



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

Distr.: General
23 September 2004

Original: English

First session
Vienna, 28 June-8 July 2004

Report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its first session, held in Vienna from 28 June to 8 July 2004

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* Incorporating document CTOC/COP/2004/6/Corr.1, dated 1 June 2005.



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I. Decisions taken by the Conference of the Parties

1. At its first session, held in Vienna from 28 June to 8 July 2004, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime adopted the following decisions:

Decision 1/1

Adoption of the rules of procedure for the Conference of the Parties to the United Nations Convention against Transnational Organized Crime

The Conference of the Parties to the United Nations Convention against Transnational Organized Crime adopts its rules of procedure, which had been recommended to it for consideration and action by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime at its thirteenth session,¹ without amendment.

Decision 1/2

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

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

(a) Decides to carry out the functions assigned to it in article 32 of the United Nations Convention against Transnational Organized Crime² by, inter alia, establishing a programme of work that it will review at regular intervals;

(b) Decides also that, for its second session, the programme of work will be as follows:

(i) Consideration of the basic adaptation of national legislation in accordance with the United Nations Convention against Transnational Organized Crime;

(ii) Starting with examination of criminalization legislation and difficulties encountered in implementation in accordance with article 34, paragraph 2, of the Convention;

(iii) Enhancing international cooperation and developing technical assistance to overcome difficulties identified in the implementation of the Convention;

(c) Requests the Secretariat to collect information from States parties and signatories to the Convention, in the context of the above programme of work, using for that purpose a questionnaire to be developed in accordance with guidance provided by the Conference of the Parties at its first session;

(d) Requests States parties to respond promptly to the questionnaire circulated by the Secretariat;

¹ CTOC/COP/2004/3-A/AC.254/43.

² General Assembly resolution 55/25, annex I.

(e) Invites signatories to provide the information requested by the Secretariat;

(f) Requests the Secretariat to submit an analytical report based on the responses to the questionnaire to the Conference of the Parties at its second session.

Decision 1/3

Notifications, declarations and reservations concerning the United Nations Convention against Transnational Organized Crime

The Conference of the Parties to the United Nations Convention against Transnational Organized Crime requests the Secretariat to prepare a report containing the full text of notifications submitted by States parties under articles 5, 6, 13, 16, 18 and 31 of the United Nations Convention against Transnational Organized Crime,³ as well as declarations and reservations received by the Secretary-General in connection with the Convention and the Protocols thereto, for submission to the Conference of the Parties at its second session and to update that information regularly.

Decision 1/4

Technical assistance activities

The Conference of the Parties to the United Nations Convention against Transnational Organized Crime requests the Secretariat to prepare a working paper for submission to the Conference of the Parties at its second session and to provide informal briefings to States parties and signatories with a view to obtaining further input to that working paper. The working paper would contain:

(a) Information on technical assistance provided by the Secretariat, including assistance funded through the special account established pursuant to article 30 of the United Nations Convention against Transnational Organized Crime⁴ and General Assembly resolution 55/25 of 15 November 2000;

(b) A description of the methodology applied by the Secretariat in providing such assistance;

(c) Readily available information on technical assistance provided by other relevant international and regional organizations;

(d) Information on action taken by bodies similar to the Conference of the Parties in dealing with matters related to technical cooperation;

(e) Information on the methods used and experience gained by bodies similar to the Conference of the Parties in the financing of their technical cooperation activities.

³ General Assembly resolution 55/25, annex I.

⁴ General Assembly resolution 55/25, annex I.

Decision 1/5**Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime**

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

(a) Decides to carry out the functions assigned to it in article 32 of the United Nations Convention against Transnational Organized Crime⁵ with respect to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention,⁶ by, inter alia, establishing a programme of work that it will review at regular intervals;

(b) Decides also that, for its second session, the programme of work with respect to the Trafficking in Persons Protocol will be as follows:

(i) Consideration of the basic adaptation of national legislation in accordance with the Protocol;

(ii) Commencement of the examination of criminalization legislation and difficulties encountered in the implementation of article 5 of the Protocol;

(iii) Enhancing international cooperation and developing technical assistance to overcome difficulties identified in the implementation of the Protocol;

(iv) Exchange of views and experience regarding the protection of victims and preventive measures, gained primarily in the implementation of articles 6 and 9 of the Protocol, including awareness-raising;

(c) Requests the Secretariat to collect information from States parties and signatories to the Trafficking in Persons Protocol, in the context of the above programme of work, using for that purpose a questionnaire to be developed in accordance with guidance provided by the Conference of the Parties at its first session;⁷

(d) Requests States parties to respond promptly to the questionnaire circulated by the Secretariat;

(e) Invites signatories to provide the information requested by the Secretariat;

(f) Requests the Secretariat to submit to the Conference of the Parties at its second session an analytical report based on the responses to the questionnaire.

⁵ General Assembly resolution 55/25, annex I.

⁶ General Assembly resolution 55/25, annex II.

⁷ It was the understanding of the Conference that the questionnaire referred to in this paragraph would not include questions on the implementation of articles 6 and 9 of the Protocol.

Decision 1/6**Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime**

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

(a) Decides to carry out the functions assigned to it in article 32 of the United Nations Convention against Transnational Organized Crime⁸ with respect to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention,⁹ by, inter alia, establishing a programme of work that it will review at regular intervals;

(b) Decides also that, for its second session, the programme of work with respect to the Migrants Protocol will be as follows:

(i) Consideration of the basic adaptation of national legislation in accordance with the Protocol;

(ii) Commencement of the examination of criminalization legislation and difficulties encountered in the implementation of article 6 of the Protocol;

(iii) Enhancing international cooperation and developing technical assistance to overcome difficulties identified in the implementation of the Protocol;

(iv) Exchange of views and experience gained in the implementation of articles 15 and 16 of the Protocol;

(c) Requests the Secretariat to collect information from States parties and signatories to the Migrants Protocol, in the context of the above programme of work, using for that purpose a questionnaire to be developed in accordance with guidance provided by the Conference of the Parties at its first session;¹⁰

(d) Requests States parties to respond promptly to the questionnaire circulated by the Secretariat;

(e) Invites signatories to provide the information requested by the Secretariat;

(f) Requests the Secretariat to submit to the Conference of the Parties at its second session an analytical report based on the responses to the questionnaire.

II. Introduction

2. In its resolution 55/25 of 15 November 2000, the General Assembly adopted the United Nations Convention against Transnational Organized Crime and two supplementary protocols thereto, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air. In its resolution 55/255 of 31 May 2001, the Assembly adopted a third protocol to the Convention, the Protocol against

⁸ General Assembly resolution 55/25, annex I.

⁹ General Assembly resolution 55/25, annex III.

¹⁰ It was the understanding of the Conference that the questionnaire referred to in this paragraph would not include questions on the implementation of articles 15 and 16 of the Protocol.

the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition. The Convention entered into force on 29 September 2003, the Trafficking in Persons Protocol on 25 December 2003 and the Migrants Protocol on 28 January 2004. The Firearms Protocol has not yet entered into force.

3. Pursuant to article 32 of the Convention, a Conference of the Parties to the Convention was established to improve the capacity of States parties to combat transnational organized crime and to promote and review the implementation of the Convention and the Secretary-General was to convene the Conference of the Parties not later than one year following the entry into force of the Convention.

III. Organization of the session

A. Opening of the session

4. The Conference of the Parties to the United Nations Convention against Transnational Organized Crime held its first session in Vienna from 28 June to 8 July 2004, during which it held 18 meetings.

5. The Conference of the Parties to the United Nations Convention against Transnational Organized Crime was opened on 28 June 2004 by the Director of the Division for Treaty Affairs of the United Nations Office on Drugs and Crime, who delivered a message on behalf of the Secretary-General.

6. In that message, the Secretary-General noted that organized crime was prominent among the new threats to peace and security and that it undermined efforts towards sustainable development and respect for rule of law. He expressed his hope that the "Spirit of Vienna" that had led to the successful conclusion of the negotiations of the Convention and the Protocols thereto would ensure the full implementation of the instruments. He underscored that that would have a positive effect on the lives of millions of people and would be an important contribution to saving future generations not only from organized crime itself, but also from the scourge of war and the misery of poverty.

7. The newly elected President of the Conference encouraged the Conference at its first session to begin to examine and to focus on the best ways to translate its mandate into action. He stated that, while implementation of the instruments was the responsibility of Governments, the international community would have to assist Governments, in particular in developing countries, in fulfilling that responsibility. The President urged the participants to be creative and innovative, as well as to keep an open mind.

