

Open Letter to the Delegation of the United States to the United Nations Convention against Corruption (UNCAC) Conference of the States Parties (CoSP)

December 8, 2023

Dear Secretary Blinken,

On behalf of Transparency International U.S. (TI US), we write to encourage the U.S. delegation to the CoSP to strengthen Article 7.3 of the UNCAC by offering support, where appropriate, for amendments in resolutions that have been tabled that can effectively address transparency in political finance.

Transparency International U.S. (TI US) is part of the world's largest coalition fighting corruption. In collaboration with national chapters in more than 100 countries, we give voices to victims and witnesses of corruption, and work with governments, businesses, and citizens to stop the abuse of entrusted power.

In the spirit of collaboration and shared responsibility that defines the UNCAC, we write to urge the CoSP to address a critical facet of the anticorruption framework that has been largely absent from the UNCAC agenda: the transparency of political finance. While some 69 resolutions have been adopted at the nine CoSPs held since 2006, there has never been a resolution on political finance, and there is an immediate need to rectify this at the 10th Session of the UNCAC CoSP.

Political finance is a pivotal issue in the fight against corruption. The integrity of democratic processes is contingent on financial transparency and accountability. Opaque and unaccountable financial contributions to political parties, electoral campaigns, or candidates enables clientelism, fuels corruption, increases the cost of political participation, and destroys trust in governments.

Here at home, U.S. political finance laws—including our laws governing campaign finance, lobbying, and ethics—have not kept pace with changes in our politics and political culture. To ensure a more open and accessible government that is responsive to the public, the U.S. Government should support new frameworks that require the full and timely disclosure of major donors to politically active organizations (including nonprofit, “dark money” organizations) and that restrict the influence of foreign entities on our elections.

Call for Action at the UNCAC Conference

We urge the U.S. delegation to support efforts to strengthen Article 7.3 of the UNCAC in the following areas:

1. Closing Loopholes for Illicit Funds in Politics

States Parties can enact and enforce laws that close all loopholes which allow illicit funds and opaque donations to enter politics through anonymous shell companies, third parties, or anonymous donors.

2. Introducing Digital Reporting and Disclosure Systems

States Parties should commit to introducing mechanisms for the timely and comprehensive public disclosure of political contributions, expenditures, and campaign financing. This should extend to all levels of government and political entities, including individual candidates, in order to promote accountability for political candidates and political parties.

3. Improving Oversight and Accountability of Political Finance Regimes

States Parties should establish and strengthen independent oversight bodies, with adequate powers to monitor, investigate, and enforce compliance with political finance regulations. These bodies should be equipped with sufficient resources, autonomy, and authority to ensure the integrity of the political finance system.

4. Promoting Knowledge, Civic Engagement, and Public Participation

States Parties should actively engage civil society, encourage public participation in political finance oversight, and protect the rights of whistleblowers who expose corruption within the political finance system. They should also mandate the United Nations Office on Drugs and Crime (UNODC), in consultation with civil society, to coordinate the production of gap analyses, guidelines, and technical assistance materials on political finance transparency.

5. Strengthening International Cooperation

States Parties should commit to sharing information, best practices, and resources to ensure the global fight against corruption is coordinated and unified. Cross-border corruption schemes should be met with a coordinated international response, and efforts should be made to recover and repatriate assets stolen through corrupt practices.

We also encourage the U.S. delegation to highlight the importance of political finance transparency in its official speeches and discussions. This advocacy will elevate the issue's prominence and encourage collective action among all States Parties.

While significant gaps remain in U.S. political finance disclosure law and policy, we propose that the U.S. delegation share its experiences with, and lessons learned from, domestic reforms with other UNCAC States Parties. For example, we encourage the delegation to discuss the importance and impact of contribution limits for candidates, political parties, and traditional PACs, as well as the value of restrictions on the personal use of campaign contributions, in promoting public confidence in the integrity of U.S. elections. This sharing of best practices will foster a collaborative approach to tackling corruption at the international level.

The challenges posed by corruption, especially in the sphere of political finance, require a concerted and unified response. By taking a leadership role at the upcoming CoSP10, the U.S. Government can significantly contribute to the global fight against corruption. We trust that the delegation will consider our requests and take proactive steps towards a more transparent and accountable political environment.

We appreciate your attention to this crucial matter and look forward to the outcomes of the Conference.

Sincerely,



Gary Kalman
Executive Director