



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

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Item 2 of the provisional agenda*

Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

Austria, France, Italy and Mexico: revised draft resolution

Strengthening the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

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

PP1 *Recalling* that the United Nations Convention against Transnational Organized Crime and the Protocols thereto¹ represent the principal worldwide legal instruments to combat the scourge of transnational organized crime, which affects individuals and societies in all countries, and *reaffirming* their importance as main tools available to the international community for this purpose,

PP2 *Reaffirming* the importance of the Convention and the Protocols thereto, *recognizing* that those instruments offer expanded opportunities for international cooperation in the fight against transnational organized crime, and *convinced* that in this regard the potential of these instruments is yet to be fully developed,

PP3 *Reaffirming also* that the purpose of the Convention and the Protocols thereto is, *inter alia*, to promote cooperation to prevent and combat transnational organized crime more effectively, and *stressing* the need to take additional concerted action to reinforce the implementation of the Convention and the Protocols thereto by States Parties and identify related technical assistance needs,

PP4 *Recalling* article 32 of the Convention, as well as resolution 5/1 of the Conference and General Assembly resolution 68/193, in which, *inter alia*, the need

* CTOC/COP/2014/1.

¹ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.



for the establishment of a mechanism to review the implementation of the Convention and the Protocols thereto by States Parties was reiterated,

PP6 *Recalling further* that, in its resolution 6/1, it underlined the need for the urgent adoption of a mechanism for the review of implementation of the Convention and the Protocols thereto, aimed at assisting States Parties in the implementation of those instruments, and urged States Parties to continue to be actively engaged in that endeavour, on the basis of the work already accomplished by the open-ended intergovernmental working group on the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, and *noting with appreciation* the informal consultations on the establishment of a review mechanism held before the Seventh session of the Conference,

PP7 *Recalling* its decision 4/1 and resolution 5/5, regarding the need to study options for an adequate and efficient review mechanism, to strengthen the actions at the international level to prevent and combat transnational organized crime,

PP8 *Reaffirming* the principles contained in its resolution 5/5,

Alt. PP8 *Recalling* art. 28 of the Convention and its decisions 1/2 and 2/1, and *stressing* the need for the Conference to gather information supplied by States Parties and other interested States on a systematic basis on their implementation of the Convention and the Protocols thereto, and to make the best use of all the tools developed so far by the Secretariat of the Conference of the Parties,

PP11 *Recalling* its decisions 2/2, 2/6, 3/2, 4/3 and 4/4, as well as its resolutions 5/3 and 5/4, and *emphasizing* the usefulness of the existing Working Groups to advise and assist the Conference of the Parties on the implementation of its mandate, with regard to the Convention as a whole and the Protocols thereto,

PP14 *Recalling* articles 29 and 30 of the Convention and *stressing* the connections between the review of the implementation of the Convention and the Protocols thereto and the elaboration and provision of technical assistance programmes, to requesting States Parties, with a view to combating transnational organized crime,

PP16 *Welcoming* the role and contributions of signatories, non-signatories, relevant intergovernmental organizations and non-governmental organizations in the activities of the Conference,

PP18 *Welcoming with appreciation* the recent accessions to and ratifications of the Convention and the Protocols thereto,

PP19 *Noting with appreciation* the awareness-raising and dissemination activities and the legislative assistance undertaken by the United Nations Office on Drugs and Crime in support of the ratification and implementation of the Convention and the Protocols thereto,

1. *Invites* States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto¹ and to effectively implement their provisions;

2. *Urges* States parties to the Convention and the Protocols thereto that have not yet done so to harmonize their national legislation in a manner consistent with their obligations thereunder;

OP4 *Underlines* that the review of the implementation of the Convention is an ongoing and gradual process, and that it is necessary to explore all options regarding an appropriate and effective mechanism to assist the Conference in the review of the implementation of the Convention and the Protocols thereto;

