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OFFICE OF THE PRESIDENT  
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الأمم المتحدة

نيويورك

مكتب رئيس الجمعية العامة

The Office of the President of the sixty-fourth session of the General Assembly presents its compliments to all Permanent Missions and Permanent Observer Missions to the United Nations and with regard to the Special High Level Meeting on Transnational Organized Crime held at United Nations Headquarters on 17 and 21 June, has the honour to attach herewith for your information the summary of the meeting.

The Office of the President of the sixty-fourth session of the General Assembly avails itself of this opportunity to renew to all Permanent Missions and Permanent Observer Missions to the United Nations the assurances of its highest consideration.

New York, 12 July 2010

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All Permanent Missions and  
Permanent Observer Missions  
to the United Nations  
New York

## SUMMARY OF THE SPECIAL HIGH LEVEL MEETING OF THE GENERAL ASSEMBLY ON TRANSNATIONAL ORGANIZED CRIME

96<sup>th</sup>, 97<sup>th</sup> and 99<sup>th</sup> plenary meetings of the General Assembly, Agenda item 104

New York, 17 and 21 June 2010, General Assembly Hall

### Introduction

1. On the occasion of the tenth anniversary of the adoption of the United Nations Convention against Transnational Organized Crime (UNTOC), and pursuant to GA resolution A/RES/64/179, the General Assembly convened a Special High Level Meeting on Transnational Organized Crime, “aimed at fostering universal adherence to the Convention and Protocols thereto, and at strengthening international cooperation”. The high-level meeting consisted of an opening session, a panel discussion on “Transnational organized crime as a multidimensional threat”, and three sessions of inter-active discussions with Member States. A Special Treaty Event to promote the ratification or accession to the Convention and the Protocols also took place during the high-level meeting.
2. During the parallel Special Treaty Event, the Republic of Ireland deposited its instruments for ratification of UNTOC and the Trafficking in Persons Protocol, and Chile for the Firearms Protocol, thus bringing the number of State Parties to 155 State Parties to UNTOC, 138 to the Trafficking in Persons Protocol, 123 to the Smuggling of Migrants Protocol and 81 to the Firearms Protocol.
3. A side event on combating trafficking in persons, co-organized by the United Nations Office on Drugs and Crime (UNODC), the United States Mission to the United Nations and the Schuster Institute of Brandeis University was held in the ECOSOC Chamber the day prior to the High Level Event.

### Opening Session

4. The **President of the General Assembly** noted with concern the growing globalization of crime and its pervasive threat to security and stability of nations. He acknowledged the significant contribution of many governments and individuals who paid a high price in the fight against organized crime, and the large loss of life in the defence of justice and liberty. He highlighted the sustained efforts made by the governments of Italy and Mexico in this fight and recalled in particular the Italian judge Giovanni Falcone, whose work and sacrifice paved the ground for the adoption of the Palermo Convention, while noting that the best way for Member States to pay tribute to the victims of transnational organized crime was to adhere to and implement the Convention and its Protocols.
5. He recognized that while traditional forms of crime continued to exist, criminal groups had evolved rapidly into cross-national networks capable of threatening development, peace and stability of nations. He recalled numerous reports and studies published by UNODC, indicating how organized crime constitutes a threat to peace and stability and referred in particular to the frequent collusions between insurgent and criminal groups in West Asia, in the Andean region and in parts of Africa, fuelling, *inter alia*, the trade in smuggled weapons, drug trafficking, plundering of resources and piracy. He recalled the commitment of the General Assembly to fighting transnational organized crime as expressed through several resolutions and stressed that the high-level meeting offered the opportunity to revitalize the collective and individual resolve of Member States to prevent and combat organized crime, prosecute and punish the offenders, and assist and protect victims and their families. Finally, he exhorted States to send a strong message from the General Assembly that organized crime must be stopped.
6. The **Secretary-General** referred to the UNODC report on the *Globalization of Crime: A Transnational Organized Crime Threat Assessment* and recalled the recent Twelfth Crime

