



## VIENNA CHAPTER

### STATEMENT BY THE GROUP OF 77 AND CHINA DURING THE SEVENTH SESSION OF THE AD HOC COMMITTEE ON TRANSNATIONAL ORGANIZED CRIME, VIENNA 17-28 JANUARY 2000 DELIVERED BY H.E. AMBASSADOR FRUCTUOSO PITTALUGA-FONSECA, PERMANENT REPRESENTATIVE OF URUGUAY

Mr. President,

On behalf of the Group of 77 and China, I wish to express some views of the countries that compose our Group in relation to the way in which the negotiation process of the Convention against Transnational Organized Crime and its three Protocols has been evolving.

The members of the G-77 and China have shown their interest for the matters discussed here, and on various occasions have underlined the importance of having enough time to produce acceptable and effective results. This is only possible if our work is done methodically and conscientiously. For this reason, we would like to request that the negotiation and drafting process takes the necessary time to address these complex matters comprehensively.

Regarding the scope of application of the draft Convention, we especially note that the mandate given by the UNGA is to elaborate a Convention against Transnational Organised Crime. It is not possible therefore to have provisions beyond the scope of the Convention which deal with matters which are purely domestic in nature. Provisions purporting to deal with matters that do not relate to acts of transnational character or to the conduct of organised criminal groups would be beyond the scope of this mandate. To avoid any possible ambiguity as to the application of the Convention, the words "transnational" and "organised criminal group" should be expressed clearly with regards to the scope of this instrument and whenever necessary, to explain the type of organised criminal activity which the Convention seeks to address.

We recognise that in the spirit of international cooperation, the provisions of the convention relating to judicial assistance may, as appropriate, apply where the offence is serious and involves an organised criminal group.

The G-77 and China appreciates the efforts that have gone into the evolution of the text of Article 2 as in document A/AC.254/L.140, however, we strongly recommend the use of the text of this article as given in document A/AC.254/4/Rev.6, for negotiations. We hope that our work will continue expeditiously, but without compromising the careful analysis of national and international consequences of the Convention. The G-77 and China reaffirm our commitment to the negotiation process and pledge our continued support for the successful conclusion of the Convention.

Finally, we would like to emphasise that the final decision on the adoption of the convention and protocols will be taken at a political level by the General Assembly.