



UNODC

United Nations Office on Drugs and Crime

COMBATING TRANSNATIONAL ORGANIZED CRIME THROUGH UNTOC – THE ROLE OF NON-GOVERNMENTAL STAKEHOLDERS

Billy Batware, UNODC

Civil vs Uncivil

“One of the starkest contrasts in our world today is the gulf that exists between the civil and the uncivil.”

Kofi A. Annan, Former UN Secretary-General

Civil

By “civil” I mean **civilization**: the accumulated centuries of learning that form our foundation for progress.

By “civil” I also mean **tolerance**: the pluralism and respect with which we accept and draw strength from the world’s diverse peoples.

Finally, I mean **civil society**: the citizens’ groups, businesses, unions, professors, journalists, political parties and others who have an essential role to play in the running of any society.

Uncivil

“Uncivil society”: They are terrorists, criminals, **drug dealers**, traffickers in people and others who undo the good works of civil society. They take advantage of the open borders, free markets and technological advances that bring so many benefits to the world’s people. They thrive in countries with weak institutions, and they show no scruple about resorting to intimidation or violence. Their ruthlessness is the very antithesis of all we regard as civil. They are powerful, representing entrenched interests and the clout of a global enterprise worth billions of dollars, **but they are not invincible.**



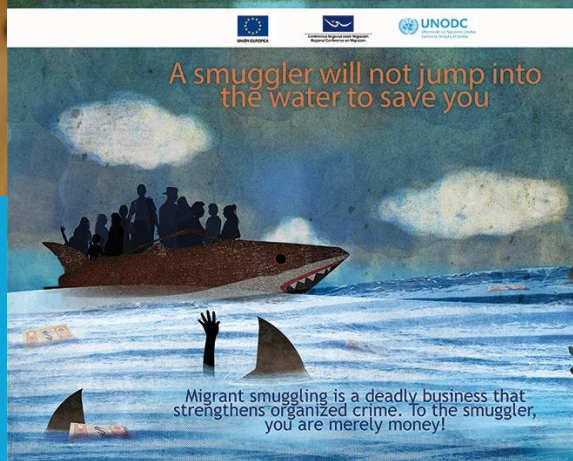
HAVE YOUR SAY. SHAPE YOUR FUTURE.

To mark its 75th anniversary, the United Nations is launching a global conversation on the role of international cooperation in building the future we want.

un75.online

Transnational Organized Crime?





Transnational Organized Crime

The United Nations Convention against Transnational Organized Crime (UNTOC) does not contain a definition of transnational organized crime or organized crime. Instead, the Convention defines "an organized criminal group."

Under the Convention (article 2a), an "organized criminal group" is defined using four criteria:

- ✓ A structured group of three or more persons;
- ✓ The group exists for a period of time;
- ✓ It acts in concert with the aim of committing at least one serious crime;
- ✓ To obtain, directly or indirectly, a financial or other material benefit.

Organized Crime Markets

Drug trafficking

- Although drugs continue to represent a major source of revenue for organized criminal groups, business models are changing.



- Criminals are exploiting new technologies and networks, such as the Darknet (i.e. an encrypted virtual network), that are altering the nature of the illicit drug trade and the types of players involved.

Drug Trafficking in Africa

In a number of countries, the profits from trafficked drugs exceed the gross national income. Rampant drug trafficking empowers criminal elements operating outside the law, undermines governance, weakens state institutions, perverts the criminal justice system, and hijacks prosecutors, police officers, and judges. Drug traffickers do not simply undermine governments, they also use illicit money to acquire and in some cases seize political and economic power and then wield such power in the most outrageous and scandalous manner.

ORGANIZED CRIME AND DRUGS

- Narcotics trafficking is a persistent crime across East African region, suspected to be on the rise and driving an increase in substance abuse issues.
- The region is a transshipment area for globally traded narcotics commodities.



ORGANIZED CRIME AND DRUGS

- Drug trafficking is unavoidably associated with violence and organized crime
- In several countries, it is linked to terrorist activities
- It was also connected to other criminal activities, like money laundering, arms and human trafficking, and corruption
- For Africa, a major part of the continent is increasingly used as a warehousing site and transit route for illicit drugs and pre-cursor chemicals

ORGANIZED CRIME AND DRUGS

“A growing trend of cross-border criminal activities caused by porous borders, rogue States, weak immigrations laws, financial technology and an intricate and accessible global transportation infrastructure meant that non-State actors were directly challenging the security of several West African countries.”

Representative of Sierra Leone at the Third Committee (Social, Humanitarian and Cultural)

ORGANIZED CRIME AND DRUGS

- Nothing has a more debilitating effect on efforts to curtail the illicit drug trade than the successful attempts of **criminal organizations to intimidate and corrupt public officials.**
- Nothing undermines international drug control efforts as much as the **numerous cases of corrupt officials who facilitate or participate in drug trafficking.** Yet violence and corruption are integral parts of illicit drug markets.

