

Decision 2/1
Implementation of the United Nations Convention
against Transnational Organized Crime and
programme of work of the Conference of the Parties
thereto

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

(a) Noted the obligation on each State party under article 32 of the United Nations Convention against Transnational Organized Crime¹ to provide the Conference of the Parties to the Convention with information on its programmes, plans and practices, as well as legislative and administrative measures, related to implementation of the Convention;

(b) Reiterated its decision 1/2, by which it had requested States parties to respond promptly to the questionnaire circulated by the secretariat on the issues identified in that decision and had invited signatories to provide the information requested by the secretariat on those issues;

(c) Noted with concern that the analytical report prepared by the secretariat² was based on the responses received, which constituted only 47 per cent of States parties to the Convention;

(d) Urged those States parties which had not yet done so to submit their responses to the questionnaire to the secretariat not later than 31 March 2006, to include, in the case of non-compliance with provisions of the Convention, the reasons for such non-compliance;

(e) Invited signatories that had not yet done so also to provide the information requested by the secretariat;

(f) Called upon States parties and signatories to review the analytical report prepared by the secretariat for the Conference of the Parties at its second session and to be guided by it in preparing their responses to the questionnaire and their updates, if any (see subparagraph (m) below);

(g) Noted with concern that a number of States parties had not yet complied with their obligations under the Convention;

(h) Urged those States parties which had not yet complied with their obligations under the Convention to take steps to do so as soon as possible and to provide information on those steps to the secretariat for submission to the Conference of the Parties at its third session;

(i) Encouraged States parties and signatories that encountered difficulties in providing the information requested by the secretariat in accordance with decision 1/2 and the present decision or in complying with their obligations under the Convention to seek the assistance of the secretariat in that regard;

¹ General Assembly resolution 55/25, annex I.

² CTOC/COP/2005/2 and Corr.2.

(j) Requested the secretariat to provide such assistance, subject to the availability of extrabudgetary resources;

(k) Urged States parties to review whether they had fulfilled the reporting obligations referred to in the Convention, in particular in article 5, paragraph 3, article 16, paragraph 5, article 18, paragraphs 13 and 14, and article 31, paragraph 6;

(l) Also urged States parties to review whether they had provided to the Secretary-General the information on their national legislation envisaged in articles 6, paragraph 2 (d), and 13, paragraph 5, of the Convention;

(m) Requested States parties that had already responded to the questionnaire circulated by the secretariat in accordance with decision 1/2 and had provided the information or legislation required by the Convention in accordance with the articles mentioned in subparagraphs (k) and (l) above to update such information or legislation as appropriate;

(n) Requested the secretariat to submit to it at its third session an analytical report to include information received pursuant to the present decision, ensuring that it contained sufficient detail to permit the Conference of the Parties to review the implementation of the Convention and of the present decision;

(o) Also requested the secretariat to submit to the Conference of the Parties at its third session new or updated information received pursuant to subparagraphs (k) and (l) above;

(p) Decided that, in order to support its periodical review of implementation of the Convention, information on the following topics should be collected by the secretariat for the Conference of the Parties at its third session, using for that purpose the questionnaire approved by the Conference at its second session:

(i) Issues of non-compliance with the Convention and the reasons for non-compliance;

(ii) Money-laundering (article 7), within the scope of the Convention;

(iii) Adequacy of sanctions (article 11);

(iv) International cooperation for purposes of confiscation (article 13);

(v) Disposal of confiscated proceeds of crime (article 14);

(vi) Extradition (article 16);

(vii) Transfer of sentenced persons (article 17);

(viii) Mutual legal assistance (article 18);

(ix) Investigation of cases of transnational organized crime (articles 19, 20 and 26);

(x) Protection of witnesses and victims (articles 24 and 25);

(xi) International law enforcement cooperation (article 27);

(xii) Preventive measures (article 31);

(q) Requested the secretariat to collect information from States parties and signatories to the Convention necessary for the analysis of the topics listed in paragraph (p) above, using for that purpose questionnaires already developed or to be developed in accordance with guidance provided by the Conference of the Parties at its second session;

(r) Encouraged States parties and signatories to include in their delegations to the third session of the Conference experts on the topics listed in the agenda of that session;

(s) Requested States parties to respond promptly to the second questionnaire circulated by the secretariat;

(t) Invited signatories also to provide the information requested by the secretariat;

(u) Requested the secretariat to submit an analytical report, based on the responses to the questionnaires, to the Conference of the Parties at its third session for discussion;

(v) Also requested the secretariat to compile, if practicable, information received in replies to the questionnaires in the format of a chart identifying each individual responding country.