



Economic and Social Council

Distr.: General
23 March 2005

Original: English

Commission on Crime Prevention and Criminal Justice

Fourteenth session

Vienna, 23-27 May 2005

Item 6 (b) of the provisional agenda*

International cooperation in combating transnational crime: United Nations Convention against Corruption

United Nations Convention against Corruption

Report of the Secretary-General

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction	1-4	2
II. Promotion of the entry into force of the United Nations Convention against Corruption	5-35	3
A. Legislative guide	8-10	3
B. Seminars	11-13	4
C. Provision of assistance	14-15	6
D. Cooperation with other entities	16-22	6
E. Global Compact	23-27	8
F. International Anti-Corruption Day	28-33	9
G. Special treaty event	34-35	11
III. Conclusions and recommendations	36-40	12
Annex. Status of signatures and ratification of the United Nations Convention against Corruption, as at 23 March 2005		14

* E/CN.15/2005/1.



I. Introduction

1. The General Assembly adopted the United Nations Convention against Corruption by its resolution 58/4 of 31 October 2003. During the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption, held in Merida, Mexico, from 9 to 11 December 2003, 95 States signed the Convention, and one State deposited its instrument of ratification.

2. In its resolution 59/155 of 20 December 2004, entitled “Action against corruption: assistance to States in capacity-building with a view to facilitating the entry into force and subsequent implementation of the United Nations Convention against Corruption”, the General Assembly welcomed the signing of the Convention by a large number of Member States; urged countries to consider signing and ratifying the Convention as soon as possible, in order to allow its early entry into force and subsequent implementation; encouraged Member States to make adequate contributions to the United Nations Crime Prevention and Criminal Justice Fund to provide developing countries and countries with economies in transition with the technical assistance they might require to implement the Convention; requested the Secretary-General to provide the United Nations Office on Drugs and Crime (UNODC) with the resources necessary to enable it to promote the entry into force and implementation of the Convention; and also requested him to report to the Commission on Crime Prevention and Criminal Justice at its fourteenth session.

3. In its resolution 59/159 of 20 December 2004, entitled “Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity”, the General Assembly reaffirmed the role of the United Nations Office on Drugs and Crime in providing to Member States, upon request and as a matter of priority, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the area of prevention and control of corruption; invited relevant entities of the United Nations system to increase further their interaction with UNODC in order to benefit from synergies and avoid duplication of effort and to ensure that, as appropriate, activities on crime prevention and criminal justice, including activities related to the prevention of corruption, were considered in their sustainable development agenda and that the expertise of the Office was fully utilized; requested the Secretary-General to take all necessary measures and provide adequate support to UNODC so as to enable it to promote the speedy entry into force of the United Nations Convention against Corruption; and encouraged States to make adequate and regular voluntary contributions for the entry into force of the Convention, through the United Nations funding mechanism specially designed for that purpose in the Convention or in direct support of implementation activities and initiatives.

4. In its resolution 59/242 of 22 December 2004, entitled “Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin”, the General Assembly, recognizing the concern over the transfer and/or transaction of assets of illicit origin, and stressing the need to address that concern consistent with the principles of chapter V of the United Nations Convention against Corruption, and recognizing also that the illicit acquisition of wealth could be particularly damaging to democratic institutions, national economies and the rule of law, reiterated its invitation to all Member States

and competent regional economic integration organizations to sign, ratify and fully implement the United Nations Convention against Corruption as soon as possible in order to ensure its rapid entry into force; encouraged all Governments to prevent, combat and penalize corruption in all its forms and to work for the prompt return of illicitly acquired assets, through asset recovery consistent with the principles of the Convention, in particular chapter V; and called for further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent and combat corrupt practices and the transfer of assets of illicit origin, as well as for asset recovery consistent with the principles of the Convention, in particular chapter V; encouraged Member States to provide adequate financial and human resources to UNODC, and further encouraged the Office to give high priority to technical cooperation, upon request, to, inter alia, promote and facilitate the signing and ratification, acceptance, approval or accession and implementation of the Convention; reiterated its request to the international community to provide technical assistance to support national efforts to strengthen human and institutional capacity aimed at preventing and combating corrupt practices and the transfer of assets of illicit origin as well as for asset recovery; and encouraged Member States, relevant international organizations and UNODC to give prominence to 9 December as International Anti-Corruption Day, as established by the Assembly in its resolution 58/4.

