



**UNODC**

United Nations Office on Drugs and Crime

Regional Centre for  
East Asia and the Pacific

---

# **Inter-Parliamentary Union**

## **122<sup>nd</sup> Assembly and Related Meetings**

**Address by Gary Lewis  
Regional Representative**

**To the First Standing Committee on Peace  
and International Security**

**28 March 2010  
Bangkok, Thailand**

**Honourable Parliamentarians,**

I would like to thank the IPU for having provided me with the opportunity to speak here.

In short, UNODC's **mandate** is to assist our Member States to fight organized crime, illicit drugs, corruption and international terrorism in all their manifestations.

This morning, I would like to share my thoughts on three issues with you:

- First of all, let me speak about the **threat**: we need to be worried about the threat of transnational organized crime.

- Secondly, about the relevance of the **UN instruments to counter these threats**. With the United Nations Convention against Transnational Organized Crime and its three supplementary protocols against human trafficking, migrant smuggling and arms trafficking, the United Nations Convention against Corruption and the three United Nations conventions against illicit drugs and the 16 United Nations instruments to fight terrorism - we have put in place a solid basis for action.
- Finally, about **implementation**. We need to translate these obligations into legislation and then make sure that legislation is actually applied and enforced. UNODC can help you do this.

Let me now turn to these three issues in more detail.

## **1. THE THREAT OF TRANSNATIONAL ORGANIZED CRIME**

We need to be worried. If we look back over that past 15 years, I would argue that the international community has largely failed to anticipate the evolution of transnational organized crime into the strategic threat which it now poses to us all.

A strategic threat to governments, to societies, and to economies.

The reason is this. Transnational organized crime as an instrument to generate profit is no longer the sole preserve of specialist criminal organizations. Transnational organized crime is now an essential strategy for armed groups around the world. It is a source of funding for corrupt politicians as well as warlords and terrorists.

Globalization has played a role in all this. It has brokered partnerships between transnational organized crime networks and the kingpins in areas where there is armed conflict and weak governance.

Globalization – assisted by lower communication and transportation costs – has indeed rewarded those who – as we say – have a “comparative advantage in the production of “illegality”. It does so by connecting transnational organized crime services to global markets.

Weak governance allows transnational organized crime groups to insert themselves into the fabric of politics, thereby hindering development and reducing the capacity of our Member States to fairly and justly manage social tension and conflict.

So, this is why I say we need to be worried.

Now, are those empowered with interpreting the law, prosecuting suspects and enforcing the law operating at a disadvantage in this globalized world?

Let's compare ourselves with the transnational organized crime syndicates:

- Transnational organized crime syndicates are structured horizontally, operate in flexible way while closely interacting with each other. Their leadership is decentralized.
- Ourselves: Our actions are still too often limited by what I call the "silo" mentality. Too much vertical, blinkered thinking and acting. This results in poor information sharing and lack of true cooperation.
- For transnational organized crime syndicates borders become irrelevant.
- Ourselves: We are obsessed with "formal sovereignty", and, in the process often sacrifice "effective sovereignty".
- Transnational organized crime syndicates are incredibly well funded.
- Ourselves: Our operations are not only often underfunded but we tend to waste the limited resources we do obtain.
- Transnational organized crime syndicates belong to the avant-garde when it comes to using new technologies.
- Ourselves: We are too slow to adapt to changes in technology and make use of new technology .

My overall conclusion: the advantage is currently with the transnational organized crime syndicates.

## **2. THE RELEVANCE OF THE UN INSTRUMENTS**

However, we have the United Nations international conventions and instruments on our side. This is not so hollow a resource as is sometimes stated. For these conventions are a reflection of international resolve to fight back against these threats to human security and to civilized living.

The real challenge is to make them work. We need to apply them and then better implement the resulting laws on the ground.

I would like this morning to focus not so much on illicit drugs, or international terrorism, or corruption. These aspects of our globalized world are closely intertwined as security crises with the threat posed by transnational organized criminal syndicates. And this is where the real

threat is most visible. So please allow me to share some thoughts on transnational organized crime and in particular human trafficking and migrant smuggling.

To effectively fight crime that crosses borders, we need to have a common and shared understanding of what it is. Having established such a shared understanding of human trafficking and migrant smuggling is certainly one of the key achievements of the Convention and its Protocols. But, let me ask how you – as Parliamentarians – see your role in all this.

What is your response to the following questions?

- Has your country criminalized human trafficking and migrant smuggling in line with definitions and criminalization requirements of the protocols?
- Does your country systematically collect data on human trafficking and migrant smuggling?
- Do you know how many human trafficking cases were investigated in your country last year? Were they trafficking cases for sexual exploitation? Were they cases involving men for forced labour?
- How many victims were identified and assisted?
- How many suspects were prosecuted?
- How many persons were convicted?
- Do you share this data with other countries?

Almost 10 years ago – to be precise on 15 November 2000 - the United Nations General Assembly adopted the Convention against Transnational Organized Crime. Having been ratified by a sufficient number of countries, the Convention entered into force in September 2003.

The Convention is supplemented by three Protocols: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air, and the Protocol against the Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition. These Protocols entered into force between December 2003 and July 2005.

