



General Assembly

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**Ad Hoc Committee for the Negotiation of a
Convention against Corruption**
Sixth session
Vienna, 21 July-8 August 2003
Agenda item 3
**Consideration of the draft United Nations Convention
against Corruption**

Proposals and contributions

Proposal submitted by the Chairman

Preamble

The Chairman of the Ad Hoc Committee for the Negotiation of a Convention against Corruption proposes to amend the preamble to read as follows:

“Preamble

“The States Parties to this Convention,

“Concerned about the seriousness of problems posed by corruption, which may endanger the stability and security of societies, undermine the values of democracy and jeopardize social, economic and political development,

“Concerned also about the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering,

“Concerned further that cases of corruption, especially on a large scale, tend to involve vast quantities of funds, which may constitute a substantial proportion of the resources of the countries affected, and that their diversion causes great damage to the political stability and economic and social development of those countries,

“Convinced that corruption undermines the legitimacy of public institutions and strikes at society, ethical values and justice, as well as at the sustainable development of nations,



“*Convinced also* that the globalization of the world’s economies has led to a situation where corruption is no longer a local matter but a transnational phenomenon that affects all societies and economies, making international cooperation to prevent and control it essential,

“*Convinced further* of the need to provide to States, upon request, technical assistance designed to improve public management systems and to enhance accountability and transparency,

“*Bearing in mind* that the eradication of corruption is a responsibility of States and that they must cooperate with one another, with the support and involvement of civil society, if their efforts in this area are to be effective,

“*Bearing also in mind* fundamental principles, such as, inter alia, the general objective of good governance, fairness and equality before the law, the need for transparency in the management of public affairs and the need to safeguard integrity,

“*Commending* the work of the Commission on Crime Prevention and Criminal Justice and the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime in combating corruption and bribery,

“*Recalling* the work carried out by other international and regional organizations in this field, including the activities of the Council of Europe, the European Union, the Organisation for Economic Cooperation and Development and the Organization of American States,

“*Welcoming* multilateral initiatives to combat corruption, including, inter alia, the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, adopted by the Organisation for Economic Cooperation and Development on 21 November 1977,¹ the Inter-American Convention against Corruption, adopted by the Organization of American States on 29 March 1996,² the Convention on the Fight against Corruption involving Officials of the European Communities or Officials of Member States of the European Union, adopted by the Council of the European Union on 26 May 1997,³ the African Union Convention on Preventing and Combating Corruption, adopted by the Heads of State of the African Union on 12 July 2003, the Criminal Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 27 January 1999,⁴ and the Civil Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 9 September 1999,^{5,6}

¹ See *Corruption and Integrity Improvement Initiatives in Developing Countries* (United Nations publication, Sales No. E.98.III.B.18).

² See E/1996/99.

³ *Official Journal of the European Communities*, C 195, 25 June 1997.

⁴ Council of Europe, *European Treaty Series*, No. 173.

⁵ *Ibid.*, No. 174.

⁶ See General Assembly resolutions 51/59 and 53/176.

“Recalling the United Nations Convention against Transnational Organized Crime, adopted by the General Assembly on 15 November 2000,⁷

“Concerned that the illicit acquisition of personal wealth by senior public officials, their families and their associates can be particularly damaging to democratic institutions, national economies and the rule of law, as well as to international efforts to promote economic development worldwide,

“Determined to prevent, detect and deter in a more effective manner international transfers of assets illicitly acquired by, through or on behalf of public officials and to recover such assets on behalf of victims of crime and legitimate owners,

“Acknowledging the fundamental principles of due process of law in criminal proceedings and in civil or administrative proceedings to adjudicate property rights,

“Have agreed as follows:

⁷ See General Assembly resolution 55/25, annex I.”