II. Promotion of the entry into force of the United Nations Convention against Corruption

5. At the time of writing, 118 States had signed the United Nations Convention against Corruption and 18 had ratified it. (A list of signatories and parties to the Convention appears in the annex to the present document.)

6. Pursuant to its article 67, the Convention will be open for signature at United Nations Headquarters in New York until 9 December 2005. In accordance with article 68, the Convention shall enter into force on the ninetieth day after the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession. A Conference of the States Parties to the Convention will be convened no later than one year following the entry into force (art. 63).

7. Based on the successful experience gained from the activities undertaken to promote the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I) and its Protocols and with a view to sustaining and further strengthening the political momentum that allowed the Convention against Corruption to be negotiated and adopted in record time, UNODC has begun implementing a set of activities to promote the ratification of the Convention and its early entry into force.

A. Legislative guide

8. UNODC, in cooperation with the United Nations Interregional Crime and Criminal Justice Institute (UNICRI), has begun working on the development of a legislative guide for the ratification and implementation of the Convention against Corruption. Drawing on the positive experience gained in the preparation of the

legislative guide for the Organized Crime Convention and the Protocols thereto, it was decided that the legislative guide for the Convention against Corruption should be developed through a fully participatory process with the involvement of experts from all geographical regions and representing various types of legal system.

9. The primary purpose of the legislative guide will be to assist Member States in the process of ratification and implementation of the Convention by identifying legislative requirements, issues arising from those requirements and the different options available to States in developing and drafting the necessary legislation. The legislative guide will address primarily policymakers and drafters of legislation. It will not constitute model legislation, but will include samples of legislative provisions adopted by various States and enable users to decide which options would be appropriate in their national context. The guide will not provide a legal analysis of the Convention nor a commentary on its provisions.

10. The first and second meetings of the expert group on the development of a legislative guide were held in Turin, Italy, from 10 to 12 July 2004 and from 26 to 28 February 2005, respectively. It is expected that a draft of the legislative guide will be circulated for comments and inputs from experts in April and May 2005 and be finalized during the third quarter of 2005 for subsequent publication in the official languages of the United Nations.

B. Seminars

11. During the period under review UNODC organized a series of regional seminars to promote the ratification of the Convention against Corruption. The seminars provided important opportunities to reflect on regional perspectives related to the ratification and implementation of the Convention:

(a) Seizing the opportunity given by the regional preparatory meetings for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, to be held in Bangkok from 18 to 25 April 2005, UNODC decided to conduct, at the end of each regional preparatory meeting, a two-day seminar on both the Organized Crime Convention and the Convention against Corruption. Held in Addis Ababa on 4 and 5 March; Bangkok on 1 and 2 April; San José on 22 and 23 April and Beirut on 1 and 2 May 2004,¹ the seminars represented an important opportunity to review progress in the ratification process at the regional level and to exchange views and experience. There was general agreement at all four seminars that the Convention against Corruption represented a major step forward in action against corruption and the development of international law. The complexity of its provisions, especially in relation to asset recovery, was also highlighted, together with the need for technical assistance to be made available, upon request, to developing countries. It was also noted that a legislative guide for the implementation of the Convention, similar to those developed for the Organized Crime Convention and its Protocols, should be prepared and made available as soon as possible in order to assist States in the ratification process and related legislative reforms;

(b) The Regional Ministerial Conference of French-speaking Countries of Africa for the ratification and implementation of the universal instruments against terrorism and the Organized Crime Convention and the Convention against Corruption was held in Port-Louis from 25 to 27 October 2004. The Conference was

organized jointly by UNODC, the Intergovernmental Agency of la Francophonie and the Government of Mauritius as a follow-up to the Cairo Declaration (A/C.3/58/4, annex), in which the Ministers of Justice attending had committed themselves to taking the necessary steps towards ratification and implementation of all above-mentioned instruments. The Conference in Port-Louis was attended by ministers and high-level officials from Benin, Burkina Faso, Burundi, Cameroon, the Central African Republic, the Comoros, Côte d'Ivoire, the Democratic Republic of the Congo, Djibouti, Egypt, Gabon, Guinea, Guinea-Bissau, Mali, Morocco, Mauritius, Mauritania, the Niger, the Republic of the Congo, Rwanda, Sao Tome and Principe, Senegal, Togo and Tunisia. During the Conference, the nature and provisions of the Convention against Corruption were presented to the participants in order to promote its ratification. The Conference adopted the Declaration of Port-Louis, in which it recommended, inter alia, that the French-speaking countries that were not yet parties to the Convention against Corruption sign and ratify it as soon as possible;

