

20 September 2010

Original: English

---

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

**Fifth session**

Vienna, 18-22 October 2010

Item 3 of the provisional agenda\*

**Consideration of possible mechanisms to review  
implementation of the Convention and the  
Protocols thereto**

**Progress report and lessons learned from the pilot  
programme to review implementation of the  
United Nations Convention against Transnational  
Organized Crime and the Protocols thereto**

**Report of the Secretariat**

**I. Introduction**

1. The Conference of the Parties to the United Nations Convention against Transnational Organized Crime has the mandate, inter alia, to promote and review the implementation of the United Nations Convention against Transnational Organized Crime.<sup>1</sup> Pursuant to article 32, paragraph 3, of the Convention, the Conference shall agree upon mechanisms for achieving its objectives, including periodically reviewing the implementation of the Convention.

2. In its decision 4/1, the Conference expressed concern at persisting gaps in the implementation of the Convention and the Protocols thereto, and considered that it was necessary to explore options regarding an appropriate and effective mechanism to assist the Conference in the review of implementation of the Convention and the Protocols thereto.

---

\* CTOC/COP/2010/1.

<sup>1</sup> United Nations, *Treaty Series*, vol. 2225, No. 39574.



3. Thus, in that decision, the Conference requested the United Nations Office on Drugs and Crime (UNODC) to convene at least one intergovernmental meeting of experts, which would present a report to the Conference at its fifth session on mechanisms, as appropriate, for reviewing implementation of the Convention and its Protocols. Pursuant to that decision, a meeting of experts was held in Vienna on 30 September 2009. At the request of the experts, another meeting was held in Vienna on 25 and 26 January 2010. The experts agreed on a set of recommendations, which are contained in the report of the meeting (CTOC/COP/EG.1/2010/3). The experts recommended, in particular, that the Conference create an open-ended working group on the implementation of the Convention and its Protocols with a view to exploring options regarding an appropriate and effective mechanism to assist the Conference in the review of the implementation of the Convention and the Protocols thereto. It was also noted that interested States parties might work to explore, together with the Secretariat, and subject to the availability of extrabudgetary resources, ways and means of reviewing their implementation of the Convention and the Protocols thereto.

4. Following the second meeting of experts, the pilot programme to review implementation of the United Nations Convention against Transnational Organized Crime was established to assist States parties interested in undertaking a detailed evaluation of their compliance with selected provisions of the Convention and exchanging expertise and best practices in the implementation of the Convention. The review programme, in addition to these substantive outputs, is intended to provide the basis for testing the feasibility and modalities of a review mechanism. Through information on lessons learned and experience acquired in the course of the project, the Conference will be in a better position to make informed decisions on the review mechanism it may wish to establish. The present document aims to update the Conference on the work undertaken to date in the framework of the pilot review programme.

## **II. Background and objectives of the pilot review programme**

5. The pilot review programme was launched following the decision of the extended Bureau of the Conference at its fourth session, on 30 March 2010. At the request of the Bureau, a concept note was prepared by the Secretariat in April 2010, and regional groups were invited to disseminate information about the pilot review programme. Thirteen volunteer States confirmed their participation in the programme, while many others indicated their interest in joining at a later stage.<sup>2</sup> The pilot review programme was established as a technical assistance project funded by extrabudgetary resources. In order to test the feasibility and modalities of a review mechanism, the pilot review programme envisages that UNODC shall provide assistance to interested States parties: (a) to undertake a detailed evaluation of their compliance with selected provisions of the Organized Crime Convention; and (b) to exchange expertise and best practices in the implementation of the Convention.

---

<sup>2</sup> The 13 volunteer States were Chile, Colombia, El Salvador, France, Indonesia, Italy, Mexico, Nigeria, Peru, the Philippines, Romania, Serbia and the United States of America.

