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**Implementation of relevant Conference
resolutions: good practices and initiatives in the
prevention of corruption**

Role of national parliaments and other legislative bodies in strengthening the implementation of the Convention

Background paper prepared by the Secretariat

I. Introduction

1. In its resolution 6/1, the Conference of the States Parties to the United Nations Convention against Corruption requested the Secretariat to structure the provisional agendas of the subsidiary bodies established by the Conference in such a way as to avoid the duplication of discussions, while respecting their mandates. In its resolution 8/14, entitled “Promoting good practices in relation to the role of national parliaments and other legislative bodies in preventing and combating corruption in all its forms”, the Conference requested that the role of national parliaments and other legislative bodies in strengthening the implementation of the Convention be included as a topic on the agenda for the twelfth meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption for further consideration.

2. At its second meeting, held in Vienna from 22 to 24 August 2011, the Working Group on the Prevention of Corruption recommended that, in advance of each of its meetings, States parties should be invited to share their experiences of implementing the provisions under consideration, preferably by using the self-assessment checklist and including, where possible, successes, challenges, technical assistance needs, and lessons learned in implementation. The Working Group requested the secretariat to prepare background papers summarizing that information and decided that panel discussions should be held during its meetings, involving experts from countries that had provided written responses on the priority themes under consideration.

3. In accordance with the above, the present report has been prepared on the basis of the information provided by Governments in response to a note verbale by the secretariat dated 10 December 2020 and reminder note verbale dated 27 January 2021. As at 19 March 2021, submissions had been received from the following 39 States parties: Algeria, Austria, Azerbaijan, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Chile, China, Cuba, Czechia, Ecuador, El Salvador,

* [CAC/COSP/WG.4/2021/1](#).



Germany, Indonesia, Ireland, Italy, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Luxembourg, Mauritius, Mexico, Morocco, Niger, North Macedonia, Oman, Romania, Russian Federation, Saudi Arabia, Slovakia, Slovenia, Thailand, Turkey, United Arab Emirates, United States of America and Venezuela (Bolivarian Republic of).

4. With the agreement of the States parties concerned, the full text of the submissions has been made available on the UNODC website¹ and incorporated into the thematic web page developed by the secretariat.

5. The purpose of the present report is to provide a summary of the information submitted by States parties and signatories to the Convention.

II. Analysis of submissions by States parties and signatories

A. Thematic background

6. The role of national parliaments and other legislative bodies in the implementation of the Convention has attracted growing attention in recent years, with a focus on the prerogative of parliaments to formulate and adopt legislation and to oversee the executive branches with a view to promoting transparency and accountability.

7. The Convention requires States parties to adopt a wide range of legislative and other measures.

8. Furthermore, article 65 of the Convention requires States parties to take the necessary measures, including legislative and administrative measures, in accordance with fundamental principles of their domestic law, to ensure the implementation of their obligations under the Convention. States parties may adopt more strict or severe measures than those provided for by the Convention for preventing and combating corruption.

9. Under article 5, paragraph 3, of the Convention, States parties must endeavour to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption. The Convention, therefore, not only emphasizes the need to take legislative measures to prevent and fight corruption, but also the importance of periodically evaluating those measures.

10. National parliaments and other legislative bodies play an important role in addressing the recommendations emerging from the Mechanism for the Review of Implementation of the United Nations Convention against Corruption in order to improve the existing legal frameworks following the reviews.

11. The Conference of the States Parties, in its resolution 8/14, expressed appreciation for “the crucial role played by parliaments and other legislative bodies in supporting the implementation of the Convention, including by enacting appropriate legislation on, inter alia, preventive measures, criminalization and law enforcement, international cooperation, asset recovery, technical assistance and information exchange among States, as well as ensuring effective review or oversight, where appropriate, to prevent and combat corruption at all levels”.

B. Legislative and other measures by national parliaments and other legislative bodies

12. As recognized by the Conference of the States Parties and outlined in several submissions received by the secretariat, parliaments and other legislative bodies fulfil one of their primary functions and play a key role in the implementation of the

¹ See www.unodc.org/unodc/en/corruption/WG-Prevention/session12.

Convention by enacting appropriate legislation to prevent and fight corruption at all levels.

13. Reporting States parties referred to the adoption of legal instruments aimed at strengthening anti-corruption agencies, criminalizing corruption offences and facilitating asset recovery, as a key to their efforts to achieve full implementation of the Convention.

