



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

Distr.: Limited
16 December 2021

Original: English

Ninth session

Sharm el-Sheikh, Egypt, 13–17 December 2021

Agenda item 6

International cooperation

**Armenia, Brazil, Burkina Faso, Colombia, Dominican Republic, Egypt,
Honduras Jordan, Lebanon, Saudi Arabia, State of Palestine, United Arab
Emirates and Yemen: revised draft resolution**

Sharm el-Sheikh declaration on strengthening international cooperation in the prevention of and fight against corruption during times of emergencies and crisis response and recovery

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

Concerned 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,

Concerned also about the negative impact of organized criminal activities, and
acknowledging the need to strengthen efforts to better understand and address,
identify, analyse and counter the links between corruption and other forms of crime,
in particular organized crime and economic crime, including money-laundering,

Acknowledging that preventing and fighting corruption at all levels and in all its
forms is a priority and responsibility of all States parties,

Recalling General Assembly resolution [S-32/1](#) of 2 June 2021, in which the
Assembly adopted the political declaration entitled “Our common commitment to
effectively addressing challenges and implementing measures to prevent and combat
corruption and strengthen international cooperation”, in which States parties
recognized that preventing and countering corruption and illicit financial flows and
recovering and returning confiscated assets, in accordance with the United Nations
Convention against Corruption,¹ could contribute to effective resource mobilization,
poverty eradication, sustainable development and the enjoyment of all human rights,
also recognized that corruption was often transnational in nature and reiterated the
need for strong international cooperation and assistance in the prevention, detection,
investigation and prosecution of corruption offences, as well as in the recovery and
return of confiscated assets in accordance with the Convention,

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



Recognizing that one of the purposes of the Convention against Corruption is to promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery,

Reaffirming the need for the full and effective use of the Convention against Corruption, including in prevention, and emphasizing the work of the relevant working groups of the Conference of the States Parties,

Recognizing the fundamental role of effective international cooperation in preventing and combating corruption, and to this end underlining the importance of addressing, tackling and effectively responding to international challenges and barriers, in particular measures, that hinder such cooperation, and which are not consistent with the Charter of the United Nations and obligations under international law, and in this regard urging States parties, consistent with their international obligations, to refrain from applying such measures,

Recognizing also that preventing and combating corruption is particularly challenging during times of emergencies and crisis response and recovery and that international cooperation is integral to recovery efforts,

Recalling its resolution 6/7 of 6 November 2015 on promoting the use of information and communications technologies for the implementation of the Convention against Corruption, and noting the growing importance of using such tools to combat corrupt practices, to inform appropriate response measures and to share and disclose information, in accordance with the Convention and the domestic law of parties, during times of emergencies and crisis response and recovery,

Deeply concerned about global emergencies and crises, including the situation arising from the coronavirus disease (COVID-19) pandemic and its health, social, economic and other implications, and their impact on, inter alia, good governance, the rule of law at all levels and the achievement of the 2030 Agenda for Sustainable Development,² in particular Sustainable Development Goal 16, on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels, and its targets,

Recognizing that corruption risks may increase during times of emergencies and crisis response and recovery as the urgency of needs, high demand for economic and health-related relief and the speed with which Member States and parties to the Convention against Corruption are required to respond create opportunities for corruption, which further impedes response and recovery efforts,

Determined to safeguard domestic and international stimulus funds and vital emergency resources, and recalling that corruption drains the resources necessary for crisis response and recovery and public service delivery, distorts markets and exacerbates the inequalities exposed during times of emergencies and crisis response and recovery,

Recognizing that corruption is one of the factors that jeopardizes concerted multilateral efforts to overcome the COVID-19 pandemic and the international collaboration required to ensure adequate and equitable access to safe, effective, quality and affordable medicines, medical supplies, equipment, vaccines, therapeutics and diagnostics, in particular for developing countries and people in vulnerable situations, as well as the promotion of global response and recovery efforts,

Recalling General Assembly resolution 74/274 of 20 April 2020, in which the Assembly recognized the importance of international cooperation and effective multilateralism in helping to ensure that all States had in place effective national protective measures, access to and flow of vital medical supplies, medicines and vaccines, in order to minimize negative effects in all affected States and to avoid

² General Assembly resolution 70/1.

relapses of the pandemic, and recognizing the importance of preventing and combating corruption in this regard,

Recalling also that Member States, in the political declaration adopted by the General Assembly at its special session against corruption held in 2021, noted with appreciation the important role of civil society, academia, the private sector and the media in identifying, detecting and reporting on cases of corruption and committed to 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 organizations, community-based organizations and the private sector, 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, and recalling further the need for such actions during times of emergencies and crisis response and recovery,

Welcoming the convening, in June 2021, of the special session of the General Assembly against corruption and the adoption by the Assembly, at that special session, of the political declaration in which reference was made to the need to ensure that appropriate measures were in place to prevent and combat corruption when responding to or recovering from national crises and emergencies and the role of supreme audit institutions and other oversight bodies and their functions in upholding policies and procedures for the management of public finances and public procurement were recognized,

Recalling the progress made by States parties and the secretariat in the implementation of Conference resolution 8/13 of 19 December 2019, entitled “Abu Dhabi declaration on enhancing collaboration between the supreme audit institutions and anti-corruption bodies to more effectively prevent and fight corruption”, in which the Conference stressed 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 underlining the need to maintain efforts, including during times of emergencies and crisis response and recovery, in that regard,

1. *Encourages* States parties to further the full and effective use of the United Nations Convention against Corruption to develop, put in place and, where appropriate, improve and strengthen anti-corruption policies and strategies, in accordance with domestic law, to ensure emergency preparedness and address corruption during times of emergencies and crisis response and recovery;

2. *Also encourages* States parties to continuously monitor and review the anti-corruption measures implemented during the ongoing coronavirus disease (COVID-19) pandemic and other times of emergencies and crisis response and recovery and to monitor the impact of the COVID-19 pandemic on corruption-related trends, keeping in mind that corruption risks may have increased during the pandemic;

3. *Further encourages* States parties, in accordance with the fundamental principles of their legal system, to afford anti-corruption bodies, supreme audit institutions and other relevant entities the appropriate mandates and the necessary independence and resources to carry out their functions effectively and free from undue influence, including, where relevant, in coordinating anti-corruption efforts, during times of emergencies and crisis response and recovery, and to strengthen political will in this regard;

4. *Calls upon* States parties to prevent opportunities for public officials to use their status, influence or insider knowledge to profit from procurement processes or the design, allocation, distribution or management of crisis response and recovery measures by requiring public officials to disclose potential conflicts of interest and ensuring appropriate review, management and sanction mechanisms, in accordance with domestic law;

5. *Urges* States parties to establish and, where necessary and appropriate, further strengthen, through the whole public procurement cycle, transparent, competitive and objective public procurement systems conducted by electronic means, if feasible within their means and in accordance with their domestic law, and to develop and improve guidelines for the use and governing of emergency procurement procedures that integrate anti-corruption safeguards to help ensure transparency, oversight and accountability during times of emergencies and crisis response and recovery, including by supreme audit institutions and other oversight bodies;

6. *Also urges* States parties to have in place sufficient internal audit systems and, where necessary, to strengthen them to help monitor the allocation and distribution of emergency relief and ensure the implementation of measures to prevent corruption during times of emergencies and crisis response and recovery, in accordance with their domestic legal frameworks;

7. *Encourages* States parties to have in place transparency and accountability measures in managing public finances during times of emergencies and crisis response and recovery and, where necessary, to enhance them, including by presenting budget items to ensure that budgets and accounts are available for public access, using flexible and effective financial distribution policies to manage funds allocated for relief and enabling supreme audit institutions and other relevant entities to perform their functions in this regard, especially by upholding policies and procedures for the management of public finances, in accordance with the fundamental principles of domestic law, with a view to easing the burden on, and improving the conditions of, people in vulnerable situations;

8. *Reaffirms* States parties' commitment to improving their understanding of the linkages between gender and corruption, including the ways in which corruption can affect women and men differently, also during times of emergencies and crisis response and recovery, and to continuing to promote gender equality and the empowerment of women in this regard, including by mainstreaming it in relevant legislation, policy development, research, projects and programmes, as appropriate and in accordance with the fundamental principles of domestic law;

9. *Urges* States parties to incorporate and implement corruption risk management processes, in particular in institutions responsible for or concerned with crisis response and recovery, to help identify and mitigate potential corruption risks when designing, administering and managing the whole cycle of public procurement and relief measures, in accordance with the fundamental principles of their legal systems;

10. *Calls upon* States parties, where appropriate, to adopt or strengthen the anti-corruption measures necessary for private sector compliance with applicable laws and regulations, including with due regard for data protection and privacy rights, and to continue efforts to promote the development of 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;

11. *Reaffirms* States parties' commitment to making efforts in international cooperation and taking appropriate measures to enhance beneficial ownership transparency by ensuring that adequate, accurate and timely beneficial ownership information is available and accessible to competent authorities and by promoting beneficial ownership disclosures and transparency, such as through appropriate registries, where consistent with the fundamental principles of domestic legal systems, and encourages States parties to take such measures also during times of emergencies and crisis response and recovery;

12. *Calls upon* States parties to investigate and prosecute offences established in accordance with the Convention against Corruption that result in unfair commercial practices, such as price gouging and the manipulation of the prices of essential goods

and services or bids, especially those needed to respond during times of emergencies and crisis;

