



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

Distr.: General
18 July 2017

Original: English

Working Group on the Smuggling of Migrants

Vienna, 11-13 September 2017

Item 3 of the provisional agenda*

**Use of the United Nations Convention against
Transnational Organized Crime to address challenges
relating to the smuggling of migrants**

Use of the United Nations Convention against Transnational Organized Crime to address challenges relating to the smuggling of migrants

Background paper prepared by the Secretariat

I. Introduction

1. In its resolution 7/1, entitled “Strengthening the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided that the Working Group on the Smuggling of Migrants would be a constant element of the Conference, forwarding its reports and recommendations to the Conference.

2. The present background paper has been prepared by the Secretariat to aid in the discussions of the Working Group at its fourth meeting. It provides an overview of past work of the Working Group related to the relevant agenda item and offers a list of issues for discussion, an overview of the main issues and guidance for response from States and information on key tools and recommended resources aimed at assisting States to implement the Smuggling of Migrants Protocol.

II. Overview of past work of the Working Group

3. At its first meeting, held in 2012, the Working Group recommended that it should continue advising and assisting the Conference in carrying out its mandate with regard to the Smuggling of Migrants Protocol with a view to improving international cooperation in that area. At the same meeting, the Working Group recommended that States parties continue to review and, as appropriate, strengthen their relevant legislation, including criminal legislation, and establish as criminal offences the acts covered by the Smuggling of Migrants Protocol and the Organized Crime Convention, including by introducing appropriate sanctions commensurate with the nature and gravity of the offence.

* CTOC/COP/WG.7/2017/1.



4. At its second meeting, held in 2013, the Working Group recommended to the Conference that the following topics, inter alia, be considered at future meetings of the Working Group: organized crime aspects of the smuggling of migrants, including financial investigations and responses targeting the proceeds of crime; and criminal justice responses, including investigation and prosecution of the perpetrators. The Working Group also recommended that, pursuant to article 20 of the Convention, and in accordance with national legislation, States parties should make use of a range of special investigative techniques in smuggling of migrants cases, commensurate with the needs of any specific investigation, as an effective means of gathering intelligence and evidence.

5. Also at its second meeting, the Working Group recommended that States parties utilize the Convention as a legal basis for international cooperation, in particular in the form of mutual legal assistance and extradition, to combat the smuggling of migrants.

6. At its third meeting, held in 2015, the Working Group recommended to the Conference that States enhance the use of the Organized Crime Convention and the Smuggling of Migrants Protocol as the basis for international cooperation aimed at facilitating extradition and the widest possible measure of mutual legal assistance in smuggling of migrants cases, in accordance with articles 16 and 18 of the Convention.

7. Also at its third meeting, the Working Group recommended that States encourage smuggled migrants to cooperate with investigations, including by providing witness testimony, and, consistent with article 24 of the Convention, should consider measures to effectively protect those who do so and, as appropriate, their relatives and loved ones, from potential retaliation, including, where appropriate, by considering granting them temporary residence permits or relocation assistance.

8. At the same meeting, the Working Group also recommended that in implementing the Smuggling of Migrants Protocol, States parties take full advantage of the tools provided for in the Convention, including, but not limited to, confiscation and seizure, mutual legal assistance, extradition, witness protection and the use of special investigative techniques. Finally, the Working Group recommended that the Conference consider all options to ensure that reliable and consistent information was provided on the effective implementation of the Convention and of the Smuggling of Migrants Protocol, with a view to identifying gaps and needs for technical assistance, and highlighting successful experiences and good practices.

9. The Economic and Social Council, in its resolution 2014/23, entitled “Strengthening international cooperation in addressing the smuggling of migrants”, encouraged Member States to adopt relevant measures, including, if necessary, reviewing relevant legislation, including criminal legislation, and to criminalize the acts covered by the Convention and the Smuggling of Migrants Protocol, including by introducing appropriate sanctions commensurate with the nature and gravity of the offence.

10. In the same resolution, the Council encouraged Member States to take measures to protect witnesses in cases of smuggling of migrants, as called for in the Convention, to take appropriate measures to provide for the effective protection of witnesses who testify in criminal proceedings and, as appropriate, their relatives, including protection from potential retaliation, and to strengthen international cooperation in that area.

