



Conference of the States Parties to the United Nations Convention against Corruption

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Prevention

Morocco: draft resolution

Marrakech commitment on the prevention of corruption

The Conference of the States Parties to the United Nations Convention against Corruption,

Recalling paragraph 52 of the outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals,¹ in which the Assembly stressed that corruption diverts resources away from activities that are vital for poverty eradication, the fight against hunger and sustainable development and urged all States that had not yet done so to consider ratifying or acceding to the United Nations Convention against Corruption² and to begin its implementation,

Recognizing the prominence that the United Nations Convention against Corruption has given to the prevention of corruption by devoting its entire chapter II to measures to prevent corruption in both the public and private sectors,

Stressing the importance of implementing articles 5 to 14 of the Convention to prevent and fight corruption,

Underlining, in view of the forthcoming review of chapter II of the Convention during the second cycle of the Mechanism for the Review of Implementation of the Convention, the importance of building legislative and institutional frameworks consistent with the requirements of that chapter,

Recalling its resolution 3/2, by which, inter alia, it established an interim Open-ended Intergovernmental Working Group on the Prevention of Corruption to advise and assist the Conference in the implementation of its mandate on the prevention of corruption, and welcoming the conclusions and recommendations of the Working Group,

* CAC/COSP/2011/1.

¹ General Assembly resolution 65/1.

² United Nations, *Treaty Series*, vol. 2349, No. 42146.



Recognizing that, while the implementation of the Convention is the responsibility of States parties, the promotion of a culture of integrity, transparency and accountability and the prevention of corruption are responsibilities to be shared by all stakeholders and sectors of society, in accordance with articles 7 to 13 of the Convention,

Recalling the momentum gathered through the Bali Business Declaration, which contains the commitment of the private sector entities present at the second session of the Conference, inter alia, to work towards the alignment of business principles with fundamental values enshrined in the Convention, develop mechanisms to review company compliance and strengthen private-public partnerships for combating corruption,

1. *Encourages* States parties to promote universal adherence to the Convention, and urges all States that have not yet done so to ratify or accede to the Convention as soon as possible;

2. *Decides* that the Open-ended Intergovernmental Working Group on the Prevention of Corruption shall continue its work to advise and assist the Conference in the implementation of its mandate on the prevention of corruption and shall hold at least two meetings prior to the fifth session of the Conference, in 2013;

3. *Requests* the Secretariat to assist the Working Group in the performance of its functions, including by providing interpretation services in the six official languages of the United Nations;

4. *Decides* that the future meetings of the Working Group will follow a multi-year workplan for the period up to 2015, when the second cycle of the Implementation Review Mechanism begins;

5. *Notes with appreciation* that many States parties have shared information on their initiatives and good practices on the topics considered by the second meeting of the Working Group, and urges States parties to continue to share with the Secretariat new as well as updated information on such initiatives and good practices;

6. *Requests* the Secretariat, subject to the availability of extrabudgetary resources, to perform the functions of an international observatory gathering information on good practices in preventing corruption, thereby focusing in particular on systematizing, analysing and disseminating the information received from States parties pursuant to paragraph 5 above and providing the Working Group and the Conference with studies and other analytical reports, including lessons learned and proposals for the adaptability of good practices and related technical assistance activities, which could be offered to States parties upon request;

7. *Requests* Member States, with the assistance of the Secretariat, as appropriate, and in collaboration with relevant regional organizations, to promote regional activities to prevent corruption, including regional workshops for the exchange of relevant experiences and good practices;

8. *Strongly encourages* States parties, in addition to integrating anti-corruption policies in broader crime prevention and criminal justice reform strategies and public sector reform plans, in line with Conference resolution 3/2,

also to undertake similar action with regard to development strategies and action plans;

9. *Calls upon* States parties that have not yet done so to inform the Secretary-General about the designation of competent authorities that may assist other States parties in developing and implementing specific measures for the prevention of corruption and to update existing information where needed;

10. *Takes note* of the initiatives taken by the Secretariat to promote partnerships with the private sector against corruption, in close cooperation with the Global Compact Office and other relevant organizations, and requests the Secretariat to continue to assist in promoting the implementation of the Convention among the business community;

11. *Calls upon* States parties to promote the business community's engagement in the prevention of corruption by, inter alia, developing initiatives to promote and implement public procurement reform, working with the business community to address practices that generate vulnerability to corruption and identifying elements of optimal self-regulation in the private sector;

