



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

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Draft report

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I. Introduction

1. In its resolution 58/4, the General Assembly adopted the United Nations Convention against Corruption.¹ The Convention entered into force on 14 December 2005. Article 63, paragraph 1, of the Convention established the Conference of the States Parties to the United Nations Convention against Corruption to improve the capacity of and cooperation between States parties to achieve the objectives set forth in the Convention and to promote and review its implementation.

II. Organization of the session

A. Opening of the session

2. The Conference of the States Parties to the United Nations Convention against Corruption held a minute of silence in memory of the victims of the tragic accident involving an aircraft of the Russian Federation on 31 October 2015.

3. The outgoing President of the Conference made introductory remarks in which she highlighted the progress made since the fifth session of the Conference, including the increase in ratifications of and accessions to the Convention and in finalized country reviews under the Mechanism for the Review of Implementation of the United Nations Convention against Corruption. She encouraged States to implement the recommendations of the reviews and referred to the synergies created with other international mechanisms. She made reference to the new agenda item 7 of the provisional agenda, dedicated to cooperation with international, regional and non-governmental organizations. She also made reference to the expected outcomes

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



of the Conference, concerning, inter alia, the launch and implementation of the second cycle of the Implementation Review Mechanism.

4. The Chief of Staff of the Executive Office of the President of the Russian Federation, Sergey Ivanov, transmitted a message to the Conference from the President of the Russian Federation. In that message, the President underscored the universal character and unique legitimacy of the United Nations and the importance of equal partnership to counter global threats. In his own remarks, the Chief of Staff highlighted the importance of the Convention for national and international anti-corruption efforts. The Russian Federation had completed its country review in 2012, and the Chief of Staff underlined that the second cycle of the Mechanism should be launched by the Conference at its current session. He also highlighted various national and regional standards and approaches to the fight against corruption and the need to duly take them into account during the review process. He referred to several preventive measures aimed, in particular, at forging a strong partnership with the private sector in the fight against corruption, including an anti-corruption charter adopted by Russian businesses. The Chief of Staff also underscored the importance of participation by civil society in the prevention and countering of corruption.

5. The Executive Director of the United Nations Office on Drugs and Crime (UNODC) transmitted a message to the Conference from the Secretary-General of the United Nations. In that message, the Secretary-General underlined the importance of the 2030 Agenda for Sustainable Development,² which provided a detailed blueprint for sustainable global development. The Executive Director, in his introductory remarks, noted the importance of Sustainable Development Goal 16, the targets under which concerned, among other things, the rule of law, effective action against corruption and bribery, and asset recovery. With 177 parties, the Convention was the sole United Nations convention with a robust peer review mechanism. More than 120 executive summaries, 160 self-assessment checklists and close to 150 country visits and joint meetings had been completed. He stressed his expectation that the Conference would take important decisions on the Mechanism, the conclusion of and follow-up to the first review cycle and the implementation modalities of the second cycle. The Executive Director emphasized that UNODC stood ready to support States parties' efforts to translate the conclusions of the Conference into action.

6. The President of the Conference underscored that the Conference was the most promising platform for international cooperation and dialogue in the area of anti-corruption. He noted the importance of launching the second cycle of the Mechanism in 2015. The President stressed the crucial role of a constructive dialogue between the private and public sectors in the fight against corruption and the importance of creating mechanisms to further develop that dialogue. The President welcomed the participation of non-governmental organizations and the media in the work of the Conference.

7. Statements were made by the representative of Indonesia on behalf of the Group of 77 and China, the representative of South Africa on behalf of the Group of African States, the representative of the Republic of Korea on behalf of the Group of Asia-Pacific States, the representative of Peru on behalf of the Group of Latin

² General Assembly resolution 70/1.

American and Caribbean States and the representative of the European Anti-Fraud Office on behalf of the European Union and its Member States, as well as the following countries that aligned themselves with the statement: Albania, Bosnia and Herzegovina, Iceland, Montenegro, Norway, Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine.

8. The representative of Indonesia, speaking on behalf of the Group of 77 and China, stressed that corruption was an obstacle to sustainable development. He welcomed the adoption of the Doha Declaration and the Marrakech declaration on the prevention of corruption³ and their strong anti-corruption messages. He underscored the benefits of the Implementation Review Mechanism and stressed the importance of adhering to its terms of reference. He further supported the launching of the second cycle of the Mechanism, encompassing the review of the chapters on preventive measures and asset recovery and emphasized the need to ensure that the Mechanism was funded from the regular budget of the United Nations. The speaker also noted the crucial role of technical assistance in support of the implementation of the Convention. He further called for greater efforts by all States parties in the implementation of the chapters on international cooperation and asset recovery and underscored the importance of cooperation in civil and administrative proceedings in that regard. The representative urged States parties to exercise political will and take concrete action to overcome barriers to asset recovery with a view to facilitating the quick recovery and return of stolen assets and to dismantling safe havens for the proceeds of corruption. The representative of Indonesia welcomed the offer of the Government of Austria to host the seventh session of the Conference in Vienna.

