



## General Assembly

Distr.: Limited  
24 July 2003

Original: English

---

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

Sixth session

Vienna, 21 July-8 August 2003

Agenda item 3

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

## **Proposals and contributions received from Governments**

### **United States of America: amendments to article 19 bis**

#### *Article 19 bis*

#### *Bribery of foreign public officials or officials of a public international organization*

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally, the promise, offering or giving to a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties in order to obtain or retain business or other undue advantage in relation to the conduct of international business.

2. Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally, the promise, offering or giving to a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the person act or refrain from acting in the exercise of his or her official duties, at least in the case of breach of such duties.

3. Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally, the solicitation or acceptance by a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the



official act or refrain from acting in the exercise of his or her official duties [at least in the case of breach of such duties].

---