14. Several States parties, including Bolivia (Plurinational State of), China, Cuba, Germany, Indonesia, Kuwait, North Macedonia, Thailand and the United States reported that legislation had been adopted in line with the recommendations received during the first and second cycles of the Implementation Review Mechanism. Similarly, Germany, Mauritius, Romania and Thailand also reported that legislative measures had been adopted following the recommendations received from reviews undertaken under the auspices of other international instruments or organizations.

1. Criminalizing corruption offences

15. The general principle of criminal law *nullum crimen sine lege*, or “no crime without law”, is reflected in chapter III of the Convention, which provides for each State party to adopt or consider adopting such legislative and other measures as may be necessary to establish as criminal offences the forms of conduct listed under articles 15 to 25. More than a dozen reporting States parties emphasized the efforts of national parliaments and other legislative bodies to criminalize corruption offences as listed in the Convention.

16. Cuba reported that under its new Constitution, in force since 10 April 2019, a comprehensive revision of the legal system had been initiated in order to strengthen the ability of the existing legal framework to prevent and combat corruption and in order to achieve greater harmonization between domestic and international laws. The expected amendments included changes to the Criminal Code, the Law of Criminal Procedure and the laws regulating the judiciary, the Prosecutor General and the Comptroller General.

17. Czechia indicated that its Criminal Code had been further enhanced to provide for the criminalization of corruption offences, including, but not limited to, accepting and offering bribes and trading in influence.

18. Kuwait reported that its National Assembly had recently promulgated legislation to amend specific provisions of the Criminal Code, criminalizing bribery in the private sector and bribery of foreign public officials and establishing the liability of legal persons.

19. Mauritius indicated that the Anti-Money-Laundering and Combating the Financing of Terrorism Act 2020, amending the Prevention of Corruption Act 2002, had introduced several normative changes, including a wider notion of “non-financial businesses and professions” and the establishment of the liability of legal persons for criminal offences.

20. North Macedonia indicated that legislation had been adopted to criminalize corruption and money-laundering offences.

21. Oman reported that the Consultative Assembly, the lower house of the Council of Oman, exercised its legislative power by virtue of articles 52 and 53 of the Law on the Council of Oman. The Anti-Money-Laundering Law (Royal Decree No. 30/2016) had been adopted to achieve greater compliance with the Convention.

22. Romania reported on legislative measures adopted by its Chamber of Deputies to strengthen the fight against corruption and money-laundering. Such measures included amendments to the Law on Preventing, Discovering and Sanctioning Corruption Offences and the Law on Preventing and Combating Money-Laundering and Terrorism Financing.

23. To implement the Convention more effectively, Thailand adopted legislative measures to criminalize money-laundering. Such measures amended the Organic Act on Countering Corruption 1999 (No. 3) and the Organic Act on Countering Corruption 2018.

2. Facilitating asset recovery

24. Chapter V of the Convention requires States parties to adopt specific measures to prevent and detect transfers of proceeds of crime and recover directly property acquired through the commission of an offence of corruption. Parliaments and other legislative bodies have an important role in establishing the legal frameworks necessary to implement those provisions. Several States parties provided information on recent legislative and other efforts intended to facilitate asset recovery efforts in line with the Convention.

25. The Plurinational State of Bolivia reported on the amendment to the Law on Combating Corruption and Illicit Enrichment and the Investigation of Fortunes introduced in 2017 to establish an integrated system for anti-corruption information and the recovery of State property.

26. Czechia indicated that the facilitation of asset recovery processes was regulated by the Criminal Procedure Code. Pursuant to the Criminal Code, the confiscation of proceeds and instrumentalities of crime was possible on the basis of a conviction for any criminal offence and applied to assets of any kind, including those held by third parties and those held by or in the name of legal entities.

27. Indonesia reported that the House of Representatives had included a bill on asset forfeiture in its national legislation programme for the period 2020–2024. The House of Representatives also encouraged the Government to include asset recovery measures in all bilateral treaties on mutual legal assistance in criminal matters. For example, the treaty on mutual legal assistance in criminal matters between Indonesia and Switzerland contained provisions to facilitate asset recovery.