13. *Encourages* States parties to reinforce and enhance inter-agency cooperation at all levels to prevent individuals and companies, other legal entities, and systems used to transfer money, as well as non-regulated or unregistered financial or commercial or non-commercial entities at serious risk of being abused for corruption and money-laundering, from committing or being used to facilitate acts of corruption, including during times of emergencies and crisis response and recovery, and to encourage and support companies and financial institutions in this regard, including to make better use of resources already expended;

14. *Also encourages* States parties to take anti-corruption measures to ensure that adequate safeguards are in place regarding the use of emergency executive authority during times of emergencies and crisis response and recovery, such as legislative oversight, committee reports and monitoring mechanisms, in accordance with their domestic legal frameworks;

15. *Urges* States parties to take measures, within their means and in accordance with the fundamental principles of their domestic law, to provide the public with timely information during times of emergencies and crisis response and recovery, to prevent and combat corruption and to counter misinformation;

16. *Notes with appreciation* the important role of civil society, academia, the private sector and the media in identifying, detecting and reporting on cases of corruption and, in this regard, urges States parties to take 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 organizations, community-based organizations and the private sector, 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, including during times of emergencies and crisis response and recovery, encourages States parties to respect, promote and protect the freedom to seek, receive, publish and disseminate information concerning corruption, which may be subject to certain restrictions, such as are provided for by law and are necessary for respect of the rights or reputations of others and for the protection of national security, public order or public health or morals, and also encourages States parties to consider inviting those individuals and groups to contribute to the development and implementation of technical assistance programmes, upon request and based on the needs identified for the implementation of the provisions of the Convention against Corruption, and making efforts so that the conditions are present for their effective contribution to achieving the objectives of the Convention, including the ability to operate independently and without fear of reprisal because of their efforts in that regard, in accordance with domestic law and their respective applicable international obligations;

17. *Calls upon* States parties to establish and, where appropriate, diversify and strengthen confidential complaint systems and protected reporting systems that are accessible and inclusive to facilitate the timely reporting of and to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds any facts concerning offences established in accordance with the Convention against Corruption, including as they relate to the allocation, distribution, use and management of emergency relief;

18. *Encourages* States parties to, as appropriate and in accordance with domestic law and their respective applicable international obligations, develop and strengthen the use of reliable, high-quality, timely and effective electronic communication channels that enable anti-corruption bodies, supreme audit institutions and other relevant entities to rapidly share timely information at the national and international levels through existing mechanisms, including those of the International Criminal Police Organization (INTERPOL), and consider accepting electronic copies in the sending and receiving of mutual legal assistance requests,

including during times of emergencies and crisis response and recovery, and notes the new Global Operational Network of Anti-Corruption Law Enforcement Authorities, which aims to develop a quick, agile and efficient tool for combating cross-border corruption offences, strengthen communication exchange and peer learning between competent anti-corruption law enforcement authorities and complement and coordinate with existing and efficient tools for international cooperation;

19. *Also encourages* States parties to provide the necessary training and resources to ensure that relevant officials of oversight institutions have the tools and expertise required to analyse data and information to inform crisis planning, response and recovery, and in this regard further 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;

20. *Urges* States parties to collect and exchange best practices in preventing and fighting corruption and lessons learned concerning the use, availability and impact of data and digital tools, where feasible and taking into consideration the different circumstances of respective countries, to inform crisis response and recovery measures and help build, implement and maintain resilient emergency response systems;

21. *Recalls* article 43 of the Convention against Corruption, in which States parties are mandated to cooperate in criminal matters and, where appropriate and consistent with their domestic legal systems, consider assisting each other in investigations of and proceedings in civil and administrative matters relating to corruption, also recalls 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, through central authorities, and urges States parties to assist one another, including through joint or parallel investigations and bilateral sharing of capacity and expertise, where appropriate, through INTERPOL, including during times of emergencies and crisis response and recovery;

22. *Encourages* States parties to further explore and enhance their knowledge of the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering, including during times of emergencies and crisis response and recovery, to better strengthen integrity, transparency and accountability, and invites the secretariat, within existing resources, to compile a report in this regard on the voluntary information provided by States parties and submit it to the Conference at its tenth session;

23. *Directs* the open-ended intergovernmental expert meeting to enhance international cooperation to:

(a) Collect, with the support of the secretariat, information provided by States parties on a voluntary basis on best practices and challenges concerning international cooperation in combating corruption during times of emergencies and crisis response and recovery;

(b) Analyse, with the support of the secretariat, the information received, with a view to developing non-binding guidelines for strengthening international and multilateral cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery;

24. *Decides* that the next open-ended intergovernmental expert meeting to enhance international cooperation should have, as a topic on its agenda, “Strengthening international and multilateral cooperation to further prevent, identify, investigate and prosecute corruption during times of emergencies and crisis response and recovery”;

25. *Requests* the secretariat to submit to the Conference of the States Parties at its tenth session a report on progress made and challenges encountered in implementing the present resolution;

26. *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, based on priorities and needs and subject to the availability of extrabudgetary resources, to implement the relevant provisions of the present resolution;

27. *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.



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

Distr.: Limited
16 December 2021

Original: English

Ninth session

Sharm el-Sheikh, Egypt, 13–17 December 2021

Agenda item 7

**Follow-up to the special session of the General
Assembly on challenges and measures to prevent
and combat corruption and strengthen
international cooperation**

**Brazil, Colombia, Dominican Republic, Egypt, Lebanon, Mexico, Paraguay,
Peru, Saudi Arabia and United Arab Emirates: revised draft resolution**

Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthening international cooperation: follow-up to the special session of the General Assembly against corruption

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

Recalling General Assembly resolution [73/191](#) of 17 December 2018, entitled “Special session of the General Assembly against corruption”, in which the Assembly decided to convene in the first half of 2021 a special session on challenges and measures to prevent and combat corruption and strengthen international cooperation, and Assembly resolution [74/276](#) of 1 June 2020, entitled “Special session of the General Assembly against corruption”, in which the Assembly decided upon the organizational arrangements for the special session,

Reaffirming the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, which was approved by consensus by the Conference of States Parties at its special session held on 7 May 2021 and adopted by the General Assembly on 2 June 2021 at its special session against corruption,¹

Noting with appreciation the inclusive nature of the preparatory process for the special session, and the contributions by States, organs, entities and specialized agencies of the United Nations system, international and regional organizations, civil society, academia and other relevant stakeholders,

Recalling the entry into force on 14 December 2005 of the United Nations Convention against Corruption,² which is the most comprehensive, legally binding and universal instrument against corruption, and recognizing the need to continue to

¹ General Assembly resolution [S-32/1](#), annex.

² United Nations, *Treaty Series*, vol. 2349, No. 42146.



promote its ratification or accession thereto and the full and effective implementation of its obligations,

Recognizing the need to strengthen measures and develop new approaches to assist States parties, at their request, in identifying and addressing challenges and gaps and overcoming obstacles in the implementation of the Convention,

1. *Recognizes* the special session of the General Assembly on challenges and measures to prevent and combat corruption and strengthen international cooperation, held at United Nations Headquarters from 2 to 4 June 2021, as a milestone in the efforts of the international community to prevent and combat corruption;

2. *Commits* to following up and building on the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, as the treaty body with prime responsibility for promoting and reviewing the implementation of the United Nations Convention against Corruption;

3. *Reaffirms* the central role of the Conference of the States Parties to the United Nations Convention against Corruption, as the only treaty body established under the Convention and the body with prime responsibility for promoting and reviewing its implementation and improving the capacity of and cooperation between States parties to achieve the purposes and objectives set forth in the Convention;

4. *Directs* its subsidiary bodies, within their mandates, to take appropriate measures to follow up on the political declaration;

5. *Decides* to hold, within existing resources and with interpretation in all the official languages of the United Nations, preferably in 2022 and prior to the tenth session of the Conference, one follow-up intersessional meeting of the Conference on the achievements of the political declaration, and requests the Bureau of the ninth session of the Conference to make the necessary arrangements for the organization of this intersessional meeting, in close consultation with States parties, in line with the rules of procedure;

6. *Requests* the United Nations Office on Drugs and Crime to provide substantive expertise and technical support to the Conference and its subsidiary bodies in conducting the follow-up process, including by creating and maintaining, on the Tools and Resources for Anti-Corruption Knowledge portal, a repository of all the contributions submitted on a voluntary basis by States parties on the implementation of the Convention and the political declaration, such as on good practices and progress made in the use of international cooperation mechanisms under the Convention;

7. *Recalls* the importance of an inclusive follow-up process to the special session of the General Assembly against corruption, 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 follow-up process, in accordance with the relevant rules of procedure of the Conference, and requests the United Nations Office on Drugs and Crime to collect such contributions and make them available to the Conference;

8. *Encourages* contributions from relevant United Nations system entities, including programmes, funds, specialized agencies and regional commissions, on the follow-up to the political declaration, and requests the United Nations Office on Drugs and Crime to coordinate with them regarding the implementation of mandates addressed to the United Nations system, including, as appropriate, through the United Nations Global Task Force on Corruption, and to report to the Conference on efforts in this regard;

9. *Invites* the United Nations Office on Drugs and Crime to continue reinforcing its global outreach and information exchange in order to increase public awareness of and knowledge on preventing and combating corruption, including

through public global corruption prevention campaigns, subject to the availability of extrabudgetary resources to that end;

10. *Requests* the United Nations Office on Drugs and Crime, within its mandate and existing resources, to continue to assist and support States parties, upon request, in their efforts aimed at advancing the implementation of the Convention and the achievement of the commitments made in the political declaration and strengthening their capacities and institutions to that effect;

