

The SHERLOC team is pleased to share with you Issue No. 21 of our newsletter regarding our recent efforts to facilitate the dissemination of information regarding the mainstreaming of gender and human rights in the context of the implementation of the UN Convention against Transnational Organized Crime.



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GENDER, HUMAN RIGHTS & ORGANIZED CRIME

Mainstreaming human rights and gender norms should be taken into account by States in all aspects of the implementation of the Organized Crime Convention, including through national legislation, policies and strategies to fight organised crime. However, the practical mainstreaming of human rights and gender considerations into normative frameworks against organized crime remains a challenge, often due to the low capacity at the national level to analyse, prepare and implement such measures. This issue of the SHERLOC Newsletter looks at mainstreaming human rights and gender in the implementation of the Organized Crime Convention.

ISSUE PAPERS

UNODC has published and formally launched two issue papers on gender and human rights considerations in the implementation of the Organized Crime Convention at the 13th Session of the intergovernmental Working Group of Government Experts on Technical Assistance.



The issue papers are aimed at supporting the mainstreaming of gender and human rights into legislative responses, and strategy development, as well as at educating relevant

stakeholders and the public about the importance of gender and human rights in addressing transnational organized crime.

ORGANIZED CRIME AND GENDER: ISSUES RELATING TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME

Policies, legislation, and strategies against organized crime that do not mainstream gender dimensions often lead to the perpetuation of gender stereotypes on the roles, functions and behaviours of women and men that interact with organized criminal groups, which results in the continuation of differential treatment in society and within criminal justice systems, including secondary victimization and revictimization. In policies, legislation and strategies, into which gender has not been mainstreamed, men are seen predominantly as perpetrators and rarely as victims, which can lead to them being denied the assistance and protection they would need in order to be able to collaborate with criminal justice systems to help bring to justice those who lead and direct organized criminal groups. Women are seen predominantly as victims and rarely as perpetrators. Moreover, such policies, legislation and strategies do not recognize that the categories of perpetrator and victim in organized crime are not mutually exclusive and that the roles of perpetrators and victims can be fluid and, at times, overlap. This can lead to impunity or

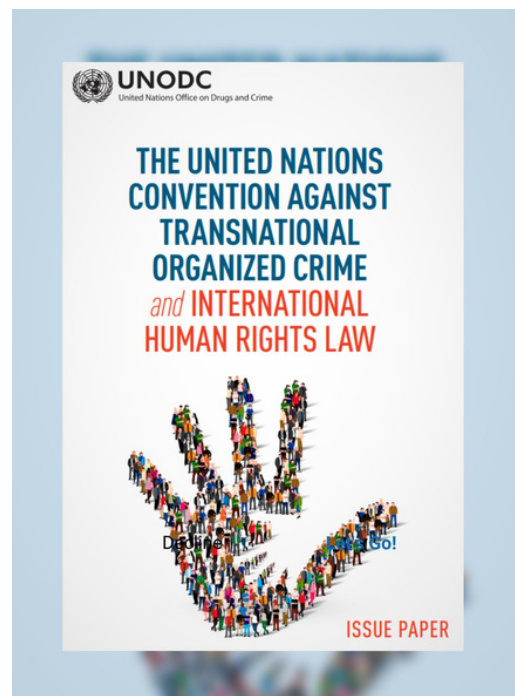


unjust treatment by criminal justice systems. Therefore, it is paramount to take into account the varying impacts that different types of organized criminal activities have on women and men, and the varying perspectives of men and women as both victims and participants in crime when developing and implementing normative responses to this phenomenon.

In the same vein, criminal justice institutions cannot provide equal and equitable responses if the composition of their workforce is not representative of the broader population, or if discriminatory human resource policies persist. This can affect the quality of investigations, prosecutions and adjudications and has an impact on the treatment of individuals (e.g. accused persons, prisoners, witnesses or victims) within the system.

Gender matters in the fight against organised crime because it is part of strives for equality and justice, strives that involve us all.

THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND INTERNATIONAL HUMAN RIGHTS LAW



States parties to the Organized Crime Convention are required to take into account international human rights norms and principles in all aspects of the implementation

of the Convention, including through national legislation, policies and strategies to fight organised crime. Many measures stipulated by the Organized Crime Convention – including in the realm of criminalization, investigation, prosecution and adjudication of criminal offences – bear interlinkages with human rights issues that need to be taken into account when normative measures are developed and implemented. For example, issues related to special investigative techniques, the proportionality of sentencing, determination

and execution of penalties, extradition or transfer of sentenced persons (when addressed through the non-refoulement lens), protection of witnesses and victims and many other areas of the Convention-based responses are inherently linked to the international human rights law frameworks. The paper is based on the fundamental premise that crime prevention and criminal justice are inextricably linked to human rights on multiple levels.

