Open-ended intergovernmental working group on the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto
Vienna, 17-19 May 2011
Agenda item 3
Terms of reference for the proposed review mechanisms, guidelines for governmental experts and a blueprint for the country review reports

Revised draft indicative thematic distribution of the Organized Crime Convention and the Protocols thereto

1. The allocation of articles was discussed during the second session of the open-ended intergovernmental working group on the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto held from 23 to 26 January 2012. The distribution of thematic areas to be reviewed during the cycles is provided below.

First cycle: proposed allocation of articles to thematic area

2. For the first cycle, the proposed allocation of articles by thematic area is provided below.

Cluster on criminalization and international cooperation: mutual legal assistance and extradition

Art. 5 Convention¹ Criminalization of participation in an organized criminal group

¹ In conjunction with Art. 2 and Art. 3 Convention.
<table>
<thead>
<tr>
<th>Article/Protocol</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. 6 Convention²</td>
<td>Criminalization of the laundering of proceeds of crime</td>
</tr>
<tr>
<td>Art. 7 Convention</td>
<td>Measures to combat money-laundering</td>
</tr>
<tr>
<td>Art. 8 Convention³</td>
<td>Criminalization of corruption</td>
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<tr>
<td>Art. 9 Convention⁴</td>
<td>Measures against corruption</td>
</tr>
<tr>
<td>Art. 10 Convention⁵</td>
<td>Liability of legal persons</td>
</tr>
<tr>
<td>Art. 12 Convention</td>
<td>Confiscation and seizure</td>
</tr>
<tr>
<td>Art. 13 Convention</td>
<td>International cooperation for purposes of confiscation</td>
</tr>
<tr>
<td>Art. 14 Convention</td>
<td>Disposal of confiscated proceeds of crime or property</td>
</tr>
<tr>
<td>Art. 15 Convention</td>
<td>Jurisdiction</td>
</tr>
<tr>
<td>Art. 16 Convention</td>
<td>Extradition</td>
</tr>
<tr>
<td>Art. 18 Convention</td>
<td>Mutual legal assistance</td>
</tr>
<tr>
<td>Art. 23 Convention⁶</td>
<td>Criminalization of obstruction of justice</td>
</tr>
<tr>
<td>Art. 34 Convention</td>
<td>Implementation of the Convention</td>
</tr>
<tr>
<td>Art. 5 Trafficking Protocol</td>
<td>Criminalization</td>
</tr>
<tr>
<td>Art. 6 Smuggling Protocol</td>
<td>Criminalization</td>
</tr>
<tr>
<td>Art. 5 Firearms Protocol</td>
<td>Criminalization</td>
</tr>
<tr>
<td>Art. 8 Firearms Protocol</td>
<td>Marking of firearms</td>
</tr>
<tr>
<td>Art. 29 Convention⁷</td>
<td>Training and technical assistance</td>
</tr>
<tr>
<td>Art. 30 Convention⁸</td>
<td>Other measures: implementation of the Convention through economic development and technical assistance</td>
</tr>
</tbody>
</table>

² In conjunction with Art. 2 and Art. 3 Convention.
³ In conjunction with Art. 2 and Art. 3 Convention. For countries which are not States parties to UNCAC.
⁴ For countries which are not parties to UNCAC.
⁵ In conjunction with Art. 2 and Art. 3 Convention.
⁶ In conjunction with Art. 2 and Art. 3 Convention.
⁷ In conjunction with other articles to be reviewed under this cluster.
⁸ In conjunction with other articles to be reviewed under this cluster.
Second cycle: proposed allocation of articles by thematic area

3. For the second cycle, the proposed indicative allocation of articles by thematic area is provided below.

Cluster on international cooperation and law enforcement

Art. 16 Convention\(^9\) Extradition
Art. 17 Convention Transfer of sentenced persons
Art. 18 Convention\(^10\) Mutual legal assistance
Art. 19 Convention Joint investigations
Art. 20 Convention Special investigative techniques
Art. 21 Convention Transfer of criminal proceedings
Art. 22 Convention Establishment of criminal records
Art. 24 Convention Protection of witnesses
Art. 26 Convention Measures to enhance cooperation with law enforcement authorities
Art. 27 Convention Law enforcement cooperation
Art. 28 Convention Collection, exchange and analysis of information on the nature of organized crime
Art. 10 Trafficking Protocol Information exchange and training
Art. 11 Trafficking Protocol Border Measures
Art. 7 Smuggling Protocol Cooperation
Art. 10 Smuggling Protocol\(^11\) Information
Art. 11 Smuggling Protocol Border Measures
Art. 17 Smuggling Protocol Agreements and arrangements
Art. 18 Smuggling Protocol\(^12\) Return of smuggled migrants
Art. 6 Firearms Protocol Confiscation, seizure and disposal
Art. 12 Firearms Protocol Information
Art. 13 Firearms Protocol Cooperation

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\(^9\) To update, if needed, within this cycle.
\(^10\) To update, if needed, within this cycle.
\(^11\) Art. 10 is also included under international cooperation cluster.
\(^12\) Art. 18 is also included under international cooperation cluster.
Cluster on preventive measures
Cluster on assistance and protection measures

Art. 29 Convention\textsuperscript{13} Training and technical assistance
Art. 30 Convention\textsuperscript{14} Other measures: implementation of the Convention through economic development and technical assistance

Third cycle: proposed allocation of articles by thematic area

4. For the third cycle, the proposed indicative clusters by thematic area are provided below.

Cluster on preventive measures
Cluster on assistance and protection measures

Art. 29 Convention\textsuperscript{15} Training and technical assistance
Art. 30 Convention\textsuperscript{16} Other measures: implementation of the Convention through economic development and technical assistance

\textsuperscript{13} In conjunction with other articles to be reviewed under this cluster.
\textsuperscript{14} In conjunction with other articles to be reviewed under this cluster.
\textsuperscript{15} In conjunction with other articles to be reviewed under this cluster.
\textsuperscript{16} In conjunction with other articles to be reviewed under this cluster.