11. *Also requests* the United Nations Office on Drugs and Crime, as the lead entity in the United Nations system on countering corruption, to continue coordination and cooperation with the United Nations Development Programme and the wider United Nations system to foster anti-corruption measures that enable the implementation of the 2030 Agenda on Sustainable Development,³ to incorporate anti-corruption measures in the implementation of the United Nations Sustainable Development Cooperation Framework and to increase coordination and cooperation with the Department of Political and Peacebuilding Affairs and the Department of Peace Operations of the Secretariat with a view to strengthening the rule of law and anti-corruption measures in United Nations peacekeeping and peacebuilding efforts;

12. *Decides* to continue exploring activities, procedures and methods of work aimed at improving cooperation with relevant international and regional organizations and mechanisms and non-governmental organizations in line with the Convention and continue making appropriate use of relevant information produced by other international and regional mechanisms for preventing and combating corruption in order to avoid unnecessary duplication of work and to facilitate and promote effective cooperation and implementation of the Convention, and in this regard requests the secretariat of the Conference to continue ensuring the necessary coordination with the relevant international and regional organizations in the field of anti-corruption with a view to further facilitating and enhancing synergies;

13. *Recalls* paragraph 80 of the political declaration, in which the United Nations Office on Drugs and Crime is encouraged, in coordination with the Statistical Commission and in broad cooperation across the United Nations system, to develop and share a comprehensive, scientifically sound and objective statistical framework, grounded in methodological work and reliable data sources, to support States in their efforts to measure corruption, its impact and all relevant aspects of preventing and combating it, in order to inform and strengthen evidence-based anti-corruption policies and strategies, consistent with the Convention, and takes note in this regard of Conference resolution 8/10 of 20 December 2019;

14. *Also recalls* the invitation to the Conference in the political declaration to identify gaps and challenges in the implementation of the Convention by taking into account the results of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, as well as any gaps and corruption challenges within the international anti-corruption framework, and to consider any recommendations by States parties to address the gaps and challenges identified in such a way as to improve the Convention and the implementation thereof as may be necessary, and in this regard, and as a first step, in the future, after the conclusion of and evaluation of the findings from the second review cycle, to organize a special session of the Conference on all aspects of the asset recovery and return process, with a view to considering all options available under the Convention, including exploring possible areas for improvement to the international asset recovery framework;

15. *Requests* the United Nations Office on Drugs and Crime, in coordination with the Stolen Asset Recovery Initiative, to expand the global knowledge and data collection on asset recovery and return through gathering and sharing information on challenges and good practices, as well as on volumes of assets frozen, seized, confiscated and returned in relation to corruption offences, and the number and types

³ General Assembly resolution 70/1.

of cases, as appropriate, while ensuring the protection of personal data and privacy rights, drawing upon existing efforts, within existing resources;

16. *Also requests* the United Nations Office on Drugs and Crime to prepare a comprehensive report for the Conference on the state of implementation of the Convention after the completion of the current review phase, taking into account information on gaps, challenges, obstacles, lessons learned and best practices in preventing and combating corruption, in international cooperation and in asset recovery since the Convention entered into force;

17. *Requests* the secretariat to continue, as appropriate, to conduct the necessary surveys on particular gaps, challenges, lessons learned and best practices in prevention, criminalization, law enforcement, international cooperation and asset recovery and return;

18. *Requests* the United Nations Office on Drugs and Crime to report to the Conference on its activities to support the implementation of the political declaration;

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



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

Distr.: Limited
15 December 2021

Original: English

Ninth session

Sharm el-Sheikh, Egypt, 13–17 December 2021

Agenda item 4

Prevention

Colombia, Dominican Republic, Egypt, Honduras, Iran (Islamic Republic of), Lebanon, Saudi Arabia and United Arab Emirates: revised draft resolution

Follow-up to the Abu Dhabi declaration on enhancing collaboration between the supreme audit institutions and anti-corruption bodies to more effectively prevent and fight corruption, and the use of information and communications technologies

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,¹

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 and the Mexico Declaration on Supreme Audit Institutions Independence, adopted by, respectively, the Ninth and Nineteenth Congresses of the

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



International Organization of Supreme Audit Institutions, held in Lima from 17 to 26 October 1977 and in Mexico City from 5 to 10 November 2007, and the memorandum of understanding between the United Nations Office on Drugs and Crime 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,

Noting the programme for the implementation of Conference resolution 8/13 of 19 December 2019, entitled “Abu Dhabi declaration on enhancing collaboration between the supreme audit institutions and anti-corruption bodies to more effectively prevent and fight corruption”, funded by the United Arab Emirates and supported by the International Organization of Supreme Audit Institution Global Expert Team, which is led by the State Audit Institution of the United Arab Emirates and entrusted with activating the memorandum of understanding between the United Nations Office on Drugs and Crime and the International Organization of Supreme Audit Institutions,

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,² including Sustainable Development Goal 16, on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels, and Goal 9, on, inter alia, increasing access to information and communications technology, which is conducive to achieving sustainable development and empowering communities,

Welcoming the convening, from 2 to 4 June 2021, of the special session of the General Assembly against corruption and the adoption by the Assembly of the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”,³ in which Member States stressed the role played by the supreme audit institutions and other oversight bodies within their mandates in preventing and combating corruption, in particular with regard to promoting integrity, accountability, transparency and the proper management of public affairs and public property, and in areas such as public procurement, as well as the efficient use of public resources, and the need to take measures to prevent and combat corruption during emergencies and times of crisis and recovery, and emphasizing the role of supreme audit institutions and their functions in that regard,

² General Assembly resolution [70/1](#).

³ General Assembly resolution [S-32/1](#), annex.

Welcoming with appreciation the second meeting of the supreme audit institutions and the specialized anti-corruption bodies, and its recommendations, which was held in Sharm el-Sheikh, Egypt, on 12 December 2021, prior to the ninth 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,

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,

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”,

Highlighting the use of technology as a means of preventing and tackling corruption and reducing the impact of corruption on the response to and recovery from the coronavirus disease (COVID-19) pandemic, and encouraging States parties to adopt digital policies, where appropriate and with due regard to the protection of personal data and privacy rights, in order to improve the efficiency and effectiveness of public administration and international cooperation, as well as enhancing accountability, transparency, integrity and citizen participation,

Welcoming with appreciation the international conference entitled “The future of anti-corruption: innovating integrity through technology and partnership”, which was held in Dubai, United Arab Emirates, on 9 December 2021, prior to the ninth session of the Conference, and which was organized by the State Audit Institution of the United Arab Emirates and the United Nations Office on Drugs and Crime,

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,

Welcoming the progress made by States parties and the secretariat in the implementation of Conference resolution 8/13, entitled “Abu Dhabi declaration on enhancing collaboration between the supreme audit institutions and anti-corruption bodies to more effectively prevent and fight corruption”, and underlining the need to maintain efforts in that regard,

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, 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. *Calls upon* States parties, where appropriate and in accordance with the fundamental principles of their legal systems, to encourage their supreme audit institutions to enhance their capacity and develop the capabilities and skills of their members and staff in preventing and combating corruption, including through training, education and knowledge exchange, consistent with article 60 of the Convention, through national, regional and international programmes;

8. *Also calls upon* States parties, in accordance with the fundamental principles of their legal systems, to enhance transparency, accountability and good governance in the management of their supreme audit institutions, including with regard to their organization, functioning and decision-making processes, where appropriate;

9. *Further calls upon* States parties, in accordance with the fundamental principles of their legal systems, to enable their supreme audit institutions to perform their roles in preventing and combating corruption when responding to or recovering from national crises and emergencies, especially with regard to their functions in upholding policies and procedures for the management of public finances and public procurement, and notes the importance of partnerships between the public and private sectors and other relevant stakeholders, in accordance with domestic law;

10. *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;

11. *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;

12. *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;

13. *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 Open-ended Intergovernmental Working Group on the Prevention of Corruption;

14. *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;

15. *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;

16. *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;

17. *Requests* the Open-ended Intergovernmental 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;

18. *Requests* the Open-ended Intergovernmental Working Group on the Prevention of Corruption, the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention on Corruption and other relevant subsidiary bodies to include, as a topic for discussion at their future meetings, how to promote the use of information and communications technologies for the implementation of the Convention;

19. *Requests* the secretariat to continue collecting, analysing and disseminating information on good practices in the development, access and use of information and communications technologies in preventing and combating corruption, taking into account existing technical expertise in the United Nations system, and also requests the secretariat to report on such efforts to the relevant subsidiary bodies;

20. *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;

21. *Requests* the secretariat, within existing resources, to submit a report to the Conference at its tenth session and to its relevant subsidiary bodies on the implementation of the present resolution;

22. *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.



