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World crime trends and responses: integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice: work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime

International cooperation in combating transnational organized crime and corruption

Report of the Secretary-General

Summary

The present report provides a brief overview of the activities of the United Nations Office on Drugs and Crime in the fight against transnational organized crime and corruption. It complements the report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its third session (CTOC/COP/2006/14) and the report of the Conference of the States Parties to the United Nations Convention against Corruption on its first session (CAC/COSP/2006/12), which will also be made available to the Commission.

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I. Introduction

1. The present report was prepared pursuant to Economic and Social Council resolution 2005/17 of 22 July 2005, entitled “International cooperation in the fight against transnational organized crime”, and resolution 2006/24 of 27 July 2006, entitled “International cooperation in the fight against corruption”, and pursuant to General Assembly resolution 61/181 of 20 December 2006, entitled “Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity”. The report aims to inform the Commission on Crime Prevention and Criminal Justice of developments regarding the activities of the United Nations Office on Drugs and Crime (UNODC) in the area of international cooperation in the fight against transnational organized crime and corruption.

II. Transnational organized crime

2. The United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annexes I-III) continue to attract increased adherence. A similar trend is evident in the case of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (Assembly resolution 55/255, annex). During the reporting period, a total of 17 States ratified the Organized Crime Convention (total: 132 States parties), 16 States ratified the Trafficking in Persons Protocol (total: 111 States parties), 20 States ratified the Migrants Protocol (total: 105 States parties) and 15 States ratified the Firearms Protocol (total: 62 States parties).

3. Since the General Assembly adopted the Organized Crime Convention and the Protocols thereto, UNODC had made it a top priority to promote universal ratification of those instruments and provide assistance to States seeking to ratify and implement them.

4. For greater integration and synergy among the main areas of responsibility of UNODC, a number of the assistance activities that it carried out in 2006 dealt with legislative incorporation of the Organized Crime Convention and its Protocols and with that of treaties on drugs, corruption and terrorism. Other technical assistance was undertaken to develop and implement projects covering a wide range of issues related to transnational crime.

A. Third session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime

5. At its third session, held in Vienna from 9 to 18 October 2006, the Conference of the Parties to the United Nations Convention against Transnational Organized

Crime adopted decisions on the reporting mechanism, on international cooperation in criminal matters, on the Trafficking in Persons Protocol and the Migrants Protocol and on technical assistance (CTOC/COP/2006/14, para. 1, decisions 3/1-3/4).

6. In its decision 3/1, the Conference called upon States parties that had not yet done so to respond to the questionnaires and the requests for clarification with a view to completing the two reporting cycles. In order to facilitate reporting, the Conference called upon each State party to appoint a focal point, and requested its secretariat to develop a sample reporting format.

7. 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 of the Parties. In addition, the Conference welcomed a number of tools developed by UNODC, including the mutual legal assistance request writer tool, and endorsed the proposal for the development of an online directory of central authorities dealing with requests of various kinds pursuant to the Organized Crime Convention and the Protocols thereto.

8. Based on the outcome of the consultations of government experts, the Conference, in its decision 3/3, urged States parties to take measures in the areas of travel and identity documents, training, and cooperation in investigations and measures to discourage the demand that fostered all forms of exploitation of persons.

9. In its decision 3/4, the Conference requested its secretariat to develop proposals for technical assistance activities designed to meet the needs identified by its open-ended interim working group of government experts on technical assistance in the priority areas determined by it in its recommendations and submit such proposals to the working group for consideration at the next meeting of the working group, to be held in Vienna in October 2007. The Conference will hold its fourth session in 2008, in accordance with its rules of procedure, which establish that, following the first three annual sessions, the regular sessions of the Conference shall be held biennially.

The report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its third session (CTOC/COP/2006/14) will be made available to the Commission.

B. Promoting the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

10. The activities of UNODC in the area of promoting the ratification and implementation of the Organized Crime Convention and the Protocols thereto have been partially supported through voluntary contributions to a special account established pursuant to article 30 of the Organized Crime Convention and General Assembly resolution 55/25 of 15 November 2000 and operated under the United Nations Crime Prevention and Criminal Justice Fund. During the period under review, no financial contributions were made to the account.

1. Tools for promoting the United Nations Convention against Transnational Organized Crime and the Protocols thereto

(a) Organized Crime Convention

11. UNODC has developed and disseminated tools and manuals to combat transnational organized crime and published a number of studies on problems posed by transnational organized crime with a view to enhancing the knowledge base on transnational organized crime.¹

12. The *Travaux Préparatoires of the Negotiations for the Elaboration of the United Nations Convention against Transnational Organized Crime and the Protocols thereto*² were completed in 2006.

13. UNODC has begun to develop an implementation handbook and checklist to complement the *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto*.³

14. The *Counter-Kidnapping Manual* was published and disseminated to Member States at the fifteenth session of the Commission in April 2006, together with an operational aide-mémoire for front-line investigation staff, containing practical advice and a checklist regarding operational procedures.

