



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

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**Working Group of Government Experts on
Technical Assistance**
Vienna, 23–27 May 2022

Working Group on International Cooperation
Vienna, 23–27 May 2022

Annotated provisional agendas

Working Group on International Cooperation

1. Organizational matters (*joint item*):
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda and organization of work.
2. Transfer of sentenced persons (article 17 of the Organized Crime Convention).
3. The application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment (*joint item of the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance*).
4. Other matters (*joint item*).
5. Adoption of the joint report (*joint item*).

Working Group of Government Experts on Technical Assistance

1. Organizational matters (*joint item*):
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda and organization of work.
2. The application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment (*joint item of the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation*).
3. Effective strategies to prevent and combat organized crime, including mainstreaming of gender and human rights.
4. Finalization and adoption of the draft recommendations resulting from the twelfth meeting of the Working Group (9 and 10 July 2020).
5. Matters pertaining to the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.
6. Other matters (*joint item*).
7. Adoption of the joint report (*joint item*).



Annotations

Working Group on International Cooperation

1. Organizational matters

(a) Opening of the meetings

The thirteenth meeting of the Working Group on International Cooperation will be opened on Monday, 23 May 2022, at 10 a.m.

(b) Adoption of the agenda and organization of work

On 30 July 2021, the extended Bureau of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime approved by means of a silence procedure, the dates for the meetings of the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance, to be held back-to-back from 23 to 27 May 2022, with a joint thematic discussion on the application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment, in line with Conference resolution 10/6.

On 22 December 2021, the extended Bureau approved by means of a silence procedure the substantive topics for the thirteenth meeting of the Working Group on International Cooperation.

Deliberations on agenda items 1 and 2 of the thirteenth meeting of the Working Group on International Cooperation will begin on Monday, 23 May 2022, at 10 a.m., and discussion on agenda item 2 will continue until 6 p.m. of that day. It is envisaged that the joint sessions of the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance on the shared agenda item entitled “The application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment” will begin in the morning of Tuesday, 24 May 2022, and will continue until 6 p.m. of that day. Other matters will be discussed in the afternoon of Thursday, 26 May 2022. The adoption of the joint report of the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance is scheduled to be discussed in the afternoon of Thursday, 26 May 2022, and in the morning of Friday, 27 May 2022.

Impact of the coronavirus disease (COVID-19) pandemic on the organization of work and possible changes

Owing to the impact of the ongoing coronavirus disease (COVID-19) pandemic, including travel restrictions, changes to the meeting format might become necessary on short notice, such as holding the meeting in hybrid format, combining an in-person component with online participation. Owing to the time limitations necessitated by the use of a remote interpretation platform, the duration of hybrid meetings is restricted to two hours, and thus, if a hybrid format became necessary, a slight adjustment of the agenda would be required. The secretariat is monitoring the situation closely and will provide timely updates on the organization of work, subject to the approval by the extended Bureau. Delegations are therefore advised to regularly consult the web pages of the two working groups.

2. Transfer of sentenced persons (article 17 of the Organized Crime Convention)

At past meetings, the Working Group on International Cooperation has discussed different topics related to international cooperation in criminal matters, including suggested topics that the Working Group itself had provided. It has discussed, in particular, various aspects of mutual legal assistance in criminal matters (article 18 of the Organized Crime Convention) and extradition (article 16). Furthermore, in 2016, the Working Group discussed international cooperation for purposes of confiscation and the disposal of confiscated proceeds of crime or property (articles 13 and 14),

and, in 2017, the transfer of criminal proceedings (article 21). Moreover, the Working Group focused on the topics of joint investigations and special investigative techniques (articles 19 and 20, respectively) at its meetings in 2020 and 2021.

As the next review phase of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto will focus on international cooperation, mutual legal assistance and confiscation, the Working Group will have an opportunity to revisit those provisions for further discussion based on the observations, trends and common challenges identified through the review process.

Before that phase is reached, the Working Group has the opportunity to focus its attention on article 17 of the Organized Crime Convention (Transfer of sentenced persons), which it has not yet discussed at its meetings. In accordance with article 17, States parties may wish to consider entering into bilateral or multilateral agreements or arrangements on the transfer to their territory of persons sentenced to imprisonment or other forms of deprivation of liberty for offences established in accordance with the Organized Crime Convention, in order that they may complete their sentences there.

