

### **Decision 4/3**

## **Implementation of the provisions on technical assistance of the United Nations Convention against Transnational Organized Crime**

The Conference of the Parties to the United Nations Convention against Transnational Organized Crime, recalling articles 29 and 30 of the United Nations Convention against Transnational Organized Crime,<sup>1</sup> which set forth the obligation of States parties to promote technical assistance and training, and recalling Conference decisions 2/6 and 3/4:

(a) Took note with appreciation of the information on and proposals for technical assistance activities developed by the Secretariat contained in the working paper prepared by the Secretariat on proposals for technical assistance activities designed to meet the needs identified in the priority areas determined by the Conference,<sup>2</sup> following the five priority areas determined by the Conference at its third session;

(b) Noted the discussion at the round table of technical assistance providers held in Vienna on 14 October 2008<sup>3</sup> to facilitate the exchange of information on technical assistance being provided and the promotion of closer coordination in the delivery of such assistance;

(c) Noted that the Open-ended Interim Working Group of Government Experts on Technical Assistance had been convened during the fourth session of the Conference and, working in an environment of cooperation and goodwill, had engaged in a detailed review of the implementation of the articles on technical assistance of the Organized Crime Convention, resulting in a fruitful exchange of ideas and experiences;

(d) Decided that the Open-ended Interim Working Group of Government Experts on Technical Assistance should be a constant element of the Conference;

(e) Urged donor countries and technical assistance providers, including the United Nations Office on Drugs and Crime, to take into consideration the needs identified in the analytical reports<sup>4</sup> in the formulation of technical assistance activities, in conjunction with recipient Governments, and in particular the need for legislative assistance and training of criminal justice practitioners;

(f) Welcomed the analysis by the Secretariat of the technical assistance needs based on the questionnaires and the needs and priorities of requesting States;

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<sup>1</sup> Ibid., vol. 2225, No. 39574.

<sup>2</sup> CTOC/COP/2008/16.

<sup>3</sup> See chapter XII of the present report.

<sup>4</sup> CTOC/COP/2005/2/Rev.2, CTOC/COP/2005/3/Rev.2, CTOC/COP/2005/4/Rev.2, CTOC/COP/2006/2/Rev.1, CTOC/COP/2006/6/Rev.1, CTOC/COP/2006/7/Rev.1 and CTOC/COP/2006/8/Rev.1.

(g) Noted with appreciation the specialized expertise of the United Nations Office on Drugs and Crime and the network of experts upon which it could call in areas such as legal assistance;

(h) Stressed the need to ensure that the technical assistance provided made the maximum impact, in accordance with the Paris Declaration on Aid Effectiveness, and avoided duplication and overlap;

(i) Recognized that the following principles should underpin mechanisms for ensuring coordination and should be taken into account:

(i) The importance of recipient States carrying out needs analyses, taking into account information given in response to questionnaires and the discussions and views expressed at the sessions of the Conference;

(ii) The importance of technical assistance providers taking such needs analyses into account when designing programmes of assistance, which should preferably be provided in a language agreed to by the receiving State;

(iii) The need for a partnership approach, common goals and commitment on the part of those receiving and providing technical assistance, and the need to take into account the activities of other bodies, such as civil society and international or regional organizations;

(iv) The need for effective coordination within States providing and receiving assistance;

(v) The need for coordination between donors, building on existing local, regional and multilateral mechanisms;

(j) Emphasized the importance of maintaining a continuous flow of information to the Office, including through responses to questionnaires authorized by the Conference, in order to ensure the reflection of the latest information on technical assistance activities and needs;

(k) Recalled the need for technical assistance providers to raise awareness and to emphasize the importance of the Organized Crime Convention and the Protocols thereto<sup>5</sup> and the role of the United Nations Office on Drugs and Crime in implementing those instruments;

(l) Stressed the importance of sharing the results of evaluation of technical assistance provided so that there is a greater common understanding of what works and what does not;

(m) Requested the Secretariat and other technical assistance providers to take into account ongoing regional and bilateral technical assistance efforts with a view to creating areas of synergy and leveraging resources;

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<sup>5</sup> United Nations, *Treaty Series*, vols. 2237, 2241 and 2326, No. 39574.

(n) Invited providers of technical assistance, together with the United Nations Office on Drugs and Crime and, as appropriate, its field offices, to strengthen coordination efforts in host countries, noting, in particular, the potential for the Office to act as a coordinator and facilitator of requests for and the provision of technical assistance, in order to ensure the effectiveness of such assistance;

(o) Invited technical assistance providers to partner, where appropriate, with the United Nations Office on Drugs and Crime when providing assistance for the purpose of building the capacity of recipient States to implement the Convention and its Protocols, and to raise awareness of those instruments;

(p) Requested the Open-ended Interim Working Group of Government Experts on Technical Assistance, taking as a basis the above-mentioned recommendations as well as the proposals contained in the working paper prepared by the Secretariat on proposals for technical assistance activities designed to meet the needs identified in the priority areas determined by the Conference, to further reflect on ways and means to strengthen and better coordinate the scheme of technical assistance for the implementation of the Convention and its Protocols, and submit recommendations in that regard to the Conference at its fifth session;

(q) Requested the Secretariat to organize an intersessional meeting of the Working Group before the end of 2009;

(r) Encouraged donor countries and relevant organizations to allocate funds to the United Nations Crime Prevention and Criminal Justice Fund in order to improve its capacity as a provider and coordinator of technical assistance;

(s) Invited States parties and States signatories to the Convention to provide voluntary contributions to the Office for its technical assistance activities in order to further the implementation of the Convention and its Protocols, in particular with respect to the above-mentioned recommendations as well as the proposals contained in the working paper prepared by the Secretariat.