



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

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Working Group on International Cooperation

Vienna, 15, 16 and 18 October 2012

Provisional agenda and annotations

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 - (b) Adoption of the agenda and organization of work.
2. Possible synergies with the expert group on international cooperation, established by the Conference of the States Parties to the United Nations Convention against Corruption.
3. Disposal, sharing and use of confiscated proceeds of crime.
4. Fighting networks with networks: the role of regional networks and initiatives in tackling transnational organized crime.
5. Sharing of best practices and experiences in using the United Nations Convention against Transnational Organized Crime for international cooperation, taking into consideration article 16, article 18, with particular reference to videoconferencing, bank information, covert investigations and controlled deliveries, and article 21.
6. Recommendations and outcomes of the meetings of the expert group on protection against trafficking in cultural property.
7. Application of the United Nations Convention against Transnational Organized Crime by States parties with respect to criminal offences against cultural property.
8. Other matters.



Annotations

1. Organizational matters

(a) Opening of the meeting

The meeting of the Working Group on International Cooperation will be opened on Monday, 15 October 2012, at 3 p.m.

(b) Adoption of the agenda and organization of work

At its meeting held on 4 July 2012, the extended Bureau of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime agreed on the provisional agenda for the meeting of the Working Group on International Cooperation. Furthermore, in accordance with its resolution 5/7, entitled “Combating transnational organized crime against cultural property”, the Conference requested the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation to examine the relevant recommendations and outcomes of the expert group on protection against trafficking in cultural property established in the framework of the Commission on Crime Prevention and Criminal Justice and to make recommendations for consideration by the Conference of the Parties. Therefore, at its meeting held on 15 February 2012, the extended Bureau of the Conference agreed that the joint discussion of the two working groups on this matter would be held on 18 October 2012 at 10 a.m.

2. Possible synergies with the expert group on international cooperation, established by the Conference of the States Parties to the United Nations Convention against Corruption

In view of resolution 4/2, entitled “Convening of open-ended intergovernmental expert meetings to enhance international cooperation”, adopted by the Conference of the States Parties to the United Nations Convention against Corruption, the extended Bureau of the Conference of the Parties to the Organized Crime Convention decided at its meeting held on 16 December 2011 that one item on the agenda of the Working Group on International Cooperation would be dedicated to pursuing synergies with the expert group on international cooperation established by the Conference of the States Parties to the United Nations Convention against Corruption. The extended Bureau also agreed that recommendations emanating from the Working Group on this matter would be transmitted to that expert group, whose meeting will take place the week after the sixth session of the Conference of the Parties to the Organized Crime Convention.

3. Disposal, sharing and use of confiscated proceeds of crime

In its resolution 5/8, the Conference encouraged States parties, in particular and subject to domestic law, to dispose of confiscated proceeds of crime or property in accordance with the provisions of article 14 of the Organized Crime Convention, giving priority consideration, if so requested, to returning the confiscated proceeds of crime or property to the requesting State party so that it can compensate the victims of the crime or return such proceeds of crime or property to their legitimate

owners, and to consider concluding agreements or arrangements for the purposes mentioned in paragraph 3 of article 14.

During the deliberations under this agenda item, consideration could be given to: (a) ways in which States may facilitate the disposal of confiscated proceeds of crime, for purposes of compensation of victims; (b) returning such proceeds to legitimate owners and other modalities, including sharing the proceeds with other States involved in the recovery and confiscation; (c) the application of law enforcement and crime prevention strategies; (d) exchanges of experience and information concerning the support required by States in developing systems or entering into agreements in this regard.

Documentation

Report of the Secretariat on activities of the United Nations Office on Drugs and Crime (UNODC) to promote the implementation of the provisions on international cooperation in the United Nations Convention against Transnational Organized Crime (CTOC/COP/2012/9)

4. Fighting networks with networks: the role of regional networks and initiatives in tackling transnational organized crime

In its resolution 5/8, the Conference requested the Secretariat to continue to foster international and regional cooperation by, inter alia, facilitating the development of regional networks active in the field of cooperation in the fight against transnational organized crime, where appropriate, and by facilitating cooperation among all such networks with a view to further exploring the possibility of Member States envisaging a global network.

During the deliberations, consideration could be given to how networks can promote national and regional ownership, international cooperation and sustainability in capacity-building and to discuss the successes and challenges of existing networks.

The background paper prepared by the Secretariat on best practices and experiences in using the Organized Crime Convention for international cooperation (CTOC/COP/WG.3/2012/2) contains a chapter on the role of regional networks.

