



General Assembly

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Human Rights Council

Seventeenth session

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Nigeria (on behalf of the African Group): draft resolution

17/... The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights, the United Nations Convention against Transnational Organized Crime as well as other relevant human rights instruments,

Reaffirming the commitment to ensure the effective enjoyment by all of all human rights, civil, political, economic, social and cultural rights, including the right to development, and the obligation of all States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Recalling General Assembly resolutions 54/205 of 22 December 1999, on the prevention of corrupt practices and illegal transfer of funds, 55/61 of 4 December 2000, on an effective international legal instrument against corruption, and 55/188 of 20 December 2000, on preventing and combating corrupt practices and illegal transfer of funds and repatriation of such funds to the countries of origin, as well as the report of the meeting of the Intergovernmental Open-Ended Expert Group to Prepare Draft Terms of Reference for the Negotiation of an International Legal Instrument against Corruption, which will be considered by the Economic and Social Council at its next session,

Concerned about the seriousness of problems posed by corrupt practices and transfer of funds of illicit origin, which may endanger the stability and security of societies, undermine the values of democracy and morality and jeopardize social, economic and political development,

Deeply concerned that the enjoyment of human rights, be they economic, social and cultural, or civil and political, in particular the right to development, is seriously undermined by the phenomenon of corruption and the transfer of funds of illicit origin,

Convinced that the illicit acquisition of personal wealth can be particularly damaging to democratic institutions, national economies and the rule of law,

1. *Expresses grave concern* about cases of corruption that involve vast quantities of assets, which may constitute a substantial proportion of the resources of States, the deprivation of which threatens the political stability and sustainable development of those States;
 2. *Recognizes* the urgent need to repatriate such illicit funds to the countries of origin without any conditionalities;
 3. *Requests* the United Nations High Commissioner for Human Rights to prepare a comprehensive study on the negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, in particular economic, social and cultural rights, and to submit a report thereon to the Human Rights Council at its nineteenth session.
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