

Distr.: General
4 February 2010

Original: English

Report on the meeting of experts on possible mechanisms to review implementation of the United Nations Convention against Transnational Organized Crime, held in Vienna on 25 and 26 January 2010

I. Introduction

1. In its decision 4/1, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime recalled article 32 of the Convention,¹ pursuant to which the Conference has the responsibility to promote and review the implementation of the Convention and is to agree upon mechanisms for achieving its objectives. Also in its decision 4/1, the Conference expressed concern at persisting gaps in the implementation of the Convention and its Protocols;² 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.

2. In addition, in its decision 4/1, the Conference requested the United Nations Office on Drugs and Crime (UNODC) to convene at least one open-ended intergovernmental meeting of experts in Vienna by September 2009, said meeting to present a report to the Conference at its fifth session on mechanisms, as appropriate, for reviewing the implementation of the Convention and its Protocols. Pursuant to that decision, the experts on possible mechanisms to review implementation of the United Nations Convention against Transnational Organized Crime held a meeting in Vienna on 30 September 2009. It was then decided that another meeting would be held in Vienna in January 2010.

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

² *Ibid.*, vols. 2237, 2241 and 2326, No. 39574.



II. Recommendations

3. The experts agreed that it would be appropriate, in view of the tenth anniversary of the Convention, to reinforce the implementation of the Convention and its Protocols.

4. The experts recommended 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, as soon as feasible, taking into account the importance of the matter to all Member States. Consistent with the Convention, the working group should, *inter alia*, take into account the need:

(a) To promote the universal ratification and implementation of the Convention and its Protocols;

(b) To promote awareness and foster greater cooperation among States parties;

(c) To help gather information on the status of implementation and identify difficulties encountered and specific technical assistance needs;

(d) To exchange and disseminate best practices;

(e) To help enhance the capacities of States parties.

5. The experts agreed that the open-ended working group could consider preparing proposals, for consideration by the Conference, on the possible terms of reference of the mechanism or mechanisms that the Conference might decide to establish.

6. It was decided that the information provided by States through the checklist and comprehensive software-based information-gathering tool should be the basis of any future review mechanism. Such a mechanism might benefit from other international and regional review mechanisms, as appropriate, without duplicating work. The main objectives of the implementation review should be international cooperation and technical assistance.

7. Concurrently, interested States parties might work to explore, together with the Secretariat, subject to the availability of extrabudgetary resources, ways and means of reviewing their implementation of the Convention and its Protocols.

8. The experts noted with satisfaction the efforts towards the development of a comprehensive software-based information-gathering tool (“omnibus tool”) and recommended that the Secretariat:

(a) Should send, as soon as possible, an invitation to States parties to comment on the comprehensive survey software;

(b) On the basis of the comments received and taking into account the specificities of the Convention and its Protocols, should identify adequate means to propose adjustments to the comprehensive survey software;

(c) In consultation with the extended Bureau of the fourth session of the Conference and in close coordination with Member States should reinforce the

promotion of the comprehensive survey software and identify modalities to further raise awareness of its significance and functioning, for example, by organizing seminars and setting up a “clinic” similar to the one established in the framework of the United Nations Convention against Corruption;

(d) Should submit a report on the implementation of the above-mentioned recommendations to the Conference at its fifth session, for its consideration.

III. Organization of the meeting

A. Opening of the meeting

9. The open-ended intergovernmental meeting of experts on possible mechanisms to review implementation of the Organized Crime Convention and the Protocols thereto held a meeting in Vienna on 25 and 26 January 2010. The meeting was chaired by Elizabeth Verville (United States of America). The Chair noted that it was important to reflect on the best way to fully exploit the unprecedented amount of information that had been collected on national legislation, international cooperation practices and technical assistance needs. A working group could be established to consider the terms of reference for a mechanism to review the implementation of the Convention and its Protocols.

10. The Officer-in-Charge of the Division for Treaty Affairs of UNODC recalled that most States that had provided written comments had considered that a review mechanism was important and necessary and would help to raise awareness about the Convention and strengthen international cooperation.

B. Adoption of the agenda and organization of work

11. On 25 January 2010, the meeting adopted its provisional agenda, including the proposed organization of work (CTOC/COP/WG.1/2010/1), which read as follows:

1. Organizational matters:
 - (a) Opening of the meeting;
 - (b) Adoption of the agenda and organization of work.
2. Consideration of possible mechanisms to review implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.
3. Adoption of the report on the meeting.

C. Attendance

12. The following States parties to the Convention were represented at the meeting: Albania, Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Belgium, Brazil, Bulgaria, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Croatia, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, France, Germany, Guatemala, Hungary, Indonesia, Iraq, Israel, Italy,

Jordan, Kazakhstan, Kenya, Kuwait, Lebanon, Lesotho, Malaysia, Mali, Mexico, Montenegro, Morocco, Netherlands, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Serbia, Singapore, Slovakia, Spain, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela (Bolivarian Republic of) and Zambia.

13. The European Union, a regional economic integration organization that is a party to the Convention, was also represented at the meeting.

14. The following States signatories to the Convention were represented by observers: Angola, Greece, India, Iran (Islamic Republic of), Ireland, Japan, Republic of Korea, Thailand and Yemen.

15. Palestine, an entity maintaining a permanent observer mission, was also represented by an observer.