



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

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Tenth session

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Annotated provisional agenda

Provisional agenda

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Annotations

1. Organizational matters

(a) Opening of the tenth session of the Conference

By its resolution [58/4](#), the General Assembly adopted the United Nations Convention against Corruption, in article 63 of which a Conference of the States Parties to the Convention was established 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. Pursuant to paragraph 2 of that article, the first session of the Conference was held in Amman from 10 to 14 December 2006. In accordance with rule 3, paragraph 2, of the rules of procedure for the Conference, adopted at its first session, the second regular session was to be held within one year after the first session. Pursuant to Conference decision 1/1, the second session was held in Nusa Dua, Indonesia, from 28 January to 1 February 2008. Pursuant to Conference decision 2/1, the third session was held in Doha from 9 to 13 November 2009. Pursuant to Conference decision 3/1, the fourth session was held in Marrakech, Morocco, from 24 to 28 October 2011 and the fifth session was held in Panama City from 25 to 29 November 2013. Pursuant to Conference decision 4/1, the sixth session was held in Saint Petersburg, Russian Federation, from 2 to 6 November 2015. Pursuant to Conference decision 4/2, the seventh session was held in Vienna from 6 to 10 November 2017. Pursuant to Conference decision 5/2, the eighth session was held in Abu Dhabi from 16 to 20 December 2019, and pursuant to Conference decision 5/3, the ninth session was held in Sharm el-Sheikh, Egypt, from 13 to 17 December 2021. In compliance with Conference decision 9/2, the tenth session will be held in Atlanta, United States of America, from 11 to 15 December 2023.

(b) Election of officers

In accordance with rule 22 of the rules of procedure for the Conference, at the opening of each session a president, three vice-presidents and a rapporteur shall be elected from among the representatives of the States parties present at the session.

In accordance with the same rule, the President, the Vice-Presidents and the Rapporteur shall serve as the officers of the Conference at each session. In electing the officers of the session, each of the five regional groups shall be represented by one officer. The offices of the President and the Rapporteur of the Conference shall normally be subject to rotation among the five regional groups.

In accordance with standard practice established for conferences held away from United Nations Headquarters at the invitation of a Government, the President is normally a representative of the host Government. The Conference followed that practice at its first, second, third, fourth, fifth, sixth, eighth and ninth sessions, at which the representatives of Jordan, Indonesia, Qatar, Morocco, Panama, the Russian Federation, the United Arab Emirates and Egypt, respectively, were elected President. Should the Conference decide to follow that practice at its tenth session, the representative of United States would be elected President of the Conference and the Group of African States would be expected to nominate the Rapporteur. Should the Conference, however, decide to follow rule 22 of its rules of procedure, the Group of Asia and the Pacific States would be expected to nominate the President and the Group of African States would be expected to nominate the Rapporteur.

(c) Adoption of the agenda and organization of work

At its ninth session, the Conference approved the draft provisional agenda for its tenth session ([CAC/COSP/2021/L.2](#)) on the understanding that the provisional agenda and proposed organization of work would be finalized by the secretariat in accordance with the rules of procedure of the Conference.

Pursuant to Conference decision 9/1, in which the Conference recognized that there was a need for States parties to be informed in advance of draft resolutions submitted by other States parties, States parties are strongly encouraged to submit draft resolutions no later than one month in advance of the session, that is, by 13 November 2023 at the latest.

The proposed organization of work was prepared by the secretariat in accordance with rule 8 of the rules of procedure for the Conference.

The organization of work is intended to facilitate consideration of the agenda items within the time and resources available to the Conference. The resources available to the Conference at its tenth session will permit the holding of parallel meetings with simultaneous interpretation from and into the six official languages of the United Nations. The Conference will thus be able to hold 20 meetings with simultaneous interpretation.

(d) Participation of observers

Rule 14 of the rules of procedure for the Conference provides that, subject to prior written notification to the Secretary-General, any State or regional economic integration organization signatory to the Convention in accordance with its article 67, paragraphs 1 and 2, shall be entitled to participate as an observer in the Conference and may accordingly take part in its deliberations.

Rule 15 of the rules of procedure provides that any State or regional economic integration organization that has not signed the Convention in accordance with its article 67, paragraphs 1 and 2, may apply to the Bureau for observer status, which shall be accorded unless otherwise decided by the Conference.

Rule 16 of the rules of procedure provides that, subject to prior written notification to the Secretary-General, the following shall be entitled to participate as observers in the deliberations of the Conference: representatives of entities and organizations that have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences convened under its auspices, representatives of United Nations bodies, specialized agencies and funds, and representatives of functional commissions of the Economic and Social Council.