Documentation

Background paper prepared by the Secretariat on best practices and experiences in using the Organized Crime Convention for international cooperation and the role of regional networks (CTOC/COP/WG.3/2012/2)

Report of the Secretariat on activities of UNODC to promote the implementation of the provisions on international cooperation in the Organized Crime Convention (CTOC/COP/2012/9)

5. Sharing of best practices and experiences in using the United Nations Convention against Transnational Organized Crime for international cooperation, taking into consideration article 16, article 18, with particular reference to videoconferencing, bank information, covert investigations and controlled deliveries, and article 21

In its resolution 5/8, the Conference encouraged States parties, in particular and subject to domestic law, to endeavour to expedite extradition procedures and to simplify the evidentiary requirements relating thereto in respect of any offence to which article 16 of the Organized Crime Convention applies. The Conference also encouraged States parties to seek, where appropriate, to conclude bilateral and multilateral agreements and arrangements to carry out or to enhance the effectiveness of extradition, taking into account the provisions of article 16 of the Convention.

Furthermore, in its decision 4/2, the Conference requested the Secretariat to seek ways to support such use of videoconferencing and assist States in overcoming technical and legal obstacles in this regard. A conference room paper on the technical and legal obstacles to the use of videoconferencing was prepared by the Secretariat for the consideration of the Conference at its fifth session (CTOC/COP/2010/CRP.2).

For its consideration of item 5, the Working Group will have before it a background paper prepared by the Secretariat on best practices and experiences in using the Organized Crime Convention for international cooperation and the role of regional networks, taking into consideration article 16, article 18, with particular reference to videoconferencing, bank information, covert investigations and controlled deliveries, and article 21 (CTOC/COP/WG.3/2012/2).

Documentation

Background paper prepared by the Secretariat on best practices and experiences in using the Organized Crime Convention for international cooperation and the role of regional networks (CTOC/COP/WG.3/2012/2)

Role of the Secretariat on activities of UNODC to promote the implementation of the provisions on international cooperation in the Organized Crime Convention (CTOC/COP/2012/9)

6. Recommendations and outcomes of the meetings of the expert group on protection against trafficking in cultural property

In its resolution 5/7, the Conference requested the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation to examine the relevant recommendations and outcomes of the expert group on protection against trafficking in cultural property established in the framework of the Commission on Crime Prevention and Criminal Justice, and to make recommendations for consideration by the Conference of the Parties to the Organized Crime Convention, in order to promote the practical application of the Convention, by considering the extent and adequacy of existing norms, as well as other normative developments, with due attention to aspects of criminalization, international cooperation including mutual legal assistance and extradition with regard to this matter.

The first and the second sessions of the expert group on protection against trafficking in cultural property were held from 24 to 26 November 2009 and from 27 to 29 June 2012. At those meetings, the expert group adopted a number of recommendations, which are contained in its reports that are before the Working Group on International Cooperation for its consideration.

Documentation

Report on the meeting of the expert group on protection against trafficking in cultural property held in Vienna from 27 to 29 June 2012 (UNODC/CCPCJ/EG.1/2012/4)

Report on the meeting of the expert group on protection against trafficking in cultural property held in Vienna from 24 to 26 November 2009 (UNODC/CCPCJ/EG.1/2009/2)

7. Application of the United Nations Convention against Transnational Organized Crime by States parties with respect to criminal offences against cultural property

In its resolution 5/7, the Conference requested the Secretariat to prepare an analytical report, for the consideration of the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation, on the application of the Convention by States parties with respect to criminal offences against cultural property, and urged States parties to provide the Secretariat with information for that report.

In April 2012 the Secretariat circulated a note verbale to Member States requesting practical examples of the application of the Organized Crime Convention to trafficking in cultural property cases. Their responses are summarized in the report of the Secretariat on the application of the Convention by States parties with respect to criminal offences against cultural property (CTOC/COP/WG.2/2012/3-CTOC/COP/WG.3/2012/4).

Documentation

Report of the Secretariat on the application of the Organized Crime Convention by States parties with respect to criminal offences against cultural property (CTOC/COP/WG.2/2012/3-CTOC/COP/WG.3/2012/4)

Annex

Proposed organization of work

<i>Date and time</i>	<i>Agenda item</i>	<i>Title or description</i>
Monday, 15 October		
3-6 p.m.	1 (a)	Opening of the meeting
	1 (b)	Adoption of the agenda and organization of work
	2	Possible synergies with the expert group on international cooperation, established by the Conference of the States Parties to the United Nations Convention against Corruption
	3	Disposal, sharing and use of confiscated proceeds of crime
Tuesday, 16 October		
10 a.m.-1 p.m.	4	Fighting networks with networks: the role of regional networks and initiatives in tackling transnational organized crime
3-6 p.m.	5	Sharing of best practices and experiences in using the Organized Crime Convention for international cooperation, taking into consideration article 16, article 18, with particular reference to videoconferencing, bank information, covert investigations and controlled deliveries, and article 21
	8	Other matters
Thursday, 18 October		
10 a.m.-1 p.m.	6	Recommendations and outcomes of the meetings of the expert group on protection against trafficking in cultural property
	7	Application of the Organized Crime Convention by States parties with respect to criminal offences against cultural property