

# COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE

## Resolution 18/3

### **Improving the governance and financial situation of the United Nations Office on Drugs and Crime**

*The Commission on Crime Prevention and Criminal Justice,*

*Recalling* its decision 17/2,

*Recalling also* the report of the Executive Director on the financial issues and difficulties faced by the United Nations Office on Drugs and Crime in implementing its mandates and an initial assessment of the ways and means of improving the financial situation,<sup>1</sup> the report of the Office of Internal Oversight Services on the inspection of programme management and administrative practices in the United Nations Office on Drugs and Crime<sup>2</sup> and the financial report and audited financial statements for the biennium ended 31 December 2007 and the report of the Board of Auditors on the United Nations Office on Drugs and Crime,<sup>3</sup>

*Reaffirming* the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking organ of the United Nations on matters of international crime prevention and criminal justice and as the governing body of the crime programme of the United Nations Office on Drugs and Crime,

*Noting with concern* the financial challenges of the United Nations Office on Drugs and Crime as set out in the report of the Executive Director on the implementation of the consolidated budget for the biennium 2008-2009 for the Office,<sup>4</sup> in particular the shortfall in general-purpose funding,

1. *Adopts* the recommendations of the open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime, contained in the annex to the present resolution, subject to the provisions of the present resolution;

2. *Decides* to establish a standing open-ended intergovernmental working group on governance and finance, whose mandate shall be in effect until the session of the Commission to be held in the first half of 2011, at which time the Commission shall carry out a thorough review of the functioning of the working group and consider the extension of its mandate;

3. *Emphasizes* that the working group, in its formal and informal meetings, should be a forum for dialogue among Member States and

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<sup>1</sup> E/CN.7/2008/11–E/CN.15/2008/15.

<sup>2</sup> MECD-2006-003.

<sup>3</sup> *Official Records of the General Assembly, Sixty-third Session, Supplement No. 51* (A/63/5/Add.9).

<sup>4</sup> E/CN.7/2009/11–E/CN.15/2009/11.

between Member States and the Secretariat on the development of the programmes of the United Nations Office on Drugs and Crime;

4. *Recommends*, with regard to the recommendation contained in paragraph 10 of the report of the Secretariat on the recommendations of the open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,<sup>5</sup> through the Economic and Social Council, that the General Assembly, as part of the budget process for the biennium 2010-2011, should reallocate available resources in such a way that reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice can be held back to back in the second half of each year, in order to consider the reports of and recommendations proposed by the working group;

5. *Decides* that the working group shall hold at least two formal meetings, one in the third quarter of 2009 and one in the first quarter of 2010, and that the dates of those and possible additional informal meetings shall be determined by the co-chairpersons of the working group in consultation with the Secretariat;

6. *Requests* that the relevant documentation be provided to the working group in a timely manner and approves the provisional agenda of the working group as follows:

1. Consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime.
2. Governance and financial situation of the Office.
3. Evaluation and oversight.
4. Other matters.

7. *Decides* that the work of the working group shall be based on existing documents of the United Nations, including the thematic and regional programmes of the United Nations Office on Drugs and Crime, as well as on briefings by the Secretariat and additional information provided by the Secretariat in the form of conference room papers, in order to be cost-effective;

8. *Requests* the Secretariat to provide the necessary assistance to facilitate the work of the working group, bearing in mind the limited resources available to the Secretariat;

9. *Calls upon* Member States to engage, within the framework of the working group, in a pragmatic, result-oriented, efficient and cooperative manner, in order to achieve the common objective of strengthening the performance and effectiveness of the United Nations Office on Drugs and Crime.

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<sup>5</sup> E/CN.7/2009/10–E/CN.15/2009/10.

## Annex

### **Recommendations of the open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime**

1. The working group made recommendations to the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice in the areas indicated below.

#### **Creating a standing, open-ended working group on governance and finance**

2. The two commissions should establish a standing, open-ended working group on governance and finance that should submit to the commissions recommendations on administrative, programmatic and financial matters within the areas of their respective mandates.

3. The commissions should maintain their present role as decision-making bodies of the United Nations Office on Drugs and Crime (UNODC) and should fulfil their important normative and governing functions. Consequently, no formal decisions should be adopted by the working group, as that would remain the prerogative of the commissions. At their sessions held in the first half of the year, the commissions should adopt the annual work programme for the working group.

4. The functions of the working group should include considering:

- (a) The implementation by UNODC of:
  - (i) The strategy for the period 2008-2011 for UNODC<sup>6</sup> and any subsequent strategies that may be adopted in the future;
  - (ii) Programmes and initiatives, including on cross-cutting policy issues, in particular thematic programmes;
  - (iii) Resolutions and decisions of the commissions and relevant resolutions of the General Assembly and the Economic and Social Council;
  - (iv) Recommendations of the working group;
- (b) Programme 13 of the proposed biennial programme plan and the consolidated budget for UNODC;
- (c) Oversight and evaluation policy and reports by external and internal oversight and evaluation mechanisms of the United Nations, such as the Independent Evaluation Unit, the Office of Internal Oversight Services and the Joint Inspection Unit;
- (d) The audited financial statements, including the report of the External Auditor;
- (e) Ways and means of achieving stable, adequate and predictable funding for UNODC;
- (f) Any other matter that the commissions may refer to it.

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<sup>6</sup> Economic and Social Council resolution 2007/12, annex.

