



General Assembly

Distr.: Limited
29 January 2002

Original: English

Ad Hoc Committee for the Negotiation of a Convention against Corruption

First session

Vienna, 21 January-1 February 2002

Agenda item 4

Consideration of the draft United Nations Convention against Corruption

Revised draft United Nations Convention against Corruption*

Preamble¹

[*The General Assembly*], [*The States Parties to this Convention*],

Concerned about the seriousness of problems posed by corruption, which may endanger the stability and security of societies, undermine the values of democracy and morality and jeopardize social, economic and political development,

Concerned also about the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering,

Concerned further that cases of corruption, especially on a large scale, tend to involve vast quantities of funds, which constitute a substantial proportion of the resources of the countries affected, and that their diversion causes great damage to the political stability and economic and social development of those countries,

Convinced that corruption undermines the legitimacy of public institutions and strikes at society, moral order and justice, as well as at the comprehensive development of peoples,²

* The present document contains the draft text as revised following the first reading of the draft convention, which the Ad Hoc Committee began at its first session.

¹ Consolidated text taken from the proposals submitted by Austria and the Netherlands (A/AC.261/IPM/4) and Colombia (A/AC.261/IPM/14). At the first session, and on the recommendation of its Chairman, the Ad Hoc Committee deferred consideration of the preamble to the end of the negotiation process, possibly together with the final clauses of the draft convention.

² See the Inter-American Convention against Corruption (see E/1996/99).

Convinced also that, since corruption is a phenomenon that currently crosses national borders and affects all societies and economies, international cooperation to prevent and control it is essential,

Convinced further of the need to provide, upon request, technical assistance designed to improve public management systems and to enhance accountability and transparency,

Considering that globalization of the world's economies has led to a situation where corruption is no longer a local matter but a transnational phenomenon,

Bearing in mind that the eradication of corruption is a responsibility of States and that they must cooperate with one another if their efforts in this area are to be effective,²

Bearing also in mind ethical principles, such as, inter alia, the general objective of good governance, the principles of fairness and equality before the law, the need for transparency in the management of public affairs and the need to safeguard integrity,

Commending the work of the Commission on Crime Prevention and Criminal Justice and the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat in combating corruption and bribery,

Recalling the work carried out by other international and regional organizations in this field, including the activities of the Council of Europe, the European Union, the Organisation for Economic Cooperation and Development and the Organization of American States,

Welcoming multilateral initiatives to combat corruption, including, inter alia, the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, adopted by the Organisation for Economic Cooperation and Development on 21 November 1977,³ the Inter-American Convention against Corruption, adopted by the Organization of American States on 29 March 1996,⁴ the Convention on the Fight against Corruption involving Officials of the European Communities or Officials of Member States of the European Union, adopted by the Council of the European Union on 26 May 1997,⁵ the Dakar Declaration on the Prevention and Control of Organized Transnational Crime and Corruption, adopted by the African Regional Ministerial Workshop on Organized Transnational Crime and Corruption, held in Dakar from 21 to 23 July 1997,⁶ the Manila Declaration on the Prevention and Control of Transnational Crime, adopted by the Asian Regional Ministerial Workshop on Organized Transnational Crime and Corruption, held in Manila from 23 to 25 March 1998,⁷ the Criminal Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 27 January

³ See *Corruption and Integrity Improvement Initiatives in Developing Countries* (United Nations publication, Sales No. E.98.III.B.18).

⁴ See E/1996/99.

⁵ *Official Journal of the European Communities*, C 195, 25 June 1997.

⁶ E/CN.15/1998/6/Add.1, chap. I.

⁷ E/CN.15/1998/6/Add.2, chap. I.

1999,⁸ and the Civil Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 9 September 1999,^{9, 10}

[Adopts the United Nations Convention against Corruption, annexed to the present resolution.]

[Have agreed as follows:]

I. General provisions

Article 1

Statement of purpose¹¹

The purposes of this Convention are:

(a) To promote and strengthen measures to prevent and combat more effectively corruption and [criminal] [all other]¹² acts related specifically to corruption;

(b) To promote, facilitate and support international¹³ cooperation in the fight against corruption, including the return of the proceeds of corruption [to their countries of origin];¹⁴

[(c) To promote integrity and good governance.]¹⁵

⁸ Council of Europe, *European Treaty Series*, No. 173.

⁹ *Ibid.*, No. 174.

¹⁰ See General Assembly resolutions 51/59 and 53/176.

¹¹ This article was revised at the first session of the Ad Hoc Committee. One delegation proposed that the title of this article be “purposes of the Convention”.

¹² In carrying out its first reading of the draft text, the Ad Hoc Committee considered it necessary to retain these two formulations pending a determination of the nature of the convention, which would be possible only after consideration of several substantive provisions of the draft text. Ukraine proposed the formulation “criminal acts and other offences related specifically to corruption” (see A/AC.261/L.5).

¹³ At the first session of the Ad Hoc Committee, one delegation expressed the view that this formulation should be expanded further to include cooperation through international and regional organizations.

¹⁴ During the first reading of the draft text, many delegations expressed the view that the statement of purpose would not be complete without the inclusion of the issue of transfer of funds of illicit origin derived from acts of corruption, including the laundering of funds, and the return of such funds. However, it was felt that the choice of terms would depend on decisions regarding the formulation of the substantive provisions of the convention on this subject. At the early stage of the first reading, and pending those decisions, the word “return” was used in the revision of the draft text. Many delegations expressed their preference for the word “repatriation”, while some delegations were of the view that the word “disposition” might be more appropriate. Some delegations proposed that the formulation used in Economic and Social Council resolution 2001/13 be employed. The words “to their countries of origin” were placed in square brackets pending examination of the substantive issues involved and decisions on the final formulation of the substantive provisions.

¹⁵ At the first session of the Ad Hoc Committee, many delegations suggested that integrity and good governance, as well as transparency and accountability, were general principles that should be stated in the preamble of the convention. Other delegations supported the inclusion of those principles in the statement of purpose. A determination of the nature of the convention would provide the clarity required to permit a decision on the matter.