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

Distr.: Limited
15 December 2021

Original: English

Ninth session

Sharm el-Sheikh, Egypt, 13–17 December 2021

Agenda item 3

Technical assistance

Angola, Brazil, Dominican Republic, Egypt, Honduras, Kiribati, Lebanon, Morocco, Mozambique, Portugal, Saudi Arabia and Switzerland: revised draft resolution

Strengthening the implementation of the United Nations Convention against Corruption at regional levels

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,

Acknowledging that preventing and fighting against corruption at all levels and in all its forms is a priority and responsibility of all States parties, and reaffirming the strong commitment of States parties to the United Nations Convention against Corruption,¹ as the most comprehensive, legally binding universal instrument on corruption, and the need for the full and effective use of the Convention,

Welcoming the promotion of anti-corruption technical assistance as a component of the 2030 Agenda for Sustainable Development² and as a means of promoting peaceful and inclusive societies, providing access to justice for all and building effective, accountable and inclusive institutions at all levels,

Convinced of the importance of timely, adequate, effective and, where possible, long-term, sustainable technical assistance, upon request, 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,

Recalling article 62, paragraph 2 (b), of the Convention, under which States parties shall make concrete efforts to the extent possible and in coordination with each other, as well as with international and regional organizations, inter alia, to enhance financial and material assistance to support the efforts of developing countries to prevent and fight corruption effectively and to help them implement the Convention successfully,

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

² General Assembly resolution 70/1.



Recalling also article 62, paragraph 4, of the Convention, under which States parties may conclude bilateral or multilateral agreements or arrangements on material and logistical assistance, taking into consideration the financial arrangements necessary for the means of international cooperation provided for by the Convention to be effective and for the prevention, detection and control of corruption,

Recalling further article 63, paragraph 4 (c)–(f), of the Convention, which provides the Conference of the States Parties to the Convention with the mandate to, inter alia, cooperate with relevant international and regional organizations and mechanisms and non-governmental organizations and make appropriate use of relevant information produced by other international and regional mechanisms for combating and preventing corruption in order to avoid unnecessary duplication of work,

Recalling paragraph 79 of the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, adopted by the General Assembly at its special session against corruption held in 2021,³ in which the Conference of the States Parties to the Convention is encouraged to continue exploring activities, procedures and methods of work aimed at improving cooperation with relevant international and regional organizations and mechanisms and non-governmental organizations in line with the Convention and to continue making appropriate use of relevant information produced by other international and regional mechanisms for preventing and combating corruption in order to avoid unnecessary duplication of work and to facilitate and promote effective cooperation and implementation of the Convention,

Recalling also its resolution 7/3 of 10 November 2017, in which it encouraged States parties to continue to afford one another, according to their capacity, the widest measure of technical assistance, especially for the benefit of developing countries, including in the form of material support, capacity-building and training, upon request, consistent with chapter VI of the Convention,

Acknowledging the important contribution made by the United Nations Office on Drugs and Crime through the development of technical assistance programmes, and welcoming its initiative to adopt a regional approach in its anti-corruption technical assistance delivery, including through the creation of regional platforms across the world to fast-track the implementation of the Convention,

Recalling the preamble to the Convention, in which States parties took note with appreciation of multilateral instruments to prevent and combat corruption,⁴ and noting with appreciation the role that the Protocol against Corruption adopted by the Southern African Development Community on 14 August 2001 can play in the implementation of the Convention,

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

³ General Assembly resolution S-32/1, annex.

⁴ Including, inter alia, the Inter-American Convention against Corruption, adopted by the Organization of American States on 29 March 1996, the Convention on the Fight against Corruption involving Officials of the European Communities or Officials of Member States of the European Union, adopted by the Council of the European Union on 26 May 1997, the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, adopted by the Organisation for Economic Cooperation and Development on 21 November 1997, the Criminal Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 27 January 1999, the Civil Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 4 November 1999, and the African Union Convention on Preventing and Combating Corruption, adopted by the Heads of State and Government of the African Union on 12 July 2003.

Recalling article 62, paragraph 2, of the Convention, entitled “Other measures: implementation of the Convention through economic development and technical assistance”, under which States parties shall make concrete efforts to the extent possible and in coordination with each other, as well as with international and regional organizations, to promote the implementation of the Convention,

Convinced of the need for a concerted multilateral effort, as well as for a regional approach, to promote and fast-track the implementation of the Convention, where necessary,

Recalling article 65 of the Convention, under which 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 implementation of its obligations under the Convention and may adopt more strict or severe measures than those provided for by the Convention for preventing and combating corruption,

Recognizing that multilateral and bilateral technical assistance is more effective when aligned with national anti-corruption strategies and action plans and built on their respective strengths, and therefore noting the importance of coordination among donors, technical assistance providers and recipient countries in order to leverage resources, increase efficiencies, avoid duplication of efforts and meet the needs of recipient countries,

Welcoming, in this regard, the regional approach and the methodology developed by the United Nations Office on Drugs and Crime for the creation of regional platforms for the implementation of the Convention,

1. *Reaffirms* the importance of States parties affording one another, according to their capacities, the widest measure of technical assistance, notably at the regional level, and addressing, upon request, technical assistance priorities, including those identified in the country reviews;

2. *Calls upon* States parties to acknowledge the importance of promoting, facilitating and supporting timely, sustainable, adequate and effective technical assistance for strengthening national capacities to prevent and fight corruption, and calls for accelerated action at all levels and by all technical assistance providers in addressing such needs, upon request, including those identified through the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, by mobilizing sufficient financial assistance, technical support and other resources, as stated in paragraph 53 of the political declaration adopted by the General Assembly at its special session against corruption held in 2021;

3. *Encourages* States parties to continue building, in collaboration with other partners, regional platforms for countries to fast-track effective implementation of the United Nations Convention against Corruption by benefiting from regional capacities and knowledge to identify achievable and practical reform priorities, by assisting countries and development partners to fast-track identified Convention implementation priorities and by carrying out activities that serve to achieve tangible results in advancing countries’ efforts to implement the Convention;

4. *Requests* the United Nations Office on Drugs and Crime to continue providing, in close cooperation with multilateral and bilateral assistance providers, technical assistance to States parties, including regionally and by means of in-country capacity-building and assistance, when preventing and combating corruption at all levels and to continue ensuring the necessary coordination and cooperation with relevant international and regional organizations and mechanisms in the field of anti-corruption, with a view to further facilitating and enhancing synergies;

5. *Also requests* the United Nations Office on Drugs and Crime, including through the regional platforms approach, to continue to provide technical assistance to States parties, upon request, including in the areas of:

(a) Promoting and fostering international and regional cooperation, including through the development of regional handbooks on mutual legal assistance in investigations, prosecution and judicial proceedings and training and workshops on international and regional cooperation;

(b) Supporting the development of stronger procurement systems, including with the establishment of appropriate frameworks for emergency procurement procedures;

(c) Improving the transparency, accountability and integrity of public institutions, as well as the proper management of public affairs and public finances;

(d) Fostering financial investigations, including through the improvement of procedures to regulate anti-corruption and law enforcement bodies;

(e) Assisting States parties, as appropriate, in incorporating into their domestic legal system appropriate measures to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds to the competent authorities any facts concerning offences established in accordance with the Convention;

6. *Requests* States parties to take appropriate measures, within their means and in accordance with 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 the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption;

7. *Acknowledges* that United Nations Office on Drugs and Crime regional platforms should consider including mainstreaming a gender perspective into their activities, while continuing to promote the role of women in preventing and combating corruption, including in relevant legislation, policy development, research, projects and programmes, as appropriate and in accordance with the fundamental principles of the domestic law of States parties;

8. *Encourages* regional and national anti-corruption agencies and, where appropriate, other relevant stakeholders with anti-corruption responsibilities to continue their efforts in preventing and combating corruption and working together, including at the regional level, to accelerate the implementation of the Convention and to enhance synergies with relevant international and regional mechanisms in the field of anti-corruption, without prejudice to the domestic laws of States parties, and notes the contribution of the United Nations Office on Drugs and Crime programme entitled “Fast-tracking the implementation of the United Nations Convention against Corruption”, which is available to all States parties, in this regard;

9. *Invites* relevant regional organizations, within their mandates, to continue to prioritize and expand their initiatives in the area of prevention and the fight against corruption;

10. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to continue and expand its regional approach methodology and establish further regional platforms, upon request by States parties, bearing in mind the characteristics of each region and the fact that its objective is not to duplicate activities but rather to build partnerships with other relevant technical assistance providers;

11. *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.



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

Distr.: Limited
15 December 2021

Original: English

Ninth session

Sharm el-Sheikh, Egypt, 13–17 December 2021

Agenda item 6

International cooperation

Lebanon, Morocco, Pakistan, Russian Federation, Saudi Arabia, State of Palestine and United Arab Emirates: revised draft resolution

Enhancing international anti-corruption law enforcement cooperation

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

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, paragraph (b), of the Convention,

Recalling its resolution 5/1 of 29 November 2013, entitled “Enhancing the effectiveness of law enforcement cooperation in the detection of corruption offences in the framework of the United Nations Convention against Corruption”, in which it, inter alia, requested States parties to cooperate closely with each other, consistent with their domestic legal and administrative systems, in order to enhance the effectiveness of law enforcement action to combat the offences covered by the United Nations Convention against Corruption¹ and requested the United Nations Office on Drugs and Crime to continue providing, in its programmes of technical assistance, measures to enhance the effectiveness of international cooperation, including in relation to offences covered by the Convention, before seeking mutual legal assistance,

Recalling also its resolution 8/1 of 20 December 2019, entitled “Strengthening of international cooperation on asset recovery and of the administration of frozen, seized and confiscated assets”, in which it encouraged 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,

Recalling further its resolution 8/2 of 20 December 2019, entitled “Celebrating the tenth anniversary of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption”, in which it called 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,

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



paragraph (b), of the Convention, with a view to facilitating the implementation of article 43 of the Convention,

