking such measures as may be necessary to permit their competent authorities to share that information, consistent with the requirements of domestic law, with other States parties, when necessary to investigate, claim and recover proceeds of offences established in accordance with this Convention to promote asset recovery;

5. *Emphasizes* that the principles of sovereign equality and territorial integrity of States and of non-intervention in the domestic affairs of other States should be fully respected, particularly during and after the return, disposal and use of confiscated property, and encourages States parties, where appropriate, to give special consideration to concluding agreements, or mutually acceptable arrangements, on a case-by-case basis, for return and final disposal of confiscated property pursuant to article 57, paragraph 5 and further encourages States parties to give due consideration to agreeing to measures to enhance transparency and accountability and recognizing that consistent with article 4, States parties cannot unilaterally impose terms.

6. *Also urges* States parties, consistent with chapter V of the Convention, to ensure that they have adequate legal and institutional frameworks in place to prosecute corruption, to detect the illegal acquisition and transfer of proceeds of crime derived from corruption, to request and provide international legal cooperation, including mutual legal assistance, to ensure that there are suitable mechanisms in place — conviction-based and, in accordance with domestic law and, where appropriate, non-conviction-based — to recover through confiscation the identified proceeds of corruption, to enforce foreign conviction-based and ,

where appropriate, non-conviction-based orders in accordance with the requirements of the Convention and to ensure that such frameworks are enforced, and encourages technical assistance in this regard;

7. *Encourages* States parties to consider making use of opportunities for cooperation through existing practitioner -based networks, such as the asset recovery focal points under the Convention, the Global Focal Point Initiative, supported by the International Criminal Police Organization (INTERPOL) and the Stolen Asset Recovery Initiative, and the Camden Asset Recovery Inter -agency Network and other similar networks, and information provided at the financial intelligence unit level, in the course of making requests for mutual legal assistance;

8. *Encourages* States parties to, in accordance with their domestic laws and in line with domestic priorities, consider the 2030 Agenda for Sustainable Development in the use of returned assets;

9. *Calls upon* States parties to give particular and timely consideration to the execution of requests for mutual legal assistance, including in asset recovery, in accordance with domestic law and the Convention;

10. *Encourages* States parties, where appropriate and in accordance with national law or administrative arrangements, to consider and review the best way to regulate the management of recovered and returned assets with a view to efficiently preserving and managing such assets and to continue to exchange their practical experience with interested States and providers of technical assistance upon request, taking into consideration, inter alia, the draft non-binding guidelines on the management of frozen, seized and confiscated assets;

11. *Encourages* all States parties to participate and offer the greatest degree of cooperation in the existing collection of data and information, including through the Stolen Asset Recovery Initiative data collection questionnaire and the self-assessment checklist for the second review cycle, and would encourage States parties to make public their responses on international asset recovery in corruption cases, on a voluntary basis, in order to identify trends in asset recovery volumes and practices, promote transparency and the implementation of the 2030 Agenda for Sustainable Development;

12. *Requests* the Secretariat, and invites the Stolen Asset Recovery Initiative, subject to the availability of extrabudgetary resources, to:

(a) Continue to provide States parties with information and knowledge products relevant to the implementation of chapter V of the Convention;

(b) Collect information from States parties on international asset recovery cases in relation to offences established in accordance with the Convention, including on volumes of assets frozen, seized, confiscated and returned; report on the findings to the Open-ended Intergovernmental Working Group on Asset Recovery and the Conference at their next sessions, and update the Asset Recovery Watch database;

(c) Continue to maintain and update the database, particularly in relation to alternative legal mechanisms and non-trial resolutions, including settlements, that have proceeds of crime for confiscation and return, in accordance with the Convention, and to provide regular updates to the Open-ended Intergovernmental Working Group on Asset Recovery;

(d) Study how the use of alternative legal mechanisms and non-trial resolutions, including settlements, that have proceeds of crime for confiscation and return, in

accordance with the Convention, taking into account relevant existing information provided, could further promote the effective application of chapter V of the Convention;

(e) In consultation with States parties, and taking into account, inter alia, the information gathered during the first and second review cycles of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, and by panels and studies, to continue to collect information on the legal frameworks, legal procedures and judicial actions taken by States to recover proceeds of crime derived from offences established in accordance with the Convention;

(f) Collect information from States parties on the most common challenges in the judicial process with regard to asset recovery, and provide an analytical report to guide technical assistance;

13. *Requests* the Secretariat to strengthen, as appropriate, cooperation with specialized organizations and institutions, such as the International Anti-Corruption Academy, on developing and implementing trainings for professionals and practitioners working in the field of asset recovery and return of proceeds of crime;

14. *Requests* the secretariat, subject to the availability of extrabudgetary resources, to consider organizing an expert meeting an ad hoc expert discussion or an expert discussion, open to all member States, to discuss the issues of the existence and extent of corruption and transfer of proceeds of crime in the context of international investments, with a view to raising awareness of existing issues in this area and promoting the implementation if appropriate, of relevant provisions of the Convention and other international instruments;

15. *Directs* the Open-ended Intergovernmental Working Group on Asset Recovery to:

(a) Continue to collect information, with the support of the Secretariat, regarding the use by States parties of alternative legal mechanisms and non-trial resolutions, including settlements that have proceeds of crime for confiscation and return, in accordance with the Convention and domestic law, and analyse the factors that influence the differences between the amounts realized in alternative legal mechanisms and non-trial resolutions, including settlements that have proceeds of crime for confiscation and return, in accordance with the Convention and domestic law and the amounts returned to affected States, with a view to considering the feasibility of developing guidelines to facilitate a more coordinated and transparent approach for cooperation among affected States parties;

(b) Collect information on challenges, good practices and lessons learned, and procedures allowing the confiscation of proceeds of corruption without a criminal conviction from States parties that have implemented such measures in accordance with article 54, paragraph 1 (c) of the Convention;

(c) Report its findings on each of these matters to the Conference of the States Parties at its next session, with the support of the Secretariat;