Find out more on
SHERLOC's databases

You can find them
[here!](#)

The Organized Crime Convention should not be interpreted and applied in isolation, but rather in the light of international human rights law, and thus the two regimes can be interpreted and applied harmoniously, mutually reinforcing each other.

ORGANIZED CRIME AND HUMAN RIGHTS

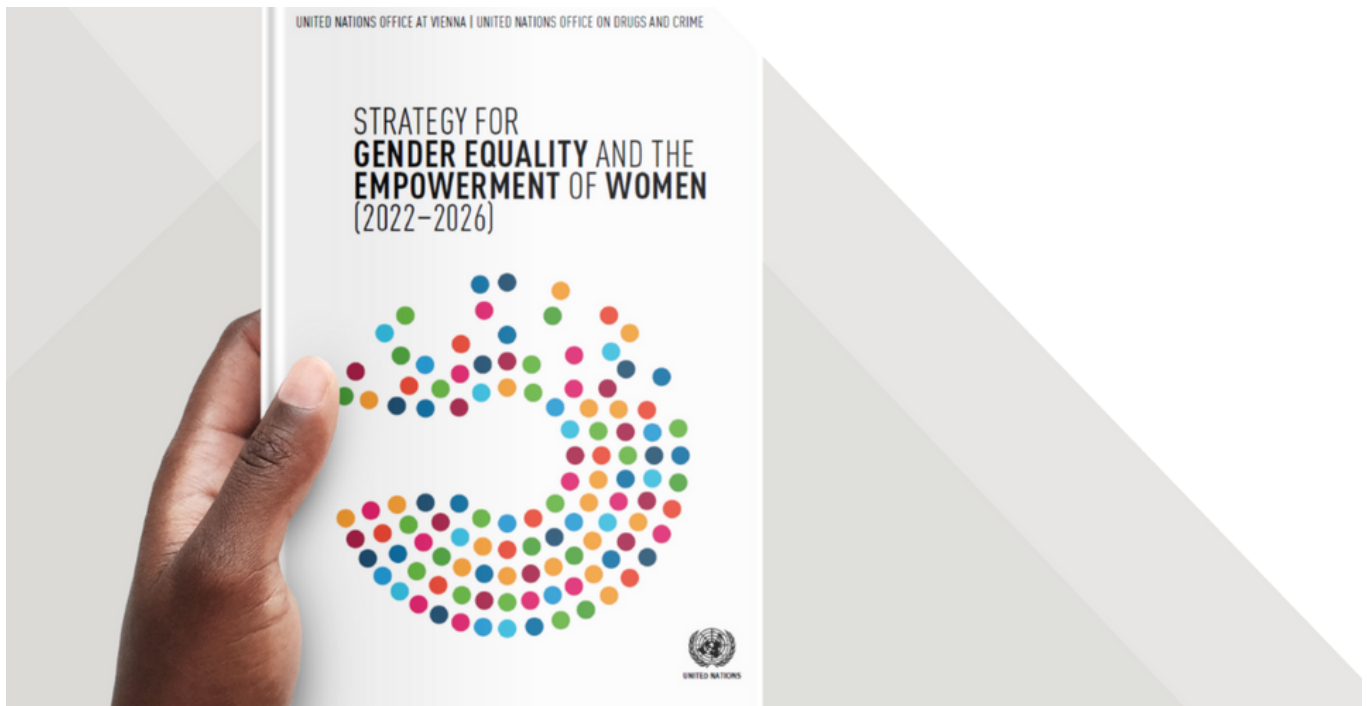


ORGANIZED CRIME **AND GENDER**

ORGANIZED CRIME **STRATEGY TOOLKIT**

CASE LAW **DATABASE**





UNOV/UNODC STRATEGY FOR GENDER EQUALITY AND THE EMPOWERMENT OF WOMEN (2022-2026)

In the second iteration of the UNOV/UNODC Strategy for Gender Equality and Women's Empowerment (2022-2026), the Offices re-commit to contributing to global efforts to promote just inclusive and resilient societies. The Strategy outlines how UNOV/UNODC will accomplish this over the coming five years. The implementation of the Strategy will continue to strengthen the work of UNODC throughout its five thematic areas in ensuring a stronger analysis of stakeholders and understanding of the different impacts of criminal justice, organized crime, terrorism and corruption on the whole of society. This Strategy provides an up-to-date institutional framework and priority areas for guiding UNOV and UNODC to achieve gender equality and empower all women and girls by building on the progress made through the previous Strategy and addressing the remaining gaps.



