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Ad Hoc Committee for the Negotiation of a Convention against Corruption

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Agenda item 3

Consideration of the draft United Nations Convention against Corruption

Proposals and contributions received from Governments

Proposal submitted by the Chairman

Chapter VII: Mechanisms for monitoring implementation

The Chairman who coordinated the informal open-ended working group on chapter VII proposes the following compromise text:

“Article 76

“Conference of the Parties to the Convention

“1. A Conference of the Parties to the Convention is hereby established to improve the capacity of and cooperation between States Parties in order to achieve the aims set forth in this Convention and to promote and review its implementation.

“2. The Secretary-General of the United Nations shall convene the Conference of the Parties not later than one year following the entry into force of this Convention. Thereafter, regular meetings of the Conference of the Parties shall be held in accordance with the rules of procedure adopted by the Conference.

“3. The Conference of the Parties shall adopt rules of procedure and rules governing the activities set forth in this article, including rules concerning the activities mentioned in paragraph 6, admission and participation of observers and the payment of expenses incurred in carrying out those activities.

“4. The Conference of the Parties shall agree upon activities, procedures and methods of work to achieve the objectives set forth in paragraph 1 of this article, including:



“(a) Facilitating activities by States Parties under articles [...] [Training and technical assistance] and [...] [Other measures: implementation of the Convention through economic development and technical assistance] and chapters [...] [Preventive measures], [...] [Criminalization, sanctions and remedies, confiscation and seizure, jurisdiction, liability of legal persons, protection of witnesses and victims and law enforcement], [...] [Promoting and strengthening international cooperation] and [...] [Preventing and combating the transfer of funds of illicit origin derived from acts of corruption, including the laundering of funds, and returning such funds] of this Convention, including by encouraging the mobilization of voluntary contributions;

“(b) Facilitating the exchange of information among States Parties on patterns and trends in corruption and on successful practices for preventing and combating it and for the return of proceeds of corruption, through, inter alia, the publication of relevant information as mentioned in this article;

“(c) Cooperating with relevant international and regional organizations and mechanisms and non-governmental organizations;

“(d) Making appropriate use of relevant information produced by other international and regional mechanisms for combating and preventing corruption in order to avoid unnecessary duplication of work;

“(e) Reviewing periodically the implementation of this Convention with a view to achieving its universal application;

“(f) Making recommendations to improve this Convention and its implementation;

“(g) Taking note of the technical assistance requirements of States Parties with regard to the implementation of this Convention and recommending any action it may deem necessary in that respect.

“5. For the purpose of paragraph 4 of this article, the Conference of the Parties shall acquire the necessary knowledge of the measures taken by States Parties in implementing this Convention and the difficulties encountered by them in doing so through information provided by them and through such supplemental review mechanisms as may be established by the Conference of the Parties.

“6. Each State Party shall provide the Conference of the Parties with information on its programmes, plans and practices, as well as on legislative and administrative measures to implement this Convention, as required by the Conference of the Parties. The Conference of the Parties shall examine the most effective way of receiving and acting upon information, including, inter alia, periodical reports from States Parties, information provided by competent international organizations and inputs from relevant non-governmental organizations through a suitable accreditation process to be decided upon by the Conference of the Parties.

“7. The Conference of the Parties shall establish any subsidiary body it deems necessary for the effective implementation of this Convention. Such body shall reflect equitable geographical distribution, objectivity and independence.”