Commission on Crime Prevention and Criminal Justice
Twenty-third session
Vienna, 12-16 May 2014
Item 3 of the provisional agenda*

Strategic management, budgetary and administrative questions: (a) Work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime; (b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme; (c) Working methods of the Commission

Proposed strategic framework for the period 2016-2017

Part two: biennial programme plan

Programme 13
International drug control, crime and terrorism prevention and criminal justice

This document consolidates comments received from Member States on the proposed strategic framework for the period 2016–2017. Section I contains the written comments on the proposed strategic framework for 2016-2017 (A/69/6 (Prog. 13)1), as received by the Secretariat. Section II contains the outcome of the special meeting of the intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (FINGOV) on the proposed strategic framework for 2016-2017, held on 24 April 2014, during which some further comments were made by Member States.

* E/CN.15/2014/1.
1 Please note that some of the comments received refer to an earlier version of the proposed strategic framework that was presented to the Commission on Narcotic Drugs (E/CN.7/2014/CRP.4).
## Contents

I. Written comments received on the proposed strategic framework 2016-2017 .......................... 3
   Canada .................................................................................................................. 3
   United States ........................................................................................................ 10
   Colombia ............................................................................................................. 13
   Mexico .................................................................................................................. 15
   Netherlands ......................................................................................................... 16

II. Outcome of the special meeting of the intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (FINGOV) on the proposed Strategic Framework for 2016-2017, held on 24 April 2014 ........................................ 16
I. Written comments received on the proposed strategic framework 2016-2017

Canada

These comments and suggestions were prepared for the draft of the Strategic Framework contained in E/CN.7/2014/CRP.4 and not the more recent version of the Strategic Framework in A/69/6 (Prog. 13) dated 28 February and referred to for the 24 April 2014 FinGov meeting.

Overall orientation section and Crime Congress

The work of the UNODC with respect to the Crime Congress is addressed in several parts of the Strategic Framework. The role of the UNODC to provide support for the work of the Congress is referred to under Subprogramme 3 — Countering Corruption. We do not believe this reference is a good fit for Subprogramme 3.

We would, however, argue that the reference be made in the Overall Orientation section, and more specifically in 13.10 (13.09 in A/69/6), rather than under one specific Subprogramme. The reason is that the UNODC’s work related to the Congress is relevant to most, if not all, of the Subprogrammes. Furthermore the outcome of the Thirteenth Congress is still to be determined.

We also believe that the current text under 13.10 does not adequately reflect the relationship between the CCPCJ and the Crime Congress. In 1991, the United Nations Crime Programme was restructured on the basis of General Assembly resolution 46/152. This resolution identified the roles, respectively, of the Congresses and the CCPCJ. The CCPCJ is the policy body responsible for the United Nations crime prevention and criminal justice programme. The Congresses, in turn, are envisaged essentially as a forum for the exchange of information and experience, and for the identification of emerging trends (see para. 29 of the Annex to GA resolution 46/152).

Any outcome (i.e., the Declaration) coming out of the Crime Congress is to be submitted to the CCPCJ for its consideration in the form of resolutions. The Crime Congress is neither a policymaking nor a mandate-generating body.

We therefore propose that para. 13.10 (13.09 in the more recent version) of the proposed Strategic Framework be amended as follows:


Greater emphasis needed on the issue of Prevention in the Strategic Framework

There are a number of areas in the Strategic Framework where prevention should be emphasized, and in some cases it is not mentioned at all.
In 13.1, we propose the inclusion of “crime prevention” after the word “judicial”. The reason is that for the UNODC, prevention is relevant to the work of both the CND and CCPCJ.

In 13.4, the first sentence refers to the need, as part of the foundation of rule of law, for “comprehensive legislation and effective… justice ….and effective criminal justice system”. We would propose that the first reference to justice is not required as it is captured in the fuller reference. We also propose also that prevention should be referenced, by including it after “international cooperation”.

In 13.5 (which has been rolled into 13.4 in the newer version of the Strategic Framework), crime prevention is omitted although it is called for in various international laws such as the TOC and the Protocol on Trafficking, and is relevant to drugs issues, crime, and trafficking of all types. It encompasses prevention of re-victimization and of re-offending, and as a result should be specifically referenced. We thus propose that 13.5 begin with “Effective crime prevention and…”.

We are pleased to see the references to the rule of law and to corruption in paragraphs 13.3, 13.4 and 13.5.