6. A first pilot stakeholder meeting was held in Vienna from 7 to 9 July 2010. The meeting brought together expert focal points from those States participating in the pilot review programme and observers from interested States. The experts discussed substantive and organizational matters regarding the programme, including the methodology, scope of the review and the modalities of execution. They determined that the best way to proceed to test possible methods of review would be for the pilot review programme to be organized in two complementary tracks. Both tracks would share the same starting point: the participating States' self-assessments of their implementation of selected provisions of the Convention. However, the tracks would follow different modalities and have different objectives: track one would be a peer review track with a country-level focus, while track two, an expert review track, would seek to analyse general trends and make general recommendations.

7. The present report provides an overview of work carried out so far and the experiences of the States participating in the two tracks.

### **III. Track one: peer review**

#### **A. Steps of the process**

8. Track one reflects the peer review model, in which the implementation of an international instrument is reviewed by one or more other States parties to the same instrument through an examination of the reviewed State's legislation and practice. Ten States chose to participate in track one: Chile, El Salvador, Indonesia, Italy, Mexico, Nigeria, Peru, the Philippines, Romania and Serbia.

9. At the stakeholder meeting in July 2010, States participating in the pilot review programme decided on the following modalities for the track one review. Experts participating in the process would be appointed by Governments, taking into account the relevant fields of expertise. During the first phase, participating States would prepare a self-assessment of their implementation of specific provisions of the Convention, using the comprehensive self-assessment software (the "omnibus survey" software) developed by UNODC. The review would focus on a number of provisions of the Organized Crime Convention: article 5, on the criminalization of participation in an organized criminal group; article 10, on the liability of legal persons; article 12, paragraphs 1 and 2, on confiscation and seizure; article 16, paragraphs 1, 3-5, and 10, on extradition; and article 18, paragraphs 9 and 13, on mutual legal assistance.

10. The self-assessment would then be reviewed by experts from two peer countries, one State from the same region and one State from a different region. This particular arrangement was chosen to help overcome certain difficulties posed by differences in legal systems or language. It was decided that information reviewed and documents prepared in the framework of the pilot review programme would be kept confidential unless otherwise agreed upon by the reviewed State.

11. The next phase of the review would allow States to engage in an active dialogue in order to discuss implementation and clarify any outstanding issues. Communication between the States would be conducted by e-mail or telephone or through the organization of conference calls or videoconferences. On-site visits

could also be conducted as part of this phase at the discretion of the reviewed State, when deemed appropriate, in order to enhance the understanding and analysis of the information provided. The programme of the visits is at the discretion of the State under review. In particular, the reviewed State may decide on which national stakeholders, which could include government, judicial or civil society representatives, should meet with the reviewing team

12. The final stage of the process would be the preparation of a country report. The report is prepared by the reviewing States together with the Secretariat. The draft report is shared with the reviewed State, which is provided with the opportunity to comment on the draft report before the report is finalized. Where mutually agreed between the States, the participants may also seek to elaborate recommendations to be included in the final country report. A plan, including a schedule, for the provision of follow-up technical assistance could also be developed together with the Secretariat.

13. Throughout this process, the Secretariat will act as a facilitator. It will review self-assessments for completeness and organize communications among participating States during the active dialogue phase. The Secretariat also assists with the drafting of country reports and, when applicable, with the organization of country visits.

## **B. Status of reviews and time frame**

14. At the time of the preparation of the present report, two reviews were in the process of being finalized. Two country visits had taken place (Mexico and Serbia), while an additional three visits were being planned. Most of the remaining reviews were in the phase of active dialogue between the participating States. Discussions on the progress achieved and lessons learned are expected to continue at the second meeting of the pilot stakeholder group, to be held in Vienna from 29 September to 1 October 2010. The pilot review programme is expected to run until 2011, when all of the reviews should be completed, unless a decision is made to expand the pilot review programme to other interested States.