Recalling the third open-ended intergovernmental expert meeting to enhance international cooperation under the Convention, held in Vienna on 9 and 10 October 2014, which encouraged the further use and expansion of existing networks of cooperation and their secure communication systems and encouraged States parties to enhance the efficiency of law enforcement cooperation mechanisms by, inter alia, developing effective systems of information-sharing, establishing channels of communication between their relevant authorities and, if needed, concluding arrangements to foster operational assistance,

Recalling also the tenth open-ended intergovernmental expert meeting to enhance international cooperation under the Convention, held in Vienna from 6 to 10 September 2021, which made proposals to enhance international cooperation, such as early and direct communication and coordination, including through participation in cooperation and practitioners' networks,

Recalling further the political declaration entitled "Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation", adopted by the General Assembly at its special session against corruption held in 2021,² in which Heads of State and Government, ministers and representatives of Member States and parties to the Convention against Corruption welcomed the creation of the Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network) under the auspices of the United Nations Office on Drugs and Crime, one of the aims of which is to complement and coordinate with existing and efficient platforms for international cooperation, such as the International Criminal Police Organization (INTERPOL)/Stolen Asset Recovery (StAR) Initiative Global Focal Point Network on Asset Recovery,

Recalling article 36 of the Convention, on specialized authorities, which provides that States parties shall ensure the existence of a body or bodies or persons specialized in combating corruption through law enforcement and that such body or bodies or persons shall be granted the necessary independence to be able to carry out their functions effectively and without any undue influence, in accordance with the fundamental principles of the legal system of the State party,

Recalling also article 48 of the Convention, on law enforcement cooperation, which requires States parties to enhance and, where necessary, to establish channels of communication between their competent authorities, agencies and services in order to facilitate the secure and rapid exchange of information concerning all aspects of the offences covered by the Convention,

Noting the Riyadh initiative for enhancing international anti-corruption law enforcement cooperation, which provides for the creation of the GlobE Network, which is to complement and coordinate with relevant international cooperation platforms and networks,

Recognizing that cooperation between and among anti-corruption law enforcement authorities both increases the effectiveness and efficiency of individual authorities and contributes to the success of the global fight against corruption,

Taking note of the charter of the GlobE Network, adopted on 17 November 2021, in which it is recognized that effective international cooperation between and among anti-corruption law enforcement authorities must be based on a foundation of mutual trust, in line with the Convention,

Bearing in mind that full and effective use of the Convention against Corruption will facilitate effective international anti-corruption law enforcement cooperation between competent authorities,

² General Assembly resolution [S-32/1](#), annex.

Welcoming the launch of the GlobE Network on 3 June 2021, on the margins of the special session of the General Assembly against corruption, commending the efforts of the United Nations Office on Drugs and Crime in preparation for the establishment of the Network, and noting the organization of the first expert group meeting on the establishment of the Network, held on 3 and 4 March 2021, and the establishment of three interim task forces to advise on different aspects of the Network,

Noting the contributions of other United Nations entities, international and regional organizations and networks, such as the StAR Initiative and the asset recovery inter-agency networks, in their efforts to tackle corruption and enhance international anti-corruption law enforcement cooperation, as well as to promote coordination and synergies with the GlobE Network,

1. *Welcomes* the work undertaken by the United Nations Office on Drugs and Crime in the establishment of the Global Operational Network of Anti-Corruption Law Enforcement Authorities (GlobE Network), which is aimed at providing a quick, agile and efficient toolkit for combating cross-border corruption offences, strengthening communication exchange and peer learning between competent anti-corruption law enforcement authorities and complementing and coordinating with existing and efficient platforms for international cooperation;

2. *Invites* States parties that have not yet done so to encourage their anti-corruption law enforcement authorities to join, effectively participate in and make best use of the GlobE Network;

3. *Also invites* States parties that have not yet done so to encourage their authorities to participate in and make best use of opportunities for cooperation through other international organizations, networks and entities such as the Stolen Asset Recovery (StAR) Initiative and the asset recovery inter-agency networks, as well as to promote synergies with the GlobE Network, as appropriate;

4. *Calls upon* States parties, in accordance with their international obligations and domestic law, and without prejudice to their domestic law and policies on data-sharing and their own investigations, prosecutions or judicial proceedings, to proactively and in a timely manner share information between anti-corruption law enforcement authorities without a prior request, where they believe that such information could assist the authority in undertaking or successfully concluding inquiries and criminal proceedings or could result in the formulation of a mutual legal assistance request, as provided in articles 46, paragraph 4, and 56 of the United Nations Convention against Corruption, including by considering using the GlobE Network and existing networks, such as the International Criminal Police Organization (INTERPOL), as appropriate;

5. *Encourages* States parties and relevant international organizations and networks to support the goals and objectives of the GlobE Network and other relevant networks, such as the INTERPOL/StAR Initiative Global Focal Point Network on Asset Recovery, with a view to contributing to the effective operation of the GlobE Network and enhancing cooperation with other relevant inter-agency networks, to strengthen and promote synergies;

6. *Invites* the United Nations Office on Drugs and Crime to consult with other international organizations, practitioner networks, including the INTERPOL/StAR Initiative Global Focal Point Network on Asset Recovery, and Member States, including their anti-corruption authorities with relevant expertise, as appropriate, to inform its proposed development of the online one-stop hub of the GlobE Network to provide a forum for cooperation, which may include a secure platform for confidential communication among Network members, and to keep States parties apprised of its progress in this regard;

7. *Requests* the secretariat, within existing resources, to collect information provided by States parties on a voluntary basis and report on the progress made and

the challenges encountered in the implementation of the present resolution to the Conference at its future sessions and to its relevant subsidiary bodies;

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



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

Distr.: Limited
15 December 2021

Original: English

Ninth session

Sharm el-Sheikh, Egypt, 13–17 December 2021

Agenda item 4

Prevention

Armenia and Costa Rica*: 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 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,

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 political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”,² adopted on 2 June 2021 by the General Assembly at its special session on challenges and measures to prevent and combat corruption and strengthen international cooperation, in which Member States recognized the need and reaffirmed their responsibility to take urgent action to prevent corruption from occurring by putting in place preventive measures, policies and practices as outlined in chapter II (Preventive measures) of the Convention against Corruption and by strengthening practical tools, continuing to gather and share good practices and enhancing efforts and resources for education and training in the public and private sectors, while acknowledging the role of all individuals and groups outside the public sector engaged in prevention as one of the main pillars in the fight against corruption, and agreed to promote transparency, accountability, integrity and a culture of rejection of corruption at all levels of society as a basis for preventing corruption and ending impunity,

Commemorating the tenth anniversary of the adoption of its resolution 4/3 of 28 October 2011, entitled “Marrakech declaration on the prevention of corruption”, and welcoming the progress made by States parties and the secretariat in the

* On behalf of the States that are members of the Group of 77 and China.

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

² General Assembly resolution [S-32/1](#), annex.



implementation of its follow-up resolutions and underlining the need to maintain efforts in that regard,

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, which included the review of chapter II, and 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 the progress made by States parties and the secretariat in the implementation of its resolution 8/13 of 19 December 2019, entitled “Abu Dhabi declaration on enhancing collaboration between the supreme audit institutions and anti-corruption bodies to more effectively prevent and fight corruption”, in which the Conference stressed 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 underlining the need to maintain efforts including during times of emergencies and crisis response and recovery in that regard,

Stressing that preventive measures are one of the most effective means of countering corruption, and in this regard recalling the commitment to prevent and combat corruption in a manner consistent with the obligations of Member States with regard to and respect for all human rights, justice, democracy and the rule of law at all levels,

Acknowledging that preventing and combating corruption at all levels and in all its forms is a priority and responsibility of all States, and thus requires strong political will, the participation of society, strong, fair, effective, impartial, accountable and transparent institutions, comprehensive and balanced anti-corruption frameworks and approaches at all levels and committed enforcement by all jurisdictions in accordance with national legislative systems, as well as prevention, anti-corruption education, training and effective international cooperation, including, where appropriate, in asset recovery,

Recalling that the Convention highlights the importance of undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula,

Highlighting the importance of strengthening and improving anti-corruption policies by, inter alia, periodically assessing and analysing the efficiency of the preventive measures and by recognizing and encouraging good practices therein,

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, 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 to the Convention;

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, underlines

the importance of the conclusions and recommendations of the Working Group, and encourages States parties to implement them as appropriate;

4. *Acknowledges* that the Open-ended Intergovernmental Working Group on the Prevention of Corruption 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 tenth session of the Conference;

5. *Also acknowledges* that both preventive measures and law enforcement are required to address corruption effectively and that there are interlinkages between preventive and law enforcement approaches that may lead to the increased effectiveness of anti-corruption efforts, and further acknowledges that successes in and lessons learned from one approach may inform the efforts in the other;

6. *Calls upon* States parties, in line with article 5 of the Convention, to establish and promote effective practices aimed at the prevention of corruption and to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy for effectively preventing and fighting corruption;

7. *Encourages* States parties to assess, as appropriate and in accordance with domestic law, the impact of the coronavirus disease (COVID-19) pandemic on the effectiveness and efficiency of the implementation of their national anti-corruption policies, in particular with regard to measures to prevent corruption;

8. *Requests* the Open-ended Intergovernmental Working Group on the Prevention of Corruption to consider including, as topics for discussion at its thirteenth and fourteenth meetings, the development and implementation of national and international innovative measures to prevent corruption, including good practices, lessons learned and challenges in periodically evaluating the efficiency and the effectivity of anti-corruption measures and policies and national responses in this regard, and the interlinkages between preventive and law enforcement approaches, and requests the secretariat, within available budgetary resources, to report on those topics;

