

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

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Extract from the Report of the Conference of the States Parties to the United Nations Convention against Corruption on its third session, held in Doha from 9 to 13 November 2009

Resolution 3/2

Preventive measures

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

Recognizing the prominence that the United Nations Convention against Corruption⁷ 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,

Recognizing that the prevention of corruption is an ongoing and gradual process, aware that anti-corruption policies ought to be embedded into broader national crime prevention and criminal justice reform strategies as well as into public sector reform plans, and recognizing the importance of principles of good governance, integrity and transparency,

Recalling article 61, paragraph 2, of the Convention, which stresses the importance of developing and sharing best practices in the prevention of corruption,

Recalling also article 63, paragraph 4, of the Convention, which, inter alia, refers to the need to facilitate the exchange of information among States on successful practices for preventing corruption and the

⁷ United Nations, *Treaty Series*, vol. 2349, No. 42146

objective of the Conference of promoting the implementation of the Convention, *inter alia*, by facilitating the exchange of information among States on successful practices for preventing corruption

Welcoming the efforts made by States, the United Nations, other international organizations and other networks to develop appropriate policies and preventive measures, and acknowledging the need to build on such experiences with a view to developing more comprehensive, coherent, effective and efficient approaches in this field,

Bearing in mind the multiplicity and diversity of approaches to preventive measures, and that such approaches may require context-based, sector-specific or country-specific adaptation,

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,

Recognizing also the role of national, regional and international donor organizations in delivering technical assistance in the prevention of corruption,

Welcoming the initiative of the International Criminal Police Organization, the United Nations Office on Drugs and Crime and the Government of Austria, with the support of the European Anti-Fraud Office and other partners, to work collaboratively towards the establishment of the International Anti-Corruption Academy, and also welcoming regional efforts to establish similar institutions,

Recalling the numerous initiatives undertaken by different sectors of society in the margins of the second session of the Conference, in particular the declaration of the peer-to-peer media forum and the Bali Business Declaration, which contains the commitment of the private sector entities present, *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. *Takes note with appreciation* of the work carried out by the Secretariat to gather information on national efforts to implement the United Nations Convention against Corruption,⁸ including its provisions on prevention, through a selfassessment checklist on the implementation of the Convention, as reflected in the relevant reports prepared by the Secretariat;⁹
2. *Decides* to establish an interim open-ended intergovernmental working group, in accordance with article 63, paragraph 7, of the Convention, and rule 2, paragraph 2, of the rules of procedure of the Conference of the States Parties, to advise and assist the Conference in the implementation of its mandate on the prevention of corruption;
3. *Also decides* that the working group shall perform the following functions:
 - (a) Assist the Conference in developing and accumulating knowledge in the area of prevention of corruption;
 - (b) Facilitate the exchange of information and experience among States on preventive measures and practices;
 - (c) Facilitate the collection, dissemination and promotion of best practices in corruption prevention;
 - (d) Assist the Conference in encouraging cooperation among all stakeholders and sectors of society in order to prevent corruption;
4. *Further decides* that the work of the working group shall be subsumed under the work of the Implementation Review Group if the Implementation Review Group establishes thematic sub-groups;
5. *Requests* the Secretariat to collect, analyse and disseminate information on good practices in the field of prevention of corruption, taking into account existing expertise within the United Nations system and other relevant organizations and focusing particularly on public procurement, management of public financing, integrity and transparency in public administration, awareness-raising initiatives and partnerships between the public and private sectors to prevent

⁸ United Nations, *Treaty Series*, vol. 2349, No. 42146..

⁹ CAC/COSP/2009/9 and Add.1 and CAC/COSP/2009/12

corruption, and requests the Secretariat to report on such efforts to the working group;

6. *Strongly encourages* States parties to integrate anti-corruption policies to promote integrity and prevent corruption in broader crime prevention and criminal justice reform strategies, as well as in public sector reform plans;

7. *Requests* the Secretariat to collect, analyse and disseminate information on existing regulation models for the public sector, including provisions addressing conflict of interest, and on professional codes of conduct;

8. *Calls upon* States parties that have not done so to ensure the existence of anti-corruption bodies in accordance with article 6 of the Convention, strengthen the capacity and independence of those bodies in dealing with the prevention of corruption and take steps, in accordance with the fundamental principles of their legal systems, to safeguard those bodies from undue influence;

9. *Also calls upon* all States parties that have not yet done so to inform the Secretary-General of the name and address of the national authority or authorities that may assist other States parties in developing and implementing specific measures for the prevention of corruption;

10. *Requests* the Secretariat to collect and disseminate information on methodologies, including evidence-based approaches for assessing areas of special vulnerability in the public and private sectors that are potentially or recurrently prone to corruption and report on those efforts to the working group;

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. *Encourages* interested States parties, representatives of private sector entities and relevant international organizations to consult and collaborate with each other in order to share best practices for the alignment of systems of public procurement with the requirements of article 9 of the Convention;

13. *Invites* States parties, where appropriate, to consider the use of computerized systems to govern public procurement and to track and identify suspect cases, and to consider, in accordance with the fundamental principles of their legal systems, the adoption and use of procedures to prohibit private sector entities involved in corrupt contracting practices from future participation in public tenders;

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 with respect to obtaining information on the organization, functioning and decision-making processes of their public administration 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 enhance dialogue and synergies with other stakeholders outside the public sector in order to promote the involvement and engagement of those groups in the development and implementation of broader national policies and plans for promoting integrity and preventing corruption;

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* the Secretariat to collect information on best practices for promoting responsible and professional reporting on corruption for journalists and report thereon to the working group;

18. *Calls upon* the Secretariat and national, regional and international donors and recipient countries to intensify their cooperation and coordination in the provision of technical assistance in preventing corruption;

19. *Requests* the Secretariat to strengthen its efforts to make specific information about the Convention and its prevention commitments widely available to schools of public administration, law and criminal justice schools, business schools, academies and training institutions;

20. *Also requests* the Secretariat to continue its efforts to assist international organizations with their adoption and implementation of the principles of the Convention, in particular through the institutional integrity initiative of the United Nations System Chief Executives Board for Coordination, and encourages States parties, in their capacity as States members of public international organizations, to continue promoting and aligning anti-corruption policies and rules of those organizations with the principles of the Convention;

21. *Decides* that the interim open-ended intergovernmental working group referred to in paragraph 2 above shall meet during the sessions of the Conference and, as appropriate, shall hold at least two intersessional meetings within existing resources;

22. *Also decides* that the working group shall submit reports on all its activities to the Conference;

23. *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, within existing resources.