

1 May 2009

Implementation Review of the UN Convention against Corruption

Dear Secretary-General,

At the invitation of the International Chamber of Commerce, Transparency International, the United Nations Global Compact, and the World Economic Forum Partnering Against Corruption Initiative (PACI), we are writing to express our strong support for the UN Convention against Corruption and to call for action to establish an implementation review mechanism at the Conference of States Parties to be held in Doha in November 2009.

As business leaders we recognize the risks and damage caused by corruption. Therefore our companies conduct rigorous anti-corruption programs. We have seen how widespread corruption in countries discourages investment and makes it difficult for companies to compete on an ethical basis.

The adoption of the UN Convention in December 2003 was an important breakthrough because it recognized that a global framework was needed to combat global corruption. It is very encouraging that the Convention has been signed by 140 countries and ratified by 136. However, its success will remain uncertain until an effective implementation review mechanism is established. Experience with other anti-corruption conventions demonstrates that review of implementation is crucial.

In our view, the UN Convention is an essential instrument in the fight against corruption because it covers countries all over the world, emerging as well as developed; because it addresses all types of corrupt practices, in both the public and the private sector; and because it contains preventive measures, as well as law enforcement provisions. The Convention holds the promise of curbing corruption and creating a level playing field for all participants in the global economy.

The UN Convention is a complex legal instrument and requires careful follow-up of its implementation to achieve its objectives. Political will and determined action by governments are necessary to put into place effective prevention and enforcement measures, as well as new processes for international cooperation. Hoping that the Convention's provisions will work, without follow-up reviews, would be a dangerous mistake.

Especially now, in a period of deep financial and economic turmoil, an effective implementation review mechanism is essential. The economic crisis will inevitably place severe strains on worldwide competition, threatening an erosion of ethical standards that will be hard to reverse.

In December 2006 the parties to the Convention agreed that "effective and efficient review of the implementation of the Convention (...) is of paramount importance and urgent." We consider it essential that the Doha Conference in November 2009 takes action to establish an effective review mechanism. Further delay would damage the credibility of the Convention and its ability to build momentum in overcoming corruption.

We recognize that it is up to the governments to decide how the review mechanism should be organized. However, we have a strong interest in seeing that the mechanism will be credible and effective and offer the following suggestions. First, the process should have adequate and dependable long-term funding. Second, it should include country visits with peer reviewers from other countries. Third, the process should function transparently, with inputs from the private sector and other stakeholders, and with published reports.

The adoption of a rigorous implementation review mechanism will send a very positive message to international business. Our companies will work actively to make the Convention succeed. A large number of corporate, industry sector and global business initiatives against corruption have already been launched and bear witness to our determination to improve corporate ethics. Such efforts will be greatly strengthened by working under the umbrella of an effective UN Convention.

We kindly request that you transmit this letter to all States Parties in advance of the Doha meeting.

Yours sincerely,

cc:
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