



UNITED NATIONS  
*Office on Drugs and Crime*

# GLOBAL PROGRAMMES

UPDATE NOVEMBER 2003





# THE GLOBAL PROGRAMMES

Update November 2003



UNITED NATIONS  
*Office on Drugs and Crime*



## PREFACE

While globalization has brought many benefits to citizens across the world, it also creates new criminal threats to which governments must respond. To assist States to meet this challenge, the United Nations *Office on Drugs and Crime* has assembled teams of specialists working on the provision of assistance to countries in countering a series of identified global threats.

*Termed, 'Global Programmes', these are designed as focused entities striving to implement high quality technical assistance in their respective areas. Such programmes also have a strong normative element, drawing lessons from both their own and others' experiences, disseminating this information as "best practice" to users across the world.*

The focus of these six global programmes mirror the current policy agenda of Member States, expressed in United Nations conventions and protocols. Thus, the six global programmes are dedicated to the implementation of the Drugs Control Convention of 1988, the Convention against Transnational Organized Crime, the protocol against trafficking in persons, the anti-money-laundering provisions in Drugs and Crime Conventions, the forthcoming Convention against Corruption and the twelve counter terrorism conventions.

Teams of experts working on the global programmes comprise regular UN staff, complemented by specialized personnel recruited from voluntary contributions. Each pursues the UNODC strategy of knowledge-based technical assistance, drawing on data on global trends and international best practices. Databases are maintained on a variety of issues, and resulting outputs are disseminated through manuals, toolkits, journals and the internet. Results of assistance projects are routinely fed into these databases to ensure an effective process of action based learning.

Technical assistance implemented through the global programmes is geared towards enabling national capacities to maintain the rule of law. This consists of a wide variety of interventions, including: legal advisory services; assessments of global and national trends; training and mentoring of investigators, prosecutors and judges; advice on preventive approaches; and support for victims and witnesses. Given that this is an important focus of the UN Conventions, specific attention is given to capacities for international cooperation in law enforcement and criminal justice, including the facilitation of networking among specialized investigators, prosecutors and judges.

Through the programmes, criminal justice systems throughout the world are assisted to meet the minimum standards set in the UN conventions against drugs, crime and terrorism and to become reliable partners in the evolving international coalitions against transnational criminal threats. Both the staff in each of the programmes and I are only too aware that their ultimate aim is to ensure greater levels of safety and security for citizens across the world. This knowledge reinforces our commitment.

The global programmes continue to make good progress, and I am determined to promote their rapid expansion. I invite Member States to take an active part in them, whether as users of our databases, as donors or as recipients (including through cost sharing) of technical support. The success of our efforts in the fight against the triangle of drugs, crime and terrorism depends on the strength of this participation.

Antonio Maria Costa  
Executive Director



# Contents

<b>THE LEGAL ADVISORY PROGRAMME.....</b>	<b>1</b>
<b>THE GLOBAL PROGRAMME AGAINST ORGANIZED CRIME.....</b>	<b>5</b>
<b>THE GLOBAL PROGRAMME AGAINST TRAFFICKING IN HUMAN BEINGS.....</b>	<b>9</b>
<b>THE GLOBAL PROGRAMME AGAINST MONEY LAUNDERING .....</b>	<b>13</b>
<b>THE GLOBAL PROGRAMME AGAINST CORRUPTION.....</b>	<b>17</b>
<b>THE GLOBAL PROGRAMME AGAINST TERRORISM .....</b>	<b>21</b>





## THE LEGAL ADVISORY PROGRAMME

### THE CHALLENGE

Without adequate legal frameworks in place and the know-how to effectively implement the conventions, international drug control efforts are seriously undermined.

Most countries now have the basic laws and machinery in place to implement the 1961 and 1971 conventions. Far fewer can yet effectively implement the 1988 Convention.

The 1988 Convention has transformed how States deal with their drug-related casework and requires:

- A new legal basis for balancing drug demand and supply reduction activities.
- Minimum standards for justice against those who profit on the misery of others.
- States to share their domestic legal powers in major international casework.

In 1990, the General Assembly resolved that *“the United Nations shall provide expertise to requesting countries to establish the legislative and administrative frameworks for the ratification and effective implementation of the”* United Nations drug control conventions of 1961, 1971 and 1988.

Many States have needed to change not only their laws and policies, but also the way their healthcare and justice systems operate in order to respond to the requirements of the Convention. At a more basic level, the needs of many countries in transition to democratic market economies from civil conflict or from colonial or state controlled economies have required specific interventions.

Thus, major changes to old legal frameworks, policies and practices became necessary to implement not only the 1988 Convention, but many common provisions of other related international/regional drugs, crime and terrorism instruments.

### THE RESPONSE

UNODC's Legal Assistance Programme (LAP) delivers its services through a global project, and through various country and regional initiatives.

LAP's services and products are tailored to meet each country's specific requirements by:

- Assistance to put in place domestic legislation, by drafting new or amending old law.
- Providing critical training and working tools to judges, prosecutors and other key implementing officials.
- Ensuring assistance to deal with later practical implementation problems as well as special legal problem-solving help with major domestic or international casework.

Current legal assistance priority activities are focused on:

- Countries needing legal assistance to meet their UNGASS law-related 2003 targets, and Millennium Declaration commitments.
- Source countries and countries along main drugs, precursors and money laundering routes in Asia, Latin America and sub-Saharan Africa.
- Countries with significant unresolved drug-abusing offender crime problems.

A special initiative will benefit States of the Islamic legal tradition who have received less legal assistance to date than their common law and civil law counterparts.

LAP's activities in 2002, included:

### Legislation drafting

- Helped Afghanistan develop its new drug control law from LAP's initial draft, trained the Afghan team finalizing the draft for adoption and will now support the process of implementation.
- Gave legislative upgrading help to other countries in Asia, Europe, South and Central America and the Caribbean and to CIS States.

