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International cooperation in combating transnational crime: United Nations Convention against Corruption

United Nations Convention against Corruption**

Report of the Secretary-General

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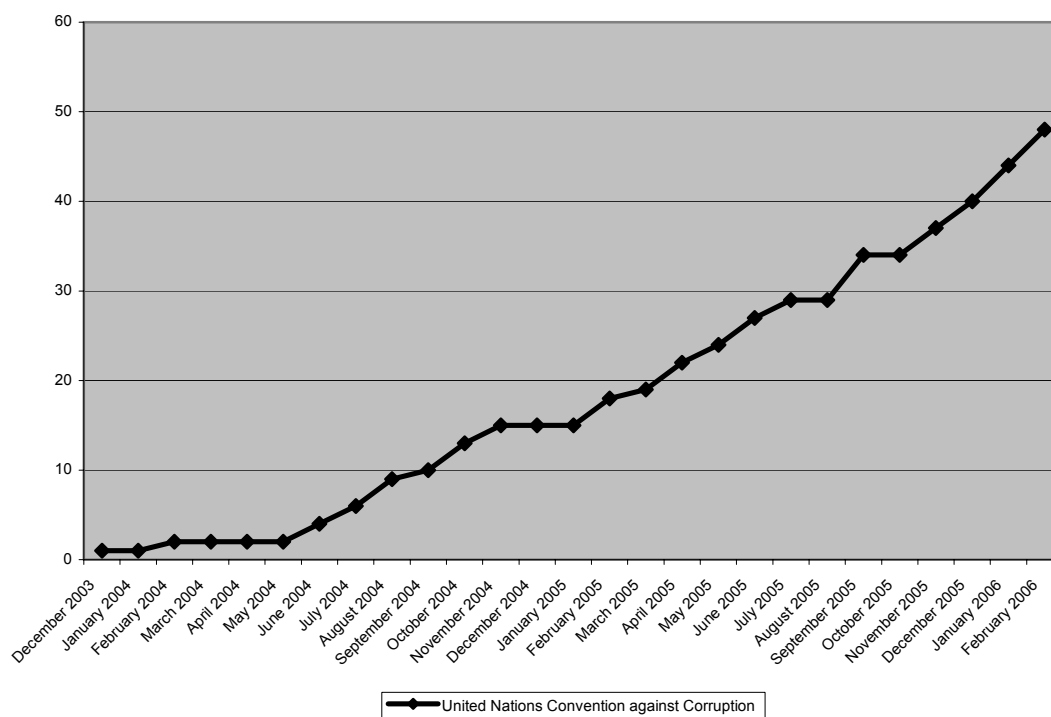
I. Introduction

1. The United Nations Convention against Corruption, adopted by the General Assembly in its resolution 58/4 of 31 October 2003, entered into force on 14 December 2005, pursuant to article 68 of the Convention, which provides for its entry into force on the ninetieth day after the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession.

2. The entry into force triggers the establishment of the Conference of the States Parties to the United Nations Convention against Corruption, which, pursuant to article 63 of the Convention, will be convened no later than one year following the entry into force. The Government of Jordan has offered to host the first session of the Conference of the States Parties and, at the time of writing, consultations were under way between the Secretariat and the Government of Jordan on arrangements for the first session, to be held in Amman, possibly in early December 2006.

3. As at 28 February 2006, 140 States had signed the Convention and 48 had ratified it. (See the figure below and the list of signatories and parties to the Convention contained in the annex to the present document).

Progress in ratification of the United Nations Convention against Corruption



4. Pursuant to its article 67, the Convention was closed for signature on 9 December 2005. States that have not signed the Convention may accede to it.

5. In its resolution 2005/18 of 22 July 2005, entitled “Action against corruption: assistance to States in capacity-building with a view to facilitating the entry into force and subsequent implementation of the United Nations Convention against Corruption”, the Economic and Social Council welcomed the ratification of the Convention by an increasing number of Member States; urged States to consider ratifying the Convention as soon as possible, in order to allow its early entry into force and to facilitate its effective implementation; called upon Member States to continue to make adequate voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund to provide developing countries and countries with economies in transition with the technical assistance they might require to implement the Convention; requested the Secretary-General to provide the United Nations Office on Drugs and Crime (UNODC) with the resources necessary to enable it to promote, in an effective manner, the entry into force and implementation of the Convention, inter alia through the provision of assistance to developing countries and countries with economies in transition for building capacity in the areas covered by the Convention; and also requested him to report to the Commission on Crime Prevention and Criminal Justice at its fifteenth session. The present report was prepared pursuant to the latter request.

6. In its resolution 60/175 of 16 December 2005, entitled “Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity”, the General Assembly, welcoming the imminent entry into force of the Convention, reaffirmed the role of UNODC in providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the area of prevention and control of corruption; encouraged relevant entities of the United Nations system to increase further their interaction with UNODC in order to benefit from synergies and avoid duplication of effort; and encouraged States to make adequate and regular voluntary contributions for the implementation of the Convention, through the United Nations funding mechanism specifically designed for that purpose in the Convention or in direct support of implementation activities and initiatives.

7. In its resolution 60/207 of 22 December 2005, entitled “Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption”, the General Assembly reiterated its invitation to all Member States and competent regional economic integration organizations to ratify and fully implement the Convention as soon as possible; encouraged all Governments to prevent, combat and penalize corruption in all its forms and to work for the prompt return of illicitly acquired assets, through asset recovery consistent with the principles of the Convention, in particular chapter V; and called for further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent and combat corrupt practices and the transfer of assets of illicit origin, as well as for asset recovery; encouraged Member States to provide adequate financial and human resources to UNODC, and further encouraged the Office to give high priority to technical cooperation, upon request, inter alia, to promote and facilitate the ratification and implementation of the Convention; and encouraged Member States, relevant international organizations and UNODC to give prominence to 9 December as International Anti-Corruption Day, as established by the Assembly in its resolution 58/4.

