



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

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Agenda item 4

Prevention

Mali, Mauritius and Seychelles: revised draft resolution

Enhancing the effectiveness of anti-corruption bodies in fighting corruption

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

Recalling article 65, paragraph 1, of the United Nations Convention against Corruption,¹ on implementation of the Convention, which states that each State party shall take the necessary measures, including legislative and administrative measures, in accordance with the fundamental principles of its domestic law, to ensure the effective implementation of the Convention,

Recalling also that the 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 the fight against corruption, including in asset recovery;
- (c) To promote integrity, accountability and the proper management of public affairs and public property,

Recalling further article 61 of the Convention, on the collection, exchange and analysis of information on corruption, in particular paragraph 3, by which each State party is required to consider monitoring its policies and actual measures to combat corruption and making an assessment of their effectiveness and efficiency,

Recalling Conference resolution 3/1 of 13 November 2009, by which the terms of reference of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption were adopted,

Highlighting the importance of other relevant multilateral and regional instruments on preventing and combating corruption,

Noting also the holding of the Regional Conference on Effectiveness of Anti-Corruption Agencies and Financial Intelligence Units in Fighting Corruption and Money-Laundering in Africa, in Mauritius in May 2018, in collaboration with the

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



African Development Bank, at which the need to develop effectiveness indicators and a monitoring and evaluation framework for anti-corruption agencies was identified,

Taking note of the communiqué of the above-mentioned Regional Conference, in which participants recommended that the outcome of the Regional Conference be reflected in a formal resolution to be adopted by the Conference of the States Parties to the United Nations Convention against Corruption at its eighth session,

Taking note also of the Jakarta Statement on Principles for Anti-Corruption Agencies, issued on 27 November 2012, in which the participants of the Jakarta conference called for accountability and the safeguarding of political, functional, operational and financial independence as a means of ensuring the effectiveness of anti-corruption authorities,

Taking note further of the work of the first Global Expert Group Meeting on Corruption involving Vast Quantities of Assets, held in Lima from 3 to 5 December 2018, and of the second Global Expert Group Meeting on Corruption involving Vast Quantities of Assets, held in Oslo from 12 to 14 June 2019, in identifying best practices for strengthening cooperation between experts in order to more effectively prevent and combat corruption involving vast quantities of assets,

Recognizing that increasingly complex and sophisticated methods are being used to avoid anti-corruption measures, and acknowledging the emerging challenges in the fight against corruption and other offences covered by the Convention,

Highlighting the need to coordinate and share the necessary tools, experiences and means of taking up the challenge of more effectively countering different forms of corruption,

Recognizing that natural and legal persons that engage in corrupt acts should be held accountable and be prosecuted by the respective domestic authorities, consistent with domestic law and the requirements of the Convention, and that public and private organizations should take anti-corruption measures,

Recognizing also that consistent with article 65, paragraph 2, of the Convention and in accordance with the fundamental principles of a State's domestic law, each State party may adopt measures for preventing and combating corruption that are stricter or more severe than those provided for in the Convention,

1. *Encourages* States parties to the United Nations Convention against Corruption¹ to give adequate consideration and resources to enhance the effectiveness of anti-corruption agencies and agencies with anti-corruption responsibilities, consistent with article 6 of the Convention, in order to meet the emerging challenges in preventing and combating different forms of corruption;

2. *Calls upon* States parties to use the outcome of their country reviews to strengthen their anti-corruption framework, including through technical assistance, where requested;

3. *Decides to include* the issue of enhancing the effectiveness of anti-corruption bodies in the agenda of the Working Group on the Prevention of Corruption;

4. *Requests* the secretariat to carry out a study on best practices, lessons learned and challenges encountered by States parties in their efforts to enhance the effectiveness of anti-corruption bodies, and invites States parties to submit information in this regard;

5. *Also requests* the secretariat, in collaboration with the Working Group on the Prevention of Corruption, to submit to the Conference at its ninth session a report on the progress made and the challenges encountered in the implementation of the present resolution, for follow-up and review;

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