

Resolutions adopted by the Conference of the States Parties to the United Nations Convention against Corruption

A. Resolutions

1. At its seventh session, held in Vienna, from 6 to 10 November 2017, the Conference of the States Parties to the United Nations Convention against Corruption adopted the following resolutions:

Resolution 7/1

Strengthening mutual legal assistance for international cooperation and asset recovery

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

Recalling that, under chapter V of the United Nations Convention against Corruption,¹ the return of assets of illicit origin derived from acts of corruption is a fundamental principle and that States parties are obliged to afford one another the widest measure of cooperation and assistance with regard to the return of such assets,

Recognizing that those who engage in corrupt acts, whether natural or legal persons, consistent with domestic law and the requirements of the Convention, should be held accountable and prosecuted by their domestic authorities, and that all efforts should be made to conduct a financial investigation into assets illegally acquired by them and to recover such assets through domestic confiscation proceedings, international cooperation for purposes of confiscation or appropriate direct recovery measures,

Recalling article 30 of the Convention, which obliges States parties, in accordance with their legal system and constitutional principles, to take such measures as may be necessary for the effective prosecution, adjudication and sanctioning of the offences established in accordance with the Convention, and bearing in mind that the application of article 30 facilitates the successful implementation of chapters IV and V of the Convention,

Recalling also article 31 of the Convention, which obliges States parties, in accordance with their legal system and constitutional principles, to take measures to freeze, seize and confiscate the proceeds of crime derived from acts of corruption or property the value of which corresponds to such proceeds, and property used in or destined for use in offences established in accordance with the Convention,

Recalling further article 46 of the Convention, in which States parties are mandated to afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the offences covered by the Convention,

Recalling its resolution 6/4 of 6 November 2015, in which it urged Member States, where appropriate and consistent with their national legal systems, to provide each other with the widest possible assistance in investigations of and proceedings in civil and administrative matters relating to corruption offences committed by natural or legal persons, including, if appropriate, through mutual legal assistance, for the detection of corruption offences, the identification, freezing and confiscation of assets, and the other purposes established in article 46, paragraph 3, of the Convention,

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



Recalling also its resolution 6/2 of 6 November 2015, in which it directed the Open-ended Intergovernmental Working Group on Asset Recovery to initiate the process of identifying best practices for identifying victims of corruption, initiate the process of identifying best practices and developing guidelines for proactive and timely sharing of information in accordance with article 56 of the Convention and collect information regarding States parties' use of settlements and other alternative mechanisms with a view to considering the feasibility of developing guidelines to facilitate a more coordinated and transparent approach, and noting with appreciation the thematic discussions held by the Working Group on those topics,²

Recalling further its resolution 6/3 of 6 November 2015, in which it encouraged States parties to make widely available information on their legal frameworks and procedures, including those used in settlements and alternative legal mechanisms, in a practical guide or other format designed to facilitate use by other States, and encouraged States parties and the United Nations Office on Drugs and Crime to continue sharing experiences and building knowledge on the management, use and disposal of frozen, seized, confiscated and recovered assets, and to identify good practices as necessary,

Recalling the meetings of the Open-ended Intergovernmental Working Group on Asset Recovery held in Vienna on 25 and 26 August 2016 and on 24 and 25 August 2017, and the deliberations held during those meetings,

Recalling also the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,³ in which Member States stated that they would strive to implement effective measures to detect, prevent and counter corruption, as well as the transfer abroad and laundering of assets derived from corruption, and to strengthen international cooperation and assistance to other Member States to assist in the identification, freezing or seizure of such assets, as well as in their recovery and return, in accordance with the Convention, in particular chapter V thereof, and in that regard to continue discussing innovative modalities to improve mutual legal assistance in order to speed up asset recovery proceedings and render them more successful,

Recalling further the Addis Ababa Action Agenda of the Third International Conference on Financing for Development,⁴ in which the international community was encouraged to develop good practices on asset return,

Noting the outcome of the international expert meeting on the management and disposal of recovered and returned stolen assets, including in support of sustainable development, held in Addis Ababa from 14 to 16 February 2017,

Recalling its resolutions 4/2 of 28 October 2011, 5/3 of 29 November 2013 and 6/2 and 6/3 of 6 November 2015,

Noting with concern that a large proportion of the proceeds of corruption emanating from offences established under the Convention, including domestic bribery, foreign bribery, embezzlement, misappropriation, diversion of property, trading in influence, abuse of functions, illicit enrichment, bribery in the private sector, money-laundering, concealment and obstruction of justice, have yet to be returned to or disposed of in favour of the requesting States parties, their prior legitimate owners and victims of the crimes,

Stressing the need for countries to ensure, in accordance with national legislation, that there are adequate mechanisms in place to manage and preserve the value and condition of assets pending the conclusion of confiscation proceedings and,

² See [CAC/COSP/WG.2/2016/4](#) and [CAC/COSP/WG.2/2017/4](#).

³ General Assembly resolution [70/174](#), annex.

⁴ Assembly resolution [69/313](#), annex.

where appropriate, non-conviction-based proceedings to recover identified proceeds of crime,

Noting with appreciation the Lausanne process initiative, and welcoming the fulfilment of the mandate contained in resolutions 5/3, 6/2 and 6/3 to develop practical guidelines on and a step-by-step guide for the efficient recovery of stolen assets, in close cooperation with the International Centre for Asset Recovery of the Basel Institute on Governance and with the support of the Stolen Asset Recovery Initiative of the United Nations Office on Drugs and Crime and the World Bank, that provides effective and coordinated approaches to asset recovery for practitioners from requesting and requested States,

Recognizing the critical importance of effective international cooperation in efforts to combat corruption, and noting the obstacles to international cooperation posed by unduly extensive requirements for the execution of incoming requests for mutual legal assistance,

Concerned about the practical difficulties that both requested and requesting States face in international cooperation and asset recovery,

Noting with concern that the huge cost of recovery of assets in some States parties has made such recovery difficult and has thus led to the abandonment of some cases in which the return of proceeds of crime was sought,

Encouraging States parties to enhance collective efforts to strengthen international cooperation, and encouraging requested States parties to respond to requests for mutual legal assistance, pursuant to article 46 of the Convention, in the absence of dual criminality,

Taking note with appreciation of the technical resources produced by the United Nations Office on Drugs and Crime and the Stolen Asset Recovery Initiative, as well as by the International Centre for Asset Recovery,

Bearing in mind that the fundamental purposes of the Convention are:

(a) To promote and strengthen measures to prevent and combat corruption more efficiently and effectively;

(b) To promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery;

(c) To promote integrity, accountability and proper management of public affairs and public property,

1. *Urges* all States parties, within the framework of the United Nations Convention against Corruption,¹ and in accordance with domestic legislation, to take concrete measures and to strengthen cooperation to hold any legal or natural person who has committed or is liable for an act of corruption accountable and recover the proceeds of crime by denying safe haven to such legal or natural persons and the proceeds of their crimes;

2. *Also urges* States parties, where appropriate and in accordance with their domestic legal principles, to remove barriers to asset recovery, including by simplifying legal procedures, while preventing their abuse, and by processing requests for assistance without delay, in order to enhance international cooperation under chapters IV and V of the Convention, acknowledging the fundamental principles of due process of law in criminal proceedings and in civil or administrative proceedings to adjudicate property rights;

3. *Invites* States parties, in the case of domestic criminal investigations and prosecutions of offences established in accordance with the Convention, to consider limiting, where appropriate and in accordance with their domestic legal systems and constitutional principles, any immunities or jurisdictional privileges accorded to their

public officials for the performance of their functions, in a manner that would not affect the efficiency of the performance of those public officials;

4. *Urges* States parties to use the Convention as a legal basis for mutual legal assistance, particularly in the absence of bilateral or other multilateral treaties, in accordance with article 46, paragraph 7, of the Convention;

