



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

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Report on the meeting of the intergovernmental expert group established in accordance with Conference resolution 9/1, held in Vienna from 9 to 11 October 2019

I. Introduction

1. In its resolution 9/1, entitled “Establishment of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime requested the United Nations Office on Drugs and Crime to convene, within existing resources, at least one meeting of an open-ended intergovernmental expert group for the purpose of finalizing and harmonizing, as necessary, the self-assessment questionnaires and preparing the guidelines for conducting the country reviews and a blueprint for the lists of observations and the summaries, referred to in the annex to resolution 9/1. The outcome of the work of the intergovernmental expert group is to be submitted to the Conference for its consideration at its tenth session.

2. In the same resolution, the Conference invited the President of the Conference, with the support of the Bureau, to facilitate the work of the intergovernmental expert group through informal consultations. On 4 December 2018, the President of the Conference invited regional groups to submit nominations for the Chair of the meeting of the intergovernmental expert group established in accordance with Conference resolution 9/1. At its meeting on 13 December 2018, the extended Bureau of the Conference endorsed the nomination of Renaud Sorieul (France) as Chair of the intergovernmental expert group.

3. At its meeting on 5 February 2019, the extended Bureau of the Conference agreed that the meeting of the intergovernmental expert group would be held in Vienna from 9 to 11 October 2019. Moreover, on 19 July 2019, the extended Bureau agreed, using the silence procedure, on the provisional agenda for the meeting of the group.

II. Organization of the meeting

A. Opening of the meeting

4. The meeting was opened on 9 October 2019 by the Chair of the open-ended intergovernmental meeting, Renaud Sorieul (France).



B. Adoption of the agenda

5. At its 1st meeting, on 9 October 2019, the meeting adopted the following agenda:

1. Organizational matters:
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda and organization of work.
2. Consideration of the guidelines for conducting the country reviews and of the blueprint for the lists of observations of the country reviews.
3. Finalization and harmonization of the self-assessment questionnaires for the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.
4. Other matters.
5. Adoption of the report.

C. Statements

6. Under agenda item 2, a statement was made by the representative of Liechtenstein, a party to the Convention.

7. Under agenda item 3, statements were made by representatives of the following parties to the Convention: Argentina, Austria, Belarus, Brazil, Cambodia, Canada, China, Colombia, Egypt, European Union, Finland, France, Germany, Guatemala, Honduras, India, Indonesia, Italy, Japan, Jordan, Kuwait, Liechtenstein, Luxembourg, Mexico, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Singapore, Spain, Switzerland, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America.

8. Also under agenda item 3, a statement was made by the observer for the Islamic Republic of Iran, a signatory State.

D. Organization of work

9. At its 1st meeting held on 9 October 2019, the open-ended intergovernmental meeting discussed item 2 of the agenda, entitled “Consideration of the guidelines for conducting the country reviews and of the blueprint for the lists of observations of the country reviews.”

10. Under agenda item 2, the open-ended intergovernmental meeting finalized the guidelines for conducting the country reviews and the blueprints for the lists of observations and the summaries, contained in document [CTOC/COP/WG.10/2019/2](#), and the text of which has been orally amended, for consideration by the Conference at its tenth session.

11. Also at its 1st meeting, the open-ended intergovernmental meeting discussed item 3 of the agenda, entitled “Finalization and harmonization of the self-assessment questionnaires for the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.” Under that agenda item, the open-ended intergovernmental meeting discussed in detail the draft self-assessment questionnaire for the review of the implementation of the United Nations Convention against Transnational Organized Crime, analysing the draft text one question at a time.

12. At its 2nd, 3rd, 4th and 5th meetings, on 9, 10 and 11 October 2019, the open-ended intergovernmental meeting continued its discussion of agenda item 3. Under the agenda item, the open-ended intergovernmental meeting continued its

detailed analysis of the draft self-assessment questionnaire for the review of the implementation of the United Nations Convention against Transnational Organized Crime.

13. At its 5th meeting, on 11 October 2019, the open-ended intergovernmental meeting finalized the self-assessment questionnaire for the review of the implementation of the United Nations Convention against Transnational Organized Crime (see annex), subject to further harmonization, including of the text that appears in brackets in the self-assessment questionnaires for the Protocols, for consideration by the Conference at its tenth session.

14. Also at its 5th meeting, on 11 October 2019, the open-ended intergovernmental meeting continued its consideration of item 3 and discussed in detail the draft self-assessment questionnaire for the Trafficking in Persons Protocol, analysing the text one question at a time. The meeting reviewed questions 1 to 28.

15. Under item 4, “Other matters”, after a brief summary of the issue by the Chair, some delegations enquired about a schedule of future informal consultations and underscored the need for a comprehensive schedule to be made available to delegations with sufficient advance notice.

E. Attendance

16. The following parties to the Convention were represented at the meeting: Argentina, Armenia, Australia, Austria, Bahrain, Belarus, Belgium, Bolivia (Plurinational State of), Brazil, Bulgaria, Cambodia, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Czechia, Dominican Republic, Ecuador, Egypt, El Salvador, European Union, Finland, France, Germany, Greece, Guatemala, Hungary, India, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kuwait, Lao People’s Democratic Republic, Lebanon, Liechtenstein, Luxembourg, Malaysia, Mexico, Morocco, Myanmar, Netherlands, New Zealand, Norway, Oman, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam and Yemen.

17. The Islamic Republic of Iran, a signatory State, was represented by observers.

18. A list of participants is contained in CTOC/COP/WG.10/2019/INF.1/Rev.1.

F. Documentation

19. The meeting had before it the following:

(a) Annotated provisional agenda ([CTOC/COP/WG.10/2019/1](#));

(b) Note by the Secretariat on the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto: draft guidelines for conducting the country reviews and blueprints for the lists of observations and the summaries ([CTOC/COP/WG.10/2019/2](#));

(c) Self-assessment questionnaire for the United Nations Convention against Transnational Organized Crime: draft text by the Chair ([CTOC/COP/WG.10/2019/3](#));

(d) Self-assessment questionnaire for the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime: draft text by the Chair ([CTOC/COP/WG.10/2019/4](#)).

