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(12) The requesting State Party shall not transmit or use information or evidence furnished by the requested State Party in investigations, prosecutions or judicial proceedings other than those stated in the request without the prior consent of the requested State Party. Nothing in the paragraph shall prevent the requesting State Party from disclosing in its proceedings information or evidence that is exculpatory to persons subject to criminal proceedings. In such case, the requesting State Party shall notify the requested State Party prior to the disclosure and, if so requested, shall consult with the requested State Party. If, in an exceptional case, this is not possible, the requesting State Party shall inform the requested State Party of the disclosure without delay.

(13) The requesting State Party may require that the requested State Party keep confidential the fact and substance of the request, except to the extent necessary to execute the request. If the requested State Party cannot comply with the requirement of confidentiality, it shall promptly inform the requesting State Party.

(14) Mutual legal assistance may be refused:

(a) If the request is not made in conformity with the provisions of this article

(b) If the requested State Party considers that execution of the request is likely to prejudice its sovereignty, security, public order or other essential interests

(c) If the authorities of the requested State Party are prohibited by its domestic law from carrying out the action requested with regard to any criminal offence, if it could have been the subject of investigation, prosecution or judicial proceedings under their own jurisdiction

(d) If it would be contrary to the legal system of the requested State Party concerning mutual legal assistance that the offence sought to be made the subject of mutual legal assistance

(15) Reasons shall be given for any refusal of mutual legal assistance.

(16) The requested State Party shall execute the request for mutual legal assistance as soon as possible and shall take as full account as possible of any deadline suggested by the requesting State Party and for which reasons are given, preferably in the request. The requesting State Party may reasonably require that it be informed of the status and progress of measures taken by the requested State Party to satisfy its request. The requested State Party shall respond to reasonable requests by the requesting State Party on the status, and progress in the handling, of the request. The requesting State Party shall inform the requested State Party when the assistance sought is no longer required.

(17) Mutual legal assistance may be postponed by the requested State Party on the ground that it interferes with an ongoing investigation, prosecution or judicial proceeding.

(18) Before refusing a request pursuant to paragraph 21 of this article or postponing its execution pursuant to paragraph 20 of this article, the requested State Party shall consult with the requesting State Party to consider whether assistance may be granted subject to such terms and conditions as it deems necessary. If the requesting State Party accepts assistance on those terms and conditions, it shall be bound by the terms and conditions.

(19) Without prejudice to the application of paragraph 12 of this article, a witness, expert or other person who, at the request of the requesting State Party, consents to give evidence in a proceeding or to assist in an investigation, prosecution or judicial proceeding in the territory of the requesting State Party shall not be prosecuted, detained, punished or subjected to any other restriction of his personal liberty in that territory in respect of acts, omissions or convictions prior to his or her departure from the territory of the requested State Party. Such safe conduct shall cease when the witness, expert or other person having had, for a period of consecutive days, or for periods in total, of any duration, fifteen days from the date on which he or she has been officially informed that his or her presence is no longer required by the judicial authorities, an opportunity of leaving, but nevertheless remains voluntarily in the territory of the requesting State Party, or has returned of his own free will to the territory of the requested State Party after he or she has left it, unless he or she has obtained from the competent authorities of the requesting State Party a reasonable ground for not doing so.

The ordinary costs of executing a request will be borne by the requested State Party, unless otherwise agreed by the States Parties concerned. If expenses of a substantial or extraordinary nature are or will be required to fulfil the request, the States Parties shall consult one another to agree on the terms and conditions under which the request will be executed, as well as the manner in which the costs shall be borne.

(2) The requested State Party:

(a) Shall provide to the requesting State Party copies of government records, documents or information in its possession that under its domestic law are available to the general public

(b) May, at its discretion, provide to the requesting State Party in whole, in part or subject to such terms and conditions as it deems appropriate, copies of any government records, documents or information in its possession that under its domestic law are not available to the general public

(3) States Parties shall consider, as may be necessary, the possibility of conducting bilateral or multilateral agreements or arrangements that would serve the purposes of, give practical effect to or enhance the provisions of this article.

Article 47 - Transfer of criminal proceedings

States Parties shall consider the possibility of transferring to one another proceedings for the prosecution of an offence established in accordance with this Convention in cases where such transfer is deemed to be in the interests of the proper administration of justice, in cases where several jurisdictions are involved, with a view to concentrating the prosecution.