Article 2
Definitions [Use of terms]

For the purposes of this Convention:

Option 1¹⁶

(a) “Public official” shall mean any person holding a legislative, administrative or judicial office in a State Party, at any level of its hierarchy, whether appointed or elected, and any person in the State Party exercising a public function, including for a public agency or public enterprise;

Option 2¹⁷

(a) “Public official” shall mean any person holding a legislative, administrative or judicial office in a State Party and any other person exercising a public function for the States Party, also in the non-state sector of a State Party, including for a public agency, a public enterprise and a public utility, as defined in the domestic law of the State Party and as applied in the pertinent area of law of that State Party;

[Subparagraphs (b) and (c) were deleted.]

(d) “Official of an international organization” shall mean:

(i) Any official or other contracted employee within the meaning of the status of public officials,¹⁸ of any public international, regional or supranational organization;

(ii) Any person in the service of such an organization, whether seconded or not, who carries out functions equivalent to those performed by the officials or other servants of that organization;

(iii) Any agent of such an organization and any other person not being in its service but carrying out a function of that organization;¹⁹

¹⁶ Proposal submitted at the first session of the Ad Hoc Committee by the delegations of France and Mexico, at the request of the Chairman. This proposal was intended to reflect the proposals of other delegations, which suggested formulations of this definition in the same vein. This effort notwithstanding, the attention of the Ad Hoc Committee is called to the proposals submitted by Ukraine (A/AC.261/L.6) and the Czech Republic (A/AC.261/L.16).

¹⁷ Proposal submitted at the first session of the Ad Hoc Committee by the delegation of Germany, at the request of the Chairman. This proposal was intended to reflect the proposals of other delegations, which suggested formulations of this definition in the same vein. This effort notwithstanding, the attention of the Ad Hoc Committee is called to the proposals submitted by the Russian Federation (A/AC.261/L.8) and Egypt (A/AC.261/L.9). It was suggested that the two options for this definition may not be alternative but complementary.

¹⁸ At the first session of the Ad Hoc Committee, Pakistan proposed that the words “within the meaning of the status of public officials” may be replaced with the words “enjoying a status comparable to that of a public official in a State Party”.

¹⁹ This subparagraph is a proposal submitted at the request of the Chairman by the delegation of Germany, supported by other interested delegations, at the first session of the Ad Hoc Committee.

(e) “Foreign State” shall include all levels and subdivisions of government, from national to local, and, in the case of federal States, the States and federated entities;²⁰

(f) “Foreign public official” shall mean any person holding a legislative, administrative or judicial office of a foreign country, whether appointed or elected, and any person exercising a public function for a foreign State, including for a public agency or public enterprise;²¹

(g) “Property” shall mean assets of every kind, whether corporeal or incorporeal, movable or immovable, tangible or intangible, and legal documents or instruments evidencing title to or interest in such assets [or purporting to demonstrate or relating to ownership or other rights pertaining to such assets];

(h) “Proceeds of crime” shall mean any property derived from or obtained, directly or indirectly, through the commission of an offence established in accordance with this Convention;

(i) “Freezing” or “seizure” shall mean temporarily prohibiting the transfer, conversion, disposition or movement of property or temporarily assuming custody or control of property on the basis of an order issued by a court or other competent authority;

(j) “Confiscation”, which includes forfeiture where applicable, shall mean the permanent deprivation of property by order of a court or other competent authority;

(k) “Predicate offence” shall mean any offence as a result of which proceeds have been generated that may become the subject of an offence as defined in article [...] [Criminalization of the laundering of proceeds of crime] of this Convention;

(l) “Controlled delivery” shall mean the technique of allowing illicit or suspect consignments to pass out of, through or into the territory of one or more States, with the knowledge and under the supervision of their competent authorities, with a view to the investigation of an offence and the identification of persons involved in the commission of the offence;

(m) “Corruption” ...;²²

²⁰ Text taken from the proposal submitted by France (A/AC.261/IPM/10).

²¹ At the first session of the Ad Hoc Committee, Germany proposed the following definition:
 “‘Foreign public official’ shall mean any person holding a legislative, administrative or judicial office in a foreign State and any other person exercising a public function for a foreign State, also in the non-state sector of the foreign State, including for a public agency, a public enterprise and a public utility, as defined in the domestic law of the foreign State and as applied in the pertinent area of law of the foreign State.”

²² At the time of submission of the present document, the Vice-Chairman with responsibility for this chapter was consulting interested delegations with a view to developing a Chairman’s proposal. One delegation suggested that if a sufficiently broad definition could not be agreed upon, the convention should not include a definition of corruption. Instead, the convention should identify and criminalize acts of corruption in the chapter on criminalization.

(n) “Public function” shall mean any temporary or permanent, paid or honorary activity performed by a natural [or legal]²³ person in the name of the State or in the service of the State or its institutions, at any level of its hierarchy;²⁴

(o) “International organization” shall mean a [public,] intergovernmental, [private or non-governmental] organization whose presence and sphere of activity include two or more States and which is situated in one of the States Parties to this Convention;²⁵

(p) “Suspicious transaction” shall mean any unusual transaction that, by reason of its amount, characteristics and periodicity, is inconsistent with the customer’s business activity, exceeds the normally applicable parameters of the market or has no clear legal basis and could constitute or be connected with unlawful activities in general;²⁶

(q) “Legal person”;²⁷

(r) “Preventive measures”;²⁷

(s) “Act of corruption” shall mean [...];²³

(t) “Transfer of assets derived from acts of corruption” shall mean [...];²³

(u) “Repatriation of funds” shall mean [...];²³

(v) “Illicit enrichment” shall mean [...].²³

Article 3

Scope of application

1. This Convention shall apply, except as otherwise stated herein, to the prevention, investigation and prosecution of corruption and criminal acts related specifically to corruption, irrespective of whether they involve public officials or have been committed in the course of business activity.

²³ Text taken from the proposal submitted by Colombia (A/AC.261/IPM/14).

²⁴ Text taken from the proposal submitted by Mexico (A/AC.261/IPM/13). At its first session, the Ad Hoc Committee decided to revert to this definition at a later stage, as it was related to the definition of “public official”. The Russian Federation proposed the following definition (A/AC.261/L.8):

“‘Public function’ shall mean any activity performed by a physical person who was elected or is in state or municipal service in any legislative, executive or judicial organ of state power or any municipal body, organization or institution or who is in the service of a local self-government body”.