### Justice system practitioner support

- Organized and conducted training in South America and CIS States to improve effectiveness/professionalism of judges, magistrates and prosecutors in drug-related casework.
- Developed and piloted mock trial frameworks in Central and South America and in Africa for on the job training of prosecutors and judges.
- Trained judges and prosecutors of the 57 Member State Organization of the Islamic Conference.
- Provided on-site, on-the-job mentor prosecutor support to South Africa in its major asset forfeiture casework.
- Organized and conducted a Caribbean interregional legal workshop for central authority casework practitioners.
- Organized and conducted a joint drugs and crime regional conference on judicial cooperation for the CIS States.
- Jointly worked with UNODC's global programmes on organized crime and corruption to assist Mexico improve integrity in its anti-organized crime casework and put anti-corruption machinery in place in the courts to improve judicial integrity.
- Gave technical support to UNODC's package of justice system training projects in South East Asia, Southern and East Africa, Iran, and the Dominican Republic.

### TOOLS

LAP delivers a useful range of legal assistance products available through its website:

[http://www.unodc.org/unodc/en/legal\\_advisory\\_programme.html](http://www.unodc.org/unodc/en/legal_advisory_programme.html)

### Comprehensive “model” legislation:

- These legislation packages help guide national legislators to fully meet both the requirements of all drug conventions and international best practice.
- Separate packages exist to meet the needs of each of the world's major legal traditions.
- All LAP's model laws are reviewed by informal expert working groups of internationally renowned practitioners. They are regularly upgraded to bring them in line with newly emerging best practice innovations and international legal instruments.

### Guidelines on the model laws

These explain the detailed model laws to:

- Parliaments considering them; and,
- Judges, prosecutors and other key personnel who implement them.

### Computer software for casework practitioners:

Existing and current work includes:

- Software which automatically drafts and translates mutual legal assistance requests to other countries in response to data keyed in by the practitioner.
- Casework processing and management software for use by drug treatment court teams (judges, prosecutors and health-care professionals);

The software is being expanded to enable effective case flow management of all major criminal and civil casework to help reduce court backlogs, and speed up the processing of serious crimes.

### Casework best practice guidelines

Through a programme of expert working groups, LAP gathers together the best practitioners in their fields, to identify, capture and make available to practitioners best international practice, including what works

and what doesn't, lessons learned, practical guides, checklists and best practice tips.

To date these expert working groups have dealt with:

- mutual legal assistance;
- asset forfeiture; and
- drug abuse offender casework.

The results of their work are widely used in daily practice by justice systems around the world.

### **Mock trial training tool**

A complete money laundering case file has been developed by LAP in Latin America for use in live training trials by judges, prosecutors and investigators. The tool was successfully piloted in two states in 2002, and is being more widely used in 2003.

### **IMPACT**

Over 156 UN Member States have received UNODC legal assistance directly or indirectly, through legislative drafting assistance, participation in UNODC legal workshops or receiving training assistance.

Since becoming a UNODC Legal Advisory Programme assisted Country: 65 became party to the 1988 Convention, 49 to the 1971 Convention, and 42 to the 1961 Convention as amended.

68 countries have adopted model drug control legislation in line with the Conventions with LAP assistance and similar legislation is before parliaments or governments in a further 30 countries.

Over 2,400 judges, magistrates, prosecutors, senior law enforcement officials and other key officials from 160 countries have benefited from the programme's competency development and case-based cross border judicial co-operation problem-solving programmes.

The work of LAP has received strong external performance evaluation ratings e.g., 5-month thematic review (1995) and OIOS (2001).





## THE GLOBAL PROGRAMME AGAINST ORGANIZED CRIME

### THE CHALLENGE

Advances in communication and technology have dramatically expanded legitimate commercial enterprise between states, shrinking distances, rendering state frontiers porous, and opening up previously unimaginable opportunities for commercial, political and social interaction. Yet this process of globalisation has had a dark side: expanding opportunities for legitimate commercial activities have been paralleled by unprecedented openings for illegitimate activities by criminal groups and enterprises.

The threat posed by transnational organized crime to the political, economic and social fabric of societies was recognised from the mid-1990s by the international community. The subsequent negotiation of an international Convention against Transnational Organized Crime was a historic step forward in countering the danger.

### THE RESPONSE

The Convention against Transnational Organized Crime provides the normative framework and orientation for the global programme. The programme aims at ensuring that states ratify the Convention, and amongst those that have or intend to, that effective practical steps are taken, in line with its provisions, to fight organized crime.

States that ratify the Convention commit themselves to taking a series of measures against transnational organized crime, including the creation of domestic criminal offences to counter the problem, the adoption of new, sweeping frameworks for mutual

legal assistance, extradition, law enforcement cooperation and technical assistance and training. In order to prepare the ground for such action, the Global Programme on Organized Crime was launched in 1999. Key activities of the global programme include:

#### Promoting the ratification of the TOC Convention

In 2002 regional meetings promoting the ratification of the TOC Convention were held in Algeria for African countries, in Ecuador for Latin American and Caribbean countries, in Guatemala for Central America, in Latvia for Eastern European countries and in Japan for Asian countries. In 2003 a meeting for Francophone African countries was held in Cairo. Expert group meetings to prepare legislative guides to the TOC Convention and its three Protocols were also held. In 2002/2003 technical assistance aimed at ratification and implementation has been provided to over 50 countries.

#### Training of criminal justice practitioners

The global programme has initiated and refined a multimedia seminar aimed at training law enforcement personnel, including police investigators, prosecutors and judges, intelligence analysts and customs officials. In line with the provisions of the Convention, the seminar examines best practice in the fight against organized crime and corruption concerning investigations, international cooperation, collaboration with and protection of witnesses, prevention of organized crime and anti-organized crime legislation.