II. Promotion of the ratification and implementation of the United Nations Convention against Corruption

A. Legislative guide and other tools for the implementation of the Convention

8. Drawing on the positive experience gained in the preparation of the *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto*,¹ UNODC, in cooperation with the United Nations Interregional Crime and Criminal Justice Institute (UNICRI), has developed a legislative guide for the ratification and implementation of the Convention against Corruption.

9. A group of experts from all geographical regions and representing various legal systems held two meetings in Turin, Italy, from 10 to 12 July 2004 and from 26 to 28 February 2005, respectively. The draft legislative guide developed during the meetings was circulated for comments and input from experts and delegations to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005, and to the Commission on Crime Prevention and Criminal Justice at its fourteenth session, held in Vienna from 23 to 27 May 2005. Comments received are being incorporated into the final version of the guide, which will be published in the official languages of the United Nations for distribution at the first session of the Conference of the States Parties to the United Nations Convention against Corruption.

10. As the Convention, in particular with regard to prevention, enforcement measures and asset recovery, poses significant challenges on States parties in terms of setting up the required institutional framework and developing implementation procedures and mechanisms, UNODC, in collaboration with UNICRI, launched a project for the development of a technical guide for the promotion of the implementation of the Convention. With a view to complementing the legislative guide, the objective is to create a repository of best practices in building the institutional and operational capacity needed to implement the provisions of the Convention. It will capitalize on the work done by the Office on collecting best practices in preventing and controlling corruption, such as the Anti-Corruption Toolkit,² as well as work done by other organizations, in particular by the members of the International Group for Anti-Corruption Coordination.

11. In May 2005, the second edition of the *Compendium of International Legal Instruments on Corruption* was published and disseminated during the fourteenth session of the Commission on Crime Prevention and Criminal Justice and at the Fourth Global Forum on Fighting Corruption, held in Brasilia from 7 to 10 June 2005, as well as on other subsequent occasions.

12. In October 2005, UNODC organized the fourth meeting of the Judicial Group on Strengthening Judicial Integrity in Vienna, which was attended by chief justices and senior judges from 12 countries of both civil and common law systems. The purpose of the meeting was to review a proposal for a draft commentary on the Bangalore Principles of Judicial Conduct (E/CN.4/2003/65, annex), previously adopted by the Group, and a draft manual on judicial reform. The meeting also finalized the United Nations Principles of Conduct for Judicial Integrity, and

discussed the standards for review of judicial performance, applied in various jurisdictions.

B. High-level regional seminars

13. Based on the successful experience made with holding regional and subregional seminars to promote the ratification and implementation of the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I), UNODC, with the support from a number of donors, organized a series of high-level regional seminars in the last quarter of 2005 and the beginning of 2006.

14. At the time of drafting the present report, six regional seminars, aimed at promoting the ratification and implementation of the Convention, had been held: (a) A high-level seminar for West and Central African countries, held in Dakar from 31 October to 2 November 2005, hosted by the Government of Senegal and organized in cooperation with the UNODC Regional Office for West and Central Africa; (b) a high-level conference for Eastern European and Central Asian countries, held in Sofia from 7 to 9 November 2005, hosted by the Government of Bulgaria; (c) a high-level seminar for Latin American and Spanish-speaking Caribbean countries, held in Buenos Aires from 5 to 8 December 2005, hosted by the Government of Argentina; (d) an Arab regional high-level seminar, held in Cairo from 19 to 21 December 2005, hosted by the Government of Egypt and organized in cooperation with the UNODC Regional Office for the Middle East and North Africa; (e) a high-level seminar for Asia and the Pacific region, held in Bangkok from 16 to 18 January 2006, hosted by the Government of Thailand and organized in cooperation with the UNODC Regional Centre for East Asia and the Pacific; and (f) a high-level seminar for Southern and Eastern African countries, held in Pretoria from 8 to 10 February 2006, hosted by the Government of South Africa and organized in cooperation with the UNODC Regional Office for Southern Africa. A seminar for the English-speaking Caribbean countries is scheduled to be held from 28 February to 2 March 2006.

15. The seminars brought together policymakers and practitioners and provided participating countries with a platform for the sharing of experience, good practices and innovative initiatives with other countries in the region and with UNODC. The seminars balanced the political and substantive aspects of promoting the ratification and implementation of the Convention against Corruption. While a major goal was to reinforce the political will and commitment that had made the negotiation of the Convention possible, another equally important objective was to familiarize countries with the provisions of the Convention. The draft legislative guide for the incorporation of the Convention into national legislation was used as a basis for the exercise.

16. A range of key issues emerged during the seminars and have been reflected in the conclusions and recommendations adopted at the end of each seminar. Some of the recurrent issues identified are mentioned below. The importance of developing national anti-corruption strategies, including strong preventive measures, was highlighted by the participants. In that context, the central role of civil society and the media in raising public awareness on corruption was emphasized. The

establishment of anti-corruption bodies with appropriate and adequate political, functional and budgetary independence was identified as a crucial component of any national anti-corruption strategy. Developing a methodology, including establishing objective indicators, for assessing progress in the implementation of the Convention was another of the recurrent issues raised. The need to further promote existing mechanisms of international cooperation, especially in the field of extradition and mutual legal assistance, and to develop and strengthen mechanisms for asset recovery was emphasized at all the seminars. Participants noted the importance of the technical assistance provided by UNODC. The conduct of joint initiatives with other regional and international organizations, including joint training courses aimed at building national capacity, was particularly encouraged.