Rule 17 of the rules of procedure provides that relevant non-governmental organizations having consultative status with the Economic and Social Council may apply to the Bureau for observer status, which should be accorded unless otherwise decided by the Conference. Other relevant non-governmental organizations may also apply to the Bureau for observer status. The secretariat shall circulate as a document a list of such organizations with sufficient information at least 30 days prior to the session of the Conference. If there is no objection to a non-governmental organization being granted observer status, such status should be accorded unless otherwise decided by the Conference. If there is an objection, the matter will be referred to the Conference for a decision.

(e) Adoption of the report of the Bureau on credentials

Rule 18 of the rules of procedure provides, *inter alia*, that credentials of representatives of each State party and the names of the persons constituting the State party's delegation shall be submitted to the secretariat if possible not later than twenty-four hours in advance of the opening of the session and that credentials shall be issued by the Head of State or Government, by the Minister for Foreign Affairs or by the Permanent Representative to the United Nations of the State party in accordance with its domestic law or, in the case of a regional economic integration organization, by the competent authority of that organization.

Rule 19 of the rules of procedure provides that the Bureau of any session shall examine the credentials 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.

(f) General discussion

Sub-item 1 (f), entitled “General discussion”, is included in the provisional agenda to allow time for high-level representatives to make statements on matters of a general nature that are related to the implementation of the Convention. The secretariat proposes that the general discussion of the Conference be held at the beginning of its session to provide high-level representatives with an opportunity to express their views and set out the political direction for the Conference. Such organization of the work of the session would also allow more focused and interactive exchanges to take place under the substantive items of the agenda.

A list of speakers for the general discussion to be held under sub-item 1 (f) of the provisional agenda will be opened on 13 November 2023 and will remain open until noon on Monday, 11 December 2023. Delegations are requested to send requests for inclusion in the list to the secretariat in writing (uncac@un.org) with the subject line “COSP list of speakers”. Requests received before 13 November 2023 will have to be resubmitted once the list is open.

The procedures on the establishment of the list of speakers for the general discussion will be as follows: (a) representatives of States will be included in the list of speakers on a first-come, first-served basis, on the understanding that representatives at the ministerial or higher levels will be given priority; (b) should a speaker at the ministerial level be replaced by a speaker at the non-ministerial level, that speaker will be added to the list of speakers based on the time of the submission to the secretariat of the notification regarding the change of speaker; and (c) should a speaker from one delegation wish to change places on the list with a speaker at the same level from another delegation, those delegations should make their own arrangements and inform the secretariat in writing.

In addition to the statements to be delivered by high-level representatives present at the session in person, delegations will be given the opportunity to submit pre-recorded video statements by high-level representatives, such as Heads of State or Government, ministers, vice-ministers, heads of delegation and other dignitaries. Those pre-recorded video statements will be played in the Plenary Hall after being introduced by either the representative of the delegation who is physically present or the President of the Conference if the delegation is not physically represented at the session. The deadline for the submission of pre-recorded video statements and the text of the statement is 4 December 2023. Links to files containing such pre-recorded statements should be sent by email to the secretariat (cosp10.statements@un.org) through a file-sharing platform with appropriate security protections (e.g. password and/or private link), such as Dropbox. Delegations are kindly requested not to attach video files to an email directly. Delegates are kindly requested to familiarize themselves with the guidance and requirements before recording their statements. **A pre-recorded statement is the only way to deliver a statement in an online format during the general discussion; no other way is possible.**

In accordance with rule 45 of the rules of procedure and established practice, delegations will be requested to adhere to a speaking time of a maximum of four minutes (or 400 words), which will be allotted to all speakers, including high-level representatives; seven minutes will be allotted to the chairs of the regional groups.

Longer statements will be posted on the website of the Conference, provided that a clean copy of the statement is forwarded to the secretariat (unless the delegation informs the secretariat that it does not wish to have its statement posted online).

The preliminary list of speakers on sub-item 1 (f) is to be circulated to delegations by means of a special message shortly before the Conference.

In order to allow for sufficient time for the Conference to discuss the substantive matters on its agenda, the consideration of the sub-item entitled “General discussion” will be concluded at the latest on the evening of 12 December, and the remaining speakers will be invited to take the floor under other items of the agenda.

2. Review of the implementation of the United Nations Convention against Corruption

Pursuant to article 63, paragraph 5, of the Convention, the Conference is to acquire the necessary knowledge of the measures taken by States parties in implementing the Convention – and the difficulties encountered by them in doing so – through information provided by them and through such supplemental review mechanisms as may be established by the Conference.

In its resolution 1/1, the Conference agreed that it was necessary to establish an appropriate mechanism to assist it in reviewing the implementation of the Convention, and established an open-ended intergovernmental expert working group to make recommendations to it. In the same resolution, the Conference underlined the characteristics that the mechanism should have.

In its resolution 2/1, the Conference set out additional principles that the review mechanism should reflect and tasked the Open-ended Intergovernmental Working Group on Review of the Implementation of the Convention with preparing terms of reference for a review mechanism for consideration, action and possible adoption by the Conference at its third session.

