

Non-paper on the servicing of expert groups established by the Commission on Crime Prevention and Criminal Justice, including the preparation of related documentation

I. Introduction

1. This non-paper provides an overview of issues related to the organization and servicing of expert groups, in particular open-ended intergovernmental expert groups, established by the Commission on Crime Prevention and Criminal Justice (CCPCJ), including the preparation of related documentation.
2. This non-paper has been prepared by the Secretariat to facilitate the consideration by Member States of draft resolutions and their possible financial implications.

II. Background information - Terminology

3. Pursuant to its Rules of Procedure¹, the CCPCJ may set up committees and working groups composed of members of the Commission and refer to them any questions on the agenda for study and report. To date, a considerable number of open-ended intergovernmental expert groups, have been established on the basis of mandates emanating from resolutions adopted by CCPCJ or, on the basis of CCPCJ recommendations, by the Economic and Social Council (ECOSOC) and the General Assembly.
4. The United Nations Guidelines on Meetings Planning and Coordination² contain information on the interpretation by the Secretariat of the terminology used:
 - an **expert body** or **expert group** is a subsidiary body the members of which may be **governmental** experts, i.e. elected as State representatives, or members serving in their personal capacity, i.e. elected as individuals. *Expert bodies* or *groups* function similarly to working groups, in accordance with Rule 21 of the Rules of Procedure of the Functional Commissions of ECOSOC³;
 - an **intergovernmental (expert) body** is one in which experts are serving as State representatives (representing Members of the United Nations or observer States);
 - an **open (or open-ended) meeting** is one which is open to all those who are accredited to participate in the particular session of the body, in accordance with the applicable rules of procedure and the formulation of the mandate.

¹ See Rules 13(2) and 21-24 of the Rules of Procedure of the Functional Commissions of the Economic and Social Council (E/5975/Rev.1).

² United Nations Guidelines on Meetings Planning and Coordination, available online at: [http://www.unog.ch/80256EDD006B8954/\(httpAssets\)/050DD4A114603CE6C125712C00399A68/\\$file/GUIDELINES.pdf](http://www.unog.ch/80256EDD006B8954/(httpAssets)/050DD4A114603CE6C125712C00399A68/$file/GUIDELINES.pdf)

³ Working Groups usually have a limited mandate, established to examine a particular topic and to report back to the parent body on that topic (*see* Rule 21 Rules of Procedure of the Functional Commissions of the Economic and Social Council); sub-commissions (for whose set-up authorization by the Council is required) have a “standing” mandate (*see* Rule 22 Rules of Procedure) .

5. These *open-ended intergovernmental expert groups* are **to be viewed distinctly from informal expert group meetings**, which are convened by UNODC on an *ad hoc* basis for specific purposes, including, but not limited to, the development of technical assistance tools, including handbooks or manuals. Participants in informal expert group meetings serve in their individual capacity⁴.

6. Official (parliamentary) documentation, including a “report on the meeting” (“post-session”), is usually only prepared for *intergovernmental* expert groups, and not for ad hoc informal expert group meetings⁵.

III. Servicing of open-ended intergovernmental expert group meetings, including preparation of related documentation

(a) Which services are provided ?

7. In reference to **servicing of intergovernmental bodies**, the following elements are to be considered:

- (a) the length of meetings, usually expressed in working days (which normally means two meetings per day) or in weeks, and the frequency (or periodicity) of meetings;
- (b) languages of translation of official documents and of interpretation; and
- (c) provision, type and languages of meeting records.

8. The **kind and level of services to be provided depend on the legislative mandate** and, may include any or all of the following: use of the conference rooms, conference room support staff, documentation (pre-, in- and post-“session” documentation), including editing, translation, reproduction and distribution, and interpretation services in any or all of the six official languages of the United Nations

9. On the basis of the wording used in the mandating resolution and subject to the availability of regular or extra-budgetary resources, the Secretariat prepares a **set of pre-, in- and post-“session” documentation**, with the symbol “UNODC/CCPCJ/EG/[...]”.

⁴ A special type of expert group is the multi-stakeholder core group of experts on identity-related crime, which is convened by UNODC on the basis of mandates contained in ECOSOC resolutions (2011/35; 2009/22, 2007/20) and composed of representatives of Member States and international organizations, as well as representatives from the private sector and experts from academia.

