



STATEMENT OF THE G-77 AND CHINA DURING THE INTERGOVERNMENTAL OPEN-ENDED EXPERT GROUP MEETING ON CORRUPTION, VIENNA, 30 JULY - 3 AUGUST 2001 DELIVERED BY H.E. AMBASSADOR S.H. SHOUKRY, PERMANENT REPRESENTATIVE OF EGYPT

Mr. Chairman,

Allow me first to express on behalf of the Group of 77 and China, our congratulations to you on your election and members of the Bureau. We assure you of our full support throughout the sessions.

Mr. Chairman,

The Group of 77 and China attaches great importance to the task before us. You may recall that the General Assembly Resolutions 55/61, 55/188 and the Resolution recently adopted by ECOSOC at its last session had mandated for the proposed Ad Hoc Committee to elaborate an effective and binding international legal instrument against corruption, in the broadest possible manner, in order to tackle corruption more effectively and efficiently as well as to help Member States in building integrity in order to prevent, fight corruption and face the challenges posed by transnational corruption.

In this connection, the envisaged independent International Legal Instrument against Corruption would require a comprehensive approach. Such an instrument must therefore provide an international binding legal framework for detection, investigation, criminalization, prosecution of corruption while taking into consideration the differences in legal systems and bridging them. It is also paramount that such an instrument should provide for international cooperation, foster mutual technical and legal assistance and make provisions for preventive measures.

In particular the G-77 and China considers that the terms of reference to be recommended for the Ad Hoc Committee by this Experts Group Meeting should include, among others, broad definitions that include all aspects related to public and private corruption; a scope of application that would be equally broad; a set of preventive measures, a chapter on criminalization of a broad catalogue of the acts of corruption; one on mutual legal assistance and cooperation including an effective clause that would foster international cooperation, exchange of information that will facilitate tracing of funds and transfer of funds of illicit origin connected with corruption in order to ensure the repatriation of those funds, forfeiture and confiscation of the proceeds from corruption, and the possibility of shifting the burden of proof and banking secrecy, and the rendering of technical assistance especially to developing countries, particularly the transfer of funds of illicit origin and the repatriation of those funds to the countries of origin. Therefore, an international follow-up mechanism should be considered to ensure these initiatives.

In order to ensure the universal character of the International Instrument, the Ad Hoc Committee should take into consideration all relevant International and Regional Instruments, documents and recommendations available on corruption, as reference documents.

On the issue of the election and composition of the Bureau of the Ad Hoc Committee, the G-77 and China strongly believes that the Committee is independent and therefore the Bureau should be elected by the Committee itself, while ten Representatives, two from each regional Group should be elected to the bureau in order to ensure equitable regional representation. The elected representatives should include the Chairman, eight Vice Chairmen and the Rapporteur.

Finally, we request the Ad Hoc Committee to complete its work on this International Legal Instrument by 2003.

Thank you, Mr. Chairman.