



**MMUN 49
GENERAL ASSEMBLY**

Topic: Preventing and Combating Corrupt Practices and Transfer of Funds of Illicit Origin and Returning such Assets to the Countries of Origin

Submitted by: General Assembly Second Committee

The General Assembly,

- 1 BEARING IN MIND the Charter of the United Nations, particularly Chapter I which addresses
- 2 the purposes and principles of the organization, specifically Articles 1.3 and 1.4 which establish
- 3 cooperation in solving international problems in economic and social affairs, as well as the
- 4 harmonization of international policies, such as the illicit transfer and repatriation of funds, as
- 5 well as the mandate of the General Assembly,
- 6
- 7 RECOGNIZING the Charter of the United Nations Chapter IV, specifically articles 13 and 17,
- 8 which establish the General Assembly's mandate to address matter of economic and social
- 9 importance such as the illicit transfer and repatriation of funds,
- 10
- 11 GUIDED BY the Charter of United Nations articles 52, 55 and 57, with regards to specialized
- 12 agencies and regional arrangements,
- 13
- 14 RECALLING the United Nations Convention against Corruption (UNCAC), as well as
- 15 A/RES/51/59 Action against Corruption and General Assembly Declaration against Corruption
- 16 and International Commercial Transactions, as well as A/RES/54/20, which states that
- 17 repatriation of funds is part of combating corruption,
- 18
- 19 NOTING that the mandate of the Commission on Crime Prevention and Criminal Justices was
- 20 created in 1992 under A/RES/47/27, with the objective of addressing, among other criminal
- 21 activities, money laundering,
- 22
- 23 RECALLING the International Covenant on economic and social rights, which outlines the need
- 24 for democratic governance, and the efforts of the United Nations Development Program (UNDP)
- 25 to uphold these rights through its thematic trust funds, which would lead to funding efforts to
- 26 stem the flow of illicit funds and enhance their tracking and seizure,
- 27
- 28 COGNIZANT of the International Covenant on Civil and Political Rights, which promotes the
- 29 need for transparency and accountability as a means to achieve the restriction, tracking, and
- 30 repatriation of illicit funds,
- 31
- 32 ACKNOWLEDGING the Monterrey Consensus and its emphasis on good governance and
- 33 transparency as a means to root out corruption, and the pledges of donor states to provide aid to
- 34 that end,
- 35
- 36 GRAVELY CONCERNED that according to the International Monetary Fund (IMF), the
- 37 amount of money laundered per year is equal to five percent of Global GDP and that cross-border

38 flow of the global proceeds from criminal activities, corruption, and tax evasion is measured at
39 between 1 trillion and 1.6 trillion USD per year,

40
41 REALIZING the importance of Anti-Money Laundering and Countering the Financing of
42 Terrorism (AML/CFT) standards and the widespread use of Financial Intelligence Units (FIUs)
43 already in place around the globe through the Egmont Group,

44
45 FURTHER GUIDED BY the Report of the Conference of the States Party to the United Nations
46 Conference Against Corruption (UNCAC) 2008, and their support of initiatives such as the Stolen
47 Asset Recovery Initiative (StAR) created through the UNODC and the World Bank,

48
49 FULLY COGNIZANT of the existence and capacities of regional Financial Action Task Forces
50 (FATF) that include examples such as the Caribbean Financial Action Task Force, Eurasian
51 Group, Western African Money Laundering Group, and their adherence to the 40+9
52 Recommendations which additionally address the financing of terrorism,

53
54 FURTHER AWARE of the Best Practices Report from the Conference of the States Party to the
55 UNCAC (CAC/COSP/2008/8) as it outlines a need to enact UN Model Legislation concerning
56 money laundering and the financing of terrorism,

- 57
58 1. ENCOURAGES the Egmont Group and their respective FIU's to meet on a monthly
59 basis to foster more cooperation on an international scale and act on more recent
60 developments;
- 61
62 2. FURTHER ENCOURAGES Member States' FIUs to cooperate with the FIUs of
63 other Member States as a means to strengthen domestic financial institutions that will
64 lead to the restriction, tracking, and repatriation of money laundering flows;
- 65
66 3. CALLS UPON Member States to establish FIUs that adhere to the Egmont Group's
67 Standards as well as the 40+9 Recommendations as a guide for best practices which
68 will lead to better tracking and repatriation of assets;
- 69
70 4. STRESSES the need for Member States that lack the capacity to create FIU's to work
71 with the United Nations Office on Drugs and Crime (UNODC), particularly the Law
72 Enforcement, Organized Crime and Anti-Money Laundering Unit's (LEOCMLU)
73 *Global Program Against Money Laundering* (GPML), which has several programs
74 such as the *Mentor Program*, which provides technical assistance and training to
75 Member States;
- 76
77 5. RECOMMENDS full and adequate funding to the Commission on Crime Prevention
78 Criminal Justice's Network Fund by Donor States as a means to provide financial
79 assistance to developing states in the restriction, tracking, and repatriation of money
80 laundering flows;
- 81
82 6. FURTHER CALLS UPON all Donor States who participated in the Monterrey
83 Consensus to fulfill their Official Development Assistance (ODA) of 0.7 percent of
84 the Gross National Income to assist in the creation of FIUs in developing states to
85 continue enhancing their ability to track and repatriate assets;
- 86

- 87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
7. SUPPORTS Member States to promote good governance through the UNDP Thematic Trust Fund for Democratic Governance in order to increase transparency through all government levels;
 8. EMPHASIZES the need for Member States' FIUs to establish partnerships with regional organizations and development banks to increase the regional awareness of money laundering flows and allow for tracking and repatriation of money laundering flows across borders to be made easier, such organizations include:
 - a. Policy Oriented Organizations:
 - i. Organization of American States (OAS),
 - ii. African Union (AU),
 - iii. European Union (EU),
 - b. Financial/Banking Institutions:
 - i. African Development Bank (AfDB),
 - ii. Asian Development Bank (ADB),
 - iii. European Bank for Reconstruction and Development (EBRD),
 - iv. Inter-American Development Bank (IADB).
 9. URGES FIUs to diligently seek states of origin for illicit funds and repatriate stolen capital via the Stolen Asset Recovery Initiative (StAR) of the UNODC, which works to monitor the use of recovered assets and assists in the recovery process of developing states by providing the option to hire legal counsel and facilitating cooperation between countries;
 10. INVITES Member States to enact legislation in accordance with the 2003 UN Model Law on Money Laundering, Proceeds of Crime and Terrorist Financing that provides technical assistance to all Member States;
 11. FURTHER INVITES Member States to utilize the 2005 UNODC and IMF Model Legislation on Money Laundering and Financing of Terrorism as a means to assist Member States to implement national legislation to prevent and prosecute criminal activities, which coordinates technical assistance with donor agencies and regional Member States to help reach AML/CFT standards in national legislation.