

**THE THIRD ANNUAL CONFERENCE AND GENERAL MEETING
OF THE INTERNATIONAL ASSOCIATION OF ANTI-CORRUPTION
AUTHORITIES**

KIEV, 3-6 OCTOBER 2008

KIEV DECLARATION

We, the representatives of the Anti-Corruption Authorities of 107 Member States of the United Nations and 13 international organizations, gathered in Kiev, Ukraine, for the Third Annual Conference and General Meeting of the International Association of Anti-Corruption Authorities (IAACA) devoted to criminalization and law enforcement measures:

Recalling General Assembly resolution 58/4, by which the Assembly adopted the United Nations Convention against Corruption and established 9 December as the International Anti-Corruption Day,

Recalling also all relevant General Assembly and Economic and Social Council resolutions, including those adopted on the recommendation of the Commission on Crime Prevention and Criminal Justice, by which those bodies have called for the expeditious ratification and full implementation of the United Nations Convention against Corruption,

Recalling further its Beijing and Bali Declarations, as well as the recommendations made by the side-event of the Conference of the States Parties to the United Nations Convention against Corruption (CoSP), held in Jordan and co-organized by UNODC and IAACA,

Aware of the resolutions adopted by the CoSP at its first and second sessions, and of the recommendations of the intergovernmental open-ended working groups established by the Conference,

Convinced of the important contributions that civil society and relevant NGO's can make to the prevention and control of corruption and the effective implementation of the UNCAC,

1. *Express* our gratitude to the Prosecutor General's Office of Ukraine for hosting the Third Annual Conference and General Meeting of IAACA, as well as our deepest appreciation to the Government and people of Ukraine for their warm hospitality;
2. *Emphasize* the significance of effectively implementing criminalization and law enforcement measures, in compliance with the provisions contained in Chapter III of UNCAC, as a major obligation and responsibility of State Parties, as well as a necessary and important complement to the preventive measures of the Convention;
3. *Recognize* that effective criminalization of corruption and law enforcement measures against it can be achieved only in the context of a fully functioning, modern, fair, efficient and effective criminal justice system;
4. *Welcome* with satisfaction the fact that more than 120 countries have ratified or acceded to the UNCAC and urge the Governments and parliaments of those countries that have not yet done so to expedite the required internal procedures in order to ratify or accede to the Convention as a matter of urgency, in order to avoid the risk of safe havens;
5. *Commend* UNODC for the exceptional work done in pursuing the implementation of the resolutions of the first and second sessions of the Conference of the States Parties to the Convention and for preparing for its third session, to be held in Doha, Qatar in 2009, and call upon the Secretary-General of the United Nations to give the highest priority to the promotion of the Convention's implementation, including by providing UNODC with increased resources for the proper performance of its mandates as the Secretariat of the Conference;
6. *Recognize* the crucial role of the Conference of the States Parties and reiterate our call upon the Executive Committee of IAACA, in consultation with the Secretariat of the Conference, to seek appropriate ways of establishing close collaborative links between IAACA and the Conference with a view to enhancing the involvement and contribution of IAACA and its members in the implementation of the Conference's recommendations;
7. *Call upon* States Parties to the UNCAC to develop an appropriate programme of work which will maintain, sustain and strengthen the momentum generated by the Convention, especially in the periods between the regular sessions of the Conference;
8. *Recommend*, in order to facilitate the above-mentioned tasks, that anti-corruption authorities develop and refine scientific methods of measuring corruption through accurate

and objective data on its occurrence and impact, as well as to devote increased attention to the collection and analysis of relevant data and information, sharing among them as IAACA members their official data and statistics, and invite UNODC to support this process as an important step for the review of the implementation of the Convention by the Conference of the States Parties;

9. *Welcome* the positive results achieved in the collection of information on the implementation of the Convention through the self-assessment checklist, commend those States that have completed and returned the checklist to the Secretariat of the CoSP and urge those States Parties that have not yet done so to comply with their legal obligation to provide the required information;

10. *Welcome* also the mandate given by the Conference to UNODC to develop a comprehensive checklist covering all provisions of the Convention and based on a software application to be developed for that purpose;

11. *Call upon* the Secretary-General of IAACA to support UNODC in the provision of technical assistance to States that require it to help them to complete an early process of ratification of or accession to the Convention, so as to facilitate the implementation process;

12. *Express* support for the conduct of analyses of gaps in the implementation of the Convention and the development of strategic plans to fill those gaps, as well as for the identification of technical assistance needs for that purpose;