15. In 2006, UNODC began a global roll-out of its mutual legal assistance request writer tool, which can be downloaded from the UNODC website (<http://www.unodc.org/mla>) in English, French, Portuguese, Russian and Spanish. The Arabic and Chinese versions are expected to be made available next. UNODC has received numerous requests from individual Member States for translation of the mutual legal assistance request writer tool into their respective languages. Training on the adaptation of the tool and its database to the national legal framework of each country is the next step of the roll-out strategy.⁴

16. UNODC is currently developing an extradition request writer tool, which is expected to be available in 2007. An informal expert working group of extradition caseworkers organized by UNODC held a meeting in April 2006 and produced a comprehensive first draft of the operational legal content for a new UNODC

¹ The following tools, manuals and studies developed by UNODC in earlier years are available on the UNODC website or upon request: *Legislative Guides for the Implementation of the United Nations Organized Crime Convention and the Protocols thereto* (United Nations publication, Sales No. E.05.V.2); Model Law on Extradition (2004); Model Treaty on Extradition (as adopted by General Assembly resolution 45/116 and subsequently amended by resolution 52/88); Model Treaty on Mutual Assistance in Criminal Matters (as adopted by General Assembly resolution 45/117 and subsequently amended by General Assembly resolution 53/112); Revised Manuals on the Model Treaty on Extradition and on the Model Treaty on Mutual Assistance in Criminal Matters (2005); Model Bilateral Agreement on the Sharing of Confiscated Proceeds of Crime or Property (Economic and Social Council resolution 2005/14, annex); *Transnational Organized Crime in the West African Region* (United Nations publication, Sales No. E.05.XI.1); *Crime and Development in Africa* (June 2005); and Best Casework Practice in Mutual Legal Assistance (2001) and Best Casework Practice in Extradition (2004).

² United Nations publication, Sales No. E.06.V.5.

³ United Nations publication, Sales No. E.05.V.2.

⁴ An expert working group organized by UNODC, in cooperation with the International Institute of Higher Studies in Criminal Sciences, began drafting a model law on mutual legal assistance in November 2005. Work on the model law will continue in 2007.

software tool to enable criminal justice officials to write effective extradition requests.

17. An expert group meeting was held in Santiago in July 2006, which led to the drafting of a model law on witness protection for Latin America. In addition, progress continued to be made towards drafting United Nations guidelines on witness protection: a regional meeting was held in Thailand in June 2006 and a final drafting session was held in Vienna in November 2006. It is expected that guidelines for the effective protection of witnesses in criminal proceedings involving organized crime will be finalized and made available to Member States in the third quarter of 2007.

18. The report on best casework practice on confiscation, forfeiture and asset recovery is being finalized and will be made available online.

(b) Trafficking in Persons Protocol

19. The *Toolkit to Combat Trafficking in Persons*,⁵ published in October 2006, presents conceptual, legislative and organizational tools used to prevent and combat human trafficking in various regions. Those model best practices are made available for use and adaptation by a variety of practitioners, including judges, victim service providers, police and policymakers. In 2006, the Economic Community of West African States (ECOWAS) published its *Training Manual on Trafficking in Persons*, containing an action plan for the States members of ECOWAS and the Economic Community of Central African States. The manual was also adapted for use in training courses for criminal justice officials in Southern Africa.

20. The development of advanced anti-human trafficking training manuals on protection of victims, investigation and prosecution of traffickers, begun in late 2006, will continue. The finished manuals will be made available for adaptation and implementation in various regions.

21. Draft model legislation on trafficking in persons is currently being reviewed, taking into account the input from a meeting of an expert working group, held in May 2006.

22. The UNODC report *Trafficking in Persons: Global Patterns* was published in April 2006 and distributed at the fifteenth session of the Commission on Crime Prevention and Criminal Justice. The report represented a first attempt to address information gaps at the national, regional and global levels by collecting and analysing seven years of data on reported cases of trafficking in persons, involving over 160 countries and territories. A major report on the situation with respect to trafficking in human beings and the response to such trafficking in Benin, Nigeria and Togo was published in late 2006.

(c) Firearms Protocol

23. In November 2006, UNODC published the report *Violence, Crime and Illegal Arms Trafficking in Colombia*, which is available in English and Spanish.

⁵ United Nations publication, Sales No. E.06.V.11.

2. Provision of technical assistance: legislation and capacity-building

(a) Legislative assistance

24. In 2006, UNODC provided legislative assistance to a number of States, although, in some cases, responses to requests for legislative assistance were limited by the availability of human or financial resources. Legislative assistance was provided, in particular, to Angola, Cape Verde, Ecuador the Niger and Peru. For example, in Peru, UNODC, in concert with national experts and focus groups, produced specific recommendations to strengthen that country's civil forfeiture regime. Many of the recommendations were incorporated into a draft law on civil forfeiture that is now before the Congress of Peru. At the invitation of the Government of Australia, in April 2006, UNODC contributed to the review of that country's legal framework and arrangements with respect to extradition in the context of the fight against transnational organized crime and corruption.