III. Adoption of the report

20. On 11 October 2019, the meeting adopted the present report.

Annex

Self-assessment questionnaire for the review of the implementation of the United Nations Convention against Transnational Organized Crime

General guidance for replying to the questionnaire

- States will be reviewed based on the information they have provided to the reviewing States parties, in accordance with section V of the procedures and rules for the functioning of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto. If they have not yet provided the relevant documents to the Secretariat, States are called upon to upload either any laws, regulations, cases and other documents, or brief descriptions of them which are of relevance for responding to the questionnaire to the knowledge management portal known as Sharing Electronic Resources and Laws on Crime (SHERLOC).
- Links to the information uploaded to SHERLOC can be then provided as part of the replies to each question.
- In addition to providing links to the information uploaded to SHERLOC, States are called upon to specify the applicable legislation and relevant provisions under each question to which the answer is “Yes” and under any other questions where appropriate.
- States are requested to refrain from attaching any annexes, including hard copies of documentation, to the completed questionnaires.
- When responding to the self-assessment questionnaires, States parties may also refer to information provided in the context of other relevant review mechanisms of instruments to which they are parties. States parties shall bear in mind that any update since previous submissions of information under other review mechanisms are appropriately reflected in the responses. In particular, when reviewing the same legislation for obligations which are identical or similar to those under the United Nations Convention against Corruption, a State party under review may refer to responses and additional documentation that it has submitted under the Mechanism for the Review of Implementation of the United Nations Convention against Corruption.
- The provisions of the Organized Crime Convention and the Protocols thereto entail various degrees of requirements. In accordance with the procedures and rules, the Review Mechanism shall progressively address all articles of the Convention and the Protocols thereto. The different nature of each provision should therefore be taken into account in formulating the responses to the related questions and while reviewing them in the following phases of the country review.

I. General information

1. Has your country designated a central authority pursuant to article 18, paragraph 13?

☐ Yes ☐ No

If the answer is “Yes”, please provide any available information related to the name and address of such authority or authorities.

2. Has your country informed the Secretary-General of the United Nations of the name and address of the authority or authorities that can assist other States parties in developing measures to prevent transnational organized crime (art. 31, para. 6)?

☐ Yes ☐ No

If the answer is “Yes”, please provide any available information related to the name and address of such authority or authorities.

II. Definitions and criminalization under the Convention

A. Definitions

3. Does your country’s legal framework include the definitions set forth in article 2?

☐ Yes ☐ Yes, in part ☐ No

Please explain:

4. Does your country’s legal framework permit your country to implement the Convention without adopting the specific definitions set forth in article 2?

☐ Yes ☐ Yes, in part ☐ No

Please explain:

B. Criminalization of participation in an organized criminal group (article 5)

5. Is participation in an organized criminal group criminalized under your country’s legal framework in accordance with article 5?

☐ Yes ☐ No

(a) If the answer to question 5 is “Yes”, does participation in an organized criminal group consist of agreeing with one or more other persons to commit a serious crime in order to obtain, directly or indirectly, a financial or other material benefit?

☐ Yes ☐ Yes, in part ☐ No

(b) If the answer to question 5 (a)(i) is “Yes”, does the criminal offence as provided in your domestic law require an act undertaken by one of the participants in

furtherance of the agreement or involving an organized criminal group (art. 5, para. 1 (a)(i))?

☐ Yes ☐ Yes, in part ☐ No

(c) If your domestic law requires an act in furtherance of the agreement, has your country so informed the Secretary-General of the United Nations as required in paragraph 3, of article 5?

☐ Yes ☐ No

(d) If the answer to question 5 is “Yes”, does participation in an organized criminal group consist of taking an active part in the criminal activities of an organized criminal group with knowledge of either the aim and general criminal activity of that group or its intention to commit the crimes concerned, or taking an active part in other activities of an organized criminal group in the knowledge that such participation will contribute to the achievement of the criminal aim of that group (art. 5, para. 1 (a) (ii))?

☐ Yes ☐ Yes, in part ☐ No

Please explain, if needed:

6. Does your country’s legal framework establish as criminal offences the acts of organizing, directing, aiding, abetting, facilitating or counselling the commission of serious crime involving an organized criminal group (art. 5, para. 1 (b))?

☐ Yes ☐ Yes, in part ☐ No

Please explain, if needed:

C. Criminalization of the laundering of proceeds of crime (article 6)

7. Is the laundering of proceeds of crime criminalized under your country’s legal framework in accordance with article 6, paragraph 1 (a), of the Convention?

☐ Yes ☐ Yes, in part ☐ No

(a) If the answer is “Yes, in part”, please specify the manner in which the laundering of proceeds of crime is criminalized under your domestic law.

(b) If the answer is “Yes”, are all serious crimes and the offences covered by the Convention and the Protocols to which your State is a party predicate offences under your domestic law to the offence of money-laundering (art. 6, para. 2 (a) and (b))?

☐ Yes ☐ No

(i) If the answer is “No”, please specify which of the offences covered by the Convention and the Protocols to which your State is a party are not predicate offences under your domestic law to the offence of money-laundering:

(ii) Please provide information on the scope of predicate offences set out in your domestic law, including any list of specific predicate offences that may be set out by your domestic law; indicate, for example, the relevant Acts and article numbers (art. 6, para. 2 (b)).

8. Does your country’s legal framework include predicate offences committed outside your jurisdiction (art. 6, para. 2 (c))?

☐ Yes ☐ Yes, in part ☐ No

If the answer is “Yes” or “Yes, in part”, please describe the circumstances under which a predicate offence committed in a foreign jurisdiction may be recognized pursuant to your domestic law.

9. Are the acquisition, possession and use of property known at the time of receipt to be the proceeds of crime, criminalized under your country’s legislation (art. 6, para. 1 (b)(i))?

☐ Yes ☐ Yes, in part ☐ No

Please explain briefly:

10. Are participation in, association with and conspiracy to commit, attempts to commit and aiding, abetting, facilitating and counselling the commission of a money-laundering offence criminalized under your country’s legal framework (art. 6, para. 1 (b)(ii))?

☐ Yes ☐ Yes, in part ☐ No

Please explain briefly:

11. Has your country furnished copies of its laws that give effect to article 6 and of any subsequent changes to such laws or a description thereof to the Secretary-General of the United Nations?

If yes, please provide a link:

If not, please provide this information:

D. Criminalization of corruption (article 8)

The review of articles 8 and 9 of the Convention is only for those States parties to the Organized Crime Convention that are not parties to the United Nations Convention against Corruption.

12. Is the conduct described in article 8, paragraph 1 (a), criminalized under your country's legal framework?

☐ Yes ☐ Yes, in part ☐ No

Please explain briefly:

13. Is the conduct described in article 8, paragraph 1 (b), criminalized under your country's legal framework?

☐ Yes ☐ Yes, in part ☐ No

Please explain briefly:

14. Is the form of corruption described in article 8, paragraph 1, involving a foreign public official or international civil servant (art. 8, para. 2) criminalized under your country's legal framework?

☐ Yes ☐ Yes, in part ☐ No

If appropriate, please explain briefly:

15. Is any other form of corruption (art. 8, para. 2) established as a criminal offence under your country's legal framework?

☐ Yes ☐ Yes, in part ☐ No

If appropriate, please explain briefly:

16. Is participation as an accomplice in offences established in accordance with article 8 criminalized under your country's legal framework (art. 8, para. 3)?

☐ Yes ☐ No

E. Criminalization of obstruction of justice (article 23)

17. Is obstruction of justice criminalized under your country's legal framework in accordance with article 23 of the Convention?