## **C. Feedback obtained from participating States**

### **1. Self-assessment**

15. Experts participating in track one of the pilot review programme considered the self-assessment format to be sufficient to initiate the review process. They saw the self-assessment as a good starting point, but underlined that it was essential that the self-assessment be complemented by additional steps in order to conduct a meaningful review. They also underlined the importance of providing information on best practices, practical examples of implementation and challenges encountered, as required by the “omnibus survey software. Some participants suggested that information on the characteristics and specificities of the legal systems of participating States be provided in addition to the self-assessment.

16. In general, States under review recognized that the self-assessment was a useful exercise that helped States to engage in strong inter-agency dialogue and

coordination in the fight against organized crime. In particular, the preparation of self-assessments, in several cases, proved to be an excellent way to create a forum at the national level to foster discussion on how to better implement the Organized Crime Convention. Some participants described it as a fruitful introspection exercise that helped to identify challenges and possibilities for improvement.

17. According to participants, the main challenge in completing the self-assessments was the identification of experts with the right combination of skills and experience which would enable them to prepare a comprehensive self-assessment of a State's effort to fight organized crime. It was noted that the provisions under review in the pilot review programme embraced many different types of expertise. It was therefore recommended that financial assistance be provided to enable the participation of several experts per participating country in order to adequately cover the broad range of issues addressed in the review. In addition, one participating State noted that it had encountered problems with setting up the omnibus survey software. Such a problem could be easily resolved in the future with adequate staffing in the Secretariat to provide assistance and, if necessary, training on how to install and use the software programme.

## **2. Active dialogue phase and country visits**

18. The active dialogue was considered by participating States to be the most important part of the process. It allowed practitioners to exchange additional information, particularly relating to how legal provisions are applied in practice, to discuss certain elements of the review and to acquire a more thorough understanding of the system in place in the reviewed State. This form of exchange also helped to build close working relationships between experts of the various States involved and fostered confidence among the parties. Participating experts of both the reviewing and reviewed States found the knowledge of other legal systems that they gained through this process to be very enriching.

19. The exchange of communications during the active dialogue phase also proved to be instrumental in preparing country visits. In this connection, participants underlined the importance of having active dialogue consultations take place well in advance of the country visit. Videoconferences and conference calls were found to be particularly useful in examining issues in more depth, and it was recommended that sufficient time be devoted to those communications. The participants also considered it essential that the active dialogue involve the practitioners who will actually participate in the country visit.

20. Country visits were seen as a very positive and decisive aspect of the pilot review programme and, in the view of participants, added significant value to the review process. They were considered to be the best way to achieve a full understanding of the institutional and legal setting and the implementation in practice in the State under review. Country visits also provided the opportunity to provide extensive information on questions that could not be fully answered during conference calls or videoconferences.

21. The two country visits carried out at the time of writing proved to be a mutually beneficial learning experience, in which practitioners of the review team could be exposed to other institutional and legal systems and gather hands-on information on how certain tools to fight organized crime, such as confiscation,

could work in practice. One participant noted that he intended to suggest his own country undertake legislative reform based on what he had been able to study during the review.

22. From the point of view of the reviewed State, country visits constituted an opportunity to involve a large number of national experts with extensive experience on the different topics under review who had not been able to participate as focal points. These experts were therefore able to present the successes and challenges that they faced in their work and enabled the review team to best understand the situation in the country. The reviewed States emphasized that they found the process to be objective and useful. They particularly appreciated the fact that the reviews focused on sharing best practices and developing an understanding of both the successes and challenges that all participating States were facing in effectively preventing and combating transnational organized crime.