Furthermore, the Working Group may wish to focus on practical considerations in the area of transfer of sentenced persons, such as good practices and challenges, bearing in mind that this modality of international cooperation in criminal matters was particularly impacted during the COVID-19 pandemic.

For its consideration of agenda item 2, the Working Group will have before it a background paper prepared by the Secretariat on the transfer of sentenced persons (article 17 of the Organized Crime Convention) (CTOC/COP/WG.3/2022/2), which will include information on practical and legal considerations, good practices and challenges encountered in regard to transfer of sentenced persons.

Documentation

Background paper prepared by the Secretariat on the transfer of sentenced persons (article 17 of the Organized Crime Convention) (CTOC/COP/WG.3/2022/2)

3. The application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment

Under the agenda item, the secretariat will provide a brief update on available tools and ongoing technical assistance activities to prevent and combat transnational organized crimes that affect the environment.

In its resolution 10/6, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime requested the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation to hold a joint thematic discussion on the application of the Convention for preventing and combating transnational organized crimes that affect the environment and to make recommendations for consideration by the Conference of the Parties to the Convention at its eleventh session, within their mandates, in order to promote the practical application of the Convention. To facilitate the joint thematic discussion, the working groups have been scheduled to meet back-to-back from 23 to 27 May 2022, with joint sessions on this shared agenda item.

The joint thematic discussion will build on expert discussions on preventing and combating crimes that affect the environment that were held by the Commission on Crime Prevention and Criminal Justice, in its intersessional period, from 14 to 16 February 2022, at which participants discussed concrete ways to improve strategies and responses to effectively prevent and combat these crimes and to strengthen international cooperation at the operational level on this matter. The expert discussions focused on such topics as preventing crimes that affect the environment; combating crimes that affect the environment; and strengthening international cooperation to address crimes that affect the environment. The joint thematic

discussion to be held by the two working groups of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime will, in more detail, explore criminalization approaches as they consider ways to address crimes that affect the environment, as well as issues relating to international cooperation to combat crimes that affect the environment, including the practical application of the relevant provisions of the Convention.

Documentation

Background paper prepared by the Secretariat on the application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment ([CTOC/COP/WG.2/2022/3–CTOC/COP/WG.3/2022/3](#))

4. Other matters

Under the agenda item on other matters, the secretariat will, inter alia, provide a brief update on available tools for international cooperation, such as the recently published *Digest of Cases of International Cooperation in Criminal Matters Involving the United Nations Convention against Transnational Organized Crime as a Legal Basis*.

As no further issues to be raised under agenda item 4 have come to the attention of the secretariat, no documentation regarding the item is currently foreseen.

5. Adoption of the joint report

The Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance will adopt a joint report on their meetings, including their joint discussion, the draft of which will be prepared by the secretariat.

Working Group of Government Experts on Technical Assistance

1. Organizational matters

(a) Opening of the meeting

The thirteenth meeting of the Working Group of Government Experts on Technical Assistance will be opened on Monday, 23 May 2022, at 10 a.m.

(b) Adoption of the agenda and organization of work

For annotations on this item, see also agenda item 1 (b) of the provisional agenda for the thirteenth meeting of the Working Group on International Cooperation, above.

On 22 December 2021, the extended Bureau approved by a silence procedure the substantive topics for the thirteenth meeting of the Working Group of Government Experts on Technical Assistance.

It is envisaged that the joint meetings of the Working Group on International Cooperation and the Working Group of Government Experts on Technical Assistance on the shared agenda item entitled “The application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment” will begin in the morning of Tuesday, 24 May 2022 and will continue until 6 p.m. of that day. Agenda item 3 of the Working Group of Government Experts on Technical Assistance is scheduled to be discussed on Wednesday, 25 May 2022. Agenda items 4 and 5 of the Working Group of Government Experts on Technical Assistance are scheduled to be discussed in the morning of Thursday, 26 May 2022. Other matters will be discussed in the afternoon of Thursday, 26 May 2022. The adoption of the joint report of the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation is scheduled to be discussed in the afternoon of Thursday, 26 May 2022 and the morning of Friday, 27 May 2022.

2. The application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment

For annotations on this item, see agenda item 3 of the provisional agenda for the thirteenth meeting of the Working Group on International Cooperation, above.

3. Effective strategies to prevent and combat organized crime, including mainstreaming of gender and human rights

Under the agenda item, the secretariat will provide a brief update on available tools and ongoing technical assistance activities for strategy development to prevent and combat organized crime.

