

Factsheet

Impact of corruption on development and how states can better tackle corruption to be under the spotlight at UN Anti-Corruption Conference in Morocco

The Fourth Session of the Conference of the States Parties to the United Nations Convention against Corruption in Marrakech (24-28 October 2011)

VIENNA, 19 October (UN Information Service) – More than one thousand participants are expected at the United Nations Anti-corruption Conference in Morocco this month to discuss ways to better tackle corruption around the world. The Fourth Session of the Conference of the States Parties (COSP4) to the United Nations Convention against Corruption (UNCAC) will be held in Marrakech, Morocco from 24-28 October 2011. Preventing corruption, how to recover illicit assets and the impact of corruption on development will be among the topics to be discussed.

The United Nations Convention against Corruption is the only legally binding universal anti-corruption instrument. Every two years the States Parties to the Convention meet to review implementation of the Convention and discuss ways to improve international cooperation in the fight against corruption. More than a dozen Government Ministers, as well as representatives from regional and inter-governmental organizations, civil society, the private sector and the media will attend.

Corruption and development

Corruption is a global phenomenon found in all countries – but evidence shows it harms poor people more than others, stifles economic growth and diverts desperately needed funds from education, healthcare and other public services. An estimated one trillion US dollars get siphoned off through bribes every year according to the World Bank.

“Corruption is a global threat. It is a serious roadblock to economic development,” said the Executive Director of the United Nations Office on Drugs and Crime (UNODC), Yury Fedotov. “Corruption aggravates inequality and injustice, and undermines stability, especially in the world’s most vulnerable regions.” Mr. Fedotov will address the opening session of the conference.

Heads of delegations who will speak at the high-level segment of the Conference on Monday, 24 October and Tuesday, 25 October are expected to address how action against corruption can help to achieve the Millennium Development Goals (MDGs). The matter will also be discussed at side meetings during the conference. The eight goals, agreed by world leaders in 2000, aim to reduce poverty, hunger and disease by 2015. The MDGs have galvanized unprecedented efforts to meet the needs of the world’s poorest but corruption will impact on whether the targets are achieved.

The General Assembly has also recognized that corruption is a barrier to development and diverts resources away from poverty-eradication efforts and sustainable development and has urged States which have not yet done so to ratify and accede to the UNCAC.

The UN Convention against Corruption (UNCAC)

The United Nations Convention against Corruption came into force in December 2005 and has been ratified by 154 States, more than two thirds of the United Nations Member States. The legally-binding Convention obliges States to prevent and criminalize corruption; to promote international cooperation; to recover stolen assets; and to improve technical assistance and information exchange in both the private and public sectors.

The Convention introduces ground-breaking measures in four areas: prevention, criminalization, international cooperation and asset recovery.

Preventing Corruption

An entire chapter of the Convention is dedicated to preventing corruption with measures directed at both the public and private sectors. These include model preventive policies, such as the establishment of anticorruption bodies and enhanced transparency in the financing of election campaigns and political parties. States must ensure that their public services are subject to safeguards that promote efficient, transparency and recruitment based on merit. Public servants once recruited should be subject to codes of conduct, requirements for financial and other disclosures and appropriate disciplinary measures. Transparency and accountability in matters of public finance must also be promoted and specific requirements are set up for preventing corruption in critical areas of the public sector such as the judiciary and public procurement. Preventing corruption also requires the involvement of non-governmental and community-based organizations and other elements of civil society.

Criminalization of corruption

The Convention requires countries to establish criminal and other offences to cover a wide range of acts of corruption, if these are not already crimes under domestic law. The Convention goes beyond previous instruments of this kind, criminalizing not only basic forms of corruption such as bribery and the embezzlement of public funds, but also trading in influence and the concealment and laundering of the proceeds of corruption. Private sector corruption is also covered as are money-laundering and obstructing justice.

International cooperation

Countries agreed to cooperate with one another in every aspect of the fight against corruption, including prevention, investigation and the prosecution of offenders. Countries are bound by the Convention to render specific forms of mutual legal assistance in gathering and transferring evidence for use in court, and to extradite offenders. Countries are also required to undertake measures which will support the tracing, freezing, seizure and confiscation of the proceeds of corruption.

Asset recovery

Asset recovery is a fundamental principle of the Convention. This is a particularly important issue for many developing countries where high-level corruption has plundered the national wealth and where resources are badly needed for reconstruction and the rehabilitation of societies.

