LEAGUE OF ARAB STATES
General Secretariat

ARAB ANTI-CORRUPTION CONVENTION
Preamble:
The signatory Arab states,

Convinced that corruption is a crime that takes many forms with negative impacts on moral values, political life, the economy and society;
Considering that fighting corruption is not limited to Government authorities but also includes individuals and civil society organizations which shall play an effective role in this regard;
Desirous to put into effect Arab and international efforts to fight corruption with the aim of facilitating international cooperation in this field, particularly with regard to the extradition of offenders, the provision of mutual judicial assistance and the restitution of assets;
Convinced of the need for an Arab cooperation to prevent and fight corruption in view of its transnational nature;
Committed to the religious and moral principles of the monotheistic religions, including the those enshrined in Islamic sharia, as they appear in the aims of the Charter of the League of Arab States and the United Nations Charter as well as in Arab, regional and international treaties and conventions in the fields of judiciary, judicial and security cooperation to prevent and fight corruption-related crime and to which the Arab States are party, including the UN Convention Against Corruption (UNCAC).

It has been agreed as follows:

Article 1
Definitions

For the purposes of the present Convention, the following words and phrases are defined as follows:

1. State party: any State Party of the League of Arab States which has ratified or acceded to the present Convention and deposited the ratification or accession instruments at the General Secretariat of the League.

2. Public official: any person who works in public employment or who is considered a public official according to the laws of the State Party in the executive, legislative, judicial or administrative fields, whether such person is appointed or elected, temporarily or permanently, or charged with public service in the State Party, with or without remuneration.

3. Foreign public official: any person who holds a legislative, executive, administrative or judicial position in a foreign country, whether such person is appointed or elected, temporarily or permanently, and any person who holds a public office serving a foreign country or a foreign public body or institution.

4. Official of an international public organization: any international civil servant or official or any person appointed by an international public organization to act on its behalf.

5. Property: any kind of asset, whether material or intangible, movable or immovable, and all such securities or legal instruments that prove ownership of such assets or a right thereon.

6. Proceeds of crime: any assets derived or obtained, directly or indirectly, from the commission of any act of corruption criminalized under the present Convention.

7. Freezing or restraint: the imposition of a temporary ban on the transfer, exchange, disposal or movement of property, or the temporary assumption of custody or control of property, on the basis of order made by a court of law or such other competent authority.

8. Confiscation: the permanent removal of property by order of a court of law or such other competent authority.

9. Controlled extradition: allowing illegal or suspicious operations to leave the territory of one or several states, or to pass through or enter, with the knowledge of the competent authorities and under their supervision, with the
aim of investigating acts of corruption punished by the relevant provisions of the present Convention and discovering the identity of the persons involved in their commission.

Article 2
Aims of the Convention

This Convention aims to:
— Foster measures to prevent, fight and uncover all forms of corruption and other offences related to its commission, and the prosecution of its perpetrators.
— Foster integrity, transparency, accountability and the rule of law.
— Encourage individuals and civil society organizations to take an active part in preventing and fighting corruption.

Article 3
Protection of sovereignty

1 — State Parties shall honour their commitments under the present Convention in a manner that agrees with the principles of equality of state sovereignty, regional peace and non-intervention in the internal affairs of other states.
2 — Under the present Convention, no State Party is allowed to assume jurisdiction on the territory of another state and perform functions that are limited to the authorities of that state according to its domestic legislation.

Article 4
Criminalization

Considering that the description of acts of corruption, criminalized by the present Convention, is subject to the laws of the State Party, each state, according to its domestic legislation, shall adopt the necessary legal and other measures to criminalize the following acts when committed intentionally:
1 — Bribery of a public official.
2 — Bribery in public sector companies, joint-stock companies, associations and institutions of a public interest nature.
3 — Bribery in the private sector.
4 — Bribery of foreign public officials and officials of public international organizations in connection with international trade within a State Party.
5 — Influence-peddling.
6 — Abuse of public office.
7 — Illicit enrichment.
8 — Laundering of proceeds of crime.
9 — Concealing of proceeds of crime obtained from the acts stipulated in the present Article.
10 — Obstructing the course of justice.
11 — Misappropriation of public property and its unlawful acquisition.
12 — Misappropriation of the property of joint-stock companies, public-interest private associations and in the private sector.
13 — Participation or attempt in the offences stipulated in the present Article.

Article 5
Liability of legal persons

Each State Party shall adopt the necessary measures, in accordance with its domestic legislation, to determine the criminal, civil or administrative liability of any legal person for the offences stipulated in the present Convention, without prejudice to the criminal liability of physical persons.

Article 6
Criminal prosecution and trial

1 — Each State Party shall take the necessary measures, in accordance with its domestic legislation, to ensure the competent investigative authority or court has the right to access or obtain any data or information related to bank accounts when investigating the facts regarding any offence under the present Convention.
2 — With respect to those offences provided for under the present Convention, each State Party shall take the appropriate measures, in accordance with its domestic legislation, to ensure the presence of the accused at investigative and trial proceedings when he is at liberty, while taking into account the rights of the defence.

3 — Each State Party shall take, in accordance with its domestic legislation and constitutional principles, the necessary measures to establish or maintain an appropriate balance between any immunity or privilege granted to public officials for the sake of performing their duties and the possibility of undertaking, where necessary, effective investigation, prosecution and trial of acts punished under the present Convention.

4 — Each State Party shall prosecute any offence included in the present Convention subject to penalties that take into account the seriousness of the offence. Determined penalties for the mentioned offences shall be increased, according to the provision of the Criminal Code, in case of relapse.

5 — Each State Party, in accordance with its domestic legislation and where required, shall consider imposing any secondary or additional punishment on those convicted of offences under the present Convention.

6 — Each State Party shall define, in accordance with its domestic legislation, a statute of limitation for any offence under the present Convention.

**Article 7**

Freezing, seizure and confiscation

1 — As far as possible, each State Party shall adopt, in accordance with its domestic legislation, all necessary measures to enable the confiscation of:
   a) The proceeds of crime deriving from offences under the present Convention, or assets whose value is equivalent to the value of those proceeds.
   b) Property, equipment or other instruments used or intended to be used in the commission of an offence under the present Convention.

2 — Each State Party shall take the necessary measures for the identification, tracking, seizure, freezing of any of the things indicated in paragraph (1) of the present Article with the aim of their confiscation.