**Subprogramme 1 — Countering illicit drug trafficking and transnational organized crime**

We previously referred to our view that prevention is central to the work of both CND and CCPCJ. We suggest inclusion of “prevention” in the title of this subprogramme 1.

In Indicator of Achievement (a) (iii) in the 28th January 2014 version of the Strategic Framework we note there is no mention of ratification and implementation of the Trafficking in Persons Protocol, though there is for the other transnational crime treaties. (This appears to have been rectified in the 28 Feb. 2014 version but please see additional comments relevant to this issue below).

We noted that listed are three indicators on the Protocols to UNTOC. One is a general indicator on ratifying three protocols drawing upon UNODC assistance, while the other two are specific to additional ratification of the Migrant Smuggling and Firearms protocols without reference to UNODC support.

We would appreciate some clarity as to why additional ratifications of the Human Trafficking protocol is not listed as an indicator. For instance, various reports have indicated that diversified drug trafficking organizations may also be involved in human trafficking.

We would also suggest considering that the first Protocol indicator (and the previous UNTOC indicator) would be better expressed as the number of member States seeking assistance to implement the protocols (Convention). That would be a better indicator and could be further broken down by parties and non-parties. The indicators should recognize that some countries must ratify before they can take steps to implement while others implement fully before they ratify.

If the limitation is that eliminates listing the Human Trafficking protocol is just document length, a more general indicator about the number of additional ratifications of the three protocols could be used.
**Consistency of terminology**

We note that trafficking is used in some cases (such as “trafficking in persons”) but in other cases there are specific references to “illicit trafficking”. We would suggest simply agreeing to understand “trafficking” as meaning illicit. As it stands, using the terms inconsistently, implies that there are both “illicit” and “licit” trafficking. Support for the approach can be found in the text of the 6th Report to the COP to the Convention against Transnational Organized Crime.

Under Expected accomplishment (c), we note the following:

The meaning of the last phrase (“…including those in emerging drug and specific crime issues”) is unclear.

The accomplishment omits any reference to prevention, which may be intentional, but seems inconsistent as the title (as per paragraph 1 of the strategic programme) is *International drug control, crime and terrorism prevention and criminal justice*, and also given some of the indicators such as (c) (ii) institutional strengthening and capacity building for ….transnational organized crime…. .

We would thus propose that paragraph (c) be changed so that it reads …. “Increase capacity of requesting Member States, with the assistance of UNODC, to effectively [ADD prevent and] take action against TOC…”.

Under Strategy 13.13 (f) (13.12 (e) in the 28 Feb. version), it is not clear whether the intent here is to restrict the technical assistance to justice systems and not to those relevant to prevention. If this is not the case, we propose the following wording: “Providing technical assistance including … to enhance [ADD crime prevention and] criminal justice system …. Increasing assistance to States in implementing action-oriented programmes [ADD to prevent and] combat drug trafficking.”

**Subprogramme 2 — Prevention, treatment and reintegration, and alternative development**

Under Expected accomplishment (c), the present language only refers to improved access to HIV/AIDS prevention for people who may be or have been trafficked and does not refer to reducing vulnerabilities to drug use as is suggested in the Objective. *(The wording of expected accomplishment (c) has been changed in the newer version of 28 Feb.)*

The language in the objective speaks to reducing vulnerabilities to drug use/HIV/AIDs of victims of trafficking. The language of this paragraph appears to go beyond and include those who might be trafficked, suggesting that the intent may be to include those vulnerable to being trafficked.

We propose that it read as follows “… public health oriented policies and programmes [DELETE on human trafficking] towards improved access to [ADD drug use and] HIV/AIDS prevention, treatment, care and support services for people who [ADD are vulnerable to] or have been trafficked.”
Subprogramme 3 — Countering Corruption

We propose modifying the title to “Preventing and Countering Corruption” for subprogramme 3.

Currently there is inconsistency between the title programs in their inclusion of “prevention”. In this particular case, Chapter II of UNCAC focuses on prevention and that focus should be reflected here.

We note that expected accomplishment (c) includes prevention, while Strategy paragraph 13.15 (b) called for “promoting strong preventative measures ....” And 13.14 (b) in the 28 Feb. version called for “enhancing capacities to prevent corruption ....”.

We question why the Congress is managed through the Corruption programme. We all have an interest in ensuring that the costing is properly done and that donor funds supporting anti-corruption efforts do not inadvertently subsidize the Congress, and vice versa.

