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**UNITED NATIONS COMMISSION ON
CRIME PREVENTION AND CRIMINAL JUSTICE**



Letter from the Executive Board

Dear Delegates.

It gives us pleasure to welcome you to the Model United Nations. The agenda that has been set for this committee is one that has been the point of discussion and thought for countless hours and we truly hope it will aid you in reaching maximum potential this organisation can reach.

Before moving further in the guide, it is imperative for each one of you to understand that this guide should not be the limit to which your knowledge extends. Think of this guide as the pre-requisite knowledge required for each member to fulfil their part in the simulation. This document is a mere starting point for all of you and we hope that it serves as the same. However, this doesn't mean that the importance of this background guide should be neglected. It is the first official piece of document that you are receiving from the Executive Board and we highly recommend that you read, understand and assimilate it properly.

While researching is important, it is of utmost importance for you not to forget the disarmament and global security nature of the first committee of the UN General Assembly. We also recommend that you read and learn about the mandate of the committee, history and functioning. The committee shall be following the Rules of Procedure in usual manner yet also can be subjected to changed considering it is taking place on an online platform. It is highly expected of all the delegates to maintain a professional standard, from the point of the release of this guide to the end of the conference.

Apart from this please feel free to communicate with the Executive Board at any point of time, through emails. We look forward to a fruitful discussion and an enriching experience with all of you. Wishing you the best and let's make this conference a successful one.

Regards,
Executive Board



Introduction to CCPCJ

The Commission on Crime Prevention and Criminal Justice (CCPCJ) was established by the Economic and Social Council (ECOSOC) resolution 1992/1, upon request of General Assembly (GA) resolution 46/152, as one of its functional commissions.

The Commission acts as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice. ECOSOC provided for the CCPCJ's mandates and priorities in resolution 1992/22, which include improving international action to combat national and transnational crime and the efficiency and fairness of criminal justice administration systems. The CCPCJ also offers Member States a forum for exchanging expertise, experience and information in order to develop national and international strategies, and to identify priorities for combating crime.

The CCPCJ holds annual regular sessions as well as intersessional meetings. Towards the end of each year, the CCPCJ meets at a reconvened session to consider budgetary and administrative matters as the governing body of the United Nations crime prevention and criminal justice programme.

In 2006 the GA adopted resolution 61/252 which further expanded the mandates of the CCPCJ to enable it to function as a governing body of the United Nations Office on Drugs and Crime (UNODC), and to approve the budget of the United Nations Crime Prevention and Criminal Justice Fund.

The CCPCJ is the preparatory body to the United Nations Crime Congresses. Declarations adopted by the congresses are transmitted through the CCPCJ and the ECOSOC to the GA for endorsement.

Mandate:

The Commission guides the activities of the United Nations in the field of crime prevention and criminal justice. It also reviews United Nations standards and norms in this area, including their use and application by Member States. It takes action through resolutions and decisions.

The Commission also maintains links to the United Nations Crime Prevention and Criminal Justice Programme Network, which supports the efforts the United Nations in the area of crime prevention and criminal justice and contributes to the work of the Commission.



Functions & Powers

For two decades, the United Nations Office on Drugs and Crime (UNODC) has been helping make the world safer from drugs, organized crime, corruption and terrorism. We are committed to achieving health, security and justice for all by tackling these threats and promoting peace and sustainable well-being as deterrents to them.

Because the scale of these problems is often too great for states to confront alone, UNODC offers practical assistance and encourages transnational approaches to action. We do this in all regions of the world through our global programmes and network of field offices.

The Office is committed to supporting Member States in implementing the 2030 Agenda for Sustainable Development and the 17 Sustainable Development Goals (SDGs) at its core. The 2030 Agenda clearly recognizes that the rule of law and fair, effective and humane justice systems, as well as health-oriented responses to drug use, are both enablers for and part of sustainable development.