12. *Also calls upon* States parties to use the Convention as a framework for the development of specific and tailored anti-corruption safeguards in sectors that may present a greater vulnerability to corruption, such as energy, transportation and environment-related sectors, as well as in situations potentially prone to corruption, such as the organization of major public events, including major sports events, and requests the Secretariat to assist States parties in doing so, upon request and subject to the availability of extrabudgetary resources;

13. *Notes with appreciation* the cooperation between the Secretariat and the United Nations Commission on International Trade Law on public procurement, and requests the Secretariat to further pursue such cooperation, particularly in promoting the use of the revised United Nations Commission on International Trade Law Model Law on Procurement of Goods, Construction and Services, to assist States parties in the implementation of article 9, paragraph 1, of the Convention;

14. *Urges* States parties to raise public awareness of corruption and laws and regulations against it, as well as the existing rights of and possibilities for the general public to obtain information on the organization, functioning and decision-making processes of their public administrations and raise public awareness of the responsibilities of public officials with respect to the performance of their functions, with due regard to the protection of privacy and personal data;

15. *Calls upon* States parties to devote special attention to the creation of opportunities to involve young people as key actors to successfully prevent corruption at the domestic and the international level, and requests the Secretariat to assist States parties in doing so, upon request and subject to the availability of extrabudgetary resources;

16. *Also calls upon* States parties, consistent with the fundamental principles of their educational and legal systems, to promote, at various levels of the education system, educational programmes that instil concepts and principles of integrity;

17. *Requests* States parties to improve training and education at all levels of the public and private sectors in the prevention of corruption and, depending on

their national legislation, make such training and education an integral part of national anti-corruption strategies and plans;

18. *Welcomes* the initiative taken by the Secretariat, in collaboration with relevant partner institutions, to develop comprehensive anti-corruption academic materials for universities and other academic institutions, and requests the Secretariat to continue its efforts to make specific information about the Convention and its prevention commitments as widely available as possible;

19. *Takes note* of the efforts of the Secretariat to gather information on good practices in promoting responsible, professional and safe reporting by journalists on corruption, and requests the Secretariat to further collect, analyse and disseminate such information;

20. *Notes with appreciation* the cooperation between the Secretariat and the Department of Economic and Social Affairs of the Secretariat on the prevention of corruption in the public sector, and requests the Secretariat to continue such cooperation, particularly with regard to the United Nations Public Service Awards, as well as through other initiatives, including activities that enhance public service delivery and prevent corruption;

21. *Welcomes* the continued efforts of the Secretariat to promote integrity among members of the United Nations System Chief Executives Board for Coordination through the Institutional Integrity Initiative, including in cooperation with the Ethics Office, and requests the Secretariat to organize, subject to the availability of extrabudgetary funding, a third meeting to further pursue the Institutional Integrity Initiative of the United Nations System Chief Executives Board for Coordination;

22. *Encourages* States parties to strive towards early reporting on the implementation of chapter II of the Convention, using the self-assessment checklist, with emphasis on evaluation of the effectiveness of existing prevention measures, the compilation of good practices and the identification of technical assistance needs;

23. *Requests* the Secretariat, in close cooperation with multilateral and bilateral assistance providers, to continue to provide technical assistance to States parties, upon request, with a view to advancing the implementation of chapter II, including in preparing for participation in the review process for chapter II;

24. *Also requests* the Secretariat, and calls upon national, regional and international donors and recipient countries, to intensify their cooperation and coordination in the provision of technical assistance in preventing corruption, and welcomes the cooperation between the Secretariat and the United Nations Development Programme to integrate Convention-based anti-corruption technical assistance in the broader development agenda, including the United Nations Development Assistance Framework;

25. *Requests* Member States to ensure the availability of sufficient financial resources to effectively meet the technical assistance needs identified by States parties for the implementation of chapter II of the Convention;

26. *Underlines* the importance of providing the United Nations Office on Drugs and Crime with sufficient, stable and predictable funding to be able to

respond to the increasing demand for its services, and encourages Member States to make adequate voluntary contributions to the account referred to in article 62 of the Convention, operated within the United Nations Crime Prevention and Criminal Justice Fund,³ for the provision to developing countries and countries in transition of the technical assistance that they might require to build their capacities to implement chapter II of the Convention;

27. *Requests* the Secretariat to submit a report to the Conference at its fifth session on the implementation of the present resolution.

³ See General Assembly resolution 58/4, para. 4.