We previously made reference to the fact that the Congress is not a policymaking body. We would propose to delete the last sentence in 13.15 (h) (now 13.14 (h) in the 28 Feb version) so that the text would read as follows:

(h) Coordinating and monitoring the follow-up and implementation of the mandates contained in the relevant resolutions and decisions of the treaty-based organs and governing bodies, including promoting and implementing the outcome of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, as well as preparing for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice;

Under Expected Accomplishment (c), we propose adding prevention in relation to economic fraud and identity theft. While it can be said that “address” may encompass prevention, generally in this forum, prevention would be specified where intended and not assumed.

Under Indicators c (iii), we proposed that “prevent” be added before “detect.” This would be more consistent with objective (c) and indicator (ii).

Under 13.15 (j), (now 13.14 j) we propose that prevention be added: “...[ADD to prevent and] address economic fraud and identity-related crime.”

Subprogramme 4 — Terrorism prevention

Given the objectives of this subprogramme and the work being led under the UNODC’s mandate relating to terrorism, we would suggest revising the title from “Terrorism Prevention” to “Terrorism Prevention and Combatting”.

More narrowly limiting to just “terrorism prevention” would seem to be overly narrow and would not track with what is already included within the “Expected accomplishments” (for example, “enhanced technical assistance... to prevent and combat terrorism”).

We note the Objective does not address the concept of prevention whereas the title and expected accomplishments (a) and (b) do, as do indicators a) i and b) iv.
Under Indicator b(iii), we propose that it be “...strategies/action plans for [ADD preventing] and combatting terrorism...”.

Under Strategy — Paragraph 13.16, we propose that it be modified to say “...strengthening Member States’ [ADD crime prevention and] criminal justice responses ...”. This would be consistent with the Objective and, at minimum, the expected accomplishment (b).

Canada supports the language in 13.16 (f) (13.15 e in the 28 Feb. version), where the strategy recognizes the need to ensure greater cooperation with the Counter-Terrorism Committee of the Security Council and with other key parts of the United Nations counter-terrorism system. The clear value here around greater coherence would be minimizing instances of duplication in counter-terrorism efforts.

13.16 (f) in 28 Feb. version of the Strategic Framework — please see our previous comments regarding the United Nations Crime Congress, which is not a governing body. This paragraph could end after the words “governing bodies”.

**Subprogramme 5 — Justice**

We suggest that the title be revised to “Crime Prevention and Criminal Justice,” as this would be more consistent with the mandate of the United Nations Commission on Crime Prevention and Criminal Justice, the range of norms and standards, and the overall Objective of this Subprogramme.

We note the reference in the overall orientation to “engagement with a wide cross-section of stakeholders from Member States, including academic, technical, political and civil society actors” (paragraph 13.8 in the 28 Jan version and 13.7 in the 28 Feb. version). This idea is especially important for Subprogramme 5 and it could be emphasized/highlighted here, particularly in the Strategy portion.

There is concern with the fact that reference is made, in 13.17 (c), to developing and disseminating model legislation without a qualifier on the need for the CCPCJ to review and adopt the model laws in question. While the UNODC can develop and disseminate a training toolkit in support of implementation efforts regarding existing international instruments and standards and norms without submitting the toolkit to the CCPCJ for review and approval, we would argue, however, that Model Laws are different.

Canada has made this point before the CCPCJ several years ago in reference to the Model Law developed by the UNODC in relation to the Guidelines for Justice in Matters involving Child Victims and Witnesses of Crime.

The relevant part of our intervention on Standards and Norms during the 19th session (2010) of the CCPCJ read as follows:

“Mr. Chairman, let me conclude by saying a few words on Canada’s support for the work of the UNODC and Member States in providing technical assistance and developing new tools in relation to these norms and standards. Canada supports the development of manuals and handbooks by expert groups, such as was done for the Criminal Justice Handbook Series and the Criminal Justice Assessment Toolkit. We would, however, express a word of caution about the development of model legislation by expert groups, without such model legislation being circulated to
the Commission for its review and consideration, given their impact on legislative texts which are within the purview of our governments.”