(c) A regional workshop on the ratification and implementation of the universal instruments against terrorism and the Organized Crime Convention and the Convention against Corruption was held in Praia from 8 to 10 December 2004. The workshop, organized in cooperation with the Government of Cape Verde, brought together experts from 19 African countries: Angola, Benin, Cape Verde, Côte d'Ivoire, the Democratic Republic of the Congo, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Mauritania, Mozambique, Nigeria, Republic of the Congo, Sao Tome and Principe, Senegal, Sierra Leone and Togo. In the Plan of Action adopted at the end of the meeting, participants urged their respective States to become parties as soon as possible to the universal instruments against terrorism, the Organized Crime Convention and its three Protocols and the Convention against Corruption. The Plan of Action specified also the technical assistance needs in the areas of terrorism, organized crime and corruption for each participating country.

12. A training workshop for national officials was held in Tangiers, Morocco, from 4 to 6 October 2004 to provide training on international cooperation in the fight against terrorism, transnational organized crime and corruption to more than 50 high-level officials, such as judges, prosecutors and police officers. During the workshop participants were briefed on and trained in the various mechanisms foreseen by the Organized Crime Convention and the Convention against Corruption, as well as by the universal instruments to combat terrorism, to effectively cooperate in criminal matters, in particular on issues such as extradition, mutual legal assistance, law enforcement cooperation, transfer of sentenced prisoners, protection of witnesses and victims, exchange of financial information, joint investigations, special investigation techniques and ways to address conflicts of jurisdiction.

13. UNODC staff also attended meetings organized by other entities where they made presentations to promote the ratification of the Convention against Corruption and provided advice on its implementation, for example at the Fifth Conference of International Investigators organized by the International Criminal Police Organization (Interpol) in Lyons, France, on 7 and 8 September 2004 and at the regional workshop to support the process of ratifying and implementing the Convention organized by the Anti-Corruption Initiative of the Stability Pact for

South-Eastern Europe in Sarajevo from 8 to 10 September 2004. From 13 to 15 September 2004, the Office contributed to the national workshop on the Convention organized by the Ministries of Foreign Affairs and Justice of Indonesia. A keynote speech on the ratification and implementation of the Convention was given at the meeting of anti-corruption experts organized by the Asia-Pacific Economic Cooperation (APEC), held in Santiago on 25 and 26 September 2004. In the Declaration "One Community, Our Future", at their meeting in Santiago on 20 and 21 November 2004, APEC economic leaders endorsed the Santiago Commitment to Fight Corruption and Ensure Transparency in which the important role of the Convention against Corruption as the first global legally binding instrument aimed specifically at combating the scourge of corruption was highlighted and decided on a course of action against corruption in line with the principles and provisions of the Convention. The Convention against Corruption was also presented at a conference held in Vienna from 24 to 26 November 2004, organized by the Government of Austria, on enhancement of operational cooperation in combating corruption in the European Union, as well as at the subregional seminar on corruption organized by the Indonesian Monitoring Forum on Combating Corruption in Jakarta from 13 to 16 December 2004.

C. Provision of assistance

14. In July 2004, UNODC responded to a request from Kyrgyzstan for legal assistance and carried out a mission to Bishkek to review and assess the legislation of Kyrgyzstan aimed at fighting corruption.

15. In cooperation with the Government of Portugal, on 1 to 6 November 2004, the Office organized a seminar in Lisbon to assist Portuguese-speaking countries to become parties to the United Nations conventions against crime, corruption and terrorism and to improve international cooperation among them, in particular in the areas of extradition and mutual legal assistance.

