

Constructive dialogue on the review process in accordance with paragraph 53 of the Procedures and rules for the functioning of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

Summary by the Chair

I. Introduction

1. The Conference of the Parties to the United Nations Convention against Transnational Organized Crime established in October 2018 the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto¹ through Conference [resolution 9/1](#), which included in its annex the procedures and rules for the functioning of the Mechanism.

2. According to paragraph 53 of the procedures and rules for the functioning of the Mechanism and in accordance with article 32, paragraph 3 (c), of the Organized Crime Convention, constructive dialogues with relevant stakeholders, including non-governmental organizations, shall be convened as a regular practice, following the conclusion of the meetings of the working groups and the adoption of the reports. The constructive dialogues aim to promote fruitful engagement with relevant stakeholders. They allow for briefing participants on the development and outcomes of the review process, and for collecting inputs and suggestions from participants, including their contributions on ways to improve the implementation of the Convention and the Protocols thereto.

3. This constructive dialogue was held on 31 May 2023, after the conclusion of the fourteenth meeting of the Working Group of Government Experts on Technical Assistance. It was chaired by one of the co-Chairs of the Working Group, Mr. Carlos Alberto Sánchez del Águila, Minister Counsellor, Alternate Representative, Permanent Mission of Peru to the United Nations in Vienna.

4. Thirty-eight non-governmental organizations and six other relevant stakeholders (three from the academia and three from the private sector) participated in the constructive dialogue, in addition to 44 States parties. The written comments received in accordance with paragraph 53 of the procedures and rules for the functioning of the Mechanism were made available on the webpage: www.unodc.org/unodc/en/organized-crime/intro/review-mechanism-untoc/constructive_dialogues/ta_2023.html.

5. This document presents the summary of discussions at the abovementioned constructive dialogue prepared by the co-Chair of the fourteenth meeting of the Working Group.

II. Opening

6. At the opening of the meeting, the Chair delivered introductory remarks, expressing his confidence that the Mechanism shall greatly benefit from the contributions of relevant stakeholders, including non-governmental organizations, academia, and the private sector.

¹ Hereinafter: UNTOC review mechanism.

III. Briefing on the developments and outcomes of the review process

7. Under agenda item 2, the secretariat shared an overview of the status of the review process, which had been launched in October 2020 through conference [resolution 10/1](#), after a two-year preparatory phase. A status report on the progress of the Mechanism had also been shared with the Working Group in form of a background paper ([CTOC/COP/WG.2/2023/2-CTOC/COP/WG.6/2023/4](#)). The overview included information on the support provided by the United Nations Office on Drugs and Crime (UNODC) to States parties in the review process and on the action taken towards the involvement of non-governmental stakeholders in it.

8. Several speakers expressed appreciation for the opportunity to contribute to the process provided by the constructive dialogue and highlighted its relevance as a multi-stakeholder forum bridging the gap between States parties and civil society. The speakers welcomed the notable increase in the number of participants compared to previous meetings and appreciated the extended duration of the dialogue discussions foreseen for this meeting.

9. Several speakers expressed appreciation to UNODC for the organization of the preparation day for multi-stakeholders, held prior to the constructive dialogue on the review process. They underscored the importance of the participation of the co-Chairs of the Working Group to this preparatory meeting and expressed appreciation for their sharing of information on the outcomes of the Working Group and constructive dialogue meetings of the previous year. Those efforts were mentioned as having played a key role in better informing civil society organizations about the progress of the Mechanism and in preparing them for an informed participation in the constructive dialogue.

10. In relation to the review process, one speaker also observed that no party had completed its country review under the first thematic cluster, leading to data gaps in the implementation of the Organized Crime Convention. Some speakers referred to the important contribution of non-governmental stakeholders in facilitating the progress of the review process and in possibly filling the information gaps, by providing relevant data on the evolving dynamics and impact of organized crime.

11. Some speakers highlighted the importance of partnerships between States parties and civil society and cited a government-led multi-stakeholder engagement process known as “pilot initiative”, implemented in Mexico and Pakistan with the support of UNODC, as commendable examples and good practices for other States parties to emulate.

IV. Spotlight on the topics of the 14th meeting of the Working Group of Government Experts on Technical Assistance

12. Under agenda item 3, the Chair briefed participants on the developments and outcomes of the 14th meeting of the Working Group of Government Experts on Technical Assistance, that was held from 29 to 30 May 2023.

13. A video about the efforts by UNODC to integrate the perspective of civil society into the implementation of the Organized Crime Convention, through the project “Stakeholder Engagement for the Implementation of the

United Nations Convention against Transnational Organized Crime” (SE4U project), was played prior to the panel discussion.

