



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

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Addendum*

VII. International cooperation, with particular emphasis on extradition, mutual legal assistance and international cooperation for the purpose of confiscation, and the establishment and strengthening of central authorities

1. At its 8th meetings, on 21 October 2010, the Conference considered agenda item 6, entitled “International cooperation”. For its consideration of the item, the Conference had before it the following documents:

(a) 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/2010/2);

(b) Working paper submitted by the Secretariat on technical assistance programmes, proposals and future programmes envisaged in the priority areas determined by the Conference and the Open-ended Interim Working Group of Government Experts on Technical Assistance (CTOC/COP/2010/4);

(c) Technical and legal obstacles to the use of videoconferencing (CTOC/COP/2010/CRP.2);

(d) Catalogue of examples of cases of extradition, mutual legal assistance and other forms of international legal cooperation on the basis of the United Nations Convention against Transnational Organized Crime (CTOC/COP/2010/CRP.5 and Corr.1).

* The present document has not been edited.



2. The Chair of the third meeting of the open ended working group of government experts on extradition, mutual legal assistance, and international cooperation for the purpose of confiscation presented a summarized outcome of the meeting. He reported that the working group meeting was a great opportunity for experts from different regions to meet and to engage in substantive discussions on the provisions of the United Nations Convention against Transnational Organized Crime related to international cooperation.

3. The Chair also mentioned that, throughout the meeting, experts had provided many interesting and relevant examples of the hundreds of cases in which the Organized Crime Convention and its Protocols have been used for confiscation, extradition and mutual legal assistance requests. The Chair highlighted that, as in the past, the working group meeting was an important forum for national experts to address challenges and share best practices relating to international cooperation.¹ The Chair presented the recommendations of the working group aiming at strengthening international cooperation that had been formulated by experts on the basis of the discussions held during the third meeting of the open-ended working group on international cooperation.

4. Statements were made by the representatives of Chile (on behalf of the Member States of the United Nations that are Members of the Latin American and Caribbean Group), Romania, China, Canada and Argentina.

Deliberations

5. Several speakers highlighted the importance of using the Organized Crime Convention for extradition, mutual legal assistance and international cooperation for the purposes of confiscation either as the sole legal basis or in conjunction with other international cooperation treaties. The necessity to fully implement this Convention in order to combat transnational organized crime was stressed. Speakers highlighted that the use of the international cooperation provisions of the Convention in combating a large number of crimes, including cybercrime, asset recovery, money-laundering and the confiscation of illicit assets.

6. Many speakers expressed appreciation for the legal tools developed by UNODC such as the mutual legal assistance request writer tool, now available in ten languages, and the legislative guide on the application of the Organized Crime Convention and the Protocols thereto. Some speakers also underscored the usefulness of workshops to train practitioners on how to use the mutual legal assistance request writer tool to draft mutual legal assistance requests. It was noted that it would be useful to have one unified directory, which would also include the central authorities under the United Nations Convention against Corruption.

7. Speakers underlined the need for training and technical assistance to reinforce capacities of national authorities and to permit the efficient use of the Organized Crime Convention and its Protocols to deal with extradition, mutual legal assistance

¹ See report of the Open ended working group of governments experts on extradition, mutual legal assistance, and international cooperation for the purpose of confiscation that will be soon available on UNODC Website.
(Symbol if already exists).

and confiscation requests. It was also noted that the catalogue of cases was a very important tool.

8. Some speakers emphasized the usefulness of technology in facilitating international cooperation. Online networking and videoconferencing, especially when used to obtain oral testimony of witnesses, were mentioned.

9. Several speakers underlined the importance of cooperation at international level but also at the subregional and regional one, where the homogeneous nature of their legal system can facilitate cooperation. Practitioners were also encouraged to share best practices in order to combat more effectively organized crime.