In the case of the embezzlement of public funds, the confiscated property would be returned to the state requesting it; in the case of proceeds of any other offence covered by the Convention, the property would be returned providing the proof of ownership or recognition of the damage caused to a requesting state; in all other cases, priority consideration would be given to the return of the confiscated property to the requesting state, to the return of such property to the prior legitimate owners or to compensation of the victims.

Effective asset recovery supports countries' efforts to redress the worst effects of corruption while also sending a message to corrupt officials that there will be no place to hide their illicit assets.

Implementation Review Mechanism

States agreed to a mechanism to monitor the Convention's implementation at the Third Session in Doha, Qatar, two years ago. In the first year 26 countries have participated in the new peer review mechanism, the first of its kind for such a Convention. In the second year a further 41 countries will undergo review. The executive summaries of each country review reports once finalized, are published. All the States parties will be reviewed in two five-year cycles, covering all chapters of the Convention, to assess how they are living up to their obligations under the Convention.

The reviews aim to identify good practices and challenges in national anti-corruption laws and practices. This analysis will also enable more effective delivery of technical assistance to countries that need and request it.

Corruption in the private sector

Corruption is not just a problem in government. The private sector suffers too, where corruption erodes corporate identity, undermines confidence between business partners and can destroy the reputation of once-trusted companies. The contribution of the private sector in fighting corruption is essential.

There are four concrete steps businesses can take to proactively tackle corruption: firstly adopt anti-corruption policies in line with the UN Convention and put in place the checks and balances necessary for strengthening accountability and transparency; secondly establish their own credible review mechanism to audit businesses' probity, as States Parties are doing; thirdly invest in

developing the public integrity infrastructure of developing countries by helping them implement the Convention; and fourthly create an environment so internal wrong-doing can be reported and whistle-blowers protected.

The message to the private sector is clear – it is good business to fight corruption, and business cannot expect governments on their own to create a level playing field – there is a role for business too.

Other events in Marrakech

There are a range of special events taking place in Marrakech on various topics including the 10th principle of the Global Compact; the Open Government Partnership; the UNCAC and global competition; engaging citizens to counter corruption for better public service delivery and the achievement of the Millennium Development Goals; the role of parliamentarians in the UNCAC; the impact of corruption on the environment; gender and corruption; estimating illicit flows from drug trafficking and other transnational organized crime; and human rights and the fight against corruption;

The First Session of the Conference of the States Parties was held in Amman, Jordan in 2006; the Second Session in Nusa Dua, Indonesia in 2008 and the Third Session in Doha, Qatar in 2009. The Fifth Session will be held in Panama in 2013.

UNODC's action against corruption

The United Nations Office on Drugs and Crime (UNODC) supports States in the implementation of the UN Convention against Corruption and provides technical assistance and training.

TRACK (Tools and Resources for Anti-Corruption Knowledge)

UNODC has a web-based anti-corruption portal known as TRACK (Tools and Resources for Anti-Corruption Knowledge) which includes an electronic database of legislation and jurisprudence relevant to UNCAC. The TRACK portal brings together legal and non-legal knowledge on anti-corruption and asset recovery enabling Member States, the anti-corruption community and the general public to access this information in a central location.

STAR – Stole Assets Recovery (StAR) Initiative

UNODC's work in the area of asset recovery aims at encouraging and facilitating systematic and timely return of assets stolen through acts of corruption, under the framework of UNCAC. For this objective, UNODC established a partnership with the World Bank Group under the joint Stolen Assets Recovery (StAR) Initiative. The StAR initiative is focusing on lowering the barriers to asset recovery; building national capacity for asset recovery; and providing preparatory assistance in the recovery of assets.

Corruption surveys

Corruption/integrity surveys carried out by UNODC target civil servants to capture their perceptions and attitudes towards work environment as well as their experiences with crime and corruption. Specific surveys are conducted within the judiciary and the police. Survey results help to assess needs and expectations of officers in terms of their relations with the public and job satisfaction, as well as their knowledge of codes of conduct, anti-corruption rules and reporting mechanisms.

Global Compact's 10th principle

UNODC contributes actively to the implementation of the 10th principle of the United Nations Global Compact, which states that "Business should work against corruption in any form, including bribery and extortion".

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Conference website of the United Nations Office on Drugs and Crime (UNODC):

<http://www.unodc.org/unodc/en/treaties/CAC/CAC-COSP-session4.html>

Conference website of the Host Country: <http://www.cosp4.ma/>

For more information on UNODC's work against corruption visit:

<http://www.unodc.org/unodc/en/corruption/index.html?ref=menuside>

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