



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

Distr.: General
15 March 2023

Original: English

Working Group of Government Experts on Technical Assistance

Vienna, 29 and 30 May 2023

Item 3 of the provisional agenda*

Technical assistance needs in the prevention of organized crime, including data collection and analytical processes to support the mainstreaming of a gender and human rights perspective, as well as the development of national strategies to address transnational organized crime

Background paper prepared by the Secretariat

I. Introduction

1. Transnational organized crime remains a complex and multidimensional phenomenon, continuously adapting to and exploiting structural changes at the local, national and international levels. The effects of such crime are felt throughout society as it variously erodes governance, infiltrates political processes, fuels corruption and violence, widens gender inequalities, contributes to human rights violations, drives the exploitation of vulnerable persons, undermines legitimate markets and poses a growing threat to the environment. It follows that, in the case of organized crime, prevention is always better than any cure.

2. What does the prevention of organized crime entail? A conceptual answer to this question is provided by the Guidelines for the Prevention of Crime, which define crime prevention as “strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence their multiple causes” (Economic and Social Council resolution 2002/13, annex, para. 3).¹

* CTOC/COP/WG.2/2023/1.

¹ Paragraph 27 of the Guidelines outlines some specific approaches for the prevention of organized crime: “Governments and civil society should endeavour to analyse and address the links between transnational organized crime and national and local crime problems by, inter alia: (a) Reducing existing and future opportunities for organized criminal groups to participate in lawful markets with the proceeds of crime, through appropriate legislative, administrative or other measures; (b) Developing measures to prevent the misuse by organized criminal groups of tender procedures conducted by public authorities and of subsidies and licences granted by public authorities for commercial activity; (c) Designing crime prevention strategies, where appropriate, to protect socially marginalized groups, especially women and children, who are vulnerable to the action of organized criminal groups, including trafficking in persons and smuggling of migrants.”



3. Since the adoption of the United Nations Convention against Transnational Organized Crime in 2000, it has become evident that national law enforcement authorities alone cannot reduce the risk of activities by organized criminal groups and tackle the harmful effects of organized crime at the global, regional, national and local levels, including its effects on individuals and society. Consequently, there has been growing emphasis on the importance of a multisectoral approach involving a wide range of public and private actors in the development of evidence-based strategies to prevent and combat organized crime. This not only allows for increased cooperation at the global, regional, national and local levels, but also for the development of approaches that respect human rights obligations, incorporate a gender perspective and place partnerships at the forefront of efforts to prevent organized crime – and implement the Organized Crime Convention as a whole.

4. The present background paper provides an overview of the prevention of organized crime, the role of evidence-based strategies informed by data collection and analysis, and the mainstreaming of gender and human rights considerations in efforts to prevent and address transnational organized crime. The paper draws on the following resources and publications by the United Nations Office on Drugs and Crime (UNODC): module 12 in the UNODC Teaching Module Series on Organized Crime, “Crime prevention typologies and organized crime prevention”; *Organized Crime Strategy Toolkit for Developing High-impact Strategies*; *Organized Crime and Gender: Issues Relating to the United Nations Convention against Transnational Organized Crime*; and *The United Nations Convention against Transnational Organized Crime and International Human Rights Law*. The paper highlights how strategies informed by data collection and analysis that take into account gender and human rights perspectives can lead to more effective and equitable practices in preventing organized crime.

II. Prevention of organized crime

5. The importance of preventing organized crime is explicitly acknowledged in article 31 of the Organized Crime Convention. As the sole mandatory requirement under article 31, States parties are required to provide the Secretary-General of the United Nations with the details of national authorities that can assist other States parties in developing preventive measures against transnational organized crime (art. 31, para. 6). The article also encourages States to adopt a series of optional measures. The main mandatory and optional provisions of article 31 are summarized in table 1 below.

Table 1

Main provisions under article 31 of the Organized Crime Convention

Article 31, paragraph 1, encourages States parties to develop and evaluate national projects and to establish and promote best practices and policies aimed at the prevention of transnational organized crime.
Under article 31, paragraph 2, States parties are encouraged to endeavour, in accordance with fundamental principles of their domestic law, to reduce existing or future opportunities for organized criminal groups to participate in lawful markets using the proceeds of crime.
Article 31, paragraph 3, encourages States parties to promote the reintegration into society of persons convicted of offences under the Convention.
Article 31, paragraph 4, encourages States parties to periodically evaluate existing relevant legal instruments and administrative practices with a view to detecting their vulnerability to misuse by organized criminal groups.

Article 31, paragraph 5, encourages States parties to promote public awareness regarding the existence, causes, gravity of and the threat posed by transnational organized crime.

Article 31, paragraph 6, requires States parties to provide the Secretary-General of the United Nations with the details of national authorities that can assist other States parties in developing preventive measures against transnational organized crime.

Article 31, paragraph 7, requires States parties to collaborate, as appropriate, with one another and relevant international and regional organizations in promoting and developing the aforementioned preventive measures.

