

Resolution on UN Convention against Corruption

Adopted by the Transparency International Annual Membership Meeting
Bali, Indonesia, 28 October 2007

TI's Annual Membership Meeting calls on the 2nd Conference of States Parties to launch an asset recovery programme promptly and to establish a mechanism for review of implementation. The TI AMM was attended by 200 people representing TI National Chapters in 81 countries.

Asset recovery

The Conference of States Parties should ask all parties to give highest priority to implementation of the asset recovery chapter of UNCAC because:

- Funds deposited abroad by corrupt officials amount to several hundred billion dollars
- Recovery would substantially increase resources for development programmes
- Effective asset recovery would provide a strong deterrent to corruption

An asset recovery fund should be established because protracted and costly litigation will be required before substantial recoveries can be obtained. This fund should cover investigative and litigation costs and should be replenished from successful recoveries.

In cases where frozen funds are tied up in protracted litigation, arrangements should be made to transfer the funds to an independent institution and not remain in the bank in which the funds were originally deposited.

Mechanism for review of implementation

Establishment of an effective implementation review process is essential for the success of UNCAC and particularly for the asset recovery programme.

The review mechanism should have three components:

- The Conference of States Parties (CoSP) should establish policies and priorities for the review process at its biennial meetings
- The Secretariat (UNODC) should be responsible for day-to-day management of the review process
- A Board of distinguished experts should be established to provide advice and assistance to the CoSP and the Secretariat for the planning and conduct of reviews.

It is essential that the implementation review process should be transparent and should involve participation by civil society and the private sector.

Information-gathering and pilot review programmes should continue in 2008 - 2009, to facilitate the launch of country reviews beginning in 2010.

An effective implementation review process is essential for the success of the asset recovery programme because unless all banking centres implement consistent asset recovery provisions funds would be diverted to states with inadequate asset recovery regimes.

To be submitted to 2nd UNCAC Conference of States Parties, Bali, January 2008