25. In the course of its activities to promote ratification and implementation of the Organized Crime Convention, UNODC has been able to identify recurrent needs: assistance in establishing as offences, pursuant to the Convention, four acts, in particular participation in an organized criminal group; extradition and mutual legal assistance; and assistance in implementing the provisions governing the confiscation, seizure and disposal of proceeds of crime or other property.

(b) Capacity-building

(i) Organized Crime Convention

26. With a view to enhancing the capacity of States to comply with their reporting obligations under the Organized Crime Convention, the Organization for Security and Cooperation in Europe (OSCE) and UNODC jointly organized a workshop on the information-gathering mechanism to support and facilitate the work of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime. The workshop, held in Vienna in March 2006, helped non-responding States to provide timely replies to the relevant questionnaires. As a result of the workshop, responses from States members of OSCE have increased (see CTOC/COP/2006/CRP.1).

27. Recent examples of technical assistance in capacity-building in Latin America include a workshop for law enforcement and judicial officials held in Honduras in November 2006, with the assistance of experts from Chile, Colombia, Mexico, Panama and the Organization of American States. The workshop focused on strengthening special investigative techniques and produced specific recommendations to improve the legal and operational regime of Honduras in the areas of electronic surveillance and undercover operations.

28. In August, UNODC, in collaboration with the Interpol regional office in El Salvador, trained intelligence analysts from El Salvador, Guatemala, Honduras and Nicaragua on the use of the Analyst's Notebook software made by i2, and provided them with the software, thus enabling those analysts to undertake more in-depth investigations into organized criminal groups and their financial activities. The training also helped establish a network of analysts sharing information and tactics through the use of a common software system.

29. In November 2006, criminal justice officials of the ministries of justice of Angola, Brazil, Cape Verde, Guinea-Bissau, Mozambique, Portugal and Sao Tome and Principe participated in the fourth study tour for Portuguese-speaking countries on the implementation of international instruments to counter terrorism and of the Organized Crime Convention and its Protocols, organized jointly by UNODC and the ministries of justice of Mozambique and Portugal.

30. Also in November 2006, the Subregional Expert Workshop on International Cooperation on Counter-terrorism, Corruption and the Fight against Transnational Organized Crime was organized jointly by the Government of Romania and UNODC, in cooperation with OSCE. The workshop, held in Bucharest, was attended by expert delegations from 12 countries of Central and Eastern Europe.

31. In the area of mutual legal assistance and extradition, UNODC hosted a second international workshop on mutual legal assistance and extradition in Peru in December 2006. Prosecutors and other experts from Argentina, Chile, Colombia, Ecuador, Panama and Spain discussed lessons learned and best practices. Bilateral meetings to discuss ongoing cases were held during the event.

32. UNODC provided information technology equipment and software to the Public Ministry of Ecuador to broaden the scope of a pilot programme aimed at improving the evaluation, management and communication of complaints and potential criminal cases in order to make more efficient use of resources. Further, in 2006, the Joint Port Control Unit in Guayaquil, established under the UNODC Container Control Programme, became operational.

33. UNODC conducted activities in Western Africa that focused on strengthening the responses of law enforcement and judicial authorities to organized crime and drug trafficking. Training was also held on the principles of mutual legal assistance and use of the UNODC mutual legal assistance request writer software.

34. In addition to the *Counter-kidnapping Manual*, referred to in paragraph 14 above, with the support of trainers from the Serious Organised Crime Agency of the United Kingdom of Great Britain and Northern Ireland, training material was developed and used in a pilot course held in March 2006 for officers from the Caribbean in charge of kidnapping investigations. A second regional course for officers from Latin America was held in Paraguay in August.

35. UNODC supported and provided expertise to the first Latin American Regional Conference of the International Association of Prosecutors, hosted in July 2006 by the Office of the Public Prosecutor of Chile and the Ibero-American Association of Public Prosecutors, which focused on witness protection and support.

(ii) *Trafficking in Persons Protocol and the Migrants Protocol*

36. UNODC assistance in the area of the Trafficking in Persons Protocol and the Migrants Protocol is focused on the criminal justice components of combating trafficking in persons, including raising awareness and training officials, supporting the establishment of special police units and prosecution structures, designing witness protection schemes and securing the safety of victims in other respects, data collection and analysis and promoting cooperation among officials in different countries in carrying out investigation, protection and prosecution actions by enabling effective information exchange and joint action.

37. In 2006, UNODC continued to carry out technical cooperation projects in Africa, Asia, Central and Eastern Europe, the Middle East and Latin America, with new projects launched in Albania, the Lao People's Democratic Republic, Lebanon and Moldova and in countries in Western Africa. It received requests from 16 States, 14 of which were members of the Southern African Development Community (SADC), to draft legislation against trafficking in humans. Requests were received from 16 States members of ECOWAS, 14 States members of SADC and Viet Nam for the adaptation of a training manual for judicial and law enforcement officials, which had originally been developed for Benin, Nigeria and Togo.

