

Grand Corruption occurs when:

A public official or other person

deprives a particular social group or substantial part of the population of a State of a **fundamental right**; or

causes the State or any of its people a loss greater than 100 times the **annual minimum subsistence income** of its people;

as a result of

bribery, embezzlement or other corruption offence.

Explanatory Notes:

Transparency International has developed this legal definition of grand corruption to encourage advocates, scholars, lawmakers, and others to seek ways to enhance accountability of high-level public officials and others whose corruption harms their citizens egregiously and too often with impunity. The definition gives legal relevance to the harms and voice to the victims. Grand corruption is a human rights crime and deserves adjudication and punishment accordingly.

The terms defined below may have existing definitions in legislation or elsewhere. The definitions here are only illustrative.

"Annual minimum subsistence income" shall be defined as 60% of the most recently officially- published median household income or an equivalent measure of a State's official designation of the income level entitling the receipt of social benefits based on economic need.

"Bribery" shall be interpreted to involve influencing the performance or non-performance of any act entrusted to a public official by virtue of his or her official position and "embezzlement" shall be interpreted to involve the abuse of such official position of a public official.

"Fundamental right" shall include, but not be limited to, those rights set forth in the *Universal Declaration of Human Rights*; *the International Covenant on Civil and Political Rights*; *the International Covenant on Economic, Social, and Cultural Rights*; or other international and regional human rights conventions applicable under the domestic laws of the relevant State and "depriving" shall be defined as consistent with such conventions and their official interpretations.

"Loss" shall be interpreted to encompass anything of value and include, but not be limited to: money; securities; property, including real property, both tangible and intangible, and private and state owned, and interests in the same; contractual rights or any interest in future contractual rights; benefits with a calculable economic value; or a promise to perform services, specified or unspecified, in the future on behalf of the original instigator of the act or another party.

"Person" shall include natural or legal persons.

"Particular social group" shall be interpreted in accordance with the interpretation of this term in Article 1(A)(2) of the *United Nations Convention related to the Status of Refugees*.

"Public official" shall be understood as defined by Article 2 a) of the *United Nations Convention against Corruption*.