Congress held in Salvador (Brazil) and Commission on Crime Prevention and Criminal Justice in Vienna (Austria), where the need for more decisive steps against transnational organized crime was discussed. He noted that, while UNTOC and its Protocols provided the necessary blueprint for action, implementation was still lagging behind the activities of criminals. He called upon Member States to mark the tenth anniversary of UNTOC by achieving universal adherence and fully using the innovative provisions of UNTOC, and expressed the wish that Member States adopt an effective review mechanism at the fifth session of the Conference of the Parties in October 2010, which would help States identify criminal justice needs and responses and measure progress. He stated that “we must use the rich and detailed measures contained in the Palermo Convention to combat money laundering; to confiscate and seize criminal assets; to end bank secrecy; to carry out joint investigations; to protect witnesses; to exchange information and to provide mutual legal assistance”.

**High-Level Panel: “Transnational organized crime as a multidimensional threat: how to promote coherent and holistic responses through the universal adherence to and full implementation of the Palermo Convention and its Protocols”.**

7. The panel on Transnational Organized Crime as a Multidimensional threat was moderated by **Mr. Antonio Maria Costa**, Executive Director of UNODC, and comprised the following panellists: **Mr. Roberto Maroni**, Minister of Interior of Italy, **Mr. Arturo Chávez Chávez**, Attorney-General of Mexico, **Ms. Elisabeth Verville**, Deputy Assistant Secretary of State of the Bureau for International Narcotics and Law Enforcement Affairs of the United States of America, **Mr. Jean-Marie Bockel**, Secretary of State for Justice of France, **Mr. Ronald Noble**, Secretary General of Interpol, **Professor Cherif Bassiouni**, Research Professor of Law Emeritus at DePaul University College of Law and President Emeritus of the law school’s International Human Rights Institute, and **Mr. Sebastien Rotella**, Senior Reporter at ProPublica. The following are some of the views that were expressed:
8. Mr. Maroni underlined the global and interconnected nature of organized crime and the need to work together, and in respect of the principle of shared responsibility. UNTOC and its Protocols offered the appropriate legal framework to do so. He recalled the powerful influence of organized crime in his country and its pervasive negative effects on social values and the rule of law, and described the measures taken and achievements made by his country in meeting international commitments and responding adequately to organized crime. States had to do more to reduce the demand for illicit drugs and the supply for arms in neighbouring countries, and acknowledged the increased cooperation and shared responsibility of neighbouring countries in addressing together these common problems. He expressed regret that the Palermo Convention and its Protocols had not yet secured universal adherence and that Member States had not done enough to adopt a mechanism to verify the implementation of commitments. He stated that drug trafficking and firearms trafficking were connected through communicating vessels, and deplored that only 80 out of 155 State Parties had ratified the Firearms Protocol. He also called for more effective solutions in the area of money laundering which required greater flexibility and cooperation among States, and emphasized the relevance of promoting not only international judicial cooperation, but also greater social cooperation and integration in order to address the root causes of organized crime. He also appealed to States to demonstrate their renewed political commitment through concrete actions and resources, and through universal adherence as the first step of shared responsibility at the forthcoming Conference of the Parties in October 2010.
9. Mr. Chavez underlined the timeliness of the adoption of the Palermo Convention. He described the steady increase of transnational organized crime notably in the Caribbean, which was exposed to the flow of illicit drugs, and in Europe, where an important share of these drugs arrived from through Africa. He noted that Europe had become an increasing consumer market and that only in France the amount of cocaine entering the country had multiplied six fold in the past 5-6 years, and noted with concern that the average prices for drugs were falling

in his country. He also addressed the human tragedy of trafficking in persons and illegal migration and reaffirmed the global commitment to prevent loss of human lives by tackling smuggling of illegal migrants, trafficking in persons, and the importance of ensuring both the prosecution of traffickers and also the protection of the human rights of the victims through shared and collective response against these crimes. He also insisted that the issue of transnational organized crime should be raised at all international fora including the General Assembly, the Security Council and at the Crime Commission, in addition to the Conference of the Parties to UNTOC.