13. *Urge* States Parties to put into place the required laws and policies to ensure that anti-corruption authorities, including those bodies specialized on combating corruption through law enforcement, exercise their functions with the necessary independence, with secured and stable funding, specialized staff and professional training, so as to carry out their tasks effectively and free from any undue influence, in accordance with articles 6 and 36 of the Convention;

14. *Urge* also States to maintain the appropriate balance in the mandate of these anti-corruption bodies, paying due attention to their critical preventive role and to their crucial law enforcement functions, as appropriate, which are fundamental for the application of the relevant provisions of the Convention and for international cooperation;

15. *Call upon* Governments to institute the relevant reforms that promote the required professionalism of their law enforcement and prosecutorial authorities, the independence

and integrity of the Judiciary, as well as the prevention of conflict of interest in public office, freedom of access to information, transparency and accountability in public administration, as these are essential pillars for the effective prevention and combating of corruption;

16. *Encourage* UNODC to continue to provide developing countries and countries with economies in transition with a wide range of capacity-building assistance, technical expertise and policy advice. To this effect, we recommend that multilateral and bilateral providers of technical assistance should mainstream the Convention into their relevant work and increase the resources devoted to supporting developing countries in implementing the Convention in general, in close cooperation with UNODC and IAACA, with a view to maximizing the use of their respective expertise;

17. *Welcome* the successful outcome of the second training seminar conducted by IAACA in May 2008;

18. *Decide* to institutionalize and expand the training programme of IAACA, in close cooperation with UNODC, including through the development of specialized guides, curricula and other training material which track and support the needs of anti-corruption authorities and task the Executive Committee to pursue these goals;

19. *Welcome* with appreciation the conclusion of an arrangement between UNODC and INTERPOL on the establishment of the International Anti-Corruption Academy, to be hosted by the Government of Austria, and pledge our full support to its development and functioning as world wide centre of excellence for research and training in the fields of preventing and combating corruption;

20. *Express* appreciation for the establishment and maintenance of the IAACA web site and call upon the Secretary-General of the Association to redouble all efforts to ensure its full functioning, to serve as a useful working tool and a virtual dialogue centre among the members of the Association;

21. *Welcome* the efforts of UNODC, in partnership with IAACA and other competent institutions and entities, to establish a computer-based Knowledge Management Consortium, which will include an organized and appropriately maintained and updated collection of anti-corruption legislation and regulations, a similarly organized and updated collection of anti-corruption cases and jurisprudence, as well as a compilation of contact information of and links to anti-corruption authorities around the world;

22. *Invite* the Executive Committee of IAACA to explore the possibility of launching a specialized Journal which would contain landmark anti-corruption and anti-money-laundering cases with commentaries, as a tool for practitioners, as well as of including in the substantive programme of the next annual conferences and general meetings of IAACA opportunities for the discussion among interested practitioners of pending cases of international cooperation in criminal matters, including extradition and mutual legal assistance;

23. *Pledge* all our cooperation to support these efforts by providing national laws and regulations, current research results and best practices in the prevention and control of corruption, as well as information on our organization and functions, including evaluations of our performance and operations, updating such material and information regularly;

24. *Express* the hope that the joint UNODC and World Bank StAR Initiative will produce the desired results, pledge our full cooperation with it within our respective mandates, and call upon all States to actively support the full implementation of the provisions of the Convention on asset recovery and the StAR Initiative;

25. *Feel* encouraged by the progress made by the Conference of the States Parties and its open-ended intergovernmental working group on review of implementation of the UNCAC in the development of terms of reference for the mechanism to review implementation of the Convention, and reiterate the urgency of the early establishment of that mechanism, which should incorporate the concepts of peer review, self-assessment and monitoring, in accordance with paragraph 7 of article 63 of the Convention as well as of transparency, drawing on multiple sources of information, including civil society in accordance with Article 13 of the UNCAC, so as to empower the Conference to discharge its relevant crucial functions in the most effective and efficient manner, as soon as possible;

26. *Express* our deepest appreciation to relevant international organizations, civil society and the media in raising public awareness about UNCAC and the seriousness of the various manifestations of corruption, as well as in extending support and cooperation to IAACA and to the Conference of the States Parties, and underscore the importance of protection of witnesses, experts, victims, prosecutors, judges and any other persons engaged in anti-corruption activities;

27. *Decide* that the text of this Declaration be widely circulated by the relevant anti-corruption authorities in our respective countries and that it should be submitted to the

Conference of the States Parties to the United Nations Convention against Corruption, as well as to the General Assembly and other relevant bodies of the United Nations.