5. *Calls upon* all States parties, within the framework of the Convention and domestic laws and procedures, to prevent, criminalize, investigate, prosecute and punish acts of corruption covered by the Convention, including by enforcing appropriate measures required to sanction such acts in the public and private sectors, including with regard to the liability of legal persons that violate national anti-corruption laws, as well as their executives, employees, intermediaries and other individuals;

6. *Also calls upon* States parties, consistent with article 52 of the Convention, to take measures and, where appropriate, strengthen regulations, in accordance with their domestic law, to require financial institutions within their jurisdiction to conduct enhanced scrutiny of accounts maintained by or on behalf of individuals who are or have been entrusted with prominent public functions and their family members and close associates;

7. *Further calls upon* States parties, in line with articles 12, 14, 40, and 52 of the Convention, to take appropriate measures consistent with domestic law and international standards, including, where appropriate the *International Standards on Combating Money Laundering and the Financing of Terrorism and Proliferation*,⁵ to promote transparency of legal persons, including by collecting information on beneficial ownership, overcoming undue obstacles that may arise from the application of bank secrecy laws, preventing the transfer of proceeds of crime and identifying suspicious financial transactions through effective due diligence practices;

8. *Encourages* States parties to make full use of the possibility of concluding agreements or mutually acceptable arrangements for the return and final disposal of confiscated property pursuant to article 57, paragraph 5, of the Convention and to consider the Sustainable Development Goals in the use and management of recovered assets, while fully respecting the principles of sovereign equality and the territorial integrity of States and of non-intervention in the domestic affairs of other States, in line with article 4 of the Convention;

9. *Calls upon* States parties not to refuse to provide mutual legal assistance for the recovery of assets under chapter V on the sole ground of the nationality of the offender, especially in cases of dual nationality of that offender, or on any other grounds not recognized by the Convention;

10. *Invites* States parties, in accordance with their national legal systems and relevant international legal obligations, to effectively manage assets, including confiscated assets, to ensure that such assets do not inappropriately lose value pending their return or disposal;

11. *Calls upon* States parties to take concrete steps to ensure that there are adequate mechanisms in place to manage and preserve the value and condition of assets pending the conclusion of confiscation proceedings in another State and to allow or expand cooperation in the enforcement of foreign seizure and restraint orders and confiscation judgments, including through awareness-raising for judicial authorities and through measures to permit, where possible under national law, recognition of non-conviction-based seizure and freezing orders and confiscation judgments;

12. *Also calls upon* States parties to afford one another the widest measure of cooperation, in line with article 51 of the Convention, and to make increased efforts

⁵ Financial Action Task Force (Paris, 2017).

to ensure the return or disposal of confiscated property in accordance with article 57 by taking measures to the greatest extent possible within their domestic legal systems:

(a) To prevent, detect and deter in a more effective manner the international transfer of proceeds of crime derived from corruption;

(b) To identify, trace, seize, recover and return proceeds of crime derived from corruption, including by taking measures to enhance compliance by banks and designated non-bank financial institutions;

(c) Whenever necessary, with the aim of reaching enforceable judgments, to ensure that any discretionary legal powers under their domestic law relating to the prosecution of persons for offences established in accordance with the Convention are exercised to maximize the effectiveness of law enforcement measures in respect of those offences;

13. *Encourages* States parties to make use of the non-binding Lausanne guidelines for the efficient recovery of stolen assets and the supporting step-by-step guide, available online, when implementing the obligation, pursuant to the Convention, to provide international cooperation for asset recovery;

14. *Calls upon* States parties to continue the exchange of best practices and precise information on successful cases of cooperation between different States parties relating to the implementation of asset recovery-related provisions of the Convention;

15. *Stresses* the importance, in accordance with article 61, paragraph 2, of the Convention, of developing and sharing statistics, analytical expertise concerning corruption and information with a view to developing, insofar as possible, common definitions, standards and methodologies, as well as information on best practices to prevent and combat corruption;

16. *Notes* that, under article 57, paragraph 4 of the Convention, where appropriate, unless States parties decide otherwise, the requested State party may deduct reasonable expenses incurred in investigations, prosecutions or judicial proceedings leading to the return or disposition of confiscated property, and urges States parties to waive or reduce such expenses to the barest minimum, in particular where the requesting State is a developing country, bearing in mind that the return or disposal of illicitly acquired assets contributes to sustainable development;

17. *Encourages* States parties and the United Nations Office on Drugs and Crime to continue sharing experiences on the management of frozen, seized and confiscated assets, identifying best practices as necessary and building on existing resources, and to consider developing non-binding guidelines on this issue;

18. *Calls upon* States parties to continue their efforts to develop good practices on asset recovery, which contributes to the achievement of the Sustainable Development Goals, and encourages the United Nations Office on Drugs and Crime to identify good practices and challenges on asset recovery;

19. *Calls for* enhanced inter-agency cooperation at the national, regional and global levels to trace and recover assets and to return or dispose of them in line with article 57 of the Convention;

20. *Calls upon* States parties that use electronic tools and systems for processing and tracking international requests for assistance to continue to share with the Secretariat, for further dissemination, information on such tools and systems;

21. *Urges* States parties, without prejudice to domestic legal and administrative systems and procedures:

(a) To cooperate closely with one another and to exchange information and coordinate measures at early stages of an investigation, as appropriate, for the purposes of identification and parallel investigation and prosecution, as relevant, of offences under the Convention, in accordance with article 48;

(b) To consider sharing without prior request information relating to criminal matters to enable assistance, in accordance with chapter IV;

(c) To endeavour to take measures to permit them to forward information on proceeds of crime in order to facilitate recovery of assets through criminal, civil or administrative proceedings in accordance with article 56 and chapter IV of the Convention;

22. *Requests* the Secretariat, in consultation with States parties and taking into account, among other things, the information being gathered during the first and second review cycles of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and by panels and studies, to continue to collect information on the legal framework, legal procedures and judicial actions taken by States parties to recover proceeds of crime derived from corruption under the Convention, and encourages States parties to make widely available information in this regard, in order to share good practices;

23. *Urges* States parties to ensure that the information provided regarding their central and competent authorities, in line with article 46, paragraph 13, of the Convention, is up to date, in order to enhance dialogue on mutual legal assistance;

24. *Also urges* States parties to consider, where possible, adopting and making publicly available guidelines and procedures on mutual legal assistance and other forms of international cooperation, including information on relevant civil and administrative proceedings pursuant to article 43 of the Convention, to consider conducting consultations in appropriate cases, as requesting and requested countries, prior to initiating or refusing mutual legal assistance in conformity with the Convention and domestic legislation, and to consider including the practice of spontaneous sharing of information in new bilateral and regional treaties on mutual legal assistance;

25. *Requests* the Secretariat to include a specific section dedicated to the domestic civil and administrative proceedings of States parties related to the investigation of corruption offences in the legal library available through the Tools and Resources for Anti-Corruption Knowledge portal of the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources;

26. *Requests* the United Nations Office on Drugs and Crime, and invites the Stolen Asset Recovery Initiative, to continue to provide and develop capacity-building initiatives on asset recovery, including knowledge products and technical tools, upon request and subject to extrabudgetary resources, in response to technical assistance needs identified during country reviews;

27. *Welcomes* the recommendations of the open-ended intergovernmental expert meeting to enhance international cooperation under the Convention, invites States parties to consider implementing them, invites the meeting to propose future agenda items, and decides that the meeting should continue its work by exchanging information on best practices and challenges on, inter alia:

(a) Common reasons for refusals and delays in mutual legal assistance requests related to corruption offences under the Convention, with a view to proposing innovative solutions;

(b) International cooperation in civil and administrative proceedings related to cases of corruption and possible measures to protect the confidentiality of the information provided in the context of assistance in criminal, civil and administrative measures;

28. *Also welcomes* the outcome of the meetings of the Open-ended Intergovernmental Working Group on Asset Recovery, invites the Working Group to propose future agenda items, and decides that the Working Group should continue its work by, inter alia:

