



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

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## Fifth session

Vienna, 18-22 October 2010

Agenda item 4

## Technical assistance

### Kenya: draft resolution

#### Implementation of the provisions on technical assistance of the United Nations Convention against Transnational Organized Crime

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

*Noting* that technical assistance is a fundamental part of the work carried out by the United Nations Office on Drugs and Crime to assist Member States in the effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,

*Welcoming* the work of the Open-ended Working Group of Government Experts on Technical Assistance,

*Endorses* the recommendations of the meeting of the Open-ended Working Group of Government Experts on Technical Assistance held on 19 and 20 October 2010, during the fifth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, annexed to the present resolution.



## Annex

### **Recommendations of the meeting of the Open-ended Working Group of Government Experts on Technical Assistance**

The Open-ended Working Group of Government Experts on Technical Assistance:

(a) Takes note of the recommendations of the meeting of the Open-ended Working Group of Government Experts on Technical Assistance held on 1 and 2 October 2009;

(b) Acknowledges the continued need for technical assistance to ensure the effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;<sup>1</sup>

(c) Welcomes the efforts of the United Nations Office on Drugs and Crime to integrate the Convention and its Protocols more visibly and fully within the appropriate range of the technical assistance programmes of the Office, as well as the efforts of the Office to raise awareness of the Convention and its Protocols among national partners as a practical tool for international judicial cooperation and law enforcement cooperation;

(d) Emphasizes the importance of ensuring a strong connection between the research carried out and the data collected by the United Nations Office on Drugs and Crime and the Office's delivery of technical assistance in relation to transnational organized crime;

(e) Endorses the strategic and comprehensive approach to technical assistance adopted by the United Nations Office on Drugs and Crime, incorporating elements of the Convention and its Protocols, as a key priority in integrated national and regional programmes;

(f) Notes that the comprehensive self-assessment software ("omnibus survey software") shall be used as a tool to facilitate the gathering of information on the implementation of the Convention and the Protocols thereto, and requests the Secretariat to further improve that software, including by making it available in all the official languages of the Conference, to continue to consult with States parties and signatories with a view to finalizing it as soon as possible and to submit it to the open-ended intergovernmental working group established by the resolution for its consideration;

(g) Requests the United Nations Office on Drugs and Crime to continue to share information gathered on technical assistance needs with other possible providers of technical assistance, in particular information on needs at the country level, in order to coordinate assistance activities with beneficiary countries;

(h) Emphasizes the need for the United Nations Office on Drugs and Crime and States parties to continue to coordinate the delivery of technical assistance with

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<sup>1</sup> United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

all relevant international and regional organizations, and with bilateral assistance entities;

(i) Encourages the United Nations Office on Drugs and Crime to develop a comprehensive thematic approach to preventing and combating organized crime that takes into consideration regional and national needs and that includes legal assistance, the development of tools, best practices and the establishment of mechanisms involving court trial through a thematic programme on organized crime prevention;

(j) Requests the United Nations Office on Drugs and Crime to pursue work on a digest of successful cases involving the investigation or prosecution of transnational organized crime for the identification of lessons learned and best practices, to be presented to the Conference at its sixth session, and to convene a meeting of experts to identify good practices in the establishment and functioning of specialized units dealing with organized crime, to be used as a reference by States considering the establishment of such units;

(k) Requests the United Nations Office on Drugs and Crime to provide technical assistance to help Member States to apply the provisions of the Convention to new and emerging forms of transnational organized crime that fall within the scope of the Convention and that are of common concern to States parties, and to report to the Conference at its sixth session on progress made on this matter;

(l) Requests the United Nations Office on Drugs and Crime to consider, in consultation with Member States, the development of specific tools, such as best practices, legislative guidelines and model provisions, that would help Member States to apply the provisions of the Convention to new and emerging forms of transnational organized crime that fall within the scope of the Convention and that are of common concern to States parties;

(m) Invites States and other donors to provide voluntary resources for the purposes outlined in the present resolution, in accordance with the rules and procedures of the United Nations;

(n) Urges States parties to endeavour to make adequate and voluntary contributions to the account established in accordance with article 30, paragraph 2 (c), of the Convention for the purpose of technical assistance;

(o) Reaffirms Conference decision 4/3, in which the Conference decided that the Open-ended Working Group of Government Experts on Technical Assistance should be a constant element of the Conference;

(p) Requests the Secretariat to report to the Conference at its sixth session on the provision of technical assistance to help States to implement the Convention and the Protocols thereto at the global, regional and national levels.