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Strengthening the United Nations machinery for drug control

Commission on Crime Prevention and Criminal Justice

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Item 7 of the provisional agenda*

Policy directives for the crime programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as its governing body, including administrative, strategic management and budgetary questions and follow-up on resolutions

Recommendations of the open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

Report of the Secretariat**

I. Introduction

1. The Commission on Narcotic Drugs, in its decision 51/1, and the Commission on Crime Prevention and Criminal Justice, in its decision 17/2, both entitled “Improving the governance and financial situation of the United Nations Office on Drugs and Crime”, decided to establish an open-ended intergovernmental working group to discuss and prepare recommendations, to be presented to the commissions, on how to ensure political ownership by the Member States and on how to improve the governance structure and financial situation of the United Nations Office on Drugs and Crime (UNODC). In adopting the parallel decisions, Member States understood that a single working group would be established to consider those issues.

2. The open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

* E/CN.15/2009/1.

** The submission of the present report was delayed owing to the last session of the working group being held on 9 March 2009.



was chaired jointly by Selma Ashipala-Musavyi (Namibia) and Hans Lundborg (Sweden). The working group held a total of five sessions: on 7 October 2008; on 10 and 11 November 2008; on 27 and 28 November 2008; on 30 January 2009; and on 9 March 2009. At its final meeting, held on 9 March 2009, the working group approved the recommendations presented below for submission to the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice. The report of the working group is being made available in a conference room paper (E/CN.7/2009/CRP. 7–E/CN.15/2009/CRP. 7).

II. Recommendations

3. The working group made recommendations to the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice in the areas indicated below.

Creating a standing, open-ended working group on governance and finance

4. The two commissions should establish a standing, open-ended working group on governance and finance that should submit to the commissions recommendations on administrative, programmatic and financial matters within the areas of their respective mandates.

5. The commissions should maintain their present role as decision-making bodies of UNODC and should fulfil their important normative and governing functions. Consequently, no formal decisions should be adopted by the working group, as that would remain the prerogative of the commissions. At their sessions held in the first half of the year, the commissions should adopt the annual work programme for the working group.

6. The functions of the working group should include considering:

(a) The implementation by UNODC of:

(i) The strategy for the period 2008-2011 for UNODC (Economic and Social Council resolution 2007/12, annex) and any subsequent strategies that may be adopted in the future;

(ii) Programmes and initiatives, including on cross-cutting policy issues, in particular thematic programmes;

(iii) Resolutions and decisions of the commissions and relevant resolutions of the Economic and Social Council and the General Assembly;

(iv) Recommendations of the working group;

(b) Programme 13 of the proposed biennial programme plan and the consolidated budget for UNODC;

(c) Oversight and evaluation policy and reports by external and internal oversight and evaluation mechanisms of the United Nations, such as the Independent Evaluation Unit, the Office of Internal Oversight Services and the Joint Inspection Unit;

(d) The audited financial statements, including the report of the External Auditor;

(e) Ways and means of achieving stable, adequate and predictable funding for UNODC;

(f) Any other matter that the commissions may refer to it.

7. The working group should serve as a mechanism for open-ended consultations among the Secretariat, States receiving technical assistance and donors with a view to the reinforcement of such technical assistance and to the funding of UNODC and its programmes.

8. The working group should have the following terms of reference:

(a) It should be open-ended;

(b) It should be participatory and driven by Member States;

(c) It should operate and prepare its recommendations by consensus, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council;

(d) It should meet regularly, holding at least two formal meetings a year. For the scheduling of those meetings and of additional informal meetings and to ensure the efficient functioning of the working group, particular attention should be given to the following three elements:

(i) The calendar for the preparation of the proposed biennial programme plan and the proposed consolidated budget for UNODC;

(ii) The availability of oversight and evaluation reports of the United Nations;

(iii) The availability of conference services;

(e) It should be led by co-chairpersons jointly nominated by the extended bureaux of the two commissions and endorsed in plenary meeting. The co-chairpersons should act in their personal capacities and should hold office for a period of one year. The commissions may decide to renew that mandate, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council and with established practice of those subsidiary bodies regarding the election of officers.