(a) Continuing its efforts to gather information on and conduct enhanced analysis of best practices for the identification and compensation of all different types of victims in accordance with the Convention, including, as necessary, by soliciting information from States parties, facilitating exchanges among experts and organizing expert panels, while taking into consideration similar work undertaken at prior meetings of the Working Group, by expert panels and in discussions;

(b) Conducting analysis on third-party challenges and their impact on asset recovery under chapter V;

(c) Continuing to collect data on best practices, with a view to developing non-binding guidelines concerning the timely sharing of information to enable States parties to take appropriate action, in accordance with article 56 of the Convention;

(d) Conducting an analysis of how communication and coordination between various asset recovery practitioner networks could be improved, with a view to developing guidelines for the proactive and timely sharing of information, as mentioned in paragraph 28 (c) above;

29. *Urges* the Secretariat to continue its efforts to identify synergies between the subsidiary bodies of the Conference, while respecting the mandates of those groups;

30. *Requests* the Secretariat to continue, within existing resources, to collect statistics or other relevant information on the use of the Convention as a legal basis for mutual legal assistance, unless a bilateral and regional arrangement applies, by using the relevant results from the Implementation Review Mechanism and, where appropriate and consistent with domestic legal systems, in relation to civil and administrative proceedings and asset recovery, and to make the information available to the Conference;

31. *Also requests* the Secretariat, within existing resources, to assist the Open-ended Intergovernmental Working Group on Asset Recovery and the open-ended intergovernmental expert meeting to enhance international cooperation under the Convention in the performance of their functions, including by providing interpretation services in the six official languages of the United Nations;

32. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

Resolution 7/2

Preventing and combating corruption in all its forms more effectively, including, among others, when it involves vast quantities of assets, based on a comprehensive and multidisciplinary approach, in accordance with the United Nations Convention against Corruption

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

Recognizing that combating corruption in all its forms is a priority, and reiterating its concern regarding the seriousness of the problems and threats posed by corruption,

Recalling the third preambular paragraph of the United Nations Convention against Corruption,⁶ in which States parties expressed concern about cases of corruption involving vast quantities of assets, which might constitute a substantial proportion of the resources of States,

⁶ United Nations, *Treaty Series*, vol. 2349, No. 42146.

Also recalling General Assembly resolution [71/208](#) of 19 December 2016, concerned about the negative impact that corruption can have on the enjoyment of human rights, and recognizing that corruption may disproportionately affect the most disadvantaged individuals in society,

Noting with concern that corruption can exacerbate poverty and inequality,

Recalling that the return of assets is a fundamental principle of the Convention,

Underlining that preventing and countering corruption in all its forms require States parties to address corruption, including, among others, when it involves vast quantities of assets,

Welcoming the *Resource Guide on Good Practices in the Protection of Reporting Persons* published by the United Nations Office on Drugs and Crime,

Stressing that corruption is a transnational phenomenon that affects all societies and economies, making international cooperation to prevent and control it essential, including, among others, when it involves vast quantities of assets,

Noting with regret the risk that persons accused of crimes of corruption may escape justice and thus elude the legal consequences of their actions and may successfully hide their assets,

Highlighting the importance of ensuring integrity throughout the entire criminal justice system, without prejudice to judicial independence and in accordance with the fundamental principles of the legal systems of States parties,

Acknowledging the important role that public officials play in fostering rejection of corruption,

Noting with appreciation the important role of civil society, academia, the private sector and the media in identifying, detecting and reporting on cases of corruption,

1. *Urges* States parties to redouble ongoing efforts to prevent and combat corruption in all its forms and regardless of scale, based on a comprehensive and multidisciplinary approach in accordance with the United Nations Convention against Corruption,⁶ including by fostering the rejection of corruption;

2. *Also urges* States parties to increase their efforts and to take measures to prevent and counter corruption, giving the necessary focus to, among others, acts of corruption that involve vast quantities of assets, without undermining their commitment to preventing and countering corruption at all levels and in all forms, and thereby contributing to the achievement of the Sustainable Development Goals, in particular Goal 16, by efficiently and effectively implementing the Convention;

3. *Further urges* States parties to continue to apply the Convention, in accordance with its terms, in order to prevent, investigate and prosecute corruption offences established in accordance with the Convention, including, among others, when they involve vast quantities of assets, to freeze, seize, confiscate and return proceeds of offences, in accordance with the Convention, and to consider measures criminalizing attempt to commit such offences, including when organized criminal groups are involved;

4. *Urges* States parties to ensure that anti-corruption bodies and specialized authorities have the necessary independence, in accordance with the fundamental principles of their legal systems, to enable them to carry out their functions effectively and free from any undue influence;

5. *Calls upon* States parties to take measures to ensure that legal and natural persons are held accountable for corruption offences, including, among others, when they involve vast quantities of assets, and encourages States parties to consider the legal aspects of asset recovery;

6. *Encourages* States parties that have not already done so to consider establishing effective financial disclosure systems for appropriate public officials, consistent with article 52, paragraph 5, of the Convention, and to consider taking such measures as may be necessary to permit their competent authorities to share that information, consistent with the requirements of domestic law, with other States parties, when necessary, in order to investigate, claim and recover proceeds of offences;

7. *Also encourages* States parties to promote, in accordance with article 12, paragraph 2 (c), of the Convention and the fundamental principles of their domestic legal systems, transparency among private entities, including, where appropriate, measures regarding the identity of legal and natural persons involved in the establishment and management of corporate entities;

8. *Invites* States parties to share best practices in the identification of legal and natural persons involved in the establishment of corporate entities, including shell companies, trusts and other similar arrangements, which may be abused to commit or conceal crimes of corruption or to hide, disguise or transfer the proceeds of corruption to countries that provide safety to the corrupt and/or such proceeds;

9. *Calls upon* States parties to ensure, consistent with the principles of their domestic legal systems, that they take appropriate measures to promote transparency and accountability in the management of public finances by, inter alia, including such measures as timely reporting on revenues and expenditures;

10. *Encourages* States parties to strengthen cooperation in criminal matters, in accordance with chapter IV of the Convention, including, among others, when they involve vast quantities of assets;

11. *Urges* States parties to afford one another the widest measures of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to corruption, including, among others, when it involves vast quantities of assets, and invites States parties to consider, where appropriate, adopting such measures as may be necessary to enable them to provide a wide scope of assistance in the absence of dual criminality, in accordance with article 46 of the Convention;

12. *Also urges* States parties to take measures, consistent with the Convention, to prevent the transfer abroad and laundering of assets derived from corruption, including, among others, when it involves vast quantities of assets, including by preventing financial institutions in all involved parties from being used to transfer or receive proceeds of corruption and by assisting in their recovery and returning such assets to the requesting State;

13. *Encourages* States parties that have not yet done so to consider the Convention as a legal basis for extradition in respect of offences covered by it, when possible in their domestic legal system, and to endeavour to conclude bilateral extradition agreements and arrangements to carry out or to enhance the effectiveness of extradition;

14. *Reaffirms* that the return of assets is a fundamental principle of the Convention, urges all States parties to implement the Convention and to afford one another the widest measures of cooperation and assistance in asset recovery, including, among others, when it involves vast quantities of assets, by, inter alia, facilitating effective asset recovery, thus denying safe haven to the proceeds of crime, and invites States parties to give special consideration to returning assets to the requesting State party, returning such property to its prior legitimate owners or compensating the victims of the crime, within the framework of the Convention;

15. *Reiterates* that States parties should work towards denying safe haven to persons who have committed offences established in accordance with the Convention and to the proceeds of their crimes, consistent with domestic law;

16. *Expresses concern* over the financial flows of proceeds of corruption and money-laundering, and urges States parties to combat those offences and to strive to

eliminate incentives for the transfer abroad of the proceeds of corruption, thereby denying safe haven to the corrupt or their proceeds;

17. *Urges* States parties to promote, within their means and in accordance with the fundamental principles of their domestic laws, the participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations, community-based organizations and the private sector, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threats posed by corruption;

18. *Encourages* States parties to consider establishing and developing confidential complaint systems, whistle-blower programmes and, where appropriate, effective witness protection measures, and to increase awareness of such measures;

19. *Invites* States parties to provide information, on a voluntary basis, on experiences and best practices on criminal and civil measures and remedies to enhance international cooperation and asset recovery related to corruption, including, among others, when it involves vast quantities of assets, and requests the United Nations Office on Drugs and Crime to compile the information provided by States parties, within existing resources.