6. The main requirements under article 31 of the Organized Crime Convention and in the Guidelines for the Prevention of Crime – in particular, paragraph 27 of the Guidelines, on prevention of organized crime, which acknowledges the links between transnational organized crime and national and local crime problems – are reflected in diverse ways in the theoretical frameworks developed to systematize approaches to the prevention of organized crime. This background paper focuses on the non-traditional approaches (also referred to as non-penal or administrative approaches) and acknowledges the important role of the criminal justice system in prevention through diversion, alternative sanctions and social reintegration programmes, as well as problem-oriented policing. The non-traditional (non-penal or administrative) approaches fall into three main categories: (a) community approaches; (b) regulatory, disruption and non-justice system approaches; and (c) private sector involvement.² Some of the interventions listed in table 2 below may belong to several categories depending on the lens used to analyse them. For instance, some policies and programmes adopted to prevent money-laundering fall into the category of regulatory, disruption and non-justice system approaches, while others are examples of private sector involvement.

Table 2

Non-traditional approaches to the prevention of organized crime^a

Community approaches	<ul style="list-style-type: none"> • Community crime prevention • Passive citizen participation • Active citizen participation
Regulatory, disruption and non-justice system approaches	<ul style="list-style-type: none"> • Regulatory policies, programmes and agencies (domestic and foreign, such as the Financial Action Task Force) • Customs and other regulatory treatment (e.g. anti-money-laundering measures, container integrity measures) • Routine and suspicious activity reports as investigative triggers • Tax policy and programmes • Civil injunctions and other sanctions • Security and intelligence interventions • Foreign policy and aid programmes

² Notably, Levi and Maguire (2004) have presented an overview of some of the most significant non-traditional approaches to the prevention of organized crime, building on the work of Schneider (2001) (Michael Levi and Mike Maguire, “Reducing and preventing organised crime: an evidence-based critique”, *Crime, Law and Social Change*, vol. 41, No. 5 (June 2004); and Stephen Schneider, “Alternative approaches to combating organized crime: a conceptual framework and empirical analysis”, *International Journal of Comparative Criminology*, vol. 1, No. 2 (January 2001)).

Private sector involvement	<ul style="list-style-type: none"> • Individual corporate responses • Professional and industry associations • Software to combat fraud, cyberattacks and money-laundering • Private policing • Private sponsorship of public policing
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^a This table is based on the findings in Levi and Maguire, “Reducing and preventing organised crime”.

A. Community approaches

7. The focus of community approaches to crime prevention is on strengthening communities through the provision of services that build connections between community members and enable these to access external resources and services that can help them to combat crime generally, and organized crime specifically. Such approaches focus on residential communities and neighbourhoods and seek to change the social conditions associated with crime. They therefore involve addressing all the complex factors that cause people to turn to illegality, including deficiencies in law enforcement, physical and economic insecurity, and social marginalization.

8. While both active and passive citizen participation strategies rely on the role that civil society can play in the fight against organized crime, they differ in the level of involvement generally required of governmental agencies and other actors. Strategies for passive citizen participation include raising public awareness of the hazards, characteristics and manifestations of transnational organized crime, as well as setting up hotlines to acquire information on relevant incidents. Such community-oriented initiatives, which feature prominently in national strategies to combat this type of criminal behaviour, are generally characterized by a high level of involvement of State agencies. Further examples are campaigns aimed at training teachers and school resource officers to strengthen the civic and legal awareness of schoolchildren as part of a “culture of lawfulness”, and campaigns to inform the public of the threats posed by transnational organized crime and the consequences for offenders. These initiatives often highlight successes in combating transnational organized crime, such as the conviction of offenders or the confiscation and/or seizure of illicit assets, as a way of building public confidence and trust in the law enforcement authorities and other State institutions, fostering cross-sectoral partnerships and deterring potential offenders.

9. Active citizen participation encompasses a broad range of civil society-led activities, organizations and groups connected to the fight against organized crime. Initiatives of this kind have dealt, inter alia, with enhancing transparency in decision-making processes in both the public and private sector, combating impunity and providing community support for the social reintegration of offenders.