²⁵ Several delegations were of the view that this definition was not necessary, as the matter was adequately covered with the definition of “official of an international organization”. The question of inclusion of private or intergovernmental organizations, as well as the use of the term “public” to qualify an intergovernmental organization, were debated extensively at the first session of the Ad Hoc Committee. It was deemed appropriate to revert to consideration of this definition, including taking a decision on whether to retain it, at a later stage.

²⁶ Proposal submitted by Peru at the first session of the Ad Hoc Committee, at the request of the Chairman (A/AC.261/L.13).

²⁷ Text taken from the proposal submitted by Austria and the Netherlands (A/AC.261/IPM/4).

2. For the purposes of implementing this Convention, it shall not be necessary for the offences set forth in it to result in damage or harm to state property.

[3. This Convention shall not apply to cases in which an act of corruption is committed in one State, the alleged criminal is a national of that State and is present in the territory of that State and no other State is entitled to exercise its jurisdiction in accordance with article [...] [Jurisdiction], with the exception of the provisions of articles [...] [Mutual legal assistance], [...] [Collection, exchange and analysis of information on the nature of corruption], [...] [Training and technical assistance] and [...] [Preventive measures] of this Convention.]²⁸

Article 4

Protection of sovereignty

1. States Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States.

2. Nothing in this Convention shall entitle a State Party to undertake in the territory of another State the exercise of jurisdiction and performance of functions that are reserved exclusively for the authorities of that other State by its domestic law.²⁹

II. Preventive measures³⁰

[*Article 4 bis*³¹
[...]]

Each State Party agrees, to the extent appropriate and consistent with its legal system, to consider³² to implement those preventive measures set out in this Convention by legislative, administrative or other appropriate measures.]

²⁸ At the first session of the Ad Hoc Committee, it was decided that the text of this paragraph, which appeared in the previous version of the draft text as a second option to paragraph 1, should be retained in square brackets, until the determination of other substantive provisions of the convention, which would enable a decision regarding its desirability. Several delegations suggested, however, that this paragraph might be complementary to the previous paragraphs of this article.

²⁹ At the first session of the Ad Hoc Committee, the delegation of the Philippines proposed the inclusion of a third paragraph to this article as follows (see A/AC.261/L.14):

“3. While the full implementation of all provisions in this Convention in the respective jurisdictions of all the States Parties concerned is ideal, it shall not serve as a precondition for returning, to their country of origin, funds derived from or obtained through acts of corruption.”

³⁰ A number of delegations noted that a number of the preventive measures proposed (e.g. articles 5, 6, 11 and 12) might envisage governmental action that traditionally lay within the responsibility of their constituent states. Accordingly, those delegations observed that the situation of federal States should be taken into account in the further development of these provisions.

³¹ Proposal submitted by China at the first session of the Ad Hoc Committee (A/AC.261/L.10).

³² During the discussion of this proposal at the first session of the Ad Hoc Committee, many delegations were of the view that the provision of article 4 was sufficient to meet the concerns

Article 5

[[National]³³ preventive anti-corruption policies

1. Each State Party shall, in a manner consistent with the fundamental principles of its legal system, develop a national anti-corruption policy³⁴ that [includes the participation of civil society and] ³⁵ reflects the principles of rule of law, good governance, integrity, transparency and accountability.³⁶

2. Each State Party shall ensure that the necessary measures are nationally³⁷ coordinated, in both planning and implementation.

3. 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 specifically to corruption.

4. Each State Party shall endeavour to develop and evaluate national projects and to establish and promote best practices and policies aimed at the prevention of corruption and criminal acts related specifically to corruption.

5. Each State Party shall inform the Secretary-General of the United Nations of the name and address of the authority or authorities that can assist other States Parties in developing and implementing a national integrity policy. Such information shall contain the name and address of bodies referred to in article [...] [Anti-corruption bodies] of this Convention.

6. 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 specifically to corruption.^{38, 39}

that this proposal intended to satisfy. Other delegations were of the view that if the article were retained, it should be made more mandatory and less restrictive by deleting the phrases “to the extent appropriate” and “to consider”.

³³ During the discussion at the first session of the Ad Hoc Committee, several delegations proposed the deletion of the word “national” from the title of the article.

³⁴ Some delegations proposed the deletion of the remaining text of this paragraph.

³⁵ Proposal submitted by Mexico at the first session of the Ad Hoc Committee.

³⁶ Proposal submitted by Spain, submitted on behalf of the States members of the United Nations that are members of the European Union, covering the title and paragraph 1 of this article (A/AC.261/L.18). At its first session, the Ad Hoc Committee based its first reading of this article on this proposal and on the proposal of Austria, France and the Netherlands for paragraphs 2-6 (A/AC.261/L.25).

³⁷ Some delegations pointed out potential difficulties that this formulation might entail for federal States. They proposed either the extension of the clause regarding consistency with the fundamental principles of a State’s legal system, contained in paragraph 1, to this paragraph, or the further refinement of this paragraph, with the possibility of deleting this word.

³⁸ Some delegations proposed the deletion of the last sentence of this paragraph or, alternatively, the inclusion of the phrase “where appropriate” to qualify the sentence.

³⁹ Proposal submitted by Austria, France and the Netherlands to replace paragraphs 2-6 of the previous version of article 5 (A/AC.261/L.25). The revised proposal intended to take into account concerns expressed by some delegations and was used by the Ad Hoc Committee for its first reading of the text at its first session.

Article 5 bis^{40, 41}
Anti-corruption bodies

1. Each State Party shall, in accordance with its domestic legal system, establish bodies such as:

(a) A national anti-corruption⁴² agency to survey the national anti-corruption policy referred to in paragraph 1 of article 5; or

(b) A public service commission or ombudsman; or

(c) A specialized body to prevent corruption, capable of developing multidisciplinary methods to increase knowledge about corruption and to identify the different types of corruption.^{43, 44}

2. States Parties shall⁴⁵ grant the specialized bodies referred to in paragraph 1 of this article independence⁴⁶ and the necessary material means and specialized staff, as well as the training that such staff may require to perform their functions.

3. Each State Party shall consider establishing or appointing, within its public administration,⁴⁷ a contact point or service to which any natural or legal person may apply in order to obtain advice or to report information concerning acts of corruption.