38. Thirteen States requested training for law enforcement officials, prosecutors and judges on subjects including border control, investigation methods, victim protection and international cooperation. UNODC also provided training through the Southern African Regional Police Chiefs Cooperation Organization to police officers and prosecutors from 11 countries. UNODC assisted NATO in training their senior officials to combat trafficking in persons. Three computer-based training modules were finalized in Thailand. In Central Europe, UNODC brought together border management and control officials to identify and address the specific problems that transit States in that region face in combating trafficking in persons.

39. In July 2006, UNODC adapted activities under its technical cooperation project "Measures to prevent and combat trafficking in Lebanon" to respond quickly to the ongoing conflict in Lebanon. Materials to raise awareness about trafficking in human beings, targeting the 300,000 foreign domestic workers stranded by the armed conflict, were distributed in four languages to shelters and embassies.

40. At a meeting held in Vienna in July 2006, experts drafted a regional action plan for the Middle East and Northern Africa to counter trafficking in persons and smuggling of migrants, based on the Trafficking in Persons Protocol and the Migrants Protocol, and devised concrete measures to incorporate the plan into national and regional strategies.

41. Recognizing the role of non-governmental organizations in assisting victims of trafficking in persons and populations at risk, UNODC has funded a major global project for victims of crime, including victims of trafficking, run by 19 non-governmental organizations in India, Indonesia, Mexico, Moldova, Pakistan, South Africa, Thailand, Uganda and Ukraine. In 2006, UNODC also provided funding to non-governmental organizations in Bosnia and Herzegovina and Croatia to enable them to run campaigns in asylum centres aimed at the prevention of trafficking in persons.

42. UNODC continued gathering information on the involvement of organized criminal groups in the smuggling of migrants. Focusing on the Middle East, Northern Africa and Western Africa, those activities included a fact-finding mission to the Gambia, Mali, Mauritania, Senegal and Sierra Leone in June 2006 and resulted in the compilation of two research reports. At the Euro-African Ministerial Conference on Migration and Development held in Rabat in July 2006, UNODC launched the "IMPACT Initiative" to combat the smuggling of migrants from Africa into Europe. To achieve that objective, three projects have been submitted to the European Commission for funding consideration. Partnership is also being sought with actors such as Frontex and the European Police Office, and an interdivisional task force has been created in UNODC to coordinate action on issues regarding

smuggling of migrants. In addition, UNODC assisted Viet Nam in reviewing its legislation related to smuggling of migrants.

(iii) *Firearms Protocol*

43. In 2006, UNODC began developing guidelines to assist Member States with implementation of the Firearms Protocol. The guidelines are intended to help States create and strengthen the institutions necessary to control licit flows of firearms, their parts and components and ammunition and to combat the illicit manufacturing of and trafficking in firearms. The guidelines are being developed, in part, through a series of expert working group meetings. The first working group meeting was held in Vienna in November 2006, bringing together experts from various Member States, other United Nations agencies, non-governmental organizations and the firearms manufacturing industry. The workshop focused on the marking of firearms; record-keeping practices to allow the tracing and identification of firearms illicitly manufactured or trafficked; and the establishment of effective systems for export, import and transit licensing or authorization. The meeting also served as a forum for taking stock of the overall situation and sharing experiences and lessons learned. Additional workshops will be held in 2007 to explore and discuss other issues under the Firearms Protocol and to analyse the draft guidelines.

44. Once completed, the guidelines will be made available to Member States to help them establish mechanisms to implement the Firearms Protocol effectively, including systems for controlling transfers of firearms, the marking of firearms, maintaining records on markings and international transactions, and sharing information with other States to help prevent, detect and investigate illicit manufacturing of and trafficking in firearms.

3. Cooperation with other entities

(a) Trafficking in Persons Protocol

45. UNODC works closely with international and regional organizations, as well as non-governmental organizations, to promote a comprehensive and multidisciplinary approach to cooperation on the Trafficking in Persons Protocol in recognition of the fact that trafficking in human beings is a multi-faceted issue. Partner entities and organizations include the United Nations Children's Fund, the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the International Labour Organization, the International Organization for Migration and Interpol. In September 2006, UNODC, in partnership with the Government of Japan, convened a meeting of many of those partner organizations and other international agencies to improve inter-agency coordination and take steps to develop a strategic global response. The outcome of that meeting was reported to the Conference of the Parties at its third session in October 2006. UNODC is also a member of the Expert Coordination Team of the OSCE Alliance against Trafficking in Persons, comprising representatives from major European and international institutions combating trafficking in persons in Europe.

(b) Firearms Protocol

46. UNODC has actively participated in the United Nations Coordinating Action on Small Arms Mechanism (CASA), which serves as a mechanism for consultation, exchanging information and setting priorities among United Nations departments, agencies, funds and programmes dealing with issues related to small arms and light weapons. Through the framework of CASA and in cooperation with the Department for Disarmament Affairs and the Department of Economic and Social Affairs of the Secretariat and UNDP, UNODC undertook a joint assessment mission to Guinea-Bissau in 2005. The follow-up mission is pending, subject to the overall situation in the country.

