



STATEMENT OF THE G-77 AND CHINA AT THE 5TH SESSION OF THE CONFERENCE OF THE STATES PARTIES TO THE UNITED NATIONS CONVENTION AGAINST CORRUPTION, PANAMA, 25-29 NOVEMBER 2013 DELIVERED BY H.E ALI EL MHAMDI, PERMANENT REPRESENTATIVE OF THE KINGDOM OF MOROCCO, ON BEHALF OF THE GROUP OF 77 AND CHINA

Madam Chairperson,

1. I have the honor to speak on behalf of the Group of 77 and China. It is my pleasure to express our sincere congratulations for your election to chair this important conference. I also wish to extend our heartfelt felicitations to the members of the Bureau. Let me also thank the Government of Panama for hosting this session in this beautiful city and for the warm hospitality and arrangements.
2. On behalf of the Group of 77 and China, I would like to convey sincere condolences to the people and Government of the Philippines on the tragic loss of life and property caused by Typhoon Haiyan. In this hour of grief, the Group would like to express its solidarity with the families and friends of all those affected by this devastating tragedy.
3. Let me also thank the outgoing Chairman of the Conference, the representative of the Government of the Kingdom of Morocco, for his commitment and his leading chairmanship in all working groups that he presides over during the last two years in Vienna.
4. The Group wishes also to thank the Secretariat as well as to the national organizing committee for the well organized preparation of this Conference and for making documents available in a timely manner.

Madam Chairperson,

5. The Group welcomes the adherence since the last COSP held in Marrakesh of new States Parties to the UNCAC, namely Comoros, Côte d'Ivoire, Guinea, Ireland, Kiribati, Marshall Island, Micronesia, Myanmar, Salomon Island, Santa Lucia, Saudi Arabia and Swaziland.
6. The Group looks forward to a meaningful interaction on all agenda items, and is confident that the active contribution of its members in deliberations would be of benefit for the outcome of this Conference.
7. The Group emphasizes the relevance of the fight against corruption which represents one of the major obstacles for development and growth and by diverting the funds intended for improving the social and economic conditions of our societies. By removing this obstacle, countries are more likely to invest in their own development and make progress towards the achievement of the Millennium Development Goals, an endeavor that requires a strong commitment from all member states.

Madam Chairperson,

8. The Group of G77 and China is convinced of the importance of developing and promoting effective policies and practices aimed at the prevention of corruption, taking into account that the success of prevention today represents the successful development and a more effective fight against corruption in future. In this context, the Group reiterates the importance of the implementation of the pertinent provisions on prevention as set forth in the Convention and therefore calls for the need to strengthen cooperation among Governmental entities and relevant stakeholders at the national level, particularly in the areas of awareness raising campaigns, dissemination, education and promotion of good practices in preventing

corruption.

9. In this regard the Group takes note with appreciation the Report on the Status of Implementation of the "Marrakech Declaration on the Prevention of Corruption" (Resolution 4/3) which has set a series of actions to be taken to assist the Conference in paving the way for an effective implementation of Chapter II of the Convention. Furthermore, the Group welcomes and supports the recommendations of the 4th Session of the Open-Ended Intergovernmental Working Group on Prevention of Corruption held from 26 to 28 August 2013 in Vienna. Therefore, the Group looks forward to the continuation of the work of the Working Group on prevention, as it represents a significant platform for the exchange of information and experiences among States on measures and practices in this field.

Madam Chairperson,

10. The Member States were able, two years ago at the fourth session of Conference in Marrakech to reach a consensus and endorsed the guidelines for governmental experts and the secretariat in the conduct of country reviews and the blueprint for country review reports, which had been finalized by the Implementation Review Group at its first session. As we continue with the review process, we welcome the sharing of experiences and good practices in order that States Parties and the Secretariat could draw lessons for the working of the Review Mechanism.

11. We also note that the increased participation of a large number of State Parties in the Review Mechanism has produced tangible and useful results, particularly for supporting their efforts in the implementation of the Convention.

12. The Review mechanism requires funding to ensure its efficient, continued and impartial functioning. Therefore, the Group reiterates its position that the Mechanism should be funded from the regular budget of the United Nations in accordance with the terms of Reference.