10. Ms. Verville acknowledged the increase in State parties and encouraged States to achieve universal adherence. Among the salient features of the convention, she highlighted its core criminalization provisions (including the first comprehensive definition of human trafficking introduced in the Trafficking in Persons Protocol), and the introduction of a global legal framework for international cooperation on mutual legal assistance, extradition and joint investigations, in order to increase the capacities of States to both investigate and prosecute transnational organized crime. She stressed that the broad scope of application of the instrument made it possible to apply the Convention to an indefinite spectrum of serious criminal activities, including illicit arms trafficking and others, in order to make requests for a wide variety of measures. She emphasized the importance of educating the law enforcement and judicial authorities in the use and application of UNTOC and recalled that the Conference of Parties brought together experts and practitioners to promote and review implementation of the Convention. In this context, she recalled the outcomes of the two open inter-governmental working groups on trafficking in persons, as well as the open-ended meeting of experts on possible mechanisms to review the implementation of the Convention and Protocols thereto, welcomed the work done by the Secretariat to develop a self-assessment tool to help States in assessing their status of implementation and identifying best practices and technical assistance needs. She also welcomed the launch of a voluntary pilot review project with a group of countries to test different methods of review. The pilot will follow two tracks, a peer-to-peer review and an expert review. Finally, she commended the work done by UNODC to assist States in the implementation of the instruments and confirmed the willingness of her country to continue to support UNODC's technical assistance activities.
11. Mr. Bockel stressed the evolving and expanding nature of organized crime and the historic relevance of the adoption of the Palermo Convention and its Protocols. He reiterated the commitment made by his country to promote universal adherence and the adoption of a review mechanism, as an essential tool to guarantee the functionality of these instruments, and announced that his country was also participating and supporting the pilot programme, as a means to help States adopt a shared view on possible mechanisms. He noted that emerging forms of crimes co-existed with more traditional manifestations, and that drug trafficking remained a leading force behind solid alliances of foreign organized crime groups and networks. He also stressed that smuggling of migrants and human trafficking continued unabated and that cooperation between his country and some African states had improved. More attention should be paid to the connections between transnational organized crime and terrorist groups. In order to effectively combat organized crime networks he recommended that more emphasis should be put on preventive measures such as protection of witnesses and victims, seizure and confiscation of illicit assets and special investigative techniques, and to disrupting their financial flows. He emphasized that effective security cooperation was a common goal of Member States and should be achieved through full implementation of UNTOC, and called upon States to contribute to make UNTOC an increasingly sharp and usable tool for the judicial and law enforcement community. In order to foster the full implementation of UNTOC, his country intended to share its experience and success stories by supporting the development of a digest of good practices and experience in investigation and prosecution of organized crime cases, to be developed jointly with UNODC and in close cooperation with Interpol, and announced that the initiative included the establishment of a technical working group of experts from different countries.