Initially pilot seminars were held in Colombia, Croatia, Peru and Slovakia. Since 2002, 19 national and regional seminars have been conducted including in Mexico, Colombia, Romania, Nigeria, Belarus, Indonesia, Jordan, Ukraine, Ecuador, the Czech Republic, Chile, Peru, Bolivia, Venezuela and in the Central American, Balkan and Southern African regions.

### Information sharing among criminal justice practitioners

Furthermore, in order to improve information exchange between criminal justice professionals and promote international cooperation, data to be presented on a country-by-country basis on the web is being gathered. This covers:

- The nature of criminal groups that are active, with an overview of their salient features and special characteristics.
- The appropriate national legislation in respect of mutual legal assistance and extradition and an overview of the institutional arrangements in place to fight organized crime.
- The procedures used in respect of international co-operation in matters of organized crime, and the specific identification of government agencies assigned as focal points to facilitate contact.

In conjunction with the International Association of Prosecutors, a 'helpdesk' will provide an access point to prosecutors and other law enforcement officials who seek specific assistance. In cases where more extensive assistance is required, a system of short-term mentorships is being developed.

### Regional organized crime assessments

Accurate information on organized crime, and state attempts to counter it, is an essential prerequisite for designing appropriate responses, including UNODC technical assistance interventions in respect of cross-border cooperation. The assessments aim to provide a detailed overview of organized crime, and by doing so, identify appropriate interventions for technical assistance.

Two regional assessment surveys are currently underway. The first covers the Central Asia region, with a particular focus on the states of Kazakhstan, Tajikistan, Uzbekistan and the Kyrgyz Republic. The second covers the West Africa region, specifically Côte Ivoire, Senegal, Ghana, Nigeria and Sierra Leone. An assessment for East Africa and South Asia are planned.

### Kidnapping and organized crime

The involvement of organized crime groups in kidnapping for profit is of increasingly serious concern, most notably in Latin America, but also in other societies. In the most severely affected countries, several hundred kidnappings are conducted each year by organized crime groups, and to date, the response from state authorities have been insufficient. The programme is working on an extensive project aimed at countering the problem both through specific responses in individual states as well as the monitoring of the problem from a global perspective, developing best practices and preventative strategies.

The counter-kidnapping projects will be funded through a unique partnership between business and government resources. An expert group meeting was convened in September 2003 to begin the process of drawing together a manual of best practices in countering kidnapping.

### Technical cooperation

The programme continues to pursue a series of technical cooperation projects in selected countries. A project on measures against organized crime in South Africa was completed in 2002, and work in the former Republic of Macedonia to tackle economic and financial crime is underway. A mentor to support specialized investigations in Peru has been appointed. Interventions to strengthen the expertise and functioning of specialized organized crime units in Colombia, Mexico, South Africa and elsewhere has shown the importance of expanding this type of support.

It is a key aim of the programme in 2004/5 to develop specific technical assistance projects to support specialized organized crime units in a number of countries where the problems of organized crime are particularly severe, or have the potential to become more serious.

## War and organized crime

The connections between war and organized crime has become of increasing concern, specifically in Africa, South Eastern Europe and parts of Latin America. The programme aims to intervene in this area during the course of 2004, by attempting to assess the extent of the problem and determining best practice to curtail the spread of organized crime in conflict zones.

## TOOLS

The collection and analysis of data, both on the extent of organized crime, as well as attempts to counter it, form key tools for the project, feeding into both training and technical assistance activities. These include:

- The completion of a manual on investigating and countering organized crime. Now in draft form, this is used as an input for training and other forms of assistance. The manual will be finalized shortly and will be available on the UNODC website.
- The maintenance of a database on organized crime groups across a variety of countries. This information – including the development of a set of typologies of organized crime groups – has fed directly into training and assessment activities. In co-operation with INTERPOL, it is planned to release more regular assessments of global and regional organized crime trends.
- Ongoing information collection efforts in respect of strategies, legislation and structures in place across the globe to counter organized crime. Detailed assessment of 20 countries have been critical in shaping training and other assistance material.

Further information is available on [http://www.unodc.org/unodc/en/organized\\_crime.html](http://www.unodc.org/unodc/en/organized_crime.html)

## IMPACT

- Ensuring the signing, ratification and then the implementation of the TOC Convention, by highlighting the key advantages that ratification brings, and by promoting best practices in fighting organized crime through the framework of the Convention. The Convention has now been signed by 151 states. 53 countries have ratified the TOC Convention as of November 2003. The Convention entered into force on 29 September 2003 and 2004 will be a critical year in ensuring its effective implementation across the globe.
- Developing and promoting best practice in countering organized crime. In 2002/2003, alone, over 1500 investigators, prosecutors, intelligence analysts and judges were trained in the most effective methods of fighting organized crime.
- Ensuring that the foundation for implementing the TOC Convention in two critical areas – exchanging information between law enforcement officials and monitoring the implementation of the Convention itself – has been laid.
- Determining the most effective method for collecting information on organized crime from regional and a global perspective, ensuring that such information is directly linked to policy making and technical assistance projects.





## THE GLOBAL PROGRAMME AGAINST TRAFFICKING IN HUMAN BEINGS

### THE CHALLENGE

This Global Programme launched in 1999 assists Member States in their efforts to combat trafficking in human beings. Its overarching objective is to bring to the foreground the involvement of organized criminal groups in human trafficking and to promote the development of effective criminal justice-related responses.

The “Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children”, of the United Nations Convention against Transnational Organized Crime, serves as the framework and orientation for the Programme.

The legal instrument, which was adopted by the General Assembly on 15 November 2000 and will enter into force on 25 December 2003, provides the first internationally agreed upon definition of trafficking and requires States to criminalize such activity. It also calls for measures to prevent trafficking and for the protection and assistance of victims. The effective implementation of the Protocol by Member States will significantly increase the ability of the international community to respond to this global scourge.

