

other forms of cooperation carried out via video link, cooperation in asset seizure and forfeiture, and temporary transfer of witnesses in custody.

“5. The model legislation could provide for the establishment of a central authority or authorities for the receipt and transmission of requests and the provision of advice and assistance to relevant authorities. The legislation could also specify the extent of the central authority’s powers.

“E. Communications

“6. Where no treaty provision is applicable, the legislation should set forth the means of communicating between the requesting State and the requested State, allowing for use of the most modern forms of communication.”

1998/16

Action against corruption

The Economic and Social Council,

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

Convinced that existing arrangements for combating corruption at the national and international levels must be periodically reviewed and modernized to ensure that the specific contemporary problems of fighting all forms of corruption are being effectively addressed at all times,

Recalling General Assembly resolution 51/59 of 12 December 1996,

Recalling also its resolution 1995/14 of 24 July 1995,

Recalling further General Assembly resolution 52/87 of 12 December 1997, in which the Assembly requested the Secretary-General to invite each Member State to provide a report on steps taken to implement the provisions of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions,⁷⁵

Taking note of the report of the Secretary-General on action against corruption and bribery,⁷⁶

Recalling the manual prepared by the Secretariat on practical measures against corruption,⁷⁷

Aware of recent multilateral initiatives to combat corruption, including the United Nations Declaration against Corruption and Bribery in International Commercial Transactions,⁷⁵ the International Code of Conduct for Public Officials,⁷⁸ the Inter-American Convention against Corruption, adopted by the Organization of American States on 29 March 1996,⁷⁹ the Organisation for Economic Cooperation and Development Convention on Combating Bribery of Foreign Public Officials in International Business Transactions done at Paris on 17 December 1997, the Convention on the protection of the European Communities’ financial interests and the Protocol and Second Protocol to that Convention

⁷⁵ General Assembly resolution 51/191, annex.

⁷⁶ E/CN.15/1998/3.

⁷⁷ *International Review of Criminal Policy*, Nos. 41 and 42 (United Nations publication, Sales No. E.93.IV.4).

⁷⁸ General Assembly resolution 51/59, annex.

⁷⁹ See E/1996/99.

drawn up by the Council of the European Union on the basis of article K.3 of the Treaty on European Union, the Convention on the fight against corruption involving officials of the European Communities or officials of member States of the European Union, the ongoing work of the Council of Europe to elaborate a criminal law convention against corruption, the programmes of the Council of Europe targeting that form of criminality, and recommendation 32 of the recommendations elaborated and endorsed by the Senior Experts Group on Transnational Organized Crime, which met at Lyon, France, from 27 to 29 June 1996, which are contained in annex I to Economic and Social Council resolution 1997/22,

Convinced that updating the manual on practical measures against corruption by incorporating into the manual a section describing recent developments will contribute to increased efficiency in combating that form of criminality,

Determined to ensure that United Nations materials to assist States in their efforts to combat corruption remain as useful and up to date as possible,

1. *Requests* the Secretary-General, in his efforts to update the manual prepared by the Secretariat on practical measures against corruption, to include in the text a section describing recent developments in combating corruption, in particular the practical impact of recent multilateral initiatives in this area, such as the above-described activities of the United Nations, the Organization of American States, the Organisation for Economic Cooperation and Development, the European Community, the Council of Europe and the Senior Experts Group on Transnational Organized Crime;

2. *Decides* to convene an open-ended meeting of governmental experts, using extrabudgetary resources offered by the Government of France for that purpose, to explore means of ensuring that the initiatives described in paragraph 1 above are effective and that an appropriate international strategy against corruption, including the proceeds thereof, is formulated in consultation with other intergovernmental organizations active in this area;

3. *Requests* the Secretary-General, to submit a report on the implementation of the present resolution, including on the work of the intergovernmental experts, to the Commission on Crime Prevention and Criminal Justice at its ninth session.

