

Information note on the informal consultations on the harmonization of the self-assessment questionnaires of UNTOC and its Protocols –27-28 April 2020

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The note was prepared to facilitate a better understanding of the methodology used by the secretariat in preparing the draft harmonized questionnaires under the guidance by the Chair of the IEG.

Self-assessment questionnaires

The four harmonized self-assessment questionnaires have been prepared following the agreed Methodology for the harmonization of the self-assessment questionnaires and based on the thematic clusters of articles defined in *table one* of the Appendix of the Rules and procedure for the review mechanism attached to the resolution 9/1.

Therefore, the four questionnaires to be discussed during the informal consultation correspond to the four review phases as defined in resolution 9/1. Each questionnaire covers a cluster of articles to be reviewed in each review phase, encompassing the Convention and its three Protocols.

The four questionnaires have reflected the outcome of the informal consultations on finalizing the trafficking in persons questionnaire and firearms questionnaire held on 22 and 23 April respectively.

These questionnaires organized as per clusters will be used by national experts during the review process. It must be noted that in the secure module of SHERLOC national experts will be able to see -for each set of questions related to a specific article- the text of the article on the top of the page.

In addition, the self-assessment questionnaires corresponding to each instrument will be prepared and circulated soon by the Secretariat as useful reference material for the remaining negotiations. Such questionnaires will also be uploaded to the SHERLOC module (as documents) for the review mechanism and will facilitate national experts to have a comprehensive understanding of the questionnaires for each instrument.

Harmonization

- The agreed upon Methodology for harmonization of the self-assessment questionnaires (the revised version was circulated to MS on 6 April 2020) was strictly followed during the harmonizing exercise by the Secretariat.
- Questions in the questionnaires have been distributed based on the clusters of articles they refer to. When more than one article was relevant it was referenced in brackets. When, in some instances, it was not possible to link a question to a specific article, questions were placed under the logically closest article (e.g. a question on non-conviction based confiscation was placed under article 12 on Confiscation and seizure).
- To the extent possible, language was harmonized in line with the instructions received during past informal consultations (e.g. legal system → legal framework).
- Editorial matters have been addressed and resolved without any specific marking (e.g. typos, formatting issues, numbering, etc.).
- All relevant changes have been marked in track changes to facilitate the identification and discussion.
- Articles or paragraphs that are currently not reviewed have been marked with a side comment.
- A section on difficulties encountered and technical assistance needs has been added after each cluster for all the instruments.
- The Secretariat added additional comments to the questionnaires to facilitate the understanding of certain changes implemented during the harmonization or to call the attention of Member States on possible options to improve the questionnaires.
- To facilitate the understanding of the new questionnaires, the Secretariat published on its website (<https://www.unodc.org/unodc/en/organized-crime/intro/review-mechanism-untoc.html>) a comparison table that includes the new numbering of all questions as they appear in the documents used during the informal consultations of 22-23 and 27-28 April 2020, and their old numbering, if different, in the questionnaires divided by instrument that were previously negotiated by Member States. The old questionnaires can also be found at the link above.