

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

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First session
Vienna, 28 June-9 July 2004

Annotated provisional agenda and proposed organization of work

Provisional agenda

1. Organizational matters:
 - (a) Opening of the first session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;
 - (b) Election of officers;
 - (c) Adoption of the agenda and organization of work;
 - (d) Consideration and adoption of the rules of procedure for the Conference of the Parties;
 - (e) Participation of observers;
 - (f) Adoption of the report of the bureau on credentials.
2. Consideration of mechanisms for achieving the objectives of the Conference of the Parties in accordance with article 32, paragraphs 3-5, of the Convention.
3. Consideration of notification requirements in accordance with the relevant articles of the Convention (art. 5, para. 3; art. 6, para. 2 (d); art. 13, para. 5; art. 16, para. 5 (a); art. 18, paras. 13 and 14; and art. 31, para. 6).
4. Consideration of matters pertaining to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
5. Consideration of matters pertaining to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.
6. Other matters.
7. Provisional agenda for the second session of the Conference of the Parties.



8. Adoption of the report of the Conference of the Parties on its first session.

Annotations

1. Organizational matters

(a) Opening of the first session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime

The first session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime will be convened on Monday, 28 June 2004, at 10 a.m.

(b) Election of officers

In accordance with rule 22 of the draft rules of procedure for the Conference of the Parties, at the opening of each session, a President, eight Vice-Presidents and a Rapporteur shall be elected from among the representatives of the States parties that are present at the session.

In accordance with the same rule, in electing the officers of the session, each of the five regional groups shall be represented by two officers, one of whom shall be from among the representatives of the States that are parties to the Convention and one or more and if possible all the Protocols that have entered into force by the opening of the session. The bureau shall include at least two representatives of States that are parties to all the instruments that have entered into force by the opening of the session. The offices of the President and Rapporteur of the Conference shall normally be subject to rotation among the five regional groups.

Regional groups are urged to engage in consultations on the nomination of candidates to fill the elective offices well in advance of the beginning of the session, with a view to agreeing on a slate of candidates whose number is equal to the number of offices to be filled, thus allowing all officers of the first session of the Conference of the Parties to be elected by acclamation and dispensing with the requirement of a secret ballot.

(c) Adoption of the agenda and organization of work

The provisional agenda for the first session of the Conference of the Parties has been prepared by the Secretariat pursuant to consultations held in Vienna on 24 March and 4 May 2004 with the chairmen of the regional groups, the Chairman of the Group of 77 and China and the Presidency of the European Union.

The proposed organization of work, which is contained in the annex to the present document has been prepared pursuant to the recommendations made at those consultations and is intended to facilitate consideration of the items on the agenda within the time and in accordance with the resources available to the Conference of the Parties.

The resources available to the Conference of the Parties at its first session will permit the holding of two plenary meetings per day with simultaneous interpretation in the six official languages of the United Nations.

(d) Consideration and adoption of the rules of procedure for the Conference of the Parties

In its resolution 55/25 of 15 November 2000, the General Assembly decided that the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime would complete its tasks arising from the elaboration of the United Nations Convention against Transnational Organized Crime by holding a meeting well before the convening of the first session of the Conference of the Parties, in order to prepare the draft text of the rules of procedure for the Conference of the Parties and other rules and mechanisms described in article 32 of the Convention, which would be communicated to the Conference of the Parties at its first session for consideration and action.

At its thirteenth session, from 2 to 6 February 2004, the Ad Hoc Committee approved the draft rules of procedure and decided to submit them to the Conference of the Parties for its consideration and action at its first session, in accordance with General Assembly resolution 55/25.

Pursuant to article 32, paragraph 2, of the Convention, the Conference of the Parties shall adopt rules of procedure and rules governing the activities set forth in paragraphs 3 and 4 of the article.