### **3. Challenges encountered**

23. For the participating States that gave themselves the objective of completing their reviews by the fifth session of the Conference, the biggest challenge was posed by the shortened time frame on which they had agreed. It appeared that coordination and internal consultations took more time than initially envisaged by participating States. The second challenge that arose related to the need for translation and interpretation when the reviewing and reviewed States did not share the same official languages. Establishing contacts during country visits was made more difficult by language barriers, which sometimes limited the ability of key experts to share their wealth of expertise. Some reviews were slowed down by the translation of legislation. As one of the strongest elements of the review process was the active dialogue between the experts from the reviewing and reviewed States, participants considered it necessary to overcome linguistic obstacles by providing translation and interpretation whenever necessary, in particular in the official languages of the United Nations. Lastly, specificities in certain legal systems were not always easy to understand for reviewers from States with different legal traditions.

### **4. Preliminary conclusions**

24. Participants widely acknowledged that the Secretariat played an essential role in the review, providing specialized expertise and ensuring that all reviews proceeded smoothly, from both the substantive and practical points of view. It was recommended that the Secretariat continue to play that role and that it provide more background information on specificities of legal systems in order to facilitate mutual understanding among the participating States.

25. Overall, the pilot review programme was welcomed by participants as an opportunity for States parties to engage in in-depth dialogue on the implementation of the Organized Crime Convention, exchange information in a positive climate of mutual trust and share experiences and good practices. Mutual trust resulted in a climate characterized by a high level of transparency, in which reviewing States were provided with the opportunity to see highly-protected infrastructures and meet with key policymakers. The commitment and motivation of all practitioners involved were instrumental in achieving those excellent results.

## **IV. Track two: expert review**

### **A. Defining the track two method: a forum for assistance in implementation**

26. As stated above, track two is designed to be an expert review aimed at analysing general trends and making general recommendations. After the first meeting of the pilot stakeholder group, held in July 2010, five volunteer countries decided to participate in track two of the pilot review programme: Colombia, France, Indonesia, Romania and the United States of America. Those States decided that their review would be comprised of the following provisions of the Organized Crime Convention: article 5, on the criminalization of participation in an organized criminal group; article 10, on the liability of legal persons; article 16, paragraphs 1, 3, 4, 5 and 10, on extradition; and article 18, paragraphs 9 and 13, on mutual legal assistance.

27. At the meeting held in July 2010, participating States discussed and agreed upon the procedure for track two: each would fill out a self-assessment, which would be circulated to the other States, along with a thematic issues paper prepared by the Secretariat. Following the review of those documents, experts of track two States would gather in Vienna to discuss the substantive issues that emerged from the self-assessments and preliminary lessons learned from the pilot review programme.

28. States participating in track two discussed their experiences and thoughts at a special meeting held in Vienna from 1 to 3 September 2010. The results of these discussions and their preliminary conclusions regarding the expert review method are presented below in brief in order to aid the Conference in its discussion of possible mechanisms to review implementation of the Convention and the Protocols thereto.

### **B. Evaluation of the track two method**

29. Overall, participants in the expert meeting stressed the informal and cooperative character of the track two review process that they experienced. They felt that the review under track two reached beyond a simple assessment of implementation of the Organized Crime Convention, as it helped to elucidate different options in implementation of the selected articles. In addition, participants appreciated the practical, non-judgemental and technical assistance-oriented discussions of the expert meeting. Finally, experts felt that the track two approach emphasized that implementation was a gradual process and that every country, whether it had formally implemented the Organized Crime Convention or still had a long way to go, could benefit from the in-depth discussions fostered under a track two review process.

#### **1. Self-assessment and thematic issues paper**

30. Participants in track two noted that preparing the self-assessment was a burden and a drain on resources already in demand. However, it was also noted that the short time frame under which the pilot was conducted could partially contribute to

that perception. In addition, one expert feared that the self-assessment would not provide enough information to have a meaningful discussion. However, participants acknowledged that using the self-assessment as a starting point allowed for an in-depth discussion. In cases where implementation was proving difficult, the self-assessment was very useful in targeting problems and assisting the experts in focusing on finding solutions quickly. Similarly, when there were few or no problems with implementation “on paper”, experts were able to move beyond a review of implementation and discuss other related, equally important issues.