### THE RESPONSE

The Programme aims to:

- Advise on drafting and revising relevant legislation.
- Provide advice and assistance on establishing and strengthening anti-trafficking offices and units.

- Train law enforcement officers, prosecutors and judges.
- Strengthen victim and witness support.
- Promote awareness-raising.

The Programme's key components are assessment and technical cooperation. The activities include analyzing the trafficking situation and involvement of organized crime groups, strengthening criminal justice responses, improving cooperation among law enforcement agencies and other relevant institutions, and improving protection and support systems for victims and witnesses.

The Programme promotes a comprehensive and multi-disciplinary approach in preventing and combating human trafficking. Within this context, the Programme focuses on the criminal justice component of trafficking, including victim support and witness protection, complementing the work of other entities of the UN system.

#### Assessment

The assessment component includes data collection on various trafficking routes and the methods used by organized criminal groups in trafficking. Countries involved in the Programme are selected from Asia, Europe, Africa and Latin America and are assessed according to:

- Trafficking routes and forms of exploitation of trafficked people.
- Cooperation among law enforcement, prosecution and judiciary.
- Government efforts to respond, including recent legislative reforms.

#### Technical cooperation

Technical cooperation projects have been initiated in Asia, Central and Eastern Europe, Latin America and West Africa. Specific intervention measures are being introduced that are designed to strengthen the capacity to combat different forms of trafficking at the national and international levels. These measures will assist countries of

origin, transit and destination to develop joint strategies and practical actions.

### Country projects

The Programme manages a series of technical cooperation projects in selected countries.

#### *Asia: the Philippines*

The project in the Philippines serves as a pilot, aiming at developing replicable measures that could be used as standard components for technical assistance. The project in the Philippines has produced the following outputs:

- Research and analyses: a final assessment report including an analysis of the trafficking process and the involvement of organized criminal groups in it as well as government responses. The report concludes with recommendations to governments in source and destination countries.
- Criminal justice responses: the establishment of a national coordination mechanism, an awareness-raising and basic training component for law enforcement officers, guidelines on investigation and prosecution of cases, formulation of recommendations for the protection and support of victims and witnesses, and development of a database on organized criminal involvement in trafficking.
- Based on the project's results, a National Action Plan against trafficking in human beings has been adopted. A follow – up project on victim support has been drafted, which will be implemented in 2003 - 2005.

#### *Vietnam*

The project seeks to enhance existing mechanisms against trafficking in human beings. This includes networking between law enforcement and the judiciary, increasing investigation and prosecuting capacities and training of personnel of the agencies involved.

#### *Central and Eastern Europe: the Czech Republic and Poland*

The project assists countries in applying the Protocol against trafficking in persons in order to carry out legal and institutional reforms. The main focus of the project is on the necessary cooperation between the criminal justice system, other agencies and civil society to find ways to prevent and combat trafficking in human beings and in particular provide protection and support to victims and witnesses in order to empower them to cooperate with the police and prosecutors.

#### *The Slovak Republic*

One of the key objectives of a project is to assist the newly established trafficking unit within the criminal police to become fully operational. In this regard, the officers of the new unit have visited similar units in Germany, the Czech Republic and the Netherlands. The project will pilot-test a new model for cost-effective ways of protecting and assisting victims of trafficking.

#### *Latin America: Brazil*

The project includes an assessment of the trafficking situation in that country, the establishment of a database and the training of law enforcement officers in the investigation and prosecution of trafficking cases. An analysis of mutual legal assistance agreements and an awareness campaign to prevent trafficking cases is being carried out. The project is funded by the Governments of Brazil and Portugal.

#### *Columbia:*

The activities of this recently launched project include support of the national anti-trafficking strategy and related legislation, strengthening national capacities and sub-regional cooperation, including the organization of a conference for Andean and selected Caribbean countries.

*West Africa: Nigeria, Togo, Benin*

The project in West Africa assesses recent trends in trafficking in human beings with particular attention to the involvement of organized criminal groups. Training for criminal justice practitioners is provided focusing on the cooperation mechanisms between police and justice and investigation techniques. Regional networking among criminal justice practitioners of Benin, Nigeria and Togo are promoted through training courses and workshops on investigation and prosecution of trafficking cases and on the protection of victims. Project activities are in line with the ECOWAS Political Declaration and the Plan of Action against Trafficking in Human Beings (see below).

*ECOWAS*

Following a sub-regional expert meeting and the adoption of the ECOWAS Action Plan against Trafficking in Human Beings, developed in cooperation with UNODC, the project supports the establishment of an anti-trafficking unit at the ECOWAS Secretariat and the provision of regional advisory services to assist ECOWAS member states with the implementation of the Action Plan.

*Global, developing countries and countries in transition:*

Project on building non-governmental support structures for victims of violent crimes, including victims of trafficking in persons. This project includes the assistance to victims of trafficking, especially women and girls, through NGOs and the funding of non-governmental structures. It focuses on “best practice” guidance to those working with the victims and the development of practical initiatives that offer direct support to victims.

**Future activities**

The Programme will continue to expand its technical cooperation and assessment activities. Several new projects are planned for Africa (SADC), Eastern Europe (Republic of Moldova, Russian Federation), Asia (India, Greater Mekong Area, South East Asia /

Computer Based Training and Regional Legal Expert in Human Trafficking), and the Middle East (Lebanon). Data collection will be continued and new methods to gather reliable information on trafficking and organized crime involvement will be developed. At the end of 2004 the Programme is expected to conduct a minimum of 15 projects against trafficking in persons.

**TOOLS****Trends database**

A database to track global trafficking trends, cross-national trafficking routes and the volume of trafficked persons has been established. The database, compiled from multiple sources, will also include information on victims and offenders and the responses of criminal justice systems to trafficking. The analyses of the data will be published in yearly reports.