Relevant sources of information:

https://www.unodc.org/images/about-unodc/activity-areas_1100x1251px.jpg

https://www.unodc.org/res/about-unodc/index_html/Visio-UNODC_incl-abbrev_overall-1-June-2022.jpg

<https://undocs.org/Home/Mobile?FinalSymbol=ST%2FSGB%2F2004%2F6&Language=E&DeviceType=Desktop&LangRequested=False>

<https://www.unodc.org/unodc/en/commissions/CCPCJ/>

https://www.unodc.org/documents/commissions/CCPCJ/19-10645_CCPCJ.pdf



Introduction - Agenda

Transnational crimes are defined as intrastate crimes that violate the core ideals of the international community while also having an impact across international borders. These crimes are violations of the law that involve the planning, carrying out, and effects of several different nations.

Three groups can be used to categorize transnational crimes:

1. Supply of Illegal Goods: (Drug trafficking, trafficking in stolen goods, trafficking in firearms, wildlife, counterfeit goods, and cultural property)
2. Offering Illegal Services: (commercial sex and human trafficking)
3. Business and government infiltration (fraud, racketeering, money laundering, and a few other issues of online crime, including fraud and corruption)

It is important to distinguish these crimes from international crimes (crimes against humanity that may or may not have an impact beyond international borders).

The term "**transnational organised crime**" (TOC) refers to organised transnational crime that is carried out by markets or groups of people located in one or more nation with the motive of commercial or ideological benefit. It is also seen at times that TOC is driven by political or religious motives. These criminal organisations frequently engage in systematic brutality and deceptive methods into accomplish their aim.

International organised crime is a lucrative industry. It has been estimated that the TOC groupings produced \$870 billion in 2009, approximately 1.5% of the world's GDP at the time and over 7% of all exports of goods. Almost all



capitalist and profit-driven criminal behaviours are covered under TOC. These often have a polarizing effect on the Global community at large including large scale human rights violations as well as widespread cultural, social, economic and political challenges that are faced by governing bodies in the respective states. It is also often seen that TOC poses challenges to states by even putting their democratic setup in jeopardy as often seen in attempts to tamper with electoral processes as well as cyber-attacks on government portals and meddling with sensitive matters affecting National Security.

General Background Information :

The United Nations Convention against Transnational Organized Crime, adopted by the General Assembly(res 55/25) on November 15, 2000, and made available for signing at the Palermo Conference, was one of the key conventions used to combat transnational organised crime. The Convention is split into 3 protocols in order to tackle the different aspects and demonstrations of TOC.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children :

This Protocol is the first international agreement on the concept of human trafficking that is legally binding. This is done with the intention of promoting convergence in national methods to defining domestic crimes and enabling effective international cooperation in situations involving human trafficking. Protecting and assisting the victims of human trafficking in maintaining their unalienable human rights is another goal of the Protocol.

The Protocol against the Smuggling of Migrants by Land, Sea and Air :

It deals with the growing issue of TOC organisations transporting migrants across borders in order to make money, frequently at the expense of the migrants. A definition of migrant smuggling was included in the Protocol for the first time in a global, international agreement, specified and adopted. The Protocol's objectives include preventing and fighting migrant smuggling as well as fostering collaboration among States parties.



The human rights of smuggled migrants are safeguarded and the worst forms of their exploitation are thus avoided.

The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition :

In order to encourage, facilitate, and strengthen cooperation between States Parties in order to stop, combat, and eradicate the illicit manufacture, trafficking, and distribution of firearms, their parts and components, and ammunition, a Protocol on Small Arms was adopted at the international level for the first time. It is the first legally binding instrument on small arms. By ratifying the Protocol, States agree to adopt a number of crime-control measures and implement three sets of normative requirements in their domestic legal systems: the first concerns the creation of criminal charges relating to illegal gun manufacturing and trafficking based on Protocol standards and definitions; the second concerns a system of government authorizations or licences intended to ensure that weapons are manufactured and trafficked legally; and the third concerns the marking and tracing of firearms.