14. The panel discussion under agenda item 3, involving seven civil society organizations was divided into two groups: the first one was composed by the Global Initiative Against Transnational Organized Crime (GI-TOC), the Centre for Governance Research (GCR), Libera Associations against Mafias, and Maat for Peace Development and Human Rights association; the second one was composed by the Slum Child Foundation, the University for Peace and the Alliance of Non-Governmental Organizations (NGOs) on Crime Prevention and Criminal Justice.

15. Both panel groups focused their discussions on the topic of “Technical assistance needs in the prevention of organized crime including data collection and analytical processes to support the mainstreaming of a gender perspective and human rights, as well as the development of national strategies to address transnational organized crime”.

16. The first group of panellists reflected on the participation and contribution of civil society in the Mechanism, as well as on the development of strategies against organized crime in a whole-of-society approach, involving civil society and guided through the promotion of human rights.

17. The panellist from GI-TOC emphasized the important role of civil society in addressing organized crime and supporting the implementation of the Organized Crime Convention. He highlighted the role of civil society in practical activities at the community level as being key to providing support to victims of crime and enabling their voices to be heard. The panellist also mentioned the contribution of civil society to building resilience against organized crime through the collection and analysis of data, and the creation of knowledge-sharing networks in support of the development of strategic responses to organized crime.

18. The panellist from CGR referred to the collaboration between civil society organizations and governments to contribute to responding to the self-assessment questionnaire, used in the context of the Mechanism to conduct country reviews. The panellist mentioned that through proactive communication, sharing of recommendations, and the design and implementation of joint initiatives to combat organized crime and advance the rule of law and human rights, civil society organizations have forged a productive partnership with the government. Assisted through the “pilot initiative” in the context of the review process, a government-led multi-stakeholder engagement process enabled civil society to actively participate in the national consultations on the review process and to provide valuable input and perspectives to the government in completing its self-assessment questionnaire. Finally, the speaker referred to the first intercontinental dialogue held in April 2023 among his country in Asia and some countries in the Latin America region to share experiences and best practices on building partnerships to counter crime and build more resilient societies.

19. The panellist from Libera Associations against Mafias emphasized the significance of social reuse of confiscated assets from mafia and corruption. The panellist highlighted that, to ensure success in managing confiscated assets for social purposes, transparency, continuous dialogue between civil society and public authorities and the involvement of stakeholders from the private sector were key factors, in addition to establishing accountability to prevent corruption and ensuring transparency in public spending. Finally, the panellist stressed the importance of establishing multi-stakeholder groups involving families of victims to enhance the normative and policy frameworks for the protection of victims.

20. The panellist from Maat for Peace Development and Human Rights Association emphasized the significance of cooperation between

governments and civil society in addressing the challenges presented by transnational organized crime, especially in conflict settings characterized by significant presence of illicit weapons. The panellist further expressed her appreciation for the opportunity provided by the constructive dialogue to provide a secure space to share expertise and knowledge with relevant counterparts.

21. Following the first presentations, the floor was opened for questions to the panellists and reflections on the points raised until then.

22. Several speakers emphasized the importance of the involvement of civil society in addressing organized crime and stressed the need for cooperation, trust-building, and knowledge-sharing to strengthen the relationship between governments and civil society in the fight against transnational organized crime.

23. Representatives of States parties highlighted the key function of civil society in providing complementary information, as well as the need to continue building mutual trust between civil society and governments, to enhance efforts to map relevant non-governmental stakeholders who could contribute with their expertise in relevant contexts. Several speakers mentioned how civil society contributes to countering organized crime for example by providing information to governments, including through data collection and organization of consultations.

24. The discussion that ensued also addressed the value of grassroots organizations. In that regard, several speakers noted that more efforts should be made to enhance linkages among governments, civil society stakeholders operating globally and grassroots organizations working at the local level, as some of these civil society organizations might not be informed of occasions such as the constructive dialogues or not be aware of the contribution of their work towards a stronger implementation of the Organized Crime Convention. Several speakers agreed on the need to disseminate knowledge about the intergovernmental processes related to the Organized Crime Convention to enable their possible participation in future meetings and to foster a sense of self-identification in them, recognizing their work as intrinsically linked to the fight against transnational organized crime.

25. Before the start of the second part of the panel discussion, the Secretariat presented a video highlighting the importance of gender mainstreaming in addressing organized crime.

26. The second group of panellists focused their presentations on the importance of strengthening technical support, boosting interaction between States parties and civil society, and putting inclusive policies in place that cater to the needs of marginalised and disadvantaged population in countering organized crime. The presentations also emphasized the significance of including grassroots engagement, gender views, and human rights.

27. The panellist from the Slum Child Foundation provided concrete examples of the contribution that civil society can make to the protection and promotion of the rights of the most vulnerable and marginalized elements of society. The panellist stressed the necessity of enhanced technical assistance from global stakeholders to low- and middle-income countries, as well as the need for increased interaction between civil society and States parties. He underlined the importance of taking action to connect the global, regional, national, and local perspectives on countering crime and protecting victims, while tailoring responses to the specific local context. The panellist finally reiterated the necessity for States parties and civil society to regularly convene to discuss and design solutions to address new criminal trends and to provide valid alternatives to keep young people, especially from marginalised groups, away from crime.