12. Mr. Noble addressed the threats posed by transnational organized crime, and its capacity to weaken state institutions, fuel instability and corruption, penetrate financial markets, forging deadly alliances based on profits, and engage in multiple forms of highly lucrative crimes. He noted that although organized crime had become less tangible, it was not less harmful, and expressed concern that this was happening while the world community was facing financial crisis and significant economic decline. He reiterated the commitment of his organization, to continue to support and assist States in the fight against organized crime and the full implementation of UNTOC, and exhorted States to make full use of the already existing technological advancements and tools to facilitate effective cooperation and information exchange among law enforcement officials, such as the nominal database of Interpol of convicted or suspect organized crime members, which in 2010 received more than 70,000 hits, the stolen passports database, the firearms tracing instrument, and the ballistic information network.
13. Professor Bassiouni spoke about the existence of multiple separate normative schemes, including the compartmentalization between international humanitarian law and international criminal law, in addressing different aspects of transnational and international crime, such as drug trafficking, terrorism, corruption, resulting from too narrowly defined criminal activities and types of crimes, and noted that the overall legislative policy of the United Nations towards the setting of common standards and norms applicable to the different types of transnational and international criminal justice could be improved. He affirmed that many non-state actors were often engaged in both violations of international humanitarian law and in a wide range of organized crime or terrorist activities. He also stressed the need for a victim-centered global initiative against human trafficking beyond the Trafficking in Persons Protocol. He recommended the possibility of establishing a special committee of experts to assess the UN's policy approach in dealing with issues of transnational criminality, tasked to develop concrete recommendations for a new comprehensive approach to address all forms of transnational crimes.
14. Mr. Rotella addressed the important role of the media in combating organized crime. He noted that especially in developing countries, journalists were often thrust into the role of crime-fighters forced to live – just as front-line judges and prosecutors – armored lives in order to be able to report their stories of organized crime, violence, and corruption. He denounced the increasing incidence of murders and attacks against journalists (71 cases in 2009 only), most of which remained unpunished, and expressed concern that the economic crisis made it more challenging for media to cover in a sustained and in depth manner relevant stories of organized crime. The speaker recommended that the role of media as leader of public awareness be reinforced, and that States do more to protect journalists and fight impunity, fortify freedom of the press and of public information. He also recommended that media owners and executives commit to serious journalism and to ensure the required sustained scrutiny and resources, and facilitate contacts between journalists in developed and developing regions. He stressed that serious investigative journalism required professionalism and dedication, and invited universities and newsrooms to encourage the new generation of journalists by focusing more on international approaches to investigative reporting. Finally, he suggested that a new culture of collaborative journalism and joint ventures between mass media worldwide, and non-profit entities such as his employer, ProPublica, dedicated exclusively to transnational crime and investigative journalism in the public interest, could help fostering quality and in-depth coverage of international cases of organized crime.

### **Summary of the inter-active discussions**

15. All speakers **welcomed the special high-level General Assembly meeting** to commemorate the tenth anniversary of UNTOC and the fifteenth anniversary of the Naples Political Declaration, the opportunity to raise awareness and reaffirm the commitment of Member States to preventing and combating transnational organized crime in all its manifestations and

to achieving universal adherence to and full implementation of the Palermo Convention and its three Protocols thereto.

16. Most speakers agreed that **transnational organized crime represented a multidimensional threat to human security and a serious obstacle to development** and that globalization and the growing technological advancements had contributed to the expansion of transnational organized crime groups by allowing them to operate beyond national borders, engage in new initiatives, and diversifying their range of activities. These included activities such as drug trafficking, human trafficking, smuggling of migrants, trafficking in firearms, money laundering, piracy, hostage taking and new forms of crime such as cybercrime and identity theft. Several speakers expressed concern that the easy access to weapons, the links to illicit drug trafficking and the financial wealth produced by illicit activities, promoted corruption, threatened to undermine the authority of the state and the rule of law, fuelled armed violence and conflicts and represented a serious obstacle to development. They called upon Member States to agree on global and collective responses. Specific reference was also made to fragile and vulnerable states, as well as small countries and small islands developing states (SIDS), considered to be particularly at risk.
17. It was noted that **drug trafficking** had remained one of the most lucrative transnational criminal activities worldwide, which had engendered solid strategic alliances between drug traffickers in Latin America, Africa and Europe, and that it required joint global and collective responses. Many speakers stressed that they were facing serious challenges as transit countries for the illegal drugs and arms trade, and noted the sharp increase in violent crime and homicide rates in their countries, as well as in drug abuse and related drug offences. Speakers described additional challenges, such as limited resources and insufficient border control capacity and some counter-measures taken by States, such as cooperation agreements, joint patrolling of porous land and sea borders etc.
18. Some speakers addressed the existing **links between drug traffickers and terrorist groups**, in Afghanistan and Colombia. Non-state actors were often engaged in multiple forms of crime, and terrorist groups were often using organized crime to finance or facilitate their activities, It was therefore recommended that **organized crime and terrorism be addressed in a coordinated and comprehensive manner**. The work of the Terrorism Prevention Branch of UNODC was commended by some speakers and some speakers suggested that the current Global Strategy to Combat Terrorism be reviewed in order to agree on a common definition of terrorism, and to resume the discussions on a possible universal legal instrument against terrorism through an international conference on terrorism.
19. There was common understanding among speakers that the **global nature of organized crime required the adoption of global and collective responses**, as well as a greater understanding of its root causes. Noting that economic challenges acted as push factors for some persons who engaged in organized crime, some countries emphasized the importance of addressing development related issues and combining crime prevention strategies with sustainable livelihood schemes, especially for youth. Some speakers emphasized the importance of taking integrated and balanced approaches in full respect for national sovereignty, territorial integrity and non-intervention in internal affairs. Various other speakers emphasized the importance of **cooperation and shared responsibility**, through integrated and broad approaches, while also taking into account the disproportionately high burden posed on transit countries, which obliged them to utilize scarce resources diverted from education, health and socio-economic development.
20. Some speakers stressed the importance of keeping the issue of transnational organized crime high in the political agenda of Member States, and welcomed the recent Security Council debates on these issues, while recalling also the outcomes of the 12<sup>th</sup> Crime Congress, held in Salvador, Brazil, in April 2010 and the 19<sup>th</sup> session of the Commission on Crime Prevention and Criminal Justice held in May in Vienna. Some speakers expressed the view that