Article 6⁴⁸
Public sector

1. States Parties shall endeavour to adopt, maintain and strengthen:

(a) Systems concerning government hiring and promoting of civil servants and, where appropriate, other non-elected public officials,⁴⁹ that are efficient,

⁴⁰ Proposal submitted by Austria, France and the Netherlands to replace the previous version of this article (A/AC.261/L.25). The revised proposal intended to take into account concerns expressed by some delegations and was used by the Ad Hoc Committee for its first reading of the text at its first session..

⁴¹ One delegation suggested the deletion of this article.

⁴² Mexico proposed the deletion of this word.

⁴³ Some delegations proposed the deletion of subparagraphs (a)-(c), as being too specific.

⁴⁴ Mexico proposed the insertion of an additional subparagraph, reading as follows:

“(d) Oversight bodies with a view to implementing modern mechanisms for preventing, detecting, punishing and eradicating corrupt acts.”

⁴⁵ Mexico proposed the insertion of the words “endeavour to”.

⁴⁶ Some delegations questioned the meaning of the word “independence”, especially in relation to which authority such independence was envisaged.

⁴⁷ Mexico proposed the replacement of the words “public administration” with the words “public sector”.

⁴⁸ Proposal submitted by Austria, France and the Netherlands to replace the previous version of article 6 (A/AC.261/L.19). The revised proposal intended to take into account concerns expressed by some delegations and was used by the Ad Hoc Committee for its first reading of the text at its first session.

⁴⁹ The use of the terms in this article should be re-examined after the second reading of article 2 (Definitions [Use of terms]).

transparent and objective, using criteria based on merit and equity. Those systems shall not prevent States Parties from maintaining or adopting specific legitimate measures for disadvantaged groups (affirmative action);⁵⁰

(b) Thorough procedures for the selection of public officials for positions that are especially vulnerable to corruption;

(c) Systems for establishing adequate salaries and harmonization of payments and for facilitating efficient job rotation, where appropriate;

(d) Education and training programmes for public officials to enable them to meet the requirements of the correct, honourable and proper performance of public functions.^{51, 52, 53}

2. States Parties shall take such measures as may be necessary, within the context of their legal system, to ensure that public officials and civil servants receive specialized, specific and appropriate training concerning the risks of corruption to which they may be exposed by virtue of their functions and the supervisory missions and investigations for which they are responsible.

3. States Parties shall consider, while respecting the basic principles of their domestic law, taking such measures as may be necessary to adopt and implement systems for declaring⁵⁴ the assets or income of persons who perform specifically identified public functions and, where appropriate, to make such declarations public.⁵⁵

⁵⁰ Proposal submitted by Austria, France, India and the Netherlands to replace subparagraphs (a) and (b) of the previous version of article 6 (A/AC.261/L.35).

⁵¹ Azerbaijan proposed that subparagraph (d) be revised to read as follows (A/AC.261/L.17):
“(d) Systems creating conditions for the integrity of public officials ...”

⁵² Peru proposed that paragraph 1 of this article read as follows (A/AC.261/L.28):

“States Parties shall endeavour, in accordance with the principles of transparency, equity and efficiency, to adopt and strengthen systems of government hiring of public officials, as well as education and training programmes for such officials.”

⁵³ Some delegations were of the view that paragraph 1 was too detailed and could be shortened and formulated in a more general fashion.

⁵⁴ Turkey proposed the insertion of the words “on a regular basis” in this paragraph.

⁵⁵ Algeria proposed that the text of article 6 read as follows (A/AC.261/L.27):

*“Article 6
“Public administration*

“1. Each State Party shall maintain and adopt systems of hiring and promoting public officials in accordance with rules based on legality and transparency.

“2. Each State Party shall prepare programmes, guides and manuals in the field of training and retraining with a view to improving performance of public functions, if necessary in cooperation with the competent bodies of the United Nations system and other multilateral organizations.

“3. Each State Party shall establish, in accordance with fundamental principles of its domestic law, modalities for the declaration of income.”

*Article 7^{56, 57}**Code of conduct for public officials*

1. States Parties shall endeavour, in particular through the preparation of adequate guidelines, to promote ethical behaviour and to foster a culture of rejection of corruption through respect for public⁵⁸ honesty, the proper exercise of responsibilities and the development of integrity of public officials.⁵⁹

2. In particular, each State Party shall agree to apply, within its own institutional⁶⁰ and legal systems, standards of conduct for the correct, honourable and proper performance of public functions. Those standards shall be intended to prevent conflicts of interest⁶¹ and shall mandate the proper conservation and use of resources entrusted to public officials in the performance of their functions.⁶²

3. States Parties shall endeavour⁶³ to incorporate into those standards⁶⁴ the elements set out in the International Code of Conduct for Public Officials that appears in the annex to General Assembly resolution 51/59 of 12 December 1996.⁶⁵

4. Each State Party shall also establish measures and systems to require public officials to report to appropriate authorities acts of corruption committed in the performance of public functions.⁶⁶

⁵⁶ Proposal submitted by Austria, France and the Netherlands to replace the previous version of article 7 (A/AC.261/L.20). The revised proposal intended to take into account concerns expressed by some delegations and was used by the Ad Hoc Committee for its first reading of the text at its first session.

⁵⁷ Algeria proposed that the text of article 7 read as follows (A/AC.261/L.30):

*“Article 7**“Code of conduct for public officials*

“1. Each State Party shall apply, in accordance with its domestic law, in the form of codes of ethics and conduct, such measures as are necessary to prevent acts of corruption and ensure the conservation and effective use of public resources entrusted to public officials in the performance of their functions.

“2. The codes of ethics and conduct shall, where appropriate, be based on the relevant initiatives of regional, interregional and multilateral organizations.”

⁵⁸ Several delegations suggested the deletion of this word.

⁵⁹ Mexico proposed the addition of the following text (A/AC.261/L.33): “For this purpose, the guidelines shall take account of instructions to government personnel to ensure proper understanding of their responsibilities and the ethical rules governing their activities.”

⁶⁰ One delegation suggested the replacement of this term with the word “administrative”.

⁶¹ Some delegations suggested that there might be a need to define this term.

⁶² Some delegations proposed the deletion of the second sentence of this paragraph, as being too detailed.

⁶³ One delegation suggested the insertion of the words “where appropriate”.

⁶⁴ One delegation suggested the insertion of the words “at least” here.