16. *Urges* States parties that use alternative legal mechanisms and non-trial resolutions, including settlements, that have proceeds of crime for confiscation and return, in accordance with the Convention, to resolve corruption-related cases to collaborate, where appropriate and consistent with domestic law, with affected States parties to enhance international cooperation, information and evidence-sharing and the recovery of proceeds of crime, as well as the prosecution of corruption offences;

17. *Calls* upon States parties that use alternative legal mechanisms and non-trial resolutions, including settlements, that have proceeds of crime for confiscation and

return, in accordance with the Convention, to return and dispose of assets in accordance with article 57 of the Convention;

18. *Calls* the attention of States parties to the work undertaken following resolution 6/2, which directed the Open-ended Intergovernmental Working Group on Asset Recovery to initiate the process of identifying best practices for identifying victims of corruption and the parameters for compensation, and encourages States parties to provide information on existing laws and practices on identification and compensation of victims of corruption;

19. *Directs* the Open Ended Inter-Governmental Working Group on Asset Recovery, with the assistance of the Secretariat, to sustain the process of identifying best practices and developing guidelines for proactive and timely sharing of information, in accordance with article 56 of the Convention;

20. *Encourages* States parties to enhance international cooperation and asset recovery by interpreting terms such as “proceeds of crime”, in accordance with the Convention, and “compensating the victims of the crime” in a manner consistent with the aims of the Convention and in accordance with domestic law;

21. *Notes* that, under article 57, paragraph 4 of the Convention, where appropriate, unless States parties decide otherwise, the requested State party may deduct reasonable expenses incurred in investigations, prosecutions or judicial proceedings leading to the return or disposition of confiscated property, and urges States parties to waive or reduce such expenses to the barest minimum, in particular where the requesting State is a developing country, bearing in mind that the return or disposal of illicitly acquired assets contributes to sustainable development;

22. *Welcomes* the outcome of meetings of the Open-ended Intergovernmental Working Group on Asset Recovery, and requests the Working Group to develop a new multi-year workplan to continue its analytical work during the period 2020–2021, designating specific agenda items to be discussed as the main topic for each session;

23. *Requests* the Secretariat, within existing resources, to assist the Working Group in the performance of its functions, including by providing interpretation services in the six official languages of the United Nations;

24. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

#### **Resolution 8/10**

#### **Measurement of corruption**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Concerned* about the seriousness of the problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law,

*Reaffirming* the United Nations Convention against Corruption,<sup>27</sup> which is the most comprehensive, universal and legally binding instrument on corruption, and

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<sup>27</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

acknowledging the need to continue to promote its ratification or accession thereto and its full and effective implementation,

*Recalling* article 61 of the Convention, in which it is stated that States parties shall consider analysing, in consultation with experts, trends in corruption in their territories, as well as the circumstances in which corruption offences are committed; developing and sharing statistics, analytical expertise concerning corruption and information with a view to developing, insofar as possible, common definitions, standards and methodologies, as well as information on best practices to prevent and combat corruption; and monitoring their policies and actual measures to combat corruption and making assessments of their effectiveness and efficiency,

*Recalling also* article 63, paragraph 5, of the Convention, in which it is stated that the Conference of the States Parties to the United Nations Convention against Corruption shall acquire the necessary knowledge of the measures taken by States parties in implementing the Convention and the difficulties encountered by them in doing so through information provided by them and through such supplemental review mechanisms as may be established by the Conference,

*Noting* that, in some cases, the country reviews conducted in the context of the Mechanism for the Review of Implementation of the Convention have observed the importance of strengthening statistical data on investigations, prosecutions and convictions, for example through national crime registers or other mechanisms,

*Noting also* the non-binding nature of recommendations made pursuant to the Mechanism for the Review of Implementation of the United Nations Convention against Corruption,

*Recalling* the 2030 Agenda for Sustainable Development,<sup>28</sup> including Sustainable Development Goal 16 to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels and its target 16.5 of substantially reducing corruption and bribery in all their forms, and acknowledging that measuring corruption contributes also to efforts towards sustainable development,

*Emphasizes* that the principles of sovereign equality and territorial integrity of States and of non-intervention in the domestic affairs of other States, in line with article 4 of the Convention, should be fully respected,

*Taking note*, for the purposes of experience-based measuring of corruption, of the *International Classification of Crime for Statistical Purposes* as the international statistical standard for data classification of crime based on empirical evidence, which provides a framework for the systematic production and comparison of statistical data across institutions and jurisdictions, independent of national legal specificities, as endorsed by the relevant United Nations bodies,

*Taking note also* of Economic and Social Council resolution 2015/24 of 21 July 2015, in which the Council welcomed the endorsement of the *International Classification of Crime for Statistical Purposes* by the Statistical Commission and confirmed the United Nations Office on Drugs and Crime as the custodian of the *International Classification*,

*Referring* to the global indicator framework for the Sustainable Development Goals and targets of the 2030 Agenda adopted by the General Assembly in its resolution 71/313 of 6 July 2017, in which the Assembly defined indicator 16.5.1 as the proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months, and indicator 16.5.2 as the proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials during the previous 12 months,

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<sup>28</sup> General Assembly resolution 70/1.

*Taking into account* that in its resolution 71/313, the General Assembly stressed, inter alia, that official statistics and data from national statistical systems constitute the basis needed for the above-mentioned global indicator framework, and urged countries, the United Nations funds and programmes, the specialized agencies, the Secretariat, including the regional commissions, the Bretton Woods Institutions, international organizations and bilateral and regional funding agencies to intensify their support for strengthening data collection and statistical capacity-building, including capacity-building that strengthens coordination among national statistical offices,

*Considering* that improving the measurement of corruption through comprehensive, evidence-based and multifaceted efforts to detect and measure corruption-related trends enables a deeper understanding of the phenomenon, contributes to identifying areas, procedures or positions at risk of corruption and to designing and implementing evidence-based anti-corruption strategies and policies, and brings added value to advancing the rule of law, in line with the purposes of the Convention, as defined in its article 1, and to promoting sustainable development,

*Affirming* the importance of developing an international statistical framework for measuring corruption, grounded in objective methodologies and reliable data sources, recognizing that drawing on a range of approaches and indicators contributes to a more comprehensive assessment of corruption,