3 — Where the proceeds of crime, in part or in whole, are transferred or exchanged for other property, this property, rather than the proceeds, shall be subject to the measures provided under the present Article, even if the offender has transferred ownership to others.

4 — Where the proceeds of crime are mixed with property acquired lawfully, such property shall be subject to confiscation within the limits of the estimated value of these proceeds, without prejudice to any power connected to their freezing or restraint.

5 — The measures indicated in the present Article shall also apply in the same fashion and to the same extent as for the proceeds of crime to revenues or other financial benefits derived from the proceeds of crime, or from the property into which these proceeds were been converted or exchanged, or from the property with which these proceeds have been mixed.

6 — State Parties may consider the possibility of obliging an offender to prove the legitimacy of alleged proceeds of crime or other property subject to confiscation, to the extent that this obligation conforms with domestic laws and the nature of judicial and other measures.

7 — Each State Party shall adopt the legal and other measures necessary to organize, administer and use frozen, seized, confiscated or abandoned property which is the proceeds of crime, in accordance with its domestic legislation. Such measures shall include criteria for the return of property which is still under the disposal of the person who has a right to it. Each State Party shall also consider measures for the administration or use of abandoned property and the length and standardization of time periods for property to be deemed abandoned.

8 — The provisions of the present Article shall not be interpreted so as to prejudice the rights of *bona fide* third parties.

**Article 8**

Compensation for damage

Each State Party shall provide in its domestic legislation that all those that suffered damage as a result of an act of corruption, under the present Convention, shall have the right to bring an action for compensation for such damage.

**Article 9**

Jurisdiction
1 — Offences under the present Convention are subject to the jurisdiction of the State Party in any of the following circumstances where:

   a) the offence, or any of its material supporting acts, is committed on the territory of the State Party;
   b) the offence is committed on board a ship under the flag of the State Party or an aircraft registered under its laws at the time of the commission of the offence;
   c) the offence is committed against the State Party or one of its nationals or residents;
   d) the offence is committed by one of the nationals of the State Party, a person ordinarily resident in its territory or a stateless person ordinarily resident in its territory;
   e) the offence is one of the acts punished under Article 4.6 of the present Convention and is committed outside the territory of the State Party with the intent of committing the criminal act within its territory;
   f) the accused is a national present on the territory of a State Party which shall not extradite him.

2 — Each State Party shall adopt the measures necessary to make the acts criminalized by the present Convention subject to its legal jurisdiction when the perpetrator of such acts is present on its territory and it will not extradite him.

3 — Where the State Party, exercising jurisdiction under this provision, has been notified, or has come to know in any another way, that another State Party or Parties is (are) conducting investigations or prosecution or taking legal measures regarding the same conduct, then the competent authorities in that State Party or Parties shall consult together and coordinate all such steps that may have to be taken.

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**Article 10**

**Measures for prevention and fight against corruption**

1 — Each State Party shall, in accordance with its laws, lie down, implement and consolidate effective and coordinated policies to prevent and fight corruption. This shall include the strengthening of community participation and the application of the principles of the rule of law, good administration of public affairs and property, integrity, transparency and accountability.

2 — Each State Party shall endeavour to establish effective means to prevent corruption.

3 — Each State Party shall endeavour to carry out periodic assessments of relevant laws and administrative measures with a view to reporting on their performance in preventing and fighting corruption.

4 — Each State Party shall endeavour, in accordance with its domestic legislation, to adopt, consolidate and support systems that institute transparency and prevent conflicts of interest between employees and their employers, be they in the public or private sectors.

5 — Each State Party shall endeavour to implement, in accordance with its domestic legislation and system, record-keeping and codes of conduct for the correct, honourable and safe discharge of public office.

6 — Each State Party shall also consider, in accordance with its domestic legislation, establishing measures and systems to facilitate the reporting, by public officials, to the relevant authorities, of any act of corruption that came to their knowledge in the course of their duties.

7 — Each State Party shall take the necessary steps to create systems based on transparency, competition and objective standards in connection with public procurement and tendering procedures with the aim of preventing corruption.

8 — With a view to prevent corruption in the private sector, each State Party shall take the necessary measures, in accordance with its domestic legislation and regulations governing record-keeping, disclosure of financial data, audit standards and review of accounts, to prevent any such deeds with the intention of committing any of the acts punished under the present Convention:

   a) Creating accounts off the books.
   b) Executing transactions off the books or without adequate explanation.
   c) Recording fabricated expenditure.
   d) Entering into financial obligations without explaining their purpose truthfully.
   e) Using forged documents.
   f) Deliberate destruction of accounting documents before the lapse of the time permitted at law.

9 — State Parties shall cooperate with each other and with relevant international and regional organizations as may be necessary, and in accordance with their domestic legislations, to strengthen and develop the measures referred to under the present Article. Such cooperation may include participation in international programmes and projects for the prevention of corruption.

10 — Each State Party, in accordance with its domestic legislation, shall ensure the existence of an agency or agencies, as needed, to prevent and fight corruption, by means such as:

   a) implementation of the policies referred to in the present Article and monitoring of implementation as required;
b) increasing and circulating knowledge related to the prevention of corruption.

11 — Each State Party, in accordance with its domestic legislation, shall grant the agency or agencies referred to under paragraph above the necessary independence to enable it/them to discharge its/their duties effectively and free from any undue influence. The necessary material resources and specialist staff shall be provided as well as the training needed for the staff to carry out their duties.

**Article 11**

**Civil society participation**

Each State Party shall take appropriate measures to encourage civil society organizations to participate effectively in the prevention and combating corruption and shall support such participation by measures like:

1 — raising awareness among society on the fight against corruption, the causes and seriousness of corruption and the threat it represents to the interests of society at large.

2 — conducting media campaigns to reject corruption as well as awareness programmes, including school and university curricula.

3 — informing people about the competent anti-corruption agencies referred to in the present Convention and providing them with means to contact those agencies so as to inform them of any incidents which may be seen as constituting an act criminalized by the present Convention.

**Article 12**

**Independence of the judiciary and public prosecution**

Considering the importance of independence of the judiciary and its decisive role in fighting corruption, each State Party shall, in accordance with its domestic legislation, adopt all that guarantees and strengthens the independence of the judiciary and prosecutors, support their integrity and provide them with the necessary protection.

