



Conference of the Parties to the United Nations Convention against Transnational Organized Crime

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**Working Group on
International Cooperation**
Vienna, 9-13 October 2017

**Working Group of Government
Experts on Technical Assistance**
Vienna, 11-13 October 2017

Draft report on the meetings of the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance held in Vienna from 9 to 13 October 2017

Addendum

III. Summary of deliberations (*continued*)

**Joint items of the Working Group on International Cooperation and the Working
Group of Government Experts on Technical Assistance**

A. Preparation of the questionnaire to review the implementation of the United Nations Convention against Transnational Organized Crime, in accordance with resolution 8/2 of the Conference of the Parties to the Convention (agenda item 5, Working Group on International Cooperation; agenda item 2, Working Group of Government Experts on Technical Assistance)

1. On October 10, 2017, the Working Groups held two joint meetings to consider the agenda item entitled “Preparation of the questionnaire to review the implementation of United Nations Convention against Transnational Organized Crime, in accordance with resolution 8/2 of the Conference of the Parties to the Convention”. The Chair invited delegations to provide comments of a general nature under this item, before proceeding to a more detailed review of the draft questionnaire.

2. Speakers expressed their appreciation to the Secretariat for its work in preparing the draft questionnaire, including by taking into account the views emanating from the other working groups of the Conference that had considered the draft questionnaires for the Protocols. Several speakers emphasized that the questionnaire should be short, precise and focused and, as such, it should not represent an undue burden for the expert practitioners who would be in charge of completing it. In this regard, the use of tick-boxes to supply neutral answers was highlighted as a useful way of simplifying responses and making them more comparable; the inclusion of the “yes, in part” options in the replies was also viewed as a positive addition. Moreover, it was noted that using the SHERLOC portal to host supplementary information to the responses would be useful. One speaker stated that a balance needed to be struck between a short, precise and focused questionnaire and a comprehensive one that



served to deepen responding States parties' knowledge and implementation of the Convention, inter alia, through the mobilization of the various relevant national authorities that would provide the replies. Several speakers stated that the questionnaire should limit itself to reviewing the implementation of the obligatory provisions of the Convention. Some speakers said that the mutatis mutandis application of provisions of the Convention should be included in the questionnaire for the Organized Crime Convention, rather than included under each Protocol questionnaire.

3. Several speakers noted that, in view of the fact that discussions regarding the establishment of a review mechanism for the Convention and its Protocols were ongoing, the draft self-assessment questionnaire for the Convention would need to be revisited and could be modified in order to serve the purpose of the review mechanism after its procedures and rules had been agreed upon.

4. Some speakers enquired why the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance were reviewing the draft questionnaire relating to the Organized Crime Convention, as the latter covered many aspects that were not strictly related to the international cooperation or technical assistance provisions of the Convention. Upon the invitation of the Chair, the Secretariat took the floor to inform the working groups that the draft questionnaire had been prepared in strict compliance with Conference resolution 8/2, which indicated in Table 1 of its Annex 2 that the said working groups would be in charge of reviewing the implementation of the Organized Crime Convention and it also indicated the articles that the draft questionnaire should cover. The Secretariat also recalled that, for the same reason, the extended Bureau of the Conference had agreed on the provisional agendas for the current meetings of the two working groups; it was further noted that, in previous meetings, the Technical Assistance Working Group had discussed items relating to the criminalization provisions of the Convention. One speaker stated that, as UNTOC did not have a working group dedicated to the review of the implementation of the Convention, the International Cooperation and Technical Assistance Working Groups had been deemed suitable to carry out this task.

5. Many speakers emphasized that the final decision regarding the adoption of the questionnaires would be taken by the Conference of the Parties and that it was the task of the working groups of the Conference to provide expert advice to the Conference regarding the content and structure of the questionnaires to inform its decision-making.

6. Some speakers stated that the questionnaire for the Convention should take into account and make use of past and present information gathering efforts under UNTOC, as well as under UNCAC and other relevant instruments or processes, in order to avoid duplication of efforts and resources; one speaker recalled that there was an ongoing call for States parties to complete the 2004 and 2005 questionnaires, also in accordance with resolution 8/2.

IV. Organization of the meetings

B. Statements (*continued*)

7. Under agenda item 1 of the Working Group of Government Experts on Technical Assistance, statement was made by representatives of Algeria, a State party to the Convention.

8. Under the joint agenda items, namely agenda item 5 of the Working Group on International Cooperation and agenda item 2 of the Working Group of Government Experts on Technical Assistance, statements were made by representatives of the following States parties to the Convention: Japan, United States of America, Romania, Switzerland, Germany, United Kingdom, Algeria, Mexico, Nigeria.