Resolution 7/3

Promoting technical assistance to support the effective implementation of the United Nations Convention against Corruption

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

Recalling its resolutions 3/1 of 13 November 2009 and 6/1 of 6 November 2015,

Acknowledging that the fight against all forms of corruption requires a comprehensive and multidisciplinary approach, including regulatory frameworks and strong, specialized independent institutions at all levels,

Recognizing the important role that technical assistance plays in the effective implementation of the United Nations Convention against Corruption,⁷

Reaffirming its resolution 4/1 of 28 October 2011, in which it recommended that all States parties, where applicable, identify technical assistance requirements in their responses to the comprehensive self-assessment checklists, preferably prioritized and related to the implementation of the provisions of the Convention examined during a given review cycle,

Welcoming the promotion of anti-corruption technical assistance as a component of the 2030 Agenda for Sustainable Development⁸ and as a means of promoting peaceful and inclusive societies, providing access to justice for all and building effective, accountable and inclusive institutions at all levels,

Welcoming also the update on the technical assistance needs identified by States parties through the review process, as provided to the Implementation Review Group at its eighth session, held in Vienna from 19 to 23 June 2017, and in the analytical reports on technical assistance prepared by the Secretariat,⁹

Acknowledging that a large number of States parties continue to request technical assistance for the implementation of the Convention,

⁷ United Nations, *Treaty Series*, vol. 2349, No. 42146.

⁸ General Assembly resolution 70/1.

⁹ CAC/COSP/2017/3 and CAC/COSP/2017/7.

Recognizing the importance of coordination among donors, technical assistance providers and recipient countries in order to leverage resources, increase efficiencies, avoid duplication of effort and meet the needs of recipient countries,

Reaffirming its resolution 3/4 of 13 November 2009, in which it endorsed country-led and country-based, integrated and coordinated technical assistance programme delivery as an effective vehicle for furthering the implementation of the Convention,

Bearing in mind the important role of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in capacity-building and technical assistance, at the request of the recipient country,

Reminding States parties of their obligation under article 60 of the Convention, which states that States parties shall, according to their capacity, consider affording one another the widest measure of technical assistance, especially for the benefit of developing countries, in their respective plans and programmes to combat corruption,

1. *Urges* States parties and other technical assistance providers to generate and disseminate knowledge on the substantive aspects of the United Nations Convention against Corruption;

2. *Encourages* States parties to continue to afford one another, according to their capacity, the widest measure of technical assistance, especially for the benefit of developing countries, including in the form of material support, capacity-building and training, upon request, consistent with chapter VI of the United Nations Convention against Corruption;⁷

3. *Urges* States parties to exchange expertise, including with technical assistance providers, experiences and lessons learned with respect to providing technical assistance in the areas of combating and preventing corruption in relation to the implementation of the Convention;

4. *Reaffirms* the importance of addressing the technical assistance priorities identified in the country reviews, and invites technical assistance providers to consider those priorities either for new technical assistance programmes or for incorporation into ongoing programmes;

5. *Encourages* States parties, donors and technical assistance providers to use the Convention and, as appropriate, other relevant international instruments as a framework for country-level dialogue to facilitate programme delivery;

6. *Encourages* the United Nations Office on Drugs and Crime to enhance dialogue, foster coordination and promote synergies with bilateral and multilateral assistance providers and donors to respond to the technical assistance needs of States parties more effectively, including the needs identified through the review process, as well as by encouraging South-South cooperation through regional coordination;

7. *Requests* the United Nations Office on Drugs and Crime to continue, in close cooperation with multilateral and bilateral assistance providers, to provide technical assistance to States parties, in particular developing countries, upon request and subject to extrabudgetary resources, with a view to advancing the implementation of the Convention;

8. *Welcomes with appreciation* the organization by the Secretariat, consistent with paragraph 32 of the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, of periodic training courses for experts who participate in the review process;

9. *Invites* 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;

10. *Encourages* 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;

11. *Encourages* States parties under review and, upon request, the Secretariat, to consider coordinating the official in-country publication and launch of the executive summary of the country review, to include technical assistance needs, and invites States parties under review to inform both local representatives of international, bilateral and multilateral technical assistance providers and donors, and individuals and groups outside the public sector, such as civil society, non-governmental organizations, academia and community-based organizations, about their technical assistance needs;

12. *Encourages* States parties to incorporate the priority technical assistance needs contained in the review reports into their national anti-corruption strategies and accompanying implementation plans;

13. *Urges* States parties and other donors to continue to provide resources for the technical assistance efforts of the United Nations Office on Drugs and Crime, consistent with its mandate, in order to further the implementation of the Convention, and to continue to provide coordinated technical assistance, upon request, including through relevant international and regional organizations and bilateral technical assistance programmes;

14. *Encourages* States parties and other national, regional and international donors to accord high priority to anti-corruption technical assistance in order to ensure the effective implementation of the Convention in a sustainable and coordinated manner that contributes to the complementarity of programmes and avoids duplication of effort;

15. *Reiterates* the importance of the Implementation Review Group considering, on the basis of the outcome of the review process and consistent with the terms of reference of the Implementation Review Mechanism, priority areas for the provision of technical assistance, as well as consolidated information on trends in technical assistance required and provided, encourages States parties to continue to voluntarily provide the Implementation Review Group, consistent with the agreed terms of reference, with information on the current, anticipated and unmet technical assistance needs, including those needs identified through the review process, and also encourages States parties to use this information to inform technical assistance programmes;

16. *Recommends* that the United Nations Office on Drugs and Crime take into account the priority areas for technical assistance identified during the course of the Implementation Review Mechanism in the development, implementation and, if required, revisions of its thematic, regional and country programmes;

17. *Invites* States parties to consider working with other stakeholders, as appropriate, including the private sector, academia and civil society, in the development and implementation of technical assistance programmes, at the request of the recipient country, and based on the needs required for the implementation of the articles of the Convention;

18. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

Resolution 7/4

Enhancing synergies between relevant multilateral organizations responsible for review mechanisms in the field of anti-corruption

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

Recognizing the United Nations Convention against Corruption¹⁰ as the most comprehensive and universal instrument on corruption, and acknowledging the need to continue to promote its ratification or States' accession to it and its full and effective implementation,

Recalling its resolution 6/1 of 6 November 2015, in which it called upon the Secretariat to continue exploring and, where appropriate, enhancing synergies, in coordination and cooperation with the secretariats of other relevant multilateral mechanisms in the field of anti-corruption, in full accordance with paragraphs 5, 27 (c) and 31 of the terms of reference of the Mechanism for the Review of Implementation of the Convention, paragraph 6 of the guidelines for governmental experts and article 64 of the Convention, and to report to the Implementation Review Group on actions undertaken in that regard,

Taking into consideration that the strengthening of synergies between relevant multilateral organizations responsible for review mechanisms in the field of anti-corruption can take place only within their mandates and the limits of the specificities of those mechanisms and their respective terms of reference and the practices developed in the course of operation of such mechanisms,

Noting the increasing adherence of countries to different international and regional instruments in the fight against corruption and criminal activities with similar thematic areas of focus, such as the United Nations Convention against Transnational Organized Crime,¹¹ as well as the potential future development of review mechanisms for such instruments,

Noting also the initiative by the United Nations Office on Drugs and Crime to organize, as a peer-learning exercise in September 2016, a joint workshop on enhancing synergies and sharing good practices in the conduct of anti-corruption reviews, in cooperation with the secretariats of the Organization of American States, the Organization for Economic Cooperation and Development and the Council of Europe,

Taking note of the conference room paper prepared by the Secretariat on enhancing synergies in the cooperation with the secretariats of other relevant multilateral mechanisms in the field of anti-corruption,

Noting with appreciation potential measures to further enhance coordination among the secretariats of international, multilateral anti-corruption review mechanisms by sharing good practices relating to organizational aspects, schedules of reviews and guidance produced by those secretariats,

Bearing in mind that, consistent with the Convention against Corruption, in particular article 63 thereof, the purpose of the Implementation Review Mechanism is to assist States parties in their implementation of the Convention,

1. *Requests* the Secretariat, within its mandate outlined in Conference of the States Parties resolution 6/1 and in accordance with the United Nations Convention against Corruption¹⁰ and the terms of reference of the Mechanism for the Review of Implementation of the Convention, to continue its dialogue with States parties and with the secretariats of other relevant multilateral mechanisms in the field of anti-corruption, with a view to facilitating and enhancing synergies, where appropriate, enhancing the performance of the review mechanisms and, in

¹⁰ United Nations, *Treaty Series*, vol. 2349, No. 42146.

