ECOSOC Resolution 2001/13

Strengthening international cooperation in preventing and combating the transfer of funds of illicit origin, derived from acts of corruption, including the laundering of funds, and in returning such funds

The Economic and Social Council,


Concerned about the seriousness of problems posed by corruption, which may endanger the stability and security of societies, undermine the values of democracy and morality and jeopardize social, economic and political development,

Concerned also that funds of illicit origin derived from acts of corruption include public funds, whose diversion may seriously threaten economic and political progress, in particular in developing countries,

Alarmed at the fact that such funds are often being transferred from their countries of origin to international banking centres and financial havens,

Recognizing that the authorities of those countries wishing to recover funds of illicit origin, including funds obtained through acts of corruption and financial fraud, have a legitimate wish to obtain information on the whereabouts of those funds and that confidentiality, the right to privacy and bank secrecy cannot guarantee impunity,

Recognizing also the importance of strengthening international cooperation in combating the transfer of funds of illicit origin and in returning such funds,

Viewing with deep concern the increasing link between money-laundering and corruption, making it essential to promote national and international efforts in areas such as prevention, combating the transfer of funds of illicit origin and returning such funds,

1. Requests the intergovernmental open-ended expert group referred to in General Assembly resolution 55/61 to consider, within the context of its mandates, the following issues, inter alia, as possible items of work to be included in the draft terms of reference for the negotiation of a future legal instrument against corruption:

(a) Strengthening international cooperation in preventing and combating the transfer of funds of illicit origin, including the
laundering of funds derived from acts of corruption, and promoting ways and means of enabling the return of such funds;

(b) Developing the measures necessary to ensure that those working in banking systems and other financial institutions contribute to the prevention of the transfer of funds of illicit origin derived from acts of corruption, for example, by recording transactions in a transparent manner, and to facilitate the return of those funds;

(c) Defining funds derived from acts of corruption as proceeds of crime and establishing that an act of corruption may be a predicate offence in relation to money-laundering;

(d) Establishing criteria for the determination of countries to which funds, referred to above, should be returned and the appropriate procedures for such return;

2. Requests the Office for Drug Control and Crime Prevention of the Secretariat to support Governments that request technical assistance in combating the transfer of funds of illicit origin and in returning such funds, including by providing the names of experts to assist such Governments;

3. Urges Governments, through voluntary contributions, and invites multilateral financial institutions and regional development banks, as appropriate, to support the Office for Drug Control and Crime Prevention in its efforts to assist Governments that request technical cooperation in combating the transfer of funds of illicit origin and in returning such funds, including by providing the names of the experts available to assist the Office;

4. Requests the Secretary-General, further to his analytical report on progress made in the implementation of General Assembly resolution 55/188, to prepare, within existing resources or drawing upon through extrabudgetary contributions, for the ad hoc committee referred to in General Assembly resolution 55/61, a global study on the transfer of funds of illicit origin, especially funds derived from acts of corruption, and its impact on economic, social and political progress, in particular in developing countries, and to include in his study innovative ideas regarding appropriate ways and means of enabling the States concerned to obtain access to information on the whereabouts of funds belonging to them and to recover such funds.

40th plenary meeting
24 July 2001