D. Cooperation with other entities

16. During the period under review, UNODC continued cooperating with other entities involved in efforts to combat corruption. In particular, the Office has been taking part as an observer in the Commonwealth Expert Group on Asset Repatriation, which held two meetings, in June and November 2004, respectively. The mandate for the Expert Group stemmed from the Commonwealth Heads of Government, who, at their Summit held in Abuja in December 2003, welcomed the successful conclusion of the United Nations Convention against Corruption, urged the early ratification of the Convention by Commonwealth member States and pledged maximum cooperation and assistance among Governments of Commonwealth States to recover assets of illicit origin and return them to their countries of origin.

17. The Office was also invited to participate in the meeting of member States of the Organization of American States (OAS) on the implementation of the Inter-American Convention against Corruption (see E/1996/99), held in Managua from 7 to 11 July 2004, at which it had an opportunity to present the United Nations

Convention against Corruption. The Managua Plan of Action on additional specific measures to increase transparency and combat corruption adopted by the meeting includes references to relevant measures required under the United Nations Convention against Corruption and urges member States of OAS to consider becoming parties to that Convention, so that its provisions can strengthen anti-corruption policy worldwide. In September 2004, two UNODC staff participated in the proceedings of the 17th International Congress of Penal Law, held in Beijing, at which the issue of corruption was discussed and relevant recommendations made.

18. The Organization for Security and Cooperation in Europe (OSCE), within its mandate in the areas of good governance and prevention of corruption, organized national workshops on anti-corruption instruments and best practices in Almaty on 11 and 12 October, in Issyk Kul, Kyrgyzstan, on 14 and 15 October and in Tashkent on 17 December 2004, where UNODC was invited to participate and conduct training sessions on implementation of the Convention against Corruption.

19. The Office participates, with the status of permanent observer, in the Working Group on Bribery of the Organization for Economic Cooperation and Development (OECD), which monitors implementation of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of 1997.² It also takes part in an OECD project to prepare a glossary of international standards to combat corruption that will allow States to compare requirements created respectively by the United Nations Convention against Corruption, the OECD Convention on Combating Bribery and the Council of Europe Criminal Law Convention on Corruption of 1998.³ In that context, the Office took part in an expert seminar organized by the OECD Anti-Corruption Network for Transition Economies in Kyiv from 21 to 23 February 2005 to review and comment on the draft comparative glossary. In February 2005, a training seminar was held in Islamabad, organized jointly by OECD and the Asian Development Bank (ADB), in cooperation with UNODC, and hosted by Pakistan's National Accountability Bureau. The seminar focused on the development of a series of reform initiatives of particular relevance to the implementation of the United Nations Convention against Corruption. The six working groups at the seminar provided support for national reform efforts by bringing together policy officials from 15 member countries of the ADB/OECD Anti-Corruption Initiative for Asia-Pacific as well as experts from OECD member States and the United Nations. The seminar not only facilitated fruitful discussion of a wide range of complementary ideas from various perspectives that could ensure a multidisciplinary approach, but also helped in identifying areas most exposed to legal loopholes and institutional weaknesses, including in criminal legislation; state and corporate accounting and auditing; seizure, confiscation and return of assets; mutual legal assistance; and independence of the judiciary.

20. In February 2005, a UNODC staff member attended a conference on good governance for development in the Arab countries, organized in Jordan in cooperation with OECD and the United Nations Development Programme (UNDP). The Declaration adopted at the end of the meeting, which focused on democratization processes built on good governance in the Arab countries, included a call for Arab States to accede and ratify the United Nations Convention against Corruption.

21. UNODC is also part of the International Group for Anti-Corruption Coordination, an initiative launched in November 2001 to strengthening international anti-corruption coordination and collaboration in order to avoid undue duplication and to ensure effective and efficient use of existing resources, using systems already in place at the regional and national levels. The Group provides a platform for the exchange of views, information, experience and best practices related to anti-corruption activities for the purpose of enhancing the impact of those activities, including support for the United Nations Convention against Corruption. It is composed of organizations, including non-governmental organizations, active internationally in anti-corruption policy, advocacy and enforcement. Currently, members of the Group include UNDP, the Department of Economic and Social Affairs and the Office of Internal Oversight Services of the Secretariat, the World Bank, OECD, the various regional development banks, the European Anti-Fraud Office, the European Commission, the Customs Cooperation Council (also known as the World Customs Organization, Interpol, the Council of Europe and two non-governmental organizations, Transparency International and the Utstein Anti-Corruption Resource Centre.