C. Cooperation with other entities

1. Involvement of other entities in the high-level regional seminars

17. The Office involved institutional partners in the organization and conduct of the seminars. Besides partners within the United Nations system, such as the United Nations Development Programme (UNDP), the Economic and Social Commission for Asia and the Pacific and regional institutes such as the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the seminars also involved other international organizations, including the Council of Europe, the European Commission, the Organization for Economic Cooperation and Development (OECD), the Organization for Security and Cooperation in Europe (OSCE), the Organization of American States (OAS) and the Stability Pact for South-Eastern Europe, as well as the World Bank and other development banks, such as the African Development Bank. Transparency International, as well as other non-governmental organizations, including the Center for the Study of Democracy and the Institute for Security Studies, have also participated actively in the seminars.

2. Joint initiatives

18. On 17 and 18 June 2005, the Office and the Center for the Study of Democracy, a Bulgarian non-governmental organization, organized a workshop on measuring and monitoring corruption and anti-corruption in Sofia. The workshop took stock of existing methods to assess the levels, nature, location and impact of corruption, as well as to monitor the implementation of existing international instruments against corruption, and identified basic parameters for measuring and monitoring corruption and action against it.

19. The Office and the Ministry of Justice of Egypt and the Government of France organized a national pre-ratification seminar devoted to the ratification and implementation of the Convention in Cairo on 26 and 27 June 2005.

20. Together with UNDP the Office conducted a regional forum on anti-corruption institutions in Central Asia and Central and Eastern Europe in Vienna from 12 to 15 December 2005. The forum was attended by representatives of 21 countries in the region, who discussed policy and practical issues concerning the drafting of anti-corruption legislation and its enforcement, the creation of anti-corruption bodies, as well as preventive measures.

21. The Office continued to service, together with the Office of Internal Oversight Services of the Secretariat, the International Group for Anti-Corruption Coordination. During the period under review, the Office organized the seventh meeting of the Group, which was held in Bangkok in April 2005, during the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, and focused on preventing and controlling corruption in emergency disaster relief. The meeting adopted a set of conclusions for further action to enhance transparency and accountability of organizations involved in providing emergency assistance to countries affected by major disasters, such as the Indian Ocean tsunami. The eighth meeting of the Group, which was held in New York in early 2006, was attended by representatives of 37 organizations active internationally in anti-corruption policy, enforcement and advocacy. The meeting discussed approaches, tools and methods of technical assistance for the establishment of specialized anti-corruption bodies, the strengthening of preventive anti-corruption capacity, the provision of legal advisory services, the training of law enforcement practitioners, the involvement of civil society and the preparation of technical publications, handbooks and guides, as well as the practical use of research and assessments.

3. Participation of the United Nations Office on Drugs and Crime in seminars and working groups organized by other entities

22. The Office continued to take part as an observer in the Commonwealth Working Group on Asset Repatriation, which held two meetings during the period under review, from 30 March to 1 April and from 29 June to 1 July 2005, respectively. In its report, the Working Group adopted a series of recommendations designed to carry out and enhance among Commonwealth member States the international cooperation and asset recovery mechanisms provided for under the United Nations Convention against Corruption.

23. The Office continued to participate, pursuant to its status of permanent observer, in the OECD Working Group on Bribery in International Business Transactions, which monitors implementation of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of 1997.³ In that capacity, the Office participated in two meetings of the Working Group, held in Paris from 18 to 20 October and from 14 to 16 December 2005, respectively.

24. On 28 and 29 March 2005, the Office participated in an expert meeting organized by OAS at its headquarters in Washington, D.C. UNODC was invited to present the Convention against Corruption and to make substantive inputs on issues related to the Convention.

25. On the occasion of the sixth General Meeting of the OECD Anti-Corruption Network for Transition Economies (ACN), held in Istanbul, Turkey, on 30 and 31 May 2005, UNODC presented the Convention and moderated a session on challenges faced by ACN countries in its implementation. The Meeting also discussed the draft glossary of international anti-corruption standards, in which requirements created respectively by the United Nations Convention against Corruption, the OECD Convention on Combating Bribery and the Council of Europe Criminal Law Convention on Corruption of 1998⁴ are being compared. From 28 to 30 September 2005, the Office also participated in the fifth Regional

Conference of the Anti-Corruption Initiative for Asia-Pacific, an initiative launched in 2000 by the Asian Development Bank (ADB) and OECD.

26. On 10 and 11 June 2005, the Office took part in a regional thematic seminar organized by the Council of Europe as part of a regional project aimed at the implementation of national anti-corruption plans in South-Eastern Europe (PACO Impact project) and the Stability Pact Anti-Corruption Initiative (SPAI) of the Stability Pact for South-Eastern Europe. The Office presented the Convention and provided moderation and substantive input to workshops on the identification of needs for legislative reform and drafting of legislation implementing the Convention.

27. On 15 and 16 June 2005, the Office took part in a meeting of parliamentarians of Arab States on the ratification and implementation of the Convention, organized in Cairo by UNDP.

28. On 14 and 15 July 2005, the Office contributed to a training workshop on anti-corruption standards, organized in Phnom Penh, by the Cambodian Human Rights Actions Committee and Pact Cambodia. The objectives of the workshop were to build capacity and knowledge of civil society about the international standards of anti-corruption instruments and relevant best practices, as well as to facilitate the exchange of information on national anti-corruption policies and strategies undertaken by South-East Asian countries.

29. On 1 and 2 September 2005, the Office participated in the Asia-Pacific Economic Cooperation (APEC) Anti-Corruption and Transparency Symposium held in Seoul in the framework of the APEC initiative in support of good governance, designed to reduce the cost of corruption to economies in the region and promote a culture of integrity and lawfulness in accordance with the principles and provisions of the Convention.