(c) Contributions by the United Nations Office on Drugs and Crime to partner organizations

47. Staff of UNODC made substantive contributions to promote implementation of the Organized Crime Convention and its Protocols at meetings organized by other entities: a seminar on “Judicial strategies: EuroMed Justice Programme on terrorism and interconnection of criminal networks”, organized by the European Centre for the Regions of the European Institute of Public Administration, and held in Rabat in February; an expert group meeting on the elaboration of the ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials, held in Abuja in March; a training seminar organized by the Stability Pact for South Eastern Europe on the fight against organized crime, held in Tirana in April; and the United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, held at United Nations Headquarters on 26 June-7 July 2006. UNODC provided input on the Trafficking in Persons Protocol and the Migrants Protocol at the conference on action against trafficking and forced labour exploitation of migrant workers in Europe, which was organized by the International Labour Organization and held in Lisbon on 29 and 30 June 2006.

4. Public awareness and special events

48. The annual treaty event of the Secretary-General for 2006, entitled “Focus 2006: Crossing Borders”, held in September in conjunction with the High-level Dialogue on International Migration and Development at the sixty-first session of the General Assembly, generated two ratifications of the Organized Crime Convention, one ratification of the Trafficking in Persons Protocol, one accession to and one ratification of the Migrants Protocol and one accession to the Firearms Protocol.

49. UNODC continues to promote public awareness of trafficking in persons. Four videotaped public service announcements by UNODC on this topic have been distributed to over 100 television stations worldwide and have been broadcast by major international networks such as CNN and BBC World. Two of the four video spots have been customized through the use of complementary telephone hotlines in more than 50 countries. In addition to being broadcast on national television stations, the announcements have also been posted on a number of websites. UNODC responds continuously to requests for prevention materials (public service announcements, posters and brochures) and other information for the public.

50. In addition, UNODC Goodwill Ambassador Julia Ormond continues her advocacy work against trafficking in persons. In 2006, she recorded public service announcements for radio, warning people worldwide about the perils of such trafficking. She also travelled to countries such as Ghana, India and Thailand to highlight the local impact of such trafficking, and she testified before a subcommittee of the House of Representatives of the United States of America on that topic.

51. One example of how UNODC is promoting awareness of firearms control is through the “Escopetarra” guitars, produced in Colombia from decommissioned rifles. The instrument was featured at United Nations Headquarters during the 2006 United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and several are now on display in the disarmament section of the visitors’ guided tour route at United Nations Headquarters, as well as at UNODC headquarters.

III. Corruption

52. The United Nations Convention against Corruption (General Assembly resolution 58/4, annex) entered into force on 14 December 2005. At the time of preparing the present report, 140 States and regional economic integration organizations had signed the Convention and 88 had ratified it.

53. In its resolution 2006/24 of 27 July 2006, entitled “International cooperation in the fight against corruption”, the Economic and Social Council reiterated its deep concern about the impact of corruption on the political, social and economic stability and development of societies. In addition, the Council stressed the need for a comprehensive and multidisciplinary approach to prevent and combat corruption effectively and the need for closer coordination and cooperation among States and other relevant entities in that regard. The Council noted with appreciation the financial support provided by several donors to facilitate capacity-building in the fight against corruption, and encouraged Member States to continue to make voluntary contributions to promote the implementation of the Convention against Corruption through the United Nations Crime Prevention and Criminal Justice Fund or in direct support of such activities and initiatives. The Council requested the Secretary-General to continue to provide UNODC with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention against Corruption and to discharge its functions as the secretariat of the Conference of the States Parties.

54. Also in its resolution 2006/24, the Economic and Social Council welcomed the efforts made by UNODC to cooperate with others in the field of preventing and combating corruption, and invited relevant entities of the United Nations system and international financial institutions and regional and national funding agencies to increase their support to and interaction with UNODC in order to benefit from synergies and avoid duplication of effort. The Council expressed its appreciation to individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, for their active participation in the prevention of and the fight against corruption. The Council

called for international cooperation to prevent and combat corrupt practices and the transfer of assets of illicit origin, as well as for asset recovery consistent with the principles of the Convention against Corruption.

55. In its resolution 61/209 of 20 December 2006, entitled “Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption”, the General Assembly requested the Secretary-General to submit to it a report that elaborated further on the magnitude of corruption at all levels, the transfer of assets illicitly derived from corruption and the impact of corruption and such transfers on economic growth and sustainable development. In addition, the Assembly decided to include in the provisional agenda of its sixty-second session, under the item entitled “Globalization and interdependence”, the sub-item entitled “Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption”.

A. First session of the Conference of the States Parties to the United Nations Convention against Corruption

1. Preparation and proceedings of the Conference

56. Pursuant to article 63 of the Convention against Corruption, the first session of the Conference of the States Parties was convened in Amman from 10 to 14 December 2006.

57. The work of the Helsinki Process and the group of friends of the United Nations Convention against Corruption (co-chaired in 2006 by Argentina and France) contributed significantly to the preparations for the Conference. In a series of informal consultations, including a meeting held in Buenos Aires in October 2006, key issues for discussion at the first session of the Conference were identified.