In its resolution 3/1, the Conference established the Mechanism for the Review of Implementation of the Convention, in accordance with article 63, paragraph 7, of the Convention. The annex to resolution 3/1 contains the terms of reference of the Mechanism, as well as the draft guidelines for governmental experts and the secretariat in the conduct of country reviews and the draft blueprint for country review reports.

In the same resolution, the Conference established the Implementation Review Group, the functions of which would be to have an overview of the review process in order to identify challenges and good practices and to consider technical assistance requirements in order to ensure the effective implementation of the Convention. On the basis of its deliberations, the Group is to submit recommendations and conclusions to the Conference for its consideration and approval.

The Conference decided that each implementation review phase would be composed of two review cycles, each of five years and that the implementation of chapters III (Criminalization and law enforcement) and IV (International cooperation) of the Convention would be reviewed during the first cycle and the implementation of chapters II (Preventive measures) and V (Asset recovery) would be reviewed during the second.

In its resolution 4/1, entitled “Mechanism for the Review of Implementation of the United Nations Convention against Corruption”, the Conference endorsed the guidelines for governmental experts and the secretariat in the conduct of country reviews and the blueprint for country review reports, which had been finalized by the Implementation Review Group at its first session.

In its decision 5/1, entitled “Mechanism for the Review of Implementation of the United Nations Convention against Corruption”, the Conference decided that the Implementation Review Group should begin promptly to collect, with the support of the secretariat, and discuss relevant information to facilitate the assessment of performance in accordance with paragraph 48 of the terms of reference of the Implementation Review Mechanism, following the completion of the first review

cycle. It also decided that the Group should include in its future sessions an agenda item allowing for the discussion of the information collected and that the Group, in the collection of the information, should take into account future requirements for follow-up in accordance with paragraphs 40 and 41 of the terms of reference.

In its resolution 6/1, entitled “Continuation of the review of implementation of the United Nations Convention against Corruption”, the Conference launched the second cycle of the Implementation Review Mechanism, pursuant to paragraph 13 of the terms of reference of the Mechanism and in line with Conference resolution 3/1. It decided that one fifth of the States parties were to be reviewed in each of the five years of the second review cycle. It also decided that States acceding to the Convention after the sixth session of the Conference should complete the review of implementation of chapters III and IV of the Convention no later than two years after the deposit of their instrument of accession and should participate in the review of implementation of chapters II and V of the Convention during the final year of the second review cycle.

In its decision 8/1, the Conference decided to extend the duration of the second cycle of the Mechanism until June 2024, in order to allow for the completion of that cycle.

In its resolution 8/2, while noting with appreciation their commitment to the country review process in their capacity as both States under review and reviewing States, the Conference urged States parties to adhere to the indicative timelines for country reviews, as contained in the guidelines for governmental experts and the secretariat in the conduct of country reviews, and to avoid, as much as possible, delays in the various stages of the review. In that resolution, the Conference also encouraged States parties, with the help of the secretariat, to voluntarily share their views in the Implementation Review Group, without prejudice to the existing mandates of the Group and the terms of reference of the Implementation Review Mechanism, on the possible ways forward following the end of the first review phase, and requested that the Group submit its report to the Conference at its tenth session. Also in that resolution, the Conference requested the Implementation Review Group to continue to collect, with the support of the secretariat, relevant information, including the views of States parties, pertaining to the performance of the Implementation Review Mechanism, with a view to continuing, at the appropriate time, its assessment of the performance of the Mechanism, as provided for in paragraph 48 of its terms of reference and in its decision 5/1.

Further, 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, Member States committed to fully and effectively following up on the conclusions and observations from the review process and welcomed the efforts by the Conference to assess the performance of the Implementation Review Mechanism and adapt, where appropriate, procedures and requirements for the follow-up.

To date, the Implementation Review Group has held 14 sessions, which were held in both regular and resumed parts. The Conference will have before it for its consideration a report on the activities of the Group ([CAC/COSP/2023/2](#)). The Conference may also wish to consider, in its deliberations, the results of the sessions of the Group held in 2022 and 2023: the thirteenth session ([CAC/COSP/IRG/2022/6](#)), the first resumed thirteenth session ([CAC/COSP/IRG/2022/6/Add.1](#)) and the second resumed thirteenth session ([CAC/COSP/IRG/2022/6/Add.2](#)), the fourteenth session ([CAC/COSP/IRG/2023/7](#)) and the resumed fourteenth session ([CAC/COSP/IRG/2023/7/Add.1](#)).

The matter of the next review phase of the Implementation Review Mechanism was discussed at the thirteenth, first resumed thirteenth and second resumed thirteenth sessions of the Implementation Review Group, held in 2022, as well as at its fourteenth and resumed fourteenth sessions, held in 2023.

The Conference will have before it a note by the Secretariat on the performance of the Implementation Review Mechanism and the measures required for the completion of the first phase of the Mechanism, as well as considerations regarding the next phase ([CAC/COSP/2023/3](#)).