☐ Yes ☐ Yes, in part ☐ No

Please explain briefly:

III. Law enforcement and the judicial system

A. Liability of legal persons (article 10)

18. Is liability of legal persons established under your country's legal framework in accordance with article 10 of the Convention?

☐ Yes, ☐ Yes, in part ☐ No

(a) If the answer is "Yes, in part" or "No", please explain:

(b) If the answer is "Yes", is this liability...

(i) ...Criminal?

☐ Yes ☐ No

(ii) ...Civil?

☐ Yes ☐ No

and/or

(iii) ...Administrative?

☐ Yes ☐ No

19. What kind of sanctions are provided for in your country's legal framework to implement article 10 paragraph 4, bearing in mind article 11, paragraph 6, of the Convention?

B. Prosecution, adjudication and sanctions, and establishment of a criminal record (articles 11 and 22)

20. Does your country make the commission of offences covered by the Convention liable to sanctions that take into account the gravity of those offences (art. 11, para. 1)?

☐ Yes ☐ No

21. Has your country established, where appropriate, a long statute of limitations period in which to commence proceedings for any offence covered by the Convention and a longer period where the alleged offender has evaded the administration of justice (art. 11, para. 5)?

☐ Yes ☐ Yes, in part ☐ No

Please explain briefly, including, where appropriate, the length of the statute of limitation period:

22. Has your country taken measures to ensure that conditions imposed in connection with decisions on release pending trial or appeal take into consideration the need to ensure the presence of the defendant at subsequent criminal proceedings (art. 11, para. 3)?

☐ Yes ☐ No

C. Confiscation and seizure (article 12)

23. Does your country's legal framework enable confiscation of:

(a) Proceeds of crime (as defined in art. 2 (e)¹) derived from offences covered by the Convention (art. 12, para. 1 (a)) or property, the value of which corresponds to that of proceeds of crime derived from offences covered by the Convention (art. 12, para. 1 (a))?

☐ Yes ☐ No

(b) Property, equipment or other instrumentalities used in or destined for use in offences covered by the Convention (art. 12, para. 1 (b))?

☐ Yes ☐ No

(c) Proceeds of crime transformed or converted into other property (art. 12, para. 3)?

☐ Yes ☐ No

(d) Proceeds of crime intermingled with property acquired from legitimate sources (art. 12, para. 4)?

☐ Yes ☐ No

(e) Income or other benefits derived from items described under (a), (c) and (d) above (art. 12, para. 5)?

☐ Yes ☐ No

Please, explain:

24. States are invited to provide, on a voluntary basis, information regarding whether their domestic legal framework allows for non-conviction-based asset forfeiture.

25. States are invited to provide information on the pertinent legislative framework and on the required standard of proof.

26. Does your country's legal framework enable the identification, tracing, freezing or seizure of items described above for the purpose of eventual confiscation (art. 12, para. 2)?

☐ Yes ☐ No

If the answer is "Yes", please explain briefly if needed.

27. If it is consistent with the principles of your domestic law and with the nature of the judicial and other proceedings, does your country's legal framework permit shifting the burden of proof to the defendant to show that alleged proceeds of crime were derived from legitimate sources (art. 12, para. 7)?

☐ Yes ☐ No

¹ "Proceeds of crime" shall mean any property derived from or obtained, directly or indirectly, through the commission of those offences.

If the answer is “Yes”, please provide information on the conditions under which your domestic legal framework permits shifting the burden of proof to the defendant.

28. Does your country’s legal framework empower courts or other competent authorities to order that bank, financial or commercial records be made available or be seized for:

(a) Investigation or prosecution of offences covered by the Convention in your country? ☐ Yes ☐ No

(b) Securing confiscation in your country (art. 12, para. 6)? ☐ Yes ☐ No

(c) Responding to a request for confiscation by another State party in relation to an offence covered by the Convention? ☐ Yes ☐ No

If the answer to (a), (b) or (c) is “Yes”, please specify the manner in which your country’s legal framework empowers courts or other competent authorities.

29. Does your country’s legal framework allow for bank secrecy to be used as grounds to decline to act under the provisions of article 12, paragraph 6? ☐ Yes ☐ No

D. Jurisdiction (article 15)

30. Are there any circumstances under which your country does not have jurisdiction over offences [established in accordance with articles 5, 6, 8 and 23 of the Convention and the Protocols to which your country is a party²] committed in its territory (art. 15, para. 1 (a))? ☐ Yes ☐ No

If the answer is “Yes”, please specify the circumstance(s) under which your country does not have jurisdiction over offences committed in its territory.

31. Does your country have jurisdiction to prosecute the offences [established in accordance with articles 5, 6, 8 and 23 of the Convention and the Protocols to which your country is a party³] when the offences are committed on board a vessel flying its flag or an aircraft registered under its laws (art. 15, para. 1 (b))? ☐ Yes ☐ Yes, in part ☐ No

If the answer is “Yes” or “Yes, in part”, please specify the manner in which your country has jurisdiction to prosecute the offences covered by the Convention as per article 15, paragraph 1 (b).

² The text of the question was finalized pending harmonization.

³ The text of the question was finalized pending harmonization.

32. Does your country's legal framework allow for the following extraterritorial jurisdictional bases?

(a) Jurisdiction to prosecute the offences [established in accordance with articles 5, 6, 8 and 23 of the Convention and the Protocols to which your country is a party⁴] when committed outside its territory by its nationals (or stateless persons who have habitual residence in the country) (art. 15, para. 2 (b))?

☐ Yes ☐ No

(b) Jurisdiction to prosecute the offences [established in accordance with articles 5, 6, 8 and 23 of the Convention and the Protocols to which your country is a party⁵] when committed outside its territory against its nationals (art. 15, para. 2 (a))?

☐ Yes ☐ No

(c) Jurisdiction to prosecute participation in an organized criminal group that occurred outside its territory with a view to the commission of a serious crime (art. 2, para. (b)) within its territory (art. 15, para. 2 (c)(i))?

☐ Yes ☐ No

(d) Jurisdiction to prosecute ancillary offences related to money-laundering offences committed outside its territory with a view to the commission of the laundering of criminal proceeds in its territory (art. 15, para. 2 (c)(ii))?

☐ Yes ☐ No

E. Protection of witnesses, and assistance to and protection of victims (articles 24 and 25)

33. Does your country take appropriate measures within its means to provide effective protection from potential retaliation or intimidation for witnesses in criminal proceedings who give testimony concerning offences covered by the Convention (art. 24, para. 1)?

☐ Yes ☐ No

34. If the answer to question 33 is "Yes", do such measures extend protection, as appropriate, to relatives of witnesses and other persons close to them?

☐ Yes ☐ No

If the answer is "Yes", please explain:

35. If the answer to question 33 is "Yes", do such measures, without prejudice to the rights of the defendant, include:

(a) The establishment of procedures for the physical protection of witnesses, for example, their relocation and the non-disclosure or limitations on the disclosure of information concerning their identity and whereabouts (art. 24, para. 2 (a))?