Hence, we would propose to amend para. 13.17(c) as follows:

(c) Developing and disseminating reference tools, guidance notes, operational tools, handbooks, training curricula, model legislation, studies, good practices and information technology resources; as well as to assist in the elaboration and dissemination of model legislation, subject to their review and consideration by the Commission on Crime Prevention and Criminal Justice;

In line with our comments in relation to paragraphs 13.10 and 13.15(h), above, we would propose to amend paragraph 13.17(d) as it erroneously refers to the United Nations Congress on Crime Prevention and Criminal Justice as a “governing body” on par with the CCPCJ. Instead, the paragraph should be amended to read as follows:

(d) Providing technical and substantive support to the Commission on Crime Prevention and Criminal Justice, the United Nations Congress on Crime Prevention and Criminal Justice, the Economic and Social Council and the General Assembly, and coordinating, implementing and monitoring the follow-up to the mandates contained in relevant resolutions, decisions and outcome documents of these governing bodies;

Under Strategy 13.17(b), we suggest further weighting to the prevention side, with the possible exceptions to this being the headings of “justice for children, victims and witnesses”. The language as follows could be revised to be clearer in intent and scope:

- Is it children as a stand alone?
- Is it child witnesses and victims in the justice system as per the 2005 Guidelines?
- Is it victims alone which could take in prevention of re-victimization as well as justice for them from the justice system?

Subprogramme 8 (Technical cooperation and field support)

Under “Expected accomplishments,” noted are “enhanced transparency, effectiveness, accountability and good governance of UNODC offices”. We would suggest that this language also be mirrored for the headquarters work of the UNODC as well as their work relating to specific in-country projects.

Paragraph 13.20 (a) (now 13.19 (a) in the Feb. 28 Version) refers to the “… technical assistance mandates of the [UNODC]”. This would seem to reinforce our point earlier around the “expected accomplishments” for UNODC headquarters. It would be helpful if the Secretariat could further to elaborate on the roles of the field offices along with that of the Secretariat in implementing technical assistance projects.

In line with the above, Subprogramme 8 “Objective of the Organisation” should be revised to specifically reflect headquarters for coordination purposes.

Paragraph (b) (ii) refers to a “decrease in adverse audit and evaluation observations for field offices” as an Indicator of Achievement. A more indicative, valuable
indicator for Member States would be the forward-looking language from (a) (i) and (ii), such as the number of country/regional integrated programmes implemented and the percentage of Member States indicating satisfaction.

Subprogramme 9 — Provision of secretariat services

Consistent with our earlier comments, Canada is concerned with the fact that the proposed Strategic Framework would have the UNODC provide substantive and technical support to the United Nations Congress on Crime Prevention and Criminal Justice in order to enable it to fulfil its role as a “policymaking organ of the United Nations and as a governing body of the UNODC”, on par with the CND and CCPCJ.

For the reasons explained in greater detail above, this is not correct as the Congress does not make policy. Rather, it adopts a Declaration which may contain policy-related recommendations that are then submitted to the CCPCJ for its consideration. The policymaking body is thus the CCPCJ, and not the Congress.

To address our concerns, we would propose to amend the paragraph (13.21 in the 28 Jan. version and 13.20 in the 28 Feb. version) as follows:

13.21 Substantive responsibility for implementation of the subprogramme lies with the Division of Treaty Affairs. The objective will be achieved by:

(a) Providing substantive and technical support to the following bodies, to enable them to fulfil their role as policymaking organs of the United Nations on matters of international drug control and crime prevention and criminal justice, and as governing bodies of the United Nations Office on Drugs and Crime:

(i) the Commission on Narcotic Drugs (including following up to the high level review of the implementation by Member States of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem in 2014);

(ii) the Commission on Crime Prevention and Criminal Justice;

(iii) the five subsidiary bodies of the Commission on Narcotic Drugs (the meetings of Heads of National Drug Law Enforcement Agencies for Africa, Asia and the Pacific, Europe and Latin America and the Caribbean, and the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East);

(iv) follow up to the 13th United Nations Congress on Crime Prevention and Criminal Justice and preparations for the 14th Congress on Crime Prevention and Criminal Justice;

(v) the Economic and Social Council;

(vi) the General Assembly; including preparations for the United Nations General Assembly Special Session (UNGASS) on the World Drug Problem in 2016;

(a)bis Providing support to the follow up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth Congress on Crime Prevention and Criminal Justice;
(b) Coordinating and monitoring the follow-up of the mandates contained in the relevant resolutions and decisions by the governing bodies, including promoting and implementing the outcome of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, as well as promoting and implementing the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem;

United States of America

This is a summary of the comments made by the United States of America with respect to the draft Strategic Framework contained in E/CN.7/2014/CRP.4.

