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**Working Group of Government Experts on
Technical Assistance**

Vienna, 6-7 October 2014

Item 4 of the provisional agenda*

**Information-gathering under article 32, paragraph 5, of
the United Nations Convention against Transnational
Organized Crime****Draft needs assessment tool on training, research and
prevention of organized crime****Note by the Secretariat****I. Training, research and technical assistance**

1. The purpose of this draft tool is to provide guidance in assessing what should be done by a State Party in order to ensure that the full potential of the Organized Crime Convention can be realized. The Working Group on Technical Assistance may wish to discuss how the draft tool could be further developed to make it useful in the delivery of technical assistance, in particular in assessing the needs of States for technical assistance. Experts are requested to provide concrete comments on the proposed indicators and questions in the thematic areas contained in the Conference Room Paper. The comments received will be taken into consideration in the further development of the tool in a consultative process.

2. The Organized Crime Convention requires action by the States Parties to harmonize their legislation with the Convention requirements. Art. 34(1) of the Convention calls upon each State Party to take “the necessary measures, including legislative and administrative measures, in accordance with fundamental principles of its domestic law, to ensure the implementation of its obligations under this Convention.”

3. The seventh session of the Working Group on Technical Assistance recommended, inter alia, that UNODC should continue to provide coordinated technical assistance to States to ensure the effective implementation of the

* CTOC/COP/WG.2/2014/1.



Convention and the Protocols thereto. The Working Group further recommended that UNODC should continue the development of technical assistance tools, for the Convention and the Protocols thereto and on specialized issues, including mutual legal assistance and extradition.¹

4. The tool consists of sets of indicators and questions designed to enable experts from international organizations, non-governmental organizations, national governments as well as relevant institutions, in particular policy makers and legislators, to conduct a comprehensive assessment of implementation of the Organized Crime Convention. This includes:

- (a) identifying gaps in the existing legislation and its implementation;
- (b) facilitating the formulation and development of technical assistance projects that adequately respond to the gaps and needs identified; and
- (c) facilitating the development of performance indicators for evaluating progress in implementation.

5. Art. 28 of the Convention deals with the collection, exchange and analysis of information on the nature of organized crime. Art. 29, in turn, deals with training and technical assistance, and art. 30 with implementation of the Convention through economic development and technical assistance.

6. The key normative indicators of implementation of the provisions on training, research and information-sharing are the following:

- Measures are taken conducive to the optimal implementation of the Organized Crime Convention to the extent possible, through international cooperation;
- Concrete efforts are made to the extent possible and in coordination with other States Parties, as well as with international and regional organizations:
 - To enhance their cooperation at various levels with other States on request, with a view to strengthening the capacity of the latter to prevent and combat transnational organized crime;
 - To enhance financial and material assistance to support the efforts of other States on request to fight transnational organized crime effectively and to help them implement the Convention successfully;
 - To provide technical assistance to other States on request to assist them in meeting their needs for the implementation of the Convention, noting the specific measures provided in art. 30(2)(c) of the Convention;
 - To encourage and persuade other States and financial institutions as appropriate to join them in efforts in accordance with art. 30 of the Convention, in particular by providing more training programmes and modern equipment to other States on request in order to assist them in achieving the objectives of the Convention;
- Consideration is given to the conclusion of bilateral or multilateral agreements or arrangements on material and logistical assistance.

¹ Report on the meeting of the Working Group of Government Experts on Technical Assistance held in Vienna from 28 to 30 October 2013 (CTOC/COP/WG.2/2013/5).

7. The key implementation questions relevant to the provisions on training, research and information-sharing are the following:

Training

- Are there any training institutions or university/educational centres offering courses in the various aspects covered by the Convention and its three protocols, as well as crime prevention/community safety and capacity-building in this area (e.g. for the judiciary, prosecutors, law enforcement, victim support services, civil society or the media)?
- Are these national institutions, provincial or local?
- Do all relevant stakeholders receive ongoing training in their respective areas?
- Do any NGOs or civil society organizations give training in organized crime related matters, crime prevention or related areas such as human rights, including victim issues?
- Is there any training at the provincial or local level?
- Who is the target of training? Does it address different groups of stakeholders and different sectoral responsibilities? Does multi-agency training take place?
- What is included in the curriculum?
- Are any vetting procedures in place to determine who receives training?