30. On 20 and 21 September 2005, the Office provided support to a national conference on the integration of anti-corruption standards into Serbian legislation, organized in Belgrade by OSCE, within its mandate in the areas of good governance and prevention of corruption, in cooperation with the Ministry of Justice of Serbia and SPAI of the Stability Pact for South-Eastern Europe.

31. From 26 to 28 September 2005, the Office participated in a regional workshop on anti-corruption tools for parliamentarians, held in Manila and organized by the Friedrich Ebert Stiftung, a private non-profit institution involved in international development cooperation and civil and political education.

D. Provision of technical assistance

1. Legal advisory services

32. During the period under review, UNODC provided legal advisory services under a project launched in Viet Nam for the drafting of national legislation against corruption. The project was supported by UNDP under its Regional Governance Programme and was carried out in cooperation with the Swedish International Development Cooperation Agency (Sida). The Office conducted a desk review of the draft national law and participated in Hanoi in August 2005 in working sessions

with national experts and legislative drafters to review the draft legislation prior to its submission to the National Assembly of Viet Nam for approval. The Office made recommendations and suggestions with a view to incorporating the specific requirements of the Convention into the Vietnamese legal system. The final version of the draft law was approved by the National Assembly at the end of 2005.

33. In the second half of 2005, the Office was among the international technical advisers involved in the provision of legal expertise on different drafts of the Cambodian anti-corruption legislation to bring them into line with the requirements of the Convention. Comments and recommendations for amendments were brought to the attention of the Ministry of National Assembly-Senate Relations and Inspections to assist in finalizing the legislative text and its submission to the Council of Ministers.

34. From 5 to 9 September 2005, the Office undertook a technical assistance mission to Equatorial Guinea to hold high-level meetings with the Government to accelerate the process of ratification of the Convention and to provide national authorities with legal advisory services regarding the legislative implementation of the three drug conventions, the crime conventions and the universal instruments related to terrorism.

35. From 8 to 10 November 2005, a national workshop was held in Vienna with a delegation from Guinea on the incorporation of the universal instruments against terrorism, the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption into national legislation. The Guinean delegation, with support from UNODC staff members, finalized bills to amend the Guinean Penal Code and the Criminal Procedure Code so as to incorporate the requirements set forth in the United Nations instruments.

36. In response to a request for legal advisory services from Benin, the Office carried out a desk review of a draft anti-corruption law and participated in the session of the National Commission on Legislation and Codification, held from 6 to 10 February 2006 in Cotonou, which involved all anti-corruption competent authorities of Benin and reviewed the draft law before its submission to Parliament.

37. During the period under review, the Office conducted three regional training seminars for specialized prosecutors and investigators on handling anti-corruption case work, involving a total of 67 countries from Central Asia, Central and Eastern Europe and Latin America and the Caribbean. The seminars trained participants in the investigation and prosecution of corruption cases, the seizure, freezing and confiscation of the proceeds of corruption, international cooperation and the recovery of assets diverted through corrupt practices.

2. Assistance in capacity-building

38. The Office continued, during the period under review, implementation of projects in Indonesia, Iran (Islamic Republic of), Lebanon, Mozambique and South Africa and launched three new projects in Nigeria and South Africa within the framework of its Global Programme against Corruption. Pursuant to the Convention, those projects focus mainly on enhancing the capacity of the respective countries to prevent corruption.

39. Following the positive evaluation of a project completed in late 2003 on strengthening judicial integrity and capacity in Nigeria, UNODC developed follow-up action as part of a larger project on support to the Economic and Financial Crimes Commission and the Nigerian judiciary, with the objective of enhancing good governance and financial accountability, and countering the incidence of fraud, waste and corruption in Nigeria through support to the Commission and the judiciary, as well as to other relevant institutions. In that context, an in-depth assessment was conducted to examine regulatory and institutional weaknesses, as well as legal and technical obstacles that had hampered the investigation, prosecution and adjudication of cases involving the recovery of assets from other countries, and to recommend possible legislative and other measures to strengthen the preventive framework to combat money-laundering and asset recovery capacity. A similar assessment is planned for Kenya in early 2006.

40. In South Africa, within the framework of a project on strengthening court integrity and capacity, UNODC carried out a comprehensive assessment of integrity and capacity in the justice sector. Based on the results of that assessment, two provincial meetings on integrity developed an action plan for judicial reform, including measures to enhance access to justice, to strengthen confidence in the courts through improved communication and outreach, to increase coordination towards an integrated justice system, to improve quality and efficiency of justice delivery and to reinforce organizational values and accountability. In late 2005, an action plan was adopted by a high-level national meeting on strengthening court integrity and capacity. Being fully owned by the South African counterparts, the project has attracted great interest among the donor community and additional resources have been made available to the Office to support South African counterparts in the implementation and monitoring of the action plan.

41. In Colombia, UNODC continued the implementation of a project on strengthening local government institutions in the fight against corruption. The project focuses on three municipalities in order to identify best practices in enhancing the transparency and accountability of local government administrations that can be replicated in other municipalities of Colombia. Based on integrity surveys carried out in the three pilot municipalities, action plans to enhance transparency and accountability were developed for various parts of the local administration, including public contracting, infrastructure, transit and transport, education and health. Subsequently, the Office assisted local partners in the implementation of the action plans. Moreover, the Office developed and launched preparatory assistance for a project on strengthening the integrity system and promoting the rule of law in the national police of Colombia.

42. In Lebanon, the Office completed the implementation of the third phase of the project on support to the anti-corruption strategy for Lebanon, which focused on the development of a code of citizenship for youth and socio-pedagogical material to enhance awareness among adolescents about corruption; and on the launching of an information campaign to increase the adherence of youth to the rule of law. Based on the citizen charter for youth, training and educational materials were developed and finalized after extensive pilot testing throughout the country.