28. North Macedonia indicated that a recent law had established a procedure for asset recovery.

29. The United States reported that the Kleptocracy Asset Recovery Rewards Act had established a rewards pilot programme which was part of the National Defense Authorization Act for Fiscal Year 2021. The rewards programme was designed to support the Government's efforts to investigate, restrain, seize, forfeit or repatriate assets stolen as a result of corruption by foreign public officials.

3. Other legislative measures supporting the implementation of the Convention

30. In addition to the criminalization of offences of corruption and the promotion of asset recovery efforts, States parties indicated that other measures had been adopted or proposed by parliaments and other legislative bodies in order to contribute to the full implementation of the Convention. Such measures were aimed at strengthening systems for the recruitment of non-elected public officials, in line with article 7; establishing and strengthening access to information and reporting channels for public officials and civil society, in line with articles 8 and 10; and preventing corruption involving the private sector and criminalizing trading in influence, in line with articles 12 and 18.

31. The Plurinational State of Bolivia reported on the development of a draft law to establish the administrative liability of public servants charged with offences of corruption.

32. China highlighted its Civil Servant Law, which regulated the civil service recruitment system and established such fundamental principles as openness, equality, competition and merit. The Law also introduced measures to prevent and address conflicts of interest. Based on the Law, a system of regulations and policies had been introduced to regulate such aspects of the civil service recruitment system as the

administration of written examinations and the management of interviews, medical examination standards, inspections, probationary periods and disciplinary measures.

33. Cuba reported on the forthcoming law on transparency and access to information, which was expected to increase transparency and civil society participation. The participation of civil society through the right of petition was recognized as a fundamental right under the Constitution. Each body of the Central Administration of the State and other public entities was obligated to establish public complaint channels and mechanisms and to provide replies within a reasonable period of time.

34. Indonesia emphasized that the House of Representatives had recently amended the Law on Witness and Victim Protection to strengthen the protection of reporting persons from any form of retaliation. The House of Representatives had included a bill in its national legislation programme for the period 2020–2024 to amend the Law on the Eradication of the Criminal Act of Corruption.

35. Kuwait noted that the National Assembly had recently promulgated legislation regulating public tenders and the right of access to information, prohibiting conflicts of interest and introducing other legislative measures to strengthen efforts to prevent and combat corruption.

36. Latvia indicated that its parliament had established a standing and permanent Defence, Internal Affairs and Corruption Prevention Committee, which was responsible for reviewing, drafting and submitting proposals to improve laws, including the Law on the Corruption Prevention and Combating Bureau. The Committee was also responsible for drafting the new law relating to lobbying.

37. Mauritius noted that amendments to the Business Facilitation Act had improved transparency in procedures regulating licences and permits granted by public authorities.

38. North Macedonia reported that, in line with the recommendations received through the Implementation Review Mechanism, the Law on Whistle-blower Protection 2015 and the Law on Free Access to Public Information 2019 had been adopted. Furthermore, new legislation had been adopted to establish more effective preventive measures and create competent institutions. The Law on the Prevention of Corruption and Conflicts of Interest 2019 envisaged the use of technology in the asset declaration system and more rigid criteria for the selection of the president and the members of the State Commission for the Prevention of Corruption.

39. Thailand highlighted the amendments to the Organic Act on Countering Corruption 1999 (No. 3) and the Organic Act on Countering Corruption 2018. Those amendments provided for the criminalization of money-laundering and explicitly recognized the potential misuse of crypto-assets and other forms of technology to facilitate the laundering of proceeds of corruption.

40. The United States reported that Congress had recently overridden a presidential veto to pass the National Defense Authorization Act for Fiscal Year 2021. The latter included the Corporate Transparency Act, which required relevant private sector entities to disclose to law enforcement authorities and financial institutions information on their beneficial owners. The Coronavirus Aid, Relief, and Economic Security Act 2020 and the Pandemic Response Accountability Committee promoted transparency and oversight in the responses to the coronavirus disease (COVID-19) pandemic. In addition, the Stop Trading on Congressional Knowledge Act 2012 extended the application of insider trading laws and regulations to members of Congress, congressional employees and any federal officials. All federal officials were bound by a duty of trust and confidentiality with respect to material, non-public information that they might receive in the performance of their official duties. They were also bound by a duty not to use such information to gain private profit.

C. Parliamentary review and oversight

41. One of the purposes of the Convention, in accordance with article 1, is to promote integrity, accountability and the proper management of public affairs and public property. In this regard, national parliaments and other legislative bodies have a key role to play by performing, where appropriate, their review and oversight functions over the management of public finances.