☐ Yes ☐ No

⁴ The text of the question was finalized pending harmonization.

⁵ The text of the question was finalized pending harmonization.

(b) The provision of domestic evidentiary rules that would permit witness testimony to be given in a manner that ensures the safety of the witness such as through the use of communication technologies (art. 24, para. 2 (b))?

☐ Yes ☐ No

(c) Other measures. Please specify:

36. Has your country taken appropriate measures within its means to provide assistance and protection to victims of offences covered by the Convention,⁶ in particular in cases of threat of retaliation or intimidation (art. 25, para. 1)?

☐ Yes ☐ No

If the answer is “Yes”, please specify:

37. Has your country established appropriate procedures to provide access to compensation and restitution for victims of offences covered by the Convention (art. 25, para. 2)?

☐ Yes ☐ No

If the answer is “Yes”, please specify:

38. Does your country enable the views and concerns of victims to be presented and considered at appropriate stages of criminal proceedings against offenders involved in organized criminal activities in a manner not prejudicial to the rights of the defence (art. 25, para. 3)?

☐ Yes ☐ No

Please explain, as appropriate:

39. Has your country entered into agreements or arrangements with other States for the relocation of witnesses and/or victims insofar as they are witnesses, and, as appropriate, for their relatives and other persons close to them in order to ensure their physical protection from potential retaliation or intimidation (art. 24)?

☐ Yes ☐ No

F. Measures related to the investigation of cases of transnational organized crime

40. Does your country’s legal framework allow for the use of special investigative techniques?

☐ Yes ☐ No

⁶ Offences covered under the Convention include those established pursuant to the relevant Protocols to which the State is a party.

41. If the answer to question 40 is “Yes”, does your country take measures to allow the use of special investigative techniques, such as:

(a) Controlled delivery?

☐ Yes ☐ No

and/or, where it deems appropriate,

(b) Electronic or other forms of surveillance?

☐ Yes ☐ No

and/or

(c) Undercover operations?

☐ Yes ☐ No

and/or

(d) Other techniques

☐ Yes ☐ No

Please explain:

42. If the answer to question 41 (b) is “Yes”, please provide, if possible, information related to electronic surveillance in your country, in particular as it relates to the sharing of the information or evidence obtained with foreign law enforcement and judicial authorities.

States are invited to provide, on a voluntary basis, any available information on the conditions prescribed by its domestic law applicable to the above-mentioned special investigative techniques (art. 20, para. 1).

43. Does your country take measures to encourage persons who participate or have participated in organized criminal groups to provide information useful to competent authorities for investigative and evidentiary purposes or any other concrete help that may contribute to depriving organized criminal groups of their resources or proceeds of crime (art. 26, para. 1)?

☐ Yes ☐ No

(a) If the answer is “Yes”, does your domestic law provide for the possibility of mitigating punishment of an accused person who provides substantial cooperation in the investigation or prosecution of an offence or offences covered by the Convention (art. 26, para. 2)?

☐ Yes ☐ No

(b) If the answer is “Yes”, does your domestic law provide for the possibility of granting immunity from prosecution to a person who provides substantial cooperation in the investigation or prosecution of an offence or offences covered by the Convention (art. 26, para. 3)?

☐ Yes ☐ No

44. Has your country entered into any bilateral or multilateral agreement or arrangement with other States parties concerning the treatment (such as mitigating punishment or immunity) of persons who can provide substantial cooperation to the competent authorities of either contracting party (art. 26, para. 5)?

☐ Yes ☐ No

States parties are invited to provide information.

IV. International cooperation in criminal matters

A. Extradition (article 16)

45. In your country, is extradition granted:

(a) By statute?

☐ Yes ☐ No

and/or

(b) By treaty or other agreement or arrangement (multilateral or bilateral)?

☐ Yes ☐ No

and/or

(c) By virtue of reciprocity or comity?

☐ Yes ☐ No

(d) If the answer to question 45 (b) is “Yes”, does your country use the Convention as a legal basis for cooperation on extradition with other States parties to the Convention (art. 16, para. 5 (a))?

☐ Yes ☐ Yes, under conditions ☐ No ☐ Not applicable

Please explain:

(e) Have you communicated so to the Secretary-General of the United Nations (art. 16, para. 5 (a))?

☐ Yes ☐ No

(f) If the answer to questions 45 (a), (b), or (c) above is “No”, has your country, in appropriate cases, sought to conclude treaties on extradition (art. 16, para. 5 (b))?

☐ Yes ☐ No

46. Have the offences set out in article 16, paragraph 1, of the Convention [and offences established in accordance with Protocols to which your country is a party⁷] in practice been deemed by your country to be extraditable offences in its bilateral or multilateral extradition treaties (art. 16, para. 3)?

☐ Yes ☐ Yes, in part ☐ No

Please explain briefly:

47. If your country does not make extradition conditional on the existence of a treaty, does your country recognize the offences set out in article 16, paragraph 1, of the Convention [and offences established in accordance with Protocols to which your country is a party⁸] as extraditable offences (art. 16, para. 6)?

☐ Yes ☐ Yes, in part ☐ No ☐ Not applicable

⁷ The text of the question was finalized pending harmonization.

⁸ The text of the question was finalized pending harmonization.

Please explain briefly:

48. What are the conditions provided for in your domestic law for granting extradition, including the minimum penalty requirement (as the threshold to identify extraditable offences) (art. 16, para. 7)?

Please explain briefly:

49. What are the grounds provided for in your domestic law upon which your country may refuse extradition (art. 16, para. 7)?

Please explain briefly:

50. Is the dual criminality requirement established in your domestic legal framework for granting an extradition request (art. 16, para. 1)?

☐ Yes ☐ Yes, in part ☐ No

If the answer is “Yes, in part”, please explain how or to what extent the dual criminality principle is required for granting an extradition request.

51. Does your country’s legal framework provide for simplified evidentiary requirements (in relation to any offence to which this article applies) (art. 16, para. 8)?

☐ Yes ☐ No

Please explain:

52. Does your country’s legal framework provide for expedited extradition procedures (in relation to any offence to which this article applies) (art. 16, para. 8)?

☐ Yes ☐ No

If the answer is “Yes”, please provide information on simplified extradition proceedings available in your country and under which conditions these proceedings apply.

53. Does your country refuse a request for extradition on the sole ground that the offence is also considered to involve fiscal matters (art. 16, para. 15)?

☐ Yes ☐ No

If the answer is “Yes”, please specify in which circumstances a request for extradition could be refused on the sole ground that the offence is also considered to involve fiscal matters.

54. If your country does not extradite an alleged offender on the sole ground that the offender is its national, does your country's legal framework establish jurisdiction over offences covered by the Convention [and the Protocols⁹] when those offences are committed by its nationals (art. 15, para. 3; and art. 16, para. 10)?