*Affirming also* the importance of such effort also for supporting States parties, upon request, in their efforts to measure corruption in their respective jurisdictions, on the basis of on information provided by the requesting States parties,

*Welcoming the Manual on Corruption Surveys: Methodological Guidelines on the Measurement of Bribery and Other Forms of Corruption through Sample Surveys* recently published by the United Nations Office on Drugs and Crime, which offers operational and methodological guidance to implement household and business surveys to carry out scientific studies of corruption,

*Acknowledging* the progress made by States parties in conducting household and business surveys on corruption, including with assistance from the United Nations Office on Drugs and Crime, and encouraging States parties to enhance the collection of relevant data, as appropriate,

1. *Requests* the United Nations Office on Drugs and Crime, in coordination with the Statistical Commission and in close cooperation and consultation with States parties, to continue expert-level consultations on identifying and refining methodologies on the issue of the measurement of corruption in order to develop proposals on a comprehensive, scientifically sound and objective framework for the purpose of assisting States parties, upon their request, in measuring corruption, consistent with the Convention, and requests the Office to report to the Conference of the States Parties to the United Nations Convention against Corruption for its consideration;

2. *Recognizes* that such an exercise should include a broad range of data sources, including administrative statistics on the criminal justice response to corruption offences, experience-based data deriving from household and business surveys on corruption occurrence and indicators of risk and vulnerabilities to corruption, taking into consideration the different circumstances of respective countries, as its fundamental purpose is to contribute to the fight against corruption;

3. *Calls upon* States parties to consider establishing and managing, in accordance with domestic law, repositories of crime and criminal justice data on corruption in accordance with the Convention, covering investigations, prosecutions, convictions and non-trial resolutions, including on transnational cases, pertaining to the liability of both legal and natural persons, and to make such information publicly available for little or no cost on a recurring basis;

4. *Invites* States parties to aggregate crime data, in accordance with domestic law, that may be comparable at the international level, bearing in mind the *International Classification of Crime for Statistical Purposes*;

5. *Encourages* States parties to consider conducting high-quality sample surveys on corruption experiences following the standardized methodology presented in the *Manual on Corruption Surveys: Methodological Guidelines on the Measurement of Bribery and Other Forms of Corruption through Sample Surveys* of the United Nations Office on Drugs and Crime, and to voluntarily share the results of these efforts with the Conference of the States Parties to the United Nations Convention against Corruption and at relevant meetings of its subsidiary bodies;

6. *Also encourages* States parties to consider working with other stakeholders, including the private sector, academia and civil society, in their efforts to develop methodologies and indicators to measure corruption, in accordance with the fundamental principles of their domestic law;

7. *Requests* the United Nations Office on Drugs and Crime to continue methodological work to improve the comprehensive, evidence-based and multifaceted actions undertaken to detect and measure corruption, consistent with the Convention, without duplicating existing efforts, and to provide technical assistance, upon request, to countries intending to conduct surveys and studies on corruption;

8. *Encourages* States parties to share information voluntarily with the Conference of the States Parties to the United Nations Convention against Corruption on how they have used the information generated through the corruption measurement methodologies that they have chosen to apply in order to strengthen the policy, legal or institutional approach to combating corruption;

9. *Invites* States parties and other donors to provide extra-budgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

#### **Resolution 8/11**

### **Strengthening the implementation of the United Nations Convention against Corruption in small islands developing States**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Recalling* its resolution 7/7 of 10 November 2017, entitled “Strengthening the implementation of the United Nations Convention against Corruption in small islands developing States”, and taking note with appreciation of the related report of the Secretariat,<sup>29</sup>

*Recalling* also its resolution 6/9 of 6 November 2015, entitled “Strengthening the implementation of the United Nations Convention against Corruption in small island developing States”,

*Reiterating* the concern about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law, and that corruption can exacerbate poverty and inequality,

*Emphasizing* that efforts by States parties to implement the United Nations Convention against Corruption<sup>30</sup> are mutually reinforcing and contribute to their efforts to implement the 2030 Agenda for Sustainable Development adopted by the General Assembly in its resolution 70/1 of 25 September 2015, and recalling all of its

<sup>29</sup> CAC/COSP/2019/8 and CAC/COSP/2019/8/Corr.1.

<sup>30</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

Sustainable Development Goals, including Goal 16, which is to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels,

*Recalling* General Assembly resolution 71/208 of 19 December 2016, concerned about the negative impact that corruption can have on the enjoyment of human rights, and recognizing that corruption may disproportionately affect the most disadvantaged individuals in society,

*Highlighting* that the fight against corruption should be a priority for the international community, including small island developing States,

*Recognizing* that small island developing States have specific contextual characteristics that necessitate affordable and sustainable anti-corruption reforms, as well as tailored technical assistance,

*Welcoming* the progress made by small island developing States in giving effect to the Convention, while recognizing that greater efforts must still be made to achieve the effective implementation thereof,

*Recognizing* that small island developing States, having smaller administrative capacities and limited resources, nevertheless have the same legal obligations as all States parties to the Convention,

*Highlighting* the importance of preventing and eliminating corrupt practices in public institutions and the public sector in order to build integrity,

*Noting* that, while the implementation of the Convention is the responsibility of States parties, promoting integrity, transparency and accountability and preventing corruption are responsibilities to be shared by all sectors of society involved in the fight against corruption, as corruption not only affects Governments, but can also have a significant negative impact on the private sector and civil society by impeding economic growth, harming consumers and businesses, distorting competition and presenting serious health, safety, legal and social risks, and underlining the necessity of increasing the efforts of States parties, in accordance with article 12 of the Convention, to prevent and fight corruption involving the private sector, as highlighted in Conference resolution 6/5 of 6 November 2015,

*Highlighting* the need to improve anti-corruption frameworks and strengthen governance systems in ocean and land resources management in order to protect the environment and livelihoods of the people of small island developing States and enhance and build the inclusive resilience of those States to the impacts of climate change and natural disasters,

*Acknowledging* the establishment of the Small Island Developing States Anti-Corruption Research Platform by the Independent Commission against Corruption of Mauritius, together with the United Nations Office on Drugs and Crime, for the purpose of research and the sharing of best practices specific to such States,

*Recalling* the SIDS Accelerated Modalities of Action (SAMOA) Pathway,<sup>31</sup> the outcome document of the third International Conference on Small Island Developing States, held in Apia, from 1 to 4 September 2014, which is of significance to the Pacific island countries,

*Acknowledging* the Boe Declaration on Regional Security adopted by the leaders of the Pacific Island Forum in 2018 in relation to the Pacific, in the context of the Framework for Pacific Regionalism of 2014 and the “Blue Pacific” narrative,

*Welcoming* the work carried out under the United Nations Pacific Regional Anti-Corruption Project, which, as a result of close cooperation between the United Nations Office on Drugs and Crime and the United Nations Development Programme, may serve as a model for collaboration on anti-corruption issues among United Nations entities,

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<sup>31</sup> General Assembly resolution 69/15, annex.