**Article 13**

**Sanctions for acts of corruption**

While giving due consideration to the rights acquired by *bona fide* third parties, each State Party shall, in accordance with its domestic legislation, adopt measures to punish corruption. In this context, State Parties may take corruption into consideration as an important factor when taking legal steps to cancel or revoke a contract, withdraw a concession or other similar arrangements, or taking any other remedial measure.

**Article 14**

**Protection of informers, witnesses, experts and victims**

State Parties shall provide the necessary legal protection to informers, witnesses, experts and victims who give evidence relating to the acts criminalized by the present Convention. This shall include protecting their relatives and those closely connected to them from any possible act of revenge or intimidation. Such means shall include:

1 — Providing protection in their places of residence.

2 — Not disclosing information relating to their identity or location.

3 — Informers, witnesses, experts and victims giving evidence in a fashion that ensures their safety, such as by the use of communications technology.

4 — Taking punitive measures against anyone who discloses information relating to the identity or location of informers, witnesses, experts or victims.

**Article 15**

**Victim support**

1 — Each State Party shall lay down appropriate procedural rules to provide victims of the offences included in the present Convention with the means to obtain compensation and remedy.

2 — Each State Party shall give, subject to its domestic legislation, the chance for victims to air their views and for those views to be taken into account at the appropriate stages of the criminal proceedings instituted against offenders, without prejudice to the rights of the defence.
Article 16
Cooperation in law enforcement

State Parties shall cooperate closely, in accordance with their domestic legal and administrative systems, in order to ensure the effective enforcement of law to prevent and combat the offences included in the present Convention. Such cooperation shall include:
1 — Exchange of information on the means and forms used to commit or conceal offences under the present Convention, including offences committed by using new technology, and to enable early detection.
2 — Cooperation in investigative procedures concerning the identities of persons suspected of involvement in offences under the present Convention and their locations and activities, and the movement of proceeds and property derived from the commission of such offences.
3 — Exchange of experts.
4 — Cooperation in the provision of technical assistance to prepare programmes or hold joint training workshops, or those particular to one State Party or a group of State Parties as required for those working in the field of prevention and fighting of the offences under the present Convention, with a view to develop their knowledge and practical capacities and enhance their performance.
5 — Training sessions and seminars on the prevention and suppression of the offences under the present Convention.
6 — The undertaking and exchanging research, studies and expertise related to the prevention and suppression of the offences under the present Convention.
7 — Development of a database of national laws, investigation techniques and best practice relating to the prevention and suppression of the offences under the present Convention.

Article 17
Cooperation with law enforcement authorities

1 — Each State Party shall take appropriate measures to encourage those who are, or have been, party to the commission of an offence under this Convention to provide useful information to the competent authorities for the purposes of investigation and collection of evidence, and to provide specific effective assistance to the competent authorities which may help to deprive offenders of the proceeds of crime and restore these proceeds.
2 — Each State Party shall consider, in the appropriate circumstances, alleviating the sentence of an accused person who offered substantial assistance in the investigative or prosecution process with respect to an offence under the present Convention.
3 — Each State Party shall consider the possibility of an amnesty from prosecution, in accordance with its domestic legislation, for any person who offered substantial assistance in the investigative or prosecution process with respect to an offence under the present Convention.
4 — Such persons shall be protected as stipulated under Article 14 of the present Convention, taking account of the requirements of different circumstances.
5 — When the person referred to in paragraph (1) of the present Article is present on the territory of a State Party and is able to offer substantial assistance to the competent authorities of another State Party, the two State Parties concerned may consider ratifying agreements or arrangements, in accordance with their domestic legislations, to enable the other State Party to provide the treatment as specified in paragraphs 2 and 3 of the present Article.

Article 18
Cooperation between national authorities

Each State Party shall, in accordance with its domestic legislation, take the necessary measures to ensure cooperation between its public authorities, and also between its public officials and its criminal investigation and prosecution authorities. Such cooperation shall include:
1 — notification of investigative authorities when there are reasons to believe that any of the acts criminalized under Article 4 of the present Convention was committed.
2 — provision of the investigative authorities with all the necessary information at their request.

Article 19
Cooperation between national authorities and the private sector
1 — Each State Party shall, in accordance with its domestic legislation, take the necessary measures to ensure cooperation between the national authorities concerned with investigation and prosecution and private sector entities, in particular financial authorities, in matters related to the commission of acts criminalized under the present Convention.

2 — Each State Party shall consider encouraging its citizens and other people regularly residing on its territory to inform the national authorities concerned with investigation and prosecution of the commission of an offence under the present Convention.

Article 20
Mutual judicial assistance

1 — State Parties shall extend each other the maximum possible mutual judicial assistance in investigations, prosecutions and judicial procedures connected with offences under the present Convention.

2 — Mutual judicial assistance shall be provided in the most complete form possible under the laws of the requested State Party and under its relevant treaties, agreements and arrangements in connection with investigations, prosecutions and judicial procedures pertaining to offences for which a legal person may be held to account in pursuance of Article 5 of the present Convention in the requesting State Party.

3 — A request for judicial assistance may be made under the present Convention for any of the following purposes:
   a) To obtain evidence or witness statements.
   b) To serve judicial documents.
   c) To execute inspection, seizure and freezing [of assets].
   d) To check objects and examine locations.
   e) To provide information, material, evidence and expert assessment.
   f) To provide relevant original documents and records, including government or banking records or those of commercial companies or facilities, or certified copies thereof.
   g) To determine the proceeds of crime or property, instruments or other things, or to trace them for probative purposes.
   h) To facilitate the voluntary production of people in the requesting State Party.
   i) Any other kind of assistance which does not infringe the domestic legislation of the requested State Party.
   j) Disclosure, freezing and tracking of the proceeds of crime.
   k) Restitution of property in accordance with Article 27 of the present Convention.

4 — Each State Party may adopt the necessary legal or other measures, according to the conditions and purposes it deems appropriate, for any previous conviction against the accused in another state to be taken into account, with a view to using that information in criminal proceedings related to an offence under the present Convention.