8. The Director-General of the United Nations Office at Vienna and Executive Director of the United Nations Office on Drugs and Crime described the Conference as a milestone and called for a reconfirmation of the collective commitment of all participants. He encouraged the Conference to give serious thought to what would be needed to ensure the effective implementation of the instruments and how it could accomplish that goal, including how to finance its activities. Attention should also be given to the importance of providing technical cooperation to assist those States parties which were willing to comply with the instruments but did not have the necessary means to do so. He emphasized that the Office would remain fully

committed to assisting such States and called for the approval of a strategic framework for action, which would bring all relevant entities of the United Nations together to work against transnational organized crime, pursuant to a recent recommendation of the United Nations System Chief Executives Board for Coordination. Finally, he reiterated his appeal to those States which had not yet done so to become parties to the Convention and its Protocols, and in particular the Firearms Protocol, which had not yet entered into force.

9. The representative of Algeria (speaking on behalf of the States Members of the United Nations that are members of the Group of 77 and China) reiterated the importance of the entry into force of the Convention and two of its Protocols, highlighting the fact that the first session of the Conference of the Parties was being held less than four years after the High-Level Political Signing Conference and that the Convention had gathered the largest number of signatories of any similar United Nations instrument. After calling for technical assistance to be provided to developing countries for the implementation of the instruments, she stated that the mechanisms for periodic review of implementation should be linked to technical assistance projects so that the follow-up evaluation of those projects would in effect be a review of the implementation of the Convention. Regarding the mechanisms to facilitate activities by States parties under articles 29-31 of the Convention, including the mobilization of voluntary contributions, she stressed the need for cautious management of financial resources and proposed the establishment of an open-ended working group to examine the financing of the Conference's activities. With regard to the exchange of information on successful practices and on patterns and trends in transnational organized crime, the Secretariat was the most appropriate focal point and the work of the Conference should be coordinated with that of the Commission on Crime Prevention and Criminal Justice in order to avoid duplication of work.

10. The representative of Angola (speaking on behalf of the States Members of the United Nations that are members of the Group of African States) underlined that Africa was the region with the largest number of signatories of and parties to the Convention. He reiterated the importance of the entry into force of the Convention and two of its Protocols as effective tools for international cooperation in combating transnational organized crime, which undermined the political, social and economic development of countries, as well as their stability and security. He hoped that the Conference would create a basis for work that would lead to the improvement of the capacity of States parties to combat transnational organized crime effectively and that it would promote and review implementation of the Convention. He called upon the international community to fulfil its commitment and to provide African States with the necessary technical assistance and expertise for the ratification and implementation of the Convention and its Protocols. The need for close cooperation and the adoption of measures related to mutual legal assistance, extradition, law enforcement, technical assistance and training was also stressed, as was the need for cautious management of financial resources, so as not to create a burden for African countries but without compromising the implementation of the Convention. The Group of African States would support the proposal by the representative of Algeria to establish an open-ended working group. Recalling the negotiation of the Convention and its Protocols, the representative of Angola underlined that providing technical assistance was central to implementing the instruments and that consideration of their effectiveness should constitute a major part of any review

mechanism. It was also important to define the relations between the Conference and the Commission on Crime Prevention and Criminal Justice in order to avoid duplication of work.

11. The representative of Jordan (speaking on behalf of the States Members of the United Nations that are members of the Group of Asian States) described the Conference as a milestone, marking the positive achievements of the Convention. The Convention enjoyed broad support, having received 79 ratifications or accessions, while more countries were close to completing the ratification process. At its first session, the Conference should focus its attention on laying down the groundwork—work programmes, programme strategies and frameworks—that would allow it to function effectively in accordance with the relevant provisions of the Convention. Activities by States parties under articles 29-31 of the Convention should be encouraged by the mobilization of voluntary contributions for the implementation of the Convention. In order to achieve successful cooperation, exchange of information among States parties would be essential and any mechanisms for facilitating such information exchange should be centred on the Secretariat. As regards the groundwork for the successful functioning of the Conference, it was necessary in accordance with article 32 to focus efforts on developing programme frameworks and strategies to meet the demands and needs of the Conference, considering appropriate review mechanisms at a later stage.

12. The representative of Brazil (speaking on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States) underscored the importance of the seminars held in Guatemala in 2001 and in Ecuador in 2002 to promote the ratification of the Convention and their impact on the rate of ratifications in the region. The capacity of States parties to fully implement the Convention should be strengthened, based on the principle of shared responsibility. Legislative technical assistance and exchange of information among States parties would, in that respect, have a crucial role to play and technical cooperation projects should be linked to mechanisms established under articles 30, paragraph 2 (c), and 32 of the Convention.

13. The representative of Ireland spoke on behalf of the States Members of the United Nations that are members of the European Union. The candidate countries, Bulgaria, Croatia, Romania and Turkey and the countries of the stabilization and association process and potential candidates, Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia, also associated themselves with his statement. The representative introduced the European Union Strategy for the Beginning of the New Millennium¹¹ on the prevention and control of organized crime of May 2000 as the present framework for cooperation at the European Union level in the fight against organized crime. He emphasized the importance of the Conference with a view to devising the most efficient and cost-effective mechanisms to allow for full implementation of the Convention and its Protocols and stressed the commitment of the European Union to an expeditious completion of the ratification process by its members. Expressing the support of the Union for the idea of developing a multi-year programme of work to cover the different subject areas of the Convention and the Protocols, he noted that it was important to establish a clear picture of trends and developments in

¹¹ European Union, *Official Journal* C 124.

transnational organized crime as well as the steps being taken to combat it by Member States. In order to avoid, where possible, any duplication of work, it was important to cooperate closely with existing regional organizations. Carefully prepared and designed reporting mechanisms would be crucial and the question of review should be one of the issues to be addressed during the first session of the Conference, as mechanisms would be needed to identify and discuss problems and to share solutions. It was also important to maintain a global perspective and to take fully into account participation of States in regional organizations and instruments. Preventive measures as well as properly designed training and technical assistance activities played a significant role. The European Union had been providing voluntary financial assistance to third countries in that connection at both the national and the Union level for many years.

14. The Minister of Justice of Croatia stated that her Government aligned itself with the statement made by the representative of Ireland on behalf of the European Union and stressed again the negative impact of organized crime on the rule of law and democratic development and on global society as a whole. Croatia had been among the first States to sign and ratify the Convention and its first two Protocols and the Croatian parliament would soon ratify the Firearms Protocol. The Minister reported on recent legislative, programmatic and institutional initiatives taken at the national level to carry out and facilitate the effective implementation of the Convention and its Protocols and reported on joint projects with the United Nations Office on Drugs and Crime, such as a seminar on the ratification and implementation of the Convention, as well as a workshop on international cooperation in combating terrorism and transnational organized crime and a joint campaign with the South-East European Cooperation Process to fight organized crime and corruption. Those activities showed Croatia's determination and willingness to improve its capacity to combat organized crime and to strengthen efforts to maximize operational activities at the international and regional levels.

15. The Minister of Justice of Lebanon underlined the great importance attached by Lebanon to the Convention. Until a few years ago, drug trafficking had been considered a principal serious crime. The Convention was a response to the realization that that situation had drastically changed, with the emergence of other forms of organized crime, corruption and terrorism. The Minister stressed the threat posed by terrorism to civilians and the importance of the international community joining forces to combat terrorism in all its forms and manifestations. Recalling that Lebanon had hosted the Western Asian Regional Preparatory Meeting for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice in Beirut from 28 to 30 April 2004, he stressed the need for strengthening international cooperation and sufficient training, one of the key recommendations of that Meeting. Meetings of the Arab Ministers of Justice and the Interior, held in Siracusa, Italy, and Algiers in 2003, had urged the Arab States to accelerate the process of ratification of the Convention and to adopt adequate national legislation to implement the Convention.

16. The Special Envoy on Transnational Crime of the Philippines welcomed the growing number of ratifications of the Convention and its Protocols and underlined the importance of the Conference of the Parties in setting the basis for intensified international cooperation against transnational organized crime in the coming years. With regard to review mechanisms and the exchange of information, he supported

the view expressed by the representatives of Algeria and Jordan. He stated that the Philippines accorded particular importance to mechanisms dealing with voluntary contributions in facilitating training, technical assistance and prevention activities. He reported on recent initiatives taken at the national level to strengthen the capacity of the criminal justice system of the Philippines to deal effectively with transnational organized crime and its manifestations. The development of mechanisms for the implementation of the Convention and its Protocols should take fully into account the concerns and needs of States parties, as well as, in conformity with article 4 of the Convention, of the principles of sovereign equality, territorial integrity and non-intervention in the domestic affairs of other States.

