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AD HOC INTERGOVERNMENTAL WORKING  
GROUP ON THE PROBLEM OF  
CORRUPT PRACTICES

Second session

31 January-11 February 1977

MAJOR ISSUES TO BE CONSIDERED IN THE EXAMINATION OF THE PROBLEM  
OF CORRUPT PRACTICES, IN PARTICULAR BRIBERY, IN INTERNATIONAL  
COMMERCIAL TRANSACTIONS BY TRANSNATIONAL AND OTHER CORPORATIONS,  
THEIR INTERMEDIARIES AND OTHERS INVOLVED\*

A. Issues to be considered in the elaboration of an international agreement  
to prevent and eliminate illicit payments, in whatever form, in connexion  
with international commercial transactions

- I. Preamble
- II. Definitions
  1. Bribery
  2. Illicit payments
  3. Other corrupt practices
  4. Transnational and other corporations
  5. Intermediaries and others involved
  6. Government and public officials
  7. Private officials
  8. International commercial transactions
  9. Other terms to be defined

\* The purpose of this agreed document is to assist the Ad Hoc Intergovernmental Working Group on the Problem of Corrupt Practices in organizing its work and to focus its attention on major issues to be considered. The headings and items are not exhaustive and their enumeration is without prejudice to the positions that might be taken by delegations in further discussions.

III. Action at the national level: Measures by home, host and third countries

1. Criminalization of bribery, illicit payments and other corrupt practices
2. Jurisdiction
3. Disclosure (of political contributions, gifts and loans to public officials, fees and commissions, etc.)
4. Regulation concerning intermediaries and others involved
5. Taxation to discourage bribery, illicit payments and other corrupt practices
6. Measures against the payment of royalties and taxes in contravention of United Nations resolutions
7. Civil remedies
8. Other measures

IV. Action at the intergovernmental level

1. Exchange of information
2. Mutual judicial assistance (facilitating all aspects of investigations and prosecutions connected with bribery, illicit payments and other corrupt practices)
3. Extradition
4. Other actions

V. Settlement of disputes

VI. Entry into force

B. Proposals and options other than an international agreement

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