



# 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, 17 and 18 October 2012

### Provisional agenda and annotations

1. Organizational matters:
  - (a) Opening of the meeting;
  - (b) Adoption of the agenda and organization of work.
2. Follow-up to the recommendations adopted by the Working Group at its meeting held on 19 and 20 October 2010.
3. Development of national strategies to address transnational organized crime.
4. Identification of technical assistance needs and coordination of the delivery of technical assistance to support the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto.
5. Development of technical assistance tools, taking into consideration good practices and lessons learned, including those for assisting Member States in applying the United Nations Convention against Transnational Organized Crime to new forms and dimensions of organized crime.
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 of Government Experts on Technical Assistance will be opened on Wednesday, 17 October 2012, at 10 a.m.

#### **(b) Adoption of the agenda and organization of work**

At its meeting held in Vienna 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. Furthermore, in its resolution 5/7, entitled “Combating transnational organized crime against cultural property”, the Conference requested, inter alia, 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 by the Commission on Crime Prevention and Criminal Justice, and to make recommendations for consideration by the Conference. At its meeting held in Vienna on 15 February 2012, the extended Bureau of the Conference agreed that the joint discussion of the two working groups on the matter would be held on 18 October 2012 at 10 a.m.

### **2. Follow-up to the recommendations adopted by the Working Group at its meeting held on 19 and 20 October 2010**

In its resolution 5/1, entitled “Ensuring effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, the Conference recognized that technical assistance was fundamental to ensuring the effective implementation of the provisions of the Convention and the Protocols thereto.

Furthermore, in its resolution 5/6, entitled “Implementation of the provisions on technical assistance of the United Nations Convention against Transnational Organized Crime”, the Conference endorsed the recommendations of the meeting of the Working Group of Government Experts on Technical Assistance held on 19 and 20 October 2010, annexed to the resolution, in which the Working Group had, inter alia, welcomed the efforts of the United Nations Office on Drugs and Crime (UNODC) to integrate the Convention and its Protocols more visibly and fully within the appropriate range of the technical assistance programmes of the Office.

Under this agenda item, the Secretariat will present to the Working Group information on the implementation of the relevant recommendations annexed to Conference resolution 5/6.

### **Documentation**

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

Report of the Secretariat on the provision of technical assistance to States in the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto (CTOC/COP/2012/10)

### **3. Development of national strategies to address transnational organized crime**

The Working Group may wish to consider the potential benefits of initiating a process to develop comprehensive national strategies to address transnational organized crime, taking into consideration their possible input to the setting of policies and priorities within different parts of the Government and the judiciary. In that regard, the Working Group may also wish to discuss the possible benefits of national strategies in relation to specific forms of organized crime, in particular those related to acts covered by the Protocols that have been established as criminal offences.

The Working Group may also wish to address how to develop such strategies, including by commissioning organized crime threat assessments, and what might be the key elements to be included in such strategies.

#### **Documentation**

Note by the Secretariat on the development of national strategies to address transnational organized crime (CTOC/COP/WG.2/2012/2)

### **4. Identification of technical assistance needs and coordination of the delivery of technical assistance in support of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto**

In its decision 2/6, entitled “Technical assistance activities”, the Conference decided that the Working Group should perform the following functions: (a) review needs for technical assistance in order to assist the Conference on the basis of the information bases established by the Secretariat; (b) provide guidance on priorities based on multi-year programmes approved by the Conference and on its directives; (c) take into consideration, as appropriate and readily available, information on technical assistance activities of the Secretariat, as well as of States, and on projects and priorities of States, other entities of the United Nations system and international organizations, in the areas covered by the Convention and its Protocols; and (d) facilitate mobilization of potential resources.

In its resolution 5/1, the Conference requested the Working Group to develop, in connection with the implementation of the Convention, a strategy directed at strengthening and promoting technical assistance initiatives.

Under agenda item 4, the Secretariat will present to the Working Group relevant information on the implementation of resolution 5/6.

#### **Documentation**

Report of the Secretariat on the provision of technical assistance to States in the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto (CTOC/COP/2012/10)

**5. Development of technical assistance tools, taking into consideration good practices and lessons learned, including those for assisting Member States in applying the United Nations Convention against Transnational Organized Crime to new forms and dimensions of organized crime**

In its resolution 5/1, the Conference requested UNODC to continue developing technical assistance tools with a high degree of added value, such as handbooks, digests of relevant case law and legal commentaries, with regard to the instruments as a whole and to particular issues such as mutual legal assistance and confiscation, as may from time to time be requested or identified as useful by the Conference or one of its working groups, with a view to improving the capacity of States to implement and utilize the Convention and the Protocols thereto and to increasing the effectiveness of the Office's technical assistance activities to combat transnational organized crime.

The Working Group may wish to discuss the technical assistance tools designed by UNODC to support its work in delivering technical assistance across the range of activities within the scope of the Convention and its Protocols, including tools that advance understanding of the Convention and its Protocols and that also address new forms and dimensions of organized crime.

**Documentation**

Report of the Secretariat on technical assistance provided to States in the application of the United Nations Convention against Transnational Organized Crime to new forms and dimensions of transnational organized crime (CTOC/COP/2012/7)

Report of the Secretariat on the provision of technical assistance to States in the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto (CTOC/COP/2012/10)

**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 by the Commission on Crime Prevention and Criminal Justice and to make recommendations for consideration by the Conference, 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 meetings of the expert group on protection against trafficking in cultural property were held in Vienna 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 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, for the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation, an analytical report 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 cases of trafficking in cultural property. 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 United Nations Convention against Transnational Organized Crime 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>
<b>Wednesday, 17 October</b>		
10 a.m.-1 p.m.	1 (a)	Opening of the meeting
	1 (b)	Adoption of the agenda and organization of work
	2	Follow-up to the recommendations adopted by the Working Group at its meeting held on 19 and 20 October 2010
3-6 p.m.	3	Development of national strategies to address transnational organized crime
	4	Identification of technical assistance needs and coordination of the delivery of technical assistance to support the implementation of the Organized Crime Convention and the Protocols thereto
	5	Development of technical assistance tools, taking into consideration good practices and lessons learned, including those for assisting Member States in applying the Organized Crime Convention to new forms and dimensions of organized crime
	8	Other matters
	<b>Thursday, 18 October</b>	
10 a.m.-1 p.m.	6	Consideration of the 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