III. Issues for discussion

11. Matters related to international cooperation in criminal matters are dealt with in the Organized Crime Convention, as are the crimes that often accompany the

smuggling of migrants: participation in an organized criminal group, corruption, obstruction of justice and money-laundering. It is therefore essential that the Smuggling of Migrants Protocol be read and applied in conjunction with the Convention and that national legislation to address the smuggling of migrants be developed to implement not only the Protocol, but also the Convention itself.

12. *Mutatis mutandis*, article 34, paragraph 2, of the Convention should be read as applying to any offences established in accordance with the Convention, including those established under article 6 of the Smuggling of Migrants Protocol.

13. The Working Group may wish to include the following issues in its deliberations on the use of the Organized Crime Convention to address challenges relating to the smuggling of migrants:

- What aspects of the Organized Crime Convention should be applied to effectively advance investigations into and the prosecution and adjudication of smuggling of migrants cases?
- What challenges have been experienced in using the Organized Crime Convention in smuggling of migrants cases?
- What good practices have been identified in the use of the Organized Crime Convention in smuggling of migrants cases?
- The Organized Crime Convention requires States parties to criminalize participation in an organized criminal group (art. 5), money-laundering (arts. 6 and 7), corruption (art. 8) and obstruction of justice (art. 23). What are the benefits and challenges of investigating and prosecuting these crimes in smuggling of migrants cases?
- What are the main challenges with regard to international cooperation in cases of smuggling of migrants? In which cases, and how, could States make effective use of informal law enforcement cooperation?
- What are promising practices and what are the challenges experienced in applying article 16 of the Convention, on extradition, to smuggling of migrants cases? How do these relate to the length and cost of extradition proceedings and to the non-extradition of nationals, and how do they conflict with the principle of dual criminality? What efforts have been made to build the capacity and expertise of practitioners in extradition law and extradition practice?
- What are the challenges of and best practices in making use of article 18 of the Convention, on mutual legal assistance, in smuggling of migrants cases?
- What challenges exist in practice with regard to effectively implementing article 20 of the Convention, on special investigative techniques? What successes have been achieved and lessons learned in using special investigative techniques in smuggling of migrants cases?
- How can the provisions of the Organized Crime Convention on the protection of witnesses and the protection of and assistance to victims (art. 24 and art. 25) be most effectively applied to smuggling of migrants cases?

IV. Overview of main issues and guidance for response

A. Smuggling of migrants as a form of transnational organized crime and criminalization of offences in accordance with the Organized Crime Convention

14. The Smuggling of Migrants Protocol, in its article 3, defines smuggling of migrants as procuring the illegal entry of a person into a State party of which that

person is not a national or permanent resident for the purpose of obtaining direct or indirect financial or other material benefit. The Protocol applies where the offences are transnational in nature and involve an organized criminal group,¹ because without cross-border movement there would be neither migrants nor smuggling of migrants. However, under the Organized Crime Convention, article 34, the smuggling of migrants must be established as an offence under domestic law irrespective of whether an organized criminal group is involved. The requirements set out in the Smuggling of Migrants Protocol should be regarded as a minimum standard, and domestic measures may be stricter or more severe.

15. The Organized Crime Convention sets out several forms of conduct that must be criminalized under national legislation to allow for a strong criminal justice response to, inter alia, the smuggling of migrants. Those include participation in an organized criminal group (art. 5), money-laundering (art. 6), corruption (art. 8) and obstruction of justice (art. 23). The Convention requires States parties to adopt such legislative and other measures as may be necessary to establish such conduct as criminal offences. In addition, the Convention requires States parties to adopt measures to establish the liability of legal persons (art. 10).

16. Article 5 of the Organized Crime Convention offers States parties two main approaches to the criminalization of participation in an organized criminal group to ensure cross-border harmonization.

17. While article 6 of the Organized Crime Convention requires the criminalization of the laundering of proceeds of crime, article 7 obliges States parties to adopt measures to combat money-laundering, such as comprehensive domestic regulatory and supervisory regimes for banks and non-bank financial institutions and other bodies particularly susceptible to money-laundering. Article 7 also requires States to consider the establishment of financial intelligence units and the implementation of measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders. It also requires them to endeavour to develop and promote global, regional, subregional and bilateral cooperation among judicial, law enforcement and financial regulatory authorities. It is essential that national legislation criminalizing money-laundering pursuant to these articles include the smuggling of migrants as a predicate offence for money-laundering and that measures be put in place to combat money-laundering resulting from or conducted for the purpose of smuggling migrants.