Pursuant to paragraph 35 of the terms of reference of the Implementation Review Mechanism, the secretariat is to compile the most common and relevant information on successes, good practices, challenges, observations and technical assistance needs contained in the country review reports and to include them, organized by theme, in a thematic implementation report and regional supplementary addenda, for submission to the Implementation Review Group. Accordingly, the Conference will have before it for its consideration thematic reports prepared by the secretariat on the implementation of chapter II ([CAC/COSP/2023/4](#)) and chapter V of the Convention ([CAC/COSP/2023/5](#)), a thematic report on the implementation of provisions of a cross-cutting nature in chapter II (Preventive measures) and chapter V (Asset recovery) of the Convention ([CAC/COSP/2023/6](#)) and a regional supplement on the implementation of chapter II (Preventive measures) and chapter V (Asset recovery) of the Convention ([CAC/COSP/2023/7](#)).

Pursuant to resolution 8/2, the Conference encouraged States parties to keep using the Implementation Review Group as a platform for the voluntary exchange of information on national measures taken during and after the completion of country reviews, including strategies adopted, challenges encountered and best practices identified, as well as, where appropriate, the follow-up to the recommendations made in the country review reports. A note by the Secretariat on follow-up actions taken by States parties to implement chapter III (Criminalization and law enforcement) and chapter IV (International cooperation) of the Convention ([CAC/COSP/2023/8](#)) has been prepared, reflecting the information submitted by 25 States parties in response to a note verbale circulated in July 2023.

Moreover, through its resolution 6/1, the Conference launched the second cycle of the Implementation Review Mechanism, pursuant to paragraph 13 of the terms of reference of the Mechanism and in line with Conference resolution 3/1. The Conference may wish to use as a basis for its deliberations the information contained in the note by the Secretariat on resources and expenditures for the functioning of the Mechanism ([CAC/COSP/2023/9](#)).

Documentation

Note by the Secretariat on the activities of the Implementation Review Group ([CAC/COSP/2023/2](#))

Note by the Secretariat on the performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and the measures required for the completion of the first phase of the Mechanism, as well as considerations regarding the next phase ([CAC/COSP/2023/3](#))

Thematic report prepared by the Secretariat on the implementation of chapter II (Preventive measures) of the United Nations Convention against Corruption ([CAC/COSP/2023/4](#))

Thematic report prepared by the Secretariat on the implementation of chapter V (Asset recovery) of the United Nations Convention against Corruption ([CAC/COSP/2023/5](#))

Thematic report prepared by the Secretariat on the implementation of provisions of a cross-cutting nature in chapter II (Preventive measures) and chapter V (Asset recovery) of the United Nations Convention against Corruption ([CAC/COSP/2023/6](#))

Thematic report prepared by the Secretariat on the implementation of chapter II (Preventive measures) and chapter V (Asset recovery) of the United Nations Convention against Corruption: regional supplement ([CAC/COSP/2023/7](#))

Note by the Secretariat on follow-up actions taken by States parties to implement chapter III (Criminalization and law enforcement) and chapter IV (International cooperation) of the United Nations Convention against Corruption ([CAC/COSP/2023/8](#))

Note by the Secretariat on resources and expenditures for the functioning of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption ([CAC/COSP/2023/9](#))

Report of the Implementation Review Group on its fourteenth session, held in Vienna from 12 to 16 June 2023 ([CAC/COSP/IRG/2023/7](#))

Report of the Implementation Review Group on its resumed fourteenth session, held in Vienna from 4 to 8 September 2023 ([CAC/COSP/IRG/2023/7/Add.1](#))

Report of the Implementation Review Group on its thirteenth session, held in Vienna from 13 to 17 June 2022 ([CAC/COSP/IRG/2022/6](#))

Report of the Implementation Review Group on its first resumed thirteenth session, held in Vienna on 8 and 9 September 2022 ([CAC/COSP/IRG/2022/6/Add.1](#))

Report of the Implementation Review Group on its second resumed thirteenth session, held in Vienna from 7 to 11 November 2022 ([CAC/COSP/IRG/2022/6/Add.2](#))

3. Technical assistance

In its resolution 3/1, the Conference decided that the Implementation Review Group was to follow up and continue the work previously undertaken by the Open-ended Intergovernmental Working Group on Technical Assistance. In accordance with that resolution, technical assistance is an integral component of the Implementation Review Mechanism. In line with its terms of reference, one of the guiding principles of the Mechanism is to assist States parties in the effective implementation of the Convention. The Conference, in its resolution 3/4, endorsed country-led and country-based, integrated and coordinated technical assistance delivery as an effective vehicle for the further implementation of the Convention, and encouraged donors and other assistance providers to incorporate those concepts and capacity-building into their technical assistance programmes.