Building community resilience to organized crime

Generally speaking, resilience is the capacity to respond to and recover from shocks and stressors. In the specific context of communities, resilience has been described as a community’s ability to respond to adversity while retaining its functional capacities. It refers to the collective competency of a community to absorb change, transform and seize opportunities to improve conditions. It includes the community’s capacity for concerted actions as well as its ability to solve problems and build consensus towards coordinated responses.^a Strengthening communities’ resilience to organized crime requires a multifaceted approach, which includes:

(a) Promoting effective economic development in both urban and rural areas through well-funded, long-lasting and comprehensive programmes centred on the creation of legal jobs;

(b) Tackling the structural drivers that may push communities to participate in illegal economies (such as deficiencies in infrastructure and lack of access to microcredits) in a comprehensive manner, as part of rural development or urban planning efforts;

(c) Addressing street crime to restore communities' associational capacity and give a boost to legal economies;

(d) Providing access to dispute resolution and justice mechanisms;

(e) Encouraging the protection of human rights, reconciliation and non-violent approaches;

(f) Improving access to effective education and health care (a form of investment in human capital);

(g) Insulating informal economies from takeover by the State and limiting the capacity of criminal groups to become "polycrime franchises" (that is, organizations involved in and profiting from a wide range of criminal activities);

(h) Creating public spaces free of violence and repression in which civil society can recreate its associational capacity and social capital.^b

^a Brian Walker and others, "Should enhanced resilience be an objective of natural resource management research for developing countries?", *Crop Science*, vol. 50, No. S1 (March 2010).

^b Vanda Felbab-Brown, "Human security and crime in Latin America: the political capital and political impact of criminal groups and belligerents involved in illicit economies" (Western Hemisphere Security Analysis Center, September 2011).

10. The reintegration into society of persons convicted of offences under the Organized Crime Convention, as called for in article 31, paragraph 3, of the Convention, is an important preventive measure, given that those convicted of offences run the greatest risk of re-offending because they have already broken the law, may have few opportunities and skills to pursue legitimate non-criminal lifestyles, and may have strong links with other offenders and offending lifestyles. Providing these individuals with life and job skills, training, education, alternative lifestyles and role models, and ensuring that they can access support and housing within their community are some examples of ways to assist with their reintegration.

B. Regulatory, disruption and non-justice system approaches

11. Regulatory, disruption and non-justice system approaches include a broad range of activities, all of which involve State agencies that are not part of the formal criminal justice system. They can be classified into two subcategories that are not mutually exclusive: (a) those focused on fiscal and financial strategies; and (b) those involving the use of regulatory powers to disrupt criminal business.

12. The operations of legitimate markets can be undermined by organized criminal groups and their activities, such as money-laundering and corruption. These crimes interfere with economic and other policies, distort market conditions and ultimately produce severe systemic risks. The proactive pursuit of criminal assets is a crucial component of the fight against organized crime and plays an important role in any effective prevention strategy. Recovery of the proceeds of crime can make a significant contribution to crime reduction as it prevents criminals from funding further operations and deters those who might otherwise seek to engage in organized criminal activity. However, it can be difficult to identify and recover criminal assets as these are often hidden by their illegitimate owners – for instance, in foreign bank accounts.

13. Despite the challenges involved, effective strategies for the prevention of organized crime generally include the confiscation of the proceeds of crime. Originally conceived as a post-conviction remedy (i.e. conviction-based confiscation), confiscation is now increasingly also seen as a civil or administrative

measure, independent of criminal prosecution (i.e. non-conviction-based confiscation). Such non-conviction-based confiscation is generally carried out by an investigator or authorized agency and relies on a procedure for confiscating the assets used or involved in the commission of an offence. Non-conviction-based confiscation most often takes place in one of two ways. The first way is confiscation within the context of criminal proceedings but without the need for a conviction or finding of guilt. In these situations, non-conviction-based confiscation laws are often incorporated into existing criminal codes, as well as into anti-money-laundering or counter-narcotics legislation, and are regarded as proceedings to which the criminal procedural laws apply. The second way is confiscation outside criminal proceedings, such as in a civil or administrative proceeding. This is a separate proceeding that can occur independently of or in conjunction with any related criminal proceedings.

14. At the international level, a substantial mutual evaluation apparatus has been established for checking the quality of anti-money-laundering provisions, which includes periodic inspections by members of the Financial Action Task Force. Where national provisions and the implementation of these fail to satisfy global standards, alerts may be issued to financial institutions worldwide requesting them to exercise particular caution and due diligence when handling transactions from such jurisdictions. This makes the country's financial dealings slower and more expensive, thereby also reducing some of the benefits for money-launderers and those hiding criminal proceeds.³

15. Strengthening cooperation between relevant national authorities involved in countering the proceeds of crime, such as law enforcement and taxation authorities, and relevant private entities is another important element of strategies targeting crime proceeds. In addition to building up interdisciplinary expertise and specialized skills under the umbrella of a single financial intelligence unit, other venues for enhanced cooperation between relevant government bodies and with private sector entities should be established and used. For instance, efforts to identify and confiscate criminal proceeds may require tax-related information, necessitating the cooperation of taxation and law enforcement authorities.

16. The powers of regulatory agencies are widely used to make it harder for organized criminal groups to establish and organize themselves as well as operate in certain areas. The wide range of measures that can be applied to that end include special legislation and screening and/or monitoring procedures.

