



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

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Working Group on International Cooperation

Vienna, 7–8 July 2020

Draft report on the meeting of the Working Group on International Cooperation held in Vienna on 7 and 8 July 2020

I. Introduction

1. In its decision 2/2, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided to establish an open-ended working group to hold substantive discussions on practical issues pertaining to extradition, mutual legal assistance and international cooperation for the purpose of confiscation. In its decision 3/2, the Conference decided that an open-ended working group on international cooperation would be a constant element of the Conference. Since its first meeting convened during the third session of the Conference of the Parties, which was held in Vienna from 9 to 18 October 2006, the Working Group on International Cooperation has been the subsidiary body of the Conference used as a forum for holding substantive discussions on practical issues pertaining to the effective implementation of the provisions of the Organized Crime Convention on international cooperation in criminal matters, including extradition, mutual legal assistance and international cooperation for the purpose of confiscation. The tenth meeting of the Working Group was held in Vienna on 16 October 2018.

II. Recommendations

III. Summary of deliberations

2. Stemming from the meeting, the following summary of deliberations was prepared by the Secretariat after the meeting in close coordination with the Chair. This summary of deliberations was not subject to negotiations and adoption during the meeting and was, instead, a Summary by the Chair, as follows:

A. The use and role of joint investigative bodies in combating transnational organized crime

3. At its 1st and 2nd meetings on 7 July 2020, the Working Group considered agenda item 2, entitled “The use and role of joint investigative bodies in combating transnational organized crime”. The discussion on the agenda item was facilitated by the panellists Daniela Buruiana, Prosecutor, National Member for Romania to



EUROJUST; and Stefano Opilio, Public Prosecutor, Directorate General of International Affairs and Judicial Cooperation, Ministry of Justice of Italy.

B. International cooperation involving special investigative techniques

4. At its [2nd and 3rd] meetings on [7 and 8] July 2020, the Working Group considered agenda item 3, entitled “International cooperation involving special investigative techniques”. The discussion on the agenda item was facilitated by the panellist Stephen McGlynn, Minister-Counsellor, Department of Home Affairs, Australia.

C. Other matters

5. At its [fourth] meeting, on [8] July 2020, the Working Group considered agenda item 4, entitled “Other matters”.

6. A representative from the Secretariat referred briefly to the work of the Working Group on International Cooperation and its future role within the Mechanism for the Review of Implementation of the Organized Crime Convention and the Protocols thereto.

7. A representative from the Secretariat informed the working group about the work of the United Nations Office on Drugs and Crime in the field of international cooperation in criminal matters, with particular reference to the planning and development of relevant tools geared towards ensuring secure communication among the authorities listed within the Directory of Competent National Authorities.

8. [The representative from Chile, speaking also in his capacity as Chairman of the Asociación Iberoamericana de Ministerios Públicos (AIAMP), referred to the experience and practices of international cooperation in the era of COVID-19 pandemic both from national and regional perspectives.]

IV. Organization of the meeting

A. Opening of the meeting

9. As agreed by the extended Bureau of the Conference of the Parties by approval via silence procedure on 19 June 2020, the meeting was held in a “hybrid” format, with a very restricted number of participants (representatives from the Secretariat) present in the meeting room, and all other participants being remotely connected using an interpretation platform contracted with the United Nations.

10. The Working Group met on 7 and 8 July 2020, holding a total of four meetings. The first meeting on each day was held from 12:00 to 14:00 hrs. and the second meeting from 16:00 to 18:00 hrs. Central European Summer Time (CEST). Upon consultation with the Chair of the working group, the above-mentioned schedule sought to accommodate the different time zones of the Chairs and participants of the working group, while also respecting and staying within the time frame usually set for the meetings. The relevant information about the new meeting times was made available on the respective webpage of the Working Group.

11. The meetings were chaired by Mr. Thomas Burrows (United States of America). Due to the specific format of the meeting in light of the COVID-19 pandemic, the Chair was joining remotely.

