

**Protocol against the Smuggling of Migrants by Land, Sea and Air (People Smuggling Protocol), supplementing the United Nations Convention against Transnational Organized Crime (New York, 15 November 2000)  
[2002] ATNIF 5**

**Consultations**

**Consultation with Australian States and Territories**

The Commonwealth briefed the States and Territories on the draft TOC Convention and its Protocols at the Heads of Commonwealth Operational Law Enforcement Agencies (HOCOLEA) meeting in November 1999 and again in April 2000.

2. The then Minister for Justice and Customs, Senator the Hon Amanda Vanstone wrote to the State and Territory Attorneys-General about the instruments in June 2000.
3. The matter was discussed at HOCOLEA again in June 2000.
4. The Commonwealth Government prepared a paper outlining the status of the negotiations for the Standing Committee of Attorneys-General (SCAG) meeting in July 2000.
5. The National Anti-Crime Strategy Lead Ministers were briefed on the TOC Convention and its Protocols in November 2000.
6. HOCOLEA was provided with status reports in February and May 2001 and the Commonwealth submitted a paper on the Convention and the Protocols to SCAG in March 2001. No jurisdiction expressed concern about the Convention and its Protocols in the SCAG context.
7. The Convention and its Protocols were discussed at the Standing Committee on Treaties (SCOT) meeting in May 2001. At that time, the Convention and the three Protocols had appeared on lists of multilateral treaty action under consideration tabled in the Commonwealth Parliament, and they had been on the SCOT list of treaties, for some time.
10. The Commonwealth received comments on the Convention and its Protocols from the Queensland Department of Justice and Attorney-General in March 2001. We have taken these comments into account in determining the domestic action required to comply with the obligations under the Convention.
11. The Convention and its Protocols were discussed again at the SCOT meeting in November 2003. At this meeting, the Commonwealth Government informed the States and Territories of its intention to table the Convention and the Protocol for consideration by the Commonwealth Parliament's Joint Standing Committee on Treaties.
12. The States and Territories did not express any negative comments.



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**Current status list**

| <b>Country</b>         | <b>Signature</b>  | <b>Ratification, Acceptance (A), Approval (AA), Accession (a)</b> |
|------------------------|-------------------|---|
| Afghanistan            |                   |   |
| Albania                | 12 December 2000  | 21 August 2002  |
| Algeria                | 6 June 2001       |   |
| Angola                 |                   |   |
| Argentina              | 12 December 2000  | 19 November 2002  |
| Armenia                | 15 November 2001  | 01 July 2003  |
| Australia              | 21 December 2001  |   |
| Austria                | 12 December 2000  |   |
| Azerbaijan             | 12 December 2000  | 30 October 2003   |
| Bahamas                | 09 April 2001     |   |
| Barbados               | 26 September 2001 |   |
| Belarus                | 14 December 2000  | 25 June 2003  |
| Belgium                | 12 December 2000  |   |
| Benin                  |                   |   |
| Bolivia                | 12 December 2000  |   |
| Bosnia and Herzegovina | 12 December 2000  | 24 April 2002   |
| Botswana               | 10 April 2002     | 29 August 2002  |
| Brazil                 | 12 December 2000  |   |
| Bulgaria               | 13 December 2000  | 5 December 2001   |
| Burkina Faso           | 15 December 2000  | 15 May 2002   |
| Burundi                | 14 December 2000  |   |
| Cambodia               | 11 November 2001  |   |
| Cameroon               | 13 December 2000  |   |
| Canada                 | 14 December 2000  | 13 May 2002   |
| Cape Verde             | 13 December 2000  |   |
| Chile                  | 08 August 2002    |   |
| China                  |                   |   |
| Colombia               |                   |   |
| Congo                  | 14 December 2000  |   |
| Costa Rica             | 16 March 2001     | 07 August 2003  |
| Côte D' Ivoire         |                   |   |
| Croatia                | 12 December 2000  | 24 January 2003   |
| Cuba                   |                   |   |
| Cyprus                 | 12 December 2000  | 06 August 2003  |
| Czech Republic         | 10 December 2002  |   |
| Denmark                | 12 December 2000  |   |
| Dominican Republic     | 15 December 2000  |   |
| Ecuador                | 13 December 2000  | 17 September 2002   |
| Egypt                  |                   |   |
| El Salvador            | 15 August 2002    |   |

