



General Assembly

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Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime

Eighth session

Vienna, 21 February-3 March 2000

Agenda item 4

**Consideration of the additional international legal instrument
against illegal trafficking in and transporting of migrants**

Amendment to article 4 of the revised draft Protocol against the Smuggling of Migrants by Land, Air and Sea, supplementing the United Nations Convention against Transnational Organized Crime, submitted by the Chairman

Article 4: Criminalization

Paragraph 3

It is proposed to amend paragraph 3 to read as follows:

“3. Each State Party shall also, subject to the basic concepts of its legal system, adopt the necessary legislation or other measures to establish as a criminal offence participation in, association with or conspiracy to commit, attempts to commit and aiding, abetting, facilitating and counselling the commission of any of the offences established in accordance with paragraphs 1 and 2 of this article.”¹

¹ At the eighth session of the Ad Hoc Committee, it was decided to replace the former text of paragraph 3 of article 4 with text based on the corresponding agreed text of the revised draft United Nations Convention against Transnational Organized Crime, namely, article 4, paragraph (1) (d) (A/AC.254/4/Rev.7). Further discussion was deferred pending the revision.