Organized Crime Markets

Manufacturing of and trafficking in falsified medical products (II)

- According to a WHO study, in low and middle-income countries, 1 in 10 (10.5%) medical products is either falsified or substandard.
- The value of this market is estimated at US\$ 30 billion (Uganda's highest GDP was US\$28 billion in 2018)



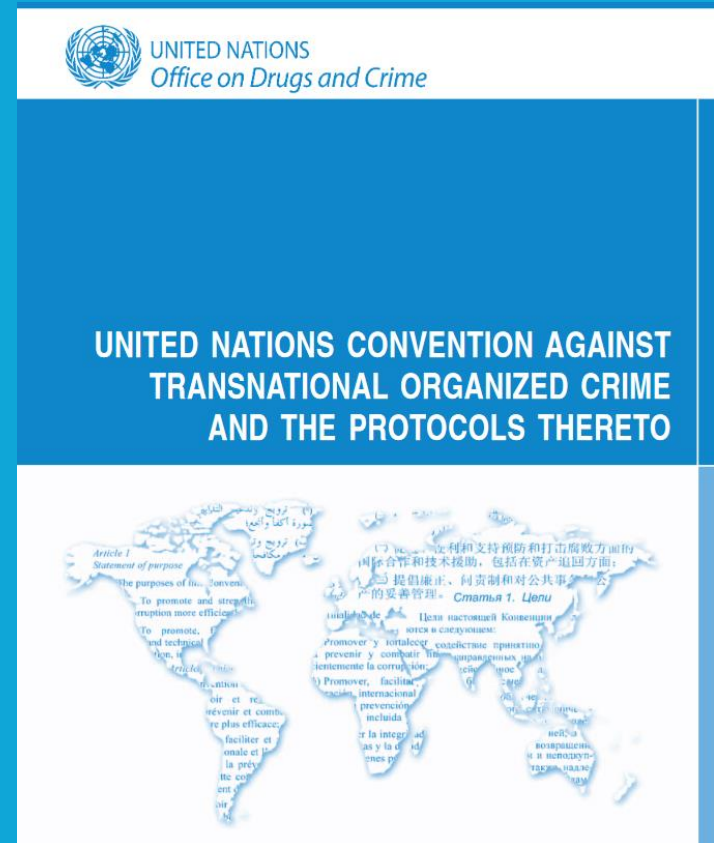
<https://www.youtube.com/watch?v=RxtnlBKHljM>

The United Nations Convention against Transnational Organized Crime

The main international instrument in the fight against TOC.

Adopted by UN General Assembly in 2000. Entered into force in 2003.

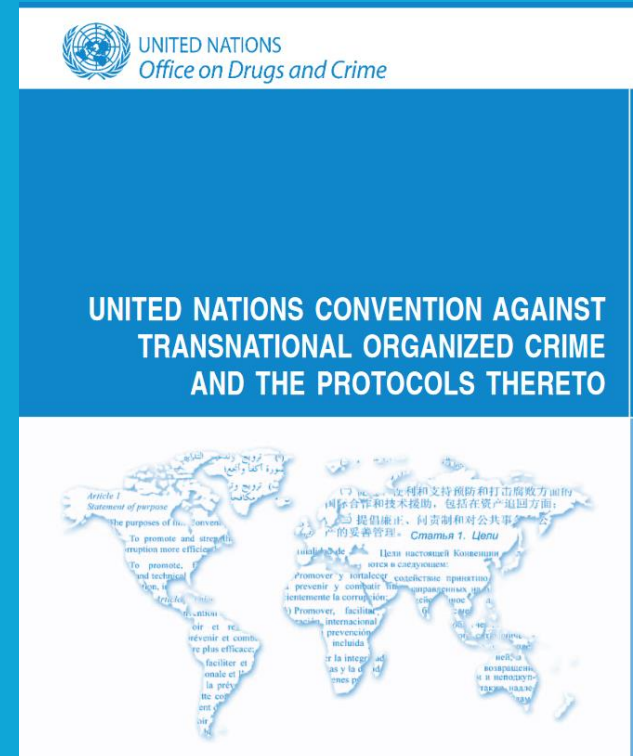
Promote cooperation to prevent and combat TOC more effectively.