43. The project on strengthening judicial integrity and capacity in Indonesia was launched in early 2004. During the period under review, an assessment of integrity and capacity in the justice sector was completed. Based on its findings, the Office

conducted two provincial meetings on integrity for the justice sector, which developed action plans for strengthening judicial integrity and capacity. Since August 2005, numerous activities have been carried out in the two provinces with a view to implementing the plans of action. More than 200 judges and prosecutors were trained in handling corruption cases. Two workshops, attended by more than 250 stakeholders, were held to increase general awareness of the anti-corruption legislation as well as the various codes of conduct. The Office organized four “town hall” meetings, providing an opportunity to more than 1,500 citizens at the grass-roots level to interact with local representatives of the justice sector. Two radio programmes and one television programme have been launched, informing the public about their basic rights, legal aid, conditions of bail and existing complaints mechanisms. Information materials, such as posters, flyers and stickers have been produced and will be made available to all the courts of the country.

44. In 2004, the Office launched a project on strengthening judicial integrity and capacity in the Islamic Republic of Iran. During the reporting period, the Office organized a study tour to Vienna, aimed at exposing up to seven high-level Iranian judicial officers and policy decision makers to the legal, administrative, organizational and operational aspects of implementing judicial reform in Austria. The findings of the study tour were integrated into an analytical report on strengthening judicial integrity and capacity, which was presented at a two-day workshop on best international practices for judicial conduct and integrity in Teheran. The workshop, attended by 30-40 high-level judicial staff, prepared a road map for judicial reform in the Islamic Republic of Iran.

45. Moreover, the Office conducted advisory missions resulting in the development of a project on assistance in capacity-building for the General Administration of Anti-Bribery and Corruption of Afghanistan and a project on implementation of national anti-corruption measures in Brazil.

E. Cooperation with the private sector and the Global Compact

46. The Global Compact, launched in July 2000 by the Secretary-General, is a network involving Governments, companies, labour and the United Nations, as convener and facilitator, with the objective of mainstreaming United Nations basic principles in business activities around the world and catalysing actions in support of United Nations goals. The tenth principle of the Global Compact—namely, that businesses should work against corruption in all its forms, including extortion and bribery—was added in 2004 as a result of the United Nations Convention against Corruption. UNODC became the sixth United Nations core agency of the Global Compact and the “guardian” of the tenth principle. Since becoming a core agency, UNODC has been working closely with the Global Compact Office on various activities aimed at promoting expeditious ratification of the Convention and implementation of the tenth principle.

47. During the period under review, the Office participated in the development of the Global Compact new governance framework, regularly providing input and comments throughout the process. It participated in the Global Compact inter-agency meetings and in the Local Networks Conferences held in London in November 2004 and in Barcelona in September 2005, as well as in the second

working group meeting on the tenth principle, held in Copenhagen in September 2005, to discuss the needs of the business community in the anti-corruption area. The Office also worked in partnership with the Global Compact Office on business sector involvement in the Round Table for Africa held in Abuja on 5 and 6 September 2005.

48. From 11 to 13 September 2005, the Office participated in New York in the Tenth International Business Forum on the theme “Business and the Millennium Development Goals: an active role for globally responsible companies”.

49. From 30 November to 1 December 2005, the Office participated in a forum on governance and business integrity at the Global Compact Summit: China in Shanghai. The Summit aimed at advancing responsible business practices in order to create a more sustainable and inclusive global economy, resulted in the Shanghai Declaration, which calls upon Governments that have not yet done so to ratify or accede to the United Nations Convention against Corruption as a matter of high priority.

50. Within the framework of the memorandum of understanding signed in 2005 between UNODC and the United Nations Industrial Development Organization (UNIDO), the two organizations launched a joint project on corruption prevention to foster the development of small and medium-sized enterprises. The project aims to develop tools to provide anti-corruption assistance to the business community, in particular in developing countries and countries with economies in transition. More specifically, the project will identify good practices and develop tools to support small and medium-sized enterprises against corruption, develop and pilot test training of relevant institutions on anti-corruption measures for small and medium-sized enterprises in selected countries and disseminate and promote those tools through the Global Compact network and the UNIDO and UNODC field network, as well as other relevant international organizations, business associations and institutions that support small and medium-sized enterprises.

F. International Anti-Corruption Day

51. In its resolution 58/4, the General Assembly, in order to raise awareness of corruption and of the role of the United Nations Convention against Corruption in combating and preventing it, decided that 9 December should be designated International Anti-Corruption Day. The second International Anti-Corruption Day was observed on 9 December 2005 and was marked by a number of promotional activities, both at the United Nations Office at Vienna and at Headquarters in New York, as well as in 17 UNODC field offices, ranging from press conferences to the launching of publications, television and radio talk shows and the broadcasting of public service announcements.

G. Special treaty events

52. The holding of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice in Bangkok provided an opportunity to organize a special treaty event. In cooperation with the Treaty Section of the Office of Legal Affairs of the Secretariat, UNODC offered States attending the Eleventh Congress an

opportunity to deposit instruments of ratification, acceptance or approval of or accession to the Organized Crime Convention and its Protocols, the Convention against Corruption and the four international instruments related to terrorism deposited with the Secretary-General. Three States (Croatia, Djibouti and Hungary) deposited their instruments of ratification to the Convention against Corruption on that occasion.

