



General Assembly

Distr.: Limited
14 November 2009

Original: English

Sixty-fourth session Second Committee

Agenda item 55 (b)

Globalization and interdependence: preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption

Sudan:* draft resolution

Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption

The General Assembly,

Recalling its resolution 54/205 of 22 December 1999, 56/186 of 21 December 2001 and 57/244 of 20 December 2002, and recalling also its resolutions 58/205 of 23 December 2003, 59/242 of 22 December 2004, 60/207 of 22 December 2005, 61/209 of 20 December 2006, 62/202 of 19 December 2007 and 63/226 of 19 December 2008,

Welcoming the entry into force on 14 December 2005 of the United Nations Convention against Corruption,¹

Bearing in mind that the return of assets is one of the main objectives and also a fundamental principle of the United Nations Convention against Corruption and that States parties to the Convention are obligated to afford one another the widest measures of cooperation and assistance in that regard,

Recognizing that supportive domestic legal systems are essential in preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets,

Recalling that the fight against all forms of corruption requires strong institutions at all levels, including at the local level, able to undertake efficient

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

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



preventive and law enforcement measures consistent with the United Nations Convention against Corruption, in particular chapters II and III,

Noting the particular concern of developing countries and countries with economies in transition regarding the return of assets of illicit origin derived from corruption, in particular to countries from which they originated, consistent with the principles of the Convention, in particular chapter V, so as to enable countries to design and fund development projects in accordance with their national priorities, in view of the importance that such assets can have to their sustainable development,

1. *Takes note* of the report of the Secretary General;²
2. *Welcomes* the high number of Member States that have already ratified or acceded to the United Nations Convention against Corruption,¹ and in this regard urges all Member States and competent regional economic integration organizations, within the limits of their competence, that have not yet done so to consider ratifying or acceding to the Convention as a matter of priority, and calls upon all States parties to fully implement the Convention as soon as possible;
3. *Urges* Member States to combat and penalize corruption in all its forms as well as the laundering of proceeds of corruption, to prevent the transfer of illicitly acquired assets, and to work for the prompt return of such assets through asset recovery consistent with the principles of the Convention, particularly chapter V;
4. *Condemns* corruption in all its forms, including bribery, as well as the laundering of proceeds of corruption and other forms of economic crime;
5. *Welcomes* the holding of the third session of the Conference of the States Parties to the United Nations Convention against Corruption, in Doha from 9 to 13 November 2009, and requests the Secretary-General to transmit to the Assembly a report on the third session of the Conference of States Parties to the Convention;
6. *Calls upon* States parties to continue to support the work carried out by the Open-ended Intergovernmental Expert Working Groups on Asset Recovery, Technical Assistance and Review of Implementation in order to facilitate the full implementation of the Convention, and the review thereof, and in this regard encourages the Conference of the States Parties to the Convention at its third session to consider the recommendations prepared by the three working groups, including the terms of reference for a review mechanism;
7. *Affirms* the need for Member States, consistent with the Convention, to take measures to prevent the transfer abroad and laundering of assets derived from corruption, including to prevent the financial institutions in both countries of origin and destination from being used to transfer or receive illicit funds, as well as to assist in their recovery and to return such assets to the requesting State, consistent with the Convention;
8. *Stresses* the importance of mutual legal assistance, and encourages Member States to enhance international cooperation, consistent with the Convention;
9. *Calls for* further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent

² A/64/122.

and combat corrupt practices and the transfer of assets of illicit origin, consistent with the principles of the Convention, and in this regard encourages close cooperation between anti-corruption agencies, law enforcement agencies and financial intelligence units;

10. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention and to discharge its functions as the secretariat of the Conference of the States Parties to the Convention, in accordance with its mandate;

11. *Reiterates its call upon* the private sector, both the international and the national levels, including small and large companies and transnational corporations, to remain fully engaged in the fight against corruption, and emphasizes the need for all relevant stakeholders, including within the United Nations system, as appropriate, to continue to promote corporate responsibility and accountability;

12. *Takes note* of the holding of the sixth Global Forum on Fighting Corruption and Safeguarding Integrity on the theme “Strength in unity: public-private partnership to fight corruption” in Qatar on 7 and 8 November 2009;

13. *Requests* the Secretary-General to submit to the General Assembly, at its sixty-fifth session, a report on preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption;

14. *Decides* to include in the provisional agenda of its sixty-fifth session, under the item entitled “Globalization and interdependence”, the sub-item entitled “Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption”.