*Recognizing* the important role of regional and international partnerships and the relevance of collaborative learning among small island developing States,

1. *Welcomes* the accession to the United Nations Convention against Corruption by Samoa in April 2018, and urges small island developing States that have not yet done so to ratify or accede to the Convention;

2. *Calls upon* small island developing States parties to the Convention to enhance their active participation in the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and to make every effort to implement the recommendations arising from the reviews;

3. *Urges* States parties and interested donors, including development partners, to support small island developing States in their efforts to implement the Convention, including those aspects that will contribute to the achievement of Sustainable Development Goal 16;

4. *Also urges* States parties and interested donors, including development partners, upon request, and with the assistance of the United Nations and other relevant regional bodies, within their existing mandates, to support the implementation of anti-corruption reforms in small island developing States through the provision of technical assistance at the bilateral, regional and international levels, including by addressing needs identified through the Implementation Review Mechanism or progress reports communicated through various regional platforms;

5. *Urges* States parties and interested donors with relevant expertise applicable to the contexts of small island developing States to share their best practices and lessons learned with small island developing States, upon request, through existing and future bilateral, regional and international cooperation mechanisms;

6. *Encourages* small island developing States to further share with one another information, research, best practices and lessons learned specific to them on the implementation of the Convention;

7. *Urges* small island developing States to strengthen anti-corruption frameworks as part of the steps taken to enhance good governance in the area of ocean and land resources management with the aim of enhancing and building inclusive resilience to the impacts of climate change and natural disasters in those States, with the support of the international community and relevant United Nations entities and regional bodies;

8. *Encourages* small island developing States to continue efforts aimed at building integrity and preventing and eliminating corruption in the public and private sectors, and invites other States parties and interested donors to support small island developing States, upon request, including with the assistance of other development partners and relevant United Nations entities and regional bodies, within their existing mandates;

9. *Urges* small island developing States to promote, within their means and in accordance with the fundamental principles of their legal systems, the participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations, community-based organizations, the private sector, young people and the media, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threats posed by corruption;

10. *Encourages* small island developing States to engage in a whole-of-society approach to preventing and combating corruption, including through broad participation in the development and implementation of national anti-corruption strategies and policies;

11. *Urges* small island developing States to promote the implementation of the Convention at the regional level, including through greater collaboration with regional mechanisms, such as the Pacific Islands Forum Secretariat and the United

Nations Pacific Regional Anti-Corruption Project for Pacific island countries to develop a Pacific anti-corruption vision consistent with the commitment made by the leaders of the Pacific Forum under the Boe Declaration on Regional Security;

12. *Requests* the Secretariat to submit to the Conference of the States Parties to the United Nations Convention against Corruption a report on the progress made and the challenges encountered in the implementation of the present resolution;

13. *Encourages* small island developing States to consider the recommendations contained in the report of the Secretariat on strengthening the implementation of the Convention in small island developing States;

14. *Recognizes* the progress made and challenges faced in the implementation of Conference resolution 7/7, and urges States parties to continue to support technical assistance efforts focused on the needs and priorities of small island developing States, including assistance with the ratification of or accession to the Convention, and on meeting the legislative and other technical requirements to implement the Convention effectively, upon request, and with the assistance of the United Nations;

15. *Invites* States parties and other donors to provide extra budgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

#### **Resolution 8/12**

### **Preventing and combating corruption as it relates to crimes that have an impact on the environment**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Recognizing* that combating corruption in all its forms is a priority, and reiterating its concerns regarding the seriousness of the problems and threats posed by corruption,

*Recognizing also* the purposes of the United Nations Convention against Corruption<sup>32</sup> and, in this regard, its important role, and that one of its purposes is to promote, facilitate and support international cooperation and technical assistance in the prevention of and the fight against corruption, as outlined in article 1, subparagraph (b), of the Convention,

*Recalling* the second preambular paragraph of the Convention, in which States parties expressed concern about the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering, and the fifth preambular paragraph of the Convention, in which States parties expressed their conviction that a comprehensive and multidisciplinary approach is required to prevent and combat corruption effectively,

*Reaffirming* its resolution 7/6 of 10 November 2017, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”, in which it called upon States parties to use the Convention as a framework for the development of tailored anti-corruption safeguards, including in specific vulnerable areas,

*Taking note* of the existing research<sup>33</sup> on the cost of crimes that have an impact on the environment,

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<sup>32</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

<sup>33</sup> Such as United Nations Environment Programme: *The State of Knowledge of Crimes That Have Serious Impacts on the Environment* (2018); International Criminal Police Organization (INTERPOL) and the United Nations Environment Programme: *Strategic Report: Environment, Peace and Security: A Convergence of Threats* (2016); UNODC: *World Wildlife Crime Report* (2016); and publications by the World Bank

*Noting with concern* the role that corruption can play in crimes that have an impact on the environment, which may constitute a growing source of profits for various criminal activities,

*Concerned* that money-laundering may be used to disguise and/or conceal the sources of illegally generated proceeds, as well as to facilitate crimes that have an impact on the environment, and can generate wider criminality,

*Emphasizing* that efforts by States parties to implement the Convention are mutually reinforcing and contribute to their efforts to implement the 2030 Agenda for Sustainable Development, adopted by the General Assembly in its resolution 70/1 of 25 September 2015, and recalling the Agenda's Sustainable Development Goals, including Goal 16, which is to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels,