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|------------------------------------|-------------------|--------------------|
| Equatorial Guinea                  | 14 December 2000  |                    |
| Estonia                            | 20 September 2002 |                    |
| Ethiopia                           |                   |                    |
| European Community                 | 12 December 2000  |                    |
| Finland                            | 12 December 2000  |                    |
| France                             | 12 December 2000  | 29 October 2002    |
| Gambia                             | 14 December 2000  | 05 May 2003        |
| Georgia                            | 13 December 2000  |                    |
| Germany                            | 12 December 2000  |                    |
| Greece                             | 13 December 2000  |                    |
| Guatemala                          |                   |                    |
| Guinea-Bissau                      | 14 December 2000  |                    |
| Haiti                              | 13 December 2000  |                    |
| Honduras                           |                   |                    |
| Hungary                            | 14 December 2000  |                    |
| Iceland                            | 13 December 2000  |                    |
| India                              | 12 December 2002  |                    |
| Indonesia                          | 12 December 2000  |                    |
| Iran (Islamic Republic of)         |                   |                    |
| Ireland                            | 13 December 2000  |                    |
| Israel                             |                   |                    |
| Italy                              | 12 December 2000  |                    |
| Jamaica                            | 13 February 2002  | 29 September 2003  |
| Japan                              | 09 December 2002  |                    |
| Kazakhstan                         |                   |                    |
| Kuwait                             |                   |                    |
| Kyrgyzstan                         | 13 December 2000  | 02 October 2003    |
| Lao's People's Democratic Republic |                   | 26 September 2003a |
| Latvia                             | 10 December 2002  | 23 April 2003      |
| Lebanon                            | 26 September 2002 |                    |
| Lesotho                            | 14 December 2000  |                    |
| Libyan Arab Jamahiriya             | 13 November 2001  |                    |
| Liechtenstein                      | 14 March 2001     |                    |
| Lithuania                          | 25 April 2002     | 12 May 2003        |
| Luxemburg                          | 12 December 2000  |                    |
| Madagascar                         | 14 December 2000  |                    |
| Malawi                             |                   |                    |
| Mali                               | 15 December 2000  | 12 April 2002      |
| Malta                              | 14 December 2000  | 24 September 2003  |
| Mauritius                          |                   | 24 September 2003  |
| Mexico                             | 13 December 2000  | 04 March 2003      |
| Monaco                             | 13 December 2000  | 5 June 2001        |
| Morocco                            |                   |                    |
| Mozambique                         | 15 December 2000  |                    |
| Namibia                            | 13 December 2000  | 16 August 2002     |
| Nauru                              | 12 November 2001  |                    |
| Netherlands                        | 12 December 2000  |                    |
| New Zealand                        | 14 December 2000  | 19 July 2002       |
| Nicaragua                          |                   |                    |
| Nigeria                            | 13 December 2000  | 27 September 2001  |
| Norway                             | 13 December 2000  | 23 September 2003  |
| Pakistan                           |                   |                    |
| Panama                             | 13 December 2000  |                    |
| Paraguay                           |                   |                    |
| Peru                               | 14 December 2000  | 23 January 2002    |
| Philippines                        | 14 December 2000  | 28 May 2002        |

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|--|-------------------|-------------------|
| Poland   | 4 October 2001    | 26 September 2003 |
| Portugal   | 12 December 2000  |                   |
| Republic of Korea                                    | 13 December 2000  |                   |
| Republic of Moldova                                  | 14 December 2000  |                   |
| Romania  | 14 December 2000  | 04 December 2002  |
| Russian Federation                                   | 12 December 2000  |                   |
| Rwanda   | 14 December 2000  |                   |
| Saint Vincent and the Grenadines                     | 20 November 2002  |                   |
| San Marino   | 14 December 2000  |                   |
| Saudi Arabia   | 10 December 2002  |                   |
| Senegal  | 13 December 2000  | 27 October 2003   |
| Serbia and Montenegro                                | 12 December 2000  | 6 September 2001  |
| Seychelles   | 22 July 2002      |                   |
| Sierra Leone   | 27 November 2001  |                   |
| Singapore  |                   |                   |
| Slovakia   | 15 November 2001  |                   |
| Slovenia   | 15 November 2001  |                   |
| South Africa   | 14 December 2000  |                   |
| Spain  | 13 December 2000  | 01 march 2002     |
| Sri Lanka  | 13 December 2000  |                   |
| Sudan  |                   |                   |
| Swaziland  | 08 January 2001   |                   |
| Sweden   | 12 December 2000  |                   |
| Switzerland  | 02 April 2002     |                   |
| Syrian Arab Republic                                 | 13 December 2000  |                   |
| Tajikistan   |                   | 08 July 2002 a    |
| Thailand   | 18 December 2001  |                   |
| The former Yugoslav Republic of Macedonia            | 12 December 2000  |                   |
| Togo   | 12 December 2000  |                   |
| Trinidad and Tobago                                  | 26 September 2001 |                   |
| Tunisia  | 13 December 2000  | 14 July 2003      |
| Turkey   | 13 December 2000  | 25 March 2003     |
| Uganda   | 12 December 2000  |                   |
| Ukraine  | 15 November 2001  |                   |
| United Kingdom of Great Britain and Northern Ireland | 14 December 2000  |                   |
| United Republic of Tanzania                          | 13 December 2000  |                   |
| United States of America                             | 13 December 2000  |                   |
| Uruguay  | 13 December 2000  |                   |
| Uzbekistan   | 28 June 2001      |                   |
| Venezuela  | 14 December 2000  |                   |
| Vietnam  |                   |                   |
| Yemen  |                   |                   |
| Yugoslavia   | 12 December 2000  | 6 September 2001  |
| Zimbabwe   |                   |                   |