18. Corruption is both a means of smuggling migrants and an end result, as smugglers establish their smuggling routes along paths where corruption exists or can be brought about. Under article 8 of the Convention, States parties are required to address both active bribery (promising, offering or giving undue advantage to a public official to act or refrain from acting) and passive bribery (acceptance by a public official of undue advantage in order to act or refrain from acting), as well as participation as an accomplice in either of the above. In addition, article 9 requires States parties to adopt legislative or other measures, as appropriate, and consistent with their legal system, to promote integrity, prevent, detect and punish the corruption of public officials and ensure effective action by officials. These measures require anti-corruption authorities to have sufficient independence to prevent undue influence.

¹ The United Nations Convention against Transnational Organized Crime, in its article 2, defines a transnational organized criminal group as a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with the Convention, in order to obtain, directly or indirectly, a financial or other material benefit. Article 3 of the Convention sets out that an offence is transnational in nature if it is committed in more than one State; or in one State but a substantial part of its preparation, planning, direction or control takes place in another State; or in one State but involves an organized criminal group that engages in criminal activities in more than one State; or in one State but has substantial effects in another State.

19. Corruption relating to the smuggling of migrants may occur in countries of origin, transit or destination. It may be systemic, institutional or individual. It may occur at various stages in a smuggling venture, such as recruitment, transportation, illegal entry or harbouring, or facilitating a migrant's illegal stay. Corruption facilitates the falsification or use of fraudulent travel and identity documents. It even occurs after smugglers or smuggled migrants have been apprehended to facilitate their illegitimate release or to extort more money from smuggled migrants or their relatives. In other instances, corruption supports fraudulent adoption, marriage or employment schemes and various other forms of fraud linked to the smuggling of migrants.

20. Corruption is also a major obstacle to the prevention, detection, investigation and prosecution of the smuggling of migrants. Law enforcement, border protection and immigration control activities can be circumvented or sabotaged with the complicity of corrupt public officials. Corruption also presents an obstacle to effective international cooperation in fighting the smuggling of migrants. It undermines any relationship of confidence and mutual trust, which is an essential part of ongoing cooperation across borders, whether in border management, immigration control, criminal investigations or intelligence-sharing.

21. The response to migrant smuggling should include efforts to significantly reduce the risk of corruption by systematically identifying the vulnerabilities to corruption of law enforcement, immigration control and border protection agencies as well as key private sector actors. Based on the findings, action should be taken to develop and implement effective and comprehensive risk-mitigation strategies and specific institutional measures to prevent and control corruption within every agency involved in immigration control, border protection, consular services and investigations into and the prosecution and adjudication of smuggling of migrants cases.

22. States parties are to criminalize obstruction of justice, which may undermine efforts to prosecute and convict smugglers of migrants, in order to uphold the integrity of the criminal justice apparatus. Article 23 of the Convention requires that States parties criminalize the use of physical force, threats or intimidation or the promise, offering or giving of an undue advantage when used to induce false testimony or to interfere in the giving of testimony or the production of evidence in proceedings in relation to offences covered by the Convention (art. 23, para. (a)), or when used to interfere with official duties by a justice or law enforcement official in relation to offences covered by the Convention (art. 23, para. (b)).

B. International cooperation

23. Effective cross-border cooperation requires regular opportunities for political and operational dialogue between State and non-State actors. The purpose of such dialogues is to strengthen the shared knowledge base and take a cooperative approach to developing responses to the smuggling of migrants. Regional and subregional consultative processes are cited regularly as effective means of enhancing cooperation.

24. Formal international cooperation includes mutual legal assistance, extradition and the transfer of sentenced persons to support the prosecution of transnational organized criminal groups involved in the smuggling of migrants. Facilitating such cooperative efforts may require drafting or amending appropriate national legislation and adopting other measures to facilitate the provision and acceptance of mutual legal assistance, as well as taking cooperative capacity-building measures.

25. Formal international cooperation can be based on bilateral, multilateral or regional treaties or agreements, including agreements on extradition and mutual legal assistance in criminal matters. In the absence of such agreements, the Organized Crime Convention provides the basis for cooperation among States parties. Where there is no treaty framework for international cooperation, a good practice is for States to cooperate on the basis of courtesy and reciprocity.