42. Several States parties underlined that the principle of the separation of powers was enshrined in their constitutions or supreme or other founding legal instruments. That principle ensured that parliaments and legislative bodies were able to fulfil their representational, legislative and oversight mandates. States parties reported on various measures adopted to strengthen the role of national parliaments in preventing and fighting corruption in order to ensure full compliance with the Convention.

43. Several States parties noted that parliamentary oversight of the executive branch of government was a critical component of the system of checks and balances and an important element in promoting integrity and accountability and exposing malfeasance and corruption in public institutions.

44. Most reporting States parties noted that the role of their parliaments and other legislative bodies included overseeing and holding the executive branch to account with respect to the management of public finances. The submissions received from States parties attested to a range of oversight mandates and functions, from reviewing proposed annual budgets to undertaking investigations on the efficient and appropriate use of public finances. States parties also highlighted the importance of ethical conduct by members of parliaments and other legislative bodies and of involving civil society and the broader public in parliamentary activities and decision-making.

1. Budget transparency and accountability in the management of public finances

45. Under article 9, paragraph 2, of the Convention, each State Party is obliged, in accordance with the fundamental principles of its legal system, to take appropriate measures to promote transparency and accountability in the management of public finances. Such measures are to include procedures for the adoption of the national budget, timely reporting on revenue and expenditure, and a system of accounting and auditing standards and related oversight. Several States parties reported on the role that parliaments and other legislative bodies play in enhancing budget transparency and accountability in the management of public finances, thereby contributing to the effective implementation of article 9 of the Convention.

46. Some of the measures identified by States parties included the ability to submit questions to members of the government by virtue of the right of interpellation or an equivalent right; the establishment of financial and other reporting requirements for specific uses of public funds by the executive branch; and the establishment of parliamentary committees and specialized oversight bodies to provide scrutiny and expertise on matters relating to the State budget and the use of public funds.

47. Austria reported that, through the Parliamentary Budget Office, increased efforts had been made to render public finances more transparent and comprehensible for civil society. Such efforts included greater accessibility of the reports and analyses generated by the Office and the use of infographics to better explain complex issues to the public.

48. Benin noted that the principle of the separation of powers was enshrined in its Constitution. Accordingly, the country's parliament had the right to monitor and question the actions of the Government, including those taken to manage public finances and to prevent and combat corruption.

49. Chile highlighted that a report on the implementation of the budget was sent to the National Congress on an annual basis for its review and evaluation.

50. Cuba indicated that its system of control of public spending provided for the Ministry of Finance to report on the implementation of the approved budget to the National Assembly on an annual basis.

51. Germany reported that parliamentary oversight was based on the principle of the separation of powers. Several rights provided for the effective performance of parliamentary oversight, including the right of interpellation, which enabled members of the Bundestag to ask questions to and receive information from the Government, and the right to cite, gain access to and hear members of the Government. One particular form of scrutiny of the executive branch was the parliamentary committee of inquiry.

52. Indonesia stated that the Audit Board coordinated its work with the State Finance Accountability Committee of the House of Representatives in order to strengthen budget oversight. The House of Representatives had also established a centre of study on state finance accountability to provide additional expertise in support of transparency and accountability in the management and oversight of public finances.

53. Kuwait noted that the members of the National Assembly could rely on various monitoring tools, including those emanating from articles 99 and 100 of the Constitution, in which it was stated that every member of the National Assembly could direct questions to and interview the Council of Ministers and individual ministers to clarify matters relating to their areas of competence.

54. Luxembourg reported that its parliament had established a permanent committee on the control of budgetary implementation, headed by the president of the opposition. The Commission had the ability to monitor the preparation and presentation of new infrastructure projects. The Ministry of Public Works was expected to present to the Public Works Committee of the parliament a list of priority projects to be implemented by the State with a cost exceeding €10 million. The Commission reviewed the list and held a debate in the parliament. For projects expected to exceed €40 million, the relevant Ministry was compelled to submit a detailed request to parliament for its review and approval.

55. Mexico highlighted that the Chamber of Deputies was bound by transparency obligations, which included publishing information on the results of direct awards of public contracts and publishing a semi-annual report on the use of financial resources by government bodies, commissions, committees, parliamentary groups, study centres and research bodies.