In its resolution 7/3, the Conference invited States parties, in completing the self-assessment checklist, to continue to identify technical assistance needs required for the implementation of the articles of the Convention and provide information regarding technical assistance already being provided. Also in that resolution, the Conference encouraged States parties to continue voluntarily sharing information on the provision of technical assistance and their needs for such assistance, including those needs identified through the review process, and to consider providing such information to the secretariat for publication on its website.

In its resolution 8/8, the Conference encouraged States parties to address the needs identified during their country reviews and to promote national anti-corruption strategies and/or action plans as a tool for country-led and country-based, integrated and coordinated technical assistance programming and delivery.

Moreover, in its resolution 9/4, the Conference called 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 called for accelerated action at all levels and by all technical assistance providers in addressing such needs, upon request, including those identified through the Implementation Review Mechanism, 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.

Accordingly, the secretariat has prepared a note containing an analysis of technical assistance needs emerging from the country reviews and assistance delivered by the United Nations Office on Drugs and Crime in support of the implementation of the Convention ([CAC/COSP/2023/10](#)).

Documentation

Note by the Secretariat containing an analysis of technical assistance needs emerging from the country reviews and assistance delivered by the United Nations Office on Drugs and Crime in support of the implementation of the United Nations Convention against Corruption ([CAC/COSP/2023/10](#))

4. Prevention

At its third, fourth, fifth, sixth, seventh, eighth and ninth sessions, the Conference emphasized the central importance of preventive measures in the fight against corruption and, accordingly, adopted resolutions 3/2, 4/3, 5/4, 6/6, 7/5, 7/6, 8/8 and 9/6.

In its resolution 3/2, the Conference established the Open-ended Intergovernmental Working Group on the Prevention of Corruption and mandated it to assist the Conference in, inter alia: (a) developing and accumulating knowledge in the area of prevention of corruption; (b) facilitating the exchange of information and experience among States on preventive measures and practices; (c) facilitating the collection, dissemination and promotion of best practices in the prevention of corruption; and (d) encouraging cooperation among all stakeholders and sectors of society in order to prevent corruption.

In its resolution 9/6, the Conference, inter alia, decided that the Working Group 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.

In accordance with its mandates, to date, the Working Group has held 14 meetings. At its meetings held in Vienna from 15 to 17 June 2022 and from 14 to 16 June 2023, the Working Group discussed, inter alia, the following topics: (a) promoting the use of information and communications technologies for the implementation of the Convention; (b) challenges to and good practices in anti-corruption awareness-raising, education, training and research; (c) interlinkages between preventive and law enforcement approaches; (d) strengthening the role of supreme audit institutions in the prevention of and fight against corruption; and (e) good practices, lessons learned and challenges in periodically evaluating the efficiency and the effectivity of anti-corruption measures and policies.

The Conference will have before it a note by the Secretariat on the activities of the Open-ended Intergovernmental Working Group on the Prevention of Corruption and the work of the United Nations Office on Drugs and Crime in the area of prevention of corruption ([CAC/COSP/2023/11](#)).

In its resolution 9/3, the Conference requested the secretariat to submit a report to the Conference at its tenth session on strengthening the role of supreme audit institutions in the prevention of and fight against corruption, international cooperation and ways to promote the use of information and communications technologies in preventing and combating corruption. Accordingly, a summary of information submitted by 58 parties to the Convention in response to notes verbales circulated on 19 January, 20 February and 19 July 2023 has been included in a report of the Secretariat on progress on the implementation of Conference resolution 9/3, entitled “Follow-up to the Abu Dhabi declaration on enhancing collaboration between supreme audit institutions and anti-corruption bodies to more effectively prevent and fight corruption and the use of information and communication technologies” ([CAC/COSP/2023/12](#)).

In its resolution 9/6, the Conference requested the secretariat to submit to it at its tenth session a report on the implementation of that resolution. Accordingly, the Conference has before it a report of the Secretariat on progress on the implementation of Conference resolution 9/6, entitled “Follow-up to the Marrakech declaration on the prevention of corruption” ([CAC/COSP/2023/13](#)).

In addition, the Conference may wish to consider, in its deliberations, the reports on the meetings of the Working Group held from 15 to 17 June 2022 and from 14 to 16 June 2023 ([CAC/COSP/WG.4/2022/5](#) and [CAC/COSP/WG.4/2023/5](#)), as well as the thematic report prepared by the secretariat on the implementation of chapter II (Preventive measures) of the Convention ([CAC/COSP/2023/4](#)).