¹¹ *Ibid.*, vol. 2225, No. 39574.

consultation with States parties, developing and disseminating anti-corruption tools and products, avoiding duplication of effort, limiting the burden on States parties that are reviewed under different review mechanisms with similar thematic areas and ensuring the cost-effectiveness of the mechanisms, and also requests the Secretariat to report back to the Implementation Review Group on progress made in this regard;

2. *Invites* the Secretariat, as necessary and in consultation with States parties, to explore the possibility of cooperation arrangements, including memorandums of understanding, in line with the terms of reference, regarding enhancing synergies between multilateral review mechanisms on anti-corruption with the secretariats of other relevant multilateral mechanisms for the purpose of avoiding duplication of effort, and requests the Secretariat to report to the Implementation Review Group on progress made in this regard;

3. *Calls upon* the Secretariat to continue its efforts to collect information from and share information with other secretariats, while upholding the confidential nature of that information, including on the costs of the different mechanisms, and also calls upon the Secretariat to share its good practices on facilitating synergies in the field of reviews of implementation of international anti-corruption legal instruments;

4. *Calls upon* States parties that are members of different multilateral review mechanisms in the field of anti-corruption to encourage, within their respective organizations and with the governing bodies of those organizations, efficient and effective cooperation and coordination between the secretariats of those review mechanisms and the secretariat of the Conference of the States Parties, while respecting the mandates of all review mechanisms;

5. *Requests* the Secretariat, within existing resources, to undertake the activities outlined in this resolution and to report on the work undertaken to the Implementation Review Group.

Resolution 7/5

Promoting preventive measures against corruption

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

Concerned about the seriousness of the problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law,

Highlighting the prominence that the United Nations Convention against Corruption¹² has given to the prevention of corruption as part of a comprehensive approach to fighting corruption by having its entire chapter II devoted to measures to prevent corruption,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,¹³ and recalling that the 2030 Agenda addresses the need to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels,

Welcoming also the progress made by States parties and the Secretariat of the United Nations in the implementation of its resolutions 5/4 of 29 November 2013 and 6/6 of 6 November 2015, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”,

Underlining, in view of the ongoing review of chapter II, one of the chapters under review during the second cycle of the Mechanism for the Review of

¹² United Nations, *Treaty Series*, vol. 2349, No. 42146.

¹³ General Assembly resolution 70/1.

Implementation of the United Nations Convention against Corruption, the importance of building legislative and institutional frameworks consistent with the requirements of that chapter and in accordance with the fundamental principles of each State party's legal system,

Recalling its resolution 3/2 of 13 November 2009, by which it established an interim open-ended intergovernmental working group to advise and assist it in the implementation of its mandate on the prevention of corruption,

Welcoming the conclusions and recommendations of the meetings of the Open-ended Intergovernmental Working Group on the Prevention of Corruption held in Vienna from 22 to 24 August 2016 and from 21 to 23 August 2017,¹⁴

Acknowledging the crucial importance of technical assistance in building institutional and human capacity in States parties so as to facilitate the implementation of the provisions of chapter II of the Convention,

Welcoming the work done by the United Nations Office on Drugs and Crime towards the establishment of the Global Judicial Integrity Network and to provide assistance to States parties to promote the integrity and accountability of criminal justice systems, in accordance with the Convention against Corruption and consistent with the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,¹⁵ adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice,

Acknowledging the importance of both the public and private sectors in preventing and combating corruption and in promoting a culture of integrity, transparency and accountability consistent with Conference resolution 4/3 of 28 October 2011, entitled "Marrakech declaration on the prevention of corruption", and recalling Conference resolution 6/5 of 6 November 2015, entitled "St. Petersburg statement on promoting public-private partnership in the prevention of and fight against corruption",

Recalling the importance of States parties taking appropriate measures, within their means and in accordance with the fundamental principles of domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental and community-based organizations, the private sector and academia, in the prevention of and fight against corruption, and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption,

1. *Encourages* States parties to promote universal adherence to the United Nations Convention against Corruption,¹² and urges all States that have not yet done so to consider ratifying or acceding to the Convention as soon as possible;

2. *Calls upon* States parties to continue implementing and to reinforce the effective implementation of the preventive measures outlined in chapter II of the Convention and in the resolutions of the Conference of the States Parties;

3. *Decides* that the Open-ended Intergovernmental Working Group on the Prevention of Corruption, at its next intersessional meetings, should include as the topic for 2018 the use and effectiveness of asset declaration systems and conflicts of interest (art. 7, para. 4, and art. 8, para. 5, of the Convention) and as the topic for 2019 lessons learned on the development, evaluation and impact of anti-corruption strategies (art. 5), while recognizing the recommendation by the Working Group to leave room within its agenda to add or amend topics of discussion to maximize the cross-fertilization of the discussions held by the Working Group and the Implementation Review Group;

¹⁴ See [CAC/COSP/WG.4/2016/5](#) and [CAC/COSP/WG.4/2017/4](#).

¹⁵ General Assembly resolution [70/174](#), annex.

4. *Calls upon* States parties to ensure that anti-corruption bodies have the necessary independence and competence, in accordance with the fundamental principles of their legal systems, as well as the material resources and specialized staff, and the training that such staff may require to carry out their functions effectively and free from undue influence, in accordance with article 6, paragraph 2, of the Convention, and to take note of the Jakarta Statement on Principles for Anti-Corruption Agencies, developed by the International Conference on Principles for Anti-Corruption Agencies, held in Jakarta on 26 and 27 November 2012;

5. *Reminds* States parties of their commitment under article 6 of the Convention, which states that each State party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption by such means as:

(a) Implementing the policies referred to in article 5 of the Convention and, where appropriate, overseeing and coordinating the implementation of those policies;

(b) Increasing and disseminating knowledge about the prevention of corruption;

6. *Encourages* States parties, in accordance with their domestic law, to consider taking measures to encourage cooperation between their competent authorities and the private sector and to endeavour to periodically evaluate these measures in order to better prevent and detect corruption;

7. *Also encourages* States parties to consider, where appropriate and in accordance with the fundamental principles of their domestic law, promoting the development of standards and procedures designed to safeguard the integrity of relevant private entities, including codes of conduct for the correct, honourable and proper performance of the activities of business and all relevant professions, and the prevention of conflicts of interest, and for the promotion of the use of good commercial practices among businesses and in the contractual relations of businesses with the State;

8. *Reiterates* the importance of continuing to strengthen public-private partnerships in the prevention of and fight against corruption by, inter alia, encouraging the exchange of relevant experience and good practices in this area;

9. *Encourages* States parties to promote, in accordance with the fundamental principles of their legal systems, the adoption, maintenance and strengthening of systems that promote transparency and prevent conflicts of interest and, where appropriate, to make use of innovative and digital instruments in this field;

10. *Recognizes* the importance of including the prevention of corruption in the broader development agenda, including through the implementation of Sustainable Development Goal 16 and other relevant Goals contained in the 2030 Agenda for Sustainable Development,¹³ and through other initiatives aimed at strengthening the coordination and exchange of such information with development partners;