**Tool-kit**

The Programme is preparing a manual or ‘tool-kit’ to provide examples of promising practice in the efforts against trafficking in persons, covering the four sectors of legislative reform, strengthening criminal justice responses, victims protection and support, and international cooperation.

**Topical information is made available on the internet site:**

[http://www.unodc.org/unodc/en/trafficking\\_human\\_beings.html](http://www.unodc.org/unodc/en/trafficking_human_beings.html)

**IMPACT****Political events**

Adoption of the ECOWAS political declaration and an action plan against trafficking in human beings by the annual Summit of ECOWAS Heads of States in 2001. The plan of action commits ECOWAS countries to urgent action against trafficking in human beings in 2002 – 2003, setting achievable goals and objectives. The action plan calls for countries to: adopt laws criminalizing

trafficking in human beings; build new special police units to combat trafficking; and, train police, customs, immigration officials, prosecutors and judges. Working in co-operation with NGOs and other representatives of civil society, ECOWAS countries will also take responsibility for protection of trafficking victims.

Launching of the Philippines Strategic Action Plan for a National Coalition against Trafficking in Human Beings in 2001. The formulation of a national anti-trafficking strategy was a major achievement of the work of the 'Inter-Agency Executive Committee' established as part of the project against human trafficking in the Philippines.

### **Awareness-raising**

In January 2001 UNODC, then ODCCP, launched its Global Television Campaign on Human Trafficking with a Public Service Announcement (PSA) campaign on the issue to help raise global awareness of this growing crisis. The highlight of the campaign was a PSA focusing on the trafficking of women for the purposes of sexual exploitation.

Following the success of the first video spot a second video on the trafficking in men, women and children for bonded and forced labour was released in February 2002. The video spot intends to provide information to potential victims about the dangers of trafficking and to raise consciousness among the general public about the epidemic growth of this modern-day slavery.

UNODC arranged for the broadcast on national networks in over 40 countries, as well as on global and regional networks such as the BBC, CNN International and MTV Asia. The spots have also been distributed among relevant NGOs to serve as an awareness-creation tool at the local level. Millions of people worldwide have viewed the video spots.

Selected videos on human trafficking have also been compiled to raise awareness on this growing phenomenon.

In 2003 UNODC has released two new video spots on human trafficking. The new spots take the UNODC campaign one step further in that they will encourage victims and the general public to take action against trafficking rather than solely illustrating the issue and the plight of the victims.

The UNODC Public Service Announcements can be viewed at:

<http://www.unodc.org/unodc/multimedia.html>



## THE GLOBAL PROGRAMME AGAINST MONEY LAUNDERING

### THE CHALLENGE

The 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances called on Member States to criminalise the offence of money laundering and to establish a comprehensive legal framework to deal with all associated matters.

The Global Programme against Money Laundering (GPML) was established in response to the mandate of the Convention and was further strengthened in 1998 by the General Assembly Special Session's Political Declaration and Action Plan against Money Laundering, which broadened its remit beyond drug offences to all serious crime, and required States to put in place a number of specific measures, particularly with regard to proper regulation of the financial sector. The Convention against Transnational Organized Crime (TOC) will strengthen this expansion of money laundering predicate offences to include all serious crime.

Many mechanisms of money laundering are essentially the same, regardless of the source or destination of the illegal financial flows. Similar techniques are often used to disguise and facilitate the flows whether the predicate offence is drug trafficking or other transnational crimes, or whether the purpose is the funding of terrorism. Anti-money laundering tools and techniques assist financial institutions in detecting suspicious patterns of behaviour by their customers that may indicate connections to terrorist activities. Anti-money laundering infrastructure, such as transaction record-keeping and reporting systems, know-your-customer rules,

asset seizure laws and financial intelligence units, provide key elements for the attack on terrorist financing.

### THE RESPONSE

GPML is the focal point in the UN System for issues related to money laundering and proceeds of crime. Recognizing that many States lack resources, both financial and human, to develop anti-money laundering infrastructure, GPML provides technical assistance to bring their counter-measures up to international standards.

GPML is an active partner of international organizations working in this field, including the International Monetary Fund, World Bank, Commonwealth Secretariat, INTERPOL, the Asia Pacific Group on Money Laundering and the Caribbean Financial Action Task Force, as well as regional development banks. The Programme also works in close co-operation with a number of governments, providing assistance for the prevention of money laundering.

The main objective in providing technical cooperation is to assist legal, financial and law enforcement authorities to develop the necessary infrastructure to fight money laundering by introducing best practices based on international experience. Specific initiatives are built around institution-building, training, research and awareness-raising. In particular, GPML assists in the following areas:

#### Creating legal frameworks

GPML reviews and assists in the drafting of anti-money laundering legislation. Some of this work has been done recently in collaboration with the IMF. The Programme has recently provided assistance with anti-money laundering legislation to Georgia, Israel, Kazakhstan, Russian Federation, Andorra, Lebanon and Indonesia, among others. GPML has produced – in cooperation with the Legal Advisory Programme in the United Nations Office on Drugs and Crime

– model legislation that States have used as guidance to enact or update their money laundering laws. The Programme also acts as a legal help desk for States in the process of drafting legislation, by responding to *ad hoc requests* about specific issues, or by putting drafters in touch with the appropriate legal expertise elsewhere in the world.

### Developing institutional capacity

GPML helps countries put in place the institutional machinery to allow them to fight illegal financial flows. The Programme has for some time focused on the development of financial intelligence units (FIUs), in the context of its working relationship with the Egmont Group. The Programme uses its unique mentoring system to put experts *in situ* for prolonged periods to:

- Assist new FIUs in tackling day-to-day operational problems.
- Support capacity-building in financial investigations and prosecution services.