9. *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 Open-ended Intergovernmental Working Group on the Prevention of Corruption with relevant information;

10. *Highlights* the importance of the secretariat's work, in accordance with article 64 of the Convention, 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 Open-ended Intergovernmental Working Group on the Prevention of Corruption;

11. *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;

12. *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;

13. *Also calls upon* States parties to preserve, in accordance with the fundamental principles of their legal systems, the independence of supreme audit institutions and other oversight bodies, to enable them to carry out their functions effectively and free from any undue influence, to implement policies for the effective operation of the institutions and to ensure that the findings and recommendations contained in the reports of these institutions and bodies are adequately addressed, including through corrective action where feasible;

14. *Further calls upon* States parties to enable effective cooperation at the domestic level among, as appropriate, anti-corruption authorities, police, investigative, prosecutorial and judicial authorities, financial intelligence units, and administrative and oversight bodies, in particular supreme audit institutions, in corruption investigations and proceedings at the national level, in accordance with domestic legal systems;

15. *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;

16. *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,³ adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, while respecting 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;

17. *Calls upon* States parties to take effective measures at the domestic level to prevent, investigate and prosecute acts of corruption and related offences involving members of national parliaments at all levels in accordance with the Convention, while taking into account questions of privileges and immunities, as well as of jurisdiction, as appropriate, with a view to promoting the highest ethical standards as an essential element for maintaining public trust, 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;

18. *Also 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;

19. *Encourages* States parties, where appropriate, to include anti-corruption provisions in contracts and, when awarding public procurement contracts, to take into account whether natural or legal persons have been determined to have committed acts of corruption and any mitigating factors, as appropriate, and to consider

³ General Assembly resolution [70/174](#), annex.

establishing appropriate registries, in accordance with domestic law, while respecting the protection of personal data and privacy rights;

20. *Notes* the positive experiences and the challenges reported by States parties to the Convention that have established registries for natural or legal persons that have been determined to have committed acts of corruption;

21. *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;

22. *Encourages* States parties, in line with article 9, paragraph 2, of the Convention, where appropriate and in accordance with the fundamental principles of their legal systems, to incorporate and implement corruption risk management processes, in particular in public institutions and other institutions entrusted with the management of public finances, 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;

23. *Urges* States parties to take the necessary measures, including legislative and administrative measures, to prevent the bribery of foreign public officials and officials of public international organizations, embezzlement, money-laundering and obstruction of justice by implementing the relevant obligations under articles 15, 16, 17, 23, 25 and 27, paragraph 1, of the Convention, and invites States parties to consider adopting measures, subject to their constitutions and the fundamental principles of their legal systems, and as may be necessary, to criminalize trading in influence, the abuse of functions and illicit enrichment, that is, a significant increase in the assets of a public official that he or she cannot reasonably explain in relation to his or her lawful income, bribery and embezzlement in the private sector and concealment, drawing on the observations and best practices emanating from the Implementation Review Mechanism and, to the degree possible, to go beyond the minimum and adopt additional measures for preventing and combating corruption;

24. *Reiterates* the importance of efforts by States parties to implement, 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, detect and, where appropriate, combat corruption involving the private sector, and requests the secretariat to continue to assist States parties, upon request, in those efforts;

25. *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;

26. *Also encourages* States parties, in accordance with the fundamental principles of domestic law, to take measures to prevent corruption involving the private sector, including by promoting the development of standards and procedures designed to safeguard business integrity and promote transparency and the use of good commercial practices among businesses and in the contractual relations of businesses with States;

27. *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;

28. *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;

29. *Welcomes* the work of the United Nations Office on Drugs and Crime on judicial integrity and education, and requests the Office to continue, subject to the availability of extrabudgetary resources and 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 relevant regional and international organizations, as well as with other relevant partners;

30. *Invites* 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, integrity and knowledge in relation to preventing and combating corruption;

31. *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 chapter II 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;

32. *Recognizes* the importance of prevention of corruption for the broader development agenda, including the implementation of Sustainable Development Goal 16 and other relevant goals of Transforming our world: the 2030 Agenda for Sustainable Development⁴ and other initiatives aimed at strengthening the coordination and exchange of such information with development partners;

33. *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 take into consideration, inter alia, the important role of the media in raising public awareness regarding the existence, causes and gravity of and the threat posed by corruption;

34. *Requests* the secretariat to continue, in close cooperation with multilateral and bilateral assistance providers, to provide technical assistance to States parties, in particular 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;

35. *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;

36. *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, for the provision to developing countries and countries with economies in transition of

⁴ General Assembly resolution 70/1.

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

37. *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 thirteenth and fourteenth meetings and to the Conference at its tenth session;

38. *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.



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

Distr.: Limited
16 December 2021

Original: English

Ninth session

Sharm el-Sheikh, Egypt, 13–17 December 2021

Agenda item 5

Asset recovery

**Burkina Faso, Colombia, Dominican Republic, Kenya, Nigeria, Pakistan, Peru,
Saudi Arabia and State of Palestine: revised draft resolution**

Enhancing the use of beneficial ownership information to facilitate the identification, recovery and return of proceeds of crime

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

Recalling article 12, paragraph 1, of the United Nations Convention against
Corruption,¹ which requires that each State party shall take measures, in accordance
with the fundamental principles of its domestic law, to prevent corruption involving
the private sector, enhance accounting and auditing standards in the private sector
and, where appropriate, provide effective, proportionate and dissuasive civil,
administrative or criminal penalties for failure to comply with such measures, and
recalling also that, according to article 12, paragraph 2 (c), of the Convention,
measures to achieve those ends may include, inter alia, promoting transparency
among private entities, including, where appropriate, measures regarding the identity
of legal and natural persons involved in the establishment and management of
corporate entities,

Recalling also article 14, paragraph 1 (a), of the Convention, which requires that
each State party shall institute a comprehensive domestic regulatory and supervisory
regime for banks and non-bank financial institutions, including natural or legal
persons that provide formal or informal services for the transmission of money
or value and, where appropriate, other bodies particularly susceptible to
money-laundering, within its competence, in order to deter and detect all forms of
money-laundering, which regime shall emphasize requirements for customer
identification and, where appropriate, beneficial owner identification, record-keeping
and the reporting of suspicious transactions,

Recognizing the need for States to take such measures as may be necessary, in
accordance with their domestic law, to require financial institutions within their
jurisdiction to verify the identity of customers, to take reasonable steps to determine
the identity of beneficial owners of funds deposited into high-value accounts and to
conduct enhanced scrutiny of those accounts, including accounts sought or maintained

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



by or on behalf of individuals who are, or have been, entrusted with prominent public functions and their family members and close associates,

Recalling its resolution 4/4 of 28 October 2011, in which States parties were encouraged to remove additional barriers to asset recovery by ensuring that financial institutions and, where applicable, designated non-financial services and professions adopted and implemented effective standards to ensure that such entities were not being used to hide stolen assets by, inter alia, adopting such measures as customer due diligence requirements, identifying and enhancing scrutiny of assets belonging to individuals who were or had been entrusted with prominent public functions, and to their family members and close associates, and collecting and providing beneficial ownership information and by ensuring, in accordance with the Convention and domestic law, through robust regulatory action, that they adequately implemented those requirements,

Recalling also its resolution 5/3 of 29 November 2013, in which it urged States parties to ensure that reliable beneficial ownership information on companies was accessible onshore to law enforcement agencies and other relevant authorities, including, as appropriate, financial intelligence units and tax administrations, thus facilitating the investigation process and the execution of requests,

Recalling further its resolution 6/3 of 6 November 2015, in which it encouraged States parties, inter alia, to implement the necessary measures to enable them to obtain and share reliable information on beneficial ownership of companies, legal structures or other complex legal mechanisms, including trusts and holdings, misused to commit or conceal crimes of corruption or to hide and transfer proceeds, thus facilitating the investigation process and the execution of requests,

Recalling its resolution 7/1 of 10 November 2017, in which it called upon States parties to take appropriate measures consistent with domestic law and appropriate international standards, where applicable, to promote transparency of legal persons, including by collecting information on beneficial ownership, overcoming undue obstacles that might arise from the application of bank secrecy laws, preventing the transfer of proceeds of crime and identifying suspicious financial transactions through effective due diligence practices,

Recalling also the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, adopted by the General Assembly at its special session against corruption held in 2021,² in which Member States committed to making efforts in international cooperation and taking appropriate measures to enhance beneficial ownership transparency by ensuring that adequate, accurate, reliable and timely beneficial ownership information was available and accessible to competent authorities and by promoting beneficial ownership disclosures and transparency, such as through appropriate registries, where consistent with the fundamental principles of domestic legal systems,

Recognizing that corruption and impunity are unacceptable, and thus committed to denying safe haven to those who engage in corrupt acts, whether natural or legal persons, and recognizing that those who engage in corrupt acts 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 and return such assets, consistent with the requirements of the Convention,

Recalling article 1 (b) of the Convention, which establishes that international cooperation, including in asset recovery, is one of the purposes of the Convention,

Recalling also article 51 of the Convention, which establishes that the return of assets pursuant to chapter V of the Convention is a fundamental principle of the

² General Assembly resolution S-32/1, annex.

