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## EFFECTIVE MEASURES TO COMBAT TRANSNATIONAL ORGANIZED CRIME

### New security challenges

As a result of the globalization process and the spread of technology, significant changes in the nature and extent of organized crime are occurring. A key trend is the diversification of the illicit activities in which organized criminal groups are involved, as well as an increase in the number of countries affected by organized crime. There has also been a rapid expansion of their activities in areas such as trafficking in human beings, firearms, stolen vehicles, natural resources, cultural objects, ozone-depleting substances, hazardous waste, endangered species of wild flora and fauna and even human organs, as well as kidnapping for ransom.

Advances in communication technologies have given rise to new opportunities for highly sophisticated crimes, most notably a significant increase in fraud on the Internet, which have been exploited by organized criminal groups. In addition, communication technology makes criminal organizations more flexible and dynamic—e-mail has become an essential communication tool regardless of time and distance. Law enforcement is often slow to adjust to new trends, while organized criminal groups tend to adapt rapidly and make use of technological advances, owing to the immense profit of their illicit activities.

The opening of new markets and new communication technologies has, along with the diversity of activities in which they are involved, also fuelled the growth of organized crime in developing countries. Countries with economies in transition or embroiled in conflict are particularly vulnerable to the growth of organized crime. In such cases, organized crime poses a real threat to development of reformed institutions, such as police, customs and judiciary, which may turn to criminal and

corrupt practices, posing a serious obstacle to achieving stable, more prosperous societies.

Organized crime and corruption practices are interrelated; corruption facilitates illicit activities and obstructs interventions from law enforcement. Fighting corruption is thus integral to fighting organized crime. Moreover, a nexus has emerged between organized crime, corruption and terrorism. Some terrorist groups have for example used organized crime to finance their activities. Therefore, promulgating appropriate legislation, building law enforcement capacity and fostering international cooperation to counter organized crime activities and related corrupt practices also strengthens the ability to control terrorism.

### The United Nations Convention against Transnational Organized Crime

The United Nations Convention against Transnational Organized Crime, which came into force in September 2003, is the main international instrument in the fight against organized crime. The Convention has 147 States signatories and 100 parties. There are three supplementing Protocols, which target specific areas of organized crime: the Protocol on Trafficking in Persons, Especially Women and Children, with 117 States signatories and 80 parties (entered into force in December 2003); the Protocol on Smuggling of Migrants by Land, Sea and Air, with 112 States signatories and 69 parties (entered into force in January 2004); and the Protocol on Illicit Manufacturing of and Trafficking in Firearms, with 52 States signatories and 35 States parties, which will enter into force once ratified by 40 States. The links between organized crime and illicit firearms are clear: criminal groups make use of firearms and are involved in their illicit transfer. Member States will be able to submit their instruments of ratification

or accession to the Convention and its Protocols during the Crime Congress.

Another major international instrument to fight one of the most insidious manifestations of crime—corruption—will receive additional ratifications during the Congress. The United Nations Convention against Corruption, which was adopted by the General Assembly on 30 October 2003 and first opened for signature in December 2003, has since been signed by 118 States and ratified by 18. It will enter into force after 30 countries ratify it.

#### **Building a global response to organized crime**

UNODC is following a three-pronged approach in its response to transnational organized crime: (a) promoting ratification of the United Nations Convention against Transnational Organized Crime and its Protocols as well as providing technical assistance to States seeking to implement them. The aim is universal ratification and full compliance; (b) improving judicial cooperation and mutual legal assistance. Owing to the increasingly globalized nature of organized crime, the investigation, prosecution and adjudication of transnational crime cannot be limited to only one State. Consequently, the Convention contains extensive provisions on international cooperation in criminal

matters; and (c) specific technical cooperation on countering organized crime, in particular by building the capacity of institutions to collect and analyse relevant data, as well as by training criminal justice officials to investigate and prosecute cases within the framework of the rule of law.

#### **Secretary-General's High-level Panel on Threats, Challenges and Change**

The Panel's report, released in December 2004, identifies the key challenges facing the global community. The Panel underscores the urgency of responding effectively to the challenge of transnational organized crime. It emphasizes that, in the current global context, threats to security are interconnected and should no longer be seen in isolation from one another. A global framework for both preventive action and more effective response is required. The Panel recognizes the work of the United Nations Office on Drugs and Crime in the field, urging Member States to cooperate with and support the work of UNODC, especially by ratifying the existing Conventions and their Protocols. The Panel also stresses the importance of effectively strengthening the capability of the United Nations to provide technical assistance in order to bolster States' capacity to counter transnational organized crime.

#### **For further information:**

[www.unodc.org](http://www.unodc.org) and [www.unis.unvienna.org](http://www.unis.unvienna.org)