



Conference of the States Parties to the United Nations Convention against Corruption

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Agenda item 4

Prevention

Germany and Israel: revised draft resolution

Promoting the use of information and communications technologies for the implementation of the United Nations Convention against Corruption

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

Recalling article 1, subparagraph (a), of the United Nations Convention against Corruption,¹ which establishes as one of the main goals of the Convention the promotion and strengthening of measures to prevent and combat corruption more efficiently and effectively,

Recalling also that article 7, paragraph 4, of the Convention requires States parties, in accordance with the fundamental principles of their domestic law, to endeavour to adopt, maintain and strengthen systems that promote transparency,

Acknowledging the importance of implementing chapter II (Preventive measures) of the Convention, as stressed by the Conference in its resolution 4/3 of 28 October 2011, entitled “Marrakech declaration on the prevention of corruption”, and also acknowledging that the implementation of chapter II will be reviewed during the forthcoming second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, in accordance with Conference resolution 3/1,

Emphasizing the importance of respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption, and stressing that these activities should be done in accordance with States parties’ domestic law,

¹ United Nations, *Treaty Series*, vol. 2349, No. 42146.



Recalling its resolution 5/4 of 29 November 2013, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”, and 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 use of innovative information and communications technology measures by relevant stakeholders to collect and disseminate information about topics covered by the Convention,

Recognizing the significant worldwide growth of information and communications technologies in the course of the past decade, as presented by the International Telecommunication Union,² and the need to reduce the digital divide,

Bearing in mind the important role of e-government and the increasing use of information and communications technology tools by States parties in the conduct of public administration as a means to promote trust and confidence in Government,

Recognizing Sustainable Development Goal 16, which calls, inter alia, for ensuring public access to information, in accordance with national legislation and international agreements,

1. *Calls upon* States parties to continue developing and promoting the use of information and communications technologies in order to enhance the effective and efficient implementation of article 13 of the United Nations Convention against Corruption,¹ such as through the use of e-government mechanisms, online platforms, smartphone applications, mobile telephone-based reporting and social media;

2. *Recognizes* that States parties should take 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 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;

3. *Recommends* that States parties consider utilizing online platforms to facilitate, where appropriate, consultation with the public on issues relating to the prevention of and fight against corruption, in accordance with article 13, paragraph 1 (a), of the Convention;

4. *Stresses* the importance of the implementation of article 13, paragraph 2, of the Convention and, to that effect, encourages States parties to establish accessible online mechanisms for providing information to the appropriate bodies, including anonymously, on any incidents that may constitute an offence established in accordance with the Convention and their domestic law;

5. *Calls upon* States parties to make available online, including by considering the use of open data formats, as much government information as feasible, subject to relevant limitations in domestic law, in relation to the

² See International Telecommunication Union, “ICT Facts and Figures: The World in 2015” (Geneva, 2015).

implementation of the Convention, in order to enable greater transparency, accountability and efficiency;

6. *Encourages* States parties to promote the implementation of article 9, paragraph 1, of the Convention by establishing, inter alia, online platforms for the distribution of information relating to public procurement and tenders as a way to prevent corruption, enhance transparency and ensure competition and objective criteria in procurement decision-making, in accordance with the fundamental principles of their legal systems;

7. *Invites* States parties, in accordance with the fundamental principles of their domestic law, to make information available, including, for example, the types of information set out in article 10, subparagraph (a), of the Convention, upon request by a member of the public, through online platforms subject only to such restrictions as are provided for by law, consistent with article 10 of the Convention;

8. *Reaffirms* that, in accordance with article 13, paragraph 1, of the Convention, States parties should respect, promote and protect the freedom to seek, receive, publish and disseminate information concerning corruption, within their means and in accordance with their domestic law;

9. *Requests* that the relevant subsidiary bodies, during any upcoming meeting mandated by the Conference of the States Parties, and pursuant to the present resolution, discuss promoting the use of information and communications technologies for the implementation of the Convention in order to facilitate public sector transparency and combat corruption and, accordingly, draw up a list of best practices, as appropriate, on how to enhance and promote such use;

10. *Encourages* States parties to periodically evaluate, within their means and in accordance with article 5, paragraph 3, of the Convention and the fundamental principles of their respective legal systems, their relevant legal instruments and administrative measures, with a view to promoting the freedom to seek, receive, publish and disseminate information concerning corruption, consistent with articles 10 and 13 of the Convention;

11. *Invites* the Secretariat, within its existing mandate and resources, to further explore the adoption of different information and communications technology tools, including the use of open data resources, in order to further disseminate information on the development of its functions, information on the tools and resources for the anti-corruption knowledge platform and public reports presented to the Conference of the States Parties and its subsidiary bodies;

12. *Welcomes* the work undertaken by the Open-ended Intergovernmental Working Group on the Prevention of Corruption at its fourth and sixth meetings, held in Vienna from 26 to 28 August 2013 and from 31 August to 2 September 2015, respectively,³ pertaining to articles 9, 10, 11, 13 and 14 of the Convention.

³ See documents CAC/COSP/WG.4/2013/5 and CAC/COSP/WG.4/2015/4.