



## General Assembly

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

Fifth session

Vienna, 10-21 March 2003

Agenda item 3

### Consideration of the draft United Nations Convention against Corruption

## Proposals and contributions received from Governments

**Azerbaijan, Egypt, India, Iran (Islamic Republic of), Nigeria,  
Pakistan, Syrian Arab Republic, Thailand, Turkey, Uganda,  
Ukraine and United Arab Emirates: proposal for a new article**

It is proposed to insert the following new article after article 32:

*“Article 32 bis*

*“Embezzlement of property in the private sector*

“Each State Party may consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally in the course of financial activities,<sup>1</sup> embezzlement, by a person who directs or works, in any capacity, in a private sector entity, of any property, private funds or securities or any other thing of value entrusted to him or her by virtue of his or her position, in any case where public interests are affected, and to consider subjecting private sector embezzlement to punishments of proportionate severity as those applicable to public sector embezzlement.”

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<sup>1</sup> Thailand suggested that the provisions of this article should also apply to economic and commercial activities.