53. A treaty event was also held at Headquarters from 14 to 16 September 2005, entitled “Focus 2005: responding to global challenges”. Consistent with the focus of the report of the High-level Panel on Threats, Challenges and Change, entitled “A more secure world: our shared responsibility” (A/59/565 and Corr.1), the event highlighted treaties reflecting a broad range of interconnected concerns: ranging from terrorism to organized crime and corruption, from human rights to environmental and disarmament issues. Six States (Bhutan, Bosnia and Herzegovina, Jamaica, Lesotho, Spain and Swaziland) and one regional economic integration organization (the European Community) signed the Convention against Corruption on that occasion and three States ratified or acceded to it (Ecuador, Lesotho and Liberia), thereby triggering the entry into force of the Convention on 14 December 2005.

III. Preparations for the Conference of the States Parties to the United Nations Convention against Corruption

A. Eighth session of the Ad Hoc Committee for the Negotiation of a Convention against Corruption (Vienna, 25-26 January 2006)

54. Article 63 of the United Nations Convention against Corruption establishes a Conference of the States Parties to improve the capacity of, and cooperation between, States parties to achieve the objectives set forth in the Convention and to promote and review its implementation. It also provides that the Conference shall be convened not later than one year following the entry into force of the Convention and shall adopt rules of procedure and rules governing the functioning of its activities.

55. In paragraph 5 of its resolution 58/4, the General Assembly decided that the Ad Hoc Committee for the Negotiation of a Convention against Corruption would complete its tasks arising from the negotiation of the Convention by holding a meeting well before the convening of the first session of the Conference of the States Parties to the Convention, in order to prepare the draft text of the rules of procedure of the Conference of the States Parties and of other rules described in article 63 of the Convention, which would be submitted to the Conference of the States Parties at its first session for consideration.

56. The Ad Hoc Committee for the Negotiation of a Convention against Corruption held its eighth session in Vienna on 25 and 26 January 2006. It prepared draft rules of procedure and decided to submit them to the Conference of the States Parties for its consideration and action at its first session.

B. Other preparatory steps

57. The holding of regional high-level seminars (see paras. 13-16 above) allowed the Secretariat to explore, on a preliminary basis, key issues with a view to the forthcoming first session of the Conference of States Parties. One outcome of the seminars was the recommendation that experts on specific aspects of the Convention should participate in the Conference of the States Parties, in particular representatives of independent anti-corruption bodies, where such bodies existed. In view of the increasing number and importance of those agencies in fighting corruption, the Conference was considered an ideal opportunity for their representatives to interact with their counterparts in other countries and to establish a functioning network for the exchange of information and sharing of best practices. Another recommendation closely relevant to the mandate of the Conference of the States Parties related to the need to develop a methodology to objectively review progress made with regard to preventing and curbing corruption, which would allow the Conference to efficiently review the implementation of the Convention and assess its own performance.

58. The issue of reviewing implementation of the Convention and the challenges facing the Conference of the States Parties in that respect also figured prominently in the discussions of the study group set up by Transparency International, to which the Office was invited to participate as an observer. During the period under review, the Office attended three meetings of the group.

IV. Conclusions and recommendations

59. Negotiated and adopted in record time, the United Nations Convention against Corruption entered into force on 14 December 2005, only two years after its opening for signature.

60. That the Convention has moved at a fast rate towards the minimum number of ratifications required for its entry into force is a remarkable achievement that demonstrates clearly the continued strength of political will around the world to fight corruption. However, most of the ratifications already deposited came from developing countries. For effective implementation of the Convention, it will be essential for the Conference of the States Parties, which will be convened in December 2006, to be able to count on a large number of additional ratifications or accessions by States from all regions of the world. A lack of equilibrium among participating States would likely affect the functioning of the Conference and the ability of that body to promote the implementation of the Convention effectively. In that respect, the Commission on Crime Prevention and Criminal Justice may wish to invite Member States to renew their efforts to ratify the Convention in the course of 2006 and before the convening of the Conference as a matter of urgency and high priority.

61. In order to translate the Convention's provisions into actual operational measures, it is essential to support States with limited resources and capacity to review their systems and put in place measures, including legislation, that will bring them into compliance with the Convention and to establish essential mechanisms that will allow them to fulfil their obligations under the Convention. Appropriate

technical assistance is likely to be required to that effect. The Commission may therefore wish to encourage States to make adequate contributions to UNODC in pursuance of article 62 of the Convention.

Notes

¹ United Nations publication, Sales No. E.05.V.2.

² United Nations Office on Drugs and Crime, Vienna, September 2004 (3rd ed.).

³ See *Corruption and Integrity Improvement Initiatives in Developing Countries* (United Nations publication, Sales No. E.98.III.B.18).

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

Annex

Status of signatures and ratification of the United Nations Convention against Corruption as at 28 February 2006

A. Summary of signatures and ratifications

<i>International instrument</i>	<i>Signatures</i>	<i>Ratifications</i>	<i>Entry into force</i>
United Nations Convention against Corruption	140	48	14 December 2005

B. Ratifications of the United Nations Convention against Corruption, by region

<i>Participant</i>	<i>Signature</i>	<i>Ratification</i>
Africa		
Algeria	9 December 2003	25 August 2004
Angola	10 December 2003	
Benin	10 December 2003	14 October 2004
Burkina Faso	10 December 2003	
Cameroon	10 December 2003	6 February 2006
Cape Verde	9 December 2003	
Central African Republic	11 February 2004	
Comoros	10 December 2003	
Côte d'Ivoire	10 December 2003	
Djibouti	17 June 2004	20 April 2005
Egypt	9 December 2003	25 February 2005
Ethiopia	10 December 2003	
Gabon	10 December 2003	
Ghana	9 December 2004	
Guinea	15 July 2005	
Kenya	9 December 2003	9 December 2003
Lesotho	16 September 2005	16 September 2005
Liberia		16 September 2005
Libyan Arab Jamahiriya	23 December 2003	7 June 2005
Madagascar	10 December 2003	22 September 2004
Malawi	21 September 2004	
Mali	9 December 2003	
Mauritius	9 December 2003	15 December 2004
Morocco	9 December 2003	
Mozambique	25 May 2004	
Namibia	9 December 2003	3 August 2004