26. Several challenges commonly occur throughout an extradition process, including where the Organized Crime Convention is used as a legal basis. Extradition proceedings can prove to be an obstacle to the success of criminal cases, including smuggling of migrants cases. The non-extradition of nationals, the principle of dual criminality and/or human rights issues may pose practical problems for both requesting and requested States. In addition, extradition can be both time-consuming and expensive. The sheer variety in States' substantive and procedural extradition law is the most serious obstacle to just, quick and predictable extradition. Extradition remains a highly technical and specialized area of law, one for which countries do not always have the required capacity. However, to respond effectively to the smuggling of migrants and other crimes that by definition transcend national borders it is important to extradite the offenders, in particular the high-profile ones.

27. As another option, article 21 of the Convention requires States to consider the possibility of transferring prosecution proceedings to one another in cases where such transfer is considered to be in the interests of the proper administration of justice, in particular in cases where several jurisdictions are involved, with a view to concentrating the prosecution.

28. Mutual legal assistance is another important tool that can support investigations into and the prosecution of smugglers of migrants. Article 3 of the Smuggling of Migrants Protocol defines the smuggling of migrants as an act committed to obtain a financial or other material benefit. Therefore, those who procure their own illegal entry or who procure the illegal entry of others for reasons other than financial or other material benefit, such as individuals smuggling family members or charitable organizations assisting in the movement of refugees or asylum seekers, are outside the definition. As the element of financial or other material benefit is vital in smuggling of migrants cases, it is crucial that authorities acquire relevant information in a timely manner, in particular financial information.

29. Cooperation among States parties in the exchange of financial information held by banks and other financial institutions is central to the fight against organized crime. The ability of financial investigators to identify and trace the financial assets of members of criminal groups through bank accounts and other forms of fiduciary holdings is important for the prosecution of financial crimes and the confiscation or forfeiture of the proceeds of crimes. In that regard the Convention is a practical tool that prohibits States parties from declining to render mutual legal assistance on the grounds of bank secrecy (art. 18, para. 8). Moreover, in accordance with article 18, paragraph 22, States parties may not refuse to provide assistance on the sole grounds that the offence is also considered to involve fiscal matters.

30. As it is a form of crime that transcends borders, the smuggling of migrants can be countered only by a cross-border law enforcement response. The mandatory provisions of article 27 of the Convention, on law enforcement cooperation, offer guidance and a basis for informal operational cooperation.

C. Sanctions

31. Article 11, paragraph 1, of the Convention requires States to strengthen or introduce legislation to implement the Smuggling of Migrants Protocol, including by adopting sanctions against those who smuggle migrants for profit.

32. Article 6, subparagraphs 3 (a) and (b), of the Protocol requires that aggravating circumstances be established, that is, circumstances that endanger, or are likely to endanger, the lives or safety of migrants and circumstances that entail inhuman or degrading treatment, including for exploitation, of migrants. States are encouraged to enhance their legislation by including aggravating circumstances beyond those set out in the Protocol.

33. In order to effectively combat the smuggling of migrants and deter smugglers from committing their crimes, the penalties imposed must be appropriate and proportionate to the gravity of the offence. This applies to both natural and legal persons. The severity of the sanctions is left to the discretion of States parties, but in order for the Convention to apply, the maximum penalty for an offence must be four years' deprivation of liberty or more. It is recommended that the sanctions imposed on smugglers of migrants be publicized so as to deter others.

D. Special investigative techniques in smuggling of migrants cases

34. Effective and intelligence-led investigative techniques should be developed and strengthened to ensure that judicial procedures take into consideration the needs of smuggled migrants, in particular those who have fallen victim to crime.

35. At the outset, national legislation should be put in place to allow for the confiscation of assets or other proceeds that have been obtained through the smuggling of migrants. Such confiscation could prevent further smuggling because of its deterrent effect on smugglers. Furthermore, special investigative techniques as provided for in article 20 of the Convention should be used. It may be necessary for States to review, enact or amend their legislation to allow the use of such techniques and to control their use in accordance with human rights standards. Other measures that may be necessary could include the provision of appropriate human, technical and other resources, as well as the building of investigative capacity.