Article 48 - Law enforcement cooperation

(1) States Parties shall cooperate closely with one another, consistent with their respective domestic legal and administrative systems, to enhance the effectiveness of law enforcement action to combat the offences covered by this Convention. States Parties shall, in particular, take effective measures to:

(a) To enhance and, where necessary, to establish channels of communication between their competent authorities, agencies and services in order to facilitate the secure and rapid exchange of information concerning all aspects of the offences covered by this Convention, including, if the States Parties concerned deem it appropriate, links with other criminal activities;

(b) To cooperate with other States Parties in conducting inquiries with respect to offences covered by this Convention concerning:

(i) The identity, whereabouts and activities of persons suspected of involvement in such offences or the location of other persons concerned;

(ii) The movement of proceeds of crime or property derived from the commission of such offences;

(iii) The movement of property, equipment or other instrumentalities used or intended for use in the commission of such offences;

(c) To provide, where appropriate, necessary items or quantities of substances for analytical or investigative purposes;

(d) To exchange, where appropriate, information with other States Parties concerning specific means and methods used by persons committing offences covered by this Convention, including the use of false identities, forged, altered or false documents and other means of concealing activities;

(e) To facilitate effective coordination between their competent authorities, agencies and services and to promote the exchange of personnel and other experts, including, subject to bilateral agreements or arrangements between the States Parties concerned, the posting of liaison officers;

(f) To exchange information and coordinate administrative and other measures taken as appropriate for the purpose of early identification of the offences covered by this Convention.

(2) With a view to giving effect to this Convention, States Parties shall consider entering into bilateral or multilateral agreements or arrangements on direct cooperation between their law enforcement agencies and, where such agreements or arrangements already exist, amending them. In the absence of such agreements or arrangements between the States Parties concerned, the States Parties may consider this Convention to be the basis for mutual law enforcement cooperation in respect of the offences covered by this Convention. Whenever appropriate, States Parties shall make full use of agreements or arrangements, including international or regional organizations, to enhance the cooperation between their law enforcement agencies.

(3) States Parties shall endeavour to cooperate within their means to respond to offences covered by this Convention committed through the use of modern technology.

Article 49 - Joint investigations

States Parties shall consider concluding bilateral or multilateral agreements or arrangements whereby, in relation to matters that are the subject of investigations, prosecutions or judicial proceedings in one or more States, the competent authorities concerned may establish joint investigative bodies. In the absence of such agreements or arrangements, joint investigations may be undertaken by agreement on a case-by-case basis. The States Parties involved shall ensure that the sovereignty of the State Party in whose territory such investigation is to take place is fully respected.

Article 50 - Special investigative techniques

1. In order to combat corruption effectively, each State Party shall, to the extent permitted by the basic principles of its domestic legal system and in accordance with the conditions prescribed by its domestic law, take such measures as may be necessary, within its means, to allow for the appropriate use by its competent authorities of controlled delivery and, where it deems it appropriate, other special investigative techniques, such as electronic or other forms of surveillance and undercover operations, within its territory, and to allow for the admissibility in court of evidence derived therefrom.

2. For the purpose of investigating the offences covered by this Convention, States Parties are encouraged to conclude, when necessary, appropriate bilateral or multilateral agreements or arrangements for using such special investigative techniques in the context of cooperation at the international level. Such agreements or arrangements shall be concluded, and implemented in full compliance with the principle of sovereign equality of States and shall be carried out strictly in accordance with the terms of those agreements or arrangements.

3. In the absence of an agreement or arrangement as set forth in paragraph 2 of this article, decisions to use such special investigative techniques at the international level shall be made on a case-by-case basis and may, when necessary, take into account financial arrangements and understandings with respect to the exercise of jurisdiction by the States Parties concerned.

4. Decisions to use controlled delivery at the international level may, with the consent of the States Parties concerned, include methods such as intercepting and allowing the goods or funds to continue intact or be removed or replaced in whole or in part.

Chapter V - Asset recovery

Article 51 - General provision

The return of assets pursuant to this chapter is a fundamental principle of this Convention, and the States Parties shall afford one another the widest measure of mutual assistance in this regard.