22. The Fifth Meeting of the International Group for Anti-Corruption Coordination was held in Merida, Mexico, on 11 December 2003 on the occasion of the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption. The objective of the Meeting was to explore the role of the Group in promoting the ratification and implementation of the Convention against Corruption. The Sixth Meeting was held at the European Anti-Fraud Office in Brussels on 30 September and 1 October 2004 with the objective of exploring measures to prevent and control corruption in international organizations. The Seventh Meeting will be held in Bangkok on the occasion of the Eleventh Congress and will focus on corruption prevention and control in disaster emergency relief.

E. Global Compact

23. In 2004, UNODC became the sixth core United Nations agency of the Global Compact, the others being the Office of the United Nations High Commissioner for Human Rights, the United Nations Environment Programme, the International Labour Organization, UNDP and the United Nations Industrial Development Organization.

24. The Global Compact was launched by the Secretary-General in January 1999 during the World Economic Forum to bring private companies together with United Nations entities, labour and civil society to support nine principles in the areas of human rights, labour and environment. The Global Compact's operational phase was launched in New York on 26 July 2000. During the first Global Compact Leaders Summit, held on 24 June 2004, the Secretary-General announced the addition of a tenth principle, against corruption, namely, that businesses should work against all forms of corruption, including extortion and bribery.

25. The Global Compact, a network involving Governments, companies, labour and the United Nations, as convener and facilitator, is a voluntary corporate citizenship initiative with two objectives: (a) to mainstream the 10 principles in business activities around the world; and (b) to catalyse actions in support of United

Nations goals. To achieve those objectives, the Global Compact offers facilitation and engagement through several mechanisms, including policy dialogues, learning and local projects.

26. UNODC, together with the Global Compact Office, works with Global Compact participants in promoting the expeditious ratification of the United Nations Convention against Corruption and in developing and implementing capacity-building projects for incorporating the Convention into domestic legal systems.

27. In January 2005, a working group, organized by the Global Compact Office in cooperation with UNODC, met in New York to focus specifically on implementation of the tenth principle. The group consisted of representatives of companies and institutions involved in initiatives to combat corruption to discuss the needs of the business community in that area and provide guidance to the Global Compact Office on its workplan in relation to the tenth principle. The group emphasized that the United Nations Convention against Corruption constituted the global legal framework for such initiatives and invited the private sector to facilitate, in areas relevant to it, the implementation of the Convention. The group considered that the Global Compact Office could be instrumental in disseminating good practices of company policies concerning, inter alia, training, whistle-blowing and dealing with specific situations that create dilemmas for private companies in conducting business around the world.

F. International Anti-Corruption Day

28. In its resolution 58/4, the General Assembly, in order to raise awareness of corruption and of the role of the United Nations Convention against Corruption in combating and preventing it, decided that 9 December should be designated International Anti-Corruption Day. The first International Anti-Corruption Day was observed on 9 December 2004 and was marked by a number of activities, both in Vienna and New York and in the field.

29. A journalists' forum held in Vienna and attended by some 40 journalists included a series of presentations on specific topics such as priorities in the fight against corruption; the United Nations Convention against Corruption; asset recovery; awareness-raising in the fight against corruption; media coverage of corruption; access to information; the safety of journalists; and ethics of journalism. The Executive Director of UNODC presented an initiative to assist the Governments of Kenya and Nigeria to recover assets stolen by corrupt officials on the basis of which UNODC is expected to conduct in-depth assessments of the institutional and legal frameworks that exist in Kenya and Nigeria in order to recommend all necessary measures designed to overcome obstacles to asset recovery. A videoconference featuring the Executive Director and the Ambassadors of Kenya and Nigeria to the United Nations (Vienna), a panel of discussants led by the President of the Economic and Social Council in New York and another panel led by the Deputy Secretary-General of OECD in Paris discussed global efforts to combat corruption.

30. In addition, the Global Compact Office launched a worldwide effort to raise awareness and deepen the commitment of participants to combating and eliminating corruption. Over the following 12 months, the initiative would focus on providing

background information, guidance and tools to more than 2,000 participating businesses and other organizations around the world. Together with Transparency International and the International Chamber of Commerce, the Global Compact Office will organize several dialogue events and support the collection of corporate practice cases, which will then be showcased in a publication to be released in late 2005.