Documentation

Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on its thirteenth session, held in Vienna from 2 to 6 February 2004 (CTOC/COP/2004/2)

Draft rules of procedure for the Conference of the Parties to the United Nations Convention against Transnational Organized Crime (CTOC/COP/2004/3)

(e) Participation of observers

The draft rules of procedure for the Conference of the Parties provide that, subject to prior written notification to the Secretary-General, any State or regional economic integration organization signatory to the Convention in accordance with its article 36, paragraphs 1 and 2, shall be entitled to participate as an observer in the Conference. Participation of such signatories shall entitle them to participate in the deliberative process of the Conference.

The draft rules of procedure also provide that any other State or regional economic integration organization that has not signed the Convention in accordance with its article 36, paragraphs 1 and 2, may apply to the bureau for observer status, which shall be accorded unless otherwise decided by the Conference.

The draft rules of procedure further provide that, subject to prior written notification to the Secretary-General, representatives of entities and organizations that have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences convened under its auspices, representatives of United Nations bodies, specialized agencies and funds, as well as representatives of functional commissions of the Economic and Social Council, shall be entitled to participate as observers, without the right to vote, in the plenary meetings of the Conference.

(f) Adoption of the report of the bureau on credentials

The draft rules of procedure provide that the bureau of any session shall examine the credentials of representatives of each State party and the names of the persons constituting the State party's delegation and submit its report to the Conference of the Parties. Pending a decision of the bureau upon their credentials, representatives shall be entitled to participate provisionally in the session. Any representative of a State party to whose admission another State party has made objection shall be seated provisionally with the same rights as other representatives of States parties until the bureau has reported and the Conference has given its decision.

2. Consideration of mechanisms for achieving the objectives of the Conference of the Parties in accordance with article 32, paragraphs 3-5, of the Convention

In accordance with article 32 of the Convention, the Conference of the Parties shall agree upon mechanisms for improving the capacity of States parties to combat transnational organized crime and to promote and review the implementation of the Convention.

In accordance with article 32, paragraph 3 (a), of the Convention, the Conference of the Parties shall agree upon mechanisms for facilitating activities by States parties under articles 29-31 of the Convention, including by encouraging the mobilization of voluntary contributions. In its consideration of those mechanisms, the Conference of the Parties may wish to explore ways to strengthen technical cooperation, in accordance with the relevant provisions of the Convention.

In accordance with articles 32, paragraph 3 (b), and 28 of the Convention, the Conference of the Parties shall agree upon mechanisms for facilitating the exchange of information among States parties on patterns and trends in transnational organized crime and on successful practices for combating it, as well as consider ways to promote the collection, exchange and analysis of information on the nature of organized crime.

In accordance with article 32, paragraph 3 (c), of the Convention, the Conference of the Parties shall agree upon mechanisms for cooperating with relevant international and regional organizations and non-governmental organizations. In considering those mechanisms, the Conference of the Parties may wish to explore the most appropriate means of strengthening cooperation among States parties and between States parties and relevant international and regional organizations and non-governmental organizations.

In accordance with article 32, paragraph 4, of the Convention, the Conference of the Parties shall agree upon mechanisms for reviewing periodically the implementation of the Convention and its Protocols in force, including requirements for States parties to report to the Conference of the Parties.

In accordance with article 32, paragraph 5, of the Convention, the Conference of the Parties shall agree upon how to acquire knowledge on measures taken by States parties in implementing the Convention and difficulties encountered, as well as programmes, plans and practices.

In considering this item, the Conference of the Parties may wish to explore the desirability and feasibility of establishing a multi-year programme of work. Such a programme of work may enable the Conference of the Parties to structure its

activities in a manner that would permit it to promote and review the implementation of the Convention in more detail and in more depth. Such a programme may also enable States parties to focus the provision of more detailed information on the measures taken in order to implement the Convention and the difficulties encountered in doing so, which will be necessary to the Conference of the Parties in the performance of its mandated functions.