### Training in financial investigations and intelligence-gathering

GPML provides training for legal, judicial, law enforcement and financial regulatory authorities to enhance their capacities to undertake their respective roles in an anti-money laundering infrastructure. Efforts are also underway to extend training to relevant private sector officials.

GPML recently launched its computer-based training (CBT) system in the Pacific region and in eastern and southern Africa for financial investigators and bank regulators. The Programme plans global delivery in 2004, and will target developing countries with few training resources, using its mobile learning centres.

### Research activity

Research work adds to the body of information on contemporary issues relevant to money laundering, the maintenance and improvement of relevant databases, the analysis of specific aspects of money laundering, and the provision of logistical support for

technical co-operation activities, including practitioner tools and training materials.

GPML maintains the world's largest legal database of electronically-stored, full-text, national anti-money laundering legislation, as well as a password-restricted database of legal analysis. The Programme has just launched its cash-based economies initiative, which aims to provide analysis and training tools for developing Member States whose criminal financial activity tends to occur through informal channels rather than financial institutions.

### Website and database

GPML's webpage was recently nominated a Best of the Web resource by international journal *Foreign Policy*.

GPML co-ordinates and administers the *International Money Laundering Information Network (IMoLIN)*, which includes AMLID (the Anti-Money Laundering Information Database), a global database of anti-money laundering legislation and analysis. The Programme administers IMoLIN on behalf of the United Nations, FATF, Interpol, Commonwealth Secretariat, Organization of American States, Council of Europe, the Asia-Pacific Group on Money Laundering and the Caribbean Financial Action Task Force.

[http://www.unodc.org/unodc/en/money\\_laundering.html](http://www.unodc.org/unodc/en/money_laundering.html)  
and [http:// www.imolin.org](http://www.imolin.org)

### Raising awareness

GPML undertakes initiatives designed to raise awareness in government and the financial sector about money laundering, its negative impact and the measures necessary to combat it.

### TOOLS

As a consequence of the events of 11 September 2001, the United Nations and other international bodies have decided to accelerate the extension of the scope of anti-money laundering activities to include combating the financing of terrorism. On 20

January 2003, the Security Council issued a declaration which reaffirms the link between drug trafficking and terrorist financing by stating that terrorists must be prevented from making use of other criminal activities, such as transnational organised crime, illicit drugs and drug trafficking, money laundering, and illicit arms trafficking.

GPML is currently spearheading the drafting of model legislative provisions on the financing of terrorism in co-operation with UNODC partners, to complement the anti-money laundering model laws. The Programme provides assistance to Member States in the drafting and implementation of legislation against terrorist financing

### **The Way Forward**

Anti-money laundering work is, and must be recognised as, a core function of the United Nations, and be provided with secure and reliable regular budget funding so that long-term work can be planned and carried out.

GPML will continue to build on its strengths, recognising the close connection between money laundering, drug trafficking, other forms of transnational organised crime, and the financing of terrorism. GPML will continue to:

- Encourage States to participate actively in regional approaches to anti-money laundering and the counter-financing of terrorism
- Pursue partnerships and joint activities with other international organisations
- Increase the deployment of mentors in key areas
- Develop working tools for practitioners, such as computer-based training and model legislative provisions
- Urge States to consult with GPML and other relevant bodies before drafting and passing laws to ensure that their legislation meets all international standards
- Promote, where possible, the sharing by assisted States of the costs of assistance
- Advocate that States contribute to other States the expertise that they have de-

veloped in the global effort to reach international compliance.

Money laundering and terrorist financing are dynamic fields, subject to frequent changes in techniques, technology, jurisprudence and policy approaches (both at the national and international level). Activities of GPML will naturally continue to be structured, and altered as necessary, to take account of current circumstances and thus to remain responsive to the changing needs of Member States and the international community.

### **IMPACT**

GPML has worked with many States to put in place the structures and skills required to successfully fight money laundering and terrorist financing. In doing so, it has contributed not only to healthier and more transparent financial systems, but to the rule of law as a whole. At the national level, good working links forged between the financial sector, law enforcement and the judiciary promote synergies in the criminal justice and financial systems that benefit the State in many ways. Effective targeting of the proceeds of crime contributes to a more vigorous attack on criminality overall, an important aspect of peace and human security in any society. Internationally, promotion of best practices and of co-operation at the regional level and beyond, ensures that States are better able to confront trans-national crime and terrorism in a consistent and co-ordinated manner. In an era where borders are no longer barriers to illicit activity, they must not stand as barriers to enforcement of the law.





## THE GLOBAL PROGRAMME AGAINST CORRUPTION

*“Corruption is an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, erodes the quality of life, and allows organised crime, terrorism and other threats to human security to flourish.”*

Kofi Annan  
UN Secretary-General  
31 October 2003

### THE CHALLENGE

The Global Programme against Corruption (GPAC) was established in 1999 in response to global developments and an increasing need on the part of States for support in their anti-corruption efforts.

The Programme aims at helping Member States in preventing and controlling corruption through:

- Advancing knowledge and expertise on anti-corruption measures and tools;
- Providing technical assistance to build and strengthen capacities;
- Enhancing coordination and cooperation among organizations active internationally in anti-corruption policy, advocacy and enforcement.

### THE RESPONSE

#### Promoting Judicial Integrity

Since 2000, GPAC, in collaboration with Transparency International (TI) and the British Department for International Development (DFID) has provided support to Chief Justices from Common and Civil Law Countries, the Judicial Group, in identifying

and applying best practices in strengthening Judicial Integrity and capacity.