17. In addition to the adoption of legislation criminalizing participation in an organized criminal group, countries have also introduced specific instruments to screen and monitor natural and legal persons with a view to excluding criminals from public procurement and construction contracts and, in some cases, specifically preventing the infiltration of business and government by organized crime. These measures may include the screening of applicants for licences, subsidies and tenders and, more broadly, all measures allowing administrative authorities to screen persons before they enter regulated sectors. Apart from laws and policies at the national level, local authorities may also have their own guidelines for extensive background checks. However, it should be noted that the power to screen or monitor and subsequently refuse or revoke licences and permits, or to exclude companies from public tenders, imposes considerable constraints on the freedom of economic activity. For that reason, whenever such measures are implemented, appropriate legislation needs to be in place to regulate these powers and protect public interests as well as the human rights of individuals.

18. Other instruments adopted to disrupt criminal business encompass the use of administrative authorities' powers to maintain public order. For instance, these authorities can inspect businesses if there is reasonable suspicion that they are being used for organized criminal activities, and impose fines and close premises when administrative regulations are violated. Such violations may be detected through

³ Levi and Maguire, "Reducing and preventing organised crime".

inspections performed by their own staff, but also on the basis of information supplied by law enforcement agencies or financial authorities. When devising such an approach, it is crucial to ensure that the public administrators themselves are not corrupt. Otherwise, the administrative system itself could be exploited by an organized criminal group to act against the national or local government.⁴

C. Private sector involvement

19. The private sector can play a fundamental part in preventing organized crime and corruption.

20. Despite the magnitude of the problem, public and private sector cooperation in preventing and combating organized crime remains underexplored. Private sector organizations may find that communication with the law enforcement authorities is often one-way and that the regulatory reporting burden can deter cooperation instead of facilitating it. Nevertheless, tangible results have been achieved when industries take the lead on measures to combat organized crime. The Transported Asset Protection Association is a positive example in that regard. The members of this worldwide coalition of manufacturers, shippers, carriers, insurers, logistics service providers, law enforcement authorities and government agencies work together to, inter alia, prevent cargo crime and minimize cargo losses through the development and application of global security standards, recognized industry practices, technology and regulatory collaboration.

21. Given the extremely high cost of organized crime to the private sector, it is not surprising that companies and private organizations around the world are willing to contribute to tackling this phenomenon. Many corporations offer extensive commercial products and services designed for security and the prevention of organized crime. These tendencies are also reflected in the increasing importance of the market for private security firms, which over the past few decades have taken over a substantial part of public sector responsibilities and established themselves as leaders in the analysis of organized crime and the development of relevant strategies. Increased pressures on the law enforcement community have led to the “privatization” of some police functions, with the civilian private security industry filling the gaps left by overstretched police forces and playing a growing role in general crime prevention and community safety.

22. However, in a background paper issued in August 2011, the UNODC Expert Group on Civilian Private Security Services highlighted that, in some States, there had been evidence of problems associated with the expansion in size and role of the private security industry. While varying from State to State, those problems included the criminal infiltration and involvement of organized crime in the industry; corruption; little or no training for civilian private security guards; the abuse of authority and excessive use of force by personnel; inadequate legal accountability mechanisms; and non-compliance with the law. Many States had responded to the growth of the civilian private security industry by enacting legislation to regulate it. For instance, in some countries, private security personnel had been given special rights and powers, such as the right to carry firearms or non-lethal weapons and powers to request identification, to use force, to conduct searches and to arrest individuals. However, it was equally important to have legislation in place setting out what private security services were prohibited from doing, in order to prevent abuse and protect the rights of other citizens. That might include prohibitions on intercepting communications, intervening in political and labour conflicts, and, more generally, acting in a way likely to harm the rights and freedoms, life, health, reputation, dignity, property or lawful interests of individuals. In its 2011 background paper, the Expert Group recommended considering the adoption of codes of conduct or ethics for civilian private security service providers,

⁴ Ibid.

together with sanctions for infractions, to effectively regulate the conduct of their personnel (UNODC/CCPCJ/EG.5/2011/CRP.1, para. 19).

23. With regard to self-regulation, it is desirable to draw up rules to which specific categories of professionals, such as lawyers and accountants, are required to adhere. In the corporate world, this would encompass the integration of socially responsible investing and behaviour into a company's culture. Corporate social responsibility – a fairly recent concept both in social development and in business organizational culture – is centred on the important role that companies can play in improving the quality of life of citizens and communities and could have a significant impact on the effective prevention of organized crime.

Corporate social responsibility

As defined by the World Business Council for Sustainable Development, corporate social responsibility refers to “the continuing commitment by business to behave ethically and contribute to economic development while improving the quality of life of the workforce and their families as well as of the local community and society at large”.^a

^a Richard Holme and Phil Watts, *Corporate Social Responsibility: Making Good Business Sense* (Geneva, World Business Council for Sustainable Development, 2000).