E. Protection of witnesses and protection and assistance to victims of crimes under the Convention

36. Smuggled migrants who have been victims of crime should be able to report those crimes to the authorities and have their claims properly investigated and the perpetrators prosecuted. Failing that, smuggled migrants may become easy targets for criminals who know they can prey on them with relative impunity. States whose criminal laws do not already cover all victims of crime, including non-nationals, may need to broaden the scope of existing criminal provisions, particularly those relating to violent crimes, to enable them to protect and assist smuggled migrants and uphold their human rights.

37. Even where smuggled migrants are not victims of an additional crime as a result of the smuggling process, they can act as witnesses to the crime of smuggling. Article 24 of the Convention, on the protection of witnesses, requires States parties to take appropriate measures to protect witnesses in criminal proceedings concerning offences that include the smuggling of migrants. Moreover, article 5 of the Smuggling of Migrants Protocol stipulates that migrants are not to become liable to criminal prosecution under the Protocol for the fact of having been smuggled. This basic provision offers such persons guarantees to encourage them to testify and provide other evidence against their smugglers in proceedings in the receiving State.

38. Often, the prosecution of smugglers of migrants requires the testimony of the migrants they have smuggled. The willingness or ability of those migrants to cooperate with investigations or give testimony in judicial settings is greatly undermined if they fear intimidation or reprisals from organized criminal groups. Experience has shown that criminal justice cooperation is increased where legislation is enacted and/or policies are adopted to protect smuggled migrants who cooperate with and participate in the criminal justice process. Protection measures appropriate to a given situation can range from the simple, such as providing a police escort to the courtroom, offering temporary residence, using closed-circuit television or videoconferences to hear testimony, or allowing witness anonymity, to the more complex, such as resettlement under a new identity in the witness's own or another country. In many cases, concern about a witness's security may be effectively addressed through: (a) assistance before and during the trial, which

enables the witness to cope with the psychological and practical implications of testifying in a court of law; (b) police measures to enhance the witness's physical security; and (c) court procedures to ensure the witness's safety while giving testimony.

V. Key tools and recommended resources

39. The tools and resources listed below are all available on the website of the United Nations Office on Drugs and Crime (www.unodc.org).

Toolkit to Combat Smuggling of Migrants

The UNODC *Toolkit to Combat Smuggling of Migrants* provides guidance, proposes promising practices and recommends resources in various thematic areas to assist countries in implementing the Smuggling of Migrants Protocol.

Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto

The main purpose of the UNODC *Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto* is to assist States in implementing the Convention and its Protocols. *Legislative Guides* addresses, inter alia, criminalization and other measures to combat money-laundering and corruption, and other provisions of the Organized Crime Convention.

An updated version can be found under the heading “Legislative guide” on the knowledge management portal known as Sharing Electronic Resources and Laws on Crime (SHERLOC) (<https://sherloc.unodc.org>).

International Framework for Action to Implement the Smuggling of Migrants Protocol

The UNODC *International Framework for Action to Implement the Smuggling of Migrants Protocol* is a technical assistance tool to assist States parties and non-State actors to identify and address gaps in their response to the smuggling of migrants in accordance with international standards. It draws on international instruments, political commitments, guidelines and best practices to propose a comprehensive approach to preventing and combating the smuggling of migrants. Part two of the *Framework for Action* contains an overview, in the form of four tables, on the following topics: prosecution and investigation; protection and assistance; prevention; and cooperation and coordination.

Model Law against the Smuggling of Migrants

The aim of the UNODC *Model Law against the Smuggling of Migrants* is to assist States in implementing the Smuggling of Migrants Protocol by facilitating their review and amendment of existing legislation and adoption of new legislation using model provisions. The chapters cover the criminalization of the smuggling of migrants, the protection and assistance measures in respect of smuggled migrants, coordination and cooperation among and between agencies, cooperation in respect of the smuggling of migrants at sea, and the processes related to the return of smuggled migrants.

Basic Training Manual on Investigating and Prosecuting the Smuggling of Migrants

The UNODC *Basic Training Manual on Investigating and Prosecuting the Smuggling of Migrants* is a practical guide and training tool for criminal justice practitioners around the world. Individual modules are designed to be readily adapted to the needs of different regions and countries and can serve as a basis for

upgrading or supplementing the training programmes of national training institutes. Module 4 addresses financial investigations.