5. The working group should serve as a mechanism for open-ended consultations among the Secretariat, States receiving technical assistance and donors with a view to the reinforcement of such technical assistance and to the funding of UNODC and its programmes.

6. The working group should have the following terms of reference:

(a) It should be open-ended;

(b) It should be participatory and driven by Member States;

(c) It should operate and prepare its recommendations by consensus, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council;

(d) It should meet regularly, holding at least two formal meetings a year. For the scheduling of those meetings and of additional informal meetings and to ensure the efficient functioning of the working group, particular attention should be given to the following three elements:

(i) The calendar for the preparation of the proposed biennial programme plan and the proposed consolidated budget for UNODC;

(ii) The availability of oversight and evaluation reports of the United Nations;

(iii) The availability of conference services;

(e) It should be led by co-chairpersons jointly nominated by the extended bureaux of the two commissions and endorsed in plenary meeting. The co-chairpersons should act in their personal capacities and should hold office for a period of one year. The commissions may decide to renew that mandate, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council and with established practice of those subsidiary bodies regarding the election of officers.

7. The Secretariat should provide the following services to ensure the effective functioning of the working group:

(a) Make meeting rooms available;

(b) Distribute to Member States, at least 10 working days before a meeting of the working group, the relevant documentation requested by the commissions or by the working group;

(c) Make available, during formal meetings, interpretation services and translations of the supporting documentation into all the official languages of the United Nations.

8. The two commissions should reallocate available resources in such a way that reconvened sessions of the two commissions could be held back to back in the second half of each year, in order to consider the reports of and recommendations proposed by the working group.

9. The proposed terms of reference for the working group should be reviewed by the two commissions.

### **Improving the governing role and functioning of the commissions**

10. The agendas of the annual sessions of the commissions should be restructured to place governance issues, including budget and funding matters, in a more prominent position. This should be done by:

(a) Ensuring that the report and recommendations of the working group are dealt with under the appropriate agenda item of each commission's session;

(b) Ensuring observance of the rules and procedures for reports presented to the commissions by the Secretariat, including that such reports should not be removed from the agenda unless the commissions have acted upon them;

(c) Utilizing existing meeting resources more effectively, for instance by using the Friday afternoon preceding each commission's session, if not required for the allotted purpose of consultations on draft resolutions, to discuss governance and financial issues;

(d) Appealing to Member States to consider limiting the number of resolutions considered at each commission session, including through consolidation or the establishment of agreed periods (for instance, two-year cycles).

### **Evaluation**

11. The General Assembly should be invited to review the current administrative structure and funding of the Independent Evaluation Unit with a view to enhancing the Unit's independence and functional efficiency.

12. Reports of the Independent Evaluation Unit should be delivered to Member States in a timely manner, with the UNODC management response being provided subsequently. The evaluation reports should be presented automatically to the commissions for consideration.

### **Measures to improve the funding situation of the United Nations Office on Drugs and Crime**

13. UNODC should adopt and implement a thematic approach for the formulation of operational programmes and the provision of voluntary contributions, within the framework of the priorities established in the strategy for the period 2008-2011 for UNODC. Member States should further discuss how that approach could be promoted and supported.

14. UNODC should in general provide more transparent, result-based and outcome-oriented reporting in order to enhance Member States' confidence in and political ownership of UNODC activities and convince donors to maintain or increase their flexible contributions, including to general-purpose funds.

15. UNODC should continue to align, within the strategic framework of the United Nations for the period 2010-2011,<sup>7</sup> the consolidated budget for UNODC with the strategy for the period 2008-2011 for UNODC, thereby ensuring integrated planning and budgeting as a basis for better result-

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<sup>7</sup> *Official Records of the General Assembly, Sixty-third Session, Supplement No. 6 (A/63/6/Rev.1).*

based reporting to Member States and compliance with their policy directives.

16. Member States should be encouraged to commit a share of their contributions to general-purpose funding, to maintain a sustainable balance between general-purpose funds and special-purpose funds and to introduce flexibility into a funding system that is driven mostly by earmarked contributions.

17. Member States should be encouraged to commit themselves to making, on a voluntary basis, biennial indicative pledges for general-purpose and special-purpose contributions, aligned with the UNODC biennial budget cycle, in order to enhance the predictability and stability of funding for UNODC.

18. Member States and UNODC should discuss ways and means of broadening the donor base through a fund-raising strategy that would encourage any new donors to contribute to general-purpose funding.

19. With a view to improving the financial sustainability of the UNODC field office network, Member States should discuss ways to encourage host countries to make voluntary contributions to the regular operating costs of country and programme offices.

#### **Workplan to further improve the efficiency and funding situation of the United Nations Office on Drugs and Crime**

20. The working group should consider concrete ways and means of further improving the efficiency and funding of UNODC, including the possibility of proposing to the two commissions a workplan in this regard.

21. Such an exercise should be conducted in cooperation with the Secretariat with the aim of creating a better common understanding among Member States of the financial situation of UNODC. The findings should be presented to both commissions, together with a set of recommendations on improving the efficiency and financial situation of UNODC, for further consideration by the commissions at their sessions to be held in the first half of 2010.

22. In addition, Member States are invited to consider within the framework of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption the feasibility of establishing funding mechanisms that would effectively address the funding of activities related to the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto<sup>8</sup> and the United Nations Convention against Corruption.<sup>9</sup>

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<sup>8</sup> United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

<sup>9</sup> *Ibid.*, vol. 2349, No. 42146.