9. The representative of South Africa, speaking on behalf of the Group of African States welcomed the adoption of the 2030 Agenda for Sustainable Development,⁴ in particular its Goal 16. He emphasized that technical assistance is essential for the implementation of the Convention. He further stressed the commitment of the Group of African States to the implementation of resolution 3/1 and the importance of following all the established principles and characteristics of the Review Mechanism, particularly with regard to its intergovernmental character. The representative underscored the usefulness of launching the second cycle of the Review Mechanism and noted the Group's preference that the same self-assessment checklist used in the first cycle should be used in the second cycle. The speaker expressed serious concerns with regard to the deficiencies in international cooperation and information-sharing in support of the recovery and return of stolen assets, as well as the lack of political will in that regard. He called upon States parties to provide the broadest possible cooperation and assistance to each other in that context.

10. The representative of the Republic of Korea, speaking on behalf of the Group of Asia-Pacific States, welcomed the adoption of the 2030 Agenda for Sustainable Development, in particular its Goal 16. In particular, he underscored the crucial role of the Implementation Review Mechanism in ensuring the capacity of and cooperation between States parties. He also welcomed the launching of the second review cycle. He further noted the importance of providing coordinated

³ Conference resolution 4/3.

⁴ General Assembly resolution 70/1.

technical assistance in the field of anti-corruption and the crucial role of UNODC in that regard. The speaker welcomed further discussions on the topic of asset recovery and on the reduction of illicit financial flows.

11. The representative of Peru, speaking on behalf of the Group of Latin American and Caribbean States, emphasized the importance given by the countries of the region to cooperation in preventing, detecting and prosecuting corruption. He underscored the need to render asset recovery more effective and improve capacities in the region in matters of prevention, criminalization and law enforcement. He reiterated the commitment of the Group of Latin American and Caribbean States to the Implementation Review Mechanism and stressed the need for the Mechanism to have more stable and predictable funding to ensure its efficient, continued and impartial functioning. The representative also expressed his confidence that the second cycle of the Mechanism would entail the review of chapters II and V of the Convention, and underlined the importance of an adequate follow-up to the implementation of recommendations stemming from the first cycle. He also highlighted the recent adoption of the post-2015 United Nations development agenda, which included among its sustainable development goals the goal of substantially reducing corruption and bribery in all their forms.

12. The representative of the European Union supported the adoption of the 2030 Agenda for Sustainable Development, including its Goal 16. He also supported the adoption of the Doha Declaration. The representative reported on the European Union's cooperation projects and its financial contributions to work by UNODC in the area of anti-corruption technical assistance. The speaker emphasized that preventive action, criminalization and law enforcement, asset recovery and international cooperation were all essential elements in the fight against corruption. He noted the importance of strengthening transparency on financial flows and beneficial ownership information. The representative stated that the second cycle should be transparent, efficient, inclusive and cost-efficient and create further synergies with other anti-corruption review mechanisms. He highlighted the importance of the States parties reaching a consensus on the role of civil society in the second review cycle.

B. Election of officers

13. At its first meeting, on 2 November 2015, the Conference elected by acclamation Alexander Konovalov (Russian Federation) President of the Conference.

14. At the same meeting, the following three Vice-Presidents and the Rapporteur were elected by acclamation:

<i>Vice-Presidents:</i>	Friedrich Däuble (Germany) Sadiq Marafi (Kuwait) Andrés Lamoliatte Vargas (Chile)
<i>Rapporteur:</i>	Kamal Arifi (Morocco)

C. Adoption of the agenda and organization of work

15. At its first meeting, on 2 November 2015, the Conference adopted the following agenda for its sixth session:

1. Organizational matters:
 - (a) Opening of the sixth session of the Conference;
 - (b) Election of officers;
 - (c) Adoption of the agenda and organization of work;
 - (d) Participation of observers;
 - (e) Adoption of the report of the bureau on credentials;
 - (f) General discussion.
2. Review of the implementation of the United Nations Convention against Corruption.
3. Technical assistance.
4. Prevention.
5. Asset recovery.
6. International cooperation.
7. Implementation of article 63, paragraph 4 (c), of the Convention, including discussion on cooperation with relevant international and regional organizations and mechanisms and non-governmental organizations.
8. Other matters.
9. Provisional agenda for the seventh session.
10. Adoption of the report.