transnational organized crime should remain under the competence of the Crime Commission (CCPCJ), ECOSOC and the Conference of the Parties.

21. Many speakers referred to **trafficking in persons** as the most shameful form of transnational organized crime, a human rights violation, and one of the greatest challenges to overcome. Several speakers reaffirmed their commitment to prevent, and prosecute human trafficking, and to protect victims of trafficking, and to engage in global partnerships against this phenomenon, through a rights based approach, and provided examples of their national efforts in this regard. Specific reference was made to the problem of trafficking for sexual exploitation especially of women and children, as well as child trafficking, and to human trafficking for the purpose of trafficking in organs. The EU announced the development of a new Directive aimed at introducing a stricter regime, through new criminalization provisions, aggravating circumstances and stiffer penalties, extraterritorial jurisdiction and higher standards for protection of victims and preventive measures aimed at discouraging the demand for victims. Many speakers expressed support for the adoption of a **General Assembly Global Plan of Action on Trafficking in Persons**, and urged States to wrap up negotiations during the current Assembly session. Speakers noted such a plan could provide a coherent, balanced and comprehensive initiative to fill in existing legal gaps while strengthening existing mechanisms.
22. Several speakers described national and regional challenges with regard to the problem of **smuggling of migrants**. Member States were urged to take immediate action in order to foster cooperation between origin, transit and destination countries. One country deplored the restrictive measures taken by other countries and regional organizations which in their view could violate fundamental rights and criminalized the migrant. Member States were urged to take a human rights based approach. Some speakers recommended that illegal migrants should be considered as victims of human rights violations and not as criminals. Some countries made reference to the United Nations Convention for the Protection of all Migrant Workers and Members of their Families, and deplored that none of the major destination countries had ratified it.
23. Various speakers highlighted the value of the **Firearms Protocol** as a means to curb illicit trafficking, avoid intermediaries becoming involved in the trading in weapons, and facilitating the tracing and identification of their origin. One speaker informed about the progress made by his country in complying with the Protocol provisions in particular through the introduction of a marking facility. Several speakers expressed concern that easy access to firearms in some countries had a grave potential to undermine peace and security efforts and to fuel armed conflicts and violence in neighbouring countries, and to increase the military power of criminal groups. Some countries already noticed increased levels in homicide rates and others informed about important seizures and confiscation of illicit weapons. The need for common regional approaches and more decisive commitments from international organizations and other entities to strengthen their cooperation with the region in order to mitigate and reduce the scourge of organized crime was stressed. Despite growing evidence of the existing links between firearms trafficking and other criminal activities, it was lamented that only half of the State parties (81 countries) had ratified it, and suggested that UNODC undertake additional efforts in promoting greater accession.
24. Panellists and several speakers acknowledged the growing dimension of **emerging forms of crime** such as cybercrime, identity fraud, environmental crime, counterfeit products and medicines, trafficking in cultural property, or in revitalized older crimes such as maritime piracy, which often appeared to be interlinked with other crimes. Most of these crimes used technological advancements and sophisticated methods, and required a closer look, in order to consider if and what steps should be taken by the international community in order to deal properly with these crimes. The usefulness of UNTOC as the paramount legal instrument in this context was recognized by several speakers.