In its resolution 10/4, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime requested the United Nations Office on Drugs and Crime (UNODC) to continue to provide technical assistance and capacity-building to Member States, upon request, to support their capacity to prevent and combat transnational organized crime, including through, inter alia, the provision of assistance in the development of national strategies to prevent and fight transnational organized crime. In response to that request, UNODC, in 2021, developed and launched the “Organized crime strategy toolkit for developing high-impact strategies”.

Building on the toolkit, the Working Group may wish to focus its deliberations on sharing experiences relating to how the provisions of the Convention can be incorporated into effective strategies to prevent and combat organized crime. The Working Group may also wish to consider overarching principles and objectives that can help guide the development of organized crime strategies, and the lessons learned and good practices in terms of activities, tactics and capabilities serving those principles and objectives, as well as the monitoring and evaluation of the effectiveness of strategies to prevent and combat organized crime. It may also share information about domestic serious organized crime threat assessments or any other knowledge-based reports and documents related to organized crime, as they serve as an evidence base for such strategies, and the type of information needed on organized crime threats at the global level to support States’ capacity to prevent and combat transnational organized crime. Finally, the Working Group may wish to discuss ways and means to mainstream gender and human rights considerations into strategies to prevent and combat organized crime.

Documentation

Background paper prepared by the Secretariat on effective strategies to prevent and combat organized crime, including mainstreaming of gender and human rights ([CTOC/COP/WG.2/2022/2](#))

4. Finalization and adoption of the draft recommendations resulting from the twelfth meeting of the Working Group (9 and 10 July 2020)

The twelfth meeting of the Working Group of Government Experts on Technical Assistance was held on 9 and 10 July 2020. At that meeting, the two substantive agenda items were “Updating the legislative records of States parties in preparation for the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto” and “Application of the United Nations Convention against Transnational Organized Crime in domestic jurisprudence”.

Owing to the COVID-19 pandemic, the twelfth meeting was held with all delegates, as well as the Chair, connected by means of an online interpretation platform, and only representatives of the secretariat were present in the meeting room. Owing to those restrictions, it was not possible to follow the established practice of negotiating the draft recommendations during the meeting of the Working Group and adopting them as part of the final report.

Instead, the draft recommendations, entitled “Discussion points for future consideration identified by the Chair of the Working Group of Government Experts on Technical Assistance” were annexed to the report on the meeting of the Working Group (CTOC/COP/WG.2/2020/3). In line with established practice, the report was submitted to the Conference of the Parties at its tenth session.

Prior to the tenth session of the Conference of the Parties, the extended Bureau approved, by means of a silence procedure on 31 July 2020, a process that had been negotiated by Member States in informal consultations. The process involved a so-called “reflection period” during which the secretariat, on behalf of the Chair of the Working Group, circulated the draft recommendations in the form of a non-paper (prior to the publication of the final report) to the permanent missions of the Member States that had registered to participate in the meeting of the Working Group, as well as to all registered delegates, and set a deadline of 16 September 2020 for the submission of comments on the discussion points for later consideration by the Conference.

Comments provided by States parties before the aforementioned deadline were made available to the Conference of the Parties at its tenth session in a conference room paper (CTOC/COP/2020/CRP.5).

Owing to the circumstances described above and the impact of the COVID-19 pandemic on the format of the tenth session of the Conference, it was not possible to follow the established practice of the Conference at previous sessions, namely, to pursue the endorsement by the Conference of the recommendations negotiated by the Working Group through the adoption of a resolution to which those recommendations were annexed.

Against that background, the secretariat, in consultation with the Chair of the Working Group at its twelfth meeting, proposed that the discussion to finalize and adopt recommendations – based on the discussion points for future consideration identified by the Chair of the Working Group of Government Experts on Technical Assistance – should continue at the Group’s thirteenth meeting, with a view to submitting those recommendations to the Conference of the Parties at its eleventh session for endorsement.

The Working Group may wish to continue and conclude the discussion which started in 2020, with the aim of adopting recommendations and submitting them to the Conference of the Parties at its eleventh session for final endorsement. The basis for the discussion will be the report on the meeting of the Working Group held on 9 and 10 July 2020 (CTOC/COP/WG.2/2020/3) and the above-mentioned conference room paper (CTOC/COP/2020/CRP.5). Furthermore, the background paper that had been prepared by the Secretariat for the last meeting of the Working Group, held in July 2020, can be used as reference material (CTOC/COP/WG.2/2020/2).