13. The Group of 77 and China would like to reiterate that the purpose of the review mechanism is to assist State Parties in effectively implementing the Convention and wishes to emphasize that the Terms of Reference, especially the Guiding Principles and characteristics of the mechanism, should be fully and consistently complied with throughout the review process.

14. The Group believes that technical assistance is a crosscutting issue throughout the Convention, and is vital for its effective and efficient implementation. The Group would like to commend the Secretariat for their continuous efforts in providing a broad set of tailored technical assistance activities at the global, regional and national levels and in developing tools covering the scope of the Convention to meet the growing demands of Member States. Furthermore, the Group calls for a sustainable funding for the activities of the Secretariat in this field, thus allowing appropriate responses to the growing number of technical assistance request by States parties.

15. In this context, States Parties should afford one another the widest measures of technical assistance, especially for the benefit of developing countries and their efforts to implement the Convention. Assuring a sufficient and stable funding to the United Nations Office on Drugs and Crime, is thus essential to promote programs and projects which provide, at the request of the benefiting country, the appropriate technical assistance to implement the Convention.

16. The Group takes note of the thematic report prepared by the Secretariat related to the Implementation of chapter III (Criminalization and law enforcement) of the UNCAC particularly the challenges, good practices and technical assistance needs identified through the Implementation review mechanism process.

17. As we are preparing to complete the first cycle of the Review Mechanism, the Group welcomes the sharing of good practices and experiences among Member States. In this regard, the Group highlights the

importance of promoting the exchange of information, including good practices, lessons learned and challenges met in the implementation of the Convention.

18. The Group looks forward to the commencement of the Second cycle of the review mechanism and looks forward to the review of the whole Chapters II and V of the UNCAC in accordance to Resolution 3/1.

Madam Chairperson,

19. The Group of 77 and China wishes to underscore the fact that the return of assets is a fundamental principle of UNCAC as stated in its Article 51, and States Parties shall to afford one another the widest measures of cooperation and assistance in this regard. The Group notes with concern the continued absence of adequate knowledge, action and political will to implement such cooperation and assistance. This poses a critical challenge to this Conference. The Open-Ended working group on Asset Recovery is a step in the right direction, which has among others facilitated an exchange of ideas and experiences among States on ways and means to expedite the return of stolen assets.

20. The Group of 77 and China welcomes the results of the last meeting of the open-ended inter-governmental working group on Asset Recovery held in Vienna in August 2013, which inter-alia, invited States parties to pursue collection and systematization of good practices and tools in the cooperation for asset recovery, including the use and expansion of secure information-sharing tools with a view to enhancing early and spontaneous information exchange. However, this initiative may only be regarded as a step towards the implementation of Chapter V of the Convention.

Madam Chairperson,

21. The diversion of national wealth from public resources and in particular its transfer abroad compromises the potential for the development of the country of origin. In this vein, the Group of 77 and China emphasizes that the repatriation of public assets is an international obligation according to the Convention and the asset has a legitimate owner, the country of origin. Therefore, the elimination of safe havens for stolen assets around the world is viewed as a high priority in the fight against corruption.

22. A major challenge in Asset Recovery is overcoming the bureaucratic procedures and legal barriers, and lack of political will in the requested State. More agile and simpler procedures should thus be put in place, while safeguarding the due process of law. The Group, therefore, urges all States, in the spirit of the Convention, to facilitate the quick return of assets, to assist the requesting states in tracing, confiscation and recovery of assets and to minimize the costs for the requesting State.

Madam Chairperson,

23. The Group believes that international cooperation is also a key element in the implementation of the Convention, especially among law enforcement authorities is of pivotal significance, particularly when a criminal network of corrupt officials in the country of origin and criminal network of financial experts in the country of destination are linked and have large profits in the business.

24. The Group welcomes the recommendations of the open ended intergovernmental expert meeting on international cooperation held in October 2012 in Vienna, looks forward to the holding of the future sessions of this working group and stresses the need for a strengthened cooperation among the States in this highly relevant agenda item of the Conference.

25. Finally, the Group looks forward to the holding in 2015 of the sixth Session of the Conference of the States Parties to the UNCAC, which will be held in the Russian Federation and expresses its gratitude in advance for their generous offer.

I thank you, Madam Chairperson.