Overall Orientation

Changes were suggested to para. 13.8, in order to make clear that full-cost recovery was approved on a provisional basis:

13.8 The Office has responded to the growing demand for its services, as well as a shrinking resource base for core programmatic support, by establishing an integrated mode of programme planning implementation and reporting. Essential to this approach is the development, approved by the 2013 reconvened CND/CCPCJ on a transitional and provisional basis, of fully-costed country, regional, and other programmes, which allow the Office to respond to Member States’ priorities in a more sustainable manner.

Suggested removing text from para. 13.10 since the Crime Congress is a consultative body of the CCPCJ as per UNGA Res. 56/119 and 46/152:

13.10 The main United Nations policymaking organs in matters of international drug control, crime prevention and criminal justice, which function as governing bodies of the Office are the Commission on Narcotic Drugs and its subsidiary bodies, and the Commission on Crime Prevention and Criminal Justice; UNODC also supports the International Narcotics Control Board.

Subprogramme One

It was suggested that if SP3 mentions the Crime Congress with respect to the UNCAC then SP1 should do the same with respect to the UNTOC — otherwise the Congress could simply be mentioned only in SP9. It was also stated that budgetary implications of all three of these subprogrammes need to be explained to Member States before the biennium budget is developed.

It was suggested that simple qualitative indicators, such as “number of countries,” would not seem to be consistent with UNODC’s integrated programme approach. It was asked if more specific metrics and results can be included in each set of “indicators of achievement” in each SP?

It was asked why is there no indicator regarding the drug conventions and, as appropriate, preparation for UNGASS.

Changes were suggested to EA (a) in order to account for the resolutions and outcomes of the 57th CND, including UNODC’s role in UNGASS preparation:
(a) Increased technical assistance and other activities implemented, at the request of Member States, aimed at promoting the implementation of the international drug control conventions and the United Nations convention against transnational organised crime and at supporting the preparation of the United Nations General Assembly Special Session (UNGASS) on the world drug problem and supporting Member States in the implementation of decisions emanating from UNGASS;

In 13.13 (c) it was asked why the Global Plan of Action is the only set of mandates cited here, since it would presumably be reviewed as one of many CND & CCPCJ resolutions and decisions – such as those on new psychoactive substances, cultural property, crime at sea, and others (equally deserving of inclusion in the strategy?). Changes were suggested:

   (c) Coordinating and monitoring the follow-up of the mandates contained in the relevant resolutions and decisions of the treaty-based organs and governing bodies;

Subprogramme Three
In EA (b) it was suggested that “enhanced support of UNODC” would not seem an expected accomplishment of the Secretariat. It was also suggested that the Congress be more appropriately placed solely in SP9:

   (b) Improved capacity of Member States, supported by UNODC at their request, to draw on effective and efficient decision-making and policy direction at the Conference of the States Parties to the United Nations Convention against Corruption and its subsidiary bodies and the United Nations Congress on Crime Prevention and Criminal Justice

For EA (b) indicator (iii) it was also suggested that Congress be more appropriately placed in SP9.

Subprogramme Six
Changes were suggested to EA (a):

   (a) Enhanced access of Member States and other key stakeholders to increased knowledge to formulate strategic responses to address existing and emerging drugs and crime issues;

Changes were suggested to EA (a) indicator (ii):

   (ii) Percentage of positive assessments of relevance and usefulness of research outputs for strategic response formulation, especially with regard to emerging issues;

Changes were suggested to EA (b) indicator (ii):

   (ii) Number of national institutions working on crime statistics or producing data related to trends;

A change was suggested with respect to EA (c) indicator (ii):

   (ii) Increased number of laboratories participating actively in international collaborative exercises;
A change was suggested to 13.18 (b):

(b) Providing support and capacity-building to Member States, upon request, in their efforts to produce, disseminate and analyse drug, corruption, and crime data and statistics;

Subprogramme Seven

Changes were suggested in EA (b), using language drawn from the 2014-2015 Strategic Framework:

(b) Advance capacity of Member States to implement relevant international conventions and standards and norms under UNODC mandate through partnerships with relevant civil society entities and other institutions;

An additional indicator was included for EA (b) because “since civil society partnerships have involved other kinds of activities than those with private sector or other actors, as noted in paras. 13.19 (a)-(c) below, a separate indicator specifically on civil society in order to continue measuring achievements — and lack thereof — is more than appropriate”. Changes were also suggested to the existing indicator, also using language as per the 2014-2015 Strategic Framework. The two suggested indicators are therefore:

(b) (i) Increased number of partnership and/or funding agreements with non-governmental organizations and other civil society entities

(ii) Increased number of partnership and/or funding agreements with Government foundations, scientific and academic organizations, and private sector entities;

A comment was made on 13.19 para. (c) stating “‘Reaching out’ would not seem sufficient for the indicator of achievement described above. The purpose of such outreach should be explained, as it is in paras. (a) and (b) above.”