Article 52 - Prevention and detection of transfers of proceeds of crime

1. Without prejudice to article 14 of this Convention, each State Party shall take such measures as may be necessary, in accordance with its domestic law, to require financial institutions within its jurisdiction to verify the identity of customers, to take reasonable steps to determine the identity of beneficial owners of funds deposited into high - value accounts and to conduct enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are, or have been, entrusted with prominent public functions and their family members and close associates. Such enhanced scrutiny shall be reasonably designed to detect suspicious transactions for the purpose of reporting to competent authorities and should not be to construed as to discourage or prohibit financial institutions from doing business with any legitimate customer.

2. In order to facilitate implementation of the measures provided for in paragraph 1 of this article, each State Party, in accordance with its domestic law and inspired by relevant initiatives of regional, international and multilateral organizations against money laundering, shall:

(a) Issue advisories regarding the types of natural or legal person to whose accounts financial institutions within its jurisdiction will be expected to apply enhanced scrutiny, the types of accounts and transactions to which to pay particular attention and appropriate account - opening, maintenance and record - keeping measures to take concerning such accounts;

(b) Where appropriate, notify financial institutions within its jurisdiction, at the request of another State Party or on its own initiative, of the identity of particular natural or legal persons to whose accounts such institutions may be expected to apply enhanced scrutiny, in addition to those whom the financial institutions may otherwise identify.

3. In the context of paragraph 2 (a) of this article, each State Party shall implement measures so that financial institutions shall maintain records, over an appropriate period of time, concerning accounts of prominent public functions and persons closely associated with or related to them, which should, as a minimum, contain information relating to the identity of the accountholder, and to the transactions recorded in such accounts.

4. With the aim of preventing and detecting transfers of proceeds of offences established in accordance with this Convention, each State Party shall implement appropriate and effective measures to prevent, with the aid of its legal and administrative authorities, the establishment of banks that have no physical presence and that are not affiliated with a regulated financial group. In addition, States Parties may consider requiring their financial institutions to refuse to enter into or continue a correspondent banking relationship with such institutions and to guard against establishing relationships with foreign financial institutions that permit their accounts to be used by banks that have no physical presence and that are not affiliated with a regulated financial group.

5. Each State Party shall consider establishing, in accordance with its domestic law, effective financial disclosure systems for appropriate public officials and shall provide for appropriate sanctions for non-compliance. Each State Party shall also consider taking such measures as may be necessary, in accordance with its domestic law, to require appropriate public officials having an interest in or signatory or other authority over a financial account in a foreign country to report that relationship to appropriate authorities and to maintain appropriate records related to such accounts. Such measures should also require that such persons be held accountable.

Article 53 - Measures for direct recovery of property

Each State Party shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit another State Party to initiate civil action in its courts to establish title to or ownership of property acquired through the commission of an offence established in accordance with this Convention

(b) Take such measures as may be necessary to permit its courts to order those who have committed offences established in accordance with this Convention to pay compensation or damages to another State Party that has been harmed by such offences

(c) Take such measures as may be necessary to permit its courts or competent authorities, when having to decide on confiscation, to recognize another State Party's claim as a legitimate owner of property acquired through the commission of an offence established in accordance with this Convention

Article 54 - Mechanisms for recovery of property through international cooperation in confiscation

(1) Each State Party, in order to provide mutual legal assistance pursuant to article 55 of this Convention with respect to property acquired through or involved in the commission of an offence established in accordance with this Convention, shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit its competent authorities to give effect to an order of confiscation issued by a court of another State Party

(b) Take such measures as may be necessary to permit its competent authorities, where they have jurisdiction, to order the confiscation of such property of foreign origin by adjudication of an offence of money laundering or such other offence as may be within its jurisdiction or by other procedures authorized under its domestic law

(c) Consider taking such measures as may be necessary to allow confiscation of such property without a criminal conviction in cases in which the offender cannot be prosecuted by reason of death, flight or absence or in other appropriate cases.