⁶⁵ Most delegations saw no need to have the International Code of Conduct as an annex to the convention. While some delegations were of the view that the paragraph could be deleted, many others wished to retain reference to the International Code of Conduct and to General Assembly resolution 51/59.

⁶⁶ Some delegations wished this paragraph to be expanded in order to cover business activity. Other delegations suggested that this paragraph be merged with paragraph 5.

5. Each State Party shall take such measures as may be necessary to ensure that no prejudice is caused to or sanction taken against public officials for the mere fact that they have reported to the competent authorities, in good faith and on reasonable grounds, any incidents that may be considered to constitute an illegal or criminal activity, including those involving the public service.⁶⁷

6. In addition, each State Party shall, where appropriate, establish measures and systems to require public officials to make declarations to the appropriate authorities regarding:

(a) Employment or investment that may constitute a conflict of interest with respect to their functions as public officials;

(b) Gifts or benefits obtained in the course of their duties and functions as public officials.^{68, 69}

7. In order to enforce any standards established in accordance with paragraphs 2, 4 and 6 of this article, States Parties shall consider adopting, in accordance with fundamental principles of their domestic law, disciplinary⁷⁰ measures against public officials who violate those standards.⁷¹

8. For the purposes of implementing the provisions of this article, States Parties shall take account of the relevant initiatives of regional, interregional and multilateral organizations.⁷²

⁶⁷ Some delegations expressed the view that this paragraph should be moved to the article on protection of witnesses. Others wished this paragraph to be redrafted and merged with paragraph 4.

⁶⁸ Azerbaijan proposed the insertion at the end of this subparagraph of the words “exceeding the limits established by domestic law”.

⁶⁹ Mexico proposed to replace paragraph 6 with the following text (A/AC.261/L.33):

“6. Each State Party shall establish such measures as may be necessary:

“(a) To ensure that its public officials declare to the appropriate authority any employment or investment that may constitute a conflict of interest and to prevent such undertakings;

“(b) To prevent or limit the receipt of gifts or benefits by public officials by virtue of their function.”

⁷⁰ Some delegations proposed to replace the word “disciplinary” with the word “appropriate” or “relevant”.

⁷¹ Brazil proposed to add the following paragraph (A/AC.261/L.32):

“Each State Party shall also, where appropriate, establish measures and systems requiring each public official not to protect or defend any interest in public institutions after being dismissed from his or her functions, for a period to be determined by the State Party and to be proportionate to the level of office held by the public official at the time of dismissal.”

⁷² At the first session of the Ad Hoc Committee, most delegations proposed the deletion of this paragraph.

Article 8⁷³*Public procurement and public financial management*

1. Each State Party shall take the necessary steps to establish procurement rules⁷⁴ based on transparency, openness and competition. Such rules shall include, *inter alia*:⁷⁵

- (a) Public distribution of information on both tenders and awarded contracts;
- (b) Use of predetermined and objective selection criteria and bidding rules, incorporating appropriate threshold values;⁷⁶ and
- (c) The requirement to base public procurement decisions on objective and transparent reasons in order to facilitate the subsequent verification of the correct application of the rules.^{77, 78}

1 bis. States Parties shall endeavour to adopt the necessary legislative measures to introduce uniform legislation, rules and manuals for all the procurement agencies in their respective jurisdictions and those regulations shall be prepared with due regard to recognized international texts in the area.⁷⁹

2. Each State Party shall take all relevant measures to ensure:

- (a) The existence of and compliance with transparent procedures for the management of public finances, including the preparation and approval of the national budget;⁸⁰

⁷³ Text taken from the proposals submitted by Austria and the Netherlands (A/AC.261/IPM/4) and France (A/AC.261/IPM/10).

⁷⁴ Some delegations called for consistency with the terminology used in the context of the World Trade Organization in connection with issues covered by this article.

⁷⁵ Several delegations suggested a more general drafting of this paragraph in order to eliminate unnecessary detail and to instil flexibility, possibly with the insertion of a clause on consistency with domestic law.

⁷⁶ Mexico proposed to replace subparagraph (b) with the following text (A/AC.261/L.33):
“(b) Use of predetermined and objective selection criteria and bidding rules, incorporating appropriate threshold values, to which civil society shall have access;”

⁷⁷ Mexico proposed to add a new subparagraph (d) as follows (A/AC.261/L.33):
“(d) Limitation of the discretionary authority of public officials with respect to the granting of administrative authorizations and resolutions.”

⁷⁸ South Africa proposed to add the following subparagraphs after subparagraph (c) (A/AC.261/L.23):
“(d) Security clearance of procurement personnel;
“(e) Screening of individuals and businesses to which contracts are awarded;
“(f) Declaration of financial interests of employees involved in procurement.”

⁷⁹ Text taken from the proposal submitted by Pakistan (A/AC.261/IPM/23).

⁸⁰ South Africa proposed to amend paragraph 2 (a) to read as follows (A/AC.261/L.23):
“2. Each State Party shall take all relevant measures to ensure:
“(a) The existence of and compliance with transparent procedures for the management of public finances, including:
“(i) The preparation and approval of the national budget;
“(ii) Effective and efficient systems of risk management and internal control;
“(iii) A system of internal audit under the control and direction of an audit committee within public institutions;”

(b) Timely reporting on expenditure and timely submission of accounts to ensure effective and objective scrutiny of public finances [in particular by higher administrative and financial oversight bodies]; and

(c) Adequate powers of remedy in the case of failure to comply with the requirements established in accordance with this paragraph.

3. Each State Party shall take such measures as may be necessary to adopt and implement adequate systems for the recovery and monitoring of the income of state and public entities with a view to preventing corruption.⁸¹

4. Each State Party shall take such measures as may be necessary, within the framework of its domestic law on public accounting, to prohibit the establishment of off-the-books accounts, the making of off-the-books or inadequately identified transactions, the recording of non-existent expenditures, the entry of liabilities with incorrect identification of their object and the use of false documents by public administrations.