25. In this context, various speakers referred to cybercrime as the most explicit manifestation of emerging transnational crime, facilitated by modern technology and the fast development of communication and IT technology. It was underlined that tackling **cybercrime** required greater coordination at national, regional and international level, and some speakers recommended to seriously consider the possibility of adopting a Universal Convention against Cybercrime. To this end, it was suggested to explore the possibility of establishing an open-ended intergovernmental working group on cybercrime tasked with the development of such an instrument.
26. Other speakers referred to **trafficking in cultural property** and its close links to transnational organized crime. While emphasizing the importance of making full use of the UNTOC, one speaker called for greater caution before considering possible new instruments or protocols on new emerging crimes (including on illicit trafficking in cultural property), and considered that existing tools and instruments needed first to be fully implemented, existing mechanisms exhausted, and conflicting or duplicating mandates with other agencies, such as UNESCO, avoided. Another speaker stressed the penal relevance of this form of crime and provided information on measures taken at the domestic level through legislation and new policies, in order to prevent and combat it adequately.
27. With reference to piracy, speakers expressed support for the work carried out by UNODC in Eastern Africa to prevent and combat this form of crime. The magnitude and scope of specific **environmental crimes** such as illegal logging and illegal fishing, and the illicit trafficking in timber, and its devastating effects on local financial, social, economic and environmental conditions was stressed. The applicability of UNTOC in preventing and responding to these challenges was fully recognized, and transit and destination countries invited to discourage and disallow these forms of illegal trade.
28. Speakers expressed UNTOC was the **only legally binding instrument** to commit its members towards collective action and international cooperation. UNTOC was acknowledged by all speakers as the **appropriate and paramount legal instrument to address transnational organized crime** in all its manifestations, including for emerging crimes. Its main features included a broad criminalization framework to combat offences such as money laundering, participation in an organized criminal group and related offences, modern investigation techniques, international cooperation mechanisms, as well as its broad scope of application, which makes it possible for States to apply the Convention to an indefinite and unspecified number of serious offences. Several speakers described their **national experiences and efforts** made to bring their legal framework in line with and apply the international regime established by UNTOC and its Protocols. Examples ranged from criminal justice reforms and legislative amendments, to the introduction of specialized laws, to the adoption of national commissions, codes of conducts and awareness raising campaigns.
29. Some speakers noted that one of the basic aims of UNTOC was to use judicial and police cooperation to fight the **financial and money laundering activities** of international criminal associations anywhere in the world, regardless of the type of trafficking. It was noted that criminal groups could handle easier the loss of one or more of their men than the permanent deprivation of their assets or that of their family members. As long as criminals could enjoy their illicit property anywhere in the worlds, criminal behavior would continue to have incentives. Several speakers referred to successful cases of seizures and confiscation of assets and proceeds of crime, including drugs and firearms, and shared some of their good practices and lessons learned. Some of these measures included: extending the power to seize assets of mafia members, also to their heirs and family members; issuing guidelines on the seizure of cash property to minimize the possibility of concealing of assets; introducing the criminal liability of legal persons to cases of money laundering and, in one case, the establishment of a Justice Fund for the seized assets from criminals, which allowed immediate access to the assets. In this regard, one country indicated what it had been able to seize and confiscate in less than three years, applying UNTOC provisions, and that it had established a national agency in charge of the management and use of these assets, a great part of which is destined



for social purposes. He explained that this had led to the dismantling of criminal organizations deeply rooted in some parts of his country, and had also had an important symbolic value for the communities.