58. At its first session, the Conference of the States Parties to the United Nations Convention against Corruption adopted eight resolutions and one decision. In its resolution 1/1, the Conference agreed that it was necessary to establish an appropriate and effective mechanism to review implementation of the Convention against Corruption. An open-ended expert working group established pursuant to that resolution will make recommendations to the Conference on how to best achieve that goal. In its resolution 1/2, the Conference decided to establish an information-gathering mechanism on implementation of the Convention against Corruption, using a self-assessment checklist. In its resolution 1/3, the Conference appealed to States Parties to the Convention against Corruption to adapt their legislation and regulations to bring them into conformity with provisions of the Convention. In its resolution 1/4, the Conference decided to establish an intergovernmental working group on asset recovery to assist it in developing knowledge on the topic and to facilitate the exchange of information; and requested UNODC to consider innovative solutions to help States to build their capacity to prepare and respond to requests for mutual legal assistance in the area of asset recovery. In its resolution 1/5, on technical assistance, the Conference decided to

establish a working group to review needs, provide guidance on priorities and promote the coordination of technical assistance where provided. In its resolution 1/6, the Conference recommended the convening of an international cooperation workshop on technical assistance to address the integration of the principles of the Convention against Corruption in development assistance work. In its resolution 1/7, the Conference addressed the issue of bribery of public officials and requested UNODC to invite relevant public international organizations and States to participate in an open-ended dialogue on the issue and report to the Conference at its second session on efforts to address the concerns of the General Assembly contained in its resolution 58/4 of 31 October 2003. In its resolution 1/8, the Conference decided to consider best practices in the fight against corruption and discuss up to four such examples at its second session.

59. In its decision 1/1, the Conference welcomed the offer of the Government of Indonesia to host the second session of the Conference.

60. The report of the Conference of the States Parties to the Convention against Corruption on its first session, held in Amman from 10 to 14 December 2006 (CAC/COSP/2006/12), which contains the resolutions and decisions adopted by the Conference, will be made available to the Commission. The report, together with the documentation prepared for the first session of the Conference, is also available on the UNODC website (<http://www.unodc.org>).

61. Three side events for representatives of civil society and the private sector, anti-corruption authorities and parliamentarians were held in parallel to the Conference. The outcome of those events is also available on the UNODC website.

2. Preparations for the second session of the Conference of the States Parties

62. UNODC is currently engaged in ensuring follow-up to the resolutions adopted at the first session of the Conference of the States Parties and making preparations for the second session, to be held in Indonesia. Immediate follow-up action included the preparation and distribution of a self-assessment checklist for States to collect information on the implementation of key mandatory provisions of the Convention against Corruption. UNODC is actively exploring the use of modern information technology and web-based applications to facilitate the provision and analysis of information, with a view to ensuring maximum efficiency and effectiveness.

63. A workshop of development and legal experts will be held with the assistance of UNODC to propose ways to integrate the principles of the Convention against Corruption into development assistance work. A working group on asset recovery will also hold a meeting to assist the Conference in building knowledge and capacity and in considering plans to provide the legal and technical expertise that requesting States need to carry out international procedures for asset recovery. UNODC is also to initiate an open-ended dialogue on the issue of bribery of officials of public international organizations and to report on the dialogue to the Conference at its second session.

B. Promoting the ratification and implementation of the United Nations Convention against Corruption

1. Tools for promoting the United Nations Convention against Corruption

64. UNODC, in collaboration with the United Nations Interregional Crime and Criminal Justice Research Institute (UNICRI), has finalized and published the *Legislative Guide for the Implementation of the United Nations Convention against Corruption*,⁶ drawing on the positive experience gained in the preparation of the *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto*. It was distributed at the first session of the Conference of the States Parties to the United Nations Convention against Corruption. The legislative guide has been developed taking into account the recommendations made by a group of experts in 2004 and 2005. It has further benefited from comments and input from experts and delegates at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and at the fourteenth session of the Commission on Crime Prevention and Criminal Justice. It is currently being translated into all official languages of the United Nations.

65. UNODC, again in collaboration with UNICRI, launched a project for the development of a technical guide to promote the implementation of the Convention against Corruption. Designed to complement the legislative guide, the technical guide aims to provide anti-corruption practitioners with technical advice, tools and examples of good practices. It will build on work done by other organizations, in particular that of the members of the International Group for Anti-Corruption Coordination. A group of experts held two meetings, in Turin, Italy, in May 2006 and in Vienna in September 2006, and developed a draft technical guide. The draft technical guide is being circulated for comment and will be finalized in 2007. To further facilitate the exchange of information on relevant national laws, policies and other resources and tools, the technical guide will be complemented by an online library providing related materials organized according to the provisions of the Convention.

66. Following the adoption of Economic and Social Council resolution 2006/23 of 27 July 2006, on strengthening judicial conduct, UNODC initiated preparatory work for the development of a commentary to the Bangalore Principles of Judicial Conduct (Economic and Social Council resolution 2006/23, annex) and a technical guide on strengthening judicial integrity and capacity. That work included the convening of an intergovernmental expert group meeting in March 2007, which was attended by experts from more than 30 countries in all regions. The meeting also reviewed comments provided by Member States.

