



# General Assembly

Distr.: Limited  
7 October 2002

Original: English

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## Ad Hoc Committee for the Negotiation of a Convention against Corruption

Third session

Vienna, 30 September-11 October 2002

Agenda item 3

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

## Proposals and contributions

### Proposal submitted by the Chairman\*

#### Article 2

It is proposed that discussion of paragraph (a) of article 2 should take place on the basis of the following text:

*“Article 2  
“Definitions [Use of terms]*

“For the purpose of this Convention:

“(a) ‘Public official’ shall mean [an official holding public office, that is,] any person holding a legislative, [executive,] administrative, judicial [or military] office in a State Party, [at any level of its hierarchy,] whether appointed or elected, [paid or honorary,] [including the head of State or Government, a minister or a parliamentarian,] and any person performing [exercising] a public function for the State Party, including for a [government department,] [and in the non-state sector of a State Party for a] public agency,

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\* The proposal was submitted by the Vice-Chairman responsible for chapter I, acting as the Chairman, as a basis for the discussion of subparagraph (a) of article 2, the subparagraph containing the definition of a public official. It draws on options 1 and 2 for that subparagraph and footnote 17 in document A/AC.261/3/Rev.1 and on proposals contained in documents A/AC.261/L.88, A/AC.261/L.91, A/AC.261/L.96, A/AC.261/L.98 and A/AC.261/L.114.



public enterprise, [public utility,] [public or mixed institution or independent interest] [as defined in the domestic law of the State Party and as applied in the pertinent area of law of that State Party] [and any official or agent of a public international organization.]

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