*Stressing* that corruption is a global phenomenon affecting all societies and economies, making international cooperation to prevent and combat it essential, based on a comprehensive and multidisciplinary approach, including through the recovery and return of proceeds of crime, and recalling in this context its resolution 7/2 of 10 November 2017, and taking note of the note by the Secretariat on preventing and combating corruption involving vast quantities of assets,<sup>34</sup>

*Noting* barriers and international challenges encountered by States parties which negatively impact international cooperation in preventing and combating corruption more efficiently and effectively,

*Recalling*, in this regard, the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,<sup>35</sup> in paragraph 9 (e) of which Member States undertook to adopt effective measures to prevent and counter the serious problem of crimes that have an impact on the environment by strengthening legislation, international cooperation, capacity-building, criminal justice responses and law enforcement efforts aimed at, inter alia, dealing with transnational organized crime, corruption and money-laundering linked to such crimes, and recalling also paragraph 10 (e) of the Doha Declaration, in which Member States undertook to raise public confidence in criminal justice by preventing corruption and promoting respect for human rights, as well as enhancing professional competence and oversight in all sectors of the criminal justice system, thus ensuring that it is accessible and responsive to the needs and rights of all individuals,

*Reaffirming* that every State has, and shall freely exercise, full permanent sovereignty over all its natural resources,

*Concerned* about the corrupt practices facilitating the persisting use of forged or illegally issued permits and certificates or the fraudulent use of authentic permits and certificates to mask trade in illegally obtained natural resources or illicitly trafficked waste, or to launder such illegally obtained natural resources or illicitly trafficked waste,

*Acknowledging* the central role played by States parties, with the assistance of the United Nations Office on Drugs and Crime, in the prevention of and the fight against corruption,

*Acknowledging also* the important contribution made by the United Nations Office on Drugs and Crime through the development of technical assistance programmes aimed at or contributing to preventing and combating corruption as it relates to crimes that have an impact on the environment including through the production of resource guides for Governments, the private sector, and other relevant stakeholders on addressing corruption in the wildlife, timber and fisheries sectors,

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<sup>34</sup> [CAC/COSP/2019/13](#).

<sup>35</sup> General Assembly resolution 70/174, annex.

with a focus on promoting adequate integrity policies and assessing and mitigating corruption risks along the value chain,

*Reaffirming* that, while the implementation of the Convention is the responsibility of States parties, corruption not only affects Governments but also has a significant impact on the private sector, impeding economic growth, distorting competition and presenting serious legal and reputational risks, and noting that the promotion of integrity, transparency and accountability and the prevention of corruption are responsibilities of States parties with the involvement of all relevant stakeholders,

*Recalling* article 12 of the Convention, which recognizes the need to prevent corruption involving the private sector, including by preventing the misuse of procedures regulating private entities, including procedures regarding licenses and subsidies granted by public authorities for commercial activities,

*Highlighting*, in this context, the contributions of intergovernmental organizations and the important role of the media, civil society, academia and private sector entities in the prevention of and the fight against corruption as it relates to crimes that have an impact on the environment, and recalling article 63 of the Convention, which, inter alia, provides for cooperating with relevant international and regional organizations and mechanisms and non-governmental organizations,

1. *Affirms* that the United Nations Convention against Corruption<sup>1</sup> constitutes an effective tool and an important part of the legal framework for preventing and combating corruption as it relates to crimes that have an impact on the environment and for strengthening international cooperation in this regard;

2. *Urges*, in this regard, all States that have not yet done so to consider ratifying or acceding to the Convention as soon as possible;

3. *Also urges* States parties to implement the Convention in accordance with their domestic legislation and to ensure respect for its provisions, with a view to making best use of the Convention to prevent and combat corruption as it relates to crimes that have an impact on the environment and the recovery and return of proceeds of crimes that have an impact on the environment, in accordance with the Convention;

4. *Further urges* States parties to enhance the application of the Convention, in accordance with its terms, in order to effectively prevent, investigate and prosecute corruption offences established in accordance with the Convention, including in circumstances where they may be linked to crimes that have an impact on the environment, as well as to freeze, seize, confiscate and return the proceeds of crime, in accordance with the Convention, and to consider measures criminalizing the attempt to commit such corruption offences, as provided in article 27 of the Convention, including when organized criminal groups are involved;

5. *Calls upon* States parties to make use, to the greatest extent possible, of other relevant legal instruments available at the national, regional and international levels to tackle corruption as it relates to crimes that have an impact on the environment, including through legislation related to money-laundering, corruption, fraud, racketeering and financial crime;

6. *Also calls upon* States parties, in accordance with the fundamental principles of their legal systems, to strengthen anti-corruption frameworks, and to promote ethical practices, integrity and transparency, and to endeavour to prevent conflicts of interest, with the aim of preventing corruption as it relates to crimes that have an impact on the environment;

7. *Further calls upon* States parties to ensure integrity throughout the entire crime prevention and criminal justice system, including by promoting integrity among customs and border control services, without prejudice to judicial independence and in accordance with the fundamental principles of the legal systems of States parties;

8. *Recognizes* the importance for States parties, in cooperation with the United Nations Office on Drugs and Crime, of taking appropriate measures within their means, in accordance with article 13 of the Convention and the fundamental principles of their domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, the private sector, academia, non-governmental organizations and community-based organizations, in the prevention of corruption, and to raise public awareness regarding the existence and causes of, and the gravity of the challenge posed by corruption as it relates to crimes that have an impact on the environment, and encourages States parties to enhance their capacity in this regard;

9. *Urges* States parties to take measures to ensure that legal and natural persons are held accountable for corruption offences, in accordance with chapter III of the Convention, in particular its article 26;

10. *Also urges* States parties to strengthen cooperation in criminal matters in this regard, in accordance with chapter IV of the Convention, and to afford one another the widest measures of mutual legal assistance in investigations, prosecutions and judicial proceedings;