31. Some participants commented that the self-assessment was a necessary starting point but that, for the purposes of track two, States should be especially encouraged not only to focus on answering “yes”, “in part” or “no” in terms of implementation of certain provisions but also to focus on the reasons for such levels of implementation, through the submission of additional texts such as laws, policies and court judgements.

32. The thematic issues paper distributed to the experts, prepared on the basis of the self-assessments from the participating countries, presented information disaggregated according the corresponding article of the Organized Crime Convention and then by country, with a summary of implementation of that article across the board at the beginning of each section. While participants noted that the thematic issues paper prepared by the Secretariat was helpful, they proposed that more focus should be placed on the identification of themes and trends, as well as proposals for solutions and targeted technical assistance. A solution would be to allow the Secretariat to ask States targeted questions on their self-assessments in order to increase the quality of information available and capture the level of detail required for a thematic analysis. As one option, it was suggested that a list of questions compiled by the Secretariat could be circulated to the entire group of experts for follow-up.

33. Finally, experts felt that using the self-assessments and the thematic issues paper based on them as a structure for the conversation helped the group stay focused on the agreed topics.

## **2. Expert discussion**

34. Participants noted that the expert discussion held under track two was very pragmatic and fostered the exchange of experience — as opposed to being a one-way, question-and-answer exchange — between reviewed and reviewing countries, on a wide range of subjects related to the provisions under review. For example, during the discussion on the implementation of article 16, on extradition, one expert posed the question of whether, in the context of an extradition request, dual criminality must exist at the time of the occurrence of the offence or whether it must exist at the time of the receipt of the extradition request. The experts were then able to exchange their experiences in relation to that issue.

35. Experts agreed that the track two process provided a forum in which practitioners could have face-to-face interaction with potential partners in mutual legal assistance, extradition and other areas. This was seen to be particularly useful in cases where no prior relationship existed. The track two process also created a setting in which participating countries were able to communicate in detail regarding working procedures on a number of important issues, including in relation



to dual criminality and extradition. For instance, one country shared that extradition could be carried out under friendly relations and that they would always try to find a way to execute requests. Similarly, another country explained to participants that it was very open to expedited means of communication for matters of extradition and invited other States to engage in direct communication with the office of that country.

36. Participants noted that the discussion held under the track two process was not really a thorough individual review of implementation, but more of a way to quickly perceive the overall situation and identify overarching themes and trends. For instance, during the discussion on article 18, on mutual legal assistance, there was little exchange, and this was seen to reflect the fact that mutual legal assistance is generally working well. Participants agreed that the type of general information obtained from the track two process could be extracted from desk reviews only after years of individual and cross-analyses. In addition, the ease and speed of a track two-type review lent itself to being a sort of stepping stone for countries that might be more hesitant about individual reviews or that might want to be reviewed immediately.

37. Experts noted that the track two review method was greatly assisted by the Secretariat, which received all relevant information from States parties and provided a preliminary analysis on the basis of the answers of the self-assessment checklist and on the questions and answers during the expert dialogue. It was felt that this could be considered a positive aspect by some States parties that did not favour the idea of being evaluated by another State party through the peer review method and that might instead favour a more impartial and less intrusive assessment by the Secretariat.

38. While experts felt that the direct questioning on specific issues under track two might be perceived as too intrusive, this form of review allowed practitioners to identify gaps in their country's implementation on their own and, at the same time, identify their own needs for technical assistance. Participants felt that this was preferable to being told about their implementation status by the Secretariat or another country. In addition, the discussions under track two provided a forum in which countries and the Secretariat could immediately discuss the areas identified and the possibilities for technical assistance.

39. Countries participating in track two of the pilot review process agreed that it was an excellent forum for assistance in implementation and for sharing experiences. For instance, an expert from a country that had experienced difficulty implementing article 10, on establishing the liability of legal persons, was able to ask a counterpart in another country with a similar legal system how that had succeeded in overcoming the same problem.