☐ Yes ☐ Yes, in part ☐ No

55. If an alleged offender is present in your country's territory and your country does not extradite him or her, does your country's legal framework establish jurisdiction over offences covered by the Convention [and by the Protocols¹⁰] in the circumstances described in article 15, paragraphs 1 and 2, when those offences are committed by that person (art. 15, para. 4)?

☐ Yes ☐ Yes, in part ☐ No

56. Does your country's legal framework provide for conditional extradition or surrender in accordance with article 16, paragraph 11, of the Convention?

☐ Yes ☐ No

57. If your country does not extradite a person because he or she is its national, does your legal framework permit, upon application of the requesting State, enforcing the sentence that has been imposed on the person sought under the domestic law of the requesting State (art. 16, para. 12)?

☐ Yes ☐ Yes, in part ☐ No

If the answer is "Yes" or "Yes, in part", please explain in which circumstances your country could consider enforcing such sentence.

58. Before refusing extradition, does your country consult, where appropriate, with the requesting State to provide it with ample opportunity to present its opinions and to provide information relevant to its allegation (art. 16, para. 16)?

☐ Yes ☐ No

59. States are invited to share their experiences and challenges in using the Convention with other States parties regarding extraditions matters.

B. Mutual legal assistance (article 18)

60. In your country, is mutual legal assistance afforded:

(a) By statute?

☐ Yes ☐ No

and/or

(b) By treaty or other agreement or arrangement (multilateral or bilateral)?

☐ Yes ☐ No

and/or

(c) By virtue of reciprocity or comity?

☐ Yes ☐ No

⁹ The text of the question was finalized pending harmonization.

¹⁰ The text of the question was finalized pending harmonization.

61. Does your country afford mutual legal assistance with respect to investigations, prosecutions and judicial proceedings in relation to offences covered under the Convention for which a legal person may be held liable (art. 18, para. 2)?

☐ Yes ☐ No

62. Does your country apply the provisions of article 18 of the Convention, including paragraphs 9 to 29 thereof, in order to provide mutual legal assistance to other States parties to the Convention with which it does not have another mutual legal assistance treaty in force (art. 18, para. 7)?

☐ Yes ☐ Yes, in part ☐ No

If the answer is “Yes, in part”, please specify which paragraphs would not apply.

63. Which of the following types of mutual legal assistance does your country provide (art. 18, para. 3)?

(a) Taking evidence or statements from persons;

☐ Yes ☐ No

and/or

(b) Effecting service of judicial documents;

☐ Yes ☐ No

and/or

(c) Executing searches and seizures, and freezing;

☐ Yes ☐ No

and/or

(d) Examining objects and sites;

☐ Yes ☐ No

and/or

(e) Providing information, evidentiary items and expert evaluations;

☐ Yes ☐ No

and/or

(f) Providing originals or certified copies of relevant documents and records, including government, bank, financial, corporate or business records;

☐ Yes ☐ No

and/or

(g) Identifying or tracing proceeds of crime, property, instrumentalities or other things for evidentiary purposes;

☐ Yes ☐ No

and/or

(h) Facilitating the voluntary appearance of persons in the requesting State party;

☐ Yes ☐ No

and/or

(i) Any other type of assistance that is not contrary to your domestic law.

☐ Yes ☐ No

Please specify:

States are invited to share examples of their positive experiences or good practices in applying the Convention regarding any other type of assistance provided under article 18, paragraph 3 (i).

64. Does your country permit conducting a hearing by videoconference at the request of another State party where it is not feasible or desirable for the witness or expert to appear in person before the judicial authorities of the foreign State (art. 18, para. 18)?

☐ Yes ☐ Yes, in part ☐ No

If needed, please explain:

65. Is bank secrecy a ground for refusal of a mutual legal assistance request under your domestic legal framework (art. 18, para. 8)?

☐ Yes ☐ No

If the answer is “Yes”, please explain in which circumstances bank secrecy can be a ground for refusal of a mutual legal assistance request.

66. Does your country decline to render mutual legal assistance on the ground of absence of dual criminality (art. 18, para. 9)?

☐ Yes ☐ Yes, in part ☐ No

67. Does your country refuse a mutual legal assistance request on the sole ground that the offence is also considered to involve fiscal matters (art. 18, para. 22)?

☐ Yes ☐ Yes, in part ☐ No

If the answer is “Yes” or “Yes, in part”, please specify the circumstances under which a request for mutual legal assistance is refused on the sole ground that the offence is also considered to involve fiscal matters.

68. Are any of the grounds for refusal of a mutual legal assistance request provided for in article 18, paragraph 21, of the Convention applicable in your domestic legal framework?

☐ Yes ☐ Yes, in part ☐ No

69. Does your country’s legal framework provide for grounds for refusal in addition to the ones contained in article 18, paragraph 21 (a)–(d)?

☐ Yes ☐ No

If yes, please explain briefly:

States are invited to share examples of their positive experiences or good practices in applying the Convention with respect to how the provision of mutual legal assistance

can be subject to the requirement of dual criminality, especially in relation to mutual legal assistance involving coercive and non-coercive measures.

70. Are the requirements of your country's legal framework for a mutual legal assistance request consistent with the requirements of article 18, paragraph 15?

☐ Yes ☐ No

If you have additional requirements, please briefly explain:

71. Has your country requested or received a request for additional information on the basis that additional information was necessary for the execution of a request in accordance with domestic law or to facilitate execution of such a request? (art. 18, para. 16)?

☐ Yes ☐ No

If the answer is "Yes", States are invited to explain briefly:

72. Does your country respond to reasonable requests by the requesting State party on the progress on its handling of the request in accordance with article 18, paragraph 24?

☐ Yes ☐ Yes, in part ☐ No

Please explain:

73. Is your country generally able to execute a request in accordance with the procedures specified in such a request (art. 18, para. 17)?

☐ Yes ☐ No

Please, explain:

C. Transfer of criminal proceedings (article 21)

74. Is your country able to receive or transfer criminal proceedings for the prosecution of offences covered by the Convention?

☐ Yes ☐ No

States with experience in transferring criminal proceedings are encouraged to describe their experience and/or give an example of best practices.

D. Transfer of sentenced persons (article 17)

75. Has your country concluded any bilateral or multilateral agreements or arrangements on the transfer of sentenced persons for offences covered by the Convention (art. 17)?

☐ Yes ☐ No

If the answer is “Yes”, please provide an example of such agreements or arrangements:¹¹

States are invited to share examples of their positive experiences or good practices in applying the Convention regarding bilateral or multilateral agreements or arrangements on the transfer of sentenced persons.

E. Joint investigations (article 19)

76. Has your country or its competent authorities entered into any bilateral or multilateral agreement or arrangement whereby, in relation to matters that are the subject of investigation, prosecution or judicial proceedings in one or more States parties, the competent authorities concerned may establish joint investigative bodies (art. 19)?

