



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

Proposals and contributions received from Governments

Canada, France and Italy: amendment to article 21

Article 21: Trading in influence

It is proposed to continue work on article 21 on the basis of the following text:¹

“Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

“(a) The promising, offering or giving, directly or indirectly, to a public official or any other person of any undue advantage in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or a public authority of the State Party any undue advantage or any favourable decision for the original instigator of the act or for any other person, whether or not the influence is exerted or whether or not the supposed influence leads to the intended result;

“(b) The solicitation or acceptance by a public official or any other person, directly or indirectly, of any undue advantage for himself or herself or for another person in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the State Party any undue advantage or any favourable decision, whether or not the influence is exerted or whether or not the supposed influence leads to the intended result.”

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

