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Agenda item 3

Consideration of the draft United Nations Convention against Corruption

Proposals and contributions received from Governments

Syrian Arab Republic: amendment to article 61

Article 61: [Disposition] [Return] of assets

Paragraphs 1 and 2

1. In the *travaux préparatoires*, the following comment should be made concerning the words “domestic law” in paragraph 1 and the words “in accordance with the fundamental principles of its domestic law” in paragraph 2:

“The purpose of the words ‘domestic law’ (in para. 1) and ‘in accordance with the fundamental principles of its domestic law’ (para. 2) is to facilitate the implementation of this article by the States Parties. The intention behind these words is to emphasize that the implementation of the provisions of this article should be in conformity with those principles, without violating the relevant Vienna Convention, which calls for giving priority to the provisions contained in international conventions over those contained in the domestic law.”

Paragraph 5

2. The following words should be added to paragraph 5: “, while preserving the rights of the legitimate owners of property”.

