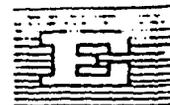


UNITED NATIONS
ECONOMIC
AND
SOCIAL COUNCIL



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E/RES/2122(LXIII)
15 August 1977

Sixty-third session
Agenda item 17. Transnational corporations

RESOLUTION ADOPTED BY THE ECONOMIC AND SOCIAL COUNCIL

[on the report of the Economic Committee (E/6048)]

2122 (LXIII). Corrupt practices, particularly illicit payments,
in international commercial transactions

The Economic and Social Council,

Recalling General Assembly resolution 3514 (XXX) of 15 December 1975, which, inter alia, condemned all corrupt practices, including bribery, by transnational and other corporations, their intermediaries and others involved,

Recalling further Council resolution 2041 (LXI) of 5 August 1976, which established an Ad Hoc Intergovernmental Working Group to conduct an examination of the problem of corrupt practices, in particular bribery, in international commercial transactions by transnational and other corporations, their intermediaries and others involved, to elaborate in detail the scope and content of an international agreement to prevent and eliminate illicit payments, in whatever form, in connexion with international commercial transactions as defined by the Working Group. and to submit a report to the Economic and Social Council at its sixty-third session,

Noting the report of the Ad Hoc Intergovernmental Working Group on the Problem of Corrupt Practices on its first, second, third and resumed third sessions, 1/ submitted to the Economic and Social Council at its sixty-third session,

1. Reaffirms that the formulation of a code of conduct by the Commission on Transnational Corporations should be given the highest priority and that the conclusion of an international agreement on illicit payments should in no way interfere with or delay that priority;

2. Urges all States to use their best efforts to expedite the formulation of the code of conduct;

3. Reauests the Secretary-General to make adequate provisions for the necessary meetings of the Intergovernmental Working Group on a Code of Conduct;

1/ E/6006.

4. Decides:

(a) To continue the Ad Hoc Intergovernmental working Group on the Problem of Corrupt Practices, so that it may complete its task;

(b) To expand the membership of the Ad Hoc Intergovernmental Working Group to include all interested States, provided that the Working Group shall meet only if a quorum of four States from each interested geographical group is represented;

(c) That the Ad Hoc Intergovernmental Working Group shall meet as necessary in 1978, if at all possible at United Nations Headquarters in New York, in order to complete its task in accordance with its original mandate as contained in Council resolution 2041 (LXI);

5. Decides that the Ad Hoc Intergovernmental Working Group should draft an international agreement on illicit payments and, in this regard, consider all the issues defined in its report;

6. Calls on the Ad Hoc Intergovernmental Working Group to report to the Economic and Social Council at its sixty-fifth session and also to submit a report to the Commission on Transnational Corporations at its fourth session for its consideration and comments;

7. Recommends that the General Assembly decide, when it deems it appropriate, to convene a conference of plenipotentiaries, in order to conclude an international agreement on illicit payments.

2085th plenary meeting
4 August 1977