2. Provision of technical assistance: legislation and capacity-building

67. UNODC conducted advisory missions and/or desk reviews of anti-corruption legislation in the following countries in 2006: Benin, Bolivia, Cambodia, Chile, Costa Rica, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Guinea, Lithuania, Mongolia, Pakistan, Panama, the Philippines, Romania, Serbia and Montenegro and Yemen. During the period under review, the Office continued to implement projects

⁶ United Nations publication, Sales No. E.06.IV.16.

in Brazil, Cape Verde, Iran (Islamic Republic of), Iraq, Nigeria, South Africa and Swaziland. In addition, projects were completed in Colombia, Indonesia and Lebanon. Those projects received generally positive evaluations, and it was recommended that UNODC should consider appropriate follow-up action.

68. Project highlights in 2006 included the launching of comprehensive assessments reports on justice sector integrity and capacity in Nigeria, Indonesia and South Africa; the development of action plans to enhance the effectiveness, efficiency and integrity of the judiciary in South Africa and Nigeria; the development of national anti-corruption strategies in Cape Verde and Swaziland; the provision of advisory services on the set-up, management, operation and setting of priorities for anti-corruption bodies in Brazil and Kyrgyzstan; and an extensive briefing for Nigerian institutions on the findings of an assessment of the legal, institutional and professional asset recovery capacities of the country. UNODC also organized and conducted over a dozen national and regional seminars and training workshops providing policy and technical input, as well as specialized training, to more than 1,500 judges, prosecutors, lawyers, investigators and other professionals from some 30 countries. The topics of those workshops ranged from the development of anti-corruption strategies to the investigation and prosecution of corruption cases and the tracing, seizure and confiscation of proceeds of corruption.

69. UNODC developed and launched an Anti-Corruption Mentor Programme and, in cooperation with OSCE, posted its first mentor in the national anti-corruption body of Kyrgyzstan. The mentor provided advice and technical expertise in the development of a national anti-corruption policy, assisted in the review of anti-corruption legislation and supported several training activities and workshops in order to enhance the specialized skills of anti-corruption practitioners. In the course of 2007, three more mentors will be posted in various regions.

70. The United Nations Democracy Fund approved and will support a UNODC project aimed at providing emerging democracies in Africa with a blueprint for anti-corruption action based on the provisions of the Convention against Corruption. The project is expected to begin implementation in 2007, in cooperation with the Institute for Security Studies, based in South Africa, which is part of the United Nations Crime Prevention and Criminal Justice Programme network. The project will place particular emphasis on assessing the normative framework, capacity and institutional set-up of participating countries for implementation of the Convention against Corruption; putting in place effective normative measures in line with the provisions of the Convention; and developing a concrete action plan for each measure.

71. Other new technical assistance projects were developed for Afghanistan, Albania, Bulgaria, Kyrgyzstan, Montenegro and Romania and their implementation will begin in 2007, subject to the availability of funding. In accordance with some of the key requirements of the Convention and the specific needs of the respective countries, those projects focus on the development of effective anti-corruption policies, the establishment of independent anti-corruption bodies and the strengthening of the integrity and criminal justice institutions and their capacity to prevent and control corruption.

3. Cooperation with other entities

72. In the context of a joint project on corruption prevention to foster the development of small and medium-sized businesses UNODC and the United Nations Industrial Development Organization held an expert group meeting that included representatives of international organizations and business to identify the challenges posed by corruption in the private sector, in particular to small and medium-sized enterprises, and to propose tools and measures to address those challenges most effectively. The findings of the meeting will be complemented by assessment missions in 2007 to four selected countries. The results of both the expert group meeting and the assessment missions will form the basis for the development of technical assistance activities to support small and medium-sized businesses in protecting themselves more effectively against requests for bribes and preventing corrupt practices in their operations.

73. In conjunction with the first session of the Conference of the States Parties to the United Nations Convention against Corruption, UNODC organized the ninth meeting of the International Group for Anti-Corruption Coordination (IGAC), which was attended by 20 organizations active in anti-corruption policy, enforcement and advocacy at the international level, including the United Nations Development Programme, the World Bank, the International Monetary Fund, the African Development Bank, the American Bar Association, the Commonwealth Secretariat, the Council of Europe, the European Anti-Fraud Office, the Organization of Economic Cooperation and Development (OECD) and Transparency International, as well as a number of bilateral development agencies. For the first time, the meeting was attended by the European Partners against Corruption, the German Agency for Technical Cooperation, the Global Organization of Parliamentarians against Corruption, the Norwegian Agency for Development Cooperation and the Swiss Agency for Development and Cooperation, as well as by the Special Rapporteur of the Sub-Commission on the Promotion and Protection of Human Rights. The meeting reviewed the decisions adopted by the Conference of the States Parties, discussed their implications for the work of IGAC and its members and proposed a number of follow-up actions, including the development of an ethics training programme designed for international public officials. IGAC members also emphasized their readiness to support the work of the intergovernmental working groups on the review of implementation of the Convention against Corruption, asset recovery and technical assistance, which were established by the Conference of the States Parties. Finally, IGAC members agreed to cooperate on the development and implementation of awareness-raising campaigns on the occasion of International Anti-Corruption Day on 9 December 2007, and the organization of side events to be held during the second session of the Conference of the States Parties, with a view to further bringing to bear the views, proposals and other input of various stakeholders.