30. Another speaker informed on its' national agency for the management and disposal of seized and confiscated assets, while others informed about similar arrangements whereby a percentage of their confiscated assets are reallocated to the justice system or elsewhere, including to the Special Fund established by Organized Crime Convention to fight against organized crime by Brazil.
31. Several countries underlined the need for States to fully implement the provisions to prevent and control **money laundering and related offences**. The importance of greater transparency in the financial transactions and the need to know more about the criminal groups and their modus operandi to launder their proceeds into the international financial systems was emphasized. The speaker welcomed the work of UNODC in the area of money laundering and confiscation of proceeds of crime and announced the intention of his government to fund a study on the origins and movements of the illicit funds derived from drugs, crime and money laundering, with the aim of gathering lessons learned and recommendations.
32. **International cooperation** was acknowledged by most speakers as the key piece in the struggle against organized crime. The Convention lays the framework for greatly expanded cooperation among prosecutors and law enforcement officials. In this regard, several countries referred to the successful implementation of the **law enforcement and judicial cooperation provisions**. Speakers gave examples of positive results achieved with regard to the application of UNTOC for the investigation and judicial cooperation in relation to trafficking in persons and arms, as well emerging crimes. It was stressed that universal adherence and full implementation were the best forms of promoting international cooperation, while reiterating the need for States to enhance their mechanisms to ensure more effective and speedy international cooperation. Adoption by law of a more flexible approach to dual criminality requirements, the adoption of expedited procedures for extradition, special investigative techniques, establishment of flexible communication channels aimed at reducing any delay in the provision of legal assistance, and the conclusion of bilateral agreements were among the measures recommended by speakers. The utility of agency to agency cooperation as well as the usefulness of following the central authority approach promoted by UNTOC was emphasized.
33. All speakers agreed that **universal adherence and full implementation** were closely related. Several speakers described initiatives that their government aimed at further supporting in order to **promote the implementation** of UNTOC by Member States. Other countries acknowledged the important work carried out by UNODC as a **technical assistance** provider and reiterated their intention to continue to provide financial and substantive support to UNODC's technical assistance activities.
34. Several speakers stressed the essential need to ensure sufficient resources to provide capacity building and technical assistance to requesting States in order to facilitate the implementation of the four UNTOC instruments. Several speakers welcomed the development of joint cooperation programmes with UNODC at the national or regional level, such as the Integrated Regional Programmes for Central America, the Caribbean and Africa (Managua Declaration, Santo Domingo Pact, the Praia Declaration and Action Plan for West Africa, among others), as well as the Integrated National Plans for El Salvador and for Guatemala, and noted that additional resources had to be mobilized in order to ensure implementation.
35. Many speakers commended **UNODC's work**, stressing the importance of its efforts as well as its' "dynamism. Speakers renewed their support for UNODC, and called for further support of the agency. Speakers also shed light on partnerships with UNODC to stamp out organized crime, welcomed UNODC's increased focus on the proceeds of crime, highlighted UNODC's key provision of technical assistance, lauded its capacity building, and called for strengthening UNODC's analytical potential.

36. Most speakers called upon Member States to take full advantage of the forthcoming fifth session of the **Conference of the Parties to UNTOC** to advance substantially the international agenda on organized crime. One speaker expressed appreciation for the fact that the Conference had developed into a meeting of experts and practitioners and recognized the added value of the Conference in promoting these exchanges of good practices and experiences.
37. In this regard, the vast majority of the speakers stressed the importance of achieving full implementation of UNTOC and its Protocols and expressed support for the adoption of a **Mechanism to Review the Implementation of UNTOC and the Protocols thereto**, and to agree on common terms of reference for such mechanism. Several speakers stressed the importance that such a mechanism be impartial, flexible, effective, reliable and without the application of sanctions. Support was expressed for a strong and effective mechanism that would enable Parties to obtain reliable information on the implementation of the Convention, with a view to identifying gaps, needs for technical assistance, successful experiences and good practices, and which would avoid duplication with similar mechanisms. Such review mechanism should be a single and coherent and apply to all four instruments. On the other hand, one country suggested to first consolidate the information gathering mechanism before embarking in a review mechanism, which in any event should be non-intrusive and based on the respect for national sovereignty and non-interference in internal affairs, while another country, recalling article 32(1) of UNTOC considered that the Conference itself had to be the review mechanism and that nothing more was needed. Several countries welcomed the launch of a **voluntary pilot review project** aimed at testing different methodology and expressed the hope that the outcome and recommendations emanating from this pilot could guide the Conference in its deliberations.
38. In conclusion, speakers acknowledged that transnational organized crime required a complex and multi-dimensional strategy in order to disrupt illicit trafficking networks, break their financial strength, fight government corruption, strengthen the rule of law, protect victims, uphold fundamental human rights, bolster judicial systems, improve transparency and prevent new and emerging forms of organized crime. This was possible through a global and collective effort at national, regional and international levels and in close coordination and cooperation with other partners, in line and in full compliance with the Palermo Convention and its Protocols.