5 — Each State Party shall designate a central authority with the responsibility and powers to receive requests for mutual judicial assistance and accommodate these requests or transfer them to a competent authority for action. Where the State Party has a particular region or territory with an independent system of mutual judicial assistance, it may designate a separate central authority to undertake the same task in that region or territory. The central authorities shall ensure the implementation or transfer of received requests in a timely and appropriate fashion. When the central authority transfers the request to a competent authority for action, it shall encourage that competent authority to act on the request in a timely and correct fashion. The Secretary-General of the League of Arab States shall be notified of the name of the central authority designated for this purpose at the time when the State Party deposits the instrument of its ratification or accession to the present Convention. Requests for mutual judicial assistance and any related correspondence shall be directed to the central authorities designated by the State Parties. This shall be without prejudice to the right of any State Party to stipulate that such requests and correspondence be directed via diplomatic channels. In urgent cases, when the two concerned State Parties agree, they may be directed via the Arab Criminal Police Bureau under the auspices of the General Secretariat of the Counsel of Arab ministers of interior, where possible.

6 — A request for mutual judicial assistance shall include:
   a) The identity of the requesting authority.
   b) The matter and nature of the investigation, prosecution or legal proceeding relating to the request, and the name and functions of the authority undertaking the investigation, prosecution or judicial process.
   c) A summary of the facts related to the matter, with the exception of requests for the purpose of serving judicial documents.
d) A description of the assistance sought and details of any specific measures that the requesting State Party wishes to be followed.

e) The identity, location and nationality of any concerned person, where possible.

f) The purpose for which evidence, information or measures are sought.

7 — The requested State Party may request further information when necessary to implement the request in accordance with its domestic legislation, or when that might facilitate such implementation.

8 — The request shall be acted upon in accordance with the domestic legislation of the requested State Party as well as in accordance with the procedures specified in the request, wherever possible, as long as this does not conflict with the domestic legislation of the requested State Party.

9 — The requesting State Party may not disclose any information or evidence provided by the requested State Party, or use it in investigations, prosecutions or judicial proceedings other than those stated in the request, without prior agreement from the requested State Party. This paragraph does not prevent the requesting State Party from disclosing in its proceedings information or evidence that acquits an accused person. In this case, the requesting State Party shall notify the requested State Party, prior to disclosure, and shall consult with the requested State Party if so asked. If, exceptionally, it is not possible to make prior notification, the requesting State Party shall inform the requested State Party of the disclosure without delay.

10 — The requesting State Party may require that the requested State Party maintain the confidentiality of the request and its contents, with the exception of the amount needed to implement it. If the requested State Party is unable to fulfill the condition of confidentiality, it shall notify the requesting State Party accordingly without delay.

11 — Mutual judicial assistance may not be granted where:

a) the request is not made according to the provisions of the present Article;

b) the requested State Party deems that implementing the request infringes its sovereignty, security, public order or other vital interests;

c) the requested State Party's domestic legislation forbids its authorities from implementing the requested measure with respect to any kindred offence, were that offence to be subject to investigation, prosecution or judicial proceedings in the context of its own jurisdiction;

d) meeting the request conflicts with the domestic legislation of the requested State Party.

12 — The State Party may not refuse a request for mutual judicial assistance simply because the offence is considered to be related to financial matters.

13 — Grounds for any refusal of mutual judicial assistance shall be given.

14 — The requested State Party shall implement the request for mutual judicial assistance as quickly as possible and take into consideration to the greatest extent possible the time periods proposed by the requesting State Party, preferably with the reasons being stated in the request itself. The requesting State Party may present reasonable inquiries to obtain information about the status of the measures taken by the requested State Party to meet the request and current progress. The requested State Party shall respond to reasonable inquiries from the requesting State Party as to the status of the request and progress achieved in dealing with it. The requesting State Party shall promptly inform the requested State Party when there shall be no more need for the assistance sought.

15 — The requested State Party may postpone mutual judicial assistance on the grounds that it conflicts with ongoing investigations, prosecutions or judicial procedures.

16 — (a) The requested State Party, in response to a request for assistance, pursuant to the present Article in the absence of dual criminality, shall take into consideration the aims of the present Convention as stated under Article 2.

(b) The State Party may refuse to provide assistance pursuant to the present Article for lack of dual criminality. It may offer assistance that does not involve a compulsory measure and it may refuse to offer such assistance when it is related to frivolous requests or matters in which the cooperation or assistance sought is provided under other provisions of the present Convention.

(c) Each State Party may consider adopting measures it may deem necessary to be able to provide broader assistance, pursuant to the present Article, in the case of a lack of dual criminality.

17 — Before any request is refused, pursuant to paragraph (1)1 of the present Article, or the deferment of its implementation, pursuant to paragraph (1,5) of the present Article, the requested State Party shall consult with the requesting State Party to consider the possibility of offering assistance dependant on any conditions or provisions it may deem necessary. If the requesting State Party accepts this conditional assistance, it shall fulfill these conditions.

18 — Any detained person or any person serving his sentence on the territory of a State Party whose presence in another State Party is requested for the purposes of identifying persons, giving evidence or offering other such assistance to obtain evidence for investigations, prosecutions or judicial proceedings related to offences under the present Convention may be extradited, provided the following two conditions are satisfied:
a) the person freely and knowingly agrees; and
b) the competent authorities in the two State Parties agree, dependant on the conditions the two State Parties deem appropriate.

19 — For the purposes of paragraph (1)(b) of the present Article:

(a) The State Party to which the person is to be transferred is authorized and obliged to keep him in detention, as long as the State Party from which the person has been extradited has not requested otherwise or given permission otherwise.

(b) The State Party to which the person is to be extradited shall, without delay, carry out its obligation to return him to the custody of the State Party from which he was extradited in accordance with what was initially agreed, or in any other fashion, between the competent authorities of the two State Parties.

(c) The State Party to which the person has been extradited may not make the return of this person conditional on the initiation of extradition proceedings by the State Party from which he had been transferred.

(d) The time spent in detention in the State Party to which he has been transferred shall be deducted from the sentence imposed in the State Party from which he has been transferred.

20 — A person, of any nationality, by the extradited person in accordance with paragraphs 18 and 19 of the present Article may not be prosecuted, detained, punished or have his personal liberty restricted in any other way on the territory of the State Party to which he has been transferred because of an act or acts or a conviction prior to his leaving the territory of the State from which he was transferred, as long as such State does not agree.

21 — A State Party may not refuse to provide mutual judicial assistance pursuant to the present Article on grounds of banking confidentiality.

