

10 December 2023

English only

Tenth session

Atlanta, United States of America,
11–15 December 2023

**Statement submitted by Global Organisation of
Parliamentarians Against Corruption (GOPAC), a
non-governmental organization in consultative status with
the Economic and Social Council***

The following document is being circulated in accordance with paragraph 1 (i) of resolution 4/6 of the Conference of the States Parties to the United Nations Convention against Corruption and rule 17, paragraph 3 (b), of the rules of procedure for the Conference.

* The present document is processed in the form in which it was received.



WRITTEN REPORTS BY NGOS

[CoSP10 \(unodc.org\)](https://unodc.org) (to submit information or reports, please contact the substantive office at uncac@un.org)

Statement submitted by Global Organisation of Parliamentarians Against Corruption (an ECOSOC NGO in general consultative status with the Economic and Social Council)

The following document is being circulated in accordance with paragraph 1 (i) of resolution 4/6 of the Conference of the States Parties to the United Nations Convention against Corruption and rule 17, paragraph 3 (b), of the rules of procedure for the Conference.

The Need for an Enhanced Parliamentary Dialogue to Strengthen UNCAC Implementation

(Presented by GOPAC Vice Chair, Dr Carlos Alberto Pérez Cuevas on behalf of the GOPAC Chair, H.E. Dr. Ali bin Fetais Al Marri.)

As the only legally universal binding instrument on anti-corruption, the United Nations Convention against Corruption (UNCAC) has, since its adoption in 2003, reached almost universal adherence with 190 parties. For many of these State Parties, the accession to UNCAC, like other treaties, only became legal when it was endorsed by the nation's Parliament.

UNCAC is comprehensive, as its provisions recognize the importance of both preventive and punitive measures. It acknowledges that corruption is not just a matter of national importance but also a cross-border one, implying that international cooperation in addressing the offenses is essential.

It also emphasizes that the fight against corruption is not just the government domain. A whole-of-society approach including parliaments, both at the national and international levels, is needed to provide a solid anti-corruption regime that can thrive under the guidance of UNCAC. All state actors, including parliaments and other international communities, must work hand in hand to address corruption in all its forms.

While the convention has successfully instilled a foundation for countries to tackle corruption at the national level, challenges still need to be addressed to ensure its provisions are implemented effectively. That is where parliament plays its part.

The legislature is crucial in the implementation of the convention. Parliament is not only an institution involved in the passage of ratification. It is also vital in driving changes aimed to support the effective implementation of the convention through its roles in policy and budget setting as well as oversight, and towards a stronger public engagement to the issue.

In practice, the parliament's role in the state's international obligations is often overlooked. Parliament is only needed when there is a need to ratify or pass laws relevant to the convention. Its oversight role for the convention's implementation is underutilized since parliamentarian has less exposure to UNCAC

provisions and its review mechanism. Most of the time, the executive counterpart significantly dominates the parliament.

Since its founding, GOPAC has called for the effective implementation of UNCAC by engaging parliamentarians deeper into the realm of the treaty both at the national and international levels. The Doha Declaration adopted during [the 7th Global Conference of Parliamentarians against Corruption in 2019](#) urged parliamentarians to enhance their engagement with UNCAC.

The need for such engagement was later affirmed by the 8th Conference of the States Parties to UNCAC, in 2019, through [Resolution 8/14 on Promoting Good Practices in Relation to the Role of National Parliaments and other Legislative Bodies in Preventing and Combating corruption in all its Forms](#) where it recognizes the roles of parliament in strengthening the implementation of the convention.

The role of parliament in the management of public finances, in the exercise of effective budget oversight and in strengthening relations with supreme audit institutions was re-emphasized by Member States in the political declaration adopted by the General Assembly at its first-ever special session against corruption in June 2021. In its [Political Declaration](#), UNGASS Member States also recommitted to strengthening interparliamentary dialogue and cooperation, to a culture of legality in the public sector and to preventing and prosecuting corruption involving members of national parliaments, while taking into account questions of privileges and immunities.

This year UNCAC is in its 20th year of journey. Much has progressed but the challenge of effectively implementing the convention remains a question. Guided by the need to further engage parliament and parliamentarians in UNCAC and to explore possible areas where legislators and legislative institution can fully maximize their potential to strengthen the convention implementation effectively, GOPAC organized a Parliamentary Dialogue on UNCAC in Doha, Qatar in March 2023. The Dialogue explored perspectives, practices, lesson-learned from parliament in several areas, including how parliamentarians can improve their oversight role and establish specific parliamentary measures to implement the convention's provisions effectively.

The Dialogue addressed the underlining issues of parliament and parliamentarians' engagement with UNCAC. In specific, it explored the following:

1. The current and potential future parliamentary initiatives and innovations that can support the effective implementation of UNCAC.
2. The avenue(s) available for parliaments and parliamentarians to be fully engaged, informed, and aware of the UNCAC implementation gap at international and national levels.
3. The lessons learned and experiences parliaments and parliamentarians have for effectively supporting the implementation of specific UNCAC provisions.

Parliamentarians at the Doha Dialogue endorsed these priority areas:

1. UNCAC at 20: The Role of Parliament.

The Dialogue highlighted the urgency for parliament and parliamentarians to support the effective implementation of UNCAC. The topic also addressed ways to strengthen parliamentary roles and how parliament and parliamentarians are aware of the UNCAC review mechanisms and its findings. It is expected to facilitate more shared and good parliamentary practices, innovation, and lessons learned among the parliamentary community regarding their involvement in global governance.

2. Parliament and People: addressing the emergencies.

The Dialogue elaborated on the relationship between the parliament and parliamentarians and the people they represent. It explored various parliamentary initiatives to engage the public in the fight against corruption and protect their rights, especially during times of emergency. Parliamentarians committed to share their implementation progress and practices on engaging the public to report, prevent and fight corruption as guided by the UNCAC provisions on public reporting (10), participation of society (13), and protection of reporting persons (33).

The above practices and how the parliament exercises its functions are critical to holding the government to account. The last few years have illustrated how parliament has to adapt its functions, including pandemic oversight, in unprecedented situations. Participants were also invited to share good practices and discuss actions in ensuring that legislative oversight remains in place even during emergencies or future crises, especially concerning public finances (article 9 UNCAC).

BACKGROUND DOCUMENTS

1. [7th GOPAC Conference: Doha Declaration.](#)
2. [Anti-Corruption Assessment Tool for Parliamentarians.](#)
3. Financial Oversight: A Handbook for Parliamentarians.
4. [Parliament's Role in Implementing the Sustainable Development Goals.](#)
5. [COSP8 Resolution 8/14 on Promoting Good Practices in Relation to the Role of Parliament and Other Legislative Bodies in Preventing and Combating Corruption in All Its Forms.](#)
6. [COSP9 Resolution 9/1 on 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.](#)
7. UN General Assembly Special Session against Corruption Political Declaration, 2021.
8. Crises and Corruption: Emergency Responses During COVID-19.