## Recommendations

39. During the inter-active discussions, a number of recommendations were made:

- Transnational organized crime is a multi-dimensional threat to human security and stability, and an obstacle to peace and development of nations. States should address the root causes organized crime and prevent it from flourishing through greater social cooperation and integration.
- The United Nations Convention against Transnational Organized Crime and its three Protocols thereto are the paramount legal instruments in preventing and combating transnational organized crime in its multiple manifestations. States should be aware of the broad scope of application and powerful provisions contained in all the four instruments, in particular as relates to international cooperation.
- States should reaffirm their commitment to preventing and combating transnational organized crime in all its manifestations by achieving universal adherence to and full implementation of the UNTOC and the Protocols thereto.
- States should consider making full use of the provisions of UNTOC and Protocols thereto and applying them to a wider spectrum of serious criminal activities in order to further facilitate the implementation of the instruments.
- States should take concrete actions and measures to work collaboratively to prevent and combat organized crime, based on the principle of shared responsibility
- States should consider addressing organized crime and its links to other types of organized crime, including, *inter alia*, terrorism and drug trafficking, in a coordinated and comprehensive manner.
- States should consider taking more concerted action to reduce the demand for illicit drugs and stop the illegal supply for firearms.
- Considering the low rate of ratification of the Firearms Protocol, States should ratify it and fully implement its provisions in order to adopt systematic responses in the area of firearms trafficking.
- States should consider taking immediate action in order to foster cooperation among origin, transit and destination countries.
- States should consider adopting more flexible and cooperative responses to investigation and prosecution of money laundering and other complex and long term transnational cases.
- States should strengthen their capacities for effective seizure and confiscation of illicit assets and proceeds of crime, in order to disrupt the financial flows of organized criminal groups, and consider establishing a designated authority in charge of the management and disposal of such assets.
- States should consider using the provisions of UNTOC and Protocols thereto in addressing the emergence of new forms of crime such as cybercrime, identity fraud, environmental crime and others, as well as the reemergence of forms of crime, such as maritime piracy and trafficking in cultural property, and their linkages with other forms of organized crime.
- When considering the possibility of developing new instruments to deal with specific forms of emerging crimes, States should take into account, if appropriate, existing international legal frameworks and mechanisms.
- States should seek greater coordination at national, regional and international levels in tackling cybercrime and could consider the development of an international universal convention on fighting cybercrime.
- States should consider taking advantage of the upcoming fifth session of the Conference of the Parties in order to advance discussions on the possible adoption of a Mechanism to Review the Implementation of UNTOC and Protocols thereto.

- States should consider further support for UNODC's work in combating organized crime, and consider strengthening its analytical potential
- UNODC should continue to provide the necessary logistical, substantive and financial support to Member States in the voluntary pilot project to review the implementation of UNTOC and Protocols thereto.
- UNODC should continue to provide technical and legislative assistance to States in areas covered by UNTOC and the Protocols thereto, and continue to develop legal and technical assistance tools to facilitate the full implementation of the instruments by States.
- Donors should ensure adequate and sustained financial resources to support both the voluntary pilot project to review the implementation of UNTOC and Protocols thereto, and the technical assistance activities of UNODC.
- States should wrap up negotiations on the adoption of a General Assembly Global Plan of Action on Trafficking in Persons, during the current Assembly session. Such a Plan should provide a coherent, balanced and comprehensive vehicle to fill in existing legal gaps while strengthening existing mechanisms.
- States should consider encouraging investigative journalism and become more aware of the risks and attacks against journalists, by taking measures aimed at reinforcing their role as leader of public awareness, fortifying the freedom of press and of public information, ensuring greater protection of journalists and fight impunity against these crimes.