⁵ In the case of the multi-stakeholder core group of experts on identity-related crime, established by UNODC in 2007, reports on its meetings have been produced on an informal basis without a specific symbol (the informal reports on the meetings of the core group of experts are available at <http://www.unodc.org/unodc/en/organized-crime/identity-related-crime.html>). The content of such informal reports has been determined in line with the exigencies of the meeting. In the absence of specific requests contained in the relevant resolutions, such informal reports have not been formally submitted to the Commission. However, they have been made available as conference room papers (in English only - See E/CN.15/2009/CRP.10, E /CN.15/2009/CRP.11, E /CN.15/2009/CRP.12) at the request of Member States and in consultation with the Secretariat. Most recently, a Member State has sent a note verbale to the Secretariat, requesting that the text of the report on the sixth meeting of the core group of experts be made available to the Commission as a pre-session document in all official languages (See E/CN.15/2013/25).

The typical set of documentation usually contains an annotated agenda and organization of work, a number of background documents for consideration under the substantive agenda items and the report on the meeting.

10. The text of the mandating resolution itself has usually not contained **specific detailed information on documentation requirements/entitlements**, but more specific information has been included in the corresponding *statement on financial implications*, presented by the Secretariat before the adoption of the mandating resolution.

(b) Is the “report on an intergovernmental expert group meeting” automatically transmitted to the CCPCJ ?

11. With regard to the *report on an intergovernmental expert group meeting* (“post session”) it is worth clarifying that such a report is **different from the “report on the implementation of the resolution” containing the mandate for the intergovernmental expert group meeting**. The latter is prepared on the basis of a specific request contained in the resolution and its scope is not limited to information on the expert group meeting, but also includes available information on the implementation of other parts of the resolution that require action or follow-up.⁶ Pursuant to the specific request contained in the resolution, the report on the implementation of the resolution is submitted to the CCPCJ (or to the ECOSOC or the General Assembly, as applicable).

12. A *report on an intergovernmental expert group meeting* may be **transmitted to the Commission if a specific request to that effect is included in the resolution containing the mandate**. This has been the case when the text of resolutions read as follows: *“Requests the working group [or group of experts] to submit a report on its meeting to the Commission at its ... session.”* In the past, resolutions have not always been specific in this regard. In such cases, as already mentioned above, the statement of financial implications provides information on eventual extra-budgetary resource requirements.

13. In some instances, Member States may wish to bring only a part of the report on the intergovernmental expert group meeting to the attention of the Commission. Examples of such cases include *requests to submit relevant recommendations to the Commission*,⁷ or to *submit practical proposals for implementing those recommendations*.⁸ In these cases, this specific information has been included in relevant documents submitted to the Commission.⁹

⁶ The available information is usually limited to the action taken by UNODC. In some instances, the report on the implementation of the resolution may also contain information on expert group meetings held on the basis of mandates contained in the resolution in question. If information is available on the action taken by Member States and other stakeholders pursuant to the relevant resolution, it will also be included in the report on the implementation of the resolution.

⁷ See ECOSOC resolution 2008/23.

⁸ See ECOSOC resolution 2010/19 and GA resolution 66/180.

⁹ See E/CN.15/2010/5 and E/CN.15/2013/14.

14. It is to be recalled that the reporting back to the Commission on the outcome of an intergovernmental expert group meeting can also be done orally by the Chair of the respective expert group meeting.

(c) What is contained in the “report on the intergovernmental expert group meeting” ?

15. In addition to budgetary considerations, which will be dealt with in Part IV of the present non-paper, there are a number of elements influencing the *length* and *content* of a “report on the intergovernmental expert group meeting”:

- Regarding the *length*, General Assembly resolution 52/214 established the general guideline that “documents others than those originating from the Secretariat” (this category covers reports on intergovernmental expert group meetings) should be **maximum 20 pages (10,700 words)**. The text of GA resolution 52/214, part B, operative para 7, reads as follows: “[The General Assembly] invites all intergovernmental bodies to consider, where appropriate, the possibility of reducing the length of their reports from the desired limit of thirty-two pages to twenty pages over a period of time without adversely affecting either the quality of presentation or the content of the reports.” Twenty pages are the equivalent of 10,700 words.

- Regarding the *content*, it is recalled that, to date, “reports on an intergovernmental expert group meeting” have included information on the organization of the meeting (opening, attendance, election of officers, adoption of the agenda) ; the recommendations, if any, adopted by the expert group; as well as - in most cases - a summary of the deliberations. A list of participants is normally not included¹⁰ but may be annexed to the report¹¹ or issued as a separate document.

16. The mandates for some intergovernmental expert group meetings refer explicitly to the development of a draft set of principles, guidelines, standards and norms,¹² which will need to be annexed to the report on the meeting and whose length cannot be anticipated and cannot be limited without compromising their substance.