This convention was the first significant advancement in the fight against TOC and signalled the necessity to advance, motivate, and strengthen international collaboration to address such issues. The creation of domestic crimes (such as money laundering, corruption, and membership in TOC groups), the updating of frameworks for extradition, mutual legal assistance, and law enforcement, the support of training and technical assistance are just a few of the measures against TOC that Member States that ratify this convention are required to put into action.



Forms of Transnational Organised Crimes

Drug Trafficking :

It is a worldwide illegal trade that involves the production, distribution, and sale of illegal drugs and substances. Cocaine, marijuana, heroin, and methamphetamine are just a few of the narcotics that are trafficked by illegal drug trafficking organisations. Global drug addiction and accessibility have grown more common as international borders have become more porous. There are currently 340 tonnes of heroin consumed worldwide, and seizures show that there is an annual inflow of 430–450 tonnes of heroin into the market. About half of that amount comes from opium grown in Afghanistan, with the remaining 380 tonnes coming from opium grown in Myanmar and the Lao People's Democratic Republic. The remaining 375 tonnes are trafficked around the world through pathways that flow into and out of Afghanistan, where around 5 tonnes are eaten and seized.

The northern and Balkan routes connect the Russian Federation with Western Europe. The Balkan route links the Islamic Republic of Iran, Turkey, Greece, and Bulgaria to the \$20 billion annual market in Western Europe (usually via Pakistan). Kazakhstan is connected to the Russian Federation via Tajikistan and Kyrgyzstan (or Uzbekistan or Turkmenistan) via the northern route. According to projections, that market will be worth \$13 billion annually.

Global cocaine seizure totals have lately stabilised after a significant increase from 2002 to 2005, reaching 712 tonnes in 2007 and 711 tonnes in 2008. The epicentre of seizures continued to be in the Americas and Europe. However, during 2007 and 2008, there was a shift in the location of cocaine seizures in favour of the nations that source the drug.



Weapons Trafficking :

Organized criminal gangs typically rely on the availability of weapons to carry out their operations. Small-scale weapons trafficking occurs, and the guns are either used for personal use, as rewards, or to fulfil specific requirements given by outside clients. The small number of organised crime groups involved almost exclusively use the sale of firearms as a secondary source of cash rather than their main source of income. The bulk of criminal organisations enter the arms trade through other illicit activities that might offer contacts, information about current routes, and infrastructure for organised criminal organisations' networks for smuggling weapons. The main sources of firearms and organised crime groups involved in the trafficking of weapons have been the Western Balkans and the former Soviet Union (the weapons were often held illegally after recent conflicts in the region). Outlaw motorcycle gangs, which have branches throughout the Western Balkans, are concerned about the trafficking of weapons. Organized criminal groups traffic guns through already-existing illicit networks.

The illegal market for small arms and light weapons (SALW) is a small one. It is still intimately tied to other illicit operations, and it is a secondary source of money for organised criminal groups rather than a primary source of income (Europol). Globally, the illegal weapons trade earns between 125 million and 236 million euros each year, accounting for 10% to 20% of the overall legal firearms trade (EC). In 2015, it was projected that 640 million illegal guns were in circulation, equating to one illegal firearm for every 11 individuals in the United Nations' zones. (EUCPN Secretariat)

The reactivation of neutralised weapons, burglaries and thefts, the embezzlement of legal arms, the selling of legal arms on the illegal market, including the Dark-Web, the reactivation of decommissioned army or police firearms, and the conversion of gas pistols are the main sources of illegal weapons.



Human Trafficking :

Human trafficking is the act of obtaining individuals by coercion, fraud, or deception for the purpose of exploitation for financial gain. This crime, which happens everywhere in the world, can have an impact on people of various ages and socioeconomic backgrounds, including men, women, and children. Traffickers frequently use violence, phoney job agencies, and false assurances of opportunities for education and employment to deceive and compel their victims.