11. *Encourages* States parties, without prejudice to judicial independence and in accordance with the fundamental principles of their legal systems, to take measures to strengthen integrity and to prevent opportunities for corruption among members of the judiciary, including by developing rules with respect to the conduct of members of the judiciary and, as appropriate, by developing innovative ways of enhancing judicial integrity, and welcomes in this regard the ongoing development of the Global Judicial Integrity Network;

12. *Also encourages* States parties to take measures within their means and in accordance with the fundamental principles of their domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, the private sector, academia, non-governmental organizations and community-based organizations, in the prevention of and fight against corruption, and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption;

13. *Requests* the Secretariat to continue, within its existing mandate and in close cooperation with multilateral, regional and bilateral assistance providers, recognizing the importance of cooperation, including South-South cooperation, to provide technical assistance to States parties, in particular developing countries, upon request and subject to extrabudgetary resources, with a view to advancing the implementation of chapter II of the Convention, including in the form of tailored assistance for participation in the review process for chapter II;

14. *Also requests* the Secretariat to report, within existing resources, on the implementation of the present resolution to the Conference at its eighth session and to its relevant subsidiary bodies;

15. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

Resolution 7/6

Follow-up to the Marrakech declaration on the prevention of corruption

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

Concerned about the seriousness of the threats that corruption poses to the stability of societies by eroding the legitimacy and effectiveness of key public institutions and the values of democracy and by jeopardizing sustainable development and the rule of law,

Highlighting the importance of the United Nations Convention against Corruption¹⁶ and the prominence it has given to the prevention of corruption as part of a comprehensive approach to fighting corruption by having its entire chapter II devoted to measures to prevent corruption,

Reaffirming its resolution 6/1 of 6 November 2015, in which it launched the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, including the review of chapter II (Preventive measures),

Underlining, in view of the ongoing review of the implementation of chapter II of the Convention during the second cycle of the Implementation Review Mechanism, the importance of building legislative and institutional frameworks and capacities consistent with the requirements of that chapter,

Recalling its resolution 5/6 of 29 November 2013, entitled “Private sector”, and resolution 6/5 of 6 November 2015, entitled “St. Petersburg statement on promoting public-private partnership in the prevention of and fight against corruption”,

Welcoming the progress made by States parties and the Secretariat in the implementation of Conference resolutions 5/4 of 29 November 2013 and 6/6 of 6 November 2015, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”, and underlining the need to maintain efforts in that regard,

Acknowledging the crucial importance of technical assistance, in particular to developing countries, in strengthening structural, institutional and human capacity and thereby facilitating implementation of the provisions of chapter II of the Convention,

1. *Encourages* States parties to promote universal adherence to the United Nations Convention against Corruption,¹⁶ and urges all States that have not yet done so to consider ratifying or acceding to the Convention as soon as possible;

¹⁶ United Nations, *Treaty Series*, vol. 2349, No. 42146.

2. *Calls upon* States parties to continue and to reinforce the effective implementation of the preventive measures outlined in chapter II of the Convention and in the resolutions of the Conference of the States Parties;

3. *Welcomes* the ongoing efforts of the Open-ended Intergovernmental Working Group on the Prevention of Corruption to facilitate the sharing of information between States parties on their initiatives and good practices relating to the topics considered at the meetings of the Working Group held in Vienna from 22 to 24 August 2016 and from 21 to 23 August 2017;

4. *Underlines* the importance of the conclusions and recommendations of the Working Group at the above-mentioned meetings, and encourages States parties to implement them as appropriate;

5. *Decides* 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 eighth session of the Conference;

6. *Welcomes* the commitment made and efforts undertaken by States parties to provide information on good practices in preventing corruption that is gathered, systematized and disseminated by the Secretariat in the performance of its functions as an international observatory, requests States parties to continue sharing information, and requests the Secretariat, subject to the availability of extrabudgetary resources, to continue its work as an international observatory, including by updating the thematic website of the Working Group with relevant information;

7. *Highlights* the importance of the Secretariat's work, in accordance with the agreed terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, on the preparation of thematic reports on the implementation of chapter II of the Convention, as well as supplementary regional addenda, and requests the Secretariat to share those reports with the Working Group;

8. *Encourages* States parties to develop, revise and update, where appropriate and in accordance with the fundamental principles of their legal systems, national anti-corruption strategies and/or action plans addressing, inter alia, the needs identified during their country reviews and to promote such strategies and/or action plans as a tool for country-led and country-based, integrated and coordinated technical assistance programming and delivery;

9. *Calls upon* States parties to take measures to enhance integrity, transparency, accountability and the rule of law in public administration, in accordance with the fundamental principles of their legal systems, including through the promotion of effective public service delivery, the use of information and communications technologies and the establishment of measures and systems to facilitate the reporting of incidents that may be considered to constitute offences established in accordance with the Convention;

10. *Urges* States parties to promote the integrity and accountability of their criminal justice systems, in accordance with the Convention and consistent with paragraph 5 (d) of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,¹⁷ adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, while bearing in mind the independence of the judiciary, in accordance with the fundamental principles of their legal systems, and notes with appreciation the assistance provided by the United Nations Office on Drugs and Crime to States

¹⁷ General Assembly resolution 70/174, annex.

parties, upon request, to strengthen integrity and anti-corruption measures in institutions of the criminal justice system;

11. *Calls upon* States parties to strengthen measures to prevent corruption in the public procurement process and the management of public finances, as well as to ensure adequate access to information, and to promote, as appropriate, the involvement of the private sector in the prevention of corruption;

12. *Also calls upon* States parties to use the Convention as a framework for the development of tailored anti-corruption safeguards, including in specific vulnerable areas, and requests the Secretariat to assist States parties in doing so, upon request and subject to the availability of extrabudgetary resources;

13. *Reiterates* the importance of efforts by States parties to promote, in accordance with the fundamental principles of their domestic legal systems, the measures outlined in article 12 of the Convention, which are designed to prevent and, if appropriate, combat corruption involving the private sector, and requests the Secretariat to continue to assist States parties, upon request, in those efforts;

14. *Encourages* States parties, with the assistance of the Secretariat and in collaboration with relevant regional and international organizations, where appropriate, to continue strengthening public-private partnerships in the prevention of and the fight against corruption by, inter alia, facilitating the adoption of domestic legislation or regulations implementing article 12 of the Convention, where appropriate and necessary, organizing opportunities for the exchange of relevant experience and good practices in this field and raising awareness of the principles of the Convention within the private sector;

15. *Welcomes* the work of the United Nations Office on Drugs and Crime under its Global Programme for the Implementation of the Doha Declaration, supported by Qatar, on judicial integrity and education through its Education for Justice initiative, and requests the Office to continue, in close consultation with States parties, its efforts to promote education on the rule of law, anti-corruption and crime prevention and criminal justice in collaboration with other international organizations, as well as with other relevant partners;

16. *Requests* States parties to promote training and education on the prevention of corruption, welcomes the achievements made under the Anti-Corruption Academic Initiative, and requests the United Nations Office on Drugs and Crime to continue, in cooperation with relevant partners, to develop comprehensive academic and other educational materials in the field of anti-corruption for universities and other institutions and to support States parties in this field;

17. *Requests* the United Nations Office on Drugs and Crime to continue to provide and develop capacity-building initiatives, including new knowledge products, guidance notes on implementation of article 6 of the Convention and technical tools, upon request and subject to extrabudgetary resources, on measures to prevent corruption, to identify comparative good practices, and to facilitate the exchange of expertise and lessons learned among States parties;

18. *Recognizes* the importance of including the prevention of corruption in the broader development agenda, including through the implementation of Sustainable Development Goal 16 and other relevant goals of Transforming our world: the 2030 Agenda for Sustainable Development,¹⁸ and through other initiatives aimed at strengthening the coordination and exchange of such information with development partners;