24. In addition to measures taken voluntarily by the private sector, there are also a significant number of examples of legislation to make private companies responsible for monitoring and reducing organized crime. Most of these efforts involve encouraging or requiring companies to engage in systematic “surveillance” of normal business activities so as to detect and report signs of illegal activity or suspicious transactions.⁵ Another relevant area of operation for the private sector is cybersecurity and the protection of individuals from cybercrime. Connections between people and companies via the Internet are facilitated by a complex chain of online intermediaries, including Internet access providers, hosting service providers, social media services and payment service providers. Prevention approaches should seek to provide online intermediaries with the right balance of incentives so that they effectively support States' efforts to prevent and combat crime in a manner that is proportionate, does not infringe on the exercise of users' rights and allows legitimate online activities to flourish.⁶

25. At the same time, it should not be forgotten that the private sector can be part of the problem, rather than the solution, namely when trafficking offences and associated serious crimes are knowingly committed through or under the cover of legal entities. For that reason, article 10 of the Organized Crime Convention requires States parties to “adopt such measures as may be necessary ... to establish the liability of legal persons for participation in serious crimes involving an organized criminal group”. The nature of their liability is left to each State party to decide, with article 10, paragraph 2, specifying that it may be criminal, civil or administrative. The liability of legal entities remains an underutilized tool for preventing and combating organized crime.

III. Role of strategies against organized crime

26. Evidence-based, comprehensive multi-stakeholder strategies against organized crime must include prevention as one of the key overarching objectives, alongside the objectives of pursuing organized criminal groups and their illicit gains, as their activities increase business costs and risks; protecting vulnerable persons and victims from (further) harm; and promoting partnerships and cooperation at all levels, including across international borders, as part of a whole-of-society approach.

⁵ Levi and Maguire, “Reducing and preventing organised crime”, p. 417.

⁶ UNODC, *Policymaking and the Role of Online Intermediaries in Preventing and Combating Illicit Trafficking* (Vienna, 2021).

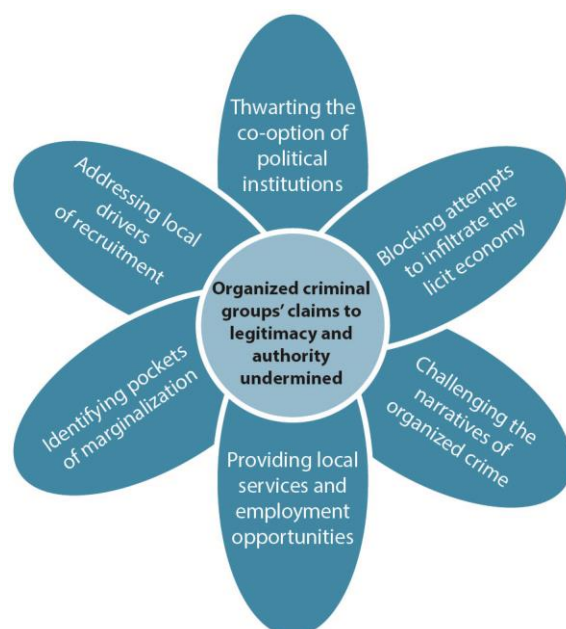
Moreover, by putting gender and human rights at the forefront of preventive efforts, such strategies can provide people and communities with equal and equitable opportunities for dignified participation in economic, social and political life, thereby preventing organized crime from (re)infiltrating communities, the economy and political institutions. Indeed, the efforts for the prevention of organized crime aim to prevent organized crime from infiltrating or re-infiltrating communities, the economy and political institutions and seeks to build resilience to organized crime, denying its ability to penetrate society.

A. Components of strategies against organized crime

27. Prevention in strategies against organized crime consists in making it harder for criminal groups to gain a foothold within societies, recruit new members, win support, co-opt political institutions, infiltrate the economy and, ultimately, challenge the State's authority. Accordingly, it is necessary to build social, economic and political resilience to organized crime, particularly within vulnerable communities, closing off pathways to recruitment into criminality and averting infiltration of the legitimate economy. Translating the principle of prevention into specific objectives should be guided by a clear understanding of the ways in which organized crime takes hold in a given context – something that can be facilitated by strategic analysis.

Figure I

Effective prevention of organized crime: some key components



Source: UNODC, *Organized Crime Strategy Toolkit for Developing High-impact Strategies* (Vienna, 2021), figure 8.

28. While the principle of prevention is recognized nearly universally, the means of implementing it and related activities can vary owing to States' unique context and principles. Contextual application of the prevention principle can be achieved by translating the principle into objectives, which involves clarifying the goals and effects being sought in a particular context. In that respect, objectives constitute a bridge between high-level aspirations and tangible, real-world outcomes and activities.