4. Meetings and special events

74. UNODC substantively contributed to over a dozen national, regional and international anti-corruption workshops and conferences, raising the profile of the Convention against Corruption and providing policy guidance and technical advice on implementation of the Convention. Those meetings included the twelfth International Anti-Corruption Conference, the World Ethics Forum, the

Anti-Corruption Conference of the Commonwealth Secretariat, the annual conference of the Integrity Sub-Committee of the World Customs Organization, the Interface on corruption and democracy of the Octopus programme against corruption and organized crime in Europe, of the Council of Europe, the Lausanne III Conference on asset recovery, the first meeting of the European chapter of Global Organization of Parliamentarians against Corruption and a conference organized by the Office of the United Nations High Commissioner for Human Rights on safeguarding human rights while fighting corruption. UNODC also participated in the Second Global Conference of the Global Organization of Parliamentarians against Corruption, held in Arusha, United Republic of Tanzania, in September 2006. A conference was organized in Courmayeur, Italy, in December 2006 by the International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme network and the Courmayeur Foundation, in cooperation with UNODC. The conference provided a venue to discuss how to put into practice the principles of the Convention against Corruption and how to explore partnerships and work together to that effect. Participants included representatives of Governments, multilateral organizations, the media, civil society, academia and the private sector.

75. Other meetings to which UNODC made a substantial contribution included the Network on Governance (GOVNET) meetings of the OECD Development Assistance Committee and the fourth annual meeting of the Euro-Latin American Network on Governance for Development, organized by the Inter-American Development Bank and the Department for International Development of the United Kingdom, held in Oxford, United Kingdom, in December 2006.

76. UNODC assisted in the organization of the first annual conference and general meeting of the International Association of Anti-Corruption Authorities, held in Beijing in October 2006. The Executive Director of UNODC addressed the meeting, which brought together the representatives of the anti-corruption authorities of 137 Member States and 12 international organizations.

77. For the occasion of the third International Anti-Corruption Day on 9 December 2006, UNODC developed a range of awareness-raising tools and materials, including radio spots, press briefings, posters and brochures, all geared towards enhancing the knowledge and understanding of government officials, as well as citizens, of the Convention against Corruption and its potential to have a positive effect on their daily lives. The global effort was actively supported through awareness-raising events organized by 17 UNODC field and project offices, including press conferences, round tables, radio and television programmes, sporting events and anti-corruption marches. Several countries also marked the day by organizing their own anti-corruption activities.

78. During the annual treaty event, "Focus 2006: Crossing Borders", held during the sixty-first session of the General Assembly at United Nations Headquarters in September 2006, Bulgaria, Chile, Indonesia and Poland deposited their instruments of ratification of the Convention against Corruption. Lithuania deposited its instrument of ratification during the first session of the Conference of the States Parties.

IV. Conclusions and recommendations for future action

79. The Commission may wish to seek ways to support the work of the Conference of the Parties to the United Nations Convention against International Organized Crime and the work of the Conference of the States Parties to the United Nations Convention against Corruption. In particular, it may wish to urge States parties to support the work of the two open-ended working groups on technical assistance, which will meet in October 2007, and, more generally, to request States parties to make financial and material contributions in support of technical assistance activities.

80. The Commission may wish to explore further ways to maintain and strengthen the political momentum that is necessary in order for the two conferences to perform their mandated functions.

81. The increasing pace of ratification of the Organized Crime Convention and the Protocols thereto is to be encouraged, and the Commission may wish to urge Member States that have not yet done so to ratify or accede to all four instruments, in particular the Firearms Protocol. It may further wish to invite States parties to actively pursue efforts for implementation and to take advantage of the wide array of tools and assistance that UNODC continues to offer in the fight against transnational organized crime. The Commission may also wish to address the situation resulting from the fact that during the period under review, no financial contribution was made to the special account established pursuant to article 30 of the Organized Crime Convention.

82. The entry into force of the Convention against Corruption and the subsequent convening of the first session of the Conference of the States Parties provided a great deal of political momentum for the fight against corruption, as evidenced by the increased pace of ratification and the broad participation in the first session of the Conference. The Commission may wish to urge Member States that have not yet done so to ratify or accede to the Convention against Corruption and to take every step to ensure its effective implementation. The Commission may also wish to invite States parties to participate in the process to review implementation and provide support to the activities carried out by UNODC within its mandate. In particular, States parties may be urged to provide financial and material contributions for the convening of working groups and workshops for the implementation of the Convention against Corruption.

83. On a more general level, a solid and functioning criminal justice system based on the rule of law is a condition *sine qua non* for effective action against transnational organized crime and corruption. More sophisticated measures of asset recovery and other ways to prevent and combat transnational organized crime and corruption are possible only within that context. The Commission may wish to emphasize that strong link and strengthen its work on improving criminal justice systems.