11. *Expresses concern* that the financial flows of proceeds of crime and money-laundering which may derive from corruption as it relates to crimes that have an impact on the environment, and urges States parties to investigate and prosecute those offences, including by using financial investigation techniques, and to strive to eliminate incentives for the transfer abroad of the proceeds of crime, and to afford one another the widest measures of cooperation and assistance to recover and return proceeds of crime consistent with chapter 5 of the Convention;

12. *Encourages* States parties, bearing in mind, in particular, articles 8, 32 and 33 of the Convention and in conformity with national legislation, to consider establishing and developing, where appropriate, confidential complaint systems, whistle-blower protection programmes, including protected reporting systems, and effective witness protection measures, and to increase awareness of such measures;

13. *Welcomes* the work undertaken by the United Nations Office on Drugs and Crime in the development of technical assistance programmes aimed at or contributing to preventing and combating corruption as it relates to crimes that have an impact on the environment;

14. *Requests* the United Nations Office on Drugs and Crime, in close cooperation with States parties and relevant international and regional organizations, subject to the availability of extrabudgetary resources, to conduct scientific-based research on the topics identified in the scope of this resolution and to report to the Open-ended Intergovernmental Working Group on the Prevention of Corruption;

15. *Encourages* States parties, where appropriate and in accordance with the fundamental principles of their legal systems, to take measures to assess and mitigate corruption risks along the value chains to prevent and counter offences covered by the Convention, and requests the United Nations Office on Drugs and Crime to support States parties, upon request and subject to the availability of extrabudgetary resources, in this regard,

16. *Takes note with appreciation* of the publication by the United Nations Office on Drugs and Crime of resource guides for Governments and other stakeholders on addressing corruption in the wildlife, timber and fisheries sectors, with a focus on assessing and mitigating corruption risks along the value chain, encourages States parties to make use of those tools, and invites the United Nations Office on Drugs and Crime, in close cooperation with Member States and subject to the availability of extrabudgetary resources, to continue developing similar guides on addressing corruption in other economic sectors related to the management of natural resources and waste, in accordance with its mandate;

17. *Invites* States parties to provide information to the United Nations Office on Drugs and Crime on the issues contained in the present resolution, in the interests

of identifying appropriate technical assistance needs and, together with the Office, to consider the possibility of whether and how the Office can assist in collecting appropriate information on institutional policy and programme-related developments regarding efforts to prevent and fight corruption as it relates to crimes that have an impact on the environment;

18. *Also invites* States parties to share with the United Nations Office on Drugs and Crime, for further dissemination through the knowledge management portal known as Sharing Electronic Resources and Laws on Crime and use in capacity-building training, their legislation and case laws regarding corruption as it relates to crimes that have an impact on the environment;

19. *Requests* the United Nations Office on Drugs and Crime, within its mandate and subject to the availability of extrabudgetary resources, to continue, in cooperation with relevant international and regional organizations, partners and donors and in close consultation with States parties, to develop technical assistance programmes, research, studies, training materials, guides and tools for Governments, and to disseminate information and good practices, which could help to inform possible future measures to prevent and combat corruption as it relates to crimes that have an impact on the environment;

20. *Welcomes*, consistent with article 63 of the Convention, the work done by other relevant regional and international organizations and mechanisms to prevent and combat corruption as it relates to crimes that have an impact on the environment;

21. *Urges* the United Nations Office on Drugs and Crime, within its mandate, to continue its ongoing cooperation with the other members of the International Consortium for Combatting Wildlife Crime and to strengthen its cooperation and coordination with other relevant international and regional organizations, in providing States parties with support and technical assistance, upon request, as well as data and analyses, in preventing and combating corruption as it relates to crimes that have an impact on the environment;

22. *Requests* the secretariat of the Conference of the States Parties to report, within existing resources, on the implementation of the present resolution to the Conference at its ninth session and to its relevant subsidiary bodies;

23. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

#### **Resolution 8/13**

### **Abu Dhabi declaration on enhancing collaboration between the supreme audit institutions and anti-corruption bodies to more effectively prevent and fight corruption**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Concerned* about the negative effects of corruption on the stability and security of societies, the effectiveness of institutions, the rule of law and sustainable development,

*Convinced* that a comprehensive, balanced and multifaceted approach is indispensable for the effective implementation of the United Nations Convention against Corruption,<sup>36</sup>

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<sup>36</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

*Convinced also* of the importance of timely, adequate, effective and, where possible, long-term, sustainable technical assistance for the implementation of the Convention, including through the targeted capacity-building of the States parties' institutions involved in the implementation of anti-corruption measures,

*Bearing in mind* that the effective implementation of the Convention through the promotion and strengthening of efforts to prevent and combat corruption is the responsibility of all States parties and that the support and participation of individuals and groups outside the public sector will make those efforts more efficient and effective,

*Reaffirming* the principles of proper management of public affairs and public property, fairness, responsibility for wrongdoing, including criminal wrongdoing, and equality before the law, and the need to safeguard integrity and foster a culture of rejection of corruption,

*Taking note with appreciation* of the Lima Declaration of Guidelines on Auditing Precepts<sup>37</sup> and the Mexico Declaration on Supreme Audit Institutions Independence,<sup>38</sup> adopted by, respectively, the Ninth and Nineteenth Congresses of the International Organization of Supreme Audit Institutions, held in Lima in October 1977, and in Mexico City in November 2007, and the memorandum of understanding between the United Nations and the International Organization of Supreme Audit Institutions, signed on 30 July 2019, which provides a framework for cooperation between the two institutions in preventing and combating corruption,

*Stressing* the key role played by the supreme audit institutions in the prevention of and fight against corruption, in particular with regard to promoting integrity, accountability, transparency and the proper management of public affairs and public property, as well as the efficient use of public resources, and recalling, in this regard, the importance of protecting and safeguarding and enhancing the necessary independence of those institutions, in accordance with the fundamental principles of the legal systems of States parties, to enable them to carry out their functions effectively and free from any undue influence,

*Reaffirming* article 63, paragraph 4, of the Convention, which provides, inter alia, for facilitating the exchange of information between States parties on patterns and trends of corruption and on successful practices in preventing and combating corruption, including through the dissemination of relevant information as mentioned in that article, for cooperating with international organizations and mechanisms, as well as regional organizations, and for making use of relevant information produced by other international and regional mechanisms to prevent and combat corruption,

*Recalling* General Assembly resolutions 66/209 of 22 December 2011 and 69/228 of 19 December 2014, on promoting the efficiency, accountability, effectiveness and transparency of public administration by strengthening supreme audit institutions,

*Noting* the importance of the 2030 Agenda for Sustainable Development,<sup>39</sup> including Sustainable Development Goal 16, which is aimed at promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels,

*Recognizing* that the implementation of the Convention, other anti-corruption commitments undertaken by the States parties, and the Sustainable Development Goals, among other factors, may benefit from the effective use of new developments in technology,

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<sup>37</sup> Adopted by the Ninth Congress of the International Organization of Supreme Audit Institutions, Lima, 17–26 October 1977.