(2) Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a freezing or seizure order issued by a court or competent authority of a requested State Party that provides a reasonable basis for the requested State Party to believe that there is ample grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (a) of this article

(b) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a request that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (a) of this article

(c) Take such measures as may be necessary to preserve property for confiscation or seizure

property for confiscation, such as on the basis of a foreign arrest or criminal charge related to the acquisition of such property

Article 55 - International cooperation for purposes of confiscation

1. A State Party that has received a request from another State Party having jurisdiction over an offence established in accordance with this Convention for confiscation of proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention situated in its territory shall, to the greatest extent possible within its domestic legal system:

(a) Submit the request to its competent authorities for the purpose of obtaining an order of confiscation and, if such an order is granted, give effect to it

(b) Submit to its competent authorities, with a view to giving effect to the extent requested, an order of confiscation issued by a court in the territory of the requesting State Party in accordance with articles 31, paragraph 1, and 54, paragraph 1 (a), of this Convention insofar as it relates to proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, situated in the territory of the requested State Party to the extent to which such an order of confiscation is subsequently confirmed by an offence established in accordance with this Convention, the requested State Party shall take measures to identify, trace and freeze or seize proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention, for the purpose of eventual confiscation to be ordered either by the requesting State Party or, pursuant to a request under paragraph 1 of this article, by the requested State Party

(c) Consider taking measures to allow confiscation of such proceeds of crime proceeds, to this article, in addition to the information specified in article 46, paragraph 15, requests made pursuant to this article shall contain the following information: (a) For a request pursuant to paragraph 1 of this article, a description of the property to be confiscated, including, to the extent possible, the location and, where relevant, the estimated value of the property on which the request is based; (b) Facts relied upon by the requesting State Party sufficient to enable the competent authorities of the State to seek the order under its domestic law

(c) Insofar as it is applicable to a request under paragraph 1 (b) of this article, a legally admissible copy of an order of confiscation upon which the request is based issued by the requesting State Party; a statement of the facts and information as to the extent to which execution of the order is requested; a statement specifying the measures taken by the requesting State Party to provide adequate notification to bona fide third parties and to ensure due process and a statement that the confiscation order is final; (d) Insofar as it is applicable to a request under paragraph 2 (b) of this article, a legally admissible copy of an order of confiscation upon which the request is based; (e) Insofar as it is applicable to a request under paragraph 2 (c) of this article, a statement of the facts and information as to the extent to which execution of the order is requested; (f) A statement that the requesting State Party is a party to, or is bound by, any treaty, agreement or arrangement pertaining to the recovery of proceeds of crime, property, equipment or other instrumentalities or to the sharing of such proceeds of crime, property, equipment or other instrumentalities and, if so, a statement of the relevant provisions of such treaty, agreement or arrangement; (g) Where appropriate, a statement that the requesting State Party is prepared to enter into any agreement or arrangement for the sharing of such proceeds of crime, property, equipment or other instrumentalities with the requested State Party, pursuant to article 59 of this Convention, after such proceeds of crime, property, equipment or other instrumentalities have been confiscated; (h) A statement that the requesting State Party is prepared to provide, at its own expense, a copy of any order of confiscation, or any other part of the record, requested by the requested State Party, but not yet provided by the requesting State Party, if such order or other part of the record is required by the requested State Party in order to comply with its domestic law, and a statement that the requesting State Party is prepared to meet the costs of providing such copy.

(2) The requesting State Party may also request that, to the extent possible, the requested State Party does not receive sufficient and timely evidence of the property is of a de minimis value.

(3) Or that other any provisional measures taken pursuant to this article, the requested State Party shall, whenever possible, give the requesting State Party an opportunity to present its reasons in favour of continuing the measure.

(4) The provisions of this article shall not be construed as prejudicing the rights of bona fide third parties.

Article 56 - Special cooperation

Without prejudice to its domestic law, each State Party shall endeavour to take measures to permit it to forward, without prejudice to its own investigations, prosecutions or judicial proceedings, information on proceeds of offences established in accordance with this Convention to another State Party without prejudice to its own investigations, prosecutions or of such information might assist the receiving State Party in initiating or carrying out investigations, prosecutions or judicial proceedings or might lead to a request by that State Party under this chapter of the Convention.

Article 57 - Return and disposal of assets

(1) Property confiscated by a State Party pursuant to article 31 or 55 of this Convention shall be disposed of, including by return to its prior legitimate owners, pursuant to paragraph 3 of article 1, by the State Party in accordance with the provisions of this Convention and its domestic law.

2. Each State Party shall adopt such legislative and other measures, in accordance with the fundamental principles of its domestic law, as may be necessary to enable its competent authorities to return confiscated property, when acting on the request made by another State Party, in accordance with this Convention, taking into account the rights of bona fide third parties.

