



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

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Working Group on the Smuggling of Migrants

Vienna, 27 and 28 June 2022

Annotated provisional agenda

Provisional agenda

1. Organizational matters:
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda and organization of work.
2. Good practices in cooperating with the private sector to prevent and combat the smuggling of migrants.
3. Sharing national procedures to investigate the smuggling of migrants with a view to enhancing international cooperation and the possible harmonization of approaches.
4. Matters pertaining to the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.
5. Other matters.
6. Adoption of the report.

Annotations

1. Organizational matters

(a) Opening of the meeting

The ninth meeting of the Working Group on the Smuggling of Migrants will be opened on Monday, 27 June, at 10 a.m.¹

(b) Adoption of the agenda and organization of work

In its resolution 7/1, entitled “Strengthening the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto”, the Conference of the Parties decided, inter alia, that the Working Group on the Smuggling of Migrants would be a constant element of the Conference, forwarding

¹ If the meeting has to be held in a hybrid format, updates and changes of the proposed organization of work, including the starting time, will be shared on the web page of the ninth meeting of the Working Group on the Smuggling of Migrants.



its reports and recommendations to the Conference, and encouraged the Working Group to consider meeting on an annual basis, as needed, and to hold its meetings consecutively with other working groups of the Conference, in order to ensure the effective use of resources.

On 30 July 2021, the extended Bureau of the Conference agreed by means of a silence procedure on the meeting plan for 2022, including the dates for the ninth meeting of the Working Group on the Smuggling of Migrants, to be held in Vienna on 27 and 28 June 2022. On 2 March 2022, the extended Bureau agreed by means of a silence procedure the substantive topics of the meeting of the Working Group.

The proposed organization of work (see annex) was prepared in accordance with Conference resolution 7/1, in order to enable the Working Group to perform its mandated functions within the time and according to the conference services available to it. The resources available to the Working Group will permit the holding of four plenary meetings over two days, with interpretation into the six official languages of the United Nations.

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 a hybrid format that combines 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 approval by the extended Bureau. Delegations are therefore advised to regularly consult the web page of the Working Group.

2. Good practices in cooperating with the private sector to prevent and combat the smuggling of migrants

While the principle of cooperation with the private sector to address the smuggling of migrants has been sporadically referred to, in a general way, in recommendations adopted by the Working Group between 2013 and 2019,² the Working Group has not yet addressed the subject in a dedicated manner.

For a focused discussion under this agenda item, the Working Group may wish to share best practices with a view to strengthening collaboration with the private sector to prevent and counter the smuggling of migrants. Private sector partners can potentially play a key role in supporting efforts to prevent, identify and report cases of migrant smuggling.

The Working Group may wish to discuss, among others, the role of shipping companies, Internet service providers and financial service providers, which may be particularly relevant to investigations and prosecutions of cases of migrant smuggling. For example, smugglers increasingly rely on social media platforms for both recruitment and follow-up arrangements, underlining the need for law enforcement authorities to collaborate with information technology companies and Internet service providers to release data relevant to investigations. In partnership with information technology vendors, financial service providers are also key partners in detecting migrant smuggling activities and the illicit proceeds those activities generate.

For its consideration of this agenda item, the Working Group will have before it a background paper prepared by the Secretariat on good practices in cooperating with the private sector to prevent and combat the smuggling of migrants.

² See United Nations Office on Drugs and Crime, *Smuggling of Migrants: Compendium and Thematic Index of Recommendations, Resolutions and Decisions* (Vienna, 2021), p. 47.

Documentation

Background paper prepared by the Secretariat on good practices in cooperating with the private sector to prevent and combat the smuggling of migrants ([CTOC/COP/WG.7/2022/2](#))

3. Sharing national procedures to investigate the smuggling of migrants with a view to enhancing international cooperation and the possible harmonization of approaches

At previous meetings, the Working Group partially addressed the subject of sharing national procedures to investigate the smuggling of migrants with a view to enhancing international cooperation and the possible harmonization of approaches, as part of broader discussions on challenges and promising practices in criminal justice responses to the smuggling of migrants. However, the differences that exist in the investigative responses of States to the smuggling of migrants have not yet been a focus of discussion and exchange in the Working Group.

Under this agenda item, the Working Group may wish to discuss challenges in investigating the smuggling of migrants, including how international cooperation is affected by limited cross-border knowledge and understanding of national procedures and investigatory approaches.

Expert delegates may wish to share up-to-date national practices and successes, including methodologies and approaches for detecting and investigating the smuggling of migrants, as well as examples of recent effective cross-border cooperation, the exchange of information and reliable and useful evidence-gathering, including through the use of new technologies, for the purpose of enabling investigations and criminal proceedings.

For its consideration of this agenda item, the Working Group will have before it a background paper prepared by the Secretariat on national procedures to investigate the smuggling of migrants with a view to enhancing international cooperation and the possible harmonization of approaches.

Documentation

Background paper prepared by the Secretariat on national procedures to investigate the smuggling of migrants with a view to enhancing international cooperation and the possible harmonization of approaches ([CTOC/COP/WG.7/2022/3](#))

4. 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.

While progress in the first phase of the Mechanism will not yet have been sufficient, by the time of the meeting of the Working Group, to enable a discussion of the outcomes, the agenda item is aimed at providing the Working Group with a short update on the current developments and progress with regard to the Mechanism and providing an opportunity for States parties to share their experiences so far.

No documentation regarding the item is currently foreseen.

5. Other matters

As no issues to be raised under agenda item 5 have come to the attention of the Secretariat, no documentation regarding the item is currently foreseen.

6. Adoption of the report

The Working Group is expected to adopt a report on its meeting, the draft of which will be prepared by the Secretariat.

Annex

Proposed organization of work¹

<i>Date and time</i>	<i>Agenda item</i>	<i>Title or description</i>
Monday, 27 June		
10 a.m.–1 p.m.	1 (a)	Opening of the meeting
	1 (b)	Adoption of the agenda and organization of work
3–6 p.m.	2	Good practices in cooperating with the private sector to prevent and combat the smuggling of migrants
	2	Good practices in cooperating with the private sector to prevent and combat the smuggling of migrants (<i>continued</i>)
	3	Sharing national procedures to investigate the smuggling of migrants with a view to enhancing international cooperation and the possible harmonization of approaches
Tuesday, 28 June		
10 a.m.–1 p.m.	3	Sharing national procedures to investigate the smuggling of migrants with a view to enhancing international cooperation and the possible harmonization of approaches (<i>continued</i>)
	4	Matters pertaining to the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto
3–6 p.m.	5	Other matters
	6	Adoption of the report

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