Fight against crime: conclusion of the United Nations Convention against Corruption UNCAC, October 2003

2006/0023(CNS) - 02/03/2006 - Legislative proposal

PURPOSE : to proceed with the conclusion, of behalf of the EC, of the UN Convention against Corruption, following its signature on 15 September 2005.

PROPOSED ACT : Council Decision.

CONTENT : the UN Convention against Corruption (UNCAC) was signed, on behalf of the European Community, in New York on 15 September, 2005. This proposal seeks the Council's approval for the conclusion of the Convention.

The United Nations Convention against Corruption is the first global instrument on the prevention of, and fight against, corruption. It provides a comprehensive framework and a variety of important minimum standards for all participating States. Consequently, the European Community is pleased to note that it entered into force on 14 December 2005.

The attached proposal for a Council Decision constitutes the legal instrument for the conclusion of the UNCAC by the European Community.

The proposal contains two Articles:

- the first Article approves the UNCAC on behalf of the European Community;

- the second Article authorises the President of the Council to designate the person empowered to deposit, on behalf of the European Community, the instrument of approval.

The text of the UNCAC is provided at Annex I. Annex II comprises the declaration on the extent of the European Community's competence with respect to matters governed by the UNCAC, as required by Article 67 (3) UNCAC. Annex III contains a statement reminding all parties that, in disputes involving the Community only dispute settlement by way of arbitration will be available.

The Convention concerns public officials in all institutions of the EC. Accordingly, and without prejudice to the procedures of Article 300 EC, the Commission suggests to the Council informing those institutions concerned, namely the Court of Justice of the European Communities, the Committee of the Regions, the European Economic and Social Committee, the European Central Bank, the European Court of Auditors and the European Investment Bank.

For these reasons, the Commission proposes to the Council to adopt the attached decision.

The institutions already have in place a comprehensive framework of anti-corruption measures. Nevertheless, it is possible that meeting the requirements of the Convention in respect of the institutions of the EC may require minimal additional expenditure for administrative purposes etc.