B. Statements

12. For the purposes of the meeting, the Secretariat used the aforementioned interpretation platform to facilitate the interpretation into all six official United Nations languages. The Interpretation platform allowed 300 participants to be assigned a “speaking & listening role”, while all other participants had only “listening role”. Delegations had been requested to notify the Secretariat about the distribution of roles (speaking role/listening role) in each delegation when requesting the registration of their delegates through a Note Verbale.
13. Under agenda item 1, statements were made by representatives from the following States parties to the Convention: Brazil, Colombia, Italy, United Kingdom and United States of America.
14. Under agenda item 2, statements were made by representatives from the following States parties to the Convention: [...].
15. Under agenda item 3, statements were made by representatives from the following States parties to the Convention: [...].
16. Under agenda item 4, [a] statement[s] [was] [were] made by the representative from Chile, also in his capacity as Chairman of the Asociación Iberoamericana de Ministerios Públicos (AIAMP) [and representatives from the following States parties to the Convention]: [...].
17. [The observers for ..., signatory States, also made statements.]

C. Adoption of the agenda and organization of work

18. At its first meeting, on 7 July 2020, the Working Group on International Cooperation discussed the proposed organization of work for its meeting. In this context, reference was made to the updated organization of work for the meeting, which had been prepared by the Secretariat in consultation with the Chair, and shared with the extended Bureau of the Conference of the Parties. Some speakers expressed their concern about that proposal, particularly with regard to the suggestion that if it was not possible to achieve consensus on the text of the recommendations due to time constraints, such recommendations, or part thereof not enjoying agreement, would be listed in a Chair’s compilation of recommendations to be brought to the attention of the Conference at its tenth session.
19. The Chair informed the working group of a letter of Group 77 and China dated 6 July 2020, containing a different proposal for the adoption of the report and recommendations of the meeting through silence procedure or – alternatively – a short and decision-oriented meeting of the subsidiary bodies dedicated solely to the adoption of the report and recommendations.
20. Representatives from the Secretariat informed the working group about the challenges that the aforementioned alternate proposal on the organization of a short and decision-oriented meeting of the subsidiary bodies dedicated solely to the adoption of the report and recommendations could pose to the organization and scheduling of future work based on existing resources and meeting entitlements.
21. One speaker was of the view that the report of the meeting of the working group should not contain recommendations, but only the Chair’s summary of deliberations. Other speakers expressed the view that these organizational issues should have been appropriately discussed within the framework of the extended Bureau of the Conference and not in the context of deliberations at the working group.
22. Against this background, the Working Group on International Cooperation agreed on a compromise proposal of the Chair and adopted the following agenda and organization of work, with the exception of the part of the organization of work relating to the adoption of the report and recommendations of the meeting. It was

agreed that this part would be revisited at the last session of the meeting in light of the recommendations that would have emanated from the deliberations by that time, with a view to making final decisions on the outcome of the meeting and related follow-up processes:

1. Organizational matters:
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda and organization of work.
2. The use and role of joint investigative bodies in combating transnational organized crime.
3. International cooperation involving special investigative techniques.
4. Other matters.
5. Adoption of the report.

D. Attendance

23. The following parties to the Convention were represented at the meeting, connected remotely due to the specific format of the meeting in light of the COVID-19 pandemic: Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia (Plurinational State of), Brazil, Burkina Faso, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Czechia, Dominican Republic, Ecuador, Egypt, El Salvador, European Union, France, Germany, Greece, Honduras, India, Indonesia, Iraq, Israel, Italy, Japan, Jordan, Kuwait, Kyrgyzstan, Lebanon, Libya, Malaysia, Malta, Mexico, Morocco, Myanmar, Nigeria, Norway, Oman, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, State of Palestine, Sweden, Switzerland, Thailand, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Yemen [...].

24. The following signatory States to the Convention were represented by observers, connected remotely due to the specific format of the meeting in light of the COVID-19 pandemic: Iran (Islamic Republic of)[...].

25. The following intergovernmental organizations were represented by observers, connected remotely due to the specific format of the meeting in light of the COVID-19 pandemic: Council of Europe, European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX), International criminal Police Organization (INTERPOL), League of Arab States, Organization of the Islamic Cooperation[...].

26. A list of participants is contained in document CTOC/COP/WG.3/2020/INF/1/Rev.1.

E. Documentation

27. The Working Group had before it the following documents:

- (a) Provisional agenda and annotations (CTOC/COP/WG.3/2020/1);
- (b) Background paper prepared by the Secretariat on the use and role of joint investigative bodies in combating transnational organized crime (CTOC/COP/WG.3/2020/2);
- (c) Background paper prepared by the Secretariat on international cooperation involving special investigative techniques (CTOC/COP/WG.3/2020/3).

V. Adoption of the report
