



# Conference of the States Parties to the United Nations Convention against Corruption

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## Fifth session

Panama City, 25-29 November 2013

Agenda item 2

### Review of the implementation of the United Nations Convention against Corruption

#### France: revised draft resolution

### Strengthening the implementation of the criminalization provisions of the United Nations Convention against Corruption, in particular with regard to solicitation

*The Conference of the States Parties to the United Nations Convention against Corruption,*

*Welcoming* the entry into force on 14 December 2005 of the United Nations Convention against Corruption,<sup>1</sup>

*Recalling* its resolution 1/7 of 14 December 2006, adopted at the first session of the Conference of the States Parties to the United Nations Convention against Corruption, in Amman,

*Recognizing* that the fight against corruption is a priority for the international community,

*Recalling* that corruption is an obstacle to the efficient mobilization of resources and means for sustainable economic development,

*Bearing in mind* the main purposes of the United Nations Convention against Corruption, which include the prevention and criminalization of corruption, the promotion of the proper management of public affairs and public property, the recovery of property and assets derived from corrupt practices and the provision of technical assistance and international cooperation,

*Welcoming* the significant progress made by States parties in giving effect to chapter III of the Convention, while recognizing that efforts must still be made to achieve universal and effective implementation,

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<sup>1</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.



*Noting with concern* the international phenomenon of direct or indirect national and foreign solicitation,

*Recognizing* that national legal systems are essential to the prevention of and fight against corruption and that they must be brought into conformity with the provisions of the Convention,

1. *Urges* Member States that have not yet done so to ratify or accede to the United Nations Convention against Corruption;<sup>1</sup>

2. *Recalls* the importance of chapter III of the Convention, in particular its article 15 and article 16, paragraph 1, which concern, respectively, bribery of national public officials and bribery of foreign public officials and officials of public international organizations, and emphasizes the need to fully incorporate, implement and ensure respect for those provisions within the domestic legislation of States parties;

3. *Calls upon* States parties to consider, in accordance with article 16, paragraph 2, adopting such legislative and other measures as may be necessary to establish as a criminal offence, by any appropriate measure, 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;

4. *Encourages* States parties to share examples of good practice in the fight against domestic and foreign bribery and of the measures taken to prevent such corruption;

5. *Requests* States parties to continue enhancing international cooperation, particularly through the United Nations Office on Drugs and Crime, in support of national, subregional and regional efforts to prevent and combat corruption, in particular solicitation;

6. *Requests* the Secretariat to provide a short oral report to the Implementation Review Group concerning the progress made and the challenges encountered in the implementation of the present resolution before the sixth session of the Conference.