Documentation

Background paper prepared by the Secretariat on the application of the United Nations Convention against Transnational Organized Crime in domestic jurisprudence (CTOC/COP/WG.2/2020/2)

Report on the meeting of the Working Group of Government Experts on Technical Assistance held in Vienna on 9 and 10 July 2020 (CTOC/COP/WG.2/2020/3)

Note by the Secretariat containing comments received on the discussion points for future consideration stemming from the twelfth session of the Working Group on Technical Assistance (9 and 10 July 2020) (CTOC/COP/2020/CRP.5)

5. Matters pertaining to the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

Under the agenda item, the secretariat will provide a brief update on matters pertaining to the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.

According to paragraph 12 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: “The Conference and its working groups shall add the matter of the review process to their agendas as an item consistent with their areas of expertise and without prejudice to their respective existing mandates. Taking into consideration the progressive nature of the review ... the content of the agendas and scheduling of the meetings of the working groups will be decided by the Conference or the extended Bureau in a timely manner. In order to ensure that the working groups may contribute to the Mechanism while also carrying out their respective existing mandates, each working group should dedicate no more than one agenda item per session to matters pertaining to the functioning of the review process.”

Furthermore, paragraph 44 of the procedures and rules indicates that the Working Group of Government Experts on Technical Assistance shall consider the technical assistance needs identified during the review process and make recommendations to the Conference of the Parties on how to assist States parties in their efforts to implement the Convention and the Protocols.

While it is not expected that a sufficient number of lists of observations in the first phase of the review process will be finalized by the second quarter of 2022 in order to enable a discussion of the outcomes and, in particular, identified technical assistance needs, the Working Group may wish to devote its attention to an update on current developments and progress of the Implementation Review Mechanism and provide an opportunity for States parties to share their experiences made so far.

6. Other matters

Under the agenda item on other matters, the secretariat will provide a brief update on available technical assistance tools to prevent and combat organized crime.

As no further issues to be raised under agenda item 6 have come to the attention of the secretariat, no documentation regarding the item is currently foreseen.

7. Adoption of the joint report

The Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation will adopt a joint report on their meetings, including their joint sessions, the draft of which will be prepared by the secretariat.

Annex

Proposed organization of work

Date and time	Working Group on International Cooperation		Working Group of Government Experts on Technical Assistance	
	Agenda item	Title or description	Agenda item	Title or description
Monday, 23 May 2022				
10 a.m.–1 p.m.	1 (a)	Opening of the meeting	1 (a)	Opening of the meeting
	1 (b)	Adoption of the agenda and organization of work	1 (b)	Adoption of the agenda and organization of work
	2	Transfer of sentenced persons (article 17 of the Organized Crime Convention)		
3–6 p.m.	2	Transfer of sentenced persons (article 17 of the Organized Crime Convention) (<i>continued</i>)		
Tuesday, 24 May 2022				
10 a.m.–1 p.m.	3	The application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment	2	The application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment
3–6 p.m.	3	The application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment (<i>continued</i>)	2	The application of the Organized Crime Convention for preventing and combating transnational organized crimes that affect the environment (<i>continued</i>)
Wednesday, 25 May 2022				
10 a.m.–1 p.m.			3	Effective strategies to prevent and combat organized crime, including mainstreaming of gender and human rights
3–6 p.m.			3	Effective strategies to prevent and combat organized crime, including mainstreaming of gender and human rights (<i>continued</i>)
Thursday, 26 May 2022				
10 a.m.–1 p.m.			4	Finalization and adoption of the draft recommendations resulting from the twelfth meeting of the Working Group (9 and 10 July 2020)
			5	Matters pertaining to the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

<i>Date and time</i>	<i>Working Group on International Cooperation</i>		<i>Working Group of Government Experts on Technical Assistance</i>	
	<i>Agenda item</i>	<i>Title or description</i>	<i>Agenda item</i>	<i>Title or description</i>
3–6 p.m.	4	Other matters	6	Other matters
	5	Adoption of the joint report	7	Adoption of the joint report
Friday, 27 May 2022				
10 a.m.–1 p.m.	5	Adoption of the joint report (<i>continued</i>)	7	Adoption of the joint report (<i>continued</i>)