40. It was noted that the setting for such an expert level discussion was critical. If the discussion had been carried out in the traditional United Nations setting, it would have been much more difficult to raise issues openly. Participants emphasized that the setting must be small, informal and conducive to discussion, that is, not led by a chair or a panel. That way, experts were able to discuss openly and in great detail the provisions of the Convention under review and their successes and difficulties in implementing them.

41. Finally, participants felt that the discussion helped to identify issues related to the Organized Crime Convention that may not have been directly under review. For example, during the discussions, participants agreed that their judiciaries would also benefit from awareness-raising and training in the application of the Organized Crime Convention.

42. Participants compared the discussions held under track two with an open-ended expert group meeting, such as the one established by the Conference on international cooperation, and felt that the two had different objectives and outcomes and would not duplicate but in fact could complement each other. As a review of the entire Organized Crime Convention focusing not only on certain subjects such as international cooperation or trafficking in persons, the track two-type expert review would have a focus that was much broader in practice. Furthermore, the objective of a review mechanism was to identify issues in the implementation of the Convention, whereas the objective of a working group was to jointly discuss issues and adopt recommendations. Finally, it was noted that the discussion in working groups often kept returning to the same issues repeatedly and that it was more effective and efficient to have a grounded, concrete discussion based on topics or provisions that had already been selected through agreement of the group. It was suggested that subsequent to the review process, a working group could be mandated to tackle some of the outstanding issues that had emerged.

### **3. Size and composition of the expert group**

43. While the articles that were selected for review under the pilot programme all contained mandatory provisions, they related to different subjects matters and involved very different government agencies and experts. For instance, an expert on the criminalization of participation in an organized criminal group (for example, a prosecutor) may not necessarily be aware of all the aspects of making and receiving mutual legal assistance requests, as would a member of a central authority. This may not be a problem when completing the self-assessment checklist, as colleagues can share the task, but not all experts would be present at the expert meeting. While the participants generally felt that the review had proceeded well under the pilot programme, they noted that, in a global review mechanism, a thematic approach would be more suitable. In that context, experts agreed that, ideally, an expert in each of the articles under review would participate in such a meeting. In terms of the size of the expert group, participants concluded that the more homogeneous the group in terms of expertise and the more the group targeted the provision in question, the larger the group could be while maintaining a high-level, focused and meaningful discussion.

44. An expert from one country proposed that at least three or four experts/practitioners would need to attend the experts dialogue: at least two from the central authority (one with expertise in substantial law issues and legislative aspects and one with expertise in international judicial cooperation) and an expert with practical experience coming from the judiciary. It would be useful for both law enforcement agency representatives and magistrates to participate, considering the complexity of the review process.

45. Reflecting on the fact that, in many cases, regional groups addressing some of these topics already exist, participants noted the value of being involved in an interregional or international group that would provide new linkages and

information. It was suggested that two or three countries per regional group (10-15 countries in total), with one practitioner from each country, would be an ideal size. In this regard, the scope of the articles under review would have to be quite focused in order for the discussion to be useful to all.

46. Finally, all participating countries recognized the value of having observers present during the expert meeting and were open to their attendance in both substantive and procedural discussions.

#### **4. Scope of substance under review**

47. As stated above, the experts agreed that in a global review mechanism, reviewing different types of articles would be difficult, and they observed that in order to foster in-depth discussion without draining human resources, it would be better to specifically target the types of provisions to be reviewed at any one time. In that regard, participants agreed that issues must be identified and prioritized by the Conference.

48. One participant noted the commonality of law enforcement issues, such as joint investigation techniques and confiscation and seizure, to many international instruments, including on corruption and terrorism. At the same time, it was noted that no body or mechanism existed to address those cross-cutting issues, and it was proposed that if such specific provisions were considered, such consideration could have potential application in contexts beyond the Organized Crime Convention.