17. The observer for the GUUAM (speaking on behalf of all its members except for Uzbekistan) underscored the importance of improving the capacity of each State party to achieve tangible results in combating organized crime, while every Government had responsibility for reviewing its ability to fight organized crime and for identifying areas for improvement. He emphasized the significant role that regional organizations and groups could play in that endeavour and informed the Conference of efforts by GUUAM against organized crime and terrorism. Highlighting the cooperation of GUUAM with the United Nations Office on Drugs and Crime, he hoped that the Group would become not only a recipient of assistance, but also a contributor to United Nations efforts to combat organized crime.

18. The Attorney-General of Mexico addressed the Conference. He welcomed the entry into force of the Convention and its two Protocols, which showed the commitment of the international community to security and justice and represented the beginning of a new era of international cooperation marked by the implementation of a global mechanism against transnational organized crime. He encouraged all States that had not yet done so to ratify and implement the Convention and the Protocols thereto in an expeditious manner. The Attorney-General noted with concern the growth of transnational organized crime, the new and destructive manifestations of which included terrorism, corruption, trafficking in persons, especially children, for the purpose of sexual exploitation, smuggling of migrants and trafficking in arms. He emphasized the need for adequate legislation and institutional development in order to combat transnational organized crime, as well as the need for international cooperation, in order to facilitate harmonization of legislation, thus enabling States to provide a coordinated and firm response to transnational organized crime and to achieve homogeneous development in that area. He also indicated that efficient and reliable instruments, as well as multilateral and bilateral mechanisms, were needed in order to facilitate exchange of information, cooperation and coordination between States. He referred to the proposal his country had made for a mechanism for mutual review aimed at ensuring implementation of the Convention and its Protocols in the most effective manner (CTOC/COP/2004/L.4). Finally, he indicated that transnational organized crime was a threat to all States and all peoples and he called on States to stand united against the menace of transnational organized crime in order to create a safer and more just world.

B. Election of officers

19. At its 1st meeting, on 28 June, the Conference of the Parties elected the following officers by acclamation:

- President:* Victor G. Garcia III (Philippines)
- Vice-Presidents:* Taous Feroukhi (Algeria)
Peter Poptchev (Bulgaria)
Yin Yubiao (China)
Stavros A. Epaminondas (Cyprus)
Byron Morejón-Almeida (Ecuador)
Sandra América Noriega Urizar (Guatemala)
Biodun Owoseni (Nigeria)
Jan Bugge-Mahrt (Norway)
Alojz Némethy (Slovakia)

20. Consultations in the regional groups on the nomination of candidates to fill the elective offices had taken place prior to the first session, at which the rules of procedure of the Conference had been adopted, so no regional group had made a nomination for the position of Rapporteur. At the first session, the bureau recommended that one of the officers listed above be nominated to act as Rapporteur of the Conference at that session, while retaining the position of Vice-President, for which the respective regional group had nominated him or her. It was understood that that arrangement would not constitute a precedent for future sessions of the Conference, at which the election of officers would proceed in accordance with rule 22 of the rules of procedure. Alojz Nemethy (Slovakia) was proposed by the bureau to act as Rapporteur of the Conference at its first session. The Conference approved the recommendation of its bureau.

21. On the recommendation of its bureau, the Conference decided that the offices of President and Rapporteur should rotate among the regional groups and that such rotation should take place in alphabetical order. Thus, at the second session, the President of the Conference would be nominated by the Group of Eastern European States and the Group of Asian States would be asked to nominate one Vice-President and the Rapporteur.

C. Adoption of the agenda and organization of work

22. At its 1st meeting, on 28 June 2004, the Conference of the Parties adopted the following agenda for its first session:

1. Organizational matters:
 - (a) Opening of the first session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;
 - (b) Election of officers;
 - (c) Adoption of the agenda and organization of work;
 - (d) Consideration and adoption of the rules of procedure for the Conference of the Parties;

- (e) Participation of observers;
 - (f) Adoption of the report of the bureau on credentials.
2. Consideration of mechanisms for achieving the objectives of the Conference of the Parties in accordance with article 32, paragraphs 3-5, of the Convention.
 3. Consideration of notification requirements in accordance with the relevant articles of the Convention (art. 5, para. 3; art. 6, para. 2 (d); art. 13, para. 5; art. 16, para. 5 (a); art. 18, paras. 13 and 14; and art. 31, para. 6).
 4. Consideration of matters pertaining to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
 5. Consideration of matters pertaining to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime.
 6. Other matters.
 7. Provisional agenda for the second session of the Conference of the Parties.
 8. Adoption of the report of the Conference of the Parties on its first session.

D. Consideration and adoption of the rules of procedure for the Conference of the Parties

23. At its 1st meeting, on 28 June, the Conference of the Parties considered the draft rules of procedure for the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, which had been recommended for consideration and action by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime at its thirteenth session (CTOC/COP/2004/3).

Action taken by the Conference

24. At its 1st meeting, on 28 June, the Conference of the Parties adopted the draft rules of procedure, as submitted to it for its consideration. (For the text of the decision, see chapter I, decision 1/1.)

E. Participation

25. The first session of the Conference was attended by representatives of 57 States parties. Also attending the first session were signatory/observer States, other observer States and observers for organizations of the United Nations system, institutes of the United Nations Crime Prevention and Criminal Justice Programme

network, intergovernmental organizations and non-governmental organizations. The list of participants is contained in annex II to the present report.

F. Adoption of the report of the bureau on credentials

26. In accordance with rule 18 of the rules of procedure:

“1. The credentials of representatives of each State Party and the names of the persons constituting the State Party’s delegation shall be submitted to the secretariat if possible not later than twenty-four hours in advance of the opening of the session.

“2. Any later change in the composition of the delegation shall also be submitted to the secretariat.

“3. The credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs or, in exceptional cases, by a person authorized by either of them, or, in the case of a regional economic integration organization, by the competent authority of that organization.”

27. Rule 19 of the rules of procedure provides that the bureau of any session shall examine the credentials and submit its report to the Conference of the Parties.

28. The Secretariat informed the bureau that for the first session it was difficult to insist on the submission of credentials in accordance with rule 18 of the rules of procedure since, at the time of preparation of the first session of the Conference, the rules of procedure had not yet been adopted. The bureau decided to advise the Conference to that effect and to accept written communications submitted to the Secretariat by States parties and observers containing the names of the persons constituting the State’s delegation as sufficient for the first session of the Conference. It was understood that that arrangement would not constitute a precedent for future sessions of the Conference, at which the submission of credentials of representatives of each State party would be done in accordance with rule 18 of the rules of procedure. The bureau also reported to the Conference that it had examined the above-mentioned written communications and found them to be in order.

29. The Conference of the Parties adopted the report of the bureau on credentials at its 18th meeting, on 8 July.

G. Documentation

30. At its first session, the Conference of the Parties had before it, in addition to the documents prepared by the Secretariat, documents containing proposals and contributions submitted by the Governments of Australia, Mexico and New Zealand (CTOC/COP/2004/L.3 and CTOC/COP/2004/L.4). A list of documents is contained in annex III to the present report.

31. The Secretariat submitted to the bureau a sample of a masthead for the documentation of the Conference, which included the logo of the United Nations and a logo specially designed for the Conference. Following consultations, the bureau expressed its preference for a masthead containing only the United Nations

logo, requested the Secretariat to proceed along those lines and advised the Conference accordingly.

IV. Consideration of mechanisms for achieving the objectives of the Conference of the Parties in accordance with article 32, paragraphs 3-5, of the Convention

32. At its 3rd-10th meetings, on 29 June to 2 July, the Conference of the Parties considered mechanisms for achieving its objectives in accordance with article 32, paragraphs 3-5, of the Convention.

33. As proposed in the annotated agenda, the Conference discussed the desirability and feasibility of establishing a multi-year programme of work. After a preliminary exchange of views, the Conference decided to request the Secretariat to prepare a discussion paper to assist in further consideration of agenda item 2. The Conference would consider the paper together with the proposal contained in the note verbale dated 28 June 2004 from the Permanent Mission of Mexico to the United Nations (Vienna) addressed to the Conference (CTOC/COP/2004/L.4).