In-depth Training Manual on Investigating and Prosecuting the Smuggling of Migrants

The UNODC *In-depth Training Manual on Investigating and Prosecuting the Smuggling of Migrants* builds on the *Basic Training Manual* to promote a common understanding of relevant concepts and encourages States parties to adopt a mutually reinforcing approach in their responses to smuggling of migrants, a form of transnational organized crime. The Manual offers a practical approach to investigations into and the prosecution of the smuggling of migrants, offering promising practices relevant to all countries of origin, transit and destination, regardless of their legal systems.

Assessment Guide to the Criminal Justice Response to the Smuggling of Migrants

The UNODC *Assessment Guide to the Criminal Justice Response to the Smuggling of Migrants* contains a standardized and cross-referenced set of measures designed to enable government officials in immigration, customs and law enforcement agencies, as well as United Nations agencies, other organizations, various industry actors and individuals, to conduct comprehensive assessments of national systems to identify areas of technical assistance, to assist in the design of interventions that incorporate international standards and norms on the prevention and suppression of the smuggling of migrants, and to assist in training on those issues.

Issue Paper: Organized Crime Involvement in Trafficking in Persons and Smuggling of Migrants

UNODC commissioned the Institute for International Research on Criminal Policy of Ghent University, Belgium, to carry out a study into the involvement of organized criminal groups in trafficking in persons and the smuggling of migrants. The purpose of the study was to develop appropriate criminal justice responses to trafficking in persons and the smuggling of migrants as forms of organized crime that require a knowledge-based response.

Issue Paper: Corruption and the Smuggling of Migrants

The aim of this UNODC issue paper is to assist policymakers and practitioners in preventing and addressing corruption related to the smuggling of migrants. Instead of reviewing all successful practices in the prevention of the smuggling of migrants it focuses more narrowly on the prevention of corruption activities that facilitate the smuggling of migrants or defeat efforts to respond to it. The issue paper reviews the available evidence on the links between corruption and the smuggling of migrants, including on how corruption facilitates the smuggling of migrants and undermines efforts to control it. It reviews different forms of corruption associated with the smuggling of migrants in both the public and private sectors, and offers examples of smuggling of migrants cases involving corruption.

The Role of Organized Crime in the Smuggling of Migrants from West Africa to the European Union

The UNODC report contributes to a better understanding of the underlying mechanisms and actors involved in the smuggling of migrants and can serve as a basis for policy reforms in the West African countries it discusses. The report is aimed primarily at decision makers, law enforcement and judicial officials, but also at a wider audience interested in irregular migration.

Recent Trends of Human Trafficking and Migrant Smuggling to and from Pakistan

The report was commissioned by the UNODC country office in Pakistan, in collaboration with the Government, to improve the understanding of the emerging

situation related to trafficking in persons and the smuggling of migrants. The study was conducted by developing profiles of transnational migratory movements to and from Pakistan. It identifies emerging trends and describes the various methods used by traffickers and smugglers.

Transnational Organized Crime in West Africa: A Threat Assessment

The UNODC report assesses the progression and emergence of transnational organized crime affecting the region. It analyses the flows of cocaine and methamphetamine, the smuggling of migrants, trafficking in firearms and fraudulent essential medicines, and maritime piracy in the region.

Transnational Organized Crime in Central America and the Caribbean: A Threat Assessment

The UNODC report describes what is known about the mechanics of contraband trafficking and the smuggling of migrants — the what, who, how, and how much of illicit flows — and discusses their potential impact on governance and development. Its primary role is diagnostic, but it also explores the implications of the findings for policy.

Digest of Organized Crime Cases

The aim of the UNODC *Digest of Organized Crime Cases* is to provide policymakers and criminal justice practitioners with an analysis of concrete cases and related good practices. The *Digest* explains all the stages of the criminal justice response, including legislation, investigation, prosecution and adjudication, and international cooperation. By using illustrative cases, the *Digest* lays out the successes and the difficulties encountered by practitioners, and reflects the strengthening of efforts to combat organized crime globally.

Mutual Legal Assistance Request Writer Tool

The UNODC Mutual Legal Assistance Request Writer Tool assists States in drafting requests for international cooperation and assistance. The Tool can be used with virtually no previous knowledge about or experience with drafting assistance requests. The Tool guides users step by step through the request process for each type of mutual assistance using a series of templates, consolidates all data entered and automatically generates a correct, complete and effective request for final editing and signature. The Tool is adjustable to any country's substantive and procedural law, enables the user to retrieve information on treaties and national legislation, and features a case-management tracking system for incoming and outgoing requests.