Transnational networks are widely used by human traffickers to move migrants who are compelled to utilise a smuggler because of their living situations. Recruiters look for migrants through a variety of channels, including the Internet, employment agencies, the media, and local contacts in the origin countries, which commonly include Southeast Asia, Eastern Europe, and Sub-Saharan Africa. Recruited from within the nation, middlemen usually share cultural traits with immigrants.

Migrants view the use of smuggling services as a means of escaping the oppressive conditions in their native countries and finding safety in more developed, stable countries. In order to avoid being discovered by border control officials, smugglers give migrants phoney passports or visas and advise them on how to do so. On the other hand, transporters continue the migratory process by utilising a range of transportation methods, such as land, air, and sea.

Human trafficking is fueled by a variety of factors in the nations of origin, including political unrest, religious intolerance, a lack of job opportunities, extreme poverty, and international conflicts. Another contributing factor to the increase in living standards and global economic growth is globalisation, which has forced developing nations into the global market. Unfortunately, globalisation has changed the market for transporting unauthorised immigrants, allowing organised crime to expand their networks and establish international routes for migrant transit. In particular in Sub-Saharan Africa, the HIV/AIDS epidemic has led to a large number of orphans and households with children as the head of family, creating an ideal environment for human trafficking and slavery, according to the US Department of State.



Commercial Sex :

The most prevalent kind of human trafficking that results in servitude is the recruitment of individuals and their transit into the global sex industry. Both men and women, adults and children are impacted by sex slavery, which makes up around 58 percent of all human trafficking.

Forms of servitude include pornography, forced prostitution, underage sex, and sex-related careers like modelling and nudism. Recruitment into the sex trade is often a lucrative sector for those who engage in it. Recruitment into this lifestyle, which is a very old form of servitude, is frequently a lucrative business for those who engage in the sex trade. The victims of sexual slavery are frequently led to believe they are being moved to work in respectable employment. Given the prevalence of HIV/AIDS, prostitutes frequently labour under inhumane and even dangerous conditions. Ritual slavery—based on religion—occurs in various countries, including Ghana, India, and Nepal, where young girls are frequently sold as sex slaves to atone for family sins.



Role of the UNODC :

The work of the UNODC aims to strike a balance between long-term institutional capacity building objectives (for instance, by creating legislative and regulatory frameworks in accordance with international conventions, standards, and norms) and working in partnership with States to put policy priorities and strategies into action in a real and significant way. To accomplish these purposes, UNODC assists UN Member States in ratifying and putting into practise the UNTOC and its supplemental protocols. UNODC assists States Parties in passing legislation to address the extradition and mutual legal assistance provisions of the Convention as well as in strengthening law enforcement cooperation. The UNODC has a comparative advantage because of its expertise in the broad field of criminal justice system reform, where it can share knowledge in areas including corruption, research, and terrorism prevention as well as organised crime.

The UNODC works collaboratively with national governments, international organisations, and civil society organisations to develop national, regional, and global programmes that promote international collaboration and increase ability to fight organised crime. The UNODC plays a crucial role in promoting international collaboration by creating connections and channels of communication between pertinent authorities and offering places for experts to gather to build trust and exchange best practises and lessons learned.

In order to adjust technical assistance projects and make sure that such information is properly disseminated to strengthen evidence-based responses to organised crime, UNODC also engages in data collection, research, and analysis with the aim of identifying the most efficient methods for gathering information about organised crime at the national, regional, and international levels.



Role of the UNSC :

Due to their connections to armed conflict and insecurity, the United Nations Security Council has concentrated on concerns related to transnational crime, particularly human trafficking. This relationship has a lot of facets. Armed groups, in particular organised criminal businesses, may get financial support from these organisations in order to expand their influence or fulfil a specific tactical need. Sexual abuse and exploitation, as well as forced recruitment by armed groups, may all be contributing factors. In some conflict-affected nations, the distinction between violent individuals' criminal and political motivations is fuzzier than ever.