56. North Macedonia noted that the State Audit Office prepared an audit report on the budget and submitted it to the Assembly for review. The Government was expected to submit to the Assembly the draft budget for the next calendar year no later than 15 November of each year.

57. Oman reported that, in accordance with article 56 of the Oman Council Law, the Council was provided with seven means and tools to exercise its parliamentary oversight functions, including, but not limited to, issuing urgent statements, requesting briefings, making inquiries and discussing the ministerial statements and reports submitted to it. The internal regulations of the Council set out procedures and timelines to be considered by the President and the members of the Council when exercising such functions. Specifically, the lower house of the Council, the Consultative Assembly, could exercise its investigative function by inviting officials of government units to discuss and clarify the performance of the bodies that they presided over and to provide clarifications for statements and reports submitted by ministers to the Council.

58. Saudi Arabia noted that the Shura Council was responsible for receiving the proposed general budget by the State and the annual expenditure reports submitted by the various ministries. The Shura Council reviewed, discussed and provided recommendations on the expected management of the budget. The Financial Committee of the Shura Council received reports from the Ministry of Finance, the

Central Bank of Saudi Arabia, the Capital Market Authority, the Zakat and Income Authority, the Customs Department, the Public Institution for Social Security, the Public Pension Agency and the Saudi Fund for Development.

59. Slovakia emphasized that the Government presented the proposed annual public administration budget and the three-year State budget to the National Council. The National Council debated and approved them by adopting a law that also regulated the limits of State budget expenditures, the maximum amount of the budget deficit or the minimum amount of the budget surplus if public revenues and expenditures were not balanced.

60. Slovenia indicated that its National Assembly exercised supervisory functions in accordance with the principle of the separation of powers and a system of checks and balances. Those functions included undertaking parliamentary inquiries and discussing regular reports, including annual reports, on the work and financing of State bodies.

61. The United States reported that congressional oversight involved a system of committees with delegated powers and the support of federal agencies and offices. One example was the Council of the Inspectors General on Integrity and Efficiency, which provided regular reports to Congress on oversight matters. The Council consisted of Inspectors General, who enjoyed special protection to ensure their independence and had broad powers to audit and investigate government agencies. Another example was the Government Accountability Office, which played a critical role in supporting the oversight responsibilities of Congress. It supported congressional oversight by auditing agency operations to determine whether federal funds had been spent efficiently and effectively; investigating allegations of illegal and improper activities; reporting on how well government programmes and policies were meeting their objectives; and issuing legal decisions and opinions. Furthermore, the budget process consisted of five stages, each of which was governed by its own procedures as outlined in the Budget Act, the rules of the House of Representatives and of the Senate, and other relevant statutes. The five stages were: (a) President's budget submission; (b) adoption of the budget resolution; (c) passage of appropriations bills; (d) consideration of reconciliation legislation; and (e) consideration of authorization legislation. The Department of the Treasury, in cooperation with the Office of Management and Budget, was expected to submit to the President and to Congress an audited financial statement for the preceding fiscal year, covering all accounts and associated activities of the executive branch. The financial report was based on the audited financial statements of specifically designated federal agencies.

2. Codes of conduct and ethics

62. Article 2 of the Convention establishes that the term "public official", for the purposes of the Convention, includes any person holding a legislative, executive, administrative or judicial office of a State Party, whether appointed or elected, whether permanent or temporary, whether paid or unpaid, irrespective of that person's seniority. Thus, members of national parliaments or of other legislative bodies are considered public officials under the Convention. Therefore, the provisions of the Convention in which reference is made to public officials are applicable to such members of parliament or other legislators. This includes article 8 of the Convention, on codes of conduct for public officials.

63. Most States parties reported that codes of conduct or codes of ethics had been adopted or were under development. Several noted that the application of the code of conduct or ethics for all public officials, civil servants and staff working in public and other institutions also extended to the members, representatives and staff of parliaments and other legislative bodies.

64. Several States parties, however, emphasized the need to prescribe additional duties, obligations and ethical standards for the members, representatives and staff of their parliaments and other legislative bodies. Several States parties reported that

specific codes of conduct and ethics for such officials had been developed to reflect international standards, domestic customs and ethical values.

65. Austria noted that, following the preliminary work of the relevant parliamentary working group, all the parliamentary groups had agreed on a code of conduct for members of parliament, which contained an overview of applicable legislation and general rules of conduct. The code was expected to be adopted in 2021.