Changes were suggested to 13.19 para. (d):

(d) Carrying out targeted advocacy and communication activities, with emphasis on key stakeholders in such substantive areas as drugs, corruption, human trafficking and smuggling of migrants.

Subprogramme Eight

A comment was made on EA (a) indicator (i), “The number of programmes is far less important than validated accomplishments and results, as laid out in the programmes.”

An additional indicator was suggested for EA (a):

(iii) Specific results in meeting or not meeting programme goals

A question was asked with respect to EA (b), “Where are similar expected accomplishments incorporated with regard to all UNODC headquarters functions?”

A comment was made with respect to the indicators under EA (b), “These indicators seem inadequate during the transition to a system of full-cost recovery, with more indicators needed on cost efficiencies, synergies, periodic reporting and best practices, effectiveness beyond a specific programme goal, etc.”
A comment was made with respect to the Strategy section (13.20), asking how the strategy addresses EA (b) of Subprogramme Eight.

An additional para. was suggested in 13.20:

(h) Identifying, analysing, and recommending where resources could be deployed from use at headquarters to use in the field for maximized impact in carrying out normative and technical assistance mandates of the Office.

Subprogramme Nine

A general comment was made for the indicators in this SP stating that “these indicators seem inadequate during the transition to a system of full-cost recovery, with more concrete indicators needed. For example, an indicator could be added regarding how the Secretariat is identifying potential cost efficiencies, effectiveness standards, and a culture of evaluation in the Office’s activities regarding its recommendations for, and implementation of, governing body resolutions and decisions.”

A change was suggested to EA (a):

(a) Increased, more effective work by UNODC contributing to the decision-making and policy direction processes of the United Nations policymaking bodies on drug, crime and terrorism issues;

It was also suggested that, under the assumption that the Congress is only referred to in SP9 and not in SP1 or SP2, the indicator EA (b) (ii) could be made more specific.

With regard to 13.21 para. (a), point (iv) it was stated “This point is unclear as to the role of the Congress itself, rather than the follow-up and preparatory activities listed. Additionally, if the Congress is to be listed here, it should be clearly identified as a consultative body of the CCPCJ and removed from SP3.”

Colombia

[Original submission]

Comentarios aplicables a los Subprogramas de: Lucha contra el tráfico ilícito de drogas y el crimen organizado transnacional; Lucha contra la corrupción; Prevención del terrorismo y de Investigación, análisis de tendencias y aspectos forense:

Debe identificarse el valor agregado de la Oficina para identificar los planes de trabajo que permitan el fortalecimiento institucional y la transferencia de las capacidades efectivas a los Estados Miembros. En consideración de lo anterior, resulta fundamental que las acciones de UNODC en el marco de los subprogramas propuestos se concentren en la real y efectiva transferencia de capacidades a los Estados participantes, de modo que la Oficina se convierta en un socio estratégico para el desarrollo de capacidades institucionales en materia de lucha contra el crimen organizado –y demás áreas abarcadas en el Mandato de UNODC–, y no en un ejecutor, en el cual las entidades deleguen el cumplimiento de sus funciones. Lo anterior en ninguno momento busca desconocer los aportes de UNODC, que en el
caso de Colombia han resultado cruciales para el fortalecimiento de las capacidades del Estado colombiano para hacer frente al crimen organizado.

Subprograma de prevención, tratamiento y reintegración y desarrollo alternative:

Se observa que el tema de desarrollo alternativo no constituye una prioridad en la Propuesta de Marco Estratégico para el bienio 2016-2017 de UNODC y que además aparece agrupado con temas de prevención y tratamiento, sobre lo cual se requiere mayor claridad. La redacción del indicador de éxito del objetivo relacionado con desarrollo alternativo hace referencia exclusiva a los “países adicionales apoyados por UNODC en el desarrollo e implementación de estrategias sostenibles de control de cultivos”; este indicador deja por fuera de los criterios de éxito del subprograma, los avances o resultados obtenidos por los países que actualmente reciben este tipo de cooperación por parte de la Oficina. Resulta fundamental que se incluya un indicador que permita evaluar los resultados del subprograma en términos diferentes al número de países adicionales, máxime cuando el área de desarrollo alternativo constituye un componente programático de UNODC en Colombia, que ha mostrado resultados exitosos.