9. The Secretariat should provide the following services to ensure the effective functioning of the working group:

(a) Make meeting rooms available;

(b) Distribute to Member States, at least 10 working days before a meeting of the working group, the relevant documentation requested by the commissions or by the working group;

(c) Make available, during formal meetings, interpretation services and translations of the supporting documentation into all the official languages of the United Nations.

10. The two commissions should reallocate available resources in such a way that reconvened sessions of the two commissions could be held back to back in the second half of each year, in order to consider the reports of and recommendations proposed by the working group.

11. The proposed terms of reference for the working group should be reviewed by the two commissions.

Improving the governing role and functioning of the commissions

12. The agendas of the annual sessions of the commissions should be restructured to place governance issues, including budget and funding matters, in a more prominent position. This should be done by:

(a) Ensuring that the report and recommendations of the working group are dealt with under the appropriate agenda item of each commission's session;

(b) Ensuring observance of the rules and procedures for reports presented to the commissions by the Secretariat, including that such reports should not be removed from the agenda unless the commissions have acted upon them;

(c) Utilizing existing meeting resources more effectively, for instance by using the Friday afternoon preceding each commission's session, if not required for the allotted purpose of consultations on draft resolutions, to discuss governance and financial issues;

(d) Appealing to Member States to consider limiting the number of resolutions considered at each commission session, including through consolidation or the establishment of agreed periods (for instance, two-year cycles).

Evaluation

13. The General Assembly should be invited to review the current administrative structure and funding of the Independent Evaluation Unit with a view to enhancing the Unit's independence and functional efficiency.

14. Reports of the Independent Evaluation Unit should be delivered to Member States in a timely manner, with the UNODC management response being provided subsequently. The evaluation reports should be presented automatically to the commissions for consideration.

Measures to improve the funding situation of the United Nations Office on Drugs and Crime

15. UNODC should adopt and implement a thematic approach for the formulation of operational programmes and the provision of voluntary contributions, within the framework of the priorities established in the strategy for the period 2008-2011 for UNODC. Member States should further discuss how that approach could be promoted and supported.

16. UNODC should in general provide more transparent, result-based and outcome-oriented reporting in order to enhance Member States' confidence in and political ownership of UNODC activities and convince donors to maintain or increase their flexible contributions, including to general-purpose funds.

17. UNODC should continue to align, within the strategic framework of the United Nations for the period 2010-2011, the consolidated budget for UNODC with the strategy for the period 2008-2011 for UNODC, thereby ensuring integrated planning and budgeting as a basis for better result-based reporting to Member States and compliance with their policy directives.

18. Member States should be encouraged to commit a share of their contributions to general-purpose funding, to maintain a sustainable balance between general-purpose funds and special-purpose funds and to introduce flexibility into a funding system that is driven mostly by earmarked contributions.

19. Member States should be encouraged to commit themselves to making, on a voluntary basis, biennial indicative pledges for general-purpose and special-purpose contributions, aligned with the UNODC biennial budget cycle, in order to enhance the predictability and stability of funding for UNODC.

20. Member States and UNODC should discuss ways and means of broadening the donor base through a fund-raising strategy that would encourage any new donors to contribute to general-purpose funding.

21. With a view to improving the financial sustainability of the UNODC field office network, Member States should discuss ways to encourage host countries to make voluntary contributions to the regular operating costs of country and programme offices.

Workplan to further improve the efficiency and funding situation of the United Nations Office on Drugs and Crime

22. The working group should consider concrete ways and means of further improving the efficiency and funding of UNODC, including the possibility of proposing to the two commissions a workplan in this regard.

23. Such an exercise should be conducted in cooperation with the Secretariat with the aim of creating a better common understanding among Member States of the financial situation of UNODC. The findings should be presented to both commissions, together with a set of recommendations on improving the efficiency and financial situation of UNODC, for further consideration by the commissions at their sessions to be held in the first half of 2010.

24. In addition, Member States are invited to consider within the framework of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption the feasibility of establishing funding mechanisms that would effectively address the funding of activities related to the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto and the United Nations Convention against Corruption.