66. Bosnia and Herzegovina emphasized that the Parliamentary Assembly had adopted a code of conduct for its members, defining ethical principles and standards of conduct. The code prohibited direct or indirect conflicts of interest and any conduct amounting to corruption. Violations of the code could be reported by any member of parliament. The Joint Committee on Human Rights of the Parliamentary Assembly was responsible for the enforcement of the code and the administration of sanctions. The Parliamentary Assembly adopted annual reports on the implementation of the code.

67. Cuba reported that a code of ethics for State and government officials had been in effect since July 1996.

68. Czechia reported that the preparation of a code of conduct for members of the Chamber of Deputies was being developed with the assistance of the Conflict of Interests and Anti-Corruption Department of the Ministry of Justice.

69. Germany drew attention to the plenary of the Bundestag, which had strengthened its code of conduct by introducing administrative penalties for members of parliament who had failed to notify donations or had accepted inadmissible allowances or pecuniary benefits. The division responsible for the implementation of the code of conduct was recently strengthened through the creation of a permanent senior position.

70. Luxembourg underlined that a code of conduct and integrity for members of parliament had been adopted in 2014 to manage conflicts of interest and regulate the receipt of gifts and other benefits. The code had strengthened the asset declaration system established in 2004 for members of parliament. Thanks to an amendment introduced in 2018, the code allowed for any individual to report suspected irregularities in asset declarations to the President of the Chamber.

71. Mauritius noted that the Independent Commission against Corruption had submitted to the Prime Minister's Office a draft code of conduct for members of the National Assembly in line with the government programme for the period 2015–2019.

72. Mexico highlighted that the Commission on Anti-Corruption, Transparency and Citizen Participation was developing a proposal for a code of ethics for members of the Senate. The proposal, designed to improve compliance with article 8 of the Convention, was expected to be submitted to the Senate soon.

73. North Macedonia indicated that a code of ethics for members of the Assembly had been adopted in June 2018 and amended in January 2019. The code was designed for members of the Assembly to uphold basic ethical principles, rules and standards of conduct. It provided for the prevention of conflicts of interest, for the prohibition of corruption and the acceptance of gifts, and for budgetary and financial discipline in order to properly manage public funds. The Commission on Rules of Procedure and Mandate Immunity Issues of the Assembly was responsible for determining violations and imposing sanctions, such as reprimands for minor violations or public reprimands for major violations.

74. Romania reported that a code of ethics for parliamentarians was being developed in consultation with the President of the Parliamentary Assembly of the Council of Europe.

75. Slovenia reported that the National Assembly, bound by the provisions of the Integrity and Prevention of Corruption Act 2010, as amended in 2011 and 2020, had adopted a code of ethics in 2020 that complemented the integrity plan of 2011. The

code set out the ethical principles that deputies must observe. Conduct deemed unethical or violations of the code were discussed by the Council of the President in closed meetings. Suspected violations of the code had to be submitted to the Council by the President or a Vice-President of the National Assembly. Documentation and evidence used to determine whether a violation had occurred were restricted and not available to the public. Following the establishment of a violation, a two-thirds majority vote by the National Assembly was necessary for the Council to impose one of the sanctions provided for in the code. Sanctions ranged from a reprimand without a public announcement for a minor violation to a reprimand with a public announcement on the website of the National Assembly for a serious violation. In the event of repeated serious violations, a declaration of the violation would be made at the following session of the National Assembly.

76. Thailand emphasized that both the Senate and the House of Representatives had adopted codes of conduct and ethics and mechanisms to monitor their implementation. In 2020, the Senate had enacted rules of procedure regarding the code of ethics for senators and committee members. The House of Representatives had adopted the Regulations on the Code of Conduct of the Representatives and the Committee 2020, which bound the representatives to specific duties in deliberations on any legislation, motions, interpellation or complaints.

77. The United States highlighted that both the Senate and the House of Representatives had a committee on ethics, which had sole jurisdiction over the interpretation of the code of official conduct in the respective chambers. The committees on ethics were tasked with the interpretation and enforcement of the ethics rules of the chambers. They provided training, advice and education to members, officers and employees; they reviewed and certified all the financial disclosure reports; and they investigated and adjudicated allegations of misconduct and violations of rules, laws and standards of conduct.