Documentation

Note by the Secretariat on the activities of the Open-ended Intergovernmental Working Group on the Prevention of Corruption and the work of the United Nations Office on Drugs and Crime in the area of prevention of corruption ([CAC/COSP/2023/11](#))

Note by the Secretariat on progress made in the implementation of Conference resolution 9/3, entitled “Follow-up to the Abu Dhabi declaration on enhancing collaboration between supreme audit institutions and anti-corruption bodies to more effectively prevent and fight corruption, and the use of information and communications technologies” ([CAC/COSP/2023/12](#))

Report of the Secretariat on progress made in the implementation of Conference resolution 9/6, entitled “Follow-up to the Marrakech declaration on the prevention of corruption” ([CAC/COSP/2023/13](#))

Report on the meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption held in Vienna from 14 to 16 June 2023 ([CAC/COSP/WG.4/2023/5](#))

Report on the meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption held in Vienna from 15 to 17 June 2022 ([CAC/COSP/WG.4/2022/5](#))

5. Asset recovery

Asset recovery has been an issue of high priority for the Conference since its first session. In its resolution 1/4, the Conference decided to establish an interim open-ended intergovernmental working group to advise and assist it in the implementation of its mandate on the return of proceeds of corruption.

The Open-ended Intergovernmental Working Group on Asset Recovery was mandated to assist the Conference in, inter alia, developing cumulative knowledge in the area of asset recovery, encouraging cooperation, facilitating exchange of information and identifying the capacity-building needs of States parties in that area.

In its resolutions 2/3, 3/3, 4/4, 5/3, 6/2, 6/3, 7/1, 8/1 and 9/7, the Conference renewed the mandate of the Working Group and decided that it should continue its work of advising and assisting the Conference in the implementation of its mandate on the return of the proceeds of corruption and that it should also submit reports on its activities to the Conference.

In accordance with its mandates, to date, the Working Group has held 17 meetings. At its meetings held in Vienna from 7 to 11 November 2022 and from 5 to 8 September 2023, the Working Group discussed, inter alia, the following topics: (a) 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; (b) the collection of information on international asset returns, including challenges, good practices and lessons learned; and (c) good practices and challenges with respect to the

establishment of effective financial disclosure systems for appropriate public officials.

The Conference will have before it a note by the Secretariat on the activities of the Open-ended Intergovernmental Working Group on Asset Recovery and the work of the United Nations Office on Drugs and Crime to promote asset recovery ([CAC/COSP/2023/14](#)).

The Conference may also wish to consider, in its deliberations, the reports on the meetings of the Working Group held in 2022 and 2023 ([CAC/COSP/WG.2/2022/4](#) and [CAC/COSP/WG.2/2023/4](#)), as well as the thematic report prepared by the secretariat on the implementation of chapter V (Asset recovery) of the Convention ([CAC/COSP/2023/5](#)).

In its resolution 9/2, entitled “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 requested UNODC, 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. The Conference also requested UNODC to collect information on the number and types of asset return cases, as appropriate, while ensuring the protection of personal data and privacy rights, drawing upon existing efforts, within existing resources. Accordingly, the Conference has before it a note by the Secretariat on the collection of information on international asset returns, including challenges, good practices and lessons learned ([CAC/COSP/2023/15](#)), which was prepared on the basis of submissions received in response to two notes verbales sent to States parties, in April 2022 and April 2023.

Furthermore, in its resolution 9/7, the Conference, inter alia, encouraged States parties, with the assistance of the secretariat, to share, on a voluntary basis, examples of good practices on promoting beneficial ownership transparency to facilitate the recovery and return of proceeds of crime. Drawing on information submitted by 55 States parties in response to notes verbales circulated in May 2022 and April 2023, the secretariat prepared a note entitled “Good practices and challenges with respect to beneficial ownership transparency and how it can foster and enhance the effective recovery and return of proceeds of crime” ([CAC/COSP/2023/16](#)) and a conference room paper providing online links to corporate and beneficial ownership registers of legal persons and arrangements and, where available, contact information of relevant national competent authorities managing such registers ([CAC/COSP/2023/CRP.3](#)) for the consideration of the Conference.

Documentation

Note by the Secretariat on the activities of the Open-ended Intergovernmental Working Group on Asset Recovery and the work of the United Nations Office on Drugs and Crime to promote asset recovery ([CAC/COSP/2023/14](#))

Note by the Secretariat on the collection of information on international asset returns, including challenges, good practices and lessons learned ([CAC/COSP/2023/15](#))

Note by the Secretariat on good practices and challenges with respect to beneficial ownership transparency and how it can foster and enhance the effective recovery and return of proceeds of crime ([CAC/COSP/2023/16](#))

Report on the meeting of the Open-ended Intergovernmental Working Group on Asset Recovery held in Vienna from 5 to 8 September 2023 ([CAC/COSP/WG.2/2023/4](#))

Report on the meeting of the Open-ended Intergovernmental Working Group on Asset Recovery held in Vienna from 7 to 11 November 2022 ([CAC/COSP/WG.2/2022/4](#))

6. International cooperation

At its fourth session, the Conference adopted resolution 4/2, entitled “Convening of open-ended intergovernmental expert meetings to enhance international cooperation”. In that resolution, the Conference decided to convene open-ended intergovernmental expert meetings on international cooperation to advise and assist it with respect to extradition and mutual legal assistance.