34. The Conference, having before it the discussion paper (CTOC/COP/2004/L.5) and the proposal by Mexico, resumed consideration of agenda item 2. A further proposal was subsequently submitted by Australia and New Zealand (CTOC/COP/2004/L.3).

35. The proposal by Mexico concerning the establishment of a multilateral review mechanism along the lines of the peer review process under the Convention on Nuclear Safety¹² and the Multilateral Evaluation Mechanism of the Organization of American States was noted with appreciation. However, concerns were expressed regarding such a review mechanism. It was pointed out that more time and clarification were required for a better understanding of the objective and nature of the proposal. It was also pointed out that the Organized Crime Convention did not warrant the same type of review as a convention such as the Convention on Nuclear Safety, which had informed the proposal of Mexico and required a much stricter monitoring and mutual oversight system.

36. In view of the comments made by various delegations on its proposal, the representative of Mexico offered further clarification and explanation. He indicated that the objectives of the proposed mechanism were to strengthen mutual confidence, dialogue and cooperation, as well as national, regional and international capacity, with a view to improving efficiency in the fight against transnational organized crime. The proposed mechanism was also intended to identify trends and best practices that could be useful for States parties, as well as to determine specific areas in which States parties would require technical assistance. It was further intended to develop cooperation programmes in identified areas and to mobilize resources for those programmes. The representative of Mexico noted that the principle characteristics of the proposed mechanism included the equal participation of all States parties. Thus, the proposed mechanism would be democratic, transparent, non-selective and respectful of the sovereignty of each State party and

¹² United Nations, *Treaty Series*, vol. 1963, No. 33545.

it would also be adaptable to the multi-year programme drawn up by the Conference and to the format of the questionnaire endorsed by it. Finally, the representative of Mexico indicated that the proposed mechanism was not intended to be costly, as the work would take place in Vienna during the sessions of the Conference of the Parties and would therefore rely on the Secretariat of the Conference and not create a new bureaucracy.

37. Most speakers expressed their appreciation for the work carried out by the United Nations Office on Drugs and Crime in connection with the Convention and its Protocols. Many speakers also expressed their gratitude for the assistance provided to States by the Office with a view to facilitating ratification and implementation of those instruments. In that context, most speakers expressed their appreciation for the preparation by the Office of four legislative guides, on the implementation of the Convention and each of its three Protocols, which had been disseminated to delegations during the session. They also underlined that the guides would provide substantial assistance to States seeking to ratify or implement the Convention and its Protocols. As such, they could be used as a helpful basis for technical assistance and for other initiatives that could be taken with a view to promoting the broad ratification and implementation of the instruments.

38. The various proposals contained in the note by the Secretariat (CTOC/COP/2004/L.5) were also discussed. Concerning the multi-year programme of work outlined in the note, many speakers indicated that the Conference should remain flexible and that, while setting a detailed work plan for its second session, in 2005, was necessary, any programme of work for subsequent sessions, in 2006 and 2008, should remain open for later changes. Several speakers recognized that implementation of the articles on criminalization was the foundation on which the fulfilment of international cooperation obligations and other obligations under the Convention would be based and that there was therefore merit in focusing the first session on review of the implementation of the criminalization requirements of the Convention. Many speakers stressed, however, that, international cooperation being the main objective of the Convention, review of its effectiveness should not be postponed and should appear on the work programme of every session of the Conference. Many speakers also underlined the crucial importance for many countries of technical assistance in enabling domestic authorities to tackle implementation of the Convention. They deemed it essential for technical assistance to be placed on the agenda of the Conference as a priority and favoured the establishment of an open-ended working group to consider in detail the issue of provision and financing of technical assistance.

39. In order to pursue the exchange of views on agenda item 2 in a more informal context and to facilitate consensus on the question of the work plan, the Conference decided at its sixth meeting to consider the plenary an informal open-ended working group. The working group would consider the issue of a multi-year programme of work on the basis of the note by the secretariat and the proposal submitted by Australia and New Zealand. Non-signatory States and other observers were invited to participate in the working group, which would be chaired by one of the Vice-Presidents. The working group endorsed a draft work plan developed in informal consultations led by Australia and New Zealand.

40. The outcome of the work of the working group was brought to the attention of the Conference in the form of draft decisions submitted by its Chairman (CTOC/COP/2004/L.6 and CTOC/COP/2004/L.8).

41. With a view to collecting information from States parties and signatories to the Convention, the Secretariat drew up a draft questionnaire on the implementation of the Convention (CTOC/COP/2004/L.1/Add.2), which was brought to the attention of the Conference for review and comments. The Conference endorsed the questionnaire as amended. All comments made would be taken into consideration by the Secretariat in preparing the final version of the questionnaire, which would be sent to States parties and signatories with a view to obtaining the required information in the following areas, as determined by the Conference, for consideration at its second session:

(a) Basic adaptation of national legislation in accordance with the Convention;

(b) Examination of criminalization legislation and difficulties encountered in implementation in accordance with article 34, paragraph 2, of the Convention;

(c) Enhancing international cooperation and developing technical assistance to overcome difficulties identified in implementing the Convention.

An analytical report based on the responses to the questionnaire would be prepared by the Secretariat and submitted to the Conference of the Parties at its second session.

42. The Conference of the Parties took note of the paper entitled “Organized crime and corruption are threats to security and development: the role of the United Nations system”, which had been presented to the United Nations System Chief Executives Board for Coordination and at its first regular session of 2004, which laid out possible strategic responses within the United Nations system to the phenomenon of organized crime. The Conference invited the Secretariat to continue to present to it for its consideration information on ways of working in the area with other relevant United Nations entities.

Action taken by the Conference

43. At its 15th meeting, on 7 July, the Conference of the Parties decided to establish a programme of work that would be reviewed at regular intervals and would cover for its second session the areas of consideration referred to in paragraph 41 above. (For the text of the decision, see chapter I, decision 1/2.)

44. Regarding technical assistance activities for the implementation of the Convention that could be envisaged in accordance with article 32, paragraph 3 (a), the Conference decided to request the Secretariat to prepare a working paper for submission to it at its second session that would provide information on technical assistance provided by the Secretariat, as well as readily available information on technical assistance provided by other relevant international and regional organizations. The paper would also contain a description of the methodology applied by the Secretariat in providing technical assistance and would include information on relevant action taken by bodies similar to the Conference of the Parties, as well as on methods used and experience gained by such bodies in the

financing of their technical cooperation activities. (For the text of the decision, see chapter I, decision 1/4.)

V. Consideration of notification requirements in accordance with the relevant articles of the Convention (art. 5, para. 3; art. 6, para. 2 (d); art. 13, para. 5; art. 16, para. 5 (a); art. 18, paras. 13 and 14; and art. 31, para. 6)

45. The Conference of the Parties had before it the note by the Secretariat on notifications, declarations and reservations received by the Secretary-General (CTOC/COP/2004/4). The note provided information on the notifications submitted to the Secretary-General in accordance with the relevant provisions of the Convention and the Migrants Protocol. Declarations and reservations made by States parties at the time of signature or ratification, acceptance, approval or accession in relation to the Convention and its two Protocols that had entered into force (the Trafficking in Persons Protocol and the Migrants Protocol) were also included.

46. With regard to notifications, specific provisions of the Convention and the Migrants Protocol required States parties to provide the Secretary-General with information concerning the status of legislation on specified matters as well as the name and coordinates of designated competent authorities for mutual legal assistance and prevention.

47. With a view to collecting information from States parties to the Convention and the Migrants Protocol, the Secretariat drew up a brief draft questionnaire on basic reporting obligations (CTOC/COP/2004/L.1/Add.3), which was brought to the attention of the Conference for review and comment. The Conference endorsed the questionnaire as amended. All comments made would be taken into consideration by the Secretariat in preparing the final version of the questionnaire, which would be sent to States parties with a view to obtaining the required information.

48. Some speakers noted that article 16, paragraph 5 (a), of the Convention required States parties that made extradition conditional on the existence of a treaty at the time of deposit of their instrument of ratification, acceptance, approval or accession to the Convention to inform the Secretary-General whether they would take the Convention as the legal basis for cooperation on extradition with other States parties. In that context, several speakers emphasized that such information was crucial to the implementation of the provisions on extradition.