3. “Open parliament” and civil society participation

78. Article 10 of the Convention requires States parties to take measures necessary to enhance transparency in public administration, including with regard to its organization, functioning and decision-making processes. Furthermore, in article 13 of the Convention, it is stated that States parties shall take measures to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption. That participation should be strengthened by enhancing the transparency of and promoting the contribution of the public to decision-making, ensuring that the public has effective access to information, and other measures. Several States parties reported on laws, policies and initiatives to strengthen the openness of national parliaments and other legislative bodies to civil society and the broader public.

79. Mexico reported that its Senate had organized a conference and several workshops on the subject of “open parliament”. Two of the workshops brought together representatives of civil society, the private sector and academic institutions to develop an action plan and proposals for greater public participation in the legislative process, particularly in relation to labour matters. The Chamber of Deputies was endowed with mechanisms to facilitate the participation of civil society in the legislative process and the monitoring and evaluation of legislators’ actions. At the initiative of the Political Coordination Board of the Senate, the Open Parliament and Citizen Participation Committee of the Chamber of Deputies was created.

80. North Macedonia emphasized that the activities of the Assembly were broadcast through a designated television channel, which also aired civic programmes to inform and educate civil society about political life. Civil society and the media could also follow the sessions of the Assembly and its subsidiary bodies from galleries.

81. The United States highlighted that once draft laws were introduced to the Senate and the House of Representatives, they were made publicly available. Almost all

committee hearings were public. Video or audio recordings or transcripts of their meetings were made publicly available. When Congress was in session, a substantial verbatim report of proceedings was published in the Congressional Record. The results of votes were announced in real time on television and through a webcast. After the fact, records of votes on each piece of legislation and by each Senator or member of the House of Representatives were made publicly available on the relevant websites.

D. Interparliamentary dialogue and cooperation

82. Many States parties, including Bosnia and Herzegovina, Indonesia, Latvia, Mauritius, Mexico, North Macedonia, Romania, Saudi Arabia, Slovenia and Thailand, emphasized the importance of interparliamentary dialogue and regional and interregional cooperation. The platforms provided by interparliamentary assemblies and organizations were considered key to the exchange of good practices and information.

83. Bosnia and Herzegovina reported that, following its signing of the charter of the Global Organization of Parliamentarians Against Corruption (GOPAC) in 2016, a branch of that organization had been created in the country's Parliamentary Assembly.

84. Indonesia noted that its House of Representatives was actively engaged with several interparliamentary organizations, such as the Inter-Parliamentary Union (IPU) and GOPAC. Several members of the House of Representatives were also members of GOPAC and its regional chapter, the South East Asian Parliamentarians Against Corruption (SEAPAC). The Chair of the Committee for Inter-Parliamentary Cooperation of Indonesia was the incumbent Vice-Chair of GOPAC and the Chair of SEAPAC. He had delivered a statement on asset disclosure, the financing of political parties, beneficial ownership and whistle-blower protection at the joint United Nations-Inter-Parliamentary Union parliamentary hearing held in 2021. In 2016, the House of Representatives, in cooperation with GOPAC and the Westminster Foundation for Democracy, hosted a workshop to discuss a handbook entitled *Parliament's Role in Implementing the Sustainable Development Goals*, produced by the United Nations Development Programme, GOPAC and the Islamic Development Bank. The handbook had been translated into Indonesian and disseminated to members of the House of Representatives. Under the Indonesian leadership, SEAPAC was developing a programme to link the measures set forth in the Convention to existing national legislation, to explore challenges and provide recommendations to fully implement the Convention. The House of Representatives had also established bilateral parliamentary cooperation programmes. Cooperation with the Parliament of Australia, for instance, had been established to exchange information and good practices on the scrutiny of government expenditure.

85. Latvia reported that it was an active member of IPU and had established 53 groups to foster cooperation with foreign parliaments.

86. Mauritius indicated that, through the Independent Commission against Corruption, it was an active member of the Réseau francophone d'éthique et de déontologie parlementaires, an association of organizations and institutions which encouraged the exchange of good practices and promoted integrity among members of parliaments in French-speaking countries.

