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English only

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

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Item 2 of the provisional agenda*

Review of the implementation of the United Nations Convention against Transnational Organized Crime**Update on the development of the Omnibus survey software to collect information on the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto****Note by the Secretariat****I. Introduction**

1. In accordance with article 32 of the United Nations Convention against Transnational Organized Crime,¹ the Conference of the Parties was established to improve the capacity of States parties to combat transnational organized crime and to promote and review the implementation of the Convention. To that end, the Conference shall acquire the necessary knowledge of both the measures taken by States parties in implementing the Convention and of the difficulties encountered by them in doing so through information provided by them. The Convention therefore stipulates that States parties are to provide the Conference with information on their programmes, plans and practices and on the legislative and administrative measures they adopted in order to implement the Convention and its Protocols.

2. The present conference room paper has been prepared in order to provide an update on the development and improvement of the Omnibus survey software, a computer-based application that will facilitate the collection of information from States on the implementation of the Convention and the Protocols thereto.

* CTOC/COP/2012/1.

¹ United Nations, *Treaty Series*, vol. 2225, No. 39574.



II. Background

3. From 2004 to 2007, information on efforts made by States to implement the Convention and its Protocols was collected by the Secretariat through paper-based questionnaires, developed at the Conference's request and based on its guidance.² While this format could relatively easily be transmitted directly or by mail to focal points, it also posed a number of challenges in terms of the legibility of the information provided (handwriting or fax transmission rendered many questionnaires illegible), reliability of data (lack of reference and justification, missing contact details of the respondent) and organization of information (voluminous paper-based archives that could not be easily searched and updated).

4. Therefore, in October 2007, the open-ended interim working group of government experts on technical assistance requested UNODC to develop an information-gathering tool in the form of a computer-based checklist.³ This recommendation stemmed from decision 3/1 of the Conference, in which UNODC was requested to explore all possibilities of using modern information technology and to develop a sample format for the provision of supplementary information, with a view to assisting States in undertaking a detailed evaluation of their compliance. It also drew on discussions held in the same period in the context of the elaboration of an efficient reporting format for the United Nations Convention against Corruption.⁴

5. As a result, the self-assessment checklist was developed and circulated in May 2008, using the structure that had already been reviewed by the Conference of the States Parties to the Convention against Corruption. In addition to being cost-effective, this solution also demonstrated continuity and coherence in the approach of UNODC and States parties to reporting. The checklist was considered an interim solution and was a preliminary version of the current Omnibus survey software.

6. In its decision 4/1, the Conference took note with satisfaction of the efforts to develop a computer-based self-assessment tool. It was considered that the new system offered more possibilities than the former paper-based format in terms of interactivity (flow of questions based on each answer provided, clickable links, possibility to copy and paste text, etc.) and layout (self-assessment files that could be shared, merged and saved). The system also allowed the Secretariat to maintain an internal searchable database and to present a statistical analysis of replies, thus enabling it to make more effective use of information provided by States parties and signatories.

7. Acting upon the converging information-gathering mandates emanating from both the Conference of the Parties to the Organized Crime Convention and the Conference of the States Parties to the Convention against Corruption, UNODC then started developing a comprehensive software program (the "Omnibus survey software") that would elicit information on all five crime-related treaties supported by it. Many new features were introduced in this version, including template answers, hyperlinks and definitions of key terms, along with cross-references aimed

² See CTOC/COP/2004/6 and CTOC/COP/2005/8.

³ See CTOC/COP/2008/7.

⁴ *Ibid.*, vol. 2349, No. 42146.

at alerting respondents of similarities between the reporting formats of each Convention in order to avoid duplication.

8. At that stage, UNODC embarked upon a broad consultation process to validate the approach and methodology of the software. The contents and functionalities of the Omnibus survey software were reviewed by relevant international experts three times between March 2008 and September 2009. In March 2009, UNODC invited States to test the application on a voluntary basis, to which thirty-seven States responded. Following these broad-based consultations and the incorporation of comments received, the Omnibus survey software was presented and endorsed by the Conference of the States Parties to the United Nations Convention against Corruption at its third session in 2009. The Omnibus survey software has been fully functional in the context of the review mechanism for the Convention against Corruption for the last three years.