Convention in that States parties shall afford one another the widest measure of cooperation and assistance in that regard,

Recalling further the political declaration adopted by the General Assembly at its special session against corruption, in which Member States recognized the need for effective, efficient and responsive international cooperation in asset recovery and return and mutual legal assistance without undue delay and committed to continuing to address challenges in their fight against corruption, including gaps in the implementation of the Convention,

Recalling the political declaration adopted by the General Assembly at its special session against corruption, in which Member States committed to using the available tools for asset recovery and asset return, in accordance with domestic law, such as conviction-based and non-conviction-based confiscation, as well as direct recovery measures as outlined in chapter V of the Convention, and to sharing knowledge on and continuing to discuss and develop innovative modalities to clarify and improve mutual legal assistance processes in order to more efficiently advance asset recovery proceedings and render them more successful,

Reaffirming the commitment of States parties and determined to give effect to the obligations set out in chapter V of the Convention in order to identify, detect, trace, freeze, seize, recover and return in a more effective manner the proceeds of crime and to strengthen international cooperation in asset recovery in that regard,

Taking note of the report of the High-level Panel on International Financial Accountability, Transparency and Integrity for Achieving the 2030 Agenda,

Concerned that those involved in corruption, as well as other criminal offences, can conceal their identity, criminal conduct and the proceeds of their crimes through the misuse of bank secrecy laws and complex company ownership structures involving anonymous shell companies,

Concerned also about the negative consequences of the lack of access by domestic law enforcement authorities to information on beneficial ownership and the difficulties that poses to their efforts to investigate and prosecute corruption offences and related crimes and enable asset recovery and return,

Noting 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 and the relevant discussions on beneficial ownership and asset recovery engaged in by participants,

Noting also applicable international standards on beneficial ownership, in accordance with domestic law, in which, inter alia, countries are urged to enhance the transparency of beneficial ownership information through the provision of adequate, accurate and timely information on the beneficial ownership and control of legal persons, including, where appropriate and consistent with domestic law, through registries that can be obtained or accessed in a timely fashion by domestic competent authorities,

Recalling article 14, paragraph 5, of the Convention, pursuant to which States parties are to endeavour to develop and promote global, regional, subregional and bilateral cooperation in order to combat money-laundering, and noting the contributions of the Stolen Asset Recovery Initiative of the World Bank and the United Nations Office on Drugs and Crime, the Beijing Declaration on Fighting Corruption of the Asia-Pacific Economic Cooperation and the Lausanne process initiative,

1. *Calls upon* States parties to ensure, or continue ensuring, efficient access to adequate and accurate beneficial ownership information on companies in a timely manner for their domestic central or competent authorities, including, as appropriate, financial intelligence units and tax administrations, in accordance with domestic law;

2. *Encourages* States parties to collect and maintain beneficial ownership information for legal persons and legal arrangements, where appropriate and in accordance with the fundamental principles of their domestic legal systems and domestic law;

3. *Urges* States parties to cooperate closely with one another, bearing in mind the need to provide one another the widest measures of international cooperation, in accordance with the United Nations Convention against Corruption and domestic law, to facilitate the efficient exchange of adequate and accurate beneficial ownership information in a timely manner;

4. *Calls upon* States parties, in accordance with the Convention and the fundamental principles of their domestic law, to adopt a multipronged approach to beneficial ownership transparency through appropriate mechanisms such as registries that provide efficient access to adequate and accurate beneficial ownership information on legal persons and legal arrangements in a timely manner in order to facilitate the investigation and prosecution of cases of corruption and the identification, recovery and return of proceeds of crime;

5. *Encourages* States to make use of beneficial ownership information in accordance with the Convention and domestic law to investigate and prosecute corruption and money-laundering and, where appropriate, to take measures to achieve the full potential that this information can bring with regard to the identification, recovery and return of proceeds of crime and, as appropriate, to strengthening the capacities of tax administrations;

6. *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;

7. *Encourages* States parties to give due priority to asset recovery efforts and to take measures to enhance international cooperation, including mutual legal assistance, to ensure that those who engage in corruption offences are held accountable for such conduct and are denied the enjoyment of the proceeds of their crimes;

8. *Also encourages* States parties, where appropriate and feasible, to make use of digital and innovative technologies to facilitate the exchange of beneficial ownership information between central or competent authorities for the purposes of investigating and prosecuting corruption and the recovery and return of proceeds of crime in accordance with the Convention and domestic law;

9. *Further encourages* States parties to further a common understanding of the essential elements of beneficial ownership and the means of identifying the beneficial owners of various types of legal persons and legal arrangements and to ensure the availability of data that allow for their identification, in accordance with their domestic law;

10. *Urges* States parties to effectively implement paragraph 5 of article 52 of the Convention, which, inter alia, provides that States parties shall consider establishing, in accordance with their domestic law, effective financial disclosure systems for appropriate public officials and shall provide for appropriate sanctions for non-compliance, and that States parties shall also consider taking such measures as may be necessary to permit their competent authorities to share that information with the competent authorities in other States parties when necessary to investigate, claim and recover proceeds of offences established in accordance with the Convention;

11. *Also urges* States parties to further implement paragraph 1 of article 52, which requires States parties, in accordance with their domestic law, to require

financial institutions within their jurisdiction to verify the identity of customers, to take reasonable steps to determine the identity of beneficial owners of funds deposited into high-value accounts and to conduct enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are, or have been, entrusted with prominent public functions and their family members and close associates;

12. *Encourages* State parties to consider designating and making available, where appropriate, points of contact authorized to accept and respond to requests for beneficial ownership information, in accordance with the Convention and the fundamental principles of their domestic law;

13. *Also encourages* States parties to consider developing effective mechanisms for relevant domestic authorities or entities to verify or check beneficial ownership information provided by legal persons and legal arrangements, and ensure that they have the necessary mandate or authorities for that purpose;

14. *Urges* States parties to ensure that non-compliance with beneficial ownership regulations by legal persons and legal arrangements is subject to appropriate effective, proportionate and dissuasive civil, administrative or criminal penalties, in accordance with the fundamental principles of their domestic law;

15. *Also urges* States parties to cooperate in the implementation of applicable international standards on beneficial ownership transparency, where appropriate and in accordance with domestic law, in order to promote consistency in beneficial ownership regimes;

16. *Encourages* States parties, as appropriate and in accordance with the fundamental principles of their domestic law, to promote the active participation of individuals and groups outside the public sector in order to raise awareness and understanding of the importance, in the fight against corruption, of measures to identify beneficial ownership of legal persons and legal arrangements, for the recovery and return of proceeds of crime;

17. *Urges* States parties to make use of opportunities for cooperation and peer-learning through existing practitioner-based networks;

18. *Encourages* States parties to enhance or establish channels of communication to facilitate, where appropriate and consistent with their domestic law, the sharing or exchange of beneficial ownership information among central or competent authorities to overcome obstacles in the recovery and return of proceeds of crime;

19. *Calls upon* the United Nations Office on Drugs and Crime, in cooperation with the Stolen Asset Recovery Initiative, to make available, within existing resources, in the Tools and Resources for Anti-Corruption Knowledge portal, information on States parties that maintain a registry or alternate mechanism on beneficial ownership information, together with information on how to make requests for such information;

20. *Encourages* States parties to promote broad domestic inter-agency collaboration in the collection and use of beneficial ownership information and to consider, where appropriate, making use of data from multiple data sets and with due regard for data protection and privacy rights, where consistent with the fundamental principles of their domestic law;

21. *Also encourages* States parties, with the assistance of the secretariat, to share, on a voluntary basis, examples of good practices on promoting beneficial ownership information transparency to facilitate the recovery and return of proceeds of crime and financial disclosure requirements for public officials while avoiding the duplication of work undertaken by other international forums;

22. *Requests* the United Nations Office on Drugs and Crime to continue providing technical assistance, capacity-building and material support, upon request, to Member States, on the basis of their needs and priorities, with regard to establishing

and implementing a domestic beneficial ownership information regime in order to facilitate the recovery and return of proceeds of crime;

23. *Decides* that the Open-ended Intergovernmental Working Group on Asset Recovery should, within its mandate, in collaboration with and without duplicating the work of other relevant international organizations, include in its workplan for the period 2022–2023 the topic of good practices and challenges with respect to beneficial ownership and how it can foster and enhance the effective recovery and return of proceeds of crime, taking into consideration article 63 of the Convention;

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.