Colombia resalta la importancia de brindar un lugar de mayor relevancia al tema de desarrollo alternativo, aspecto crucial para el exitoso abordaje de la problemática de drogas ilícitas en países productores.

[Translation]

Comments relating to the subprogrammes on countering illicit drug trafficking and transnational organized crime; countering corruption; terrorism prevention; and research, trend analysis and forensics. Efforts should be made to determine the added value of the Office in identifying workplans that facilitate institutional strengthening and the transfer of effective capacities to the Member States. Bearing that in mind, it is essential that any activities undertaken by UNODC under the proposed subprogrammes focus on the real and effective transfer of capacities to participating States, in such a way that the Office becomes a strategic partner in building institutional capacity in the area of countering organized crime — and in other areas covered by the mandate of UNODC — and not merely an executorial body in which the various entities delegate their functions. The above comment is in no way intended to disregard the contributions made by UNODC, which, in the case of Colombia, have been crucial in strengthening the capacity of the State to counter organized crime.

Subprogramme on prevention, treatment and reintegration, and alternative development. It is noted that the issue of alternative development is not a priority under the proposed strategic framework of UNODC for the period 2016-2017; moreover, it is merged with the issues of prevention and treatment. Clarification is required in that regard. The indicator of achievement for the objective relating to alternative development, as currently drafted, refers only to “additional countries assisted by UNODC in developing and implementing sustainable illicit crop control strategies”. This indicator fails to reflect the success criteria of the subprogramme and the progress or results achieved by countries that currently receive such assistance from the Office. It is essential to include an indicator facilitating assessment of the results of the subprogramme in terms other than the number of additional countries, particularly since alternative development is a component of the UNODC programme in Colombia and one that has yielded successful results.
Colombia underscores the importance of giving greater attention to the issue of alternative development, which is a crucial factor in successfully tackling the problem of illicit drugs in producer countries.

Mexico

[Original submission]

El gobierno de México confía en que la ONUDD mejore sus estrategias para buscar la universalidad tanto de la Convención de Palermo como de sus tres Protocolos complementarios y su plena aplicación (subprograma 1). Valdría la pena valorar una mención en dicha sección (página 5) a la colaboración con la “Fuerza de Tarea contra la Delincuencia Organizada Transnacional y el Tráfico de Drogas como amenazas a la estabilidad y la seguridad” y las instancias competentes del Sistema de Naciones Unidas que la integran, para fortalecer las sinergias en éstos ámbitos y no duplicar esfuerzos.

En el Subprograma 3, asociado a la lucha contra la corrupción, sería deseable ver reflejados los aportes y participación de la sociedad civil y del sector privado, toda vez que la presencia y aportaciones de estos sectores sociales fortalecen las actividades propuestas en el Marco Estratégico.

En el Subprograma 6, relacionado con la investigación y el análisis de tendencias, la ONUDD debería reflejar el importante rol que desempeñan los Centros de Excelencia establecidos en las diferentes regiones y que sin duda contribuyen a la labor de la ONUDD, con miras a potenciar más su papel y visibilizar el trabajo que sin duda aporta elementos contundentes a los esfuerzos que la membresía realiza en estas esferas.

[Translation]

The Government of Mexico trusts in UNODC to improve its strategies for seeking the universality and full implementation of both the United Nations Convention against Transnational Organized Crime and its three protocols (subprogramme 1). In that section of the document, it would be worth referring to collaboration with the task force on transnational organized crime and drug trafficking as threats to security and stability and the competent bodies of the United Nations system that the task force comprises in order to strengthen synergies in those areas and avoid duplication of effort.

Under subprogramme 3 on countering corruption, it would be desirable to reflect the contributions and participation of civil society and the private sector, given that the presence and contributions of those social sectors strengthen the activities proposed under the strategic framework.

Under subprogramme 6 on research and trend analysis, UNODC should ensure that the strategic framework reflects the important role of the centres of excellence established in the various regions, which undoubtedly contribute to the work of UNODC, with a view to strengthening their role further and ensuring the visibility of their work, which clearly represents a key contribution to the efforts made by the Member States in those areas.
The Netherlands wishes to emphasize that the Commission on Crime Prevention and Criminal Justice (CCPCJ) is the policy making body responsible for providing guidance to the United Nations Crime Prevention and Criminal Justice Programme. The Crime Congress, organized every five years, should primarily be a forum to exchange information and experiences among experts and practitioners. In this regard, the Netherlands wishes to support similar comments on this matter made by Canada in its submission to FINGOV.2

The Netherlands supports the implementation of the full cost recovery methodology. The Netherlands hopes that this methodology will increase accountability and transparency, and that it will support the Secretariat in identifying potential cost efficiencies and effectiveness standards, also at the headquarter level. Therefore, it is suggested in Subprogramme 8 (‘Technical Cooperation and Field Support’), expected accomplishment (b) “Enhanced transparency, effectiveness, accountability, and good governance of UNODC Field Offices”, to add “and the UNODC Headquarters”.

