



General Assembly

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Ad Hoc Committee for the Negotiation of a Convention against Corruption

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Agenda item 3

Consideration of the draft United Nations Convention against Corruption, with particular emphasis on articles 1-39

Proposals and contributions received from Governments

Colombia: amendments to article 5

It is proposed to continue work on article 5 on the basis of the following text:¹

“Article 5

“Preventive anti-corruption policies

“1. Each State Party shall, in a manner consistent with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption policies. Those policies shall enable [the participation of civil society] [public involvement] and reflect the principles of rule of law, [good governance] [good management of the public service], integrity, transparency and [accountability].²

“2. Each State Party shall endeavour to evaluate periodically existing relevant legal instruments and public practices with a view to detecting their vulnerability to corruption [and criminal acts related to corruption].³

“3. Each State Party shall endeavour to develop and evaluate projects and to establish and promote best practices and policies aimed at the prevention of corruption [and criminal acts related to corruption].

¹ The text of this proposal is a revised version submitted, pursuant to a request by the Chairman, by Colombia, which coordinated an informal working group.

² One delegation proposed that the second sentence of paragraph 1 be moved to the preamble of the draft convention.

³ Some delegations proposed to reconsider this wording after consideration of the definition of corruption.



“4. Each State Party shall inform the Secretary-General of the United Nations of the name and address of the authority or authorities that may assist other States Parties in developing and implementing a policy on combating corruption. Such information shall contain the names and addresses of the bodies referred to in article 5 bis of this Convention.⁴

“5. States Parties shall, as appropriate, collaborate with each other and relevant international and regional organizations in promoting and developing the measures referred to in this article. This shall include participation in international projects aimed at the prevention of corruption [and criminal acts related to corruption].”

⁴ Several delegations held the view that paragraph 4 should be moved to article 5 bis. Other delegations suggested that paragraph 4 should be moved to an article dealing with technical assistance.