



**CONVENTION ON COMBATING BRIBERY OF FOREIGN PUBLIC OFFICIALS  
IN INTERNATIONAL BUSINESS TRANSACTIONS**

**DECLARATIONS DEPOSITED WITH THE OECD SECRETARY-GENERAL**

<b>COUNTRY</b>	<b>DATE OF DECLARATION</b>	<b>ENTRY INTO FORCE</b>	<b>SUBJECT</b>
<b>BRAZIL</b>	24 August 2000	23 October 2000	In depositing its instrument of ratification, the Government of Brazil informed the OECD Secretary-General of the following: “In accordance with the provisions of Article 9 paragraph 3 of the Convention, mutual legal assistance may not be refused on the ground of bank secrecy, but the aforementioned provision may not preclude the refusal to grant mutual legal assistance in pursuance of other applicable legal norms, within the framework of the Brazilian legal system, and the interpretation thereof set down by the courts.”
<b>CANADA</b>	17 December 1998	15 February 1999	In depositing its instrument of ratification, the Government of Canada informed the OECD Secretary-General of the following: “As noted during the negotiations, in accepting the language of Article 5 of this Convention as written, Canada does so on the clear understanding that the obligation contained in this article is to ensure that investigation and prosecution of the bribery of foreign public official is not influenced by improper considerations of national economic interest, the potential effect on relations with another state, or the identity of the natural or legal entities involved.”
<b>COSTA RICA</b>	24 May 2017	23 July 2017	In depositing its instrument of accession, the Government of Costa Rica informed the OECD Secretary-General of the following: “Article 2 – In relation to paragraph 10 of the Convention against Bribery of Foreign Public Officials in International Business Transactions, the interpretation of the Republic of Cista Rica is that it is understood that extradition will not be applicable to Costa Rican nationals who are in our territory”.

<b>DENMARK // FAROE ISLANDS GREENLAND</b>	5 September 2000	4 November 2000	In depositing its instrument of ratification, the Government of Denmark informed the OECD Secretary-General of the following: “The Convention does not apply to The Faroe Islands and Greenland.”
<b>ITALY</b>	9 May 2001	9 May 2001	In a letter dated 9 May 2001, the Government of Italy informed the OECD Secretary-General of the following: “The Italian Government has on May 2 <sup>nd</sup> [2001] finally adopted the legislative decree introducing non penal sanctions against legal persons for bribing, in accordance with the provisions of articles 2 and 3 of the Convention.” “The legislative decree has the same force as law (art. 77, para. 1, of the Italian Constitution). The Italian Government has thus complied – within the required timeframe (eight months from the entry into force of the implementing legislation) - with the delegation prescribed by Parliament.”
<b>ITALY</b>	15 December 2000	13 February 2001	In depositing its instrument of ratification, the Government of Italy informed the OECD Secretary-General of the following: “L’Italie précise que la loi n. 300 du 19 septembre 2000, qui a autorisé la ratification de la Convention et qui a introduit les mesures nécessaires à sa mise en oeuvre dans le système italien, inclut, à l’article 11, une délégation législative au Gouvernement italien pour qu’il émane d’ici huit mois, à compter de l’entrée en vigueur en Italie de la Convention susmentionnée (le 26 octobre 2000), des sanctions non pénales contre les personnes morales pour actes de corruption, afin d’exécuter pleinement les obligations visées aux articles 2 et 3 de la Convention, vu qu’à l’heure actuelle, le système italien ne prévoit pas de sanctions pénales ou non pénales contre les personnes morales en la matière. L’article 11 indique de façon détaillée, les critères formulés à titre de l’exécution rigoureuse de la discipline conventionnelle, que le Gouvernement devra obligatoirement respecter lorsqu’il exécutera sa délégation législative.”
<b>NETHERLANDS // BONAIRE SINT EUSTATIUS SABA</b>	6 October 2010	10 October 2010	In a letter dated 6 October 2010, the Government of the Netherlands informed the OECD Secretary-General of the following: “With effect as from 10 October 2010, the Netherlands Antilles will cease to exist as a part of the Kingdom of the Netherlands. From that date onwards, the Kingdom will consist of four parts: the Netherlands, Aruba, Curaçao and Sint Maarten. Curaçao and Sint Maarten will enjoy internal self-government within