<i>Participant</i>	<i>Signature</i>	<i>Ratification</i>
Nigeria	9 December 2003	14 December 2004
Rwanda	30 November 2004	
Sao Tome and Principe	8 December 2005	
Senegal	9 December 2003	16 November 2005
Seychelles	27 February 2004	
Sierra Leone	9 December 2003	30 September 2004
South Africa	9 December 2003	22 November 2004
Sudan	14 January 2005	
Swaziland	15 September 2005	
Togo	10 December 2003	6 July 2005
Tunisia	30 March 2004	
Uganda	9 December 2003	9 September 2004
United Republic of Tanzania	9 December 2003	25 May 2005
Zambia	11 December 2003	
Zimbabwe	20 February 2004	
Regional total	40	19
Asia and the Pacific		
Afghanistan	20 February 2004	
Bahrain	8 February 2005	
Bhutan	15 September 2005	
Brunei Darussalam	11 December 2003	
China	10 December 2003	13 January 2006
Cyprus	9 December 2003	
India	9 December 2005	
Indonesia	18 December 2003	
Iran (Islamic Republic of)	9 December 2003	
Japan	9 December 2003	
Jordan	9 December 2003	24 February 2005
Kuwait	9 December 2003	
Kyrgyzstan	10 December 2003	16 September 2005
Lao People's Democratic Republic	10 December 2003	
Malaysia	9 December 2003	
Mongolia	29 April 2005	11 January 2006
Myanmar	2 December 2005	
Nepal	10 December 2003	
Pakistan	9 December 2003	
Papua New Guinea	22 December 2004	
Philippines	9 December 2003	
Qatar	1 December 2005	
Republic of Korea	10 December 2003	
Saudi Arabia	9 January 2004	

<i>Participant</i>	<i>Signature</i>	<i>Ratification</i>
Singapore	11 November 2005	
Sri Lanka	15 March 2004	31 March 2004
Syrian Arab Republic	9 December 2003	
Thailand	9 December 2003	
Timor-Leste	10 December 2003	
Turkmenistan		28 March 2005
United Arab Emirates	10 August 2005	22 February 2006
Viet Nam	10 December 2003	
Yemen	11 December 2003	7 November 2005
Regional total	32	7
Eastern Europe		
Albania	18 December 2003	
Armenia	19 May 2005	
Azerbaijan	27 February 2004	1 November 2005
Belarus	28 April 2004	17 February 2005
Bosnia and Herzegovina	16 September 2005	
Bulgaria	10 December 2003	
Croatia	10 December 2003	24 April 2005
Czech Republic	22 April 2005	
Hungary	10 December 2003	19 April 2005
Latvia	19 May 2005	4 January 2006
Lithuania	10 December 2003	
Poland	10 December 2003	
Republic of Moldova	28 September 2004	
Romania	9 December 2003	2 November 2004
Russian Federation	9 December 2003	
Serbia and Montenegro	11 December 2003	20 December 2005
Slovakia	9 December 2003	
The former Yugoslav Republic of Macedonia	18 August 2005	
Ukraine	11 December 2003	
Regional total	19	7
Latin America and the Caribbean		
Argentina	10 December 2003	
Barbados	10 December 2003	
Bolivia	9 December 2003	5 December 2005
Brazil	9 December 2003	15 June 2005
Chile	11 December 2003	
Colombia	10 December 2003	
Costa Rica	10 December 2003	
Cuba	9 December 2005	

<i>Participant</i>	<i>Signature</i>	<i>Ratification</i>
Dominican Republic	10 December 2003	
Ecuador	10 December 2003	15 September 2005
El Salvador	10 December 2003	1 July 2004
Guatemala	9 December 2003	
Haiti	10 December 2003	
Honduras	17 May 2004	23 May 2005
Jamaica	16 September 2005	
Mexico	9 December 2003	20 July 2004
Nicaragua	10 December 2003	15 February 2006
Panama	10 December 2003	23 September 2005
Paraguay	9 December 2003	1 June 2005
Peru	10 December 2003	16 November 2004
Trinidad and Tobago	11 December 2003	
Uruguay	9 December 2003	
Venezuela (Bolivarian Republic of)	10 December 2003	
Regional total	23	10
Western Europe and other States		
Australia	9 December 2003	7 December 2005
Austria	10 December 2003	11 January 2006
Belgium	10 December 2003	
Canada	21 May 2004	
Denmark	10 December 2003	
Finland	9 December 2003	
France	9 December 2003	11 July 2005
Germany	9 December 2003	
Greece	10 December 2003	
Ireland	9 December 2003	
Israel	29 November 2005	
Italy	9 December 2003	
Liechtenstein	10 December 2003	
Luxembourg	10 December 2003	
Malta	12 May 2005	
Netherlands	10 December 2003	
New Zealand	10 December 2003	
Norway	9 December 2003	
Portugal	11 December 2003	
Spain	16 September 2005	
Sweden	9 December 2003	
Switzerland	10 December 2003	
Turkey	10 December 2003	

<i>Participant</i>	<i>Signature</i>	<i>Ratification</i>
United Kingdom of Great Britain and Northern Ireland	9 December 2003	9 February 2006
United States of America	9 December 2003	
European Community	15 September 2005	
Regional total	26	4