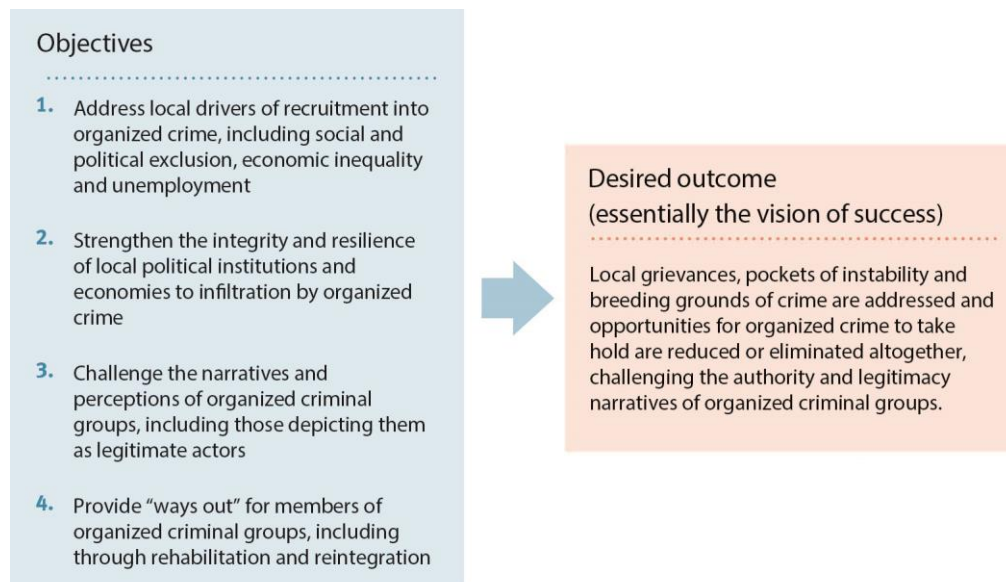
29. Examples of objectives relevant to the prevention principle include: addressing local drivers of recruitment into organized crime; making local institutions and economies more resilient to infiltration by organized criminal groups, including by providing sustainable alternative sources of income generation; challenging the narratives of organized criminal groups; providing members of organized criminal

groups with ways out, including through rehabilitation and reintegration; and maintaining communication with local communities to raise awareness of risk. Significantly, the 2019 edition of the UNODC *Global Study on Homicide* points to increased levels of inequality in some regions – coupled with the wide availability of firearms, the proliferation of organized criminal groups and the existence of armed conflicts and related instability – as a potential explanation for the fact that economic growth in those regions has been accompanied by rising homicide rates. It is important to ensure that the objectives underlying national strategies for the prevention of organized crime reflect a long-term vision so that the activities undertaken are sustainable and effective.

30. New structures may be required at the national level for the successful implementation of strategies. These could include strategic analysis units, including multi-agency units, tasked with arriving at a comprehensive understanding of the problem, and policy and planning units responsible for the coordination and overall implementation of strategies, as well as for relevant reporting. Furthermore, through the allocation of gender and human rights advisers to such units it is possible to systematically mainstream gender and human rights considerations in efforts to prevent organized crime, as well as to demonstrate political ownership of these policies.

Figure II

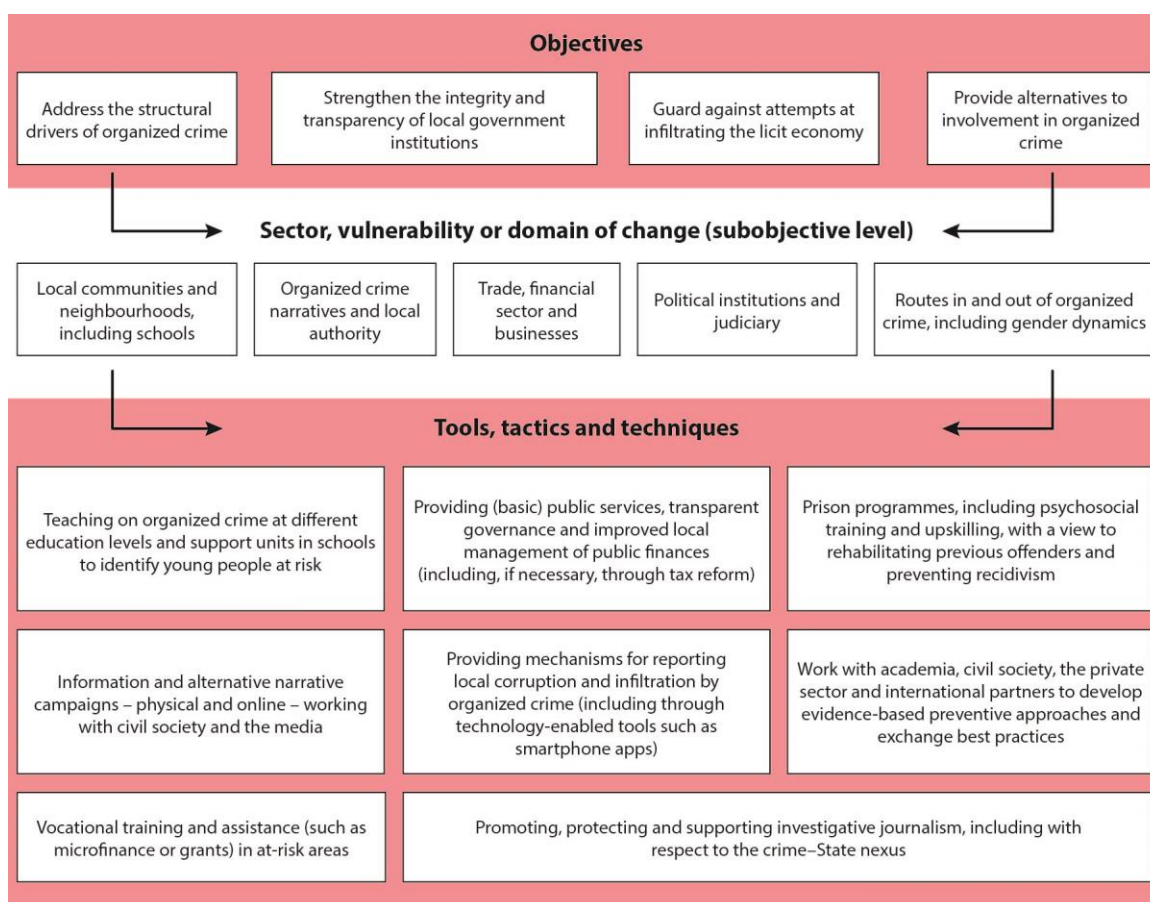
Translating prevention objectives into outcomes in strategies against organized crime