22 — When a person is present on the territory of a State Party and his oral testimony is required, as a witness or expert, before the judicial authorities of another State Party, and that that is possible and in conformity with the domestic legislation, the first State Party may, on the basis of a request made by the second State Party, allow a hearing to be held him by means of direct broadcast, if it is not possible or advisable for the concerned person to appear in person on the territory of the requesting State Party.

23 — Without prejudice to domestic legislation, the competent authorities of a State Party can, without having received a prior request, send information related to criminal matters to the competent authority in another State Party, when it is believed this information might assist that authority to undertake or successfully conclude criminal investigations and proceedings or might lead to the other State Party making a request pursuant to the present Convention.

24 — Information pursuant to paragraph 5 of the present Article shall be sent without prejudice to ongoing criminal investigations and proceedings in the State of the competent authorities which provide the information. The competent authorities receiving the information abide by any request to keep the information secret, even if temporarily, or to impose restrictions on its use. This, however, shall not prevent the receiving State Party, in the context of its proceedings, from disclosing information to acquit an accused person. In this case, the receiving State Party shall inform the sending State Party before the disclosure of the information, and shall consult with the sending State Party if it is asked to do so. If, exceptionally, it is not possible to direct advanced notice, the receiving State Party shall inform the sending State Party before the disclosure of the information, and shall consult with the sending State Party if it is asked to do so. If, exceptionally, it is not possible to direct advanced notice, the receiving State Party shall inform the sending State Party of this disclosure without delay.

25 — Without prejudice to paragraph 20 of the present Article, no witness, expert or other similar person may be prosecuted, detained or punished on the basis of a request from a requesting State Party to give evidence in criminal proceedings or to assist in criminal investigations, prosecutions or proceedings in the territory of the requesting State Party, nor may they be subjected to any other measure that restricts their personal freedoms in that territory because of any act, omission or conviction prior to their leaving the territory of the requested State Party. This guarantee of immunity shall end when the witness, expert or other person, at his own volition, remains on the territory of the requesting State Party after he has been given the opportunity to leave for fifteen days, or any period agreed to by the two State Parties, starting from the date he was officially notified that his presence was no longer required by the judicial authorities, or when he returns to this territory of his own volition after having left it.

26 — The requested State Party shall meet the ordinary expenses of implementing the request, unless the two State Parties concerned agreed otherwise. If meeting the request requires large or unusual expenses, the two State Parties concerned shall consult to define the conditions and provisions governing the implementation of the request as well as the distribution of the burden of costs.

27 — (a) The requested State Party shall provide the requesting State Party with copies of the records, documents or governmental information in its possession that its domestic legislation allows to be made available to the public.

(b) Based on its assessment, the requested State Party may furnish to the requesting State Party, wholly or partially, or on the conditions it deems appropriate, copies of any records, documents or government information in its possession that its domestic legislation does not allow to be made available to the public.
28 — The provisions of the present Article shall apply to requests for legal assistance in cases where such State Parties are not bound by a treaty of mutual judicial assistance. Where such State Parties are bound by such a treaty, the provisions thereof shall apply and the State Parties shall apply the present Article if it facilitates cooperation.

Article 21

Cooperation for the Purposes of Confiscation

1. The requested State Party has full judicial mandate on a crime covered by the present Convention and has the right to confiscate all assets on its territory in terms of criminal proceeds or assets or instruments or other tools mentioned in paragraph (1) of Article 7 of the present Convention and has the right to carry out to an extreme measure, within its domestic laws, any of the following:

   a. To forward the request to its competent authorities; have them issue an order of confiscation and carry out that order once issued.

   b. To forward to its competent authorities the confiscation order issued by the court on the territory of the requesting State Party with the purpose of enforcing it.

2. As soon as it receives a request from another State Party that has judicial mandate over the crimes covered by the present Convention, the requested State Party shall take the necessary measures to expose the criminal proceeds or assets or instruments referred to in paragraph (1) of Article 7, pursuing it, or freezing it or detaining it with the purpose of confiscation via an order issued by the requesting State Party or the requested State Party according to paragraph (1) of the present Article.

3. The provisions of Article 20 of the present Convention shall apply to the present Article taking into consideration differences. In addition to the information referred to in paragraph (5) of Article 20, the requests submitted according to the present Article shall include the following:

   a. In the case of a request related to paragraph (1, a) of the present Article identifying the assets to be confiscated including the location of those assets and their estimated value, regardless of the relationship and depending on the facts that the requesting State Party relied on, it is enough for the empowerment of the requested State Party to issue the order within the framework of its domestic laws.

   b. In the case of a request related to paragraph (1, b) of the present Article, what is needed is a legally acceptable copy of the order of confiscation upon which the request relies and that is issued by the requesting State Party and a statement of the facts and information necessary for the carrying out the order and a statement that sets out the measures taken by the requesting State Party to issue a suitable notification to a bona fide third party and to ensure abiding by legal assets and a statement that the confiscation order is final.

   c. In the case of a request related to paragraph (2) of the present Article, a statement of the facts that the requesting State Party relied on in preparing its request, where available.

4. The requested State Party shall take the decisions and procedures referred to in paragraphs (1) and (2) of the present Article, in accordance with its domestic legislation and rules of procedure or any agreement or dual arrangement or multilateral agreement it is committed to in favour of the requesting State Party and according to the relevant provisions and regulations or the agreement or arrangement.

5. Every State Party shall provide the Secretary-General of the League of Arab States with copies of its laws and regulations that domesticate the present Article and copies of any changes introduced subsequently to such laws and regulations or a description of them.

6. If the State Party chooses to condition the measures referred to in paragraphs 1 and 2 of the present Article to the availability of a treaty on that matter, that State Party shall consider the present Convention as a sufficient treaty basis.
7. It is also allowed to refuse cooperation on the basis of the present Article or cancel temporary measures if the requested State Party does not receive enough evidence on time, or where the assets are of little value.

8. Before stopping any temporary measure taken according to the present Article, the requested State Party shall grant the requesting State Party, where possible, the chance to offer the reasons it has that require continuing this measure.

9. The provisions of the present Article shall not be interpreted in any manner that affects the rights of bona fide third parties.

Article 22
Transfer of Prosecution Procedures

State Parties to the present Convention may consider the possibility of transferring prosecution procedures concerning an act criminalized by the present Convention among them with purpose of concentrating this pursuit if this shall be in the interest of justice, especially when this concerns several judicial countries.

