



# General Assembly

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## Latin American and Caribbean Regional Preparatory Meeting for the Fifteenth United Nations Congress on Crime Prevention and Criminal Justice

San José, 4–6 February 2025

### Draft report

*Rapporteur:* Rodrigo Bertoglio Cardoso (Brazil)

#### Addendum

## II. Recommendations (*continued*)

### B. Substantive items and workshops – Agenda item 5 (c)

#### 3. Addressing and countering crime – including organized crime and terrorism in all its forms and manifestations – in new, emerging and evolving forms (agenda item 5); and getting ahead: strengthening data collection and analysis to better protect people and planet in times of new, emerging and evolving forms of crime (workshop 3)

1. An introductory presentation was delivered by a representative of the Secretariat introducing the agenda item. Statements were made by the representatives of Ecuador, Colombia, Mexico, Costa Rica, Chile, Brazil, the Kingdom of the Netherlands, France, Guyana, Guatemala, the Dominican Republic, Peru, Canada, Trinidad and Tobago and Uruguay. A statement was made by the observer for the United Arab Emirates. Statements were also made by the observers for the Alliance of NGOs for Crime Prevention and Criminal Justice, Fin de la Esclavitud, Research Centre for Feminist Action and the Global Initiative against Transnational Organized Crime.

#### Summary of deliberations

2. Speakers recognized that organized criminal groups are constantly evolving and adapting to evade law enforcement actions. In this context, several speakers highlighted the continuing relevance of the UNTOC as the basis for combating organized crime, including in its evolving forms. Speakers underlined several forms of crime that pose a particular challenge to the region, such as trafficking in firearms, drug trafficking, the smuggling of commercial goods, child sexual abuse and exploitation, the smuggling of migrants, trafficking in persons, as well as corruption. Caution was requested to not automatically link terrorism to organized crime, due to their different aims, legal frameworks and the risk of stigmatization of certain groups in case of conflation of these issues.



3. The need to strengthen regional and international cooperation in criminal matters was mentioned by most speakers, who stressed the relevance of mutual legal assistance, extradition, and cross-border coordination to combat transnational organized crime, including in its emerging and evolving forms. Judicial cooperation at the regional and international levels was mentioned as an effective tool, while reference was made to various regional platforms that enable the development of regional policies against organized crime.
4. Inter-institutional cooperation at the national level was also recommended, as well as coordination and partnerships with civil society, academia and the private sector. Cooperation with the private sector, including through public-private partnerships, could enable the exchange of essential information related to new and emerging forms of crimes. Speakers emphasized the need for coordinated action to address corruption. Some speakers expressed concern about the slow response from service providers for cooperation, especially those working with instant messaging services. A good practice mentioned was the establishment of digital cooperation platforms for law enforcement to enable officials to quickly exchange information in real time during operations.
5. The need to strengthen the ties between law enforcement and local communities was repeatedly stressed as contributing to the fight against organized crime. It was also emphasized that the protection and promotion of human rights must be an integral part of national efforts to address new and emerging forms of crime.
6. Many speakers recommended the development of capacity-strengthening programmes for law enforcement and criminal justice authorities to better detect and investigate organized crime, including digital forensic training, and some speakers recommended the establishment of regional training centres as a means to enhance national and regional capabilities to fight crime as well as facilitate technical cooperation. The support provided by UNODC to States in the region to build their national capacity was welcomed and further requested.
7. A number of speakers underscored the necessity to better detect and combat illicit financial flows and money laundering, inter alia by improving the exchange of financial intelligence across the region, noting in this respect the need to strengthen the capacity of investigators and establish dedicated counter-illicit financial flows units where needed. The need to counter the illicit economies generated by crimes that affect the environment was highlighted, including through the creation of permanent subgroups within the GAFILAT.
8. A number of speakers acknowledged that crimes that affect the environment constitute one of the most pressing challenges facing humankind, and that preventing and combating these crimes is a moral imperative to achieve the Sustainable Development Goals. Illegal mining and trafficking in flora, fauna, minerals, toxic waste and forestry were considered to exacerbate climate change, reduce biodiversity and particularly impact certain communities, such as Indigenous People. It was mentioned that less than half of the countries in the world considered environmental crimes as serious offences.
9. The relevance of establishing regional centres to coordinate actions against, including with the support of INTERPOL, was referred to. While some speakers mentioned the need to expand international legal frameworks through the development of a new protocol or protocols to UNTOC, others cautioned against the development of new instruments and encouraged a more effective use of UNTOC. The key role of conservation groups and environmental agencies in combating crimes that affect the environment was noted.
10. Speakers referred to the different forms of trafficking in persons prevailing in the region, such as trafficking for the purpose of sexual exploitation and forced labour primarily, but also for forced begging, forced criminality and organ removal, and stressed the need to enhance regional and transregional cooperation to fight it, including through joint task forces. The need to better protect and assist victims as