5. Each State Party shall provide effective, proportionate and dissuasive civil, administrative or criminal penalties for such omissions or falsifications in respect of the books, records, accounts and financial statements of administrations and public entities.⁸²

6. Each State Party shall take such measures as may be necessary to ensure that the system of accountability of public administrations⁸³ takes into consideration the consequences of acts of corruption committed by public officials.^{84, 85}

⁸¹ Mexico proposed to replace paragraph 3 with the following text (A/AC.261/L.33):

“3. Each State Party shall take such measures as may be necessary to adopt and implement adequate systems for the recovery and monitoring of the income of state and public entities with a view to preventing corruption, as well as mechanisms to provide effective and timely assistance to taxpayers regarding steps and measures to be taken in their dealings with the fiscal authorities.”

⁸² Several delegations suggested that this paragraph should be moved to the chapter on criminalization.

⁸³ Mexico proposed to replace the words “public administrations” with the words “the public sector”.

⁸⁴ Many delegations were of the view that this paragraph required redrafting to make it more precise.

⁸⁵ Peru proposed that article 8 read as follows (A/AC.261/L.38):

“Article 8

“*Public procurement and public financial management*”

“1. Each State Party shall, in conformity with the principles of transparency and competency, establish appropriate and effective rules on public procurement and public financial management.

“2. Each State Party shall take such measures as may be necessary to adopt and implement adequate systems for the recovery and monitoring of the income of public entities with a view to preventing corruption.

“3. Each State Party shall take such measures as may be necessary, within the framework of its domestic law, to prohibit the establishment of off-the-books accounts, the making of off-the-books or inadequately identified transactions, the recording of non-existent expenditures, the entry of liabilities with incorrect identification of their object and the use of false documents by public administrations.

Article 9⁸⁶
Public reporting

1. States Parties shall take such measures as may be necessary to ensure that the organization, functioning and decision-making processes of public administrations take into account the need to combat corruption, in particular by ensuring, as regards access to information, as much transparency as is consistent with the need to achieve effectiveness.⁸⁷

2. Each State Party shall take the necessary measures to establish appropriate systems for public reporting⁸⁸ Those systems may include:

- (a) Reporting requirements for government departments and agencies;
- (b) Publication of annual government reports.⁸⁹

Article 9 bis⁹⁰
Measures with respect to the judiciary

As part of its anti-corruption policy, as referred to in article [...] [[National preventive anti-corruption policies], and bearing in mind the crucial role of the judiciary in the fight against corruption, each State Party shall take, in accordance with fundamental principles of its domestic law, appropriate measures to reduce any opportunities for judicial corruption, in full observance of judicial independence.⁹¹ Such measures may include:

“4. Each State Party shall take such measures as may be necessary to ensure that the system of accountability of public administrations takes into consideration the consequences of acts of corruption committed by public officials and shall also provide effective, proportionate and dissuasive civil, administrative or criminal penalties in the case of failure to comply with the requirements established in accordance with paragraph 3 of this article.”

⁸⁶ Text taken from the proposals submitted by Austria and the Netherlands (A/AC.261/IPM/4) and France (A/AC.261/IPM/10).

⁸⁷ Some delegations suggested that this paragraph would require refinement to make it more precise.

⁸⁸ Some delegations suggested the deletion of the rest of the paragraph in order to eliminate unnecessary detail. Others maintained that the inclusion of examples was essential to provide guidance for the application of the article.

⁸⁹ Mexico proposed the addition of a new subparagraph to read as follows (A/AC.261/L.34):

“(c) Mechanisms that promote transparency in the management of public affairs, including relations between the authorities and the general public, which provide, on a mandatory basis, information on the results of the steps and measures taken in dealings with them.”

⁹⁰ Revised proposal submitted by the United Kingdom of Great Britain and Northern Ireland (A/AC.261/L.45) following consultations during the first session of the Ad Hoc Committee after the first reading of that delegation’s original proposal (A/AC.261/L.2). Some delegations indicated that they were not entirely comfortable with a separate article on the judiciary.

⁹¹ Some delegations suggested amending this phrase to read “without prejudice to judicial independence”. One delegation proposed the phrase “with full observance of the independence of the judiciary”.

- (a) Measures⁹² to counter risk of conflict of interest;
- (b) Measures for ensuring standards of conduct for members of the judiciary;
- (c) Measures for dealing with complaints with respect to the conduct of the judiciary and providing for appropriate sanctions;
- (d) Transparent and fair procedures for fixing remuneration and ensuring stability of tenure.^{93, 94}

Article 10⁹⁵
Funding of political parties⁹⁶

1. Each State Party shall adopt, maintain and strengthen⁹⁷ measures and regulations concerning the funding of political parties. Such measures and regulations shall serve:

- (a) To prevent conflicts of interest;⁹⁸
- (b) To preserve the integrity of democratic political structures and processes;
- (c) To proscribe⁹⁹ the use of funds acquired through illegal and corrupt practices to finance political parties; and¹⁰⁰

⁹² It was suggested that this word should be replaced with the words “rules and procedures” or “measures and procedures”.

⁹³ Slovenia proposed to add the following paragraph to this article (A/AC.261/L.36):

“Measures adopted pursuant to paragraph 1 of this article shall be by analogy introduced and applied within the public or state prosecution service in those States Parties where it enjoys similar independence as the judicial service.”

⁹⁴ Pakistan proposed replacing this article with the following text:

“In view of the gravity of the consequences of corruption in the judiciary, each State Party shall apply the provisions of articles 6 and 7 of this Convention more vigorously in the case of the judiciary, without however compromising its independence and without interference of other organs of the State in the affairs of the judiciary.”

⁹⁵ Proposal submitted by Austria, France and the Netherlands to replace the previous version of article 10 (A/AC.261/L.21). The revised proposal intended to take into account concerns expressed by some delegations and was used by the Ad Hoc Committee for its first reading of the text at its first session. Some delegations suggested the deletion of this article.

⁹⁶ One delegation suggested that, if this article were included, it would necessitate a definition of “political party”.

⁹⁷ While expressing its preference for deletion, one delegation suggested that an acceptable formulation would be to make this article optional by using the formulation “may adopt, in accordance with fundamental principles of domestic law”.

⁹⁸ Several delegations called for this concept to be better defined.

⁹⁹ Some delegations suggested replacing this word with the word “prohibit” or the words “eliminate the possibility of”.