#### **5. Time frame**

49. It was discussed and agreed that all inputs from the experts regarding implementation of the Organized Crime Convention would be added to the thematic issues paper after the meeting, after which the paper would be redistributed to the participating experts. That way, participants in the track two process would have a record of the discussions and be able to consult them in the future and have another chance to evaluate the procedure followed under track two.

50. Overall, the experts felt that a track one-type process would end when all States parties had achieved compliance, while track two could be a continual process, soliciting input from practitioners about issues and practices in implementation.

#### **6. Preliminary conclusions**

51. Participants in the track two expert meeting decided early on that their objective in participating in the pilot programme was to test a method of review solely in order to facilitate the Conference's discussion of the matter. In that regard, they agreed to share their views openly, without attaching judgement or recommending action. They emphasized that discussion should be focused on the merits and demerits of the track two process, without recommending whether it should be adopted.

52. Overall, experts participating in track two were struck by its flexibility. In terms of the size and type of the expert group, it could be regional or international, large or small. The provisions under review could be selected from various instruments or from one instrument, could be mandatory or optional and could be in

the same subject area or in diverse areas. The choice of who would conduct the review was open and could include independent experts, the Secretariat or experts from States parties. In addition, the depth of the review could be flexible, with interchangeable options including a simple desk review, a one-time expert meeting, a series of meetings and/or a country visit. Finally, whether this type of review would be a one-time activity for each country, an interim mechanism for the Conference or an ongoing process that takes place once every few years could all be considered, discussed and adopted within a track two-type review process.

53. However, after two days of discussion, experts felt that the strength of a track two-type review was more as a forum for facilitation rather than a mechanism for review. In that regard, it was noted that while the track two process would be perfectly complementary to a peer review type mechanism, it would not be ideal as a stand-alone mechanism or for use on a global scale because the type of expert meeting foreseen under track two can be effective under only very particular circumstances. For instance, in the pilot review programme, volunteer participants were willing to fully participate. However, without that openness and frank exchange of experience and difficulties in implementation, such an expert meeting would not have functioned. In addition, on a larger scale, some participants in the expert meeting would certainly not contribute to the same degree, leading to a more superficial or even non-existent review of implementation.

54. In addition, it was not entirely clear to participants in the expert meeting what would happen in the case that a review under this mechanism pointed to more serious problems with implementation. An expert from one country suggested that States partaking in the review could make recommendations to enhance implementation. However, in the end, it was agreed that the track two format would be better for considering general themes and trends and not undertaking individual assessments. Thus, in that respect, specific recommendations to reviewed countries would not fall within the mandate of such a review process.

## V. Conclusions

55. Overall, participants in both tracks welcomed the pilot review programme as an opportunity to engage in in-depth dialogue on the implementation of the Organized Crime Convention, exchange information in a positive climate of mutual trust and share experiences and good practices among States parties to the Convention. In addition, participating States endeavoured to conscientiously and objectively provide their views on the process in order to best assist the Conference in its discussion on possible mechanisms to review the implementation of the Convention and the Protocols thereto.

56. Participants also emphasized that the pilot review programme had been functioning under very tight deadlines and that the opinions expressed thus far were preliminary. Despite the rather short time that it had been conducted to date, at the time of the preparation of the present report, the pilot review programme was able to complete two country visits under track one,<sup>3</sup> and an expert group meeting under track two. Participants widely acknowledged that the Secretariat played an essential

---

<sup>3</sup> Country visits to Mexico and Serbia were conducted.

role in those efforts, from both the substantive and practical points of view. It was recommended that the Secretariat continue to play that role.

57. Finally, mutual trust among the participating States resulted in a high level of transparency, which contributed to the efficacy and efficiency of the reviews under both tracks. The commitment and motivation of all practitioners involved were instrumental in achieving those excellent results.

---