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COMMISSION ON CRIME PREVENTION  
AND CRIMINAL JUSTICE

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Agenda item 6

**INTERNATIONAL COOPERATION IN COMBATING TRANSNATIONAL CRIME**

**Argentina, Austria, Greece, Italy, Philippines, Russian Federation and United States of America: draft  
resolution**

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolution:

**Action against illegal trafficking in migrants, including by sea**

*The Economic and Social Council,*

*Considering* that illegal trafficking in and transporting of migrants are normally carried out by criminal organizations as part of their transnational operations and ordinarily take place under inhuman conditions that result in a great number of accidents and casualties,

*Stressing* the need to combat all criminal practices connected with illegal trafficking in and transporting of migrants,

*Recalling* General Assembly resolution 51/62 of 12 December 1996, in which the Assembly, *inter alia*, requested the Commission on Crime Prevention and Criminal Justice to consider giving attention to the question of the smuggling of aliens,

*Recalling also* its resolutions 1994/14 of 25 July 1994 and 1995/10 of 24 July 1995,

*Recalling further* the report of the meeting of the inter-sessional open-ended intergovernmental group of experts on the elaboration of a preliminary draft of a possible comprehensive international convention against organized transnational crime, held at Warsaw from 2 to 6 February 1998,<sup>1</sup> as well as the text of such a draft convention submitted by the Government of Poland,

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<sup>1</sup>E/CN.15/1998/5.

*Welcoming* the existing proposals for a convention and a protocol on the subject of illegal trafficking in and transporting of migrants, including by sea, submitted to it by the Governments of Austria and Italy,

*Taking note* of the proposal considered by the group of experts that the draft of an international convention against organized transnational crime should consist of a main convention and additional protocols covering specific offences,<sup>2</sup>

*Emphasizing* that women and children are particularly vulnerable to becoming victims of the crime of illegal trafficking in and transporting of migrants,

1. *Stresses* the importance for the existing proposals for legal instruments against illegal trafficking in and transporting of migrants, including by sea, to be legally and substantively consistent with the draft of an international convention against organized transnational crime;
2. *Stresses* the usefulness of combining the draft convention and draft protocol on the subject of illegal trafficking in and transporting of migrants, including by sea [E/CN.15/1998/WP.5/Add.1],<sup>3</sup> with the draft of an international convention against organized transnational crime;<sup>4</sup>
3. *Recognizes* the urgency of elaborating an efficient legal instrument combating all aspects of organized transnational crime, in particular illegal trafficking in and transporting of migrants, including by sea;
4. *Decides* that, as part of the inter-sessional open-ended intergovernmental group of experts on the elaboration of a comprehensive international convention against organized transnational crime, discussions should take place on the elaboration of a protocol against the smuggling of migrants, including by sea;
5. *Requests* the Secretary-General to provide the necessary logistical resources to convene, support and follow up the discussions and elaboration of the protocol referred to in paragraph 4 above and to submit a report to the General Assembly at its fifty-third session on the progress achieved concerning that matter, using existing or extrabudgetary resources.

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<sup>2</sup>E/CN.15/1998/5, para. 13.

<sup>3</sup>[Annex ... of the present report].

<sup>4</sup>E/CN.15/1998/5, para. 14.