Research

- How do the relevant government agencies publish, release and disseminate data and other information related to organized crime?
- What information is publicly available? What information is classified and available only to domestic agencies or international law enforcement agencies?
- Is the relevant information published online, or in annual or other periodic reports?
- What public, private or academic research facility conducts research on trends, problems and root causes of organized crime? What aspects have been researched and by whom?
- What are the key findings and research outcomes of the relevant analyses?
- Are systems in place to evaluate and utilize information from academic research, from the private sector and from non-governmental organizations for policy development, law-making and enforcement purposes?
- Are research results used to update or inform policies and programmes on a regular basis?
- Do any non-governmental organizations (NGOs) conduct research and policy analysis on any of these issues?

Policy development and coordination

- Overall, are there mechanisms that support vertical coordination between the national Government and lower levels of government, and across sectors including ministries, institutions, service providers, NGOs and civil society?
- Are there any advisory bodies that bring together these sectors?
- Are there specific strategies to educate the public and other stakeholders, including service providers, about organized crime and its prevention?

Technical assistance

- Is there a regional mechanism for the implementation, coordination and monitoring of (organized) crime prevention strategies?
- What projects have been implemented in the past? What projects are currently under way? Have previous projects been evaluated and published, and if so, what lessons can be learned?
- Are international technical assistance programmes in place regarding any crime prevention issues? Who is involved in technical assistance in this field, and how are activities coordinated?
- Is there evidence that international organized crime is an issue?
- Is the State involved in international cooperation for the purpose of the prevention of offences related to organized crime? What are the activities? With what States, regional or international bodies?
- To what extent is the public aware of these efforts? How is the public being reached? Is there evidence that these cooperative activities are effective in preventing crime?
- What type and level of technical assistance and aid is available from international and regional organizations to enhance the response against offences related to organized crime?

II. Prevention of organized crime

8. The key implementation questions relevant to the provisions on prevention are the following:

- Do crime problems relate to border security or transnational crime affecting local crime conditions (e.g. trafficking in persons, firearms, drugs or smuggling of migrants)?
- Where are the main local crime problems, for example, in urban centres, suburbs, poor housing and environmental areas or slums? Is rural or small town crime a concern?
- Do crime problems relate primarily to crime in urban areas?
- Is there concern about internal organized crime (e.g. from rural to urban areas)?

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- Is there significant crime associated with gun use? Are there geographical differences across the State?
 - Are there areas that are largely controlled by gangs, organized crime or paramilitary groups?
 - Is there concern about violence in private spaces, such as violence against women and children or trafficking in persons for domestic work?
 - Is there concern about institutionalized violence (e.g. by the police, in prisons, in schools or in residential care institutions)?
 - Is fear of crime high? Is there insecurity in public spaces? Are there problems associated with different uses of public space (e.g. informal traders versus business districts)?
 - Are there security problems/insecurity about the use of public transport or private transport (e.g. taxis)?
 - Is residential crime, crime in commercial centres, against business or in nightclub areas a serious concern?
 - Is there vandalism or crime against public infrastructure and goods?
 - Is there heavy investment in private security systems and technology among some groups (e.g. closed-circuit television, guards or gated communities in well-off suburbs and residential areas or in city centre business districts and commercial areas)?
 - Is there political violence or violence related to conflict and civil unrest?
 - What is the level of “informality” of the existing security systems (vigilante groups, security committees, etc.) and is this cause for concern?
 - Is cybercrime (including Internet fraud or identity theft) a concern?
 - Is there general public confidence and trust in the police and the justice system, and in government and elected officials?
 - How far is organized crime a major concern compared with conventional crime?
 - What is the role of the national Government in crime prevention?
 - Has the State enacted any legislation on crime prevention?
 - Are there any departmental guidelines on crime prevention?
 - Has the State enacted any legislation to protect the rights of vulnerable groups? What are the vulnerable groups in the State?
 - Is there any devolution of powers to lower levels of government?
 - Who are the primary stakeholders concerned with crime prevention?
 - Is there capacity to undertake research on the root causes of crimes covered by the Organized Crime Convention to inform policies and programmes?