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

Distr.: Limited
15 December 2021

Original: English

Ninth session

Sharm el-Sheikh, Egypt, 13–17 December 2021

Agenda item 4

Prevention

Angola, Indonesia, Iran (Islamic Republic of), Lebanon, Russian Federation, Saudi Arabia, State of Palestine, Thailand and Venezuela (Bolivarian Republic of): revised draft resolution

Promoting anti-corruption education, awareness-raising and training

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

Convinced that education plays a fundamental role in the fight against corruption by promoting integrity and fostering a culture of rejection of corruption, and underscoring the important preventive function of awareness-raising, education and training in the implementation of the United Nations Convention against Corruption,¹

Acknowledging the importance of working to ensure inclusive and equitable quality education at all levels – early childhood, primary, secondary, tertiary, adult and distance education, including technical and vocational training – so that all people may have access to lifelong learning opportunities that help them to acquire the knowledge and skills needed to access opportunities to participate fully in society and contribute to sustainable development,

Highlighting the need to promote academic research on and expertise in different trends in and aspects of corruption, including on combating corruption, to inter alia, provide evidence for and develop up-to-date anti-corruption policies and decision-making, thereby increasing the effectiveness thereof,

Recalling article 13 of the Convention against Corruption, which requires that States parties 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 the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption,

Recalling also articles 6, 36 and 60 of the Convention against Corruption, in which States parties are requested to provide the staff of preventive anti-corruption

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



bodies and specialized authorities and the personnel responsible for preventing and combating corruption with specific training to carry out their functions,

Recognizing that the private sector plays an important role in the prevention of and the fight against corruption, and welcoming efforts within the business community to develop and promote anti-corruption and compliance initiatives,

Recognizing also the important role of the media in raising public awareness about corruption,

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 in order to raise awareness of corruption and of the role of the Convention against Corruption in combating and preventing it,

Recalling the commitment of Member States to the implementation of the 2030 Agenda for Sustainable Development,² including Sustainable Development Goal 16, and recognizing therefore the need to develop information and education programmes in order to promote the rule of law, build effective, accountable and transparent institutions and ensure responsive, inclusive, participatory and representative decision-making at all levels,

Recalling also that, in the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, adopted by the General Assembly at its special session against corruption held in 2021,³ Member States stressed the importance of anti-corruption awareness-raising, education and training for the effective implementation of the Convention against Corruption,

Recalling further its resolutions 4/3 of 28 October 2011, entitled “Marrakech declaration on the prevention of corruption”, 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”, 6/10 of 6 November 2015, entitled “Education and training in the context of anti-corruption”, and 8/5 of 20 December 2019, entitled “Enhancing integrity by raising public awareness”,

Welcoming the achievements of the United Nations Office on Drugs and Crime, in particular under its Education for Justice initiative and Anti-Corruption Academic Initiative, in promoting anti-corruption education and the exchange of good practices among educators, as well as in developing publications on anti-corruption and integrity in the public and private sectors,

Commending the launch of the Global Resource for Anti-Corruption Education and Youth Empowerment initiative by the United Nations Office on Drugs and Crime, as a follow-up to the political declaration adopted by the General Assembly at its special session against corruption held in 2021 and to promote the role of education and youth empowerment in preventing and countering corruption,

Noting the meaningful role that relevant international and regional organizations and academic institutions play in the implementation of articles 13 and 60 of the Convention against Corruption in areas such as public information activities against corruption and education programmes, including school and university curricula,

1. *Encourages* States parties, in accordance with the fundamental principles of their legal system, to continue their efforts to foster a culture that promotes respect for the rule of law and integrity, to strengthen preventive measures, to promote the participation of society in efforts to prevent corruption and to engage it in the development of anti-corruption policies and strategies;

2. *Invites* States parties, in accordance with the fundamental principles of their domestic law, with a view to promoting the active participation of civil society

² General Assembly resolution [70/1](#).

³ General Assembly resolution [S-32/1](#), annex.

and the media, to undertake public information activities that contribute to promoting public knowledge of anti-corruption laws and regulations and non-tolerance of corruption and to raising public awareness regarding the existence, causes, gravity, risks and effects of corruption by various and diverse means, such as messages from senior leaders transmitted using technological innovations and modern means of communication, including on the occasion of International Anti-Corruption Day;

3. *Requests* States parties to further strengthen their efforts to support anti-corruption education and raise public awareness of corruption and its negative impact on society through education programmes involving all relevant stakeholders;

4. *Calls upon* States parties to increase public awareness of means for reporting instances of corruption, ensure that the relevant and competent anti-corruption bodies are visible and responsive to the public and disseminate information regarding the rights of any person who reports such instances in good faith and on reasonable grounds in accordance with domestic law and in line with article 33 of the United Nations Convention against Corruption;

5. *Urges* States parties to further strengthen their efforts to promote and enhance the effectiveness of anti-corruption education at all levels, in accordance with the fundamental principles of their domestic legal systems, such as by developing civic education programmes for children and young people and integrating courses on values, integrity and anti-corruption into curricula implemented by educational institutions, to foster a culture of non-tolerance of corruption from an early age and to prepare the next generation to become tomorrow's responsible citizens and policymakers;

6. *Encourages* States parties to develop, within their means and jurisdictional authority and in accordance with the principles of their educational systems, where possible, interactive remote educational technologies and e-learning tools on anti-corruption, integrity and the rule of law in the institutions of secondary and higher education to create a virtual space for students and educators to engage in innovative learning;

7. *Also encourages* States parties, to the extent necessary, to initiate, develop or improve specific training programmes for their personnel responsible for preventing and combating corruption, in line with article 60 of the Convention against Corruption, to develop comprehensive guidance for anti-corruption law enforcement officials to facilitate the enforcement of anti-corruption laws and regulations, as may be necessary, with a view to enhancing the skills of such practitioners and addressing current shortcomings in knowledge and practice in the field of anti-corruption, and to foster national, regional and international cooperation among these actors to share experiences and best practices in education and training;

8. *Urges* States parties to implement or improve, as may be necessary, periodic training programmes for public officials, especially those in positions vulnerable to corruption, inter alia, in the field of public procurement, to enhance their awareness of the risks of corruption inherent in the performance of their functions, with specific reference to resolving real-life situations, and to enable them to meet the requirements for the correct, honourable and proper performance of public functions, and invites States parties to consider, as appropriate, requesting the assistance of the United Nations Office on Drugs and Crime and other relevant international organizations and initiatives, such as the International Anti-Corruption Academy and the Stolen Asset Recovery Initiative, in this regard;

9. *Encourages* States parties, where necessary and within their jurisdictional authority, to develop and promote programmes, such as train-the-trainer programmes for educators in schools of public administration, law and criminal justice, academies and other educational institutions, also with the assistance of the United Nations Office on Drugs and Crime, where appropriate, that provide anti-corruption training to practitioners and public officials;

10. *Calls upon* States parties to promote the engagement of the business community in the prevention of corruption by encouraging it, inter alia, to develop and implement initiatives to prohibit and prevent any form of corruption, promote good corporate integrity practices, develop internal controls and codes of conduct, establish ethics committees, implement internal mechanisms to report acts of corruption, design specific training programmes and cooperate with official investigations;

11. *Encourages* States parties to promote ethics and integrity to be at the forefront of training in all professions, in particular those that can facilitate acts of corruption;

12. *Strongly encourages* States parties to promote comprehensive interdisciplinary research, as relevant, on patterns and trends in corruption to inform their anti-corruption policies and strategies and more effectively address emerging challenges, such as corruption risks during the coronavirus disease (COVID-19) pandemic, as well as the ways in which corruption can affect women and men differently, and to continue to promote the empowerment of women, in accordance with the fundamental principles of their domestic law and as called for in the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, adopted by the General Assembly at its special session against corruption held in 2021;

13. *Invites* States parties and other relevant stakeholders to provide support to specialized initiatives aimed at facilitating research and connecting scholars and academic and research institutions to promote greater collaboration and sharing of resources and ideas, as well as to implement joint global and regional interdisciplinary research projects, including on compliance and collective action;

14. *Encourages* States parties to support the United Nations Office on Drugs and Crime in maintaining and updating the Legal Library, which is part of the Tools and Resources for Anti-Corruption Knowledge portal, and to make information about the Convention against Corruption and its implementation widely available;

15. *Requests* the United Nations Office on Drugs and Crime to continue its efforts to promote anti-corruption training and educational programmes and e-learning projects, as well as to further develop its knowledge products for the public and private sectors;

16. *Encourages* States parties to support the Global Resource for Anti-Corruption Education and Youth Empowerment initiative of the United Nations Office on Drugs and Crime;

17. *Also encourages* States parties to consider participating in cooperation and exchange at the national, regional and international levels, using existing regional and international organizations, and to share best practices and experiences for promoting and enhancing, among others, anti-corruption education and law enforcement capacities, and to consider engaging the private sector and civil society, as well as interdisciplinary research on anti-corruption;

18. *Notes* anti-corruption education and practice-oriented initiatives, such as the joint programme offered by the United Nations Institute for Training and Research and the International Anti-Corruption Academy;

19. *Encourages* relevant institutions engaged in anti-corruption activities, such as the United Nations Development Programme and the International Anti-Corruption Academy, to closely cooperate with the United Nations Office on Drugs and Crime and each other to exchange knowledge and develop cutting-edge educational and training programmes and innovative research projects;

20. *Requests* the Open-ended Intergovernmental Working Group on the Prevention of Corruption to hold a panel discussion on challenges to and good practices in anti-corruption awareness-raising, education, training and research at its

thirteenth meeting, to be held in 2022, and requests the secretariat to prepare a background paper to inform the discussion;

21. *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.



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

Distr.: Limited
10 December 2021

Original: English

Ninth session

Sharm el-Sheikh, Egypt, 13–17 December 2021

Draft decision submitted by the United States of America

Venue for the tenth session of 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, recalling General Assembly resolution [47/202 A](#) of 22 December 1992 on the pattern of conferences, taking into consideration rules 3 and 6 of its rules of procedure, welcoming the offer by the Government of the United States of America to act as host to the tenth session of the Conference, and acknowledging the firm commitment of the United States to ensuring an inclusive session of the Conference of the States Parties for all States parties to the United Nations Convention against Corruption¹ in the spirit of equality and non-discrimination, to facilitating the participation of States parties' representatives, to respecting their dignity and to ensuring the privileges and immunities as set forth in, inter alia, the Convention on the Privileges and Immunities of the United Nations² and according to its other obligations to the United Nations, as applicable, and any host country agreement, arrangement or understanding pertaining to the Conference to be signed between the host country and the secretariat of the Conference, decides that its tenth session will be held in the United States in 2023.

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

² General Assembly resolution 22 A (I).

