



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

Distr.: Limited
13 December 2019

Original: English

Eighth session

Abu Dhabi, 16–20 December 2019

Item 4 of the provisional agenda*

Prevention

Egypt: draft resolution**

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 Corruption¹ 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

* [CAC/COSP/2019/1](#).

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

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



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,¹ 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 and to reinforce the effective implementation of the preventive measures outlined in chapter II of the Convention, including by addressing the recommendations emanating from the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, 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 5 to 7 September 2018 and 4 to 6 September 2019;

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 ninth 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 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;

10. *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;

11. *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;

12. *Urges* States parties to promote the integrity and accountability of their criminal justice systems, including by developing innovative ways of enhancing judicial integrity, 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,² 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 parties, upon request, to strengthen integrity and anti-corruption measures in institutions of the criminal justice system;

13. *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;

14. *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;

15. *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;

16. *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;

17. *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;

² General Assembly resolution [70/174](#), annex.

18. *Further 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;

19. *Calls upon* 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;

20. *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;

21. *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;

22. *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;

23. *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 Development³ and through other initiatives aimed at strengthening the coordination and exchange of such information with development partners;

24. *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;

25. *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 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;

26. *Notes* that a large number of States parties have informed the Secretary-General of the designation of competent authorities that may assist other

³ General Assembly resolution 70/1.

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;

27. *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,⁴ 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;

28. *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 ninth session;

29. *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.

⁴ See General Assembly resolution [58/4](#), para. 4.