As of today, 154 states have ratified the Convention, 137 the Protocol to Prevent, Suppress and Punish Trafficking in Persons, 123 the Protocol against the Smuggling of Migrants and 79 the Protocol against the Illicit Manufacturing and Trafficking in Firearms.

### 3. IMPLEMENTATION

These figures are pretty impressive!

But has the world become less criminal during the last 10 years? Are more perpetrators punished for the crimes they have committed? Are there fewer safe havens? Is there less impunity? Are the victims better assisted? And are witnesses better protected than 10 years ago?

I cannot answer these questions. Because, in many cases, we simply do not have the information.

What strikes me is that still nowadays our knowledge of the real extent of the criminal threats we are facing is scattered, incomplete and often based on assumptions and perceptions.

This brings me to the matter of implementing the conventions locally and the three simple things which need to happen to effectively fight transnational crime.

**THE NEED OF THE HOUR** is knowing the threat, acting operationally, cooperating regionally.

- First, we must **KNOW the THREAT better**. For this, we need to improve the quality of the information we have – and share it among ourselves better.
- Second, we need to **sharpen our TECHNICAL capacity to act** operationally. By this I mean that we need to develop better techniques. Techniques which can match up to the knowledge and prowess which our adversaries possess. Here the emphasis must be on improving international investigative, policing, and prosecutorial tools.
- Thirdly, we need to **COOPERATE better across a region and across regions**.

Our role – UNODC's role – is to assist you in implementing the Convention and the Protocols.

Let me give you some examples of what we can do to assist in helping your countries to better implement the laws you pass in support of the Conventions.

KNOWLEDGE:

- We have developed national, regional and global mechanisms that allow us to produce up-to-date threat analyses to inform the development of counter-measures that are appropriate to tackle these intertwined human security threats of today and tomorrow – and not the threat as it was 2 years ago.
- One small example – among dozens I could cite. In 2009, UNODC reported on the international effort to fight trafficking in persons: While we have certainly progressed a lot, from this assessment and looking at conviction rates, I conclude human trafficking is still a high-profit-low risk crime: that is a crime where the criminals face little risk of punishment while making a lot of money.

#### DOMESTIC ACTION:

- In supporting the conversion of the instruments into LOCAL LAWS, UNODC provides legal advisory services and has developed tools such as model law provisions on human trafficking and migrant smuggling to assist states in bringing their legislation in line with the Protocols.
- UNODC has developed model law provisions on human trafficking and migrant smuggling to assist states in bringing their legislation in line with the Protocols.
- UNODC has also published comprehensive guidance – this so-called International Framework for Action To Implement the Trafficking in Persons Protocol to assist states in identifying gaps and putting in place additional measures they may need, in order to ensure conformity with international standards.
- UNODC’s on-the-ground work is supporting improvements on international investigative, policing, and prosecutorial tools.
- UNODC provides training for frontline law enforcement officers through computer-based training (CBT), in their own language. In fact, since 1999, we have been providing technical assistance to address a range of TOC issues through CBT to member states and their practitioners since 1999. The existing UNODC CBT curriculum contains 78 modules and is available in 18 languages. It is currently being delivered via 300 centres in 52 countries. More than 100 of these centres are already located in the East Asia and Pacific region.

## REGIONAL COOPERATION:

- We are supporting improvements in border control. UNODC has been assisting states in the Greater Mekong Region in improving cross border cooperation in border control – to give you just one immediate and practical example.
- We must adopt and use tools such as extradition, joint investigation teams and Mutual Legal Assistance. These are the essentials to interdict transnational criminal activities. We are supporting building blocks for effective transnational justice cooperation by working with our partners to establish: (i) a Prosecutors Network; (ii) Joint Investigation Teams; (iii) a Judicial Liaison Network; (iv) Designated Central Authorities in charge of MLA, extradition and repatriation of assets; and (v) an Information Exchange Network with timely access to reliable data on TOC.

Some of Parliamentarians in this hall have approached me separately for more information on how UNODC can support your countries in practical ways. Please have a look at our website or contact me and I can – if the matter goes outside of East Asia and the Pacific – guide you to who to contact.

## **CONCLUSION**

I would now like to conclude.

Some call for a revolution in how we operate. They call for a thorough overhaul of international cooperation in dealing with transnational organized crime. But this suggests that nothing – or very little – which we have done is producing results. I do not share this view. We are doing a great deal. But it is still not enough. We can do better. Our strengths – when joined – are considerable. They are, in fact, immense. The need of the hour is therefore to do the three things I have spoken of. Those three simple things: know the threat better, act domestically, cooperate regionally.

I believe that the enormity of the threat we face also provides us with an unparalleled opportunity to change the way we work. The threat posed by transnational organized crime to international peace and security is real and is most likely growing.

We must recover control over our societies and our way of life. The IPU can play its role in this. You are the agents of change – we can assist you.

That is why UNODC applauds you for having taken this initiative to further strengthen global efforts to fight organized crime. You, the Parliamentarians of the world play a key role in this. It is you who initiate changes in legislation or enact new legislation. It is you who decide upon the priorities to be tackled. It is you who vote on the resources to be allocated in this struggle.

Transnational organized crime is strong because it is a network. But the good guys also represents a network. Yet, we need to strengthen it:

**“Because it takes a network to defeat a network.”**

\* \* \*