III. Recent efforts by the Secretariat to improve the Omnibus survey software

9. Taking note of these developments, in its resolution 5/5, the Conference decided that the Omnibus survey software shall be used to facilitate the gathering of information on the implementation of the Convention and the Protocols thereto. It also requested the Secretariat to further improve the software program, including by making it available in the six official languages of the United Nations, and to continue to consult with States parties in order to finalize it and submit it to the working group on the review of the implementation of the Organized Crime Convention and the Protocols thereto for its consideration.

10. Since 2010, UNODC has continued to work extensively, within existing resources and in consultation with States parties, towards this goal. The Omnibus survey software was upgraded and the self-assessment questionnaires contained therein circulated to States for comments in July 2011. A follow-up note verbale, notifying States of the extension of the deadline for feedback, was sent in November 2011. The software program was also reviewed by an expert group meeting convened in Vienna from 9 to 10 November 2011, which had before it copies of the self-assessment questionnaires contained in the Omnibus survey software in the six languages of the United Nations.

11. Those consultations were complemented by activities geared at providing delegations with an opportunity to familiarize themselves with the Omnibus survey software. Presentations were held during the sessions of the working group on the review of the implementation of the Organized Crime Convention and the Protocols thereto in May 2011 and January 2012. Delegations also had the opportunity to acquaint themselves with the Omnibus survey software during individual demonstrations held at the UNODC Resource Centre during all major intergovernmental meetings (Commission on Crime Prevention and Criminal Justice, Commission on Narcotic Drugs), sessions of the working groups established by the Conference and informal consultations to promote the resolution of outstanding issues on the review mechanism, held in 2011 and 2012.

12. Comments and suggestions from States parties, as well as lessons learned in the context of the review mechanism for the Convention against Corruption resulted

in another round of improvements to the software. Efforts to improve the program focused on: (i) shortening the question flows, in particular with regard to questions pertaining to case law, statistics and technical assistance; (ii) substantive issues related to the Organized Crime Convention and its Protocols, e.g. further tailoring questions to each provision of the Convention and its Protocols; (iii) practical upgrades that made the Omnibus survey software more user-friendly, without affecting the cross-references or its core structure which had already been endorsed by the Conference of the States Parties to the Convention against Corruption in November 2009. Emphasis was placed on the identification of challenges and technical assistance needs that, if met, would enable reporting States to better comply with the provisions of the treaties.⁵

13. At its second session held in January 2012, the working group on the review of the implementation of the Organized Crime Convention and the Protocols thereto considered that the improved Omnibus survey software would facilitate the gathering of information on the implementation of the Convention and the Protocols thereto. The working group also recommended that the software, to be considered and approved by the Conference, could be improved on a continuing basis for subsequent cycles.⁶

14. The Secretariat is very conscious of the substantial amount of time required to fill out self-assessment questionnaires, whether electronically or on paper. While the paper-based questionnaires comprised a long list of sometimes repetitive questions, the interactivity offered by the survey software makes it possible to limit the number of questions to the ones that are relevant only to the specific provisions under review. Few of the questions are obligatory. The option allowing the filtering of treaty provisions by type (mandatory provision — obligation to consider — optional provision) was also introduced to assist respondents in prioritizing their responses.

15. Through the Omnibus survey software, the Conference will be able to exchange information among States parties on successful practices for combating transnational organized crime and to identify the challenges in doing so. The comprehensive nature of the Omnibus survey software, including the possibility to attach legislation, as well as relevant court cases and to quote statistics, enables the Conference to acquire the necessary knowledge of the measures taken by States parties in implementing the Convention.

16. Should the Conference adopt a mechanism to review implementation of the Convention and the Protocols thereto, the Omnibus survey software would be immediately available in all six official languages of the United Nations.

⁵ For a more detailed account of the amendments, see document CTOC/COP/WG.5/2012/CRP.2 Status of the Omnibus survey software.

⁶ See CTOC/COP/WG.5/2012/2.