well as make sure that they are not criminalized for acts they were compelled to commit was highlighted. The adoption of a gender-responsive, victim-centred, and trauma-informed approach to counter trafficking in persons was recommended, together with a close involvement of civil society organizations.

11. A number of speakers noted with concern that trafficking in firearms is a key regional issue that needs increased coordination among States.

12. The growing threat of cybercrime as well as its damaging effects, testing the resilience of State institutions, hospitals and businesses, were referred to by several speakers. It was also noted that organized crime is increasingly committed by using information and communications technologies. The Convention against Cybercrime was welcomed in this regard as a tool facilitating cooperation and exchange of information between States, with a number of speakers reiterating the importance of implementing it in line with human rights and the right to privacy in particular.

13. New technological solutions and tools were also deemed key to tackle organized crime, for example the use of artificial intelligence and big data analysis to detect crime patterns or satellites identifying illegal deforestation.

14. Many speakers affirmed the relevance of evidence-based policies and encouraged data collection and analysis to better address organized crime, while respecting the right to privacy. Specific reference was made to the need to further study femicide.

#### **Outcome of deliberations**

15. Stemming from the deliberations, the following recommendations were made reflecting the regional perspective:

(a) Strengthen international and regional cooperation between law enforcement authorities, including through the creation of liaison mechanisms to promote real-time information exchange and reciprocal sharing of criminal records;

(b) Strengthen regional and multilateral initiatives aimed at countering organized crime, including the smuggling of commercial goods, and consider making use of innovative technological tools, including artificial intelligence, machine learning, predictive tools and big data analysis to disrupt smuggling networks;

(c) Acknowledge that crimes that affect the environment are a serious and growing form of transnational organized crime and call upon Member States to actively engage in the work of the open-ended Intergovernmental Expert Group established under UNTOC COP resolution 12/4;

(d) Establish crimes that affect the environment as predicate offences for money-laundering purposes, enhance financial investigations, seize and confiscate assets derived from those crimes, and use such proceeds to restore the damage caused to the environment and to victims;

(e) Create regional networks for crimes that affect the environment aimed at tracing and disrupting illegal trafficking in natural resources, as well as promoting the exchange of information and awareness-raising, particularly regarding work carried out with local communities;

(f) Strengthen the capacity of law enforcement, prosecutors and the judiciary to prevent, disrupt, investigate, prosecute and adjudicate cybercrime, and handle and understand digital evidence, as well as establish specialized cybercrime units where needed;

(g) Respect and protect human rights and fundamental freedoms, including the right to privacy, while preventing and countering crime, including cybercrime;

(h) Strengthen partnerships with the private sector, local governments, civil society and other relevant stakeholders as a means to better prevent and combat new and emerging forms of crime;

- (i) Develop mechanisms and platforms to help the exchange in real time of evidence and intelligence during operations related to organized crime;
  - (j) Create Joint Task Forces to better investigate and prosecute trafficking in persons;
  - (k) Strengthen the collection and analysis of disaggregated justice data, by geography, identity, race, and socioeconomic groups as well as collaborate with partners and stakeholders to better understand the treatment and overrepresentation of marginalized persons in the criminal justice system.
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