44th plenary meeting
28 July 1998

1998/17

Regulation of explosives for the purpose of crime prevention and public health and safety

The Economic and Social Council,

Recalling resolution 9 of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,⁸⁰

Recalling also section IV.A of its resolution 1995/27 of 24 July 1995 and its resolutions 1996/28 of 24 July 1996 and 1997/28 of 21 July 1997,

Recalling further General Assembly resolution 52/38 J of 9 December 1997, in which the Assembly requested the Secretary-General to initiate a study on the problems of ammunition and explosives in all their aspects, in cooperation with appropriate international and regional organizations where necessary,

⁸⁰ *Report of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Cairo, 29 April–8 May 1995 (A/CONF.169/16/Rev.1), chap. I.*

UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



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18 February 1977

ORIGINAL: ENGLISH

AD HOC INTERGOVERNMENTAL WORKING GROUP
ON THE PROBLEM OF CORRUPT PRACTICES
Second session
31 January-11 February 1977

CORRUPT PRACTICES, PARTICULARLY ILLICIT PAYMENTS IN INTERNATIONAL
COMMERCIAL TRANSACTIONS: CONCEPTS AND ISSUES RELATED TO THE
FORMULATION OF AN INTERNATIONAL AGREEMENT

Report of the Secretariat

Corrigendum

Page 9, paragraph 35, line 4

paragraph 36, line 1

For convention read agreement



UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



Distr.
GENERAL

E/AC.64/4
10 February 1977

ORIGINAL: ENGLISH

AD HOC INTERGOVERNMENTAL WORKING
GROUP ON THE PROBLEM OF
CORRUPT PRACTICES

Second session

31 January-11 February 1977

MAJOR ISSUES TO BE CONSIDERED IN THE EXAMINATION OF THE PROBLEM OF CORRUPT PRACTICES, IN PARTICULAR BRIBERY, IN INTERNATIONAL COMMERCIAL TRANSACTIONS BY TRANSNATIONAL AND OTHER CORPORATIONS, THEIR INTERMEDIARIES AND OTHERS INVOLVED*

- A. Issues to be considered in the elaboration of an international agreement to prevent and eliminate illicit payments, in whatever form, in connexion with international commercial transactions
- I. Preamble
 - II. Definitions
 1. Bribery
 2. Illicit payments
 3. Other corrupt practices
 4. Transnational and other corporations
 5. Intermediaries and others involved
 6. Government and public officials
 7. Private officials
 8. International commercial transactions
 9. Other terms to be defined

* The purpose of this agreed document is to assist the Ad Hoc Intergovernmental Working Group on the Problem of Corrupt Practices in organizing its work and to focus its attention on major issues to be considered. The headings and items are not exhaustive and their enumeration is without prejudice to the positions that might be taken by delegations in further discussions.

III. Action at the national level: Measures by home, host and third countries

1. Criminalization of bribery, illicit payments and other corrupt practices
2. Jurisdiction
3. Disclosure (of political contributions, gifts and loans to public officials, fees and commissions, etc.)
4. Regulation concerning intermediaries and others involved
5. Taxation to discourage bribery, illicit payments and other corrupt practices
6. Measures against the payment of royalties and taxes in contravention of United Nations resolutions
7. Civil remedies
8. Other measures

IV. Action at the intergovernmental level

1. Exchange of information
2. Mutual judicial assistance (facilitating all aspects of investigations and prosecutions connected with bribery, illicit payments and other corrupt practices)
3. Extradition
4. Other actions

V. Settlement of disputes

VI. Entry into force

B. Proposals and options other than an international agreement

SPEECHES/PANEL DISCUSSIONS

(NOTE: IN SAME ORDER AS LISTED ON PROGRAM)

NOTE: If item is "bolded" we do not have.

Secretary of State Madeleine K. Albright

Vice President Gore's Keynote Address

James Wolfensohn, President, World Bank

Donald Johnson, Secretary General, OECD

Pino Arlacchi, Executive Director, UN Crime Center

Jeremy Pope, Managing Director, Transparency Intl.

Frank Loy, Under Secretary of State for Global Affairs

Robert Rubin, Secretary of the Treasury

Start M. Eizenstat, Under Secretary of State for Economic,
Business and Agricultural Affairs

Daniel Kaufmann, World Bank

**Maria Livanos Cattai, Secretary General, International
Chamber of Commerce**

Stephen D. Potts, Director, U.S. Office of Government
Ethics

Mira R.K. Matembe, Minister of Ethics and Integrity, Uganda

Shao Hong-shu, Vice Minister of Supervision, China

**Luis Nicolas Ferreira, Director, National Office of Public
Ethics, Argentina**

Prof. Enrico Zanelli, University of Genoa, Italy

Elaine Kaplan, Special Counsel, U.S. Office of Special
Counsel

Interpol

Janet Reno, Attorney General - Dinner Toast

Eric Holder, Deputy Attorney General

Sang Cheon Park, Minister of Justice, Republic of Korea

Vasyl Durdynets, Director, National Bureau of
Investigation, Ukraine

Philip B. Heymann, Harvard University

Note: All of these contained on one page summary plus
Ukraine and Heymann did separate remarks.

Prof. Charles Moskos, Northwestern University

Prof. Dr. Anton Bebler, Slovenia

Dr. Juan Rial, Uruguay

Dean Walter Kamba, Namibia

Fikret Mamedov, Azerbaijan

Vazha Lordkipanidze, Georgia

Edna Arbel, Israel

Mario Tagarinski, Bulgaria

Judge John Noonan, 9th Circuit

Alan Geyer, Washington National Cathedral

Rabbi Dr. Burton J. Visotzky, New York

Archbishop Oscar Andres Rodriguez, Episcopal Council of Latin America

Dr. Madjid, Indonesia

Dr. Yasuo Sakakibara, Japan

Dr. Veena Das, India

Shayk Kabbani, Islamic Supreme Council of America

Justice Stephen Breyer

Frank Loy, Under Secretary of State for Global Affairs

Dr. John Hamre, Deputy Secretary of Defense

Louis Caldera, Secretary of the Army, USA and Rodrigo

Lloredo, Minister of Defense, Colombia - one page summary

Maj. Gen. Mousa Azouga, Jordan

Dr. Armando Blasco, Argentina

Gen. Benedicto Leonel, Brazil

Brig. Gen Hussein Malallah, Kuwait

Gen. Putamanonda, Thailand

Col. Kim Carter, Canada

Michael de Feo, FBI

Lily Yam, Hong Kong

Richard Pennington, New Orleans

Hitler Tantawi, Egypt

Note: One page summary for these four.

William Keefer, Assistant Commissioner for Internal Affairs
(Customs)

Michel Danet, France

Michael Roche, Australia

Enrique Fanta, Chile

Note: One page summary for these four.

Eugene Ludwig
Danielle Nouy, Basle Committee on Banking Supervision
Patricia Armendariz, Mexico
Barbara B. Hannigan, SEC
Ronald K. Noble, New York University
Dr. Won-Bae-Yoon, Korea
Note: Two page summary for these six.

Donald A. Strombom, Consultant
Joe Sutton, Enron International
Howard Wilson, Canada
Aldalberto Giavarini, Argentina
Theodore Nkodo, Cote D'Ivoire
Larua Rojas, Venezuela
Note: Two page summary for these six.

Russ Wheeler, Deputy Director, Federal Judicial Center
Justice Sandra Day O'Connor
Justice Stephen Breyer
Robert Kastenmeir, former Congressman
Judge Michael Mihm
Judge Paul Sheridan
Note: One page summary for these six; letter from Judicial
Conference of the United States Committee on International
Judicial Relations.

Alan P. Larson, Asst. Sec. Of State for Economic and
Business Affairs - one page summary; three page summary
Dr. Mark Pieth, Organization for Economic Cooperation and
Development - paper
Judge William Heath, South Africa - paper
Jorge Garcia Gonzalez, Organization of American States
Guy De Vel, Council of Europe - paper
Ramon Cardenas, Phillipines
Andrew J. Pincus, USA - paper

Jacqueline L. Williams-Bridgers, Inspector General - three
page summary
Michael Brownmich, USA
Rodrigo Morago Guerrero, Chile
Miria R.K. Matembe, Uganda
Giorgi Baramidze, Republic of Georgia - paper

Frank Loy, Under Secretary of State for Global Affairs -
one page summary

Stuart Deming, USA

Joe Onek, USA

NGOs/Government Representatives

Argentina - paper (Spanish)

