



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

Distr.: Limited
3 November 2015

Original: English

Sixth session

St. Petersburg, Russian Federation, 2-6 November 2015

Agenda item 4

Prevention

El Salvador, Guatemala, Jordan, Kuwait, Morocco*, Saudi Arabia and State of Palestine: revised draft resolution

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 values of democracy and by jeopardizing sustainable development and the rule of law,

Highlighting the importance of the United Nations Convention against Corruption¹ and the prominence it has given to the prevention of corruption as part of a comprehensive approach to fighting corruption by having its entire chapter II devoted to measures to prevent corruption,

Welcoming the adoption of the 2030 Agenda for Sustainable Development² and recalling that the 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,

Acknowledging that efficient, accessible, accountable and transparent public service delivery is one of the key components in building an anti-corruption environment in the public sector,

Concerned about the links between corruption and other forms of crime, in particular organized crime and economic crime,

* On behalf of the States Members of the United Nations that are members of the Group of African States.

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

² General Assembly resolution 70/1.



Stressing that preventive measures are one of the most effective means of countering corruption and of avoiding its negative impact on the enjoyment of human rights, and underlining that prevention measures should be strengthened at all levels,

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 to be shared by all, and that those responsibilities include promoting the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in accordance with article 13 of the Convention,

Underlining, in view of the forthcoming review of the implementation of chapter II during the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, the importance of building legislative and institutional frameworks and capacities consistent with the requirements of that chapter,

Welcoming the progress made by States parties and the Secretariat in the implementation of Conference resolutions 3/2 of 13 November 2009, 4/3 of 28 October 2011 and 5/4 of 29 November 2013 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,

Welcoming the work of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, in particular the substantive discussions in relation to the different provisions of chapter II whose implementation is reviewed under the multi-year workplan for the period up to 2015 and the conclusions and recommendations adopted at the 5th and 6th meetings of the Working Group, held in Vienna from 8 to 10 September 2014 and from 31 August to 2 September 2015, respectively, and welcoming also the guidance material developed by the Secretariat, namely the *Resource Guide on Good Practices in the Protection of Reporting Persons* and “National anti-corruption strategies: a practical guide for development and implementation”,

1. *Encourages* States parties to promote universal adherence to the United Nations Convention against Corruption,¹ 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 reinforce the effective implementation of the preventive measures outlined in chapter II of the Convention and in the resolutions of the Conference of the States Parties;

3. *Recommends* that States parties should ensure that anti-corruption bodies have the necessary independence, in accordance with the fundamental principles of their legal systems, as well as the material resources and specialized staff to enable them to carry out their functions effectively and free from undue influence, in accordance with article 6, paragraph 2, of the Convention;

4. [*Takes note* of the St. Petersburg Declaration of the International Association of Anti-Corruption Authorities;³]

5. *Calls upon* States parties to take measures to enhance integrity, transparency, accountability and the rule of law in public administration, under the fundamental principles of their legal systems, including through the promotion of effective public service delivery 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;

6. *Also calls upon* States parties to strengthen integrity across the entire criminal justice system, as called for in 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,⁴ while bearing in mind the independence of the judiciary, and notes with appreciation the assistance provided by the Secretariat to States parties, upon request, in the integration of anti-corruption measures in institutions of the criminal justice system;

7. *Further 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 promote, as appropriate, the involvement of the private sector in the prevention of corruption;

8. *Recognizes* the importance of protecting integrity in sports by promoting good governance in sports and mitigating the risk of corruption that sports face globally, requests the Secretariat to continue, in cooperation with relevant international organizations, partners and donors, to develop studies, training materials, guides and tools for Governments and sports organizations to enable them to further strengthen measures in this area, and acknowledges the work that has already been done by the United Nations Office on Drugs and Crime in this regard, in particular the development of studies and guides with the International Olympic Committee and the International Centre for Sport Security;

9. *Requests* States parties to promote training and education in the prevention of corruption at all levels of the public sector and to work with the private sector in this field, welcomes the achievements made under the Anti-Corruption Academic Initiative, asks the Secretariat 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 requests the Secretariat to continue its support to States parties in this field;

10. *Requests* the United Nations Office on Drugs and Crime to continue to provide and develop capacity-building initiatives, including new knowledge products 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;

11. *Calls upon* States parties to use the Convention as a framework for the development of tailored anti-corruption safeguards, including in specific vulnerable

³ CAC/COSP/2015/CRP.8.

⁴ Economic and Social Council resolution 2015/19, annex.

areas, and requests the Secretariat to assist States parties in doing so, upon request and subject to the availability of extrabudgetary resources;

12. *Invites* Member States to identify and share with States parties and the Secretariat their good anti-corruption practices that address the promotion of transparency, competition and objective decision-making in public procurement systems, in accordance with article 9 of the Convention;

13. *Recognizes* the importance of including the prevention of corruption in the broader development agenda, including through the implementation of Goal 16 and other relevant goals of the 2030 Agenda for Sustainable Development,² and through other initiatives aimed at strengthening the coordination and exchange of such information with development partners;

14. *Notes with appreciation* the achievements of the Open-ended Intergovernmental Working Group on the Prevention of Corruption in facilitating the sharing of information between States parties on their initiatives and good practices relating to the topics considered at the 5th and 6th meetings of the Working Group, and encourages States parties to continue to share with the Secretariat new as well as updated information and good practices on their implementation of chapter II;

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

16. *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;

17. *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 where needed;

18. *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,⁵ for the provision to developing countries and countries with economies in transition

⁵ See General Assembly resolution 58/4, para. 4.

of the technical assistance that they may require to improve their capacities to implement chapter II of the Convention;

19. *Requests* the Secretariat to report on the implementation of the present resolution to the Working Group at its intersessional meetings and to the Conference at its seventh session;

20. *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.