			<p>the Kingdom, as Aruba and, up to 10 October 2010, the Netherlands Antilles do.”</p> <p>“The other islands that have until now formed part of the Netherlands Antilles – Bonaire, Sint Eustatius and Saba – will become part of the Netherlands, thus constituting ‘the Caribbean part of the Netherlands’. The agreements that now apply to the Netherlands Antilles will also continue to apply to these islands; however, the Government of the Netherlands will now be responsible for implementing these agreements.”</p> <p>“The following treaty is extended to the Caribbean part of the Netherlands (Bonaire, Sint Eustatius and Saba) as per 10 October 2010: Convention on combating bribery of foreign public officials in international business transactions, Paris, 17 December 1997.”</p>
<b>NETHERLANDS // NETHERLANDS ANTILLES</b>	12 January 2001	13 March 2001	<p>In depositing its instrument of ratification, the Government of Netherlands informed the OECD Secretary-General of the following:</p> <p>“Until further notice, the Convention will not apply to the Netherlands Antilles and Aruba.”</p>
<b>NEW ZEALAND // TOKELAU</b>	25 June 2001	24 August 2001	<p>In depositing its instrument of ratification, the Government of New Zealand informed the OECD Secretary-General of the following:</p> <p>“Consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-standing government for Tokelau through an act of self-determination under the Charter of the United Nations, this ratification shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the OECD Secretary-General as Depositary on the basis of appropriate consultation with that territory.”</p>
<b>SPAIN</b>	10 October 2013	15 October 2013	<p>In a Note Verbale dated 10 October 2013, the Government of Spain informed the OECD Secretary-General of the following:</p> <p>“... suite à la décision prise par le Royaume-Uni d’étendre à Gibraltar l’application de la Convention sur la lutte contre la corruption d’agents publics étrangers dans les transactions économiques internationales, du 21 novembre 1997, souhaite rappeler, au nom du Gouvernement espagnol, ce qui suit :</p> <p>1. Gibraltar est un territoire non autonome dont les relations extérieures sont sous la responsabilité du Royaume-Uni et qui fait l’objet d’un processus de</p>