49. Noting that only a small proportion of the 79 States parties had provided the Secretary-General with information that the Convention required, the Conference of the Parties underscored that it was important for the information to be provided by all States parties in order for the Convention to be fully implemented, in particular in relation to international cooperation requirements. Accordingly, the Conference urged all States parties to fulfil their reporting obligations thoroughly. The Conference decided to request the Secretariat to maintain and update the information provided by States parties and to find appropriate means to make it available to all States parties. In that respect, the attention of the Conference was drawn to tools devised by the United Nations Office on Drugs and Crime in the

context of the international drug control conventions, such as the directory of competent authorities designated under the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.¹³ The Conference also requested the Secretariat to report to it at its second session on compliance by States parties with the notification requirements.

50. Concerning reservations, some attention was devoted to the reservation formulated by Myanmar to the effect that Myanmar did not consider itself bound by article 16 (Extradition). It was remarked that such a reservation was not allowed by the Convention. The representative of Myanmar explained that his country considered extradition on a case-by-case basis and that the reservation was intended to mean that Myanmar did not take the Convention as the legal basis for extradition.

51. The outcome of the discussions on matters related to notifications, declarations and reservations was brought to the attention of the Conference in the form of a draft decision submitted by the Chairman of the informal consultations (CTOC/COP/2004/L.7).

Action taken by the Conference

52. At its 16th meeting, on 7 July, the Conference of the Parties decided that a report containing the full text of notifications, declarations and reservations submitted by the States parties to the Convention should be prepared by the Secretariat and submitted to it at its second session. The report would be updated regularly by the Secretariat. (For the text of the decision, see chapter I, decision 1/3.)

VI. Consideration of matters pertaining to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

53. At its 11th to 13th meetings, on 5 and 6 July, the Conference of the Parties considered agenda item 4, on matters pertaining to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

54. All speakers welcomed the entry into force of the Trafficking in Persons Protocol. Underscoring that trafficking in persons constituted a grave violation of human rights, they called for all States that had not yet done so to ratify and implement the Protocol as a matter of priority.

55. Several speakers commented on the increase in trafficking in persons and how it had affected their countries as countries of origin, transit or destination. They also pointed out the effect that globalization had on trafficking in persons by opening up borders. Factors such as poverty, unemployment, lack of development and gender inequality were highlighted by several speakers as root causes that needed to be addressed in order to combat trafficking in persons more effectively.

¹³ United Nations, *Treaty Series*, vol. 1582, No. 27627.

56. Some speakers also pointed to the need to curtail the demand side of trafficking in the countries of destination.

57. Many speakers described legislative measures that had been taken in order to criminalize trafficking in persons. The representative of Italy presented to the Conference of the Parties a study on the subject of trafficking in persons and migrant smuggling based on detailed monitoring of national judicial activity.

58. The need for awareness-raising as a preventive measure was raised and several speakers outlined campaigns that had been undertaken to that effect.

59. Many speakers emphasized victim support and reported on measures and national initiatives that had been taken in order to provide such support. Witness protection was also mentioned as an important issue for maximizing the effectiveness of law enforcement measures against traffickers.

60. Several speakers made reference to specific examples of bilateral, multilateral, regional and subregional agreements, arrangements and projects that were being put in place with a view to galvanizing effective anti-human trafficking policies and strategies. In the same context, activities carried out in cooperation with the United Nations Office on Drugs and Crime, the International Organization for Migration (IOM), the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees (UNHCR) and other bodies involved in the fight against trafficking in persons were also mentioned. The observer for IOM reported on its activities and development of tools in combating trafficking in persons and reiterated its readiness to cooperate with partners in implementing the Protocol.

61. Many speakers expressed their gratitude to the United Nations Office on Drugs and Crime for the work carried out in conjunction with the Protocol and for the assistance provided to States in order to facilitate ratification and implementation.

62. Further needs were outlined by speakers and calls were made for technical assistance to be provided in order to implement the Protocol. In that regard it was emphasized that the coordination of relevant activities was a crucial factor to avoid duplication of work and to ensure concerted action and enhanced cooperation in dealing effectively with measures against trafficking.

63. Following the discussion, the Conference considered the development of a programme of work along the lines of the action taken for the review of the implementation of the Convention at future sessions. The Conference based its discussion on the matter on a proposal made by Norway, which was subsequently amended in informal consultations and further debate in plenary.

64. With a view to collecting information from States parties and signatories to the Protocol, the Secretariat drew up a draft questionnaire on its implementation (CTOC/COP/2004/L.1/Add.1), which was brought to the attention of the Conference for review and comment. The Conference endorsed the questionnaire as amended. All comments made would be taken into consideration by the Secretariat in preparing the final version of the questionnaire, which would be sent to States parties and signatories with a view to obtaining the required information in the following areas, as determined by the Conference, for consideration at its second session:

(a) Basic adaptation of national legislation in accordance with the Trafficking in Persons Protocol;

(b) Examination of criminalization legislation and difficulties encountered in implementation of article 5 of the Protocol;

(c) Enhancing international cooperation and developing technical assistance to overcome difficulties identified in implementing the Protocol;

(d) Views and experience regarding the protection of victims and preventive measures, gained primarily in the implementation of articles 6 and 9 of the Protocol, including awareness-raising.

An analytical report based on the responses to the questionnaire will be prepared by the Secretariat and submitted to the Conference of the Parties at its second session.

65. The outcome of the relevant discussions was brought to the attention of the Conference in the form of a draft decision submitted by the President (CTOC/COP/2004/L.10).

Action taken by the Conference

66. At its 16th meeting, on 7 July, the Conference of the Parties decided to establish a programme of work that would be reviewed at regular intervals and would cover for its second session the areas of consideration referred to in paragraph 64 above. (For the text of the decision, see chapter I, decision 1/5.) The Conference adopted the decision on the understanding that the exchange of views on and experience in the implementation of measures on protection and prevention would not imply collection of information by the Secretariat, but would serve as a guide for preparations by States parties and observers for the second session of the Conference.

VII. Consideration of matters pertaining to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime

67. At its 14th meeting, on 6 July, the Conference of the Parties considered agenda item 5, on matters pertaining to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention on Transnational Organized Crime.

68. All speakers welcomed the entry into force of the Migrants Protocol, underscoring the danger and exploitation that migrants were subjected to by smugglers, and encouraged all States that had not yet done so to ratify and implement the Protocol.

69. Several speakers emphasized that implementation of the Protocol should not impinge on the freedom of movement of migrants, but rather focus on measures directed against those smuggling migrants. Migration as an aspect of globalization, where migrants sought better chances and opportunities for a better life, had also brought development, prosperity and cultural enrichment.

70. In addition to legislative measures, many speakers mentioned preventive measures, including enhanced border control, surveillance of points of entry and exit and computerized information systems on travel documents and control of movement across international borders.

71. Many speakers also referred to specific bilateral, multilateral, regional and international efforts undertaken in order to prevent the smuggling of migrants as well as to facilitate international cooperation in implementing the Protocol. Accordingly, several speakers called for more extensive international cooperation in preventing the smuggling of migrants. The issue of technical assistance was also raised as an important factor facilitating the implementation of the Protocol.

72. UNHCR reported on a United Nations initiative involving an inter-agency cooperation mechanism, the Geneva Migration Group, which consists of representatives of the International Labour Organization, IOM, UNHCR, the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the United Nations Conference on Trade and Development, set up to facilitate a coordinated response to issues related to migration and the smuggling of migrants. Furthermore, the observer for UNHCR emphasized the importance of article 5 of the Protocol in protecting migrants from criminal liability and reiterated the commitment and readiness of the Office to cooperate in implementing the Protocol.

73. Following the discussion, the Conference considered the development of a programme of work along the lines of the action taken for the review of the implementation of the Convention and the Trafficking in Persons Protocol at future sessions. The Conference based its discussion on a proposal made by Nigeria.

74. With a view to collecting information from States parties and signatories to the Migrants Protocol, the Secretariat drew up a draft questionnaire on its implementation (CTOC/COP/2004/L.1/Add.4), which was brought to the attention of the Conference for review and comment. The Conference endorsed the questionnaire as amended. All comments made would be taken into consideration by the Secretariat in preparing the final version of the questionnaire, which would be sent to States parties and signatories with a view to receiving the required information in the following areas, as determined by the Conference, for consideration at its second session:

(a) Basic adaptation of national legislation in accordance with the Migrants Protocol;

(b) Examination of criminalization legislation and difficulties encountered in implementation of article 6 of the Protocol;

(c) Enhancing international cooperation and developing technical assistance to overcome difficulties identified in the implementation of the Protocol;

(d) Views and experience gained in the implementation of articles 15 and 16 of the Protocol.

