



STATEMENT OF THE G-77 AND CHINA DURING THE AD HOC COMMITTEE ON THE ELABORATION OF A CONVENTION AGAINST CORRUPTION, 1ST SESSION, 21/01-1/02/02 DELIVERED BY H.E. AMBASSADOR VICTOR G. GARCIA III, PERMANENT REPRESENTATIVE OF THE PHILIPPINES

Mr. Chairman,

1. Allow me at the outset on behalf of the Group of 77 and China to congratulate you and members of the Bureau on your election. We assure you of our full support throughout all the forthcoming sessions.

Mr. Chairman,

2. No country in the world is completely free from corruption: it is a universal phenomenon and a social illness whose systemic impact threatens the social fabric of nations and thus their very existence. Corruption must therefore not be allowed to develop into an insurmountable problem of a multi-dimensional nature.

3. The Group of 77 and China attaches great significance to the task we face. We underscore the importance of creating an effective and binding international legal instrument against corruption which embodies a comprehensive approach. Any such instrument must establish an internationally binding legal framework encompassing prevention, detection, criminalization, investigation, prosecution and penalization of the perpetrators, remedies, rehabilitation and a monitoring mechanism. Likewise, it is of fundamental importance that the instrument address international cooperation, and mutual technical and legal assistance among States, including support of the private sector, in their efforts to tackle the problem of corruption.

Mr. Chairman,

4. It is also a matter of considerable importance to the G-77 and China that special attention be given by the convention to broad definitions covering public and private corruption. Developing countries are at special risk and are especially vulnerable to the impact of corruption, and therefore put great importance on the efficiency and effectiveness of any future convention. It is vital that the document promote and strengthen international cooperation as well as the institutions and the capacity of the State Parties to fight corruption, while protecting the sovereignty of individual countries.

5. Moreover, in the view of the G-77 and China, particular attention should be paid to the provisions on information exchange, lifting bank secrecy in cases where corruption is detected, identifying clients, record keeping, criteria for determining the country of origin of illicit assets, tracing transfer of funds of illicit origin; forfeiture and confiscation of the proceeds of corruption; and shifting the burden of proof. It also attaches great importance to the issue of repatriation of assets of illicit origin to the countries of origin, which should be addressed in an appropriate manner by the Convention. In this regard we fully support the proposal made by the delegation of Peru to organize a seminar to deal with the problems of repatriation of assets of illicit origin.

6. While expressing appreciation for the work done by the Secretariat, G-77 and China would like to stress the importance of documents being produced within an appropriate time and as accurately as possible. Moreover, various measures such as avoiding parallel meetings, limiting the number of venues and ensuring the availability of interpretation and translation of documents in all six languages of the United Nations, would help to maximize the efficiency of the Committee's work by enabling the broadest possible participation by all member countries in the negotiation process, including those with relatively small delegations. Likewise, we call on donor countries to provide voluntary contributions for the participation of LDCs on a non-selective basis.

Thank you, Mr. Chairman.