28. The panellist from the University for Peace discussed their efforts to enhance cooperation between governments and academia to build the capacity of future leaders in the fight against organized crime, emphasizing the importance of integrating human rights and gender perspectives into that. She also mentioned conflict mapping as a valuable tool for analyzing the convergence of transnational organized crime and various forms of violence, identifying both perpetrators and affected groups. Finally, the panellist recommended conducting institutional capacity assessments and implementing reforms to address gaps and strengthen policies and programs on countering organized crime.

29. The panellist from the Alliance of NGOs on Crime Prevention and Criminal Justice highlighted the fundamental need for inclusive policies against crime that address the needs of marginalized individuals, especially crime victims, highlighting the importance of securing access to justice and addressing potential related hampering factors such as poverty, gender, and lack of technical knowledge. He also stressed the significance of advertising activities and processes related to the implementation of the Organized Crime Convention and to those ends engaging actors at the local level, while acknowledging the existing challenges in the implementation of the Convention and in the progress of its review mechanism. The panellist also highlighted the importance of working at the grassroots level to inform community actors of the relevance and importance of multilateral processes.

30. Following the presentations by the panellists, the floor was opened for questions and an exchange of information among participants.

31. Some speakers expressed their appreciation for the organization of the panel discussions, which set the tone of the discussions at the constructive dialogue and welcomed the effort of connecting the discussions held at the Working Group to those taking place at the constructive dialogue by focusing them on the same substantive topics. One speaker further mentioned that this alignment would help identifying gaps and enhancing collaboration between governments and civil society.

32. Some speakers emphasized the function that non-governmental organizations discharge in linking policy development to real-life situations and challenges. Some speakers also mentioned the lack of available information on the constructive dialogues to grassroots organizations and discussed how to address that gap and to build trust between governments and civil society organizations.

33. Several speakers mentioned that developing trust between authorities and the local stakeholders benefits from reliable connections between people, from mutual trust and sharing of information and from the setting up of stable networks. One speaker mentioned as a good practice to link the global to the local contexts, the use of tailored language in explaining and promoting policies in a language that beneficiaries can understand.

34. One speaker called for more training for grassroots organizations. Some representatives States parties discussed how to foster trust between stakeholders and how to identify civil society entities with vested interest in the issues under consideration in the review process of the Organization Crime Convention. Speakers finally also discussed the importance of involving private sector stakeholders in the joint efforts in the context of the Mechanism of governments and representatives of non-governmental organizations and academia.

V. Collection of inputs and suggestions from participants and provision of information on relevant activities, including those related to meeting technical assistance needs

35. Under agenda item 4, the Chair opened the floor for the collection of inputs and suggestions, including reflections of participants on the contribution of non-governmental stakeholders to the universalization and implementation of the Organized Crime Convention, as well as on relevant information related to meeting technical assistance needs of States parties in the context of the Mechanism.

36. The secretariat delivered a presentation on the support of UNODC to the development of strategies to prevent and combat organized crime that mainstream gender and human rights considerations, underscoring the secretariat's continued commitment to deliver related technical assistance to better allow local stakeholders to meet the challenges posed by organized crime.

37. Several speakers acknowledged the significance of collecting and analyzing gender-disaggregated data on organized crime, with one speaker mentioning the relevance thereof for the Mechanism. In that respect, speakers stressed the need to access to such data to develop comprehensive policies against crime that take gender considerations into account.

38. The Chair expressed gratitude to the participants for their insightful comments and fruitful discussions during this constructive dialogue, which will aid in the overall review process and allow for stronger implementation of the Convention and its Protocols.

VI. Observations by the Chair based on the recommendations mentioned by participants during the constructive dialogue

39. Based on the discussions held during the constructive dialogue, the Chair has identified the following observations:

40. States should enhance collaboration with non-governmental stakeholders and provide for platforms allowing for them to provide relevant data and knowledge to inform the responses to the self-assessment questionnaire in the review process.

41. States should consider cooperating with non-governmental organizations, academia, and the private sector to collect and analyze data on organized crime, identifying the dynamics and impact of organized crime at the local level and designing related comprehensive responses, in a gender-sensitive and human rights compliant manner.

42. States and the international community should make efforts to build capacity and share relevant information with grassroot organizations as key providers of essential responses to mitigate the impact of organized crime at the local level, with a view to enhancing their knowledge on the Organized Crime Convention and their participation in the constructive dialogues on the review process.

43. States could consider evaluate the possibility to involve the private sector more systematically in the management of assets confiscated from organized crime in order to benefit from their financial and logistical support to more efficiently promote the social reuse of assets and the sustainability of related activities over time.