19. *Requests* the Secretariat to continue, in close cooperation with multilateral and bilateral assistance providers, to provide technical assistance to States parties, particularly developing countries, upon request and subject to extrabudgetary

¹⁸ General Assembly resolution 70/1.

resources, with a view to advancing the implementation of chapter II of the Convention, including in the form of tailored assistance for participation in the review process for chapter II;

20. *Notes* that a large number of States parties have informed the Secretary-General of the designation of competent authorities that may assist other States parties in developing and implementing specific measures for the prevention of corruption, as required under article 6, paragraph 3, of the Convention, and calls upon States parties that have not yet done so to provide that information and to update existing information as necessary;

21. *Underlines* the importance of providing the United Nations Office on Drugs and Crime with sufficient and adequate funding to be able to respond to the increasing demand for its services, and encourages Member States to make adequate voluntary contributions to the account referred to in article 62 of the Convention, operated within the United Nations Crime Prevention and Criminal Justice Fund,¹⁹ for the provision to developing countries and countries with economies in transition of the technical assistance that they may require to improve their capacities to implement chapter II of the Convention;

22. *Requests* the Secretariat to report on the implementation of the present resolution to the Open-ended Intergovernmental Working Group on the Prevention of Corruption at its intersessional meetings and to the Conference at its eighth session;

23. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

Resolution 7/7

Strengthening the implementation of the United Nations Convention against Corruption in small island developing States

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

Recalling its resolution 6/9 of 6 November 2015, entitled “Strengthening the implementation of the United Nations Convention against Corruption in small island developing States”, and taking note with appreciation of the report of the Secretariat on the status of its implementation,²⁰

Concerned about the seriousness of the problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law,

Emphasizing the importance to Member States of the Sustainable Development Goals, contained in the 2030 Agenda for Sustainable Development adopted by the General Assembly in its resolution 70/1 of 25 September 2015, recalling that Sustainable Development Goal 16 is to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, and acknowledging that efforts to implement the United Nations Convention against Corruption²¹ also contribute to the achievement of that Goal,

Highlighting that the fight against corruption should be a priority for the international community, including small island developing States,

¹⁹ See General Assembly resolution 58/4.

²⁰ CAC/COSP/2017/9.

²¹ United Nations, *Treaty Series*, vol. 2349, No. 42146.

Recognizing that small island developing States have specific contextual characteristics that necessitate affordable and sustainable anti-corruption reform, as well as tailored technical assistance,

Welcoming the progress made by small island developing States in giving effect to the Convention against Corruption, while recognizing that greater efforts must still be made to achieve the effective implementation thereof,

Recognizing that small island developing States have the same legal obligations as all States parties to the Convention, despite generally having smaller administrative capacities and limited resources,

Highlighting the importance of building integrity and of preventing and eliminating corrupt practices in public institutions, and the public sector, given the severe impact of corruption on the efficiency of public services, citizens' confidence in public institutions and the cost of public transactions,

Noting that, while the implementation of the Convention is the responsibility of States parties, promoting integrity, transparency and accountability and preventing corruption are responsibilities to be shared by all sectors of society involved in the fight against corruption, as corruption not only affects Governments, but can also have a significant negative impact on the private sector and civil society by impeding economic growth, harming consumers and businesses, distorting competition and presenting serious health, safety, legal and social risks, and underlining the necessity of increasing the efforts of States parties, in accordance with article 12 of the Convention, to prevent and fight corruption involving the private sector, as highlighted in Conference resolution 6/5 of 6 November 2015,

Highlighting the need to improve anti-corruption frameworks and to strengthen governance systems in ocean and land resources management to protect the environment and livelihoods of small island developing States and to strengthen and build the resilience of small island developing States to the impacts of climate change,

Welcoming the establishment of the Small Island Developing States Anti-Corruption Research Platform by the Independent Commission against Corruption of Mauritius, together with the United Nations Office on Drugs and Crime, for the purpose of research and the sharing of best practices specific to small island developing States,

Recalling the SIDS Accelerated Modalities of Action (SAMOA) Pathway,²² the outcome document of the third International Conference on Small Island Developing States, held in Apia from 1 to 4 September 2014, which is of significance to the Pacific island countries,

Welcoming the work of the United Nations Pacific Regional Anti-Corruption Project, which, as a result of close cooperation between the United Nations Office on Drugs and Crime and the United Nations Development Programme, may serve as a model for collaboration on anti-corruption issues among United Nations entities,

Recognizing the important role of regional and international partnerships and the relevance of peer-to-peer learning among small island developing States,

1. *Welcomes* the accession to the United Nations Convention against Corruption²¹ by Belize in December 2016 and Niue in October 2017, and urges small island developing States that have not yet done so to ratify or accede to the Convention;

2. *Calls upon* States parties that are small island developing States to enhance their active participation in the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and to make every effort to implement the recommendations arising from the reviews;

²² General Assembly resolution 69/15, annex.

3. *Urges* States parties and interested donors, including development partners, to support small island developing States in their efforts to implement the Convention, including those aspects that will contribute to the achievement of Sustainable Development Goal 16;

4. *Encourages* States parties and interested donors, including development partners, upon request, and with the assistance of the United Nations Office on Drugs and Crime, within its existing mandate, to continue supporting the implementation of anti-corruption reforms in small island developing States through the provision of technical assistance at the bilateral, regional and international levels, including by addressing technical assistance needs identified through the Implementation Review Mechanism;

5. *Encourages* States parties and interested donors with relevant expertise applicable to the contexts of small island developing States to share their best practices with small island developing States, upon request, through existing and future bilateral, regional and international cooperation mechanisms;

6. *Encourages* small island developing States to further share with each other information, research and best practices specific to small island developing States on the implementation of the Convention;

7. *Also encourages* small island developing States to continue efforts aimed at building integrity and preventing and eliminating corruption in the public and private sectors, and invites other States parties and interested donors to support small island developing States at their request in this regard, including with the assistance of other development partners and relevant United Nations agencies, within their existing mandates;

8. *Urges* small island developing States to strengthen anti-corruption frameworks as part of their steps to enhance good governance in the area of land and ocean resources management, with the aim of building resilience to the impacts of climate change in small island developing States, with the support of the international community and relevant United Nations bodies;

9. *Requests* the Secretariat to submit to the Conference of the States Parties a report on the progress made and the challenges encountered in the implementation of the present resolution;

10. *Encourages* small island developing States to consider the recommendations contained in the report of the Secretariat on the status of implementation of Conference resolution 6/9;²⁰

11. *Recognizes* the progress made and challenges faced in the implementation of Conference resolution 6/9, and urges States parties to continue supporting technical assistance efforts focused on the needs of small island developing States, including assistance with ratification of or accession to the Convention, as well as meeting the legislative and other technical requirements to effectively implement the Convention, upon request, and with the assistance of the United Nations Office on Drugs and Crime;

12. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

Resolution 7/8

Corruption in sport

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

Recognizing the important role played by the United Nations Convention against Corruption²³ in harmonizing the actions taken by Governments in the fight against corruption in all its forms,

Noting that sport plays a key role in the cultural, educational, social and economic spheres,

Concerned that corruption can undermine the potential of sport and its role in contributing to the achievement of the Sustainable Development Goals and targets contained in the 2030 Agenda for Sustainable Development,²⁴

Noting with great concern the risk that corruption and economic crime, including money-laundering, pose to sport,

Recognizing that corruption in sport undermines the fundamental principles of Olympism, as reflected in the Olympic Charter,

Affirming the invaluable contribution of the Olympic and Paralympic movements in establishing sport as a unique means for the promotion of peace and development, in particular through the ideal of the Olympic Truce, acknowledging the opportunities provided by past Olympic and Paralympic Games, welcoming with appreciation all upcoming Olympic and Paralympic Games, and calling upon States parties that will host such Games and other major sporting events in the future, as well as other States parties, to enhance measures to address the risks of corruption related to such events,

Acknowledging the important role played by States parties, with the assistance of the United Nations Office on Drugs and Crime, in the fight against corruption in sport,

Noting that, while the implementation of the United Nations Convention against Corruption is the responsibility of States parties, the promotion of integrity, transparency and accountability and the prevention of corruption in sport are responsibilities to be shared by all relevant stakeholders,

Highlighting in this context the contributions of sport-related organizations and the role of the athletes, the media, civil society, academia and other private sector entities in the fight against corruption in sport, and also highlighting the key role of public-private partnerships and multi-stakeholder approaches in this regard,

Referring to the Memorandum of Understanding between the International Olympic Committee and the United Nations Office on Drugs and Crime signed in May 2011, which provides a framework for cooperation between these organizations in the fields of preventing and fighting corruption in sport, and taking note of their joint publication entitled *Model Criminal Law Provisions for the Prosecution of Competition Manipulation*,

Recognizing the crucial role of the United Nations in combating and preventing corruption in sport and promoting integrity in sport,

Also recognizing the contributions that other intergovernmental organizations and forums²⁵ make in the fight against corruption in sport and the promotion of integrity in sport,

²³ United Nations, *Treaty Series*, vol. 2349, No. 42146.