The outcome of this process has been development of (i) key objectives for judicial reform; (ii) a set of measurable performance indicators, (iii) a comprehensive assessment methodology for judicial integrity and capacity; (iv) a draft Universal Declaration of Judicial Conduct and (v) a “safe” and productive learning environment for chief justices in which they can be exposed to best practices regarding judicial reform, management of change and the strengthening of the rule of law

#### Interagency coordination

UNODC, within GPAC framework, organized an **International Group for Anti-Corruption Coordination (IGAC)** to facilitate international anti-corruption coordination/cooperation and efficient use of resources. IGAC provides a platform for exchange of views, information, experiences and “best practice” on anti-corruption activities for the purpose of enhancing their impact, including support for the UN Convention against Corruption.

IGAC composed of institutions, including NGO’s, regional organizations and development banks active internationally in anti-corruption policy, advocacy and enforcement. IGAC is managed by a **Steering Committee** elected from, and by, the members of the Group. UNODC, acting as IGAC Secretariat, organizes, on a regular basis, meetings of the Group to discuss anti-corruption initiatives by the international institutions, as well as progress achieved in inter-agency coordination and cooperation.

UNODC has also developed the **IGAC web page and a database** (<http://www.igac.net>) that summarizes information on the anti-corruption assistance provided by donors and international institutions to different countries and regions.

### Country Projects

By 2005 the GPAC plans to manage 15-20 technical assistance projects supporting Member States in preventing and controlling corruption. These projects mainly focus on strengthening judicial integrity, a unique strategic niche with potentially high impact. Current projects include:

*Hungary:* GPAC in collaboration with UNICRI, carried out a comprehensive corruption assessment which was widely disseminated. A National Anti-Corruption Decree was adopted by the Hungarian Council of Ministers in 2001. A broad-based National Integrity Steering Committee has been established and a national anti-corruption strategy and action plan have been elaborated. A follow-up project supporting the implementation and monitoring of the National Action Plan is currently being planned.

*Lebanon:* The Government, supported by GPAC, established the National Integrity Steering Committee and, in 2001, organized a broad-based Expert Meeting presenting the findings from the comprehensive corruption assessment, which received much attention by the media and the public. It is now planned: (a) to develop a code of citizenship for youth and socio-pedagogical material to enhance awareness among adolescents to fight corruption; and (b) to launch an awareness campaign to increase the adherence of youth to the rule of law.

*Nigeria:* A project aiming at enhancing the rule of law by increasing judicial capacity and integrity was launched with the conduct of the first Federal Integrity Meeting for Chief Judges in October 2001. This first workshop established the framework for the reform initiative, identified three pilot States (Borno, Delta and Lagos State) and endorsed the methodology for assessing the integrity and capacity of the judiciary. Subsequent activities have delineated measures to

enhance (i) access to justice, (ii) timeliness and quality of justice, (iii) the public's confidence in the courts, (iv) efficiency, effectiveness and credibility of the complaints system, and (v) the coordination across the criminal justice system. With the support of the German Development Agency (GTZ) implementation of these action plans has begun.

*South Africa:* The project assists the Government of South Africa in its efforts to prevent, detect and fight corruption and promote the rule of law within the country. A comprehensive corruption assessment was conducted and the final report has been adopted by the Government. The Programme is providing a mentor to the anti-corruption desk of the Directorate of Special Operations as well as to the Directorate of Public Prosecution in order to assist the further implementation of the project.

*Colombia:* The aim of the project in Colombia is to strengthen the rule of law at the sub-national level and national level by increasing the integrity of local governments and strengthening local prosecutorial capacities balancing preventive and enforcement measures. After supporting the implementation of these policy measures, the results achieved and lessons learned will be shared with all national, regional, and local government authorities.

*Indonesia:* The project supports the Indonesian Government in strengthening judicial integrity and capacity in order to enhance the rule of law in the country. For this purpose, the GPAC will first assist the Judiciary, both at the national level and within two pilot provinces in the development of comprehensive anti-corruption action plans. The necessary basis for this strategic planning exercise will be provided through a comprehensive assessment of judicial integrity and capacity within two pilot provinces. Findings from this work will be used to finalize a

National Action Plan to strengthen judicial integrity and capacity.

*Romania:* Based on the results of an earlier GPAC project, new project aims at: (i) developing a broad based National Anti-Corruption Action Plan for the Magistracy; (ii) enhancing performance monitoring capacities, technical expertise and management skills of the judiciary; (iii) improving coordination between the Prosecution and the Courts, (iv) increasing integrity and accountability of the Magistracy; and (iii) strengthening the public's confidence in the Justice System.

*Iran:* The project in Iran is aimed at strengthening the effectiveness, transparency, and accountability of Iran's judiciary through three components: (i) organization of a study tour for top-ranking Iranian judicial officers to enhance the know-how on judicial reform measures; (ii) organization of a workshop on international best practices relevant to the Iranian context, and (iii) support of the implementation and pilot testing of judicial reform measures based on the findings of the study tour and the outcomes of the workshop.

*Uganda:* As part of the Judicial Integrity Promotion Programme it is envisaged that GPAC in collaboration with DFID will document the implementation of a DFID initiative aimed at strengthening judicial integrity in Uganda, identify best practices, facilitate the sharing of these within the context of the International Group of chief Justice for Strengthening Judicial Integrity and by doing so to create a multiplier effect within the various Member States participating in this Group.

*South Africa II:* UNODC has been requested by the Chief Justice in South Africa and the Ministry of Public Service to come up with a Judicial Integrity Project based on the experience from the pilot projects in Nigeria and Uganda.

## TOOLS

The UN Convention against Corruption will serve as the centrepiece for anti-corruption efforts with GPAC providing advisory assistance in implementing provisions of the Convention.

**The United Nations Handbook on Practical Anti-Corruption Measures for Prosecutors and Investigators** is part of a larger package of materials intended to provide information and resource materials for countries developing and implementing anti-corruption strategies at all levels, as well as for other elements of civil society with an interest in combating corruption.

**The United Nations Guide for Anti-Corruption Policies** contains a general outline of the nature and scope of the problem of corruption and a description of the major elements of anti-corruption policies, suitable for use by political officials and senior policy-makers.