3. In accordance with articles 46 and 55 of this Convention and paragraphs 1 and 2 of this article, the requested State Party shall:

(a) In the case of embezzlement of public funds or of laundering of embezzled public funds as referred to in articles 17 and 23 of this Convention, when confiscation was executed in accordance with article 55 and on the basis of a final judgment in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party

(b) In the case of proceeds of any other offence covered by this Convention, when the confiscation was executed in accordance with article 55 of this Convention and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party, when the requesting State Party reasonably establishes its prior ownership of such confiscated property to the requested State Party or when the requested State Party recognizes damage to the requesting State Party as a basis for returning the confiscated property

(c) In all other cases, give priority consideration to returning confiscated property to the requesting State Party, returning such property to its prior legitimate owners or compensating the victims of the crime.

4. Where appropriate, unless States Parties decide otherwise, the requested State Party may deduct expenses incurred in the investigation, prosecution or judicial proceedings leading to the return or disposition of confiscated property pursuant to this article.

5. Where appropriate, State s Parties may also give special consideration to concluding agreements or mutually acceptable arrangements on a case - by - case basis for the final disposal of confiscated property.

Article 58 - Financial intelligence unit

States Parties shall cooperate with one another for the purpose of preventing and combating the transfer of proceeds of offences established in accordance with this Convention and of promoting ways and means of recovering such proceeds and, to that end, shall consider establishing a financial intelligence unit to be responsible for receiving, analyzing and disseminating to the competent authorities reports of suspicious financial transactions.

Article 59 - Bilateral and multilateral agreements and arrangements

States Parties shall consider concluding bilateral or multilateral agreements or arrangements to enhance the effectiveness of international cooperation undertaken pursuant to this chapter of this Convention.

Chapter VI - Technical assistance and information exchange

Article 60 - Training and technical assistance

(1) Each State Party shall, to the extent necessary, initiate, develop or improve specific training programmes for its personnel responsible for preventing and combating corruption. Such programmes may deal with the following areas, inter - national cooperation:

(a) Effective measures to prevent, detect, investigate, punish and control corruption, including the use of evidence - gathering and investigative methods

(b) Building capacity in the development and planning of strategic anti-corruption policy

(c) Training competent authorities in the preparation of requests for mutual legal assistance that meet the requirements of this Convention

(d) Evaluation and strengthening of institutions, public service management and the management of public finance, including public procurement, and the private sector

(e) Preventing and combating the transfer of proceeds of offences established in accordance with this Convention and recovering such proceeds

(f) Detecting and freezing of the transfer of proceeds of offences established in accordance with this Convention

(g) Surveillance of the movement of proceeds of offences established in accordance with the Convention and of the methods used to transfer, conceal or disguise such proceeds

(h) Appropriate and efficient legal and administrative systems and methods for facilitating the return of proceeds of offences established in accordance with this Convention

(i) Methods used in protecting victims and witnesses who cooperate with judicial authorities

(j) Training in substantive and procedural law and law enforcement

2. States Parties shall, according to their capacity, consider affording one another the widest measure of technical assistance, especially for the benefit of developing countries, in their comprehensive and tailored assistance programmes with respect to prevention and combating of corruption, including in the areas referred to in paragraph 1 of this article, and training and technical assistance and the mutual exchange of relevant experience and specialized knowledge, which will also facilitate international cooperation between States Parties in the areas of extradition and mutual legal assistance.

3. States Parties shall strengthen, to the extent necessary, efforts to maximize operational and training activities in international and regional organizations and in the framework of relevant bilateral and multilateral agreements or arrangements.

4. States Parties shall consider assisting one another, upon request, in conducting evaluations, studies and research relating to the types, causes, effects and costs of corruption in their respective countries, with a view to developing, taking into account the conditions of competent authorities and society, strategies and action plans to combat corruption.

5. In order to facilitate the recovery of proceeds of offences established in accordance with this Convention, States Parties may cooperate with providing each other and such as training experts who could assist in accessing that objective.

6. States Parties shall consider using subregional, regional and international conferences and seminars to promote cooperation and technical assistance and to stimulate discussion and problems of mutual concern, including the special problems and needs of developing countries and countries with economies in transition.

7. States Parties shall consider establishing voluntary mechanisms with a view to contributing financially to the efforts of developing countries and countries with economies in transition to apply this Convention through technical assistance programmes and projects.

8. Each State Party shall consider making voluntary contributions to the United Nations Office on Drugs and Crime for the purpose of fostering, through the Office, programmes and projects throughout the world in accordance with this Convention.