¹⁰⁰ Azerbaijan proposed to amend subparagraphs (a), (b) and (c) to read (A/AC.261/L.37):

- “(a) To prevent the exercise of improper, corrupting influence;
- “(b) To prevent the violation through corrupt acts of the independence and integrity of democratic and other processes;
- “(c) To preclude the use of funds acquired through illegal and corrupt practices to finance political parties; and”

(d) To incorporate the concept of transparency into funding of political parties by requiring declaration of donations exceeding a specified limit.

2. Each State Party shall take measures to avoid as far as possible conflicts of interest owing to simultaneous holding of elective office and responsibilities in the private sector.

*Article 11*¹⁰¹
Private sector

1. States Parties shall endeavour, in accordance with fundamental principles of their domestic law, to reduce¹⁰² existing or future opportunities for engaging in corruption and criminal acts related specifically to corruption,¹⁰³ involving one or more legal persons incorporated within their jurisdiction,¹⁰⁴ through appropriate legislative, administrative or other measures. Those measures should¹⁰⁵ focus on:¹⁰⁶

(a) Strengthening cooperation between law enforcement agencies or prosecutors and relevant private entities;¹⁰⁷

¹⁰¹ Proposal submitted by Austria, France and the Netherlands to replace the previous version of article 11 (A/AC.261/L.22). The revised proposal intended to take into account concerns expressed by some delegations and was used by the Ad Hoc Committee for its first reading of the text at its first session. Some delegations suggested the deletion of this article.

¹⁰² Some delegations proposed to use the word “curtail” or “eliminate” instead of the word “reduce”.

¹⁰³ Some delegations suggested supplementing this sentence with the words “and other offences specifically related to corruption”.

¹⁰⁴ During the discussion at the first session of the Ad Hoc Committee, attention was drawn to the possibility that this expression excluded foreign legal persons. It was suggested that a better expression might be “involving the private sector”.

¹⁰⁵ Some delegations suggested the inclusion of the expression “inter alia” here.

¹⁰⁶ Mexico proposed the following amended text for paragraph 1 (A/AC.261/L.34):

“1. ...

“(a) ...

“(b) Codes of ethics and standards of conduct for the correct, honourable and proper performance of activities by individuals. Such standards shall be aimed at preventing conflicts of interest, both between individuals and between individuals and public officials. They shall also establish methods and systems for promoting the reporting of illicit acts of corruption between individuals and in their dealings with public officials;

“(c) [Former subpara. (b)];

“(d) [Former subpara. (c)];

“(e) [Former subpara. (d)];

“(f) [Former subpara. (e)];

“(g) Laws that deny favourable tax treatment for any individual or corporation for expenditures made in violation of the anti-corruption laws of the States Parties;

“(h) Mechanisms for exchanging information on multinational and transnational corporations that may have committed illicit or improper acts or administrative offences during a government bidding process in any State Party.”

¹⁰⁷ Many delegations called for a revision of this article to ensure consistency in the terminology used. However, some delegations were of the view that terms such as “private entities” did not require a definition, as they had not been defined in the United Nations Convention against Transnational Organized Crime, from which this article had been drawn.

(b) Promoting the development of standards and procedures designed to safeguard the integrity of private entities, as well as codes of conduct for all relevant professions, such as lawyers, notaries public, tax consultants and accountants;¹⁰⁸

(c) Establishing an adequate supervisory framework for financial institutions, based on the principles of transparency, accountability and sound corporate governance and with appropriate capacity for international collaboration on cross-border financial transactions;¹⁰⁹

(d) Preventing the misuse of legal persons for committing or concealing acts of corruption by identifying constituents, holders of capital and shares, economic beneficiaries, through registration obligations, advertising rules and, more generally, by promoting transparency in financial, legal and accounting transactions, inter alia, through the establishment or maintenance of public records on legal and natural persons involved in the establishment, management and funding of legal persons;

(e) Preventing the misuse of procedures governing subsidies and licences granted by public authorities for commercial activity.

2. States Parties shall endeavour, in accordance with fundamental principles of their domestic law, to promote transparency and competition among companies incorporated within their jurisdiction, by avoiding any such regulations as may be redundant or prone to misuse as a result of corruption.

3. Each State Party shall deny the tax deductibility of bribes, the latter being one of the constituent elements of the offences established in accordance with article [...] [Criminalization of corruption involving a public official] or [...] [Criminalization of corruption in the private sector] of this Convention.

*Article 12*¹¹⁰

Accounting

1. In order to combat corruption effectively, each State Party shall take such measures as may be necessary, in accordance with its domestic laws and regulations regarding the maintenance of books and records, financial statement disclosures and accounting and auditing standards, to prohibit the establishment of off-the-book accounts, the making of off-the-book, double bookkeeping, improperly registered¹¹¹ or inadequately identified transactions, the recording of non-existent expenditure, the entry of liabilities with incorrect identification of their object, as well as the use of false documents, by companies subject to those laws and regulations, for the purpose of committing any of the offences established in accordance with articles [...] [Criminalization of corruption by a public official], [...] [Criminalization of corruption in the private sector] or [...] [Criminalization of the laundering of proceeds of corruption] of this Convention or of hiding such offences.

¹⁰⁸ This indicative list might be further developed in the *travaux préparatoires*. However, several delegations suggested that there was no need to go into detail.

¹⁰⁹ France expressed reservations about this paragraph.

¹¹⁰ Consolidated text taken from the proposals of Austria and the Netherlands (A/AC.261/IPM/4) and France (A/AC.261/IPM/10).

¹¹¹ Proposal of Mexico.

2. Each State Party shall provide effective, proportionate and dissuasive civil, administrative or criminal penalties for such omissions and falsifications referred to in paragraph 1 of this article¹¹² in respect of the books, records, accounts and financial statements of such companies.¹¹³

3. Each State Party shall take such measures as are necessary to ensure that enterprises and commercial companies have sufficient internal accounting controls to make it possible to detect acts of corruption.¹¹⁴

4. Each State Party shall take such measures as are necessary to ensure that accounting in enterprises and commercial companies is subjected to appropriate auditing and certification procedures, in particular by professionals or specialized enterprises approved by the public authority.

¹¹² Proposal of Mexico. With the insertion of these words in this paragraph and the insertion of its proposal in paragraph 1, Mexico withdrew its proposal for article 15.

¹¹³ Article 8 of the Convention on Combating Bribery of Foreign Officials in International Business Transactions of the Organisation for Economic Cooperation and Development (with slight changes). Some delegations suggested that this paragraph should be moved to the chapter on criminalization.