In the same resolution, the Conference decided that the expert meetings should perform the following functions: (a) assist it in developing cumulative knowledge in the area of international cooperation; (b) assist it in encouraging cooperation among relevant existing bilateral, regional and multilateral initiatives and contribute to the implementation of the related provisions of the Convention under the guidance of the Conference; (c) facilitate the exchange of experiences among States by identifying challenges and disseminating information on good practices to be followed in order to strengthen capacities at the national level; (d) build confidence and encourage cooperation between requesting and requested States by bringing together relevant competent authorities, anti-corruption bodies and practitioners involved in mutual legal assistance and extradition; and (e) assist the Conference in identifying the capacity-building needs of States.

In accordance with that mandate, to date, 12 open-ended intergovernmental expert meetings to enhance international cooperation have been held. At the eleventh and twelfth meetings, held in Vienna from 7 to 11 November 2022 and 5 to 8 September 2023, respectively, the topics discussed included: (a) follow-up to the 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, and developing non-binding guidelines for strengthening international and multilateral cooperation to further prevent, identify, investigate and prosecute corruption during times of emergency and crisis response and recovery; and (b) promoting the use of information and communications technologies for the implementation of the Convention.

The Conference will have before it a note by the Secretariat on activities of the open-ended intergovernmental expert meetings to enhance international cooperation under the Convention against Corruption and the work of UNODC to promote international cooperation ([CAC/COSP/2023/17](#)). The Conference may also wish to consider, in its deliberations, the reports of the eleventh and twelfth expert meetings, held from 7 to 11 November 2022 and from 5 to 8 September 2023 ([CAC/COSP/EG.1/2022/3](#) and [CAC/COSP/EG.1/2023/4](#)).

In its resolution 9/1, the Conference, *inter alia*, encouraged 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, such as money-laundering, including during times of emergencies and crisis response and recovery, to better strengthen integrity, transparency and accountability, and invited the secretariat to compile a report on the voluntary information provided by States parties and submit it to the Conference for consideration at its tenth session. On the basis of information submitted by 45 States parties in response to a note verbale circulated in July 2023, the secretariat prepared a note on the links between corruption and other forms of crime, including during times of emergencies and crisis response and recovery ([CAC/COSP/2023/18](#)).

On the basis of information submitted by 35 States parties in response to a note verbale circulated in July 2023, the secretariat prepared a report on progress made and challenges encountered in the implementation of Conference resolution 9/1, entitled “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” (CAC/COSP/2023/19). Furthermore, pursuant to the same resolution, the secretariat prepared non-binding guidelines for strengthening international and multilateral cooperation to further prevent, identify, investigate and prosecute corruption during times of emergency and crisis response and recovery, for the consideration at the twelfth expert meeting, held in September 2023 (CAC/COSP/EG.1/2023/3).

In addition, Conference will have before it a conference room paper on the progress made and the challenges encountered in the implementation of its resolution 9/5, entitled “Enhancing international anti-corruption law enforcement cooperation” (CAC/COSP/2023/CRP.4).

Documentation

Note by the Secretariat on the activities of the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption and the work of the United Nations Office on Drugs and Crime to promote international cooperation (CAC/COSP/2023/17)

Note by the Secretariat on the links between corruption and other forms of crime, including during times of emergencies and crisis response and recovery (CAC/COSP/2023/18)

Report of the Secretariat on progress made and challenges encountered in the implementation of Conference resolution 9/1, entitled “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” (CAC/COSP/2023/19)

Note by the Secretariat containing non-binding guidelines for strengthening international and multilateral cooperation to further prevent, identify, investigate and prosecute corruption during times of emergency and crisis response and recovery (CAC/COSP/EG.1/2023/3)

Report of the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption, held in Vienna from 5 to 8 September 2023 (CAC/COSP/EG.1/2023/4)

Report of the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption, held in Vienna from 7 to 11 November 2022 (CAC/COSP/EG.1/2022/3)

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

In its resolution 73/191, entitled “Special session of the General Assembly against corruption”, the General 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, in that resolution and resolution 74/276, decided on the organizational arrangements for that special session. In its resolution 73/191, it decided that, at that special session, it would adopt a concise and action-oriented political declaration, agreed upon in advance by consensus through intergovernmental negotiations under the auspices of the Conference, for adoption by the Assembly at its special session. On 7 May 2021, the Conference held a special session for the purpose of approving the political declaration and transmitting it to the General Assembly for adoption.

At its special session held from 2 to 4 June 2021, the General Assembly, in its resolution S-32/1, 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 the political declaration, Member States, inter alia, committed to implementing that

political declaration and invited the Conference, as the treaty body with prime responsibility for promoting and reviewing the implementation of the Convention, to follow up and build on the declaration.

