



General Assembly

Distr.: Limited
20 January 1999

Original : English

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

First session

Vienna, 19-29 January 1999

Agenda item 4

Consideration of the draft convention against transnational organized crime

Proposals and contributions received from Governments on the draft United Nations Convention against Transnational Organized Crime

Contents

	<i>Page</i>
I. Introduction	1
II. Proposals and contributions received from Governments	2
United Kingdom of Great Britain and Northern Ireland	2

I. Introduction

The Secretary-General has the honour to bring to the attention of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime the comments and proposals of the United Kingdom of Great Britain and Northern Ireland that relate to the draft United Nations Convention against Transnational Organized Crime.

II. Proposals and contributions received from Governments

United Kingdom of Great Britain and Northern Ireland

Article 3

Participation in an organized criminal group

1. Each State Party shall establish as criminal offences the following conduct:
 - (a) Organizing, directing, aiding, abetting, facilitating or counselling the commission of serious crime involving an organized criminal group; and
 - (b) Either or both of the following as criminal offences distinct from those involving the attempt or completion of the criminal activity:
 - (i) Agreeing with one or more other persons to commit a serious crime for any purpose relating directly or indirectly to the obtaining of a financial or other material benefit, and, where required by domestic law, involving an act undertaken by one of the participants in furtherance of the agreement;
 - (ii) Conduct by a person who intentionally, and with knowledge of either the aim and general criminal activity of an organized criminal group or its intention to commit the crimes in question, takes active part in:
 - a. Activities of an organized criminal group referred to in [article 2 *bis* of the Canadian text]; or
 - b. Other activities of the group in the knowledge that the person's participation will contribute to achievement of the above-described criminal aim.
2. The knowledge, intent, aim, purpose or agreement referred to in paragraph 1 may be inferred from objective factual circumstances.