C. Ratifications of the United Nations Convention against Corruption, by alphabetical order

<i>Country/regional economic integration organization</i>	<i>Signature</i>	<i>Ratification, acceptance, approval, accession</i>
Afghanistan	20 February 2004	
Albania	18 December 2003	
Algeria	9 December 2003	25 August 2004
Angola	10 December 2003	
Argentina	10 December 2003	
Australia	9 December 2003	7 December 2005
Austria	10 December 2003	11 January 2006
Azerbaijan	27 February 2004	1 November 2005
Bahrain	8 February 2005	
Barbados	10 December 2003	
Belarus	28 April 2004	17 February 2005
Belgium	10 December 2003	
Benin	10 December 2003	14 October 2004
Bhutan	15 September 2005	
Bolivia	9 December 2003	5 December 2005
Bosnia and Herzegovina	16 September 2005	
Brazil	9 December 2003	
Brunei Darussalam	11 December 2003	
Bulgaria	10 December 2003	
Burkina Faso	10 December 2003	
Cameroon	10 December 2003	
Canada	21 May 2004	
Cape Verde	9 December 2003	
Central African Republic	11 February 2004	
Chile	11 December 2003	
China	10 December 2003	13 January 2006
Colombia	10 December 2003	
Comoros	10 December 2003	
Costa Rica	10 December 2003	
Côte d'Ivoire	10 December 2003	
Croatia	10 December 2003	24 April 2005
Cuba	9 December 2005	
Cyprus	9 December 2003	
Czech Republic	22 April 2005	

<i>Country/regional economic integration organization</i>	<i>Signature</i>	<i>Ratification, acceptance, approval, accession</i>
Denmark	10 December 2003	
Djibouti	17 June 2004	20 April 2005
Dominican Republic	10 December 2003	
Ecuador	10 December 2003	15 September 2005
Egypt	9 December 2003	25 February 2005
El Salvador	10 December 2003	1 July 2004
Ethiopia	10 December 2003	
European Community	15 September 2005	
Finland	9 December 2003	11 July 2005
France	9 December 2003	
Gabon	10 December 2003	
Germany	9 December 2003	
Ghana	9 December 2004	
Greece	10 December 2003	
Guatemala	9 December 2003	
Guinea	15 July 2005	
Haiti	10 December 2003	
Honduras	17 May 2004	23 May 2005
Hungary	10 December 2003	19 April 2005
Indonesia	18 December 2003	
Iran (Islamic Republic of)	9 December 2003	
Ireland	9 December 2003	
Israel	29 November 2005	
Italy	9 December 2003	
Jamaica	16 September 2005	
Japan	9 December 2003	
Jordan	9 December 2003	24 February 2005
Kenya	9 December 2003	9 December 2003
Kuwait	9 December 2003	
Kyrgyzstan	10 December 2003	
Lao People's Democratic Republic	10 December 2003	
Latvia	19 May 2005	4 January 2006
Lesotho	16 September 2005	
Liberia		16 September 2005
Libyan Arab Jamahiriya	23 December 2003	
Liechtenstein	10 December 2003	
Lithuania	10 December 2003	
Luxembourg	10 December 2003	
Madagascar	10 December 2003	22 September 2004
Malawi	21 September 2004	
Malaysia	9 December 2003	
Mali	9 December 2003	
Malta	12 May 2005	
Mauritius	9 December 2003	15 December 2004
Mexico	9 December 2003	20 July 2004

<i>Country/regional economic integration organization</i>	<i>Signature</i>	<i>Ratification, acceptance, approval, accession</i>
Morocco	9 December 2003	
Mozambique	25 May 2004	
Myanmar	2 December 2005	
Namibia	9 December 2003	3 August 2004
Nepal	10 December 2003	
Netherlands	10 December 2003	
New Zealand	10 December 2003	
Nicaragua	10 December 2003	
Nigeria	9 December 2003	14 December 2004
Norway	9 December 2003	
Pakistan	9 December 2003	
Panama	10 December 2003	23 September 2005
Papua New Guinea	22 December 2004	
Paraguay	9 December 2003	1 June 2005
Peru	10 December 2003	16 November 2004
Philippines	9 December 2003	
Poland	10 December 2003	
Portugal	11 December 2003	
Republic of Korea	10 December 2003	
Republic of Moldova	28 September 2004	
Romania	9 December 2003	2 November 2004
Russian Federation	9 December 2003	
Rwanda	30 November 2004	
Sao Tome and Principe	8 December 2004	
Saudi Arabia	9 January 2004	
Senegal	9 December 2003	16 November 2005
Serbia and Montenegro	11 December 2003	20 December 2005
Seychelles	27 February 2004	
Sierra Leone	9 December 2003	30 September 2004
Slovakia	9 December 2003	
South Africa	9 December 2003	22 November 2004
Spain	16 September 2005	
Sri Lanka	15 March 2004	31 March 2004
Sudan	14 January 2005	
Swaziland	15 September 2005	
Sweden	9 December 2003	
Switzerland	10 December 2003	
Syrian Arab Republic	9 December 2003	
Thailand	9 December 2003	
The former Yugoslav Republic of Macedonia	18 August 2005	
Timor-Leste	10 December 2003	
Togo	10 December 2003	6 July 2005
Trinidad and Tobago	11 December 2003	
Tunisia	30 March 2004	
Turkey	10 December 2003	

<i>Country/regional economic integration organization</i>	<i>Signature</i>	<i>Ratification, acceptance, approval, accession</i>
Turkmenistan		28 March 2005
Uganda	9 December 2003	9 September 2004
Ukraine	11 December 2003	
United Arab Emirates	10 August 2005	22 February 2006
United Kingdom of Great Britain and Northern Ireland	9 December 2003	
United Republic of Tanzania	9 December 2003	25 May 2005
United States of America	9 December 2003	
Uruguay	9 December 2003	
Venezuela (Bolivarian Republic of)	10 December 2003	
Viet Nam	10 December 2003	
Yemen	11 December 2003	7 November 2005
Zambia	11 December 2003	
Zimbabwe	20 February 2004	