31. On the occasion of the first International Anti-Corruption Day, UNODC released the publication *Global Action against Corruption: the Merida Papers*, containing the proceedings of the side events at the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption, and produced information posters, press kits and video spots.

32. The day was also marked by a number of activities at the regional, subregional and national levels organized by the field offices of UNODC in partnership with local institutions and stakeholders, including:

(a) In Cairo, the UNODC Regional Office presented the United Nations Convention against Corruption in Arabic translation for the Middle East and North Africa;

(b) In Kyrgyzstan, the UNODC Regional Office for Central Asia, in collaboration with the secretariat of the Consultative Council for Good Governance of Kyrgyzstan, UNDP, the World Bank, OSCE, the European Bank for Reconstruction and Development and civil society, organized a round table on corruption during which the negative consequences of corruption were discussed and the national parliament was encouraged to expedite action on the ratification of the Convention against Corruption;

(c) The UNODC Regional Office for Southern Africa informed participants at a subregional training seminar on anti-corruption held in Gaborone about activities of the International Anti-Corruption Day, while in Pretoria the regional representative addressed a gathering of stakeholders at which he highlighted the impact of corruption and the work of UNODC in combating that scourge;

(d) The UNODC Regional Office in Senegal staged two main activities to mark the Day, in Senegal and in Sierra Leone. In Sierra Leone, the President himself launched International Anti-Corruption Day and a seminar was held on the cost of corruption. In Senegal, the Minister of Justice used the opportunity of the Day to officially launch the newly established National Anti-Corruption Commission;

(e) In Nigeria, UNODC, in collaboration with other stakeholders, held a press conference on the event;

(f) In Mexico, the UNODC Regional Office organized a press conference that was addressed by the regional representative and a discussion forum, with the participation of the General Attorney's Office, the Ministries of Foreign Affairs and the Interior and representatives of OECD and OAS;

(g) In Brazil, UNODC, in collaboration with the relevant national authorities and civil society, organized a public seminar and launched a new booklet on strategies to combat corruption;

(h) In Colombia, a national seminar was organized to raise awareness about corruption, which was also attended by the World Bank;

(i) In the Lao People's Democratic Republic, a press release was issued highlighting the negative consequences of corruption and calling on civil society to join in the fight against it; the Government contributed to the translation and printing of anti-corruption posters that were distributed;

(j) An introductory version of the United Nations Anti-Corruption Toolkit was translated into Vietnamese and distributed in Viet Nam.

33. UNODC was also informed by a number of Member States about activities undertaken to mark the first International Anti-Corruption Day. A series of activities were organized in Indonesia to mark the Day, including a statement made by the President of the Republic of Indonesia expressing deep concern about the scourge of corruption and reiterating his Government's commitment to fight it, and the release of Presidential Instruction No. 5/2004 on accelerating the eradication of corruption. In Mauritius the Day was marked by the holding of a series of workshops, on the Youth Empowerment Programme, a national integrity workshop, a national women's forum and the United Nations Convention against Corruption and youth. Similar activities were held in Paraguay and Peru, while in the Philippines the Secretary of Foreign Affairs reaffirmed her Government's commitment to fighting corruption. In France the Ministry of Foreign Affairs and in Turkey the Ministry of Justice issued press statements to mark the first International Anti-Corruption Day, highlighting the significant role of the United Nations Convention against Corruption in fighting corruption worldwide.

G. Special treaty event

34. In view of the considerable number of ratifications of the Organized Crime Convention and its Protocols generated by the treaty event held at United Nations Headquarters in New York from 23 to 26 September 2003, it was decided to take advantage of the opportunity given by the Eleventh Congress to organize a special treaty event on that occasion. UNODC, in cooperation with the Treaty Section of the Office of Legal Affairs of the Secretariat, decided to offer to States attending the Eleventh Congress an opportunity to deposit instruments of ratification, acceptance, approval or accession to the Organized Crime Convention and the Protocols thereto, the United Nations Convention against Corruption and the four international instruments against terrorism deposited with the Secretary-General. In view of the above, States attending the Congress have been encouraged to undertake the necessary domestic measures for the deposit of instruments of ratification, acceptance or approval by signatory States and accession by non-signatory States, for the above instruments. As treaties must remain at United Nations Headquarters for signature, it has been decided to hold a parallel "signature event" at Headquarters on 25 April 2005.

