



## General Assembly

Distr.: Limited  
18 July 2000

Original: English

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

Tenth session

Vienna, 17-28 July 2000

Agenda item 3

**Finalization and approval of the draft United Nations Convention  
against Transnational Organized Crime**

### **Proposals and contributions**

#### **Recommendation of the informal working group on article 14, paragraph 7, of the revised draft United Nations Convention against Transnational Organized Crime, submitted at the request of the Chairman**

##### **Article 14: Mutual legal assistance**

###### *Paragraph 7*

1. It is proposed to add the following sentence at the end of paragraph 7: "However, this shall not prevent the receiving Party from disclosing in its proceedings information that is exculpatory to an accused person."
  2. The working group also recommended that two additional concerns be addressed in the *travaux préparatoires*. This could be done by wording to the following effect:
    - (a) When a State Party is considering whether to spontaneously provide information of a particularly sensitive nature or is considering placing strict restrictions on the use of information thus provided, it is considered advisable for the State Party concerned to consult with the potential receiving State beforehand;
    - (b) When a State Party that receives information under this provision already has similar information in its possession, it is not obliged to comply with any restrictions imposed by the transmitting State.
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