<sup>38</sup> Adopted by the Nineteenth Congress of the International Organization of Supreme Audit Institutions, Mexico City, 5–10 November 2007.

<sup>39</sup> General Assembly resolution 70/1.

*Recognizing* the meeting of the supreme audit institutions and the specialized anti-corruption bodies, which was held in Abu Dhabi on 14 and 15 December 2019, prior to the eighth session of the Conference, and which was organized by the State Audit Institution of the United Arab Emirates, the United Nations Office on Drugs and Crime and the International Organization of Supreme Audit Institutions,

*Noting* the implementation of Conference resolutions 6/7 of 6 November 2015, entitled “Promoting the use of information and communications technologies for the implementation of the United Nations Convention against Corruption”, and 6/8 of 6 November 2015, entitled “Prevention of corruption by promoting transparent, accountable and efficient public service delivery through the application of best practices and technological innovations”,

*Reaffirming* its resolution 5/5 of 29 November 2013, entitled “Promotion of the contribution of young people and children in preventing corruption and fostering a culture of respect for the law and integrity”,

*Noting* the efforts made by States parties to encourage the contribution of young people to the prevention of corruption and to promote a culture of respect for the law and integrity,

1. *Encourages* States parties to promote, in accordance with the fundamental principles of their legal systems, the independence of their supreme audit institutions, which is essential to the performance of their duties, and, in accordance with domestic law, and, where appropriate, to implement policies for the effective operation of the supreme audit institutions in accordance with the principles and standards formulated by the International Organization of Supreme Audit Institutions, in particular with regard to ensuring the proper management of public finances and public property, and in areas such as public procurement;

2. *Urges* States parties, in accordance with article 9, paragraph 2, of the United Nations Convention against Corruption,<sup>1</sup> subject to the fundamental principles of their legal systems and where appropriate, to take measures to promote transparency and accountability in the management of public finances, including through a system of accounting and auditing standards and related oversight, and highlights in this regard the important role of the supreme audit institutions in examining, periodically or as necessary, the applicable financial and accounting frameworks and procedures, in order to determine their effectiveness in the fight against corruption;

3. *Also urges* States parties to ensure that the audited entities respond to the findings of the audit reports, implement the recommendations of the supreme audit institutions and take appropriate corrective action, including criminal prosecution, to ensure the proper management of public affairs and public property with a view to enhancing the fight against corruption for the benefit of society;

4. *Encourages* States parties, in accordance with their domestic law and where appropriate, to involve the supreme audit institutions and the internal audit units in their country reviews under the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, in particular in relation to the review of the implementation of chapter II, on preventive measures, including in the country visits, where applicable;

5. *Also encourages* States parties to promote integrity and honesty through the application of codes of conduct in the supreme audit institutions and to consider aligning, where appropriate and in accordance with the fundamental principles of their legal systems, these codes of conduct with the Code of Ethics promulgated by the International Organization of Supreme Audit Institutions, where appropriate, to promote compliance with the highest standards of professional ethics and to prevent conflicts of interest;

6. *Recognizes* the importance of developing and implementing or maintaining effective anti-corruption policies, that promote the participation of society and reflect the principles of the rule of law, proper management of public



affairs and public property, integrity, transparency and accountability within their jurisdiction, and notes that increasing trust in supreme audit institutions, anti-corruption bodies and governmental and public institutions as a whole plays an important role in those efforts;

7. *Encourages* States parties, in accordance with the fundamental principles of their legal systems and with due respect for the independence of both national legislatures and supreme audit institutions, to build and strengthen relations between national legislatures and supreme audit institutions, and to encourage national legislatures to be aware of the findings of supreme audit institutions so that they may be taken into account when exercising parliamentary functions, in order to ensure the proper management of public affairs and public property, for the benefit of the society;

8. *Calls upon* States parties, in accordance with the fundamental principles of their legal systems, to strengthen the national, regional and international coordination and cooperation among the bodies involved in the prevention of and fight against corruption, to afford one another, without delay, effective mutual legal assistance, and to take meaningful steps to facilitate effective cooperation and remove barriers, consistent with article 46 of the Convention;

9. *Encourages* States parties, where applicable, in accordance with their legal systems and where appropriate, to improve the exchange of information between anti-corruption bodies, supreme audit institutions and other governmental bodies operating in the field of combating corruption, including for consultative purposes, and to consider publishing periodic reports on the risks of corruption in public administration, taking into account the findings of both the anti-corruption bodies and the supreme audit institutions;

10. *Invites* States parties to further share their experience in ensuring proper management of public finances and public property, and exchange information on the role of their supreme audit institutions in this regard, also utilizing the meetings of the Working Group on the Prevention of Corruption;

11. *Encourages* States parties, where appropriate and consistent with their domestic legal frameworks, and mindful of the need to protect the rights or reputations of others, national security or *ordre public*, to seek to utilize information and communications technologies to strengthen the implementation of the Convention, to strengthen public awareness and to promote transparency and public reporting in areas such as public procurement, the management of public finances, and asset and interest disclosure, with a view to facilitating the reporting and detecting of acts of corruption and to supporting the criminal prosecution of corruption related offences;

12. *Also encourages* States parties, in accordance with the fundamental principles of their legal systems, and consistent with article 13 of the Convention, to continue their efforts to raise awareness of the dangers associated with corruption, including through educational and training programmes for young people and by engaging with relevant individuals and groups outside the public sector such as civil society, non-governmental organizations, community-based organizations and academia;

13. *Further encourages* States parties to continue their efforts, within their means and in accordance with the fundamental principles of their domestic law, to engage society in the development of policies, strategies, tools and programmes to prevent and combat corruption;

14. *Requests* the Working Group on the Prevention of Corruption to include, as a topic for discussion at its future meetings, strengthening the role of supreme audit institutions in the prevention of and fight against corruption;

15. *Requests* the United Nations Office on Drugs and Crime, in close cooperation with bilateral and multilateral technical assistance providers, to continue to provide technical assistance to States parties, upon request and subject to the availability of extrabudgetary resources, in implementing the relevant provisions of the present resolution;

16. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes specified in the present resolution, in accordance with the rules and procedures of the United Nations.