		<p>décolonisation en accord avec les décisions et résolutions pertinentes de l'Assemblée générale des Nations Unies.</p> <p>2. Les autorités de Gibraltar ont un caractère local et exercent des compétences exclusivement internes qui trouvent leur origine et leur fondement dans une distribution et une attribution de compétences effectuées par le Royaume-Uni, conformément aux dispositions de sa législation interne, en sa qualité d'Etat souverain dont dépend ledit territoire non autonome.</p> <p>3. Dès lors, la participation éventuelle des autorités gibraltariennes à l'application de ladite convention sera réputée se dérouler exclusivement dans le cadre des compétences internes de Gibraltar, et ne pourra être considérée comme modifiant quoi que ce soit les dispositions des deux paragraphes précédents. Par conséquent, les mesures suivantes devront être respectées :</p> <p>a) toutes les communications entre l'Organisation, et ses organes, et Gibraltar doivent se faire par l'intermédiaire des autorités britanniques, seules responsables des relations internationales, de tous ordres, de Gibraltar ; de même, toutes les communications entre les autorités des Etats parties à la convention et Gibraltar doivent se faire par l'intermédiaire des autorités britanniques, seules responsables des relations internationales, de tous ordres, de Gibraltar ;</p> <p>b) la présence de Gibraltar auprès de tout organe de l'OCDE doit se faire sous l'intitulé suivant : « Gibraltar, overseas territory of the United Kingdom » ;</p> <p>c) les autorités britanniques – et non les autorités gibraltariennes – sont seules responsables devant l'OCDE de l'application des mesures qu'elles pourraient éventuellement prendre à l'égard du territoire de Gibraltar.</p> <p>4. La procédure prévue dans les arrangements concernant les autorités de Gibraltar dans le contexte de certains traités internationaux, adoptés par l'Espagne et le Royaume-Uni le 19 décembre 2007 (ainsi que les « arrangements concernant les autorités de Gibraltar dans le contexte des instruments de l'UE et de la CE et des traités connexes », du 19 avril 2000), s'applique à ladite Convention sur la lutte contre la corruption d'agents publics étrangers dans les transactions économiques internationales, du 21 novembre 1997.</p> <p>5. L'application de ladite convention à Gibraltar ne saurait être interprétée</p>
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			comme une reconnaissance d'un quelconque droit ou d'une quelconque situation concernant les espaces non visés à l'article X du Traité d'Utrecht, du 13 juillet 1713, conclu entre les couronnes d'Espagne et du Royaume-Uni. ”
<b>SWITZERLAND</b>	5 November 2003	6 November 2003	In a letter dated 5 November 2003, the Government of Switzerland informed the OECD Secretary-General of the following: “En date du 1er octobre 2003 sont entrés en vigueur les articles 100 quarter et quinquies du Code pénal suisse portant sur la responsabilité de l'entreprise [...]. Au nom du Gouvernement suisse j'ai donc l'avantage de vous signaler que la Suisse répond maintenant à la totalité des obligations découlant de la Convention. La déclaration faite par la Suisse lors de la ratification de la Convention est dès lors devenue sans objet.”
<b>SWITZERLAND</b>	31 May 2000	30 July 2000	In depositing its instrument of ratification, the Government of Switzerland informed the OECD Secretary-General of the following: “A cette occasion, le Conseil fédéral souhaite préciser que la législation suisse ne permet pas actuellement de recourir à des sanctions pénales à l'encontre des personnes morales comme le prévoient les articles 2 et 3 de la Convention. Dans le cadre de la révision du code pénal suisse, le Conseil fédéral a soumis au Parlement une proposition, déjà approuvée par la première Chambre, qui viendrait compléter la législation suisse et ouvrirait la voie à une application optimale desdites dispositions de la Convention.”
<b>UNITED KINGDOM // GIBRALTAR</b>	21 May 2013 17 September 2013	12 August 2013	In a letter dated 21 May 2013, as amended on 17 September 2013, the Government of the United Kingdom informed the OECD Secretary-General of the following: “the Government of the United Kingdom and Northern Ireland declares that the United Kingdom's ratification of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions shall be extended to the territory of Gibraltar, for whose international relations the United Kingdom is responsible.”
<b>UNITED KINGDOM // BRITISH VIRGIN ISLANDS</b>	19 July 2013	12 August 2013	In a letter dated 19 July 2013, the Government of the United Kingdom informed the OECD Secretary-General of the following: “the Government of the United Kingdom and Northern Ireland wishes the United Kingdom's ratification of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions to be

			extended to the territory of the British Virgin Islands, for whose international relations the United Kingdom is responsible.”
<b>UNITED KINGDOM // CAYMAN ISLANDS</b>	22 September 2010	23 September 2010	In a letter dated 22 September 2010, the Government of the United Kingdom informed the OECD Secretary-General of the following: “The Government of the United Kingdom of Great Britain and Northern Ireland wishes the United Kingdom’s Ratification of the Convention to be extended to the territory of the Cayman Islands for whose international relations the United Kingdom is responsible.”
<b>UNITED KINGDOM // JERSEY &amp; GUERNESEY</b>	16 November 2009	17 November 2009	In a letter dated 16 November 1999, the Government of the United Kingdom informed the OECD Secretary-General of the following: “The Government of the United Kingdom of Great Britain and Northern Ireland wishes the United Kingdom’s Ratification of the Convention to be extended to the following territories for whose international relations the United Kingdom is responsible: Bailiwick of Jersey, Bailiwick of Guernsey.”
<b>UNITED KINGDOM // ISLE OF MAN</b>	6 June 2001	7 June 2001	In a letter dated 6 June 2001, the Government of the United Kingdom informed the OECD Secretary-General of the following: “The said Convention shall extend to the Isle of Man, being a territory for whose international relations the Government of the United Kingdom is responsible.”
<b>UNITED STATES</b>	8 December 1998	15 February 1999	In depositing its instrument of ratification, the Government of the United States informed the OECD Secretary-General of the following: “Extradition -- The United States shall not consider this Convention as the legal basis for extradition to any country with which the United States has no bilateral extradition treaty in force. In such cases where the United States does have a bilateral extradition treaty in force, that treaty shall serve as the legal basis for extradition for offenses covered under this Convention.”