

(a) To stimulate innovation, serve as a means for the exchange of experience, and ensure the widest possible dissemination of new ideas and technologies in the field of human settlements,

(b) To formulate and make recommendations for an international programme in this field which will assist Governments,

(c) To stimulate interest in developing appropriate financial systems and institutions for human settlements among those making financial resources available and those in a position to use such resources,

Considering that the most appropriate and effective action for dealing with human settlements problems is action at the national level, but that national action will require assistance and co-operation between and among all States,

1. Takes note of the report of the United Nations Conference on Human Settlements;⁵³

2. Expresses its gratitude to the Government and people of Canada for making possible the holding of the Conference and for their generous hospitality;

3. Expresses its appreciation to the Secretary-General of the Conference for the effective preparation and organization of the Conference;

4. Calls upon the United Nations regional commissions, and urges all other international organizations within and outside the United Nations system, to take intensified and sustained action in support of national efforts to improve human settlements;

5. Recommends to the General Assembly that the Secretary-General of the United Nations be requested to convene, within the framework of the regional commissions, regional meetings to establish guidelines for the co-ordination, within each region, of action to be taken in order to deal with human settlements, and to report to the General Assembly on the results of their deliberations;

6. Recommends that the General Assembly, in considering the report of the Conference, give special attention to the recommendations for international co-operation,⁵⁴ taking note of the opinions expressed on this matter at the sixty-first session of the Economic and Social Council.

2032nd plenary meeting
5 August 1976

2041 (LXI). Corrupt practices, particularly illicit payments, in international commercial transactions

The Economic and Social Council,

Recalling General Assembly resolution 3514 (XXX) of 15 December 1975, which, *inter alia*, condemned all corrupt practices, including bribery, by transnational and other corporations, their intermediaries and others

⁵³ A/CONF.70/15; transmitted to the Economic and Social Council by a note of the Secretary-General (E/5868). See *Report of Habitat: United Nations Conference on Human Settlements* (United Nations publication, Sales No. E.76.IV.7).

⁵⁴ *Ibid.*, chap. III.

involved, in violation of the laws and regulations of the host countries, reaffirmed the right of any State to adopt legislation and to investigate and take appropriate legal action, in accordance with its national laws and regulations, against transnational and other corporations, their intermediaries and others involved, for such corrupt practices, and called upon all Governments to exchange information and upon home Governments to co-operate with Governments of the host countries to prevent corrupt practices, including bribery,

Noting the decision of the Commission on Transnational Corporations contained in paragraph 37 of its report on its second session,⁵⁵

1. Decides:

(a) To establish an *Ad Hoc* Intergovernmental Working Group to conduct an examination of the problem of corrupt practices, in particular bribery, in international commercial transactions by transnational and other corporations, their intermediaries and others involved, to elaborate in detail the scope and contents of an international agreement to prevent and eliminate illicit payments, in whatever form, in connexion with international commercial transactions as defined by the Working Group, and to report to the Economic and Social Council at its sixty-third session, including in its report such other relevant proposals and options as it may decide to submit;

(b) That the *Ad Hoc* Intergovernmental Working Group shall be composed of 18 members selected by the Council on the basis of equitable geographical distribution;

(c) That the *Ad Hoc* Intergovernmental Working Group shall meet in 1976 and as necessary in 1977, the sessions to be of sufficient duration to permit the completion of its task;

2. Requests United Nations agencies and bodies, especially the United Nations Commission on International Trade Law and the Information and Research Centre on Transnational Corporations, to render such assistance to the *Ad Hoc* Intergovernmental Working Group as it may request;

3. Reaffirms that the formulation of a code of conduct by the Commission on Transnational Corporations should be given the highest priority and that the consideration and action of the Council in the matter of corrupt practices, particularly illicit payments, shall in no way interfere with or delay that priority;

4. Decides further that the report to be submitted by the *Ad Hoc* Intergovernmental Working Group to the Council at its sixty-third session containing the results of its work, pursuant to paragraph 1 (a) above, should be in a form that will enable the Council, if it so decides, to transmit its concrete recommendation or recommendations to the General Assembly for final action.

2032nd plenary meeting
5 August 1976

⁵⁵ *Official Records of the Economic and Social Council, Sixty-first Session, Supplement No. 5 (E/5782).*