DRAFT Minus 1v2 (9 Nov 2023)

UNCAC RESOLUTION

**Enhancing transparency in the financing of political parties and election campaigns**

*The Conference of the States Parties to the United Nations Convention against Corruption*,

*Recalling* that Article 7, Paragraph 3, of the United Nations Convention against Corruption, requires States Parties to consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties,

*Recalling also* that the United Nations General Assembly resolution S-32/1 of 2 June 2021, in which the Assembly adopted the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”, recognizes that Member States are responsible for ensuring transparent, free and fair elections, in accordance with domestic law, and our ambition to ensure responsive, inclusive, participatory and representative decision-making at the national level and commit to maintain, strengthen, develop and implement measures that ensure transparency in the funding of candidates for elected public office, political parties and electoral campaigns,

*Recalling further* that the political declaration commits States parties to enhance beneficial ownership transparency by ensuring that adequate, accurate, reliable, up to date and timely beneficial ownership information is available and accessible to competent authorities and by promoting beneficial ownership disclosures and transparency, such as through appropriate registries, where consistent with the fundamental principles of domestic legal systems,

*Also recalling* resolution 9/7, which calls upon States parties to ensure, or continue ensuring, efficient access to adequate, accurate and up-to-date beneficial ownership information on companies in a timely manner for their relevant competent authorities,

*Taking note* of the 2020 UN common position to address global corruption which recognizes  that transparency and accountability in the regulatory frameworks on the financing of political parties and campaigns are important aspects of any measures to prevent corruption in public life and that enhancing international obligations on the transparency of funding of candidatures for elected public office and political parties and campaigns is an essential measure towards preventing corruption in political party financing,

*Taking note also* of the Oslo Statement on Corruption involving Vast Quantities of Assets, adopted in June 2019 by over 140 experts specialized in preventing, investigating and prosecuting corruption, recommends that political finance should be transparent in line with Article 7 (3) of the UNCAC, taking into consideration the Principles on Transparency in Political Finance recommended by the expert group held in Prague in May 2019,

*Recalling* that Article 13, Paragraph 1, of the United Nations Convention against Corruption, and the resolutions of the United Nations Conference of the States Parties require States Parties to consider the need to respect, promote and protect the freedom to seek, receive, publish and disseminate information concerning corruption.

And further *recalling* resolution 9/3 of the United Nations UNCAC Conference of the States Parties, which encourages State parties to “seek to utilize information and communications technologies to strengthen the implementation of the Convention,

*Concerned* that while an increasing number of State parties have adopted or amended their legal frameworks, there are significant gaps in regulating political and campaign finance, increasing transparency, imposing restrictions or prohibitions, and ensuring adequate oversight and effectively enforcement of legal frameworks by the political finance regulator, in particular related to addressing the rising threats relating to illegal foreign funding,

1. Calls upon States parties to strive **to enhance transparency in the financing of political parties and election campaigns;**
2. Calls upon States parties to **ensure that political parties, candidatures and election campaigns, keep records of all their revenues, expenditures, loans and in-kind donations** and report such records to an appropriate authority within reasonable timeframes through standardized digital forms;
3. Further calls upon States parties to **ensure that each donation, its amount, and the identification of its donor,** as well as each expenditure incurred by political parties, candidatures and election campaigns are publicly disclosed in digital formats by an appropriate authority;
4. Calls upon States parties to **ensure that all legal entities that donate to political parties, candidatures and election campaigns are required to disclose their beneficial owners;**
5. Urges States parties to **ensure that if public funding is provided to political parties or election campaigns, this is allocated in an objective, equitable and transparent manner,** based on criteria defined by law; and that a substantive part is provided to overcome obstacles women face to have an equal opportunity in practice to serve as party officials and to be nominated as candidates for election;
6. Further calls upon States parties to adopt regulations whereby **actors not officially contesting elections that campaign in favor of or against specific political parties, candidatures or election campaigns** and incur expenses above a reasonable limit, are subject to the same financial bookkeeping and reporting obligations as political parties and candidatures;
7. Urges States parties to **designate an authority mandated to monitor compliance with, and investigate potential violations of political financing regulations** and, when applicable, **to impose effective, proportionate and dissuasive, criminal, administrative, civil or disciplinary sanctions** in accordance with the fundamental principles of their domestic law;
8. Calls upon States parties **to ensure that donations by foreign-owned or foreign-controlled entities to political parties, candidatures and election campaigns are specifically limited, prohibited or otherwise regulated;**
9. Calls upon States parties **to ensure that public officials at no time improperly use public moneys, property, services or information** that is acquired in the performance of their official duties, to give advantage or disadvantage to a particular political party, candidature or election campaign;
10. Further calls upon States parties **to ensure that public prosecutors of cases relating to political party or campaign finance have the necessary independence, authority and financial and human resources** to effectively investigate and prosecute such cases within a reasonable time and without fear of repercussions;
11. Encourages States parties **to promote the active participation of individuals and groups outside the public sector**, such as civil society, the private sector, academia, media, non-governmental organizations and community-based organizations, **in efforts to increase transparency in political party and campaign finance;**
12. Calls upon State parties **to adopt and implement legal frameworks that ensure the freedom to seek, receive and impart information as it relates to the finances of political parties and election campaigns;**
13. Calls upon States parties **to establish, diversify and strengthen confidential, safe, and secure reporting channels for political finance breaches,** in line with international standards and best practices, that are accessible, gender-sensitive and otherwise inclusive;
14. Encourages States parties **to improve domestic and international cooperation among oversight bodies/regulatory agencies, law enforcement and judicial authorities to facilitate investigation, prosecution and adjudication of political finance related offences**, in particular by conducting joint investigations and concluding regional or bilateral mutual legal assistance agreements;
15. Requests the Secretariat to conduct a comprehensive survey of the specific challenges, good practice, lessons learned, and technical assistance needs based on examples shared on a voluntary basis by States parties, other intergovernmental and civil society organizations, and to report to the Conference at its eleventh session;
16. Invites States parties and other donors to provide extra-budgetary resources for the purposes identified in the present resolution, in accordance with the rules and procedures of the United Nations.