¹¹⁴ Some delegations suggested that this paragraph was redundant and should be deleted.

Article 13^{115, 116, 117}
*Civil society*¹¹⁸

1. Each State Party shall take appropriate measures within its means¹¹⁹ to promote an active civil society, including non-governmental organizations, and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. The role of civil society should be strengthened by measures such as:

- (a) Involvement of the public in decision-making processes by enhancing transparency;¹²⁰
- (b) Optimum¹²¹ access to information for the public;
- (c) Protection of “whistle-blowers”¹²² as set forth in article [...] [Protection of “whistle-blowers” and witnesses] of this Convention; and

¹¹⁵ Proposal submitted by Austria, France and the Netherlands to replace the previous version of article 13 (A/AC.261/L.24). The revised proposal intended to take into account concerns expressed by some delegations and was used by the Ad Hoc Committee for its first reading of the text at its first session. Some delegations suggested the deletion of this article.

¹¹⁶ China proposed that article 13 be amended to read (A/AC.261/L.29):

“Article 13
“Public awareness

“1. States Parties shall endeavour to promote public awareness regarding the existence, causes, gravity and threat of corruption.

“2. States Parties shall encourage the media to exercise functions of supervision over corruption by disseminating information on cases involving corruption.”

¹¹⁷ Mexico proposed to replace this article with the following text (A/AC.261/L.34):

“1. Each State Party shall take appropriate measures within its means to promote an active civil society, including non-governmental organizations, and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. The role of civil society should be strengthened by measures such as:

- “(a) Inclusion of the public in decision-making processes through greater transparency;
- “(b) Optimum access to information for the public;
- “(c) Protection of ‘whistle-blowers’ as set forth in article [...] [Protection of ‘whistle-blowers’ and witnesses] of this Convention; and
- “(d) Public information activities that contribute to non-tolerance of corruption as well as programmes of public education, including school curricula.

“2. States Parties shall guarantee to the media the freedom to receive, publish and disseminate information concerning cases of corruption, subject only to restrictions established by law.”

¹¹⁸ Many delegations were of the view that the title and subsequent terminology used in the text of this article could be amended to make the article more applicable in different systems. Terms suggested to achieve this goal were “public awareness” or “public involvement”.

¹¹⁹ Some delegations suggested adding the words “in accordance with fundamental principles of domestic law”.

¹²⁰ Several delegations were of the view that this paragraph could be deleted.

¹²¹ Many delegations considered this term too vague and therefore inappropriate for a legal instrument.

¹²² Many delegations were of the view that this term was inappropriate and a better one should be found to replace it. In this connection, several delegations suggested the use of the terms “informants” or “individuals who expose acts of corruption”. Some delegations also suggested that this provision should be moved to the article on the protection of witnesses.

(d) Public information activities that contribute to non-tolerance of corruption as well as programmes of public education, including school curricula.¹²³

2. States Parties shall guarantee to the media the freedom to receive, publish and disseminate information concerning cases of corruption, subject only to restrictions that are provided by law¹²⁴ and are necessary:

(a) For respect of the rights or reputations of others;

(b) For the protection of national security or of public order (*ordre public*) or of public health or morals.¹²⁵

*Article 14*¹²⁶

Measures to combat money-laundering

1. Each State Party:

(a) Shall institute a comprehensive domestic regulatory and supervisory regime for banks, non-bank financial institutions and for natural or legal persons engaged in professional or business activities, including non-profit organizations, particularly susceptible to money-laundering, within its competence, in order to deter and detect money-laundering mechanisms, which regime shall emphasize requirements for customer identification, record-keeping and the reporting of suspicious or unusual transactions;

(b) Shall, without prejudice to article [...] [Mutual legal assistance] of this Convention, ensure that administrative, regulatory, law enforcement and other authorities dedicated to combating money-laundering, including, where appropriate under domestic law, judicial authorities, have the ability to cooperate and exchange information at the national and international levels within the conditions prescribed by its domestic law and, to that end, shall consider the establishment of a financial intelligence unit to serve as a national centre for the collection, seizure, analysis

¹²³ It was suggested that the proposal of Saudi Arabia contained in A/AC.261/L.15 could be incorporated into the present text. That proposal read as follows:

“States Parties shall, in accordance with fundamental principles of their domestic law and wherever possible, take such measures as may be necessary to introduce the subject of corruption and its harmful effects in the curricula of their general and university education.”

¹²⁴ Some delegations proposed to end this paragraph at this point, omitting the specific references contained in subparagraphs (a) and (b). Other delegations considered the inclusion of the subparagraphs essential.

¹²⁵ Pakistan proposed to add the following paragraph to this article:

“States Parties shall ensure promotion and development of a framework of cooperation to strengthen the capacity and capability of those States which do not have a developed social infrastructure to undertake effective measures under paragraph 1 of this article”.

¹²⁶ Text taken from the proposal submitted by Mexico (A/AC.261/IPM/13). At the first session of the Ad Hoc Committee, there was broad acceptance of the importance of the article. However, as the text had been derived from article 7 of the United Nations Convention against Transnational Organized Crime, strong preference was voiced to avoid departing from the formulation of that article. In addition, it was felt that this article would need to be revisited after consideration of chapter V of the draft convention.

and, where appropriate, dissemination of information received through reports of suspicious or unusual transactions, as potential money-laundering.

2. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiable instruments.

[2 bis Each State Party shall endeavour to take effective measures to ensure that there is satisfactory monitoring of abnormal banking transactions and, in appropriate cases, the monitoring department may require proof to satisfy itself with regard to the legitimacy of the origin of the money.]¹²⁷

3. In establishing a domestic regulatory and supervisory regime under the terms of this article, and without prejudice to any other article of this Convention, States Parties are called upon to use as a guideline the relevant initiatives of regional, interregional and multilateral organizations against money-laundering.

4. States Parties shall endeavour to develop and promote global, regional, subregional and bilateral cooperation among judicial, law enforcement and financial regulatory authorities in order to combat money-laundering.

[Articles 15-18 were deleted.]

¹²⁷ Text taken from the proposal submitted by Pakistan (A/AC.261/IPM/23). This proposal was not discussed at the first session of the Ad Hoc Committee.