The United Nations Convention against Transnational Organized Crime

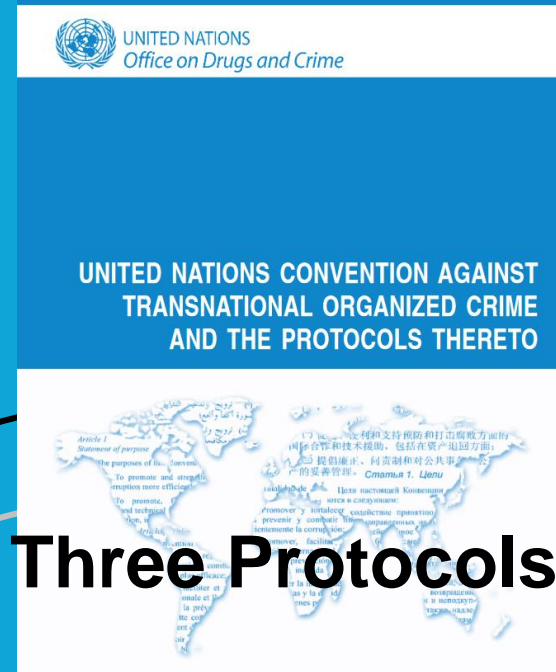
A Conference of the Parties (CoP) to the Convention established to improve the capacity of States Parties to combat TOC and to promote and review the implementation of the Convention

Rule 17 allows NGOs (with and without ECOSOC status) to participate in COP/UNTOC sessions as observers



**Prevention,
Suppression &
Punishment of
the Trafficking in
Persons**

Dec. 2003



**Smuggling of
Migrants**

Jan. 2004

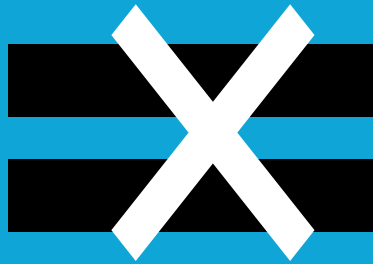
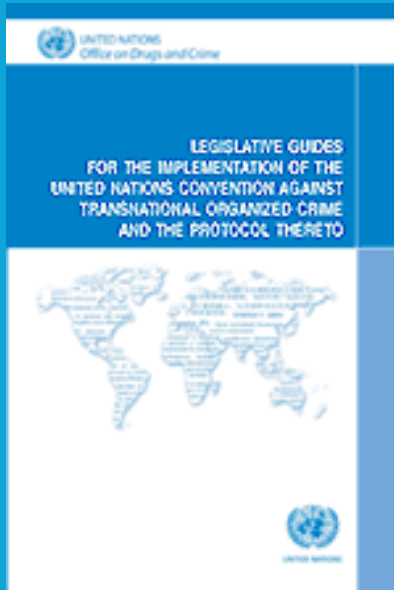
**Illicit
Manufacturing
& Trafficking
in Firearms**

Jul. 2005

Review mechanism

- Adopted by Resolution 9/1 in October 2018 (*10 years in the making*)
- A **peer review** process.
- A **general review** that will be undertaken in the plenary of the Conference of the Parties.
- A **country review** that will be conducted through desk reviews.

Review mechanism



No country visits

General Entry Points for Civil Society Involvement

- Research and analysis
- Monitoring and evaluation of action
- Advocacy for policies and laws
- Public awareness-raising
- Cooperation (broad consultations among all stakeholders for the purpose of consensus-based policymaking and meaningful engagement)
- Provision of services and training

Specific Entry Points for Civil Society Involvement



General Review (Conference of the Parties):
Presence and statements



National Review: Consultation at national level (preparation of the self-assessment questionnaires)



On the margins of the Working Groups:
Constructive dialogues



Constructive dialogues implies:

- Conversation between decision-makers, whereby they engage in discussions, comments, or adopt a generative communicative approach that is positive, productive and helpful rather than negative, unproductive, and uncooperative.
- Cooperation and exchange between those involved in decision-making and implementation, including those who make decisions, those who implement them, and those who are affected by these decisions

Next Steps

- ☐ Developing a UNODC common Knowledge Hub for engagement support - **WhatsOn**
- ☐ Training toolkit for capacity building
- ☐ Civil society guide for UNTOC
(in partnership with **Global Initiative**)



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SHERLOCK



SHARING ELECTRONIC RESOURCES
AND LAWS ON CRIME

❑ Pilot Initiatives: Civil Society engagement with Member States at the country level (see next)



❑ Ensuring Active Civil Society Participation in Constructive Dialogues



Country-specific Pilot Initiatives (Mx, USA, SA, TH, SR)

Objective: to enable representatives of governments, civil society, academia and the private sector to work together on country-specific transnational organized crime priorities to ensure an effective review process.

They will seek to answer the following questions:

- How can the government and relevant stakeholders work together to ensure an effective review mechanism?
- What are the best areas relevant stakeholders can support Member States in the review process?
- What are the expectations from governments vis-à-vis relevant stakeholders?
- What are the main communication channels to allow the flow of information?

HAVE YOUR SAY

- How can NGOs effectively and meaningfully contribute to addressing organized crime? What are some of the best practices that can serve as examples?
- What are the challenges for NGOs in effectively addressing organized crime?
- What capacity/knowledge would be required for NGOs to better do their work on organized crime?
- Based on your experience, what should be the main content of a training for drug NGOs to support them to effectively address organized crime?
- How can NGOs, academia, and the private sector better cooperate, including with governments, to prevent and address organized crime?
- How can NGOs enhance their cooperation with UNODC, in line with the Convention, to effectively address organized crime?

For further information:

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