An analytical report based on the responses to the questionnaire will be prepared by the Secretariat and submitted to the Conference of the Parties at its second session.

75. The outcome of the relevant discussions was brought to the attention of the Conference in the form of a draft decision submitted by the President (CTOC/COP/2004/L.11).

Action taken by the Conference

76. At its 16th meeting, the Conference of the Parties decided to establish a programme of work that would be reviewed at regular intervals and would cover for its second session the areas of consideration referred to in paragraph 74 above. (For the text of the decision, see chapter I, decision 1/6.) The Conference adopted the decision on the understanding that the exchange of views on and experience in the implementation of articles 15 and 16 of the Protocol would not imply collection of information by the Secretariat, but would serve as a guide for preparations by States parties and observers for the second session of the Conference.

VIII. Other matters

77. The representative of Indonesia stated that one predicament facing his country was illegal logging, which had been on the rise in recent years. The activity was masterminded and executed by organized criminal groups and had been detrimental to the country's forests, people and economy. The enormous scale of illegal logging had robbed the country of hundreds of millions of dollars, but, more importantly, it had far-reaching implications of ecological destruction and threatened the habitat of wildlife, including many endangered species. Indonesia believed that illegal logging was a serious crime in accordance with the Convention and thus deserved attention by the Conference in its review of the implementation of the Convention. The representative of Indonesia referred to the Regional Ministerial Meeting on Counter-Terrorism, held in Bali on 4 and 5 February 2004, which had affirmed that terrorism, irrespective of its origins, motivations or objectives, continued to constitute a threat to all peoples and countries and to the common interest of ensuring peace, stability, security and economic prosperity in the region and beyond. The Meeting had emphasized the importance of avoiding the identification of terrorism with any particular religion or ethnic group and had noted with concern the close connection between international terrorism and transnational organized crime, which called for enhanced coordination of efforts at all levels in order to strengthen a global response.

78. The representative of the secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora¹⁴ noted that the Organized Crime Convention could have an impact on trafficking in endangered species and concurred with the representative of Indonesia.

79. Other speakers also emphasized the links between terrorism and transnational organized crime and expressed the view that the Conference should pay particular attention to those links. In that connection, it was recalled that the Convention was intended to cover crimes committed by organized criminal groups for financial or other material benefit and reference was made to the preamble to General Assembly resolution 55/25.

¹⁴ United Nations, *Treaty Series*, vol. 993, No. 14537.

80. Many speakers expressed the view that the Conference of the Parties needed to articulate its relationship with the Commission on Crime Prevention and Criminal Justice and the future Conference of the States Parties to the United Nations Convention against Corruption. The Conference decided to consider the matter at its second session under the agenda item "Other matters" and requested the Secretariat to prepare a concept paper, in consultation with Member States, to assist it in its consideration.

81. The Director of the Division for Treaty Affairs informed the Conference that the Firearms Protocol had to date received 21 ratifications and he appealed to States to consider ratifying the Protocol in order to expedite its entry into force. He also noted that if the Firearms Protocol received the required number of ratifications before the second session of the Conference of the Parties, the consideration of matters related to the implementation of its provisions would be included in the provisional agenda and proposed organization of work of that session.

IX. Provisional agenda for the second session of the Conference of the Parties

82. At its 18th meeting, on 8 July 2004, the Conference of the Parties adopted the draft provisional agenda and proposed organization of work for the second session of the Conference of the Parties (CTOC/COP/2004/L.2). The provisional agenda and proposed organization of work for the second session is contained in annex I to the present report. In adopting the provisional agenda for the second session, the Conference undertook to exert every effort at that session to make efficient use of the time available to it.

X. Adoption of the report of the Conference of the Parties on its first session

83. At its 18th meeting, on 8 July 2004, the Conference of the Parties adopted the report on its first session (CTOC/COP/2004/L.1 and Add.1-4).

Annex I

Draft provisional agenda and proposed organization of work for the second session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime

Provisional agenda

1. Organizational matters:
 - (a) Opening of the second session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;
 - (b) Election of officers;
 - (c) Adoption of the agenda and organization of work;
 - (d) Participation of observers;
 - (e) Adoption of the report of the bureau on credentials.
2. Review of the implementation of the United Nations Convention against Transnational Organized Crime:
 - (a) Consideration of the basic adaptation of national legislation in accordance with the Convention;
 - (b) Commencement of the examination of criminalization legislation and difficulties encountered in the implementation of the relevant provisions of the Convention in accordance with its article 34, paragraph 2;
 - (c) Enhancing international cooperation and developing technical assistance to overcome difficulties identified in the implementation of the Convention.
3. Review of the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime:
 - (a) Consideration of the basic adaptation of national legislation in accordance with the Trafficking in Persons Protocol;
 - (b) Commencement of the examination of criminalization legislation and difficulties encountered in the implementation of article 5 of the Trafficking in Persons Protocol;
 - (c) Enhancing international cooperation and developing technical assistance to overcome difficulties identified in the implementation of the Trafficking in Persons Protocol;
 - (d) Exchange of views and experience regarding the protection of victims and preventive measures, gained primarily in the implementation of articles 6 and 9 of the Trafficking in Persons Protocol, including awareness-raising.

4. Review of the implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime:
 - (a) Consideration of the basic adaptation of national legislation in accordance with the Migrants Protocol;
 - (b) Commencement of the examination of criminalization legislation and difficulties encountered in the implementation of article 6 of the Migrants Protocol;
 - (c) Enhancing international cooperation and developing technical assistance to overcome difficulties identified in the implementation of the Migrants Protocol;
 - (d) Exchange of views and experience gained in the implementation of articles 15 and 16 of the Migrants Protocol.
5. Technical assistance activities.
6. Consideration of mechanisms for achieving the objectives of the Conference of the Parties in accordance with article 32, paragraphs 3-5, of the Convention.
7. Consideration of notification requirements in accordance with the relevant articles of the Convention (art. 5, para. 3; art. 6, para. 2 (d); art. 13, para. 5; art. 16, para. 5 (a); art. 18, paras. 13 and 14; and art. 31, para. 6) and the Protocol against the Smuggling of Migrants by Land, Sea and Air (art. 8).
8. Other matters.
9. Provisional agenda for the third session of the Conference of the Parties.
10. Adoption of the report of the Conference of the Parties on its second session.

Proposed organization of work

<i>Date</i>	<i>Time</i>	<i>Item</i>	<i>Title or description</i>
Monday, 10 October	10 a.m.-1 p.m. and 3-6 p.m.	1 (a)	Opening of the second session of the Conference of the Parties
		1 (b)	Election of officers
		1 (c)	Adoption of the agenda and organization of work
		1 (d)	Participation of observers
		1 (e)	Adoption of the report of the bureau on credentials
		2	Review of the implementation of the Convention
Tuesday, 11 October- Wednesday, 12 October	10 a.m.-1 p.m. and 3-6 p.m.	2	Review of the implementation of the Convention (<i>continued</i>)

<i>Date</i>	<i>Time</i>	<i>Item</i>	<i>Title or description</i>
Thursday, 13 October- Friday, 14 October	10 a.m.-1 p.m. and 3-6 p.m.	3	Review of the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children
Monday, 17 October- Tuesday, 18 October	10 a.m.-1 p.m. and 3-6 p.m.	4	Review of the implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air
Wednesday, 19 October	10 a.m.-1 p.m. and 3-6 p.m.	5	Technical assistance activities
Thursday, 20 October	10 a.m.-1 p.m. and 3-6 p.m.	6	Consideration of mechanisms for achieving the objectives of the Conference of the Parties in accordance with article 32, paragraphs 3-5, of the Convention
		7	Consideration of notification requirements in accordance with relevant articles of the Convention and the Migrants Protocol
Friday, 21 October	10 a.m.-1 p.m. and 3-6 p.m.	8	Other matters
		9	Provisional agenda for the third session of the Conference of the Parties
		10	Consideration and adoption of the report of the Conference of the Parties on its second session