Article 23
Extradition of offenders

1. All the crimes covered by the present Convention are considered crimes in which the criminals can be delivered, according to any treaty for the extradition of criminals between State Parties. These shall avow to include these crimes among the crimes that are covered in each treaty of extradition of offenders concluded among them. A State Party whose law allows this shall not consider any of the crimes covered by the present Convention as a political crime if the present Convention is taken as a basis for the extradition.

2. This Article shall apply to the crimes covered by the present Convention when the person object of extradition is located in the territory of the requested State Party with the condition that the act for which extradition is requested is a criminal act according to the domestic legislations of both the requesting and the requested State Parties.

3. As an exception to paragraph (2) of the present Article, the State Party whose laws allow the extradition of a person charged with any of the crimes covered by the present Convention, even if the act is criminalized by its domestic legislation.

4. Where the request for extradition includes a number of separate crimes, one of which, at least, is subject to extradition according to the present Article, and where some of them may not be subject to extradition because of the period of imprisonment imposed on it, but is related to a crime covered by the present Convention, the requested State Party may enforce the present Article in respect of those crimes.

5. Where a requested State Party, which conditions extradition of offenders on the existence of a treaty – requests extradition of a person from another state with which it has no extradition treaty, it may consider the present Convention as a legal basis for extradition of any offender to which the present Convention applies.

6. The State Party that conditions extradition to the existence of a treaty shall:

   a. Inform the Secretary-General of the League of Arab States when it deposits its instrument of ratification or accession to the present Convention clarifying whether it shall consider the present Convention as its legal basis for cooperation on matters of extradition to all State Parties to the present Convention.

   b. Seek, where necessary, to sign extradition treaties with all the States Party to the present Convention with the purpose of activating the present Article when the present Convention is not the legal basis for cooperation on matters of extradition.
7. State Parties which does not condition extradition on the existence of a treaty to that effect may consider the crimes covered by the present Article as offences that allow extradition between State Parties.

8. Extradition is subject to domestic laws of the requested State Party or the extradition treaty abided by including the conditions associated with minimum punishment conditional to extradition and the reasons that the requesting State Party can use to deny extradition.

9. The State Party shall seek, according to its domestic legislation, to speed up the procedures of extradition and expedite all evidential requirements thereto concerning any crime covered by the present Article.

10. The requested State Party may, based on its domestic legislation and its extradition treaties and according to a request received from the requesting State Party, detain the person whose extradition is sought and who is present on its territory, as it may also take other suitable measures to ensure his presence and the extradition procedures once it is convinced that circumstances require it and that they are pressing circumstances.

11. In the event that the State Party where the offender is located fails to extradite him, for offences committed under the present Article, for the mere reason that he is one of its citizens, that State Party shall, based on the extradition request of the requesting State Party, refer the matter without delay to its competent authorities for further action. The competent authorities shall make a decision and take the measures they usually take on offenses considered serious by its domestic legislation. The State Parties concerned shall cooperate.

12. Where the domestic legislation of the State Party prohibits the extradition of one of its citizens or allows such extradition on condition that he shall be returned to that State Party to serve his sentence after trial or the procedures that it was requested to deliver that person for and this country agrees with the State Party that requested his extradition on this choice and on any other conditions they see fit, this conditional extradition is considered enough to fulfill the obligation specified under paragraph (11) of the present Article.

13. Where the extradition request for the purpose of enforcing a judicial sentence is refused on the grounds that the offender is a citizen of the requested State Party, it shall, if its domestic legislation so allows and according to the requirements of that legislation, consider according to a request from the requesting State Party to carry out the sentences delivered according to the domestic legislation of the requesting State Party or what remains of it.

14. Any person, against whom such proceedings are taken in respect of any of the crimes to which the present Article applies, shall enjoy decent and dignified treatment at all stages of the procedure, and shall enjoy all the rights and guarantees that are provided in the domestic legislation of the State Party where the person is located.

15. No provision of the present Convention may be construed as imposing a commitment to extradite if the requested State Party has enough reasons to believe that the request was submitted for the purpose of persecuting or punishing a person because of his race, sex, religion, nationality, ethnic origin, opinion or political stance, or if the compliance to the request may cause harm to the status of that person for any of these reasons.

16. The State Party shall not refuse a request for extradition on the pretext that the offence is considered a crime of a financial nature.

17. Before refusing extradition, the requested State Party shall consult, when necessary, with the requesting State Party and give it the full chance to submit its opinions and to offer information in support of its request.

Article 24
Extradition of Sentenced Persons

State Parties are entitled to look into the signing of dual or multilateral treaties or arrangements concerning the extradition of individuals who are handed over a prison sentence or other forms of deprivation of liberty
because of their commission of acts criminalized under the present Convention in their territories so that those individuals may complete their term of imprisonment there.

Article 25
Joint Investigations

State Parties shall consider the ratification of dual or multilateral agreements or arrangements that allow competent authorities to establish committees for joint investigation on matters under investigation or judicial procedures in one or several States and, where no such treaties or arrangements exist, they shall be allowed to carry out joint investigations through ad hoc agreements and on a case by case basis and the State Party concerned shall undertake to fully respect the sovereignty of the State Party on whose territory the investigation shall be carried out.

Article 26
Methods of Private Investigation

1. For the purpose of combating corruption in an effective manner, every State Party shall, in accordance with its domestic legislation and its capacities, take the necessary measures to enable its competent authorities to use the method of monitored extradition in a suitable manner and also, when suitable, to follow measures of investigation such as electronic surveillance and other kinds of surveillance and in secret cases find a suitable use in its region. Also, the courts of law shall accept what results from such methods of investigation in terms of evidence.

2. In the investigation of the offences covered by the present Convention, State Parties shall encourage the ratification, where necessary, of bilateral or multilateral conventions or agreements suitable to the use of methods of private investigation, this in the context of cooperation on the international level; such treaties or agreements shall be ratified and enforced in full compliance with the principle of equal sovereignty while implementing it in strict adherence to the rules of such treaties or agreements.

3. Where no such treaty or arrangement exist in the manner referred to in paragraph (2) of the present Article, decisions shall be made concerning using the methods of private investigation on a case by case basis; where necessary, financial arrangements and agreement on judicial jurisdiction shall be made by the State Parties concerned.