#### **Resolution 8/14**

### **Promoting good practices in relation to the role of national parliaments and other legislative bodies in preventing and combating corruption in all its forms**

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Recognizing* that corruption is a major challenge affecting all humankind, and that preventing and combating corruption in all its forms and manifestations is a priority for the international community,

*Reaffirming* the United Nations Convention against Corruption,<sup>40</sup> which is aimed at, inter alia, promoting and strengthening measures to prevent and combat corruption more efficiently and effectively,

*Recalling* previous resolutions of the Conference of the States Parties in which the Conference emphasized that the fight against all forms of corruption requires a comprehensive and multidisciplinary approach, including regulatory frameworks and strong, independent institutions with the competence and capacity to prevent and combat corruption at all levels,

*Stressing* that corruption seriously jeopardizes the efforts of States to achieve the 2030 Agenda for Sustainable Development,<sup>41</sup> including Sustainable Development Goal 16, to promote peaceful and inclusive societies, provide access to justice for all and build effective, accountable and inclusive institutions at all levels,

*Expressing appreciation* for the crucial role played by parliaments and other legislative bodies in supporting the implementation of the Convention, including by enacting appropriate legislation on, inter alia, preventive measures, criminalization and law enforcement, international cooperation, asset recovery, technical assistance and information exchange among States, as well as ensuring effective review or oversight, where appropriate, to prevent and combat corruption at all levels,

*Noting* that the role of parliaments and other legislative bodies in the fight against corruption may be expressed by various means beyond legislation, such as the development of internal procedures for the work of the parliaments and other legislative bodies and the activities of legislators in the public sphere,

*Emphasizing* the importance of the exchange of information and good practices among parliaments and other legislative bodies for strengthening capacity and mutual cooperation to effectively fight corruption,

1. *Urges* States parties to take effective measures, in accordance with the fundamental principles of their legal systems and the relevant obligations under the United Nations Convention against Corruption,<sup>1</sup> to support the role and strengthen the capacity of parliaments and other legislative bodies to prevent and combat corruption, including in areas where they have a mandate for review or oversight;

2. *Encourages* States parties to identify and implement any legislative or other measures that may be necessary to implement the Convention and address relevant recommendations emerging from the Mechanism for the Review of Implementation of the United Nations Convention against Corruption;

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<sup>40</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

<sup>41</sup> General Assembly resolution 70/1.

3. *Also encourages* States parties to strengthen interparliamentary dialogue and cooperation, including in coordination with the Inter-Parliamentary Union and similar organizations, as appropriate, to promote the exchange of good practices relating to legislation, review and oversight controls in the fight against corruption, and to consider implementing those good practices in domestic law;

4. *Further encourages* States parties to recognize the important role of parliaments and other legislative bodies in strengthening the implementation of the Convention, with a view to effectively preventing and combating corruption in all its forms and preventing money-laundering related to corruption by, inter alia, promoting transparency and accountability in the management of public finances, exercising budget oversight, criminalizing corruption offences and facilitating the asset recovery process, in accordance with chapter V of the Convention;

5. *Requests* the Open-ended Intergovernmental Working Group on the Prevention of Corruption to include the role of parliaments and other legislative bodies in strengthening the implementation of the Convention as a topic on the agenda for its twelfth meeting, and to invite the Inter-Parliamentary Union and similar organizations to participate in a thematic panel discussion on the topic;

6. *Encourages* States parties, in the framework of their preparations for the special session of the General Assembly against corruption, to be held in 2021, to address the strengthening of the role of parliaments and other legislative bodies in preventing and combating corruption in all its forms, while duly respecting the independence of the legislative authorities;

7. *Requests* the United Nations Office on Drugs and Crime to develop, subject to the availability of extrabudgetary resources, on the basis of information provided by States parties and relevant organizations, a compendium of good practices in relation to the role of parliaments and other legislative bodies in preventing and combating corruption, in order to promote the exchange of good practices and national experiences among parliamentary institutions;

8. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations;

9. *Requests* the Secretariat to report on the implementation of the present resolution at its ninth session, in 2021.

## **B. Decisions**

1. At its eighth session, the Conference adopted the following decision:

### **Decision 8/1**

### **Extension of the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption**

At its 20th meeting, on 16 December 2019, the Conference of the States Parties to the United Nations Convention against Corruption:

*The Conference of the States Parties to the United Nations Convention against Corruption,*

Reaffirming its resolution 3/1 of 13 November 2009, which constitutes the basic foundation document for the Mechanism for the Review of Implementation of the United Nations Convention against Corruption,

Reaffirming also the terms of reference of the Implementation Review Mechanism, and in particular the guiding principles and characteristics of the Mechanism, as enshrined in chapter II of the terms of reference,

Taking note of the delays incurred during the second cycle and the estimated time required for its completion,

Noting that, pursuant to paragraphs 13 and 47 of the terms of reference of the Implementation Review Mechanism and consistent with Conference resolution 3/1 and resolution 6/1 of 6 November 2015, the Conference of the States Parties to the United Nations Convention against Corruption shall establish the phases and cycles of the review and determine the duration of each cycle:

(a) Decides to extend the duration of the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption by three years, that is, until June 2024, to allow for the completion of country reviews under that cycle;

(b) Calls upon the States parties to accelerate the completion of the second cycle.