Source: UNODC, *Organized Crime Strategy Toolkit*, p. 16.

31. Objectives can subsequently be refined by clarifying the specific domains or areas that the strategy will address, that is, by identifying subobjectives. These can in turn provide a clearer idea of the type of activities that will be conducted and the capabilities that will be required. Such an approach for aligning objectives, subobjectives, and more granular activities and the associated capabilities is outlined in the figure below.

Figure III
Preventing organized crime: objectives, subobjectives and activities/capabilities



Source: UNODC, *Organized Crime Strategy Toolkit*, figure 9.

B. Stakeholder engagement in strategies to prevent organized crime

32. While recognizing the importance of engagement at the national level, approaches to the prevention of organized crime should also seek to engage stakeholders at the community level, such as local law enforcement agencies and civil society organizations as well as the private sector, in order to promote a whole-of-society approach. By encouraging a bottom-up approach, the exchange of knowledge and cooperation are facilitated. This not only supports the development of evidence-based strategies but also ensures that ownership of those strategies is shared across society.

33. There has been growing recognition of the importance of multi-stakeholder responses in the design and implementation of strategies to prevent organized crime, and of the need to move beyond the consideration of transnational organized crime as a national security matter. In particular, community approaches have proved successful in promoting sustainable development and by providing people with dignified economic, social and political opportunities while recognizing that individual needs and vulnerabilities may differ. Such approaches focus on strengthening communities through the provision of services and resources to support the prevention of organized crime. They can facilitate the mainstreaming of gender and human rights, in particular through an intersectional approach, by putting individual needs and considerations at the forefront of prevention efforts. Engagement with communities can help to raise awareness of the hazards and characteristics of organized crime. Moreover, by working together with civil society organizations, academic institutions and community groups it is easier to identify those groups that are at most risk of becoming perpetrators or victims of organized crime, such as young people, female victims of violence and individuals from socially marginalized groups.

IV. Data collection and analysis

34. The nature of organized criminal groups can vary considerably not only in terms of their size, scope and activities but also in terms of the types of crimes and victimization. Data collection and analysis are key to shedding light on the complex characteristics of organized crime, including its manifestations, trajectories, vulnerabilities and impact on public and human security. Data can provide the overall evidence base for strategies and high-impact interventions to prevent organized crime. Furthermore, data can help in evaluating the efficacy of existing State responses and provide the basis for the development of specific, measurable, achievable, relevant and time-bound objectives that are tailored to a particular setting.

35. Organized crime threat assessments are an example of how data collection and analysis can contribute to the development of evidence-based strategies. Such assessments involve gauging the existing risks in a country and formulating appropriate preventive responses. They feed into the overall evidence base for strategies to prevent organized crime and can help to improve understanding of the gender and human rights dimensions of organized criminal activity in a given geographical area.

36. Multisectoral data collection presents an opportunity to strengthen knowledge of and responses to organized crime. Research conducted by UNODC suggests that many countries do not have data systems or databases that would enable them to record, report and analyse information on organized criminal groups that are active on their territory. Moreover, some of the countries that maintain comprehensive data on crime often do not have systematic approaches for identifying and preserving links to organized crime as a case progresses through the criminal justice system. As part of building their capacity to collect and share better data on organized crime, States are encouraged to apply the International Classification of Crime for Statistical Purposes, in particular with regard to event disaggregation so that they can efficiently “tag” the instances of crime that are related to organized crime.