35. Consistent with the focus of the report of the High-Level Panel on Threats, Challenges and Change (A/59/565 and Corr.1), the treaty event to be held at Headquarters from 14 to 16 September 2005, entitled "Focus 2005: Responding to Global Challenges", will highlight treaties reflecting a broad range of interconnected concerns: ranging from terrorism to organized crime and corruption, from human rights to those addressing environmental and disarmament issues. On that occasion, Member States will be able to sign and to deposit instruments of

ratification, acceptance, approval or accession to the Organized Crime Convention and the Protocols thereto and the United Nations Convention against Corruption.

III. Conclusions and recommendations

36. The United Nations Convention against Corruption is the first and only global legally binding instrument against corruption and it is remarkably innovative and far-reaching in its content. The Convention reflects a multidisciplinary approach and contains comprehensive provisions that cover prevention, criminalization, international cooperation, technical cooperation and, for the first time in an international legal instrument, asset recovery.

37. In order to translate the political consensus that made the adoption of the instrument possible into actual operational measures, the Convention needs to be ratified and implemented as soon as possible. In that context, it is essential to support States with limited resources and capacities: (a) to adopt legislation that will bring them into compliance with the Convention; (b) to establish essential mechanisms that will allow them to fulfil their primary obligations under the Convention; and (c) to involve parliamentarians, criminal justice officials and other relevant practitioners and civil society in this effort.

38. For effective implementation of the Convention, it will also be essential for the Conference of the States Parties to the Convention, which will be convened within one year of the entry into force of the Convention, to be able to count on a wide number of additional ratifications or accessions by States from all regions of the world.

39. In view of the above, the Commission on Crime Prevention and Criminal Justice may wish to invite Member States to renew their efforts to ratify the United Nations Convention against Corruption and to encourage them to make adequate contributions to UNODC for its early entry into force and subsequent implementation, in pursuance of paragraph 4 of General Assembly resolution 58/4 and article 62 of the Convention.

40. The Commission is also invited to consider the problems created by the limited resources allocated in the United Nations regular budget to the promotion of the ratification of the Convention against Corruption and to its future implementation, as it is expected that between the end of 2005 and the beginning of 2006 the Convention will enter into force. This would generate a significant increase in activities for UNODC in particular in connection with the reconvening of the Ad Hoc Committee for the Negotiation of a Convention against Corruption in order to prepare the draft rules of procedure, in accordance with paragraph 5 of resolution 58/4, and the convening of the first session of the Conference of States Parties, in accordance with article 63 of the Convention, for which the Office will provide secretariat services, pursuant to article 64 of the Convention. Accordingly, the Commission may wish to review the resource provided for in the proposed programme budget for the biennium 2006-2007 to carry out the mandates regarding the implementation of the Convention in order to properly assess the capacity of the Office to work effectively in the months and years ahead, with a view to ensuring the smooth and efficient functioning of the Conference of the States Parties.

Notes

- ¹ Report of the Asian and Pacific Regional Preparatory Meeting for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice (A/CONF.203/RPM.1/1); report of the Latin American and Caribbean Regional Preparatory Meeting (A/CONF.203/RPM.2/1); report of the African Regional Preparatory Meeting (A/CONF.203/RPM.3/1 and Corr.1); and report of the Western Asian Regional Preparatory Meeting (A/CONF.203/RPM.4/1).
- ² See *Corruption and Integrity Improvement Initiatives in Developing Countries* (United Nations publication, Sales No. E.98.III.B.18).
- ³ Council of Europe, *European Treaty Series*, No. 173.