17. The practice regarding the inclusion of a **summary of the deliberations** in reports on meetings has varied. In only very few cases, Member States have explicitly stated in the mandating resolution what they expected in terms of reporting.¹³ An

¹⁰ A list of Member States and other organizations represented at the meeting will be included in the report under “attendance of the meeting”.

¹¹ See, e.g., Report of the expert group on protection against trafficking in cultural property (UNODC/CCPCJ/EG.1/2009/2).

¹² See, e.g. ECOSOC Resolution 2007/24 (OP6: “to study ... the possibility of developing an instrument such as a declaration of basic principles or a set of guidelines for improving access to legal aid in criminal justice systems...”) and GA resolution 65/230 (OP10: “to exchange information on ... the revision of existing United Nations standard minimum rules for the treatment of prisoners ..., with a view to making recommendations to the Commission...”).

¹³ At its twenty-first session, the CCPCJ adopted decision 21/1, whereby the Commission decided that it would make efforts to reduce the length of its annual reports, bearing in mind the need for such reports to include resolutions and decisions adopted or transmitted by the Commission, as well as a brief summary of its deliberations under each agenda item, focusing in particular on policy findings and conclusions reached.

example of very specific language contained in the mandating resolution can be found in CND resolution 55/4 (referring in this particular case to a conference, not to an intergovernmental expert group meeting) which explicitly requests that the outcome report includes “*the deliberations*”.

18. Reference is to be made, when discussing the content of reports, to the guidelines which the Secretary General has issued for reports not totally within the purview of the Secretariat (contained in an inter-office memorandum, circulated in 2004), as reiterated more recently in document A/65/122¹⁴, entitled “Pattern of conferences”, (annex VIII – appendix) which read as follows:

Reports, including those of intergovernmental/expert bodies, should be action-oriented and limited to:

1. A brief discussion on organizational and procedural matters.
2. Recommendations, including resolutions and decisions adopted.
3. Policy recommendations emanating from multi-stakeholder dialogues and panels and round tables rather than summaries of the meetings.
4. New developments, findings and recommendations, particularly for recurrent reports.
5. Quotations from United Nations documents only when legislative authority is cited.

Reports should not include:

1. A summary of statements made at opening and closing meetings, unless pertinent to the conclusions reached.
2. Summaries of statements by individuals; a list of speakers for each item could be included instead.
3. A general summary of statements under each item.
4. Analysis of information provided unless required to support policy findings.
5. A lengthy discussion of organizational and procedural matters.
6. Repetition of already published texts or repetition of texts with only minor changes.
7. Extraneous information that does not contribute to deliberations.

19. In his interoffice memorandum, the Secretary-General requested the Secretariat officials to ensure that reports prepared under their authority, including those to be issued in the name of intergovernmental and expert bodies, be drafted in strict accordance with the above guidelines.

20. In addition to these elements, **funding constraints will also influence the length and content of a “report on an intergovernmental expert group meeting”**. If the report is subject to the availability of extra-budgetary resources, the length of the document and – in turn – the content will also be affected by the amount of funding available.

This decision, however, only covers the reports on the regular sessions of the Commission and does not apply to intergovernmental expert groups.

¹⁴ Reference to this report is made in GA resolution 65/245, entitled “Pattern of Conferences, in preambular para 3, reading as follows: “*Having considered the report of the Committee on Conferences for 2010 and the relevant report of the Secretary-General*”

21. The Secretariat is strongly committed to the principle of multilingualism. The availability of interpretation into all the UN official languages at meetings, including those of intergovernmental expert groups, is subject to the availability of regular budget or extrabudgetary resources.¹⁵ Subject to the mandating resolution, interpretation into/from all the UN official languages has normally been made part of the entitlements of an intergovernmental meeting funded from regular budget resources. When a meeting is subject to the availability of extrabudgetary resources and if a Member State expresses interest in funding such a meeting, similarly to the Regular Budget funded meetings, information on conference servicing implications is requested from the Conference Management Service and an official cost estimate is prepared by the Financial Resources Management Service. Such estimates, unless otherwise specified by the Member States intending to provide funding for the meeting, include the costs of interpretation into/from all UN official languages.¹⁶

22. Furthermore, on an ad-hoc basis, interpretation into languages other than the official languages of UN, has been provided, for example at the request of a host country, or at meetings held at headquarters when the State in question made an interpreter available.

IV. Availability of financial resources

(a) Level of resources needed ?

23. The cost of expert group meetings and related documentation varies, depending on different factors, such as the length of the meeting, the number of languages to be covered by interpretation and translation services, the volume of pre-, in-, and post-“meeting” documentation to be produced. In addition to the typical costs related to the meeting and documentation services, there might be costs in terms of additional staff time and consultancies (to substantively prepare the meeting, draft relevant documentation, collect and disseminate information) which cannot always be absorbed within existing resources, thus requiring additional extra-budgetary resources.

