

Draft UN Convention Against Corruption: A Model for Domestic Anti-Corruption Legislation?

Ms. Elia Yi Armstrong
Public Administration Officer
UN Department of Economic and Social Affairs
Division for Public Administration and Development Management



***Workshop on Ethics in the Public Service
Rabat: 29 September - 1 October 2003***

10/20/2003

UN Resolutions on the Convention

- A/RES/55/61 in 2000: An Effective International Legal Instrument Against Corruption
- A/RES/55/186 in 2000: Preventing and Combating Corrupt Practices and Illegal Transfer of Funds and Repatriation of Such Funds to the Countries of Origin



Ad Hoc Expert Groups

- ➡ in 2001, set the Terms of Reference for negotiations
- ➡ 2002/3, the negotiation group of all participating Member States met 6 times
- ➡ Currently meeting for the 7th and last session
- ➡ Convention to be signed in December 2003 in Mexico



Model Anti-Corruption Law?

- UN Convention Against Corruption once in force will be binding
- Domestic legislative framework must reflect the provisions of the Convention



Outline of UN Convention

- Preamble
- General Provisions: purpose, definitions, scope
- Preventive Measures/Public Sector: ethics and anti-corruption policies, ethics and anti-corruption bodies, codes of conduct, public procurement and finance, public reporting, political party funding



Outline of UN Convention

- Preventive Measures/ Private Sector and Civil Society: accounting standards, combating money laundering, society participation
- Punishment of Corruption: identification and criminalization of corrupt acts, sanctions and remedies, confiscation and seizure, jurisdiction, liability of legal persons, protection of witnesses and victims, and law enforcement



Outline of UN Convention

- Promoting and strengthening international cooperation: mutual legal assistance, law enforcement cooperation, joint investigations
- Recovery of Assets: preventing money laundering, cooperation on confiscation and return of assets



Outline of UN Convention

Measures for international convention:

- Technical cooperation
- Monitoring implementation





United Nations
Office of Drugs and Crime

Contacts

Mr. Eduardo Vetere
Director