OP 5 *Decides* to convene in 2015 and 2016, within existing resources, joint sessions of at least a two-day duration of the International Cooperation Working Group and the Working Group of Governmental Experts on Technical Assistance, with a view to analyse the above mentioned options and to present to the Conference at its 8th session, on the basis of proposals from Member States, concrete recommendations for the establishment of a mechanism or mechanisms, as appropriate, for reviewing the implementation of the Convention and the Protocols thereto, in line with article 32 of the Convention and the principles and characteristics contained in its resolution 5/5;

6. *Decides* that the Working Group on International Cooperation, the Working Group on Trafficking in Persons, the Working Group on the Smuggling of Migrants, the Working Group on Firearms and the Working Group of Government Experts on Technical Assistance will be constant elements of the Conference of the Parties, and *encourages* the above mentioned Working Groups to meet on an annual basis and to hold their meetings consecutively, in order to ensure the effective use of resources;

7. *Also decides* that the Working Groups shall continue to analyse, in a comprehensive manner, the implementation of the Convention and the Protocols thereto, making the best use of the information gathered through the Omnibus Software Survey and other tools so far elaborated by the Secretariat, in full respect of the principle of multilingualism;

8. *Requests* States Parties and *invites* signatories, to submit to the Secretariat, through the Omnibus Survey Software, information on their programmes, plans and practices, in a focused and concise manner, as well as legislative and administrative measures taken to implement the Convention and the Protocols thereto;

10bis. *Further invites* States Parties and signatories to provide information on the relevant legislative measures to be included in the Sharing Electronic Resources and Laws against Organized Crime Portal;

10. *Urges* all States Parties, where applicable, to identify and prioritize technical assistance needs in their responses to the comprehensive self-assessment checklist, on the basis also of the needs assessment tools developed by the Secretariat, so as to allow adequate consideration of the issue by the relevant Working Group;

11. *Urges* all States Parties, where applicable, to identify and prioritize technical assistance needs in their responses to the comprehensive self-assessment checklist, on the basis also of the needs assessment tools developed by the Secretariat, so as to allow adequate consideration of the issue by the relevant Working Group;

12-bis *Invites* States Parties to prepare their responses to the comprehensive self-assessment checklist, through broad consultations at the national level with all relevant stakeholders, including the private sector, individuals and groups outside the public sector;

Invites the Working Groups, in line with article 32 paragraph 3 (c) of the Convention, to cooperate with all relevant international and regional organizations and non-governmental organizations, as well as with relevant United Nations agencies and research institutes of the UN Crime Prevention and Criminal Justice Programmes Network;

Requests the Working Groups to continue to identify challenges, good practices and technical assistance needs for the effective implementation of the Convention and the Protocols thereto;

16. *Decides* to continue to include in its agenda an item on the review of the implementation of the Convention and the Protocols thereto that will, inter alia, allow States parties to take stock of the activities of the Working Groups and to assess their functioning and effectiveness, including cost-effectiveness;

Decides that when discussing issues related to assistance to and protection of victims, prevention, awareness-raising, and capacity building, in which the cooperation with civil society allows for a more effective implementation of the Convention and the Protocols thereto, the Working Groups shall hold public meetings, unless a Working Group decides otherwise;

20. *Calls upon* each State Party to designate a focal point for the purpose of communicating with the Secretariat regarding in compliance with paragraphs, 4 and 5 of article 32 of the Convention and the implementation of the Protocols to the Convention, and to provide the Secretariat with the contact details of the focal point;

21. *Requests* the Secretariat to assist the Working Groups in the performance of their functions;

22. *Bis Requests* the Secretariat to prepare, within existing resources, a report for the Working Groups, setting out specific efficiency and cost-saving measures the Conference of the Parties could adopt;

23. *Also requests* the United Nations Office on Drugs and Crime to report to the Conference at its Eighth session on the progress achieved in the implementation of the present resolution;

24. *Requests* the Secretary-General to include in his proposed programme budgets for the biennium 2016-2017 the estimated resource requirements for the implementation of this resolution;

25. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations.