

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 5 **1/59** 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,”

*Taking note* of the report of the Secretary-General on action against corruption **and bribery**,<sup>76</sup>

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

*Aware* of recent multilateral initiatives to combat corruption, including the United Nations Declaration against Corruption and Bribery in International Commercial **Transactions**,<sup>75</sup> the International Code of Conduct for Public **Officials**,<sup>78</sup> the Inter-American Convention against Corruption, adopted by the Organization of American States on 29 March **1996**,<sup>79</sup> 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

<sup>75</sup> General Assembly resolution 51/191, annex.

<sup>76</sup> E/CN.15/1998/3.

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

<sup>78</sup> General Assembly resolution 51/59, annex.

<sup>79</sup> 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**,<sup>80</sup>

**Recalling also** section **IV.A** of its resolution 1995127 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,

<sup>80</sup> 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

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**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

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UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
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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 enumerations without prejudice to the resolutions 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
- I. Other actions

V. Settlement of disputes

VI. **Entry into force**

B. Proposals and options other than an international agreement

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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, 9<sup>th</sup> 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 a broad.

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.