Australia

Austria

Costa Rica

Cote d'Ivoire

Czech Republic - paper

Georgia

India

Indonesia

Latvia

Romania - paper

USA

Morocco - paper

Poland - paper

Penn Kemble, US Information Agency

Mayor Leoluca Orlando, Sicily

Tymon Katlholo, Botswana

Jose Luis Simon, Paraguay

Prof. Roy Godson, National Strategy Information Center

Nancy Zucker Boswell, Transparency International

Vice President Gore's Closing Remarks

Declaration

A Global Forum on
Fighting Corruption: Safeguarding Integrity
Among Justice and Security Officials

Strategy – Overall Approach

The International Crime Control Strategy identified the question of corruption among justice and security officials of governments as one of central significance to the rule of law. It recognized that official corruption is a problem that cannot ever be “solved”, but that it can be controlled, if governments have the political will to implement practices that are effective to do so. One of its initiatives is therefore that the U.S. call for an international conference on upholding integrity among key justice and security officials. Justice and security officials are defined as including all those with a key role in maintaining the rule of law (police, border officials, military personnel, prosecutors or judges). The conference was to determine which approaches to upholding integrity work, which do not, and what new approaches might be developed.

Almost simultaneously with the approval of the U.S. strategy, the G8 heads of government held an extensive discussion of the relationship between serious crime and corruption at the Summit in Birmingham, England in June 1998. Based on that discussion, the principals drafted and added to their Communique a new sentence. This directed the G8 Senior Experts on Transnational Crime (“Lyon Group”) to “explore ways of combating official corruption arising from the large flows of criminal money,” and report back to the next meeting of the G8 Summit, at Koln, Germany, in June 1999.

When the Vice President called for the Global Forum, he invited governments to send senior policy-level officials of justice and security institutions, or officials of specialized government ethics or anticorruption institutions. Governments were selected to represent as broadly as possible the diversity of the global community. No government was invited based on the existence or non-existence of corruption. The fundamental premise is that there is concern common to all governments, about a problem from which none is immune.

In anticipation of the Vice President's conference, the U.S. prepared a compendium of Guiding Principles for Fighting Corruption and Safeguarding Integrity Among Justice and Security Officials. It includes a broad range of practices that governments found to be effective in promoting public integrity or fighting official corruption. This working paper is offered to participants at the Global Forum, as a basis for discussion and a means of consolidating the substantial international consensus that exists. Preparations for the Global Forum also provided impetus to assemble descriptions of the many anticorruption initiatives, activities, and efforts being undertaken in 1999 against

various forms of corruption by a large number of United States Government agencies. The compendium forms a first consolidated International Strategy Against Corruption. It is intended to become a starting point for ongoing refinement and elaboration as a framework for United States anticorruption efforts abroad.

Response to the Global Forum was highly positive. Planned attendance by those governments invited uniformly indicated that they saw this initiative, to begin international discussion on the specific issue of corruption among government justice and security officials, as addressing a new aspect of the diverse problem of corruption. Many have expressed a commitment to remain closely engaged in the process.

The United States called for the Global Forum principally to begin the process of systematic international consideration of a particular aspect of corruption. Its strategic purpose was not to seek immediate agreement about an appropriate international response, but instead to achieve the following outcomes:

Guiding Principles and Effective Practices. An extensive and detailed examination, drawing on the experience of nearly eighty governments, of the full range of issues addressed in the working paper. Consolidation of the international consensus as reflected in the final report will offer a solid basis for promoting an effective global anticorruption principles and practices regime.

Research, Training, Assistance. Drawing on the final report, identify specific issues as subjects for further systematic research. Through cooperation with established international institutions, the United States Government will promote and support such research.

International Agenda. The United States will draw on the results of this meeting to promote a comprehensive international effort against all forms of corruption. In response to the strong outpouring of interest and support among the international community, the United States will continue to strongly emphasize the importance of fighting corruption and safeguarding integrity among justice and security officials, as an essential precondition to maintenance of the rule of law. The international should identify and implement follow-on activities to sustain and advance the important elements of international consensus that emerge from the Vice President's first major international forum on corruption and integrity issues specific to officials responsible to maintain the rule of law.