In its resolution 9/2, the Conference decided to hold, prior to the tenth session of the Conference, one follow-up intersessional meeting of the Conference on the achievements of the political declaration, and requested the Bureau of the ninth session of the Conference to make the necessary arrangements for the organization of that intersessional meeting, in close consultation with States parties, in line with the rules of procedure. Accordingly, an intersessional meeting was held from 5 to 8 September 2022.

In that resolution, the Conference also requested the United Nations Office on Drugs and Crime to report to the Conference on its activities to support the implementation of the political declaration. Accordingly, the Conference will have before it for its consideration a report on the activities of the United Nations Office on Drugs and Crime to support the implementation 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” (CAC/COSP/2023/20).

Under the present item, the Conference is expected to discuss the follow up actions required in relation to the political declaration.

Documentation

Report of the Secretariat on the activities of the United Nations Office on Drugs and Crime to support the implementation 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 of against corruption” (CAC/COSP/2023/20)

8. Other matters

In considering the item on other matters, the Conference may wish to recall that the inclusion of the sub-items under “Other matters” does not prejudice the conclusions of discussions of the agendas of future sessions of the Conference.

(a) Implementation of article 63, paragraphs 4 (c) and (d), of the Convention, concerning cooperation with relevant international and regional organizations and mechanisms and non-governmental organizations and making 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

The General Assembly, in its resolutions 69/199, 73/190, 75/194 and 77/235, invited the Conference to give due consideration to the implementation of article 63, paragraph 4 (c), of the Convention.

In considering sub-item 8 (a) of the agenda, the Conference may wish to continue its deliberations on the full implementation of article 63, paragraph 4 (c), of the Convention, which states that the Conference is to agree upon activities, procedures and methods of work to achieve the objectives set forth in paragraph 1 of that article, including by cooperating with relevant international and regional organizations and mechanisms and non-governmental organizations.

In its resolution 8/2, the Conference encouraged the secretariat to continue to strengthen synergies with the secretariats of other relevant multilateral organizations in the field of anti-corruption, within their respective mandates, to avoid duplication of effort and enhance the performance of the various review mechanisms, in accordance with its resolutions 6/1 of 6 November 2015 and 7/4 of 10 November

2017, and requested the secretariat to report to the Implementation Review Group on progress made in this regard. The secretariat will provide an oral update in that regard.

The Conference may also wish to review progress made in enhancing synergies with respect to the 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, in line with article 63, paragraph 4 (d), of the Convention. The secretariats of other relevant multilateral mechanisms, as well as interested States parties, will be invited to report on their activities in that regard.

(b) Status of ratification of and notification requirements under the Convention

In considering sub-item 8 (b) of the agenda, the Conference may wish to review progress made in the promotion of the ratification of or accession to the Convention, in order to increase the number of parties thereto and thus contribute to universal adherence to the instrument.

With regard to notification requirements under the Convention, the Conference may wish to consider how best to ensure the availability of up-to-date information, required in accordance with article 6, paragraph 3, article 23, paragraph 2 (d), article 44, paragraph 6 (a), article 46, paragraphs 13 and 14, article 55, paragraph 5, and article 66, paragraph 4, of the Convention.

For its consideration of the item, the Conference will have before it a conference room paper on the status of the Convention as at 1 December 2023 (CAC/COSP/2023/CRP.1) and a conference room paper on the authorities designated for assistance in prevention, mutual legal assistance and asset recovery as at 1 December 2023 (CAC/COSP/2023/CRP.2).

(c) Any other matters

Under this item, the Conference may wish to consider any other matters.

9. Provisional agenda for the eleventh session

The Conference is to consider and approve the provisional agenda for its eleventh session, which will be drawn up by the secretariat in consultation with the Bureau.

10. Adoption of the report

The Conference is to adopt the report on its tenth session.

Annex

Proposed organization of work

<i>Date</i>	<i>Time</i>	<i>Item</i>	<i>Title or description</i>
Monday, 11 December	10 a.m.–1 p.m.	1 (a)	Opening of the session
		1 (b)	Election of officers
		1 (c)	Adoption of the agenda and organization of work
		1 (d)	Participation of observers
		1 (e)	Adoption of the report of the Bureau on credentials
		1 (f)	General discussion
	3–6 p.m.	1 (f)	General discussion (<i>continued</i>)
Tuesday, 12 December	10 a.m.–1 p.m.	1 (f)	General discussion (<i>continued</i>)
			3–6 p.m.
Wednesday, 13 December	10 a.m.–1 p.m.	2 and 3	Review of the implementation of the United Nations Convention against Corruption; Technical assistance
			3–6 p.m.
Thursday, 14 December	10 a.m.–1 p.m.	5 and 6	Asset recovery; International cooperation
			3–6 p.m.
Friday, 15 December	10 a.m.–1 p.m.	8	Other matters
			3–6 p.m.

Note: Information on the scheduling of informal consultations will be made available during the session.