87. Mexico reported that the Chamber of Deputies was actively engaged with members of parliaments from around the world through IPU. That engagement was aimed at exchanging good practices relating to legislation, review and oversight controls and at strengthening coordination and cooperation with national, regional and interregional bodies engaged in the prevention of and fight against corruption. Through its active participation in the various standing committees of the Latin American and Caribbean Parliament, the Chamber of Deputies had developed projects and proposals on model laws to address corruption. The Chamber of Deputies also actively participated in ParlAmericas, an independent network composed of national

legislatures of 35 States from North, Central and South America, which hosted the Open Parliament Network to promote legislative openness through increased transparency, access to information, accountability of institutions and the participation of civil society in decision-making in parliament. The Chamber of Deputies had established a bilateral partnership with the parliament of Denmark to exchange information and experiences.

88. North Macedonia reported that the Assembly had established permanent delegations in various international parliamentary assemblies. Those permanent delegations were expected to submit an annual report on their international activities and findings to the President of the Assembly, who then submitted the report to the members of the Assembly and, where applicable, to other State bodies and institutions.

89. Romania noted that its parliament was represented at the Parliamentary Assembly of the Council of Europe and had hosted several interparliamentary cooperation meetings, including the meeting of the President of the Chamber of Deputies with the President of the Parliamentary Assembly of the Council of Europe. That meeting had provided an opportunity to discuss such issues as the immunity of parliamentarians, the transparency of parliamentary activity and codes of conduct. The parliament of Romania also participated in the work of the Joint Parliamentary Scrutiny Group on the European Union Agency for Law Enforcement Cooperation (Europol) through a permanent delegation, and in the interparliamentary meetings for the evaluation of the activities of the European Union Agency for Criminal Justice Cooperation (Eurojust).

90. Saudi Arabia highlighted that its Shura Council was an active member of IPU and the Arab Parliamentary Union. The Shura Council had also established parliamentary friendship groups intended to represent practical models of formal and informal cooperation to foster relations in all areas with the parliaments of other countries.

91. Slovenia reported that several members of its parliament were members of the Global Parliamentary Network of the Organisation for Economic Co-operation and Development and were actively engaged in the interparliamentary events organized under the auspices of the Network.

92. Thailand emphasized that it was an active member of IPU, with several members of parliament holding posts in the Standing Committees of the Union. The parliament of Thailand had contributed to the joint United Nations-Inter-Parliamentary Union parliamentary hearing held in 2021, on the theme “Fighting corruption to restore trust in government and improve development prospects”. That session had been designed to contribute to the political declaration of the special session of the General Assembly against corruption, to be held from 2 to 4 June 2021.

III. Conclusions and recommendations

93. The submissions received by the secretariat from States parties clearly demonstrated the breadth of approaches and measures that were taken to promote and strengthen the role and capacity of parliaments and other legislative bodies. Most frequently cited were the measures adopted to support budget transparency and ensure accountability in the management of public finances; reinforce parliamentary supervision and oversight; encourage “open parliament” initiatives and the participation of civil society in the legislative process; develop and adopt codes of conduct and ethics applicable to all public officials and civil servants or specifically tailored to members of parliaments; develop and adopt legislation intended to contribute to achieving full implementation of the Convention; engage in interregional and regional cooperation; and exchange good practices and experiences.

94. All of those measures and initiatives are crucial for the effectiveness of national parliaments and other legislative bodies and to their ability to prevent and combat corruption.

95. As part of its discussions, the Working Group may wish to consider how States parties can continue to strengthen their efforts to promote and reinforce the role and capacity of parliaments and other legislative bodies in preventing and combating corruption.

96. The Working Group may also wish to discuss the challenges that may weaken the ability of parliaments and other legislative bodies to develop, implement or maintain effective anti-corruption measures that ensure the full implementation of the Convention.

97. The Working Group may further wish to recommend that States parties continue to promote the exchange of good practices and information related to strengthening their parliaments and other legislative bodies by actively engaging with global and regional parliamentary assemblies and organizations and entering into agreements with the parliaments and legislative bodies of other States parties.

98. The Working Group may wish to request the secretariat to continue its efforts to gather information on good practices related to the role of national parliaments and other legislative bodies in strengthening the implementation of the Convention, particularly in the context of the ongoing second review cycle of the Implementation Review Mechanism.

99. The Working Group may wish to encourage States parties to provide the Secretariat with the resources necessary to fully implement resolution 8/14 of the Conference of the States Parties and develop a compendium of good practices in relation to the role of parliaments and other legislative bodies in preventing and combating corruption.