4. Upon approval of the State Parties concerned, decisions relating to the use of the method of monitored extradition may be made on the international level, such as the interception of the goods or funds and the decision to allow same to move on safely or ignore them or exchange them totally or partly.

Article 27
Return of assets

The return of assets is considered a basic principle in the present Convention and State Parties shall offer to one another help and assistance in that respect.

Article 28
Prevention and Divulgence of Referral of Criminal Proceeds

1. Every State Party shall take all the necessary measures in accordance with its domestic legislation to force financial authorities that operate under its jurisdiction to investigate the identity of the clients and to take sensible steps to uncover the identity of owners who benefit from the money deposited in accounts of high value and to carry out detailed investigations on the accounts that are required to be opened by or kept by or on behalf of individuals assigned or were previously assigned to carry out important public offices or the members of their families or individuals closely associated with them. Such detailed investigation shall be designed in a reasonable manner that allows pinpointing the suspicious dealings so as to inform the competent authorities about them, it is not required that they be construed as preventing financial authorities from dealing with any legal client.
2. Every State Party, in accordance with its domestic legislation and guided by the related initiatives taken by regional and international organizations to combat money laundering by:
   a. Issuing instructions regarding the types of natural and legal persons which fall under its jurisdiction and regarding the financial authorities whose accounts they are expected to accurately audit and the types of accounts and transactions they are expected to give due concern to the measures to be taken in terms of the opening of accounts and the keeping of the books of these accounts, bearing in mind the measures it is expected to take regarding such accounts.
   b. Informing the financial authorities under its jurisdiction, when required and upon a request by another State Party, of the identity of specific natural or legal persons, and it is expected from these institutions to thoroughly examine their accounts in addition to those that the financial authorities can identify in another way.

3. Each State Party shall ensure that its financial authorities keep, for a suitable period, records of the accounts and transactions relevant to the afore-mentioned persons in paragraph (1) of the present Article, provided that these records include at least the identity of the client and as much information as possible on the beneficial owner.

4. With the aim of preventing and unveiling the practices of transfer of illicit revenues, as defined in the present Convention, each State Party shall adopt effective and appropriate measures to prevent, with the aid of its supervisory and monitoring agencies, the establishment of banks which have no financial presence and are not part of a financial group subject to supervision. Moreover, State Parties may consider instructing their financial authorities to refuse making or pursuing any business relationship with a correspondent bank with these institutions and to refrain from entering into any business dealing with foreign financial authorities that allow banks without financial presence and not part of financial group to use its accounts.

5. Each State Party may consider drawing-up effective methods for financial statement declaration, in accordance with its domestic legislation, in respect of public employees and set proper penalties for non-compliance. Each State Party may consider adopting measures allowing its competent authorities to share information with the competent authorities of other State Parties when necessary to investigate illicit revenues, according to the present Convention, and recover such revenues.

6. Each State Party shall consider adopting the necessary measures, in accordance with its domestic legislation, to oblige the public servants concerned who have bank accounts in foreign countries or power of signature or by proper records relevant to such accounts to inform the competent authorities of this relation and keep the relevant proper records. These measures shall include penalties for non-compliance.

Article 29
Private Cooperation

Each State Party shall seek, without prejudice to its domestic legislation, to adopt measures that enable it to transmit, without tampering with its investigation or legal proceedings, information about criminal proceeds, according to the Convention, to another State Party without prior request, if it sees that the disclosure of such information may help the requested State Party to reach conclusions or conduct inquiries or legal proceedings or help that State Party file a request under the provisions of the present Article.

Article 30
Recovery and disposal of assets

1. Assets confiscated by a State Party under Articles 7 and current of the present Convention may be returned by that State Party to its legitimate owner, as provided under paragraph (3) of the present Article, according to the present Convention and its domestic legislation.

2. Each State Party shall approve, in accordance with its domestic legislation, legislation and other measures to enable its competent authorities, when taking a specific action upon request by another State Party, to return the confiscated property under the terms of the present Convention, while safeguarding the rights of bona fide third parties.
3. According to Articles 20 and 21 of the present Convention and paragraphs (1) and (2) of the present Article, the requested State Party shall:
   a. In case of embezzlement or laundering of public funds, as referred to in sub-paragraphs (h), (k) and (l) of Article 4 of the present Convention, when the confiscation is carried out according to Article 21 and based on a final decision issued by the requesting State Party, the requested State Party shall be in duty bound to exclude and return the confiscated property to the requesting State Party.
   b. In case of revenues acquired by other illegal means, as indicated in the present Convention, when the confiscation is enforced according to Article 21 of the present Convention and based on a final decision issued in the requesting State Party, the requested State Party shall be in duty bound to exclude and return the confiscated property to the requesting State Party, provided the latter reasonably proves its previous ownership of the confiscated property to the requesting State Party. Or when the requesting State Party acknowledges the damage inflicted upon the requesting State Party as a basis to return the confiscated property.
   c. In all other cases, to consider as a matter of priority the return of the confiscated property to the requesting State Party or return back these assets to their previous legal owners, or compensates the victims thereof.

4. The requesting State Party may, when so required and unless otherwise approved by State Parties, deduct reasonable expenses incurred in investigations or legal proceedings leading to the return of the confiscated property or managing them by virtue of the present Convention.

5. The State Parties, when required, may specifically consider the conclusion of agreements on a case-by-case basis, for a final disposal of the confiscated property.

**Article 31**

**Training and Technical Assistance**

1. Each State Party shall introduce, develop or improve training programmes for their officers dealing with corruption. Such training programmes may include:
   a. Adopting effective measures to prevent, uncover, investigate, punish and fight corruption using all methods of evidence-gathering and investigation.
   b. Building capacities in developing and planning anti-corruption strategies.
   c. Training the competent authorities to prepare requests for mutual judicial assistance in line with the Convention’s requirements.
   d. Evaluating and supporting institutions, public services departments and public funds departments including public procurement and the private sector.
   e. Preventing and fighting the concealment of illegal revenues according to the present Convention and returning such revenues.
   f. Discovering and freezing illegal revenues.
   g. Discovering illegal revenues and the tactics used to conceal them.
   h. Using proper and effective administrative and legal techniques and tactics to facilitate the return of illegal revenues.
   i. Applying methods to protect victims and witnesses co-operating with the judicial authorities.
   j. Training on the enforcement of national and international laws and regulations.

