



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

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**Working Group of Government
Experts on Technical Assistance**
Vienna, 28–31 May 2018

**Working Group on
International Cooperation**
Vienna, 28–31 May 2018

Draft report on the meetings of the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation held in Vienna from 28 to 31 May 2018

Addendum

II. Recommendations (*continued*)

Working Group of Government Experts on Technical Assistance

1. States and other technical assistance providers should work closely with beneficiary countries to design and implement capacity-building programs against transnational organized crime, to ensure that such programs are responsive to the needs and objectives of the beneficiary country, and to facilitate donor coordination efforts at the local level.

Working Group on International Cooperation

2. States and other technical assistance providers, including UNODC, should incorporate measures to enhance training and technical assistance for central authorities for mutual legal assistance and competent authorities for extradition as part of broader efforts to support implementation of the UNTOC by States Parties.

3. States Parties should consider ensuring the participation of national experts in mutual legal assistance and extradition in forums such as the UNTOC's International Cooperation Working Group, in order to maximize the value of such forums by facilitating the exchange of good practices and challenges and promoting direct dialogue between practitioners regarding implementation of the Convention.

4. The President of the Conference of the Parties should further examine the overlap between information gathered under the UNCAC Implementation Review Mechanism and the information to be reviewed under the UNTOC review mechanism, taking into account the guidance contained in COP Resolution 8/2 that the review mechanism should, inter alia, be cost effective, concise and user-friendly and make optimal and efficient use of existing information, tools, and technology.



III. Summary of deliberations

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

1. 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 3, Working Group of Government Experts on Technical Assistance; agenda item 3, Working Group on International Cooperation) (*continued*)

5. One speaker shared her understanding that, that upon finalization of the draft questionnaire and on the understanding that a review mechanism for the Convention is to be in place in future, the review process would be gradual and States parties would not fill in the entire questionnaire from the very beginning, but gradually, based on the decision to be taken with regard to the review cycles. Therefore the final questions referring to the difficulties encountered and assistance required should touch upon all the relevant clusters and should be addressed in the framework of each cycle. The same speaker noted that with regard to questions relating to (a) steps that have to be taken if domestic legislation has not been adapted to the Convention's requirements; and (b) whether a State party requires legal technical assistance to overcome difficulties in adopting adequate national legislation, the following subsections should be provided to enable the provision of separate answers: Definition and criminalization; law enforcement and the judicial system; international cooperation in criminal matters; and prevention, technical assistance and other measures. The same speaker further noted, as a preferred alternative, that, given the general nature of the questions in Part VI of the draft questionnaire, a general item could be inserted at the end of articles dedicated to a review cycle, referring to the final part of the questionnaire but particularizing to the specific theme. Another option would be to adjust the questions from Part VI to each of the clusters, but this would be more complicated and time consuming.

6. As a conclusion of the deliberations on this agenda item, the Chair requested the Secretariat to prepare a new version of the draft questionnaire, based on the comments that were made during the deliberations and which were recorded in the text, and to circulate this version as a new non-paper. The Chair also requested the Secretariat to make available on the website of the Working Group the text as projected on-screen, for information and reference purposes.

2. Other matters (agenda item 4, Working Group of Government Experts on Technical Assistance; agenda item 4, Working Group on International Cooperation) (*continued*)

7. The working groups considered the agenda item entitled "Other matters" on the morning of 31 May 2018. Under this agenda item, the Secretariat delivered presentations on the following: the work of UNODC in the field of international cooperation in criminal matters and judicial cooperation networks; the activities of the network of prosecutors and central authorities from source, transit and destination countries to combat transnational organized crime in Central Asia and Southern Caucasus (CASC); the activities of the West African Network of Central Authorities and Prosecutors (WACAP); latest developments relating to the expansion of the Directory of Central Authorities (CNA Directory).

8. The Working Group was also briefed about the release and the online availability of the redeveloped version of the Mutual Legal Assistance Request Writer Tool. The tool was designed and revised to include additional types and means of mutual legal assistance to serve as guidance for practitioners involved in the drafting of MLA requests. The tool was made available as an "open resource" on the UNODC website (<http://www.unodc.org/mla/en/index.html>).

9. The Secretariat further informed the Working Group about the outcome of the sixth open-ended intergovernmental expert meeting on international cooperation under the United Nations Convention against Corruption, which had been held in Vienna, from 6 to 7 November 2017; and the framework of discussions for the seventh meeting, to be held on 8 June 2018.

IV. Organization of the meetings

B. Statements (*continued*)

10. Under the joint agenda item 3, entitled “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”, statements were made by representatives of the following States parties to the Convention: Benin, Canada, Côte d’Ivoire, Pakistan, Spain and Zimbabwe.