Article 61 - Collection, exchange and analysis of information on corruption

1. Each State Party shall consider monitoring its policies and actions to combat corruption in its territory, as well as the circumstances in which corruption offences are committed.

2. States Parties shall consider assisting one another in monitoring the implementation of their respective national and regional anti-corruption policies and activities, including by contributing to the statistical and analytical work and by developing common definitions, standards and methodologies, as well as information on best practices to prevent and combat corruption.

3. Each State Party shall consider monitoring its policies and actual measures to combat corruption and making assessments of their effectiveness and efficiency.

Article 62 - Other measures: implementation of the Convention through economic development and technical assistance

1. States Parties shall take measures conducive to the optimal implementation of this Convention to the extent possible, through international cooperation, taking into account the negative effects of corruption on society in general, in particular on sustainable development.

2. States Parties shall make concrete efforts to the extent possible and in coordination with each other, as well as with international and regional organizations:

(a) To enhance their cooperation at various levels with developing countries, with a view to strengthening the capacity of the latter to prevent and combat corruption

(b) To enhance financial and material assistance to support the efforts of developing countries to prevent and fight corruption effectively and to help them implement this Convention successfully

(c) To provide technical assistance to developing countries and countries with economies in transition to assist them in meeting their needs for the implementation of this Convention. To that end, States Parties shall endeavour to make adequate and regular voluntary contributions to an account specially designated for this purpose in a United Nations funding mechanism. States Parties may also give special consideration, in accordance with their domestic law and the provisions of the Convention, to contributing to that account a percentage of the monies or of the corresponding value of proceeds of crime or property confiscated in accordance with the provisions of this Convention

(d) To encourage and persuade other States and financial institutions as appropriate to join them in efforts in accordance with this article, in particular by providing more training programmes and modern equipment to developing countries in order to assist them in achieving the objectives of this Convention.

3. To the extent possible, these measures shall be without prejudice to existing foreign assistance commitments or to other financial cooperation arrangements at the bilateral, regional or international level.

4. States Parties may conclude bilateral or multilateral agreements or arrangements on material assistance, taking into account the provisions of this Convention, and based on the needs for the means of international cooperation provided for by this Convention to be effective and for the prevention, detection and control of corruption.

Chapter VII - Mechanisms for implementation

Article 63 - Conference of the States Parties to the Convention

1. A Conference of the States Parties to the Convention is hereby established to improve the capacity of States Parties to combat corruption and to promote and review the ef fec tive ness of this Convention and to promote and review its implementation.

2. The Secretary- General of the United Nations shall convene the Conference of the States Parties to the Convention not later than twelve months after the entry into force of this Convention. A regular meetings of the Conference of the States Parties shall be held in accordance with the rules of procedure adopted by the Conference.

3. The Conference of the States Parties shall adopt rules of procedure and rules governing the functioning of the activities set forth in this article, including rules concerning admission and participation of observers, and the payment of expenses incurred in carrying out those activities.

4. The Conference of the States Parties shall agree upon activities, procedures and methods of work to achieve the objectives of implementation of this Convention, and shall:

(a) Facilitating activities by States Parties under articles 60 and 62 and chapters II to V of this Convention, including by encouraging the mobilization of voluntary contributions

(b) Facilitating the exchange of information among States Parties on patterns and trends in corruption and the circumstances in which corruption offences are committed, taking into account the relevant legal, technical and economic developments pertinent to this Convention

(c) Cooperating with relevant international and regional organizations and mechanisms and non - governmental organizations

(d) Making appropriate use of relevant information produced by other anti - corruption and regional mechanisms for combating and preventing corruption in order to avoid unnecessary duplication of work

(e) Reviewing periodically the implementation of the Convention by its States Parties

(f) Making recommendations to improve this Convention and its implementation

(g) Taking note of the technical assistance requirements of States Parties with regard to the implementation of this Convention and expressing such concern as it may deem appropriate in that respect

5. For the purposes of paragraph 4 of this article, the Conference of the States Parties shall obtain the necessary knowledge of measures taken by States Parties in implementing this Convention and the difficulties encountered by them in doing so through information provided by them and through such supplemental review mechanisms as may be established by the Conference of the States Parties.

6. Each State Party shall provide the Conference of the States Parties with information on its programs, plans and practices, as well as on legislative and administrative measures to implement this Convention, as required by the Conference of the States Parties. The Conference of the States Parties shall examine the most effective way of receiving and acting on information, including information received from States Parties and from competent international organizations. Inputs received from relevant non-governmental organizations duly accredited in accordance with procedures to be decided upon by the Conference of the States Parties may also be considered.

