

K. Working paper submitted by France (A/AC.188/L.13) concerning
the working paper submitted by the Federal Republic of
Germany (A/AC.188/L.3)

Article 1

Replace the text of the article by the following:

"1. The taking of hostages constitutes a serious offence within the meaning of this Convention.

"2. Any person who seizes or detains and threatens with death, physical violence and injury or prolonged detention another person in order

(a) To prepare for or facilitate the commission of a serious offence or to help its perpetrators or their accomplices to escape or evade punishment or,

(b) By holding this person in a secret place, to compel:

another physical or juridical person,

a State, or

an international intergovernmental organization or conference

to do or refrain from doing anything commits the taking of hostages.

"3. Any person who

(a) Attempts to commit the taking of hostages or

(b) Becomes an accomplice of anyone who commits or attempts to commit the taking of hostages also commits a serious offence within the meaning of this Convention."

Article 5

Add the following subparagraph to paragraph 1:

"(d) The victims of which, namely the hostages, are nationals of that State."

Article 7

Reword paragraph 1 to read:

"The Contracting State in the territory of which the alleged offender is found and which has received a request for extradition from a State having jurisdiction over the offence in pursuance of this Convention shall, if it does not extradite the alleged offender, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case to its competent authorities for the purpose of prosecution. Those authorities shall take their decision in the same manner as in the case of any ordinary offence of a serious nature under the law of that State."

Article 10

Replace the final sentence of article 10, paragraph 2, by:

"This Convention shall, however, apply if a foreign State or an international intergovernmental organization or conference is subjected to demands."

Throughout the text

Wherever the term "international organization" occurs, add the word "intergovernmental".

- L. Working paper submitted by the Netherlands (A/AC.188/L.14)
concerning the working paper submitted by the Federal
Republic of Germany (A/AC.188/L.3)

Article 3, paragraph 2

Replace the words "his prompt departure from the country" by the words "him to go where he pleases".

Article 5, paragraph 1, subparagraph (b)

Delete the words "itself or an international organization of which the State is a member".

Article 5, paragraph 1, subparagraph (c)

Add the words:

"in the territory of a Contracting State, or on board a ship or aircraft registered in a Contracting State".

Article 5, paragraph 2

Add the words:

"after receiving a request for extradition from one of those States".

Article 7, paragraph 1

After the words "The Contracting State in the territory of which the alleged offender is found" insert the words "and which has received a request for extradition by one of the Contracting States mentioned in article 5, paragraph 1".

- M. Working paper submitted by the Philippines (A/AC.188/L.16)
concerning article 3, paragraph 3, of the working paper
submitted by the Federal Republic of Germany (A/AC.188/L.3)

At the end of article 3, paragraph 3, replace "to the person entitled to possession" by "to the proper authorities of the country where the object was seized".