☐ Yes ☐ No

77. In the absence of any agreement or arrangement of the sort referred to in question 76, does your country permit joint investigations to be undertaken by agreement on a case-by-case basis (art. 19)?

☐ Yes ☐ No

78. States are invited to share examples of their positive experiences, good practices and/or challenges in applying the Convention regarding bilateral or multilateral agreements or arrangements for the establishment of joint investigative bodies.

F. Special investigative techniques (international aspects of article 20)

79. States are invited to provide, where appropriate, information concerning whether they have concluded any bilateral or acceded to any multilateral agreement or arrangement, for the use of special investigative techniques in the context of international cooperation to combat transnational organized crime (art. 20, para. 2)?

80. States are invited to share information about whether, in accordance with their domestic legal framework and in the absence of any agreement or arrangement of the sort referred to in question 79, they permit the use of special investigative techniques at the international level on a case-by-case basis (art. 20, para. 3).

¹¹ Countries are invited to upload relevant agreements or arrangements to SHERLOC.

G. International cooperation for purposes of confiscation (article 13)

81. Does your country's legal framework permit confiscation of the proceeds of crime, property, equipment or other instrumentalities referred to in article 12, paragraph 1, at the request of another State party?

☐ Yes ☐ Yes, in part ☐ No

(a) If the answer to question 81 is "Yes" or "Yes, in part":

(i) Is the request submitted to the competent authorities of your country for the purpose of obtaining a domestic order of confiscation (art. 13, para. 1 (a))?

☐ Yes ☐ No

(ii) Is the request submitted to the competent authorities of your country for execution (art. 13, para. 1 (b))?

☐ Yes ☐ No

(b) If the answer to question 81 is "Yes, in part", please specify any challenges encountered in confiscating the proceeds of crime at the request of another State party.

82. States are invited to provide, on a voluntary basis, information regarding whether their domestic legal framework allows for non-conviction-based asset forfeiture at the request of another State party.

83. Does your country's legal framework permit confiscation of proceeds of crime that have been transformed or converted into other property (art. 12, para. 3) or intermingled with property acquired from legitimate sources (art. 12, para. 4) at the request of another State party?

☐ Yes ☐ Yes, in part ☐ No

84. Does your country's legal framework enable the competent authorities to identify, trace and freeze and seize the proceeds of crime, for the purpose of eventual confiscation (art. 12, para. 2) at the request of another State party?

☐ Yes ☐ Yes, in part ☐ No

If the answer is "Yes, in part", please specify any challenges encountered in identifying, tracing and freezing and seizing the proceeds of crime, at the request of another State party.

85. If any legal grounds for refusal specific to a request for cooperation for the purposes of confiscation are provided for in your country's legal framework, please explain what those grounds are (art. 13, paras. 3 and 7; and art. 18, para. 21).

86. What information does your country's legal framework require for inclusion in a request for cooperation for the purposes of confiscation other than those enumerated in article 13, paragraph 3, and article 18, paragraph 15?

H. Disposal of confiscated proceeds of crime or property (article 14)

87. Does your country's legal framework permit the return of confiscated proceeds of crime or property to the requesting State party so that it can give compensation to the victims of the crime or return such proceeds of crime or property to their legitimate owners (art. 14, para. 2)?

☐ Yes ☐ Yes, in part ☐ No

If the answer to the above question is "Yes, in part", please explain the manner in which your domestic law permits the return of such confiscated proceeds of crime or property for the purposes stated above.

88. Has your country concluded agreements or arrangements with other States parties on contributing the value of confiscated proceeds of crime or property or funds derived from the sale of such proceeds of crime or property or a part thereof to an account designated in accordance with article 30, paragraph 2 (c), and to intergovernmental bodies specializing in the fight against organized crime (art. 14, para. 3 (a))?

☐ Yes ☐ No

89. Has your country concluded agreements or arrangements with other States parties, on a regular or case-by-case basis, on the sharing of proceeds of crime or property or funds derived from the sale of such proceeds of crime or property or a part thereof (art. 14, para. 3 (b))?

☐ Yes ☐ No

States are invited to share examples of their positive experiences or good practices in applying the Convention regarding bilateral or multilateral agreements or arrangements on the disposal or sharing of confiscated assets.

I. International cooperation against money-laundering (article 7)

90. Does your country enable the administrative, regulatory, law enforcement or, where appropriate, judicial authorities in charge of efforts against money-laundering to cooperate and exchange information at the international level (art. 7, para. 1 (b))?

☐ Yes ☐ No

If the answer is "Yes", please describe the channels used for that exchange of information:

91. Does your country participate in any global, regional, subregional or bilateral frameworks geared towards promoting cooperation among judicial, law enforcement and financial regulatory authorities in order to combat money-laundering (art. 7, para. 4)?

☐ Yes ☐ No

If the answer is "Yes", please provide some examples:

J. International law enforcement cooperation (article 27)

92. Consistent with domestic legal and administrative systems, have the competent authorities of your country established or enhanced, where necessary, channels of communication with their counterparts in other States parties in order to facilitate the secure and rapid exchange of information concerning all aspects of offences covered by the Convention, including, where appropriate, links with other criminal activities (art. 27, para. 1 (a))?

☐ Yes ☐ No

93. Consistent with domestic legal and administrative systems, has your country taken any measures to promote law enforcement cooperation with other States parties in conducting inquiries with respect to offences covered by the Convention (art. 27, para. 1 (b)), in particular in relation to:

(a) The identity, whereabouts and activities of persons suspected of involvement in such offences or the location of other persons concerned?

☐ Yes ☐ No

and/or

(b) The movement of proceeds of crime or property derived from the commission of such offences?

☐ Yes ☐ No

and/or

(c) The movement of property, equipment or other instrumentalities used or intended for use in the commission of such offences?

☐ Yes ☐ No

94. Has your country adopted any measures to provide, when appropriate, necessary items or quantities of substances for analytical or investigative purposes (art. 27, para. 1 (c))?

☐ Yes ☐ No

95. Has your country adopted any measures to facilitate effective coordination with competent authorities, agencies and services of other States parties and promote the exchange of personnel or the posting of liaison officers (art. 27, para. 1 (d))?

☐ Yes ☐ No

96. Has your country adopted any measures to promote the exchange of information with other States parties on specific means and methods used by organized criminal groups, including routes and conveyances and the use of false identities, altered or false documents or other means of concealing their activities (art. 27, para. 1 (e))?

☐ Yes ☐ No

97. Has your country adopted any measures to promote the exchange of information and the coordination of administrative measures with other States parties for the purpose of early identification of the offences covered by the Convention (art. 27, para. 1 (f))?

☐ Yes ☐ No

98. Has your country entered into any bilateral or multilateral agreement or arrangement on direct cooperation between law enforcement agencies to give effect to the Convention (art. 27, para. 2)?