II. Outcome of the special meeting of the intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (FINGOV) on the proposed Strategic Framework for 2016-2017, held on 24 April 2014

A. Introduction

1. The Co-Chairperson of the working group, Mr. Ignacio Baylina Ruiz (Spain), welcomed participants to the an informal meeting of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (FinGov), to give Member States an opportunity to discuss the draft proposed strategic framework for the period 2016-2017 in preparation for its review by the Commission on Crime Prevention and Criminal Justice at its 23rd session.

B. Review of the Strategic Framework for the period 2016-2017

2. The Chief of the Public Affairs and Policy Analysis Branch made introductory comments and recalled that the draft proposed strategic framework for the period 2016-2017 would be discussed by the Committee on Programmes and Coordination (CPC) in New York in June 2014. She informed participants that, as decided by the CND, individual Member State comments during the CND as referred to in its report would be made available verbatim to the CPC for its consideration. This had been exceptionally accepted by the Programme Planning and Budget Division (PPBD), and the decision of the CND would be implemented.

2 The intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime.
3. Two delegations referred to the written comments they had submitted to the Secretariat and that had been posted on the dedicated FinGov website for Member States (https://www.unodc.org/missions/en/wggf/index.html). Such comments covered, inter alia, references to be made to the United Nations Crime Congress as a consultative body of the CCPCJ rather than a policy making or governing body; the need to refer to the full cost recovery funding model as having been agreed on a transitional and provisional basis; the need to mention UNODC’s role in the preparatory process for the 2016 UNGASS on the World Drug Problem, pursuant to the resolution adopted at the CND 57th session on the subject; the need to reflect expected accomplishments such as transparency, effectiveness, accountability and good governance also for the UNODC headquarters in addition to field offices; the need to put greater emphasis on the issue of prevention throughout the subprogrammes and to include more specific result oriented indicators of achievements in the strategic framework. It was also suggested that, while the Office could develop and disseminate training toolkits in support of norms and standards, model legislations developed by expert groups under subprogramme 5 of the proposed strategic framework should be submitted to the CCPCJ for review and consideration, given their impact on legislative texts which were within the purview of Governments.

4. One delegation highlighted the necessity of reporting on results and underlined the difference between activities and the results achieved through undertaking those activities. It also stated that many of the indicators in the draft Strategic Framework appeared to measure the actions of UNODC rather than higher level results achieved, and that this should be addressed by using new indicators of achievement that would use statistics like those on opium production or the seizures of illegal arms. The delegation also suggested the inclusion of an additional column in the Strategic Framework to specifically talk about the activities that would be undertaken in order to reach the higher order results. In response, UNODC stated that it was in no position to make changes to the structure of the Strategic Framework as that was a standard applicable to the entire United Nations Secretariat decided in New York. It did state however that higher-level programme results were available in the progress reports on programmes that were presented to FinGov on an annual basis.

5. Another delegation raised the issue of the placement of drug control in its different interrelated aspects within the subprogramme structure of the draft Strategic Framework. More specifically, the delegation stated that it would be better if there were clearer connections and better continuity between the law enforcement oriented drug control work done in subprogramme 1 (‘Countering illicit drug trafficking and transnational organized crime’) and prevention/treatment in subprogramme 2 (‘Prevention, treatment and reintegration, and alternative development’) in order to better ensure a comprehensive and balanced approach to drug control in the new version of the Strategic Framework. It was suggested that expected accomplishments under Subprogramme 2 should also refer to assisting Member States in implementing the drug control conventions, as these human rights-based instruments also deal with the health and well-being impacts of drugs as well as with ensuring their availability for medical and scientific purposes, and not only the law enforcement side. The delegation stated that it was important to ensure that the conventions are seen as being valuable and balanced as reiterated explicitly in the recently concluded Commission on Narcotic Drugs. It was also
suggested that the issue of alternative livelihoods could be more appropriately placed in subprogramme 1 than in subprogramme 2.