



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, 3 and 4 June 2024

Annotated provisional agenda

Provisional agenda

1. Organizational matters:
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda and organization of work.
2. Criminalization of crimes that affect the environment.
3. Organized fraud.
4. Matters pertaining to the review of the implementation of the Organized Crime Convention.
5. Other matters.
6. Adoption of the report.

Annotations

1. Organizational matters

(a) Opening of the meeting

The fifteenth meeting of the Working Group of Government Experts on Technical Assistance will be opened on Monday, 3 June 2024, at 10 a.m.

(b) Adoption of the agenda and organization of work

On 2 June 2023, the extended Bureau of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime approved the programme of meetings for 2024, including the dates for the fifteenth meeting of the Working Group, to be held in Vienna on 3 and 4 June 2024. On 25 January 2023, the extended Bureau agreed to postpone the consideration by the Working Group of the topic of the implementation of the Organized Crime Convention in preventing and combating transnational organized crimes that affect the environment and to include it as an item on the agenda of the fifteenth meeting of the Working Group.

On 2 January 2024, the extended Bureau approved by means of a silence procedure the other substantive topics for the fifteenth meeting of the Working Group.



The proposed organization of work contained in the annex to the present document was prepared in order to enable the Working Group to perform its mandated functions within the allotted 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 in the six official languages of the United Nations.

2. Criminalization of crimes that affect the environment

Crimes that affect the environment are often serious transnational organized crimes that have far-reaching impacts on the rule of law, governance, national security and human health, and that contribute to biodiversity loss and climate change. They undermine sustainable development by depriving local communities of their livelihoods and negatively impacting social and economic development. Crimes that affect the environment are not victimless; they affect all of society, including future generations.

In that connection, the Conference of the Parties adopted resolution 10/6, entitled “Preventing and combating crimes that affect the environment falling within the scope of the United Nations Convention against Transnational Organized Crime”, and resolution 11/3, entitled “Outcomes of the joint thematic discussion of the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation on the application of the United Nations Convention against Transnational Organized Crime for preventing and combating transnational organized crimes that affect the environment”. In resolution 10/6, the Conference affirmed the role of the Organized Crime Convention as an effective tool and an essential part of the legal framework for preventing and combating transnational organized crimes that affect the environment and for strengthening international cooperation in that regard.

However, the scope and implementation of legal responses to crimes that affect the environment vary significantly at the local, national, regional and global levels. Furthermore, when it comes to deploying criminal law for preventing and combating such crimes, practice is not harmonized among countries. There are many challenges to the application and enforcement of criminal law with regard to crimes that affect the environment, including the fact that, in many jurisdictions, offences related to crimes that affect the environment are not deemed to be “serious crimes” within the meaning of the Organized Crime Convention, namely, “conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty” (art. 2 (b) of the Convention). Moreover, countries are at different stages of tackling the challenges posed by such crimes and have differing capacities to do so. Consistency and harmonization of legislation is therefore critical to closing loopholes and identifying appropriate penalties. In order to be able to harmonize legislation, it is important to have an overview of the international legal framework pertaining to preventing and combating crimes that affect the environment, including international legal instruments on transnational crime and international environmental law.

Agenda item 2 will enable the Working Group to discuss the international legal framework pertaining to preventing and combating crimes that affect the environment, including international legal instruments on transnational crime and international environmental law. The item will also enable the Working Group to discuss the implementation by States of the international legal framework, especially their legislative and sentencing approaches in relation to crimes that affect the environment, and to exchange best practices and lessons learned in the application of the Organized Crime Convention.

Documentation

Background paper prepared by the Secretariat on the criminalization of crimes that affect the environment ([CTOC/COP/WG.2/2024/2](#))

3. Organized fraud

Fraud has evolved significantly over the years as criminals adapt to technological advancements and changes in society. It has become increasingly sophisticated, involving the use of psychological manipulation and technology, including artificial intelligence and automation. The high incidence and severity of fraud poses a significant risk to economies, people and prosperity worldwide and has a negative impact on public confidence in the rule of law. At the same time, fraud has become increasingly organized, being committed by organized criminal groups that exploit technology, operate across borders and have access to more victims and data than ever before, owing to the pervasiveness of online environments. Therefore, responses to fraud can no longer be disentangled from strategic and legislative responses to organized crime; those responses to fraud include the pursuit of organized criminal groups that engage in fraud, the prevention of organized fraud and the protection of victims, witnesses and those in vulnerable situations, as well as the promotion of partnerships for these purposes.

The General Assembly, in its resolution 74/177, entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, reaffirmed the importance of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing technical assistance in respect of all forms of organized crime, including fraud.

Agenda item 3 will enable the Working Group to discuss typologies and key characteristics of organized fraud, the involvement of organized criminal groups in fraudulent activities, and strategic and legislative responses to prevent and combat organized fraud.

Documentation

Background paper prepared by the Secretariat on organized fraud ([CTOC/COP/WG.2/2024/3](#))

4. Matters pertaining to the review of the implementation of the Organized Crime Convention

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 of the Parties and its working groups are to 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. Pursuant to paragraphs 13 and 43 of the procedures and rules, discussions pertaining to country reviews will be undertaken in the relevant working groups, and the working groups are to draw upon the lists of observations generated from country reviews in preparing their meetings and take them into account when proposing generally applicable recommendations to the Conference.

The agenda item on matters pertaining to the review of the implementation of the Organized Crime Convention was proposed accordingly. When the proposal was prepared by the secretariat, no lists of observations generated from the country reviews or summaries of such lists had been finalized. Therefore, the secretariat was not in a position to give the proposed agenda item a thematic focus. Under the agenda item, the Working Group will be provided with an update by the secretariat on the developments and progress of the Implementation Review Mechanism, which will give States parties an opportunity to share their experiences so far.

In addition, according to paragraph 44 of the procedures and rules, the Working Group is to 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 Organized Crime Convention and the Protocols thereto. As appropriate, States parties are to also provide information to the Working Group on whether technical assistance needs identified in relation to their review reports have been addressed.

Furthermore, pursuant to paragraph 38 of the procedures and rules, the lists of observations and their summaries that have been finalized before the convening of the Working Group are to be made available to it as a conference room paper, unless, in exceptional circumstances, the State party under review decides to keep some parts of the list confidential.

Documentation

Background paper prepared by the Secretariat on the status of the functioning of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto ([CTOC/COP/WG.2/2024/4-CTOC/COP/WG.3/2024/4](#))

5. Other matters

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

6. Adoption of the report

The Working Group will adopt a report on its meeting, the draft of which will be prepared by the secretariat.

Annex

Proposed organization of work

<i>Date and time</i>	<i>Agenda item</i>	<i>Title or description</i>
Monday, 3 June 2024		
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	Criminalization of crimes that affect the environment
	2	Criminalization of crimes that affect the environment (<i>continued</i>)
	3	Organized fraud
Tuesday, 4 June 2024		
10 a.m.–1 p.m.	3	Organized fraud (<i>continued</i>)
	4	Matters pertaining to the review of the implementation of the Organized Crime Convention
3–6 p.m.	4	Matters pertaining to the review of the implementation of the Organized Crime Convention (<i>continued</i>)
	5	Other matters
	6	Adoption of the report