☐ Yes ☐ No

States are invited to share examples of their positive experiences, good practices and/or challenges in applying the Convention regarding bilateral or multilateral agreements or arrangements on direct cooperation between law enforcement agencies.

99. In the absence of any agreement or arrangement, would your country consider the Convention as the legal basis for mutual law enforcement cooperation in respect of the offences covered by it (art. 27, para. 2)?

☐ Yes ☐ No

V. Prevention, technical assistance and other measures

A. Money-laundering (article 7)

100. Has your country instituted a domestic regulatory and supervisory regime for banks and non-bank financial institutions and, where appropriate, other bodies particularly susceptible to money-laundering, within its competence, in order to detect and deter all forms of money-laundering (art. 7, para. 1 (a))?

☐ Yes ☐ No

(a) If the answer is “Yes”, please identify the legal nature of the institutions to which such a regime is applicable.

(b) If the answer is “Yes”, does your country’s regime require:

(i) Customer identification?

☐ Yes ☐ No

If the answer is “Yes”, please specify the customer identification required by your country’s regime.

(ii) Record-keeping?

☐ Yes ☐ No

If the answer is “Yes”, please specify the record-keeping required by your country’s regime.

(iii) Reporting of suspicious transactions?

☐ Yes ☐ No

If the answer is “Yes”, please provide examples of, inter alia, the criteria used for identifying suspicious transactions or the sanctions imposed for non-compliance with reporting requirements.

(iv) Bearing in mind article 7, paragraphs 3 and 4, States are invited to provide, on a strictly voluntary basis, additional information relating to deterrents to and the detection of money-laundering, such as customer verification, including by providing assessments and other relevant evaluations or links thereto.

101. Does your country enable the administrative, regulatory, law enforcement or judicial authorities in charge of efforts against money-laundering to cooperate and exchange information at the national level (art. 7, para. 1 (b))?

☐ Yes ☐ No

If the answer is “Yes”, has a financial intelligence unit been established in your country to serve as a national centre for the collection, analysis and dissemination of information related to money-laundering activities?

☐ Yes ☐ No

If the answer is “Yes”, please provide information on the financial intelligence unit established in your country.

102. Has your country implemented measures to detect and monitor the movement of cash and appropriate negotiable instruments across its borders (art. 7, para. 2)?

☐ Yes ☐ No

If the answer is “Yes”, please specify and provide, in particular, any available information on safeguards to ensure the proper use of information and the unimpeded movement of legitimate capital.

B. Corruption (article 9)

The review of articles 8 and 9 of the Convention is only for those States parties to the Organized Crime Convention that are not a party to the United Nations Convention against Corruption.

103. Has your country adopted measures to promote integrity and to prevent, detect and punish the corruption of public officials (art. 9, para. 1)?

☐ Yes ☐ No

If the answer is “Yes”, please specify the measures implemented to promote integrity and to prevent, detect and punish the corruption of public officials.

104. Has your country taken measures to ensure effective action by its authorities in the prevention, detection and punishment of the corruption of public officials including providing such authorities with adequate independence to deter the exertion of inappropriate influence on their actions (art. 9, para. 2)?

☐ Yes ☐ No

If the answer is “Yes”, please specify the measures implemented to ensure effective action by its authorities in the prevention, detection and punishment of the corruption

of public officials including providing such authorities with adequate independence to deter the exertion of inappropriate influence on their actions.

C. Other preventive measures

105. Has your country established a practice of analysing, in consultation with the scientific and academic communities, trends in organized crime within its territory, the circumstances in which organized crime operates, and the professional groups and technologies involved (art. 28, para. 1)?

☐ Yes ☐ No

If the answer is “Yes”, please provide examples:

106. Does your country monitor its policies and actual measures to combat organized crime and make assessments of their effectiveness and efficiency (art. 28, para. 3)?

☐ Yes ☐ No

If the answer is “Yes”, please specify the monitoring and the assessments undertaken by your country.

107. Has your country initiated, developed or improved training programmes for its law enforcement personnel, including prosecutors, investigating magistrates and customs personnel, as well as other personnel charged with the prevention, detection and control of the offences covered by the Convention (art. 29, para. 1)?

☐ Yes ☐ No

If the answer is “Yes”, please provide examples:

Please also specify whether the following are included in such training programmes:

(a) Secondment and exchanges of staff;

☐ Yes ☐ No

(b) Methods used in the prevention, detection and control of the offences covered by the Convention;

☐ Yes ☐ No

(c) Routes and techniques used by persons suspected of involvement in offences covered by this Convention, including in transit States, and appropriate countermeasures;

☐ Yes ☐ No

(d) Monitoring of the movement of contraband;

☐ Yes ☐ No

(e) Detection and monitoring of the movements of proceeds of crime, property, equipment or other instrumentalities and methods used for the transfer, concealment or disguise of such proceeds, property, equipment or other

instrumentalities, as well as methods used in combating money-laundering and other financial crimes;

☐ Yes ☐ No

(f) Collection of evidence;

☐ Yes ☐ No

(g) Control techniques in free trade zones and free ports;

☐ Yes ☐ No

(h) Modern law enforcement equipment and techniques, including electronic surveillance, controlled deliveries and undercover operations;

☐ Yes ☐ No

(i) Methods used in combating transnational organized crime committed through the use of computers, telecommunications networks or other forms of modern technology;

☐ Yes ☐ No

(j) Methods used in the protection of victims and witnesses.

☐ Yes ☐ No

108. Has your country promoted training and technical assistance to facilitate extradition and mutual legal assistance (art. 29, para. 3)?

☐ Yes ☐ No

(a) If the answer is “Yes”, please provide examples, best practices and/or challenges on the promotion of training:

(b) If the answer is “Yes”, please provide examples, best practices and/or challenges on technical assistance:

(c) Please also specify whether the following are included in such training and technical assistance:

(i) Language training;

☐ Yes ☐ No

(ii) Secondments and exchanges between personnel in central authorities or agencies with relevant responsibilities.

☐ Yes ☐ No

109. Has your country developed any national projects or established and promoted best practices and policies aimed at the prevention of transnational organized crime (art. 31, para. 1)?

☐ Yes ☐ No

If the answer is “Yes”, please provide some examples:

110. In accordance with the fundamental principles of its domestic law, has your country adopted measures to reduce existing or future opportunities for organized

criminal groups to participate in lawful markets with proceeds of crime (art. 31, para. 2), including:

(a) The strengthening of cooperation between law enforcement agencies or prosecutors and relevant private entities, including industry?

☐ Yes ☐ No

(b) The promotion of the development of standards and procedures designed to safeguard the integrity of public and relevant private entities, as well as codes of conduct for relevant professions, in particular lawyers, notaries public, tax consultants and accountants?

☐ Yes ☐ No

(c) The prevention of the misuse of legal persons by organized criminal groups, in particular by:

(i) The establishment of public records on legal and natural persons involved in the establishment, management and funding of legal persons and the exchange of information contained therein?