24. The *statements on financial implications* are prepared by the relevant substantive section of UNODC, in close consultation with the Conference Management Service (CMS) and the Financial Resource Management Service (FRMS), on the basis of **financial estimates provided by FRMS** for the typical costs related to the meeting and documentation services, including standard sets of documents, as contained in the *Standard Cost Manual*. All statements have to be cleared by the Programme Planning and Budget Division at the New York Headquarters and this clearance needs to be sought at the latest 48 hours before the adoption of the respective proposals.

¹⁵ For example, the meeting of the open-ended intergovernmental expert group on strengthening access to legal aid in criminal justice systems on 16-18 November 2011 was held in English only.

¹⁶ In addition, for example, the practice at some of the meetings of the HONLEAs and the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East has been to provide interpretation from/into a limited number of UN official languages.

(b) Can expert group meetings be covered under the regular budget or subject to the availability of extra-budgetary resources ?

25. To date, the Secretariat has endeavoured, whenever possible, “to do more with less” and cover as many activities as possible from the regular budget available to it. Funds for the servicing of some, though not all, intergovernmental and ad hoc expert group meetings have been included in biennial regular budget submissions.

26. The cycle of regular budget submissions is not usually in sync with the timing of and the mandates that emanate from the resolutions adopted by the functional commissions. For example, the deadline for the regular budget submission for the biennium 2012-2013 by UNODC was December 2010; the deadline for the regular budget submission for the biennium 2014-15 was December 2012. Therefore, UNODC’s regular budget submissions, while taking into account existing expert groups (if there is a reasonable expectation that their work will continue) usually cannot reflect possible new mandates for expert group meetings. This is also due to the fact that, for recent biennia, the Secretariat has been instructed to adhere to “maintenance levels” in the preparation of its regular budget submissions.

27. ***Should the organization have at its disposal regular budget resources for the implementation of a particular activity, on the basis of the approved programme budget,*** the **statement of financial implications** may refer to “entitlements of [a particular activity] established by the [governing body], which are reviewed in the context of the budget submission for the biennium in question. The resource requirements for the biennium in question are presented in the context of established budgetary procedures. In these cases, the **dates** for the holding of **relevant meetings** are to be **determined** in consultation between the relevant section of UNODC and the Conference Management Service of UNOV. **Documentation** needs to be submitted in a timely manner and within the indicative word limit in order to be processed within available resources.

28. As was already mentioned, it is to be stressed that the Secretariat was instructed to adhere to “**maintenance levels**” in the preparation of the regular budget submission for biennium 2014-2015. As a result, ***new mandates*** can be implemented ***either in lieu of other existing mandates*** or ***subject to the availability of extra-budgetary resources***. Moreover, **the regular budget resources**, both in relation to human resources and activities, available to the Secretariat, **have recently been subject to reductions and may be further reduced in the near future**, thus affecting the implementation of activities, including the organization of expert group meetings.

29. As already mentioned above, **information** on whether the cost of an expert group can be covered from available regular budget resources or whether additional extra-budgetary resources are required **will be contained in the statements of financial implications** presented to the Commission at each session, during the proceedings of the Committee of the Whole and before the adoption of draft resolutions.¹⁷ For activities for which additional extra-budgetary resources are requested, specific information will be

¹⁷ See E/CN.15/2012/CRP.5, E/CN.15/2011/CRP.7, and the annual reports of the CCPCJ on its sessions up to the 19th session in 2010.

contained in the statements as to the level of extra-budgetary resources needed and it will be explicitly stated that the relevant activities will not take place, should the specified additional extra-budgetary resources not be provided.

V. Recommendations

30. In order to address these matters, it is crucial that Member States are *as precise as possible in terms of what they exactly expect*, which, in turn, enables the Secretariat to provide information regarding the financial implications, which is both *transparent and complete*. The inclusion of specific language in mandating resolutions on what is expected from the Secretariat in terms of meetings, documentation and reporting facilitates the work of the Secretariat in providing accurate information on entitlements and costing.

31. Prior, during and after the sessions of the Commission, both the substantive offices of the Secretariat and the Conference Management Service, stand ready to provide clarifications and additional information.

32. Member States intending to table a draft resolution are strongly encouraged to **consult the relevant substantive section of UNODC, either directly or through the Secretariat of the Governing Bodies as much in advance of the sessions of the Commission as possible**, in order to obtain information regarding eventual constraints and resource implications of mandated activities.