3. Consideration of notification requirements in accordance with relevant articles of the United Nations Convention against Transnational Organized Crime (article 5, paragraph 3; article 6, paragraph 2 (d); article 13, paragraph 5; article 16, paragraph 5 (a); article 18, paragraphs 13 and 14; and article 31, paragraph 6)

The Conference of the Parties may wish to consider the most appropriate ways to ensure the availability of up-to-date information required by article 5, paragraph 3; article 6, paragraph 2 (d); article 13, paragraph 5; article 16, paragraph 5 (a); article 18, paragraphs 13 and 14; and article 31, paragraph 6, of the Convention.

Documentation

Report of the Secretary-General on the United Nations Convention against Transnational Organized Crime and the Protocols thereto (E/CN.15/2004/5)

4. Consideration of matters pertaining to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

In its resolution 55/25, the General Assembly adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

The Trafficking in Persons Protocol entered into force on 25 December 2003, in accordance with article 17 of the Protocol.

In accordance with the draft rules of procedure, when the Conference of the Parties undertakes deliberations concerning the Trafficking in Persons Protocol, any recommendation or decision pertaining solely to the Protocol shall be taken only by the States parties to that Protocol present and voting.

5. Consideration of matters pertaining to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime

In its resolution 55/25 of 15 November 2000, the General Assembly adopted the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.

The Migrants Protocol entered into force on 28 January 2004, in accordance with article 22 of the Protocol.

In accordance with the draft rules of procedure, when the Conference of the Parties undertakes deliberations concerning the Migrants Protocol, any recommendation or decision pertaining solely to the Protocol shall be taken only by the States parties to that Protocol present and voting.

The Conference of the Parties may wish to consider the most appropriate ways to ensure the availability of up-to-date information required by article 8, paragraph 6, of the Protocol.

6. Other matters

In considering this item, the Conference of the Parties may wish to review progress made in the further promotion of the ratification of or accession to the Convention and the two Protocols already in force, in order to increase the number of parties and thus contribute to universal adherence to the instruments.

The Conference of the Parties may also wish to review progress towards the entry into force 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, and to discuss measures to promote its entry into force.

7. Provisional agenda for the second session of the Conference of the Parties

The Conference of the Parties is to consider and approve a provisional agenda for its second session, which shall be drawn up by the Secretariat in consultation with the bureau.

8. Adoption of the report of the Conference of the Parties on its first session

The Conference of the Parties is to adopt a report on its first session, the draft of which will be prepared by the Rapporteur.

Annex

Proposed organization of work of the first session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, to be held in Vienna from 28 June to 9 July 2004

| <i>Date</i> | <i>Time</i> | <i>Item</i> | <i>Title or description</i> |
|--|--------------------------------|-------------|--|
| Monday, 28 June | 10 a.m.-1 p.m. and 3-6 p.m. | 1 (a) | Opening of the first session of the Conference of the Parties |
| | | 1 (b) | Election of officers |
| | | 1 (c) | Adoption of the agenda and organization of work |
| | | 1 (d) | Consideration and adoption of the rules of procedure for the Conference of the Parties |
| | | 1 (e) | Participation of observers |
| | | 1 (f) | Adoption of the report of the bureau on credentials |
| Tuesday, 29 June- Friday, 2 July | 10 a.m.-1 p.m. and 3-6 p.m. | 2 | Consideration of mechanisms for achieving the objectives of the Conference of the Parties in accordance with article 32, paragraphs 3-5, of the Convention |
| | | 3 | Consideration of notification requirements in accordance with relevant articles of the Convention |
| Monday, 5 July- Tuesday, 6 July | 10 a.m.-1 p.m. and 3-6 p.m. | 4 | Consideration of matters pertaining to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children |
| Wednesday, 7 July- Thursday, 8 July | 10 a.m.-1 p.m. and 3-6 p.m. | 5 | Consideration of matters pertaining to the Protocol against the Smuggling of Migrants by Land, Sea and Air |
| Friday, 9 July | 10 a.m.-1 p.m. and 3-6 p.m. | 6 | Other matters |
| | | 7 | Provisional agenda for the second session of the Conference of the Parties |
| | | 8 | Consideration and adoption of the report of the Conference of the Parties on its first session |