To achieve this UNOV/UNODC will:

- *Improve assistance to the Member States*
- *Provide a comprehensive set of norms, policies and standards*
- *Enhance gender-sensitive research*
- *Strengthen gender-sensitive data and knowledge*
- *Enhance women's participation*
- *Enhance access to justice*
- *Strengthen male engagement*

LAUNCH OF THE UNODC/UN WOMEN GENDER AND ORGANIZED CRIME MODULE



**WELCOME TO MODULE 17:
GENDER EQUALITY AND
ORGANIZED CRIME**

For Further information
click [here](#)

Source: UNODC

UNODC and UN Women have launched a new module on why gender aspects are important when combatting organized crime. The self-paced, interactive module aims to increase knowledge and awareness of the basic concepts related to gender equality and women's empowerment in relation to organized crime. It explains the ever-changing phenomenon of organized crime, what it is and what it is not; dimensions of gender norms, roles and relations; the importance of intersectionality; the constructs of masculinity and UNODC's efforts in tackling organized crime. The online module is intended for law enforcement and criminal justice practitioners who investigate, prosecute and adjudicate organized criminal cases; and for the general public and all UN staff and personnel.

WORKING GROUP OF GOVERNMENT EXPERTS ON TECHNICAL ASSISTANCE

The meeting was held in a hybrid format from 23 to 27 May 2022. At its 5th and 6th meetings, on 25 May, the Working Group of Government Experts on Technical Assistance considered the agenda item entitled “Effective strategies to prevent and combat organized crime, including mainstreaming of gender and human rights”. The discussion was led by panellists from the United Kingdom of Great Britain and Northern Ireland, Côte d’Ivoire, Morocco, Mexico and Canada. Panellists presented on steps undertaken at the national level to integrate gender and human rights considerations into normative responses to organized crime. It was also highlighted that the integration of gender in legislation,

policies and strategies was paramount to avoid ineffective and harmful normative responses leading to the continuation of differential treatment of women and men in society and within criminal justice systems, as well as potential secondary victimization and revictimization. UNODC presented on the development of strategies, policies and plans of action to prevent and counter organized crime, as well as mainstream gender and human rights considerations into normative responses to organized crime, including the launch of the Issue Papers and the new e-learning module on gender and organized crime developed by UNODC and UN-Women.

To find out more about the Working Group discussion, read it online [here](#).



FEATURED CASE ON GENDER CONSIDERATIONS: LEA GAROFALO

Ms Lea Garofalo was born into the 'Ndrangheta mafia in Calabria, Italy. She fell in love with Mr Carlo Cosco, a cocaine trafficker. In 1996, Mr Cosco and some members of his family were imprisoned for drug trafficking. Ms Garofalo decided to divorce Mr Cosco, but Mr Cosco did not accept this. Several years later, she referred Mr Cosco and his associates to the authorities for their involvement in cocaine trafficking and a murder committed by Mr Cosco and his brother. She also gave authorities valuable details regarding a war between two 'Ndrangheta families. Ms Garofalo and her daughter Ms Denise Cosco were then put into witness protection until 2006, following her cooperation with the authorities. In November 2009, Mr Cosco lured Ms Garofalo and their daughter to Milan on the pretence that they would discuss Ms Cosco's university education. Ms Garofalo was then kidnapped, tortured and killed by Mr Cosco and his brothers Messrs Vito Cosco and Giuseppe Cosco. Ms Garofalo's body was then dissolved in acid. The Cosco brothers were aided and abetted by Messrs Carmine Venturino, Rosario Curcio and Massimo Sabatino in the commission of these offences. The criminals reportedly waited for 3 days until Ms Garofalo's body had been completely dissolved. Her fate was only discovered several years later.

This is a story of a woman who turned against the 'Ndrangheta, a ferocious, family-based criminal cult rooted in Italy.

This feature has been adapted from the original SHERLOC case entry. To find out more about this case, click [here](#) to access it on SHERLOC.



MEET A CONTRIBUTOR

This issue's featured contributor is Roxana-Andreea Mastor.

Roxana has joined the UNODC Global Programme on Implementing the Organized Crime Convention in late 2021. Since then, Roxana has been supporting the development of a series of legislative guides on crimes that affect the environment, namely on waste trafficking, crimes in the fisheries sector and illegal mining and trafficking in metals and minerals.

Roxana has over eight years of professional experience in the energy and climate change fields, either as a legal and policy advisor or as a programme and project manager for policy and infrastructure projects. Prior to her role with UNODC, Roxana has worked for more than three years with the UN in Palestine, as an Energy Project Manager. She holds a Bachelor of Law from University of Bucharest, Romania and two Masters of Law in international human rights and energy and climate change law from University of Groningen, Netherlands and Vermont Law School, US.

Roxana has published several papers and book chapter on energy justice and climate refugees, as well as climate resilient infrastructure.