7. Pursuant to paragraphs 4 to 6 of this article, the Conference of the States Parties shall establish, if it deems it necessary, an appropriate mechanism or body to assist in the effective implementation of the Convention.

Article 64 - Secretariat

1. The Secretary- General of the United Nations shall provide the necessary secretarial services to the Conference of the States Parties to the Convention.

2. The secretariat shall:

(a) Assist the Conference of the States Parties in carrying out the activities set forth in article 63 of this Convention, and make arrangements and provide the necessary services for the sessions of the Conference of the States Parties relating to the Convention

(b) Assist States Parties, upon request, in providing information for the Conference of the States Parties as envisaged in article 63, paragraphs 5 and 6, of this Convention;

(c) Ensure the necessary coordination with the secretariats of relevant international and regional organizations.

Chapter VIII - Final provisions

Article 65 - Implementation of the Convention

1. Each State Party shall take the necessary measures, including legislative and administrative measures, in accordance with fundamental principles of its domestic law, to ensure the implementation of its obligations under this Convention.

2. Each State Party may adopt more strict or severe measures than those provided for by this Convention for preventing and combating corruption.

Article 66 - Settlement of disputes

1. States Parties shall endeavour to settle disputes concerning the interpretation or application of this Convention by negotiation.

2. Any dispute between two or more States Parties concerning the interpretation or application of this Convention that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If six months after the date of the request for arbitration those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

3. Each State Party may, at the time of signature, ratification, acceptance or approval of or accession to this Convention, declare that it does not consider itself bound by paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation. Article 67 - Signature, ratification, acceptance, approval and accession

1. This Convention shall be open to all States for signature from 9 to 11 December 2003 in Merida, Mexico, and thereafter at United Nations headquarters in New York until it December 2005.

2. This Convention shall also be open for signature by regional economic integration organizations provided that at least one member State of such regional economic integration organization has signed this Convention in accordance with paragraph of this article.

3. This Convention is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary- General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its member States has done so. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to the matters governed by this Convention. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

4. This Convention is open for accession by any State or any regional economic integration organization of which at least one member State is a party to this Convention. Instruments of accession shall be deposited with the Secretary- General of the United Nations. In the time of its accession, a regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Convention. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

Article 68 - Entry into force

1. This Convention shall enter into force on the tenth day after the date of deposit of the thirty - fifth instrument of ratification, acceptance, approval or accession. For the purpose of paragraph, any instrument deposited by a regional economic integration organization shall not be counted additional to those deposited by member States of such organization.

2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Convention after the deposit of the tenth instrument of such kind, this Convention shall enter into force on the thirtieth day after the date of deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession.

Article 69 - Amendment

1. After five years from the entry into force of this Convention, a State Party may propose an amendment and transmit it to the Secretary- General of the United Nations, who shall thereupon communicate the proposed amendment to the States Parties and to the Conference of the States Parties to the Convention for the purpose of considering and deciding on the proposal. The Conference of the States Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted, and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two - thirds majority of the States Parties present and voting at the meeting of the Conference of the States Parties.

2. Regional economic integration organization, in matters within their competence, shall exercise their right to vote under this article with a number of votes equal to the number of their member States that are Parties to this Convention. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa. 3. An amendment adopted in accordance with paragraph 1 of this article shall enter into force subject to ratification, acceptance or approval by two - thirds of the States Parties.

4. An amendment adopted in accordance with paragraph 1 of this article shall enter into force with respect to a State Party that has given its consent to be bound by the amendment on the 90th day after the date of the deposit with the Secretary- General of the United Nations of an instrument of ratification, acceptance or approval of such amendment.

5. When an amendment enters into force, it shall be binding on those States Parties which have expressed their consent to be bound by it, the other States Parties shall still be bound by the provisions of this Convention and any earlier amendments that they have previously accepted or approved.

Article 70 - Denunciation

1. A State Party may denounce this Convention by written notification to the Secretary- General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary- General.

2. A regional economic integration organization shall cease to be a Party to this Convention when all of its member States have denounced it.

Article 71 - Depositary and languages

1. The Secretary- General of the United Nations is designated depositary of this Convention.

2. The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary- General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Convention.