Annex II

List of participants

States parties

Albania	Zef Mazi, Albana Dautlari
Algeria	Taous Feroukhi, Merzak Belhimeur, Nabil Hattali, Abdelkader Sahraoui, Kamel Boughaba, Abdallah Rahmouni, Thouraya Benmokrane, Mohamed Chakour
Argentina	Betina Pasquali de Fonseca
Armenia	Jivan Tabibian, Aram Barseghyan, Nairi Pedrossyan, Boris Sahakyan, Hambardzum Minasyan
Australia	Deborah Stokes, Richard Fairbrother, Marianne Jago, Elizabeth Day
Azerbaijan	Ramiz Rzayev, Kamil Khasiyev, Adalat Ibrahimov, Malik Alakbarov, Gulmirza Cavadov
Belarus	Viktar Gaisenak, Igor Mishkorudny, Denis Zdorov
Brazil	Celso Marcos Vieira de Souza, Claudia Maria de Freitas Chagas, Antenor Madruga, Márcio Garcia, Paulo Sergio Domingues, Eduardo da Costa Farias, Marcos Vinicius Pinta Gama, Maria Feliciano Ortigao de Sampaio, Renato de Alencar Lima, Carlos Eduardo da Cunha Oliveira
Bulgaria	Peter Poptchev
Burkina Faso	Cheikh Ouedraogo, Béatrice Damiba, Y. Thomas Dakoure, Ibrahima Toure, Etienne Ouoba, Rita Solange Bogore, Françoise Tapsoba
Canada	Alain Tellier, Bruce Gillies, Yves Beaulieu, Douglas Proudfoot
China	Yin Yubiao, Dong Wang, Ming Zhang, Lixiao Tian, Bin Zeng, Xiaofeng Guo, Wen Zhou, Chen Zhang
Costa Rica	Ricardo Toledo Carranza, Estela Blanco Solís
Croatia	Vesna Skare Ozbolt, Vladimir Matek, Zeljko Horvatic, Ljiljana Vodopija Cengic, Dubravko Palijas, Sanja Stimac, Vesna Vukovic
Cyprus	Stavros A. Epaminondas, Spyros Attas, Andreas Nicolaides, Andreas Photiou, Lambros Themistocleous, Anna Aristotelous

Ecuador	Byron Morejón-Almeida, Rosa Vásquez de Messmer
Egypt	Ramzy Ezzeldin Ramzy, Iskandar Ghattas, Essam Ramadan, Abdel Megid Mahmoud, Abdel Wahab Bekir, Reham Amin
El Salvador	Mario Ernesto Castro Grande
Estonia	Tonu Miller
Finland	Tom Grönberg, Tarja Kangaskorte
France	Patrick Villemur, Jean-Pierre Vidon, Michèle Ramis-Plum, Olivia Diego, Sophie Lagoutte
Gambia	Abdul Rahman Cole
Guatemala	Sandra América Noriega Urizar, Sylvia Wohlers de Meie
Latvia	Dainis Turlais
Lithuania	Rytis Paulauskas, Lina Ruksteliene
Mali	Mamadou Samake
Malta	Walter Balzan, John Paul Grech, Pierre Clive Agius, Joseph Debono
Mauritius	Ivan Leslie Collendavelloo
Mexico	Rafael Macedo de la Concha, Patricia Olamendi Torres, Alejandro Ramos Flores, Patricia Espinosa Cantellano, Nabor Carrillo, Eduardo Peña Haller, Berenice Diaz Ceballos, Luis Javier Campuzano Piña, Rafael Cazares Ayala, Leopoldo Verlarde Ortiz, Alfonso Pérez Daza, Fernando Castillo Tapia, Julian Juárez Cadenas, Jorge Luis Hidalgo Castellanos, Julio Sánchez y Tépoz, Rafael Cruz, Carlos Miguel López Flores, Ricardo Hernández
Monaco	Rainier Imperti, Ariane Picco-Margossian
Morocco	Omar Zniber, Redouane Houssaini
Myanmar	Win Myaing, Khin Nilar Soe
Namibia	Alpheus G. Naruseb, Daniel R. Smith, Issaskar V. K. Ndjoze, Maria Kaakunga, Nada Kruger
Netherlands	Justus J. De Visser, Marjorie Bonn, Hans Abma, Nout Van Woudenberg, Anke Ter Hoeve-van Heek, Sonja Van Der Meer, Roelien J. Kamminga, Jaap Vriend, Sander Schol
New Zealand	Gabrielle Rush, Warren Waetford
Nicaragua	Cristóbal Gómez Rodríguez

Nigeria	Biodun Owoseni, Abdulkadir Bin Rimdap, Carol Ndaguba, Olawale Idris Maiyegun, Chile Okoroma
Norway	Rolf Trolle Andersen, Jan Bugge-Mahrt, Bjorn Pettersen, Kamilla H. Kolshus, Marie Thuestad
Peru	Hugo Portugal Carbajal, Pablo Sánchez, Carmen Azurín
Philippines	Florencio D. Fianza, Victor G. Garcia III, Julio C. Dery, Orlando A. Macaspac, Edgardo L. Mendoza, Rogelio C. Mamaril, Reynaldo E. Osia, Jesus T. Gatchalian, Josel F. Ignacio
Poland	Mariusz Skowronski, Anna Grupinska, Piotr Mierecki, Monika Ekler
Portugal	Liliana Araújo, Mário Gomes Dias, Teresa Alves Martins, Maria do Carmo Costa, Patrícia Alexandra Lopes Lisa
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Senegal	Babacar Gaye, Amadou Diallo, Codé Mbengue, Félix Oudiane
Serbia and Montenegro	Vesko Garcevic, Jovica Cekic
Slovakia	Alojz Némethy, Igor Grexa, Drahoslav Stefánek, Tomas Hrbac, Karol Koprivnansky, Lenka Kavecká, Jana Ostrovska, Hana Kovacova, Peter Klanduch
Slovenia	Ernest Petric, Goran Kriz
South Africa	A. T. Moleah, K. R. Malatji, N. J. Makhubele, M. B. Mgxashe, L. A. Stuurman, K. Govender, N. S. Memela, S. V. Mangcotywa
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Sweden	Håkan Öberg, Åsa Gustafsson

Tunisia	Mohamed Daouas, Sami Bougacha, Hanine Ben Jrad
Turkey	Aydin Sahinbas, Namik Erpul, Tufan Höbek, Metin Eksi, Sadin Ayyildiz, Ferhat Konya
Ukraine	Volodymyr Ohrysko, I. Yemelyanova, V. Rokytskyj, V. Slobodyanuk, V. Demyanets, Volodymyr Omelyan
Uzbekistan	Alisher Kayumov, Aziz Aliev
Venezuela	Clodosbaldo Russián, Gustavo Márquez Marín, Miriam García de Pérez, Victor Manzanares, Ernesto Navazio
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Angola	Fidelino Loy de Jesus Figueiredo, Dulce Gomes, Kwetutinina Lunga Diyezwa
Austria	Thomas Stelzer, Johann Froehlich, Wolfgang Spadinger, Michael Postl, Anja Zisak, Gertrude Schlicker, Philipp Charwath, Lisa Leitenbauer, Nadina Bernecker
Belgium	Philippe Nieuwenhuys, Patrick Laureys, Freddy Gazan, Wouter Boucique
Benin	Fortuné Luc Olivier Guezo
Bolivia	Horacio Bazoberry, Mary Carrasco Monje, Sergio Olmos Uriona, Miriam Siles Crespo
Cameroon	Anatole Fabien Nkou, Hillmann Egbe Achuo, Andre Magnus Ekoumou, Thierry Ela, Honore Ngwem
Cape Verde	Alírio Vicente Silva, Carla Miranda Spinola
Chile	Raimundo González Aninat, Eduardo Schott Stolzenbach, Gonzalo García, Mauricio Fernández, Rodrigo Zúñiga, Paula Martínez
Colombia	Rosso José Serrano Cadena, Julián Pinto Galvis
Côte d'Ivoire	Claude Beke Dassys, Digbeu Dominique Ble, Edme Koffi, Jerome Kloh Weya, Sylvie Florence Dosso, Bakassa Bakayoko
Czech Republic	Pavel Vacek, Jaroslav Stepanek, Michal Sveda
Georgia	Archil Gheghechkori
Germany	Herbert Honsowitz, Joerg Werner Wolfgang Marquardt, Michael Rupp, Michael Ott, Nicole Zündorf-Hinte, Ursula Elbers, Matthias Huscher, Thomas Kleinlein