D. Attendance

16. The following States parties to the Convention were represented at the sixth session of the Conference: Afghanistan, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Comoros, Congo, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Montenegro, Morocco, Mozambique, Myanmar,

Namibia, Nauru, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

17. The following States signatories to the Convention were represented by observers: Japan and Syrian Arab Republic.
18. The European Union, a regional economic integration organization that is a party to the Convention, was represented at the session.
19. The following observer States were also represented: Andorra and Tonga.
20. The State of Palestine, a non-member State maintaining a permanent observer mission to the United Nations, was represented.
21. The following Secretariat units, United Nations bodies, entities, funds and programmes, institutes of the United Nations crime prevention and criminal justice programme network, specialized agencies and other organizations of the United Nations system were represented by observers: Department of Economic and Social Affairs of the Secretariat, Global Compact Office, United Nations Development Programme, secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, Basel Institute on Governance, International Centre for Criminal Law Reform and Criminal Justice Policy and World Bank.
22. The following intergovernmental organizations were represented by observers: Council of Europe, European Public Law Organization, International Anti-Corruption Academy, International Criminal Police Organization, Organization for Economic Cooperation and Development, Organization for Security and Cooperation in Europe and Regional Anti-Corruption Initiative for South Eastern Europe.
23. The following non-governmental organizations in consultative status with the Economic and Social Council were represented by observers: Academic Council on the United Nations System, American Bar Association, Center for International Human Rights of the Northwestern University School of Law, Environmental Investigation Agency, European Law Students' Association, HEDA Resource Centre, International Association of Judges, International Association "Znanie", International Foundation for Electoral Systems, Japan Federation of Bar Associations, Libera: Associazioni Nomi e Numeri contro le Mafie, Socialist International Women, Washington and Lee University and World Society for the Protection of Animals.
24. In accordance with rule 17 of the rules of procedure, the Secretariat circulated a list of relevant non-governmental organizations not having consultative status with the Economic and Social Council that had applied for observer status. Invitations were subsequently sent by the Secretariat to relevant non-governmental organizations.

25. The following other relevant non-governmental organizations were represented by observers: African Institute of Corporate Citizenship, Anti-Corruption Academy, Anti-Corruption Centre in the State Branches, Anti-Corruption Research and Education Centre of the Kyiv Mohyla Academy, Association of Lawyers of Russia, Bangladesh Association for Social Advancement, Bulletin of Anti-Corruption Expert Review, Centre de recherche et d'action pour la paix, Coalition of the Civil Society Friends of the United Nations Convention against Corruption (also known as the UNCAC Coalition), Global Organization of Parliamentarians against Corruption, Independent Service Delivery Monitoring Group, Institute of Economics, Management and Law, International Association of Anti-Corruption Authorities, IPO Anti-Corruption Committee, Kituo Cha Sheria Centre for Legal Empowerment, Libyan Transparency Association, Mouvement pour la lutte contre l'injustice, National Anti-Corruption Committee, National Institute for Research of Global Security, New Line Social Organization, Pakistan Community Peace Foundation, Partners-Jordan Centre for Civic Collaboration, RECAAD Cameroon, Save Visions Africa, Socio Legal Aid Research and Training Centre, Transparency International, U4 Anti-Corruption Resource Centre and WWF International.

E. Adoption of the report of the Bureau on credentials

26. Rule 19 of the rules of procedure for the Conference provides that the bureau of any session shall examine the credentials of representatives and submit its report to the Conference. Rule 20 provides that, pending a decision of the bureau upon their credentials, representatives shall be entitled to participate provisionally in the session. Any representative of a State party to whose admission another State party has made objection shall be seated provisionally with the same rights as other representatives of States parties until the bureau has reported and the Conference has taken its decision.

27. The Bureau informed the Conference that of the 151 States parties represented at the sixth session, 149 States parties were in compliance with the credentials requirements. Two States parties, namely, Cambodia and Timor-Leste, were not in compliance with rule 18 of the rules of procedure. The Bureau emphasized that it was the obligation of each State party to submit the credentials of representatives, in accordance with rule 18, and called on those States parties that had not yet done so to provide the secretariat with original credentials as soon as possible but not later than 13 November 2015.

28. The Bureau reported to the Conference that it had examined the written communications received and found them to be in order.

29. The Conference adopted the report of the Bureau on credentials at its 11th meeting, on 6 November 2015.