37. In addition, the collection of age- and sex-disaggregated data allows policymakers, legislators and other relevant national authorities to better understand the varying experiences of offenders and victims, and how and to what extent not only women and men but also girls and boys may be recruited into organized criminal groups or victimized by them. This information can help in the design and implementation of national strategies and support the development of inclusive and equitable approaches.

38. Finally, robust monitoring and evaluation procedures are important for measuring the impact of strategies to prevent organized crime, as well as identifying potential areas for improvement, such as by using additional sources for monitoring impact that go beyond detection and criminal justice indicators. Both qualitative and quantitative indicators relating to objectives laid down in national strategies to prevent organized crime can point to trends as well as specific successes or failures, thereby giving a sense of the overall thrust and impact of the strategy.

V. Mainstreaming gender and human rights considerations in the prevention of organized crime

39. Both human rights and gender equality are intrinsically linked to the prevention of organized crime. Laws and policies aimed at advancing human rights and gender equality can help to address the root causes of organized crime, since such crime does not emerge in a vacuum but, rather, in a complex landscape characterized by inequality and the lack of economic, cultural, social, civil and political rights. The mainstreaming of gender and human rights perspectives in national strategies to prevent organized crime improves understanding of the multiple facets, manifestations and consequences of transnational organized crime, allowing for the design of more effective and evidence-based preventive approaches. This includes

considering gender equality and human rights in national legislation, strategies and policies to prevent organized crime. Despite its value having been acknowledged in several international instruments, the integration of human rights and gender equality considerations into normative and policy frameworks to tackle organized crime remains a practical challenge, often owing to limited capacity at the national level to analyse the situation and prepare and implement such measures.

40. Moreover, it should be recognized that gender-based and human rights harms can inadvertently result from the actions of States in their efforts to prevent organized crime. Policymakers therefore need to reflect on whether the proposed strategy or measure is likely to have an unintentional impact on certain groups and whether there is a risk of human rights violations occurring.

41. In conclusion, the mainstreaming of gender and human rights perspectives means putting in place national legislation, policies and strategies to counter organized crime that do not discriminate against, or interfere with the human rights of, victims, witnesses and perpetrators or other individuals, and that actively advance non-discrimination, equality and human rights, while strengthening action to prevent organized crime.

VI. Topics for consideration

42. The Working Group may wish to focus its deliberations on the following topics:

- (a) Particularly impactful approaches to, and lessons learned in, the prevention of organized crime, including specific practical examples;
- (b) Approaches to prevention in strategies against organized crime;
- (c) Effective ways of mainstreaming gender and human rights considerations in strategies to prevent organized crime;
- (d) Sharing views on the types of thematic, geographical and foresight analysis relating to organized crime threats at the global level that would be useful to Member States in preventing organized crime, including methods for collecting sex-disaggregated data;
- (e) Identifying needs for capacity-building in the development of strategies to prevent and combat organized crime, including in relation to the mainstreaming of gender and human rights considerations in such strategies.

VII. Follow-up and possible recommendations

43. The Working Group may wish to make the following recommendations:

- (a) States should consider a broad variety of approaches to the prevention of organized crime, including community approaches, regulatory, disruption and non-justice system approaches, and private sector involvement;
- (b) States should include prevention as a key objective in their national or regional strategies against organized crime, with the relevant efforts to be based on a whole-of-society approach;
- (c) In preventing organized crime, States should mainstream gender and human rights considerations using an intersectional approach;
- (d) States should consider carrying out strategic analyses, including through regional and national threat assessments, as the basis for high-impact strategies against organized crime that include prevention as a key objective;
- (e) States that have not yet done so should update their records on prevention in the Sharing Electronic Resources and Laws on Crime (SHERLOC) knowledge management portal, including for the purposes of the Mechanism for the Review of

the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

(f) States should consider allocating sufficient resources, as feasible, to the prevention of organized crime;

(g) UNODC should continue to provide capacity-building to develop and enhance the capacity for the collection and analysis of data on the drivers and characteristics of organized crime and on the impact of State responses;

(h) UNODC should continue to provide technical assistance in the development of strategies against organized crime that include prevention as a key objective, and in mainstreaming gender and human rights considerations in such strategies;

(i) UNODC should continue delivering training for educators on how to prevent organized crime, in particular through the Education for Universities teaching modules available on the SHERLOC portal;

(j) UNODC should continue to develop global and regional-level transnational organized crime threat assessments, as well as rapid assessments and risk analysis at the country level, to inform the prevention of organized crime;

(k) States should apply the International Classification of Crime for Statistical Purposes in their data collection practices so as to further standardize the collection and exchange of high-quality statistical data on organized crime. In that regard, States may consider promoting the newly developed UNODC e-learning course on the International Classification of Crime for Statistical Purposes, which introduces that framework and discusses its specific application to organized crime;

(l) States may wish to consider providing extrabudgetary resources for the delivery of technical assistance in the prevention of organized crime.