Greece	Theodoros Sotiropoulos, Dimitrios Dadiotis, Evangelia Grammatika
Hungary	István Horváth, Zsolt Bunford, Eva Pádár, Gábor Petö
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Indonesia	T. A. Samodra Sriwidjaja, Rachmat Sentika, Immanuel Robert Inkiriwang, Sujatmiko, Simson Ginting, Haris Nugroho, Risa Wahyu Surya Wardhani, Odo Rene Mathew Manuhutu, Andhika Chrisnayudhanto, Mochamad Bayu Pramonodjati, Taufik Rigo, Danny Rahdiansyah, Ida Bagus Made Bimantara, Shanti Damayanti
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Ireland	Ronan Murphy, Catherine Byrne, Maeve Clery, John Garry, Breda Walshe, Rachel O'Donovan
Italy	Gabriele de Ceglie, Alessandro Azzoni, Stefano Dambruoso, Roberta Barberini, Vittorio Borghini, Maria Lucia Frate, Teresa Benvenuto
Japan	Yukio Takasu, Seiji Morimoto, Yasushi Fuke, Satoko Toku
Jordan	Muhyieddeen Touq, Jamal Al-Shamayleh, Raya Kadi
Kuwait	Hamed S. Al-Othman, Zakaria A. Al-Ansari, Zeaid Al-Anbai
Lebanon	Bahige Tabbarah, Samir Chamma, Ziad Arabi, Ali El-Hosseini, Salah Jibrán, Elias Saadallah Saade, Walid Nakib
Libyan Arab Jamahiriya	Suleiman Kamkum, Mahmud Abusef, Fadel Ben Ashru
Luxembourg	Paul Faber, Pierre Franck, Cynthia Jaerling, Marie-Lise Stoll
Malaysia	Hussein Haniff, Muhammad Shahrul Ikram Yaakob, Rushan Lutfi Mohamed, Hazreen Abdul Haleem, Intan Zurina Dollah, Shariffah Norhana Syed Mustaffa
Pakistan	Ali Sarwar Naqvi, Mohammad Kamran Akhtar, Ishtiaq Ahmed Akil
Republic of Korea	Suh Chung-Ha, Kim Chong-Hoon, Yun Yeon-Jin
Saudi Arabia	Abdulrahim M. Al-Ghamdi, Mohammed Abdulaziz Al Mehizea, Hamad S. Al-Natheer, Saud Al-Mutlaq

Sierra Leone	Kande Bangura
Sri Lanka	D. L. Mendis, W.A.T. Gunatillake
Switzerland	Lorenzo Schnyder Von Wartensee, Martin Strub, Anita Marfurt
Syrian Arab Republic	Abboud Al-Sarraj, Safwan Ghanem, Onfouan Naeb
Thailand	Somkiati Ariyapruchya, Chaikasem Nitisiri, Somchai Charanasomboon, Pornchai Asawawattanaporn, Jumpon Phansumrit, Somjai Kesornsiricharoen, Sasin Sookjaras, Phasporn Sangasubana, Cheevindh Nathalang
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United Kingdom of Great Britain and Northern Ireland	Peter Jenkins, Linda Ward, Alison Crocket, Matthew Pyne
United States of America	Elizabeth Verville, Stephen V. Noble, Thomas Burrows, Kenneth Harris, Scott Harris, Patrick Harvey, Virginia P. Prugh, Margaret Taylor, Howard Solomon, C. Scott Thompson
Uruguay	Jorge Pérez Otermin, Elsa Borges, Gustavo Alvarez
Viet Nam	Nguyen Truong Giang, Nguyen Thi Thanh Ha
Yemen	Ali Hameed Sharaf, Mohammed Abdulla Al-Qussi, Nageeb Ahmed Obeid, Mohammed Al-Magdamy, Nabil Al-Thilaya
Zimbabwe	Vova Abednigo Chikanda, Richard Jenami
Other observer States	
Guinea	Ibrahima Kalil Toure
Holy See	Leo Boccardi, Monika Mader
Iraq	Hassan A. Alaf, Bushra A. Hamad, Saad A. Al- Hindawi, Rasheed M. Hasan, Raja H. Kadhim
Oman	Mohamed Bin Khalfan Al-Dughaishi, Said Nasser Mansoor Al Sanawi Al Harthi, Faisal Bin Omar Bin Said Al-Marhoon, Ahmed Said Al-Hasni, Mahmood Ahmad Sulaiman Al Burashdi, Selim Abbas

United Nations Secretariat

United Nations Office on Drugs and Crime

United Nations bodies and institutes of the United Nations Crime Prevention and Criminal Justice Programme network

Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora/United Nations Environment Programme, Office of the United Nations High Commissioner for Refugees, European Institute for Crime Prevention and Control, affiliated with the United Nations

Specialized agencies and other organizations of the United Nations system

United Nations Industrial Development Organization

Intergovernmental organizations

Asian-African Legal Consultative Organization, Council of Arab Ministers of the Interior, Council of Europe, Council of the European Union, European Community, International Centre for Migration Policy Development, International Organization for Migration, Offshore Group of Banking Supervisors, Organization for Security and Cooperation in Europe, Organization of American States, Stability Pact for South-Eastern Europe, Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies

Entities maintaining permanent observer offices

Sovereign Military Order of Malta

Non-governmental organizations

General consultative status

Asia Crime Prevention Foundation, International Council of Women, Soroptimist International, Zonta International

Special consultative status

International Council on Alcohol and Addictions, International Human Rights Law Group (Global Rights: Partners for Justice), International Real Estate Federation, National Council of German Women's Organizations, Pax Romana

Roster

International Police Association, Sporting Shooters Association of Australia

Annex III

List of documents before the Conference of the Parties at its first session

<i>Symbol</i>	<i>Title or description</i>
CTOC/COP/2004/1	Annotated provisional agenda and proposed organization of work
CTOC/COP/2004/2	Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on its thirteenth session, held in Vienna from 2 to 6 February 2004
CTOC/COP/2004/3	Draft rules of procedure for the Conference of the Parties to the United Nations Convention against Transnational Organized Crime
CTOC/COP/2004/4	Note by the Secretariat on notifications, declarations and reservations received by the Secretary-General
CTOC/COP/2004/5	Status of ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto as at 14 June 2004
CTOC/COP/2004/L.1	Draft report
CTOC/COP/2004/L.1/Add.1	Draft questionnaire on implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children
CTOC/COP/2004/L.1/Add.2	Draft questionnaire on the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto
CTOC/COP/2004/L.1/Add.3	Brief questionnaire on basic reporting obligations
CTOC/COP/2004/L.1/Add.4	Draft questionnaire on the implementation of the Protocol against the Smuggling of Migrants by Land, Sea and Air
CTOC/COP/2004/L.2	Draft provisional agenda and proposed organization of work
CTOC/COP/2004/L.3	Australia and New Zealand: proposal concerning consideration of mechanisms for achieving the objectives of the Conference of the Parties in accordance with article 32, paragraphs 3-5, of the Convention
CTOC/COP/2004/L.4	Note verbale dated 28 June 2004 from the Permanent Mission of Mexico to the United Nations (Vienna) addressed to the Conference of the Parties
CTOC/COP/2004/L.5	Note by the Secretariat on consideration of mechanisms for achieving the objectives of the Conference of the Parties in accordance with article 32, paragraphs 3-5, of the Convention
CTOC/COP/2004/L.6	Programme of work of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime: draft decision submitted by the Chairman of the informal consultations

<i>Symbol</i>	<i>Title or description</i>
CTOC/COP/2004/L.7	Notifications, declarations and reservations concerning the United Nations Convention against Transnational Organized Crime: draft decision submitted by the Chairman of the informal consultations
CTOC/COP/2004/L.8	Technical assistance activities: draft decision submitted by the Chairman of the informal consultations
CTOC/COP/2004/L.9	Strategic framework for action in support of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime: draft decision submitted by the President
CTOC/COP/2004/L.10	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime: draft decision submitted by the President
CTOC/COP/2004/L.11	Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime: draft decision submitted by the President
CTOC/COP/2004/CRP.1	Note by the Secretariat transmitting a communication from the Economic Community of West African States containing information on steps taken to implement the Convention and the Trafficking in Persons Protocol
CTOC/COP/2004/CRP.2	Special meeting resolution on establishing cooperation against trafficking in persons, especially women and children, submitted by the Asian-African Legal Consultative Organization