2. State Parties shall consider, when so required, helping each other in the conduct of assessments, studies and research on the types, causes, effects and costs of corruption in their countries with the aim of drawing up anti-corruption plans of action with the participation of the competent authorities and civil society.

3. The State Parties may provide each other with memos of experts who may help in facilitating the return of illegal revenues.

**Article 32**

**Collection, Exchange and Analysis of Corruption-related Information and Data**

1. Each State Party shall seek to analyse rampant corruption in its territory and the circumstances surrounding the corruption crimes.
2. State Parties shall consider developing data, analytical experience and information relevant to the fight against corruption and share such data, analytical experience and information via international and regional organizations with the aim of identifying joint measures and harmonised methodologies and best practices to prevent and fight corruption.
3. Each State Party shall consider enforcing its anti-corruption measures and strategies and evaluating the efficiency and effectiveness of such measures and strategies.

**Article 33**

**Conference of the Parties**

1. The Conference of State Parties to the present Convention aims at improving the capacity of State Parties and foster their cooperation to achieve the goals herein indicated.
2. The Secretary-General of the League of Arab States convenes the Conference of the Parties one year after the entry into force of the present Convention. Then regular meetings of the Conference of the Parties are held according to the Rules of procedure of the Conference.
3. The Conference of the Parties shall approve its Rules of procedure and such other regulations governing the activities indicated in the present Article including rules for the approval of observers, membership, and financing of its activities.
4. The Conference of the Parties shall determine its programme of activities, measures and methods to achieve the goals of the Convention including:
   a. Facilitating the exchange of information among State Parties on types and trends of corruption and the successful practices to prevent and fight it, and returning the illegal `revenues by disseminating the relevant information.
   b. Co-operating with the relevant international and regional organizations and non-governmental organizations.
   c. Using the relevant information prepared by the international and regional agencies to fight and prevent corruption.
   d. Reviewing the implementation of the present Convention by the State Parties.
   e. Adopting recommendations to improve the implementation of the present Convention.
   f. Identifying the technical assistance needed by the State Parties for the implementation of the present Convention and recommending measures required in this regard.
5. The Conference of the Parties shall receive reports on the measures taken by the State Parties to implement the present Convention and the difficulties they face, through their national reports and the complementary review measures presented by the Conference of the Parties.
6. Each State Party shall provide the other State Parties with its programmes, plans and practices as well as its administrative and legislative measures taken for the implementation of the present Convention as required by the Conference of the Parties. Also, the Conference of the Parties shall consider the best ways to receive information and take the measures based on it, including the information received from the State Parties and the international organizations and the Conference of the Parties may also consider the contributions of the relevant NGOs approved according to the actions that the Conference of the Parties may approve.
7. The Conference of the Parties may – if it deems it appropriate – establish any mechanism to assist it in the effective implementation of the Convention.

**Article 34**

**Secretariat**

1- The General Secretariat of the League of Arab States shall be the secretariat of the Conference of the Parties.
2- The Secretariat shall:
   a- Assist the Conference of the Parties to develop activities for the realization of the aims of the present Convention and take the necessary arrangements to convene the Conference of the Parties and provide the necessary support.
   b- Provide information to the Conference of the Parties in accordance with paragraphs (4), (5) and (6) of Article 33 of the present Convention.
   c- Co-ordinate with the secretariat of the relevant international and regional organizations.
Article 35
Final provisions

1. The competent authorities of the State Parties shall take all the necessary measures to implement and give effect to the present Convention.

2. Membership of the present Convention is open to all Arab States for ratification or accession and instruments thereof shall be deposited at the General Secretariat of the League of Arab States within a maximum of 30 days as from the date of ratification or accession. The General Secretariat shall inform all State Parties and the secretariats of Arab ministers of interior and justice of every deposition of instruments and the date of deposition.

3. The present Convention shall enter into force 30 days after its ratification by seven Arab States.

4. Any member of the League of Arab States which is not a signatory of the present Convention may ratify it and then become a Party to it 30 days after its depositing of the instrument of accession or ratification at the Secretariat General of the League of Arab States.

5. The State Parties may consider, where necessary, enacting any bilateral or multilateral convention or protocol arrangements to serve the purpose of the present Convention and put it into effect and support its objectives.

6. Any State Party to the present Convention may suggest any amendment to it. Proposals for amendment shall be transmitted to the Secretariat General of the League of Arab States who shall then forward them to the Conference of the Parties which shall consider them and strive to adopt them unanimously.

7. Amendments approved according to paragraph (6) of the present Article shall be subject to ratification, approval or acceptance by the State Parties. Once approved by the Conference of the Parties, such amendments shall become binding on all State Parties.

8. Any State Party may withdraw from the present Convention by a written request addressed to the Secretariat General of the League of Arab States and such withdrawal shall become effective 6 months from of the withdrawal application. The provisions of the present Convention shall remain applicable to the State Party throughout the duration indicated in the present Article.

The present Convention is drawn up in Arabic in Cairo (Egypt) on 21st December 2010, in one (1) original copy deposited at the Secretariat General of the League of Arab States (Technical Secretariat of Arab Justice Ministers) and an authenticated copy thereof shall be deposited at the Secretariat General of the League of Arab States (Technical Secretariat of Arab Ministers of Interior), and another authenticated copy shall be remitted to each State Party.

In witness whereof, their Highness and Excellency Arab Ministers of Interior and Justice signed the present Convention on behalf of their Governments.
The Signatures of their Royal Highness and Excellency Arab Ministers of Interior and Justice on the Arab Convention against Corruption

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<th>State Party</th>
<th>Royal Highness or Excellency Arab Ministers of Interior</th>
<th>Royal Highness or Excellency Arab Ministers of Justice</th>
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<td>Hashemite Kingdom of Jordan</td>
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<td>For His Highness/ Hadeef Bin Go'an Alzahiry</td>
<td>His Highness Dr. Hadeef Bin Go'an Alzahiry</td>
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<td>His Highness Lieutenant General Sheikh Rashed Bin Abdullah Al Khalifa</td>
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<td>Tunisian Republic</td>
<td>Signed</td>
<td>His Highness Mr./Alazhar Bo 'Awny</td>
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<td>The People's Democratic Republic of Algeria</td>
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<td>H.E. Mr./Dara Nour El Din Bahaa Al Din</td>
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<td>His Highness Sheikh/ Mohamed Bin Abdullah Bin Zaher Alhanany</td>
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