Annex

Status of signatures and ratification of the United Nations Convention against Corruption, as at 23 March 2005

<i>Country</i>	<i>Signature</i>	<i>Ratification, acceptance, approval, accession</i>
Afghanistan	20 February 2004	
Albania	18 December 2003	
Algeria	9 December 2003	25 August 2004
Angola	10 December 2003	
Argentina	10 December 2003	
Australia	9 December 2003	
Austria	10 December 2003	
Azerbaijan	27 February 2004	
Bahrain	8 February 2005	
Barbados	10 December 2003	
Belarus	28 April 2004	17 February 2005
Belgium	10 December 2003	
Benin	10 December 2003	14 October 2004
Bolivia	9 December 2003	
Brazil	9 December 2003	
Brunei Darussalam	11 December 2003	
Bulgaria	10 December 2003	
Burkina Faso	10 December 2003	
Cameroon	10 December 2003	
Canada	21 May 2004	
Cape Verde	9 December 2003	
Central African Republic	11 February 2004	
Chile	11 December 2003	
China	10 December 2003	
Colombia	10 December 2003	
Comoros	10 December 2003	
Costa Rica	10 December 2003	
Côte d'Ivoire	10 December 2003	
Croatia	10 December 2003	
Cyprus	9 December 2003	
Denmark	10 December 2003	
Djibouti	17 June 2004	
Dominican Republic	10 December 2003	
Ecuador	10 December 2003	
Egypt	9 December 2003	25 February 2005
El Salvador	10 December 2003	1 July 2004
Ethiopia	10 December 2003	
Finland	10 December 2003	
France	9 December 2003	
Gabon	10 December 2003	

<i>Country</i>	<i>Signature</i>	<i>Ratification, acceptance, approval, accession</i>
Germany	9 December 2003	
Greece	10 December 2003	
Guatemala	9 December 2003	
Haiti	10 December 2003	
Honduras	17 May 2004	
Hungary	10 December 2003	
Indonesia	18 December 2003	
Iran (Islamic Republic of)	9 December 2003	
Ireland	9 December 2003	
Italy	9 December 2003	
Japan	9 December 2003	
Jordan	9 December 2003	24 February 2005
Kenya	9 December 2003	9 December 2003
Kuwait	9 December 2003	
Kyrgyzstan	10 December 2003	
Lao People's Democratic Republic	10 December 2003	
Libyan Arab Jamahiriya	23 December 2003	
Liechtenstein	10 December 2003	
Lithuania	10 December 2003	
Luxembourg	10 December 2003	
Madagascar	10 December 2003	22 September 2004
Malawi	21 September 2004	
Malaysia	9 December 2003	
Mali	9 December 2003	
Mauritius	9 December 2003	15 December 2004
Mexico	9 December 2003	20 July 2004
Morocco	9 December 2003	
Mozambique	25 May 2004	
Namibia	9 December 2003	3 August 2004
Nepal	10 December 2003	
Netherlands	10 December 2003	
New Zealand	10 December 2003	
Nicaragua	10 December 2003	
Nigeria	9 December 2003	14 December 2004
Norway	9 December 2003	
Pakistan	9 December 2003	
Panama	10 December 2003	
Paraguay	9 December 2003	
Peru	10 December 2003	16 November 2004
Philippines	9 December 2003	
Poland	10 December 2003	
Portugal	11 December 2003	
Republic of Korea	10 December 2003	
Republic of Moldova	28 September 2004	
Romania	9 December 2003	2 November 2004

<i>Country</i>	<i>Signature</i>	<i>Ratification, acceptance, approval, accession</i>
Russian Federation	9 December 2003	
Saudi Arabia	9 January 2004	
Senegal	9 December 2003	
Serbia and Montenegro	11 December 2003	
Seychelles	27 February 2004	
Sierra Leone	9 December 2003	30 September 2004
Slovakia	9 December 2003	
South Africa	9 December 2003	22 November 2004
Sri Lanka	15 March 2004	31 March 2004
Sudan	14 January 2005	
Sweden	9 December 2003	
Switzerland	10 December 2003	
Syrian Arab Republic	9 December 2003	
Thailand	9 December 2003	
Timor-Leste	10 December 2003	
Togo	10 December 2003	
Trinidad and Tobago	11 December 2003	
Tunisia	30 March 2004	
Turkey	10 December 2003	
Uganda	9 December 2003	9 September 2004
Ukraine	11 December 2003	
United Kingdom of Great Britain and Northern Ireland	9 December 2003	
United Republic of Tanzania	9 December 2003	
United States of America	9 December 2003	
Uruguay	9 December 2003	
Venezuela	10 December 2003	
Viet Nam	10 December 2003	
Yemen	11 December 2003	
Zambia	11 December 2003	
Zimbabwe	20 February 2004	