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Third Session of the Conference of States Parties to the United Nations Convention Against Corruption

CoSP Plenary presentation by Huguette Labelle

First, let me express my appreciation to the State of Qatar for organizing this conference and for their hospitality.

Madame President, I am speaking today on behalf of Transparency International and as a proud member of the more than 350 civil society organizations supporting the Convention, many of them present today.

The damage done by corruption to democratic institutions, human rights, international trade and investment and to the fight against organized crime, drug smuggling and terrorism is abundantly clear. Corruption obstructs developments and injures the world's poorest, especially women and children. We should never forget that corruption is a betrayal of the people of our countries. All this having been so widely recognized by prior speakers, I don't need to take your time on what is beyond dispute.

The adoption of the UN Convention, six years ago, was widely hailed as a major breakthrough, establishing a comprehensive global framework

for combating corruption. The prolonged debate about follow-up monitoring has impaired the ability of UNCAC to gain traction. It is now high time to transform the great promise of the Convention into concrete action. The need for urgent action is highlighted by the financial crisis and the staggering amounts of illicit funds crossing borders to financial havens.

The future of the Convention is in your hands and the most important step is to establish an effective review mechanism. The importance of the issue was emphasized at the recent meeting of G20 Leaders. They issued a statement calling for the adoption in Doha of “an effective, transparent and inclusive review mechanism.” Let me speak to each of these three elements.

- To be effective, the mechanism must provide for country visits by review teams from other governments. Desk reviews alone cannot assess whether anti-corruption measures are really working.
- To be transparent, the reports and recommendations from country reviews must be made public without delay. Public release is an obligation to the citizens of the country being reviewed and will help all other parties to the Convention to learn

from each other. Adopting a non-transparent review process would be in contradiction to the essence of this Convention.

- To be inclusive, the review process must provide for inputs from civil society and the private sector, not just from the government being reviewed. Without such inputs, the review process would defy Article 13 of the Convention, which calls for “active participation by civil society and non-governmental organizations.

Let me stress that all three elements must be met. Otherwise the review process will be ineffective and will lack public credibility. That would weaken UNCAC and increase mistrust of governments.

We recognize that establishing a review mechanism is not enough to ensure the success of the Convention. Technical assistance is essential to enable governments in developing countries to meet their obligations under the Convention. The World Bank, UNDP, as well as other donors, must promptly provide sufficient funds.

Equally important is to enable countries to recover the billions in stolen assets that corrupt leaders have deposited in foreign banks. TI is actively involved in the Stolen Assets Recovery program sponsored by the UN and World Bank. No part of UNCAC is more dependent on review of implementation than asset recovery. Unless all banking

centers implement UNCAC's asset recovery provisions, stolen funds will simply flow to safe havens in countries that fail to comply with the Convention.

TI has closely followed the deliberations of the Working Groups on Review of Implementation, Asset Recovery, Technical Assistance, as well as Preventive Measures. We believe that a number of conclusions are clear:

- A large majority of countries support the adoption of a review mechanism that is effective, transparent and inclusive.
- Many of the objections that have been raised cannot be met without significantly weakening the review mechanism.
- A review mechanism must be established at this meeting with participation by all those governments that accept these conditions.
- Funding for the review mechanism should be provided from the UN budget. That is important because the monitoring process will be a long-term undertaking, requiring funding that is adequate, dependable and impartial. Funding for technical assistance and for asset recovery could come from a variety of sources.

Let me close on a personal note. I have been invited to speak in Mexico on November 9th, Anti-Corruption Day, the sixth anniversary of the Merida signing conference. I would be delighted to report that your conference was a success and that we will finally have a fully functioning global Convention, UNCAC, to prevent and deal with corruption and provide our world with greater peace, stability and social justice.

Thank you for this opportunity to address the Conference of States Parties.

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