²⁴ General Assembly resolution 70/1.

²⁵ Such as the Council of Europe, the Commonwealth Secretariat, the Organization of American States and the Organization for Economic Cooperation and Development. See, inter alia, the Group of 20 Leaders' Declaration of 8 July 2017.

Concerned that the challenge posed by corruption could in some cases undermine the potential of sports to advance gender equality and the empowerment of women,

Recalling its resolution 6/6 of 6 November 2015, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”, in which it recognized the importance of protecting integrity in sport by promoting good governance in sport and mitigating the risk of corruption that sport faces globally, requested the Secretariat to continue, in cooperation with relevant international organizations, partners and donors, to develop studies, training materials, guides and tools for Governments and sports organizations to enable them to further strengthen measures in that area, and acknowledged the work that had already been done by the United Nations Office on Drugs and Crime in that regard,

Recalling also the Kazan Action Plan, adopted on 15 July 2017 by the Sixth International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport of the United Nations Educational, Scientific and Cultural Organization, in particular main policy area III of the Conference of Ministers Sport Policy Follow-up Framework, on protecting the integrity of sport,

Recalling further its resolution 5/4 of 29 November 2013, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”, in which it strongly encouraged States parties to mitigate the global risk of corruption in the organization of large-scale sporting events and welcomed the initiative to establish a global alliance for integrity in sports,

Recognizing the existence of multi-stakeholder partnerships to combat and prevent corruption in sport, and noting the contributions of the United Nations Office on Drugs and Crime to those partnerships,

Taking note of the work of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, in particular its substantive discussions on anti-corruption in sport and the conclusions and recommendations adopted at its meeting held in Vienna from 22 to 24 August 2016,²⁶ and taking note also of the related guidance material developed by the United Nations Office on Drugs and Crime, namely the *Resource Guide on Good Practices in the Protection of Reporting Persons*, the *Resource Guide on Good Practices in the Investigation of Match-Fixing* and *The United Nations Convention against Corruption: A Strategy for Safeguarding against Corruption in Major Public Events*,

1. *Affirms* the relevance of the United Nations Convention against Corruption²³ to promoting integrity, transparency and accountability and preventing corruption, also in sport;

2. *Calls upon* States parties to enhance their efforts to prevent and fight corruption in sport and, in this regard, stresses the importance of robust legislative and law enforcement measures, and also calls upon States parties to improve cooperation, coordination and exchange of information in accordance with the fundamental principles of their legal systems;

3. *Also calls upon* States parties to strengthen and further coordinate efforts, in accordance with their legal systems, to effectively mitigate the risks of corruption in sport, including through multi-stakeholder global and national partnerships;

4. *Recognizes* the importance for States parties, in cooperation with the United Nations Office on Drugs and Crime, to take appropriate measures within their means, and in accordance with the fundamental principles of their domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, the private sector, academia, non-governmental organizations and community-based organizations, in the prevention of corruption and to raise

²⁶ See [CAC/COSP/WG.4/2016/5](#).

public awareness regarding the existence, causes and gravity of the challenge posed by corruption to sport;

5. *Encourages* States parties, bearing in mind in particular articles 8, 32 and 33 of the Convention and in conformity with national legislation and in the context of sport, to consider establishing and developing, where appropriate, confidential complaint systems, whistle-blower protection programmes, including protected reporting systems, and effective witness protection measures, and to increase awareness of such measures;

6. *Also encourages* States parties, in accordance with their national legislation, to address the challenge that corruption in sport could in some cases pose to the advancement of gender equality and the empowerment of women;

7. *Urges* States parties to encourage all relevant stakeholders, in particular the organizers of major sporting events, to bear in mind the relevant provisions of the Convention when organizing major public events and to use such events to promote and support efforts to address related corruption risks;

8. *Takes note with appreciation* of the publication of the United Nations Office on Drugs and Crime entitled *The United Nations Convention against Corruption: A Strategy for Safeguarding against Corruption in Major Public Events*, and invites organizers of major sporting events to make use of that publication, as well as of its support tool;

9. *Invites* States parties, in accordance with their national legislation, to encourage relevant stakeholders related to sport to promote ethical practices and transparency, ensure that necessary resources and specialized staff are in place, develop internal controls, design targeted training programmes, implement internal mechanisms for reporting acts of corruption and cooperate with official investigations;

10. *Also invites* States parties, when reviewing their national legislation, to consider the problems and issues of illegal betting, competition manipulation and other offences related to sport when associated with corruption, and in that regard takes note with appreciation of the joint publication by the United Nations Office on Drugs and Crime and the International Olympic Committee of the booklet and study entitled *Model Criminal Law Provisions for the Prosecution of Competition Manipulation*;

11. *Further invites* States parties to provide information to the United Nations Office on Drugs and Crime on the issues contained in this resolution, in the interests of identifying appropriate technical assistance needs and, together with the Office, to consider the possibility of whether and how the Office can assist in collecting appropriate information on institutional policy and programme-related developments regarding efforts to prevent and fight corruption in sport and what the result of such activities could be;

12. *Requests* the Secretariat, within its mandate, to continue, in cooperation with relevant international organizations, partners and donors and in close consultation with States parties, to develop studies, training materials, guides and tools for Governments and sports organizations, and to disseminate information and good practices to further strengthen measures against corruption in sport;

13. *Invites* sports organizations to consider providing extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations;

14. *Invites* States parties and other donors to provide extrabudgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.

B. Decisions

2. At its seventh session, the Conference adopted the following decision:

Decision 7/1

Work of the subsidiary bodies established by the Conference

At its 13th meeting, on 10 November 2017, the Conference of the States Parties to the United Nations Convention against Corruption:

(a) Recalled its resolution 6/1 of 6 November 2015, in which it had requested the Implementation Review Group to consider adopting a multi-year workplan to continue its analytical work during the period 2016–2019, requested the Secretariat to structure the provisional agendas of the Implementation Review Group and of other subsidiary bodies established by the Conference in such a way as to avoid the duplication of discussions, while respecting their mandates, and requested the Implementation Review Group to submit, to the Conference for its consideration and approval at its seventh session, a set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III and IV of the United Nations Convention against Corruption;²⁷

(b) Took note of the set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III and IV of the Convention,²⁸ as reviewed by the Implementation Review Group at its resumed eighth session;

(c) Endorsed the multi-year workplan adopted by the Implementation Review Group at its resumed seventh session²⁹ and the schedule of meetings approved by the extended Bureau at its meeting on 27 August 2017;

(d) Invited States parties represented at the meetings of the Implementation Review Group to share their impressions on the implementation of the workplan and on any impact of the workplan on the attendance of experts, and requested the Secretariat to report on those contributions to the Conference at its eighth session.

²⁷ United Nations, *Treaty Series*, vol. 2349, No. 42146.

²⁸ [CAC/COSP/2017/5](#).

²⁹ [CAC/COSP/IRG/2016/9/Add.1](#), annex I.