☐ Yes ☐ No

(ii) The introduction of the possibility of disqualifying by court order or any appropriate means for a reasonable period of time persons convicted of offences covered by the Convention from acting as directors of legal persons domiciled in your country's jurisdiction?

☐ Yes ☐ No

(iii) The establishment of national records of persons disqualified from acting as directors of legal persons and the exchange of information contained therein?

☐ Yes ☐ No

If any answer to question 110 (a), (b) or (c) is "Yes", States parties are invited, on a purely voluntary basis, to share their experience.

111. Does your country promote the reintegration into society of persons convicted of offences covered by the Convention (art. 31, para. 3)?

☐ Yes ☐ No

If the answer is "Yes", please specify the manner in which your country promotes the reintegration into society of persons convicted of offences covered by the Convention.

112. Has your country taken any action to evaluate periodically existing relevant legal instruments and administrative practices with a view to detecting their vulnerability to misuse by organized criminal groups (art. 31, para. 4)?

☐ Yes ☐ No

If the answer is "Yes", please provide examples:

113. Has your country taken any action to promote public awareness regarding the existence, causes and gravity of and the threat posed by transnational organized crime, as well as public participation in preventing and combating such crime (art. 31, para. 5)?

☐ Yes ☐ No

If the answer is “Yes”, please provide examples:

114. Has your country been involved in collaboration frameworks, projects and/or measures with other States parties or relevant international and regional organizations in order to promote and develop measures to prevent transnational organized crime and, in particular, to alleviate the circumstances that render socially marginalized groups vulnerable to the action of such crime (art. 31, para. 7)?

☐ Yes ☐ No

If the answer is “Yes”, please provide examples of collaboration frameworks, projects and/or measures with other States parties or relevant international and regional organizations.

115. Has your country developed and shared analytical expertise concerning organized criminal activities with other States parties and through international and regional organizations? If so, were common definitions, standards and methodologies developed and applied (art. 28, para. 2)?

☐ Yes ☐ No

If the answer is “Yes”, please provide examples of the sharing of expertise that has been developed by your country and shared by your country with other States parties and through international and regional organization.

116. Has your country assisted other States parties in planning and implementing research and training programmes designed to share expertise in the areas referred to in article 29, paragraph 1, of the Convention (art. 29, para. 2)?

☐ Yes ☐ No

If the answer is “Yes”, please provide examples:

117. Has your country been involved in efforts to maximize operational and training activities within international and regional organizations and within other relevant bilateral and multilateral agreements or arrangements (art. 29, para. 4)?

☐ Yes ☐ No

If the answer is “Yes”, please provide best practices and/or examples:

118. Has your country cooperated with developing countries and countries with economies in transition to strengthen their capacity to prevent and combat transnational organized crime, as well as in providing them with technical assistance in order to assist them in meeting their needs for implementation of the Convention (art. 30, para. 2)?

☐ Yes ☐ No ☐ Not applicable

If the answer is “Yes”, please provide best practices and/or examples:

119. Has your country cooperated with developing countries with a view to developing their capacity to prevent and combat transnational organized crime?

☐ Yes ☐ No ☐ Not applicable

If the answer is “Yes”, please provide best practices and/or examples:

120. Has your country provided financial or material assistance to support the efforts of developing countries to fight transnational organized crime effectively and help them implement the Convention successfully?

☐ Yes ☐ No ☐ Not applicable

If the answer is “Yes”, please provide best practices and/or examples:

121. Has your country concluded any bilateral or multilateral agreement or arrangement on material and logistical assistance for the prevention, detection and control of transnational organized crime (art. 30, para. 4)?

☐ Yes ☐ No

[Please provide a separate answer for each relevant subsection of the questionnaire.

II. Definitions and criminalization

III. Law enforcement and the judicial system

IV. International cooperation in criminal matters

V. Prevention, technical assistance and other matters]¹²

VI. Difficulties encountered and assistance required

A. Difficulties encountered

122. Has your country encountered any difficulties or challenges in implementing the Convention?

☐ Yes ☐ No

If the answer is “Yes”, please specify:

- ☐ Problems with the formulation of legislation
- ☐ Need for further implementing legislation (laws, regulations, decrees, etc.)
- ☐ Reluctance of practitioners to use existing legislation

¹² The text of the question was finalized pending harmonization.

- ☐ Insufficient dissemination of existing legislation
- ☐ Limited inter-agency coordination
- ☐ Specificities of the legal system
- ☐ Competing priorities for the national authorities
- ☐ Limited resources for the implementation of existing legislation
- ☐ Limited cooperation with other States
- ☐ Lack of awareness of the existing legislation
- ☐ Other issues (please specify)

123. States are invited to share, on a voluntary basis, examples of their experiences and challenges in promoting cooperation to prevent and combat transnational organized crime more effectively, in particular with regard to:

- (a) The possibility of confiscating companies and corporate assets where proceeds of crime are intermingled with property acquired from legitimate sources;
- (b) The possibility to confiscate legal rights and interests of an enforceable nature;
- (c) The use of non-conviction-based confiscation and the related international judicial and legal cooperation;
- (d) The identification and tracing of property, and the management of seized property, including as carried out by specialized agencies;
- (e) Cooperation with regional prosecution bodies.

B. Need for technical assistance

124. Does your country require technical assistance to overcome difficulties in implementing the Convention?

☐ Yes ☐ No

- (a) If the answer is “Yes”, please specify the type of technical assistance needed.

(b) Which of the following forms of technical assistance, if available, would assist your country in fully implementing the provisions of the Convention? In identifying the forms of technical assistance as listed below, please also indicate for which provisions of the Convention such assistance would be needed.

- ☐ Legal advice
- ☐ Legislative drafting support
- ☐ Model legislation/regulation(s)
- ☐ Model agreement(s)
- ☐ Standard operating procedures
- ☐ Development of strategies/policies, including action plans

- ☐ Dissemination of good practices/lessons learned
 - ☐ Capacity-building through the training of practitioners or trainers
 - ☐ On-site assistance by a mentor or relevant expert
 - ☐ Institution-building, or the strengthening of existing institutions
 - ☐ Prevention and/or awareness-raising
 - ☐ Technological assistance
 - ☐ Establishment or development of information technology infrastructure, such as databases or communication tools
 - ☐ Measures to enhance regional cooperation
 - ☐ Measures to enhance international cooperation
 - ☐ Other assistance (please specify)
-
-

[Please provide a separate answer for each relevant subsection of the questionnaire.]

II. Definitions and criminalization

III. Law enforcement and the judicial system

IV. International cooperation in criminal matters

V. Prevention, technical assistance and other matters]¹³

VII. Other information

125. Please provide any other information you believe is important for the Conference of the Parties to the United Nations Convention against Transnational Organized Crime to consider at the present stage regarding aspects of, or difficulties in, implementing the Convention other than those mentioned above.

¹³ The text of the question was finalized pending harmonization.