**The United Nations Anti-Corruption Toolkit**, contains a detailed set of specific Tools intended for use by officials called upon to elaborate elements of a national anti-corruption strategy and to assemble these into an overall strategic framework, to develop and implement each specific element.

**The Compendium on International Legal Instruments on Corruption**, compiles all the major relevant global and regional international treaties, agreements, resolutions and other instruments. These include both legally binding or non-binding instruments.

**IMPACT**

*National level;* Since GPAC is promoting an integrated approach that is based on facts and focuses on impact, most of the judicial integrity and capacity programmes of GPAC will: (i) clear objectives, (ii) set measurable performance indicators and (iii) establish a base line using a comprehensive and independent assessment. Periodic assessments will measure the impact of the program against the set objectives.

*Global Level:* success in introducing best practice to the member states, can be measured using indicators such as: (i) number of request from member countries (30 countries to date); (ii) number of completed and independently evaluated country projects (Romania 2001); (iii) the number of visits to the GPAC's website and the significant quantity of information downloaded.

<http://www.unodc.org/unodc/en/corruption.html>



## THE GLOBAL PROGRAMME AGAINST TERRORISM

### THE CHALLENGE

*“By its very nature, terrorism is an assault on the fundamental principles of law, order, human rights, and peaceful settlement of disputes upon which the United Nations is established. ... The United Nations has an indispensable role to play in providing the legal and organizational framework within which the international campaign against terrorism can unfold.”*

Kofi Annan

UN Secretary-General

4 October 2002

Security Council Resolution 1373 of 28 September 2001 declared:

*“ ... acts, methods and practices of terrorism are contrary to the purposes and principles of the United Nations ...”. It called upon Member States to “ become parties as soon as possible to the relevant international conventions and protocols ... and ... to increase cooperation and fully implement the relevant international conventions and protocols ”.*

The Counter-Terrorism Committee of the Security Council (CTC) (established by SC resolution 1373) has since become the UN’s leading body to promote collective action against international terrorism. Its mandate is to bring Member States to an acceptable level of compliance with SC resolution 1373 and the terrorism-related conventions and protocols which were negotiated over four decades.

### Expanded programme of work for UNODC’s Crime Programme

During the past five years, the General Assembly, ECOSOC and the Commission on Crime Prevention and Criminal Justice mandated an expanded programme of work for UNODC Crime Programme in technical assistance to counter terrorism. In 2002, the General Assembly approved the strengthening of the UNODC’s Terrorism Prevention Branch.

Specific request from the Counter-Terrorism Committee for technical assistance

The work of UNODC is guided by decisions of the UN policy making bodies, in close coordination with the Counter-Terrorism Committee. UNODC has been requested by the Committee to provide guidance to States in legislating and implementing anti-terrorism measures. During the 2002 Vienna Symposium on “Combating Terrorism: The Role of the UN”, the Chairman of the CTC noted the important role of the Centre in this regard. Participants at the Symposium called, *inter alia*, for the establishment of a Global Programme against Terrorism.

### THE RESPONSE

In October 2002, the Global Programme against Terrorism was launched, as the framework for the Centre's operational activities in the counter-terrorism field.

The aim of the Global Programme is to delivering technical and legal assistance with new tools through:

- Tailor-made legal advisory services.
- In-depth assistance through a mentorship programme.
- Strengthening institutional capacities.
- Providing on-line assistance in drafting and processing extradition and mutual assistance requests.
- Promoting cost-effective access to information.

**Prompt responses to requests from Member States and the CTC. The programme is committed to deliver tailor made assistance through:**

- Reviewing domestic legislation and providing advise on drafting enabling laws.
- Facilitating and providing training to national administrations with regard to new legislation.
- Providing in depth assistance on the implementation of the new legislation against terrorism with the mentorship programme, carried-out in cooperation with the International Association of Prosecutors.
- Maintaining an experts roster to supplement specific expertise where required.

**Working in the field:**

The Global Programme is supporting field operations. To support the delivery of technical assistance activities on the ground, regional advisors will be strategically based in UNODC field offices with responsibilities for terrorism-related work. They are thus multiplying the impact of UNODC assistance.

**Building partnerships:**

As much as possible the Global Programme works with partners to render cost-effective assistance:

- The work of the Programme is coordinated with the Counter-Terrorism Committee and the Office of Legal Affairs.
- The exchange of expertise and information with other international and regional organizations as well as national institutions plays an important role. Joint activities are being initiated with the African Union, ASEAN, the Commonwealth of Independent States, the Commonwealth Secretariat, ECOWAS, the OAS, the Organization of the Islamic Conference, the OSCE, SADC; as well as the U.S. Department of Justice and the Ministry of the Interior of France.
- Where possible, the activities draw on existing in-house expertise, particularly of the Global Programmes against

Money Laundering, Organized Crime and Corruption, and the Legal Advisory Programme.

**TOOLS**

- The Programme drafted a legislative guide to the universal anti-terror instruments to assist countries in legislating and implementing these. A checklist will provide an easy overview for legislators in this field.
- A web page with alternative models, model laws and regional and national examples of relevant legislation is regularly updated to keep abreast of developments in legislating terrorism: <http://www.unodc.org/unodc/en/terrorism.html>

**Promoting cost-effective access to information and programme visibility**

Access to information and transparency about the work are integral parts of the Programme by:

- Providing on-line assistance.
- Cost effective access through the website.
- Maintaining accessible databases on anti-terrorism material.
- Providing substantive expertise on terrorism in presentations to representatives from Member States and at conferences and symposia as well as in country profiles, reports, papers and articles.

**IMPACT**

While it is too early to measure the impact of the Programme in terms of increased ratification and implementation of the international counter-terrorism instruments, concrete results have already been achieved:

Ad hoc legal assistance was provided to more than 35 countries within the last year.