- Is there a proactive national crime prevention strategy? How does it define “crime prevention” in terms of core functions and responsibilities? Has it been updated recently?
- Is the national strategy based on any analysis of crime problems (trends, causes, types, location and impact of crime)How is it linked to sectoral policies and strategies?
- Which crime prevention approaches does the strategy encompass: social development, community-based, situational and/or social reintegration of offenders?
- Are there social inclusion and reintegration programmes for released prisoners that had been convicted by offences related to the Organized Crime Convention?
- Does it include achievable objectives and indicators against which progress can be assessed?
- Does it provide guidance for implementation of strategies at the provincial and/or local levels?
- Does it provide guidance on the involvement of local communities? What are the mechanisms to ensure the inclusion and consultation of non-state actors?
- What are the Government’s crime prevention priorities? Is there an action plan? If so, does it assign responsibility and time limits, resource plans and budget? Are there any targets set for implementation?
- Has any evaluation of the overall strategy been conducted or established? Is there regular monitoring and evaluation of implementation of national strategies?
- How likely are the Government’s crime prevention policies to be sustained over the medium or long term, for example, with a renewed government mandate, change of minister or a new Government? Are there any mechanisms for sustaining prevention programmes beyond the life of a specific Government or minister (e.g. funding streams and resource allocation, long-term strategic plans and/or city contracting systems)?
- If there is no strategy, how is crime prevention defined at the national level?
- Who has primary responsibility for safety and security issues?
- Are there social programmes that have crime prevention components and/or crime prevention objectives?
- Are there crime prevention objectives reflected in other sectoral programmes or strategies?
- Is the private sector involved in crime prevention strategies at the national level?
- Which ministry or ministries have responsibility for crime prevention and/or safety and security?

- Is there a central body or department in charge of implementing national crime prevention programmes or coordinating the work of central/provincial/local government?
 - Does the ministry or central body work across government with other government ministries or agencies (e.g. health, housing, the environment, education, women's affairs, etc.)?
 - What is the role of the police in prevention? Is it proactive or reactive? Is there a community or local policing strategy?
 - Who has responsibility for policing at the local level? Do the police foster partnerships with the community at the local level? What style of policing is used? Do citizens generally trust the police?
 - If community police forces exist, how are they structured? Do they include specialized service divisions?
 - Do transit police or customs and border police have a specific role in crime prevention?
 - Does the private security sector have a major role?
 - Have any of these policies or strategies been evaluated? Have outcomes and impact been measured?
 - Are there any national-level non-governmental or civil society organizations that play a major role or are concerned with crime prevention?
 - What is the perception of the police by the communities and other stakeholders in terms of effectiveness, respect for human rights and possibilities of collaboration?
 - Are there any measures/mechanisms in place to coordinate the different activities of relevant government agencies and ministries dealing with crime and recidivism prevention (i.e. horizontally across government)?
 - Are there any measures/mechanisms in place to coordinate different levels of government, national, provincial and/or local (i.e. vertically between levels of government)?
 - Are there any mechanisms in place to coordinate and support the role of non-governmental agencies providing services for those at risk of offending or victimization or coming out of prison?
 - Are there any mechanisms to involve the media more positively in crime prevention strategies and programmes? Are any specialized awareness-raising campaigns carried out?
 - Are there any donor coordination mechanisms dealing with crime prevention?
9. Additional questions:
- What factors lead to successful prevention of organized crime? Please elaborate on effective practices.

- What were the problems and challenges faced?²
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² Further guidance on general crime prevention needs assessment and programming is included in UNODC *Crime Prevention Assessment Tool* and UNODC *Handbook on the crime prevention guidelines: Making them work*, available under www.unodc.org/pdf/criminal_justice/Handbook_on_Crime_Prevention_Guidelines_-_Making_them_work.pdf.