Other international strategies rarely succeed in such situations, which is why the Security Council is focusing on illegal acts. In fact, the Convention on Transnational Organized Crime was enacted by the UN General Assembly in 2000 and has 189 signatories. Among other things, a protocol on human trafficking was added to it.

This Convention's implementation, which lacks a review mechanism, is in peril, and unstable and conflict-affected states, who are often ineffective at combating organised crime in the first place, are also infrequently active players in international cooperation. As the case of the UN-sanctioned commander of the regional coastguard in Zawiya indicates, it is even impossible to distinguish between criminal actors and those who are supposed to be implementing the law in an environment like Libya.

Organised criminal issues are frequently brought to the Security Council's attention by specific incidents or violent conflict situations. The first Security Council thematic discussion on human trafficking in war settings took place in December 2015, and it was largely sparked by the kidnapping of women and children by the so-called "Islamic State" (ISIL) and the trafficking of Yazidi minority members.



Previous Attempts to Solve the Issue

The Racketeer Influenced Corrupt Organizations Act (RICO) :

The Organized Crime Control Act of 1970's Racketeer Influenced and Corrupt Organizations Act (RICO) forbids the acquisition, operation, or monetary gain of any activity using racketeering techniques.

RICO charges those who are a part of an organisation that has a pattern of racketeering, even if the racketeering was carried out by other members.

RICO's Section 1962 forbids the following:

1. Acquiring a stake in a business that affects interstate trade with funds obtained through a habit of illegal debt collection or racketeering behaviour;
2. Using racketeering practises or the collection of a false debt to acquire or hold onto an interest in a business that affects interstate commerce;
3. Managing the affairs of a company that affects interstate commerce by engaging in repeated racketeering acts or cooperating in the collection of a false debt;
4. Assembling a team to carry out one of these operations.

International Conference on Preventing and Controlling Money- Laundering and the Use of the Proceeds of Crime :

The purpose of the United Nations Drugs Control Programme (UNDCP) is quite clear: to aid in the battle against money laundering by offering legal and



training support. The UNDCP has primarily assisted nations like Colombia, Mauritius, Nigeria, and Thailand in developing effective laws and legal systems by offering guidance and support on anti-money laundering legislation. The United Nations Development Programme (UNDP) has developed proposed legislation on money laundering and confiscation to aid with this. Activities have also centred on raising Member States' understanding of the need of combating money laundering by assisting the Financial Action Task Force and other pertinent organisations in this area.

Possible Solutions :

Bolster anti-money laundering regulations

Closer worldwide inspection of public officials' banking practices, as well as new alliances with Member States to build more effective regulation of informal remittance networks and money transfer systems would be positive moves.

Combating Human Trafficking

Anti-trafficking policies must be integrated into every policy area, from enhancing female education in source nations to reduce the vulnerability of girls to trafficking to increasing police pay in destination countries to reduce the risk of bribery among officers.

Approach to measure data in case of drugs

Another method is to concentrate on pharmaceutical production in the case of pharmaceuticals. Data is gathered from a variety of sources to estimate global illicit drug output. First, UN Member States are compelled to share drug-related information under international drug control accords. International institutions such as INTERPOL and the World Customs Organization have also produced publications with data (WCO). Regional organizations such as



EUROPOL and the Organization of American States (OAS), as well as national authorities, supply information. The Bureau for International Narcotics and Law Enforcement Affairs of the United States Department of State, for example, publishes the International Narcotics Control Strategy Report.

Guiding Questions

- How to address the problem at the grass-root level i.e. under-developed countries? Why is this situation more prevalent in such parts of the world?
- In what ways can countries collaborate in order to tackle the causes of the issue?
- Who all need to be involved in the process of solving the problem?
- Can all the sub-problems/aspects be tackled at once or do they require separate frameworks?

