

## Experts get together to promote Global Cooperation against transnational organized crime

### Report on participation of the 8<sup>th</sup> session of the Conference of the Parties to the UN Convention against Transnational Organized Crime (UNTOC)

17-21 October 2016, Vienna



*Opening Session*

Organization of the Families of Asia and the Pacific (OFAP) invited Dr. Francisco Jacinto, Retired Procurator of the Supreme Court of Portugal, as our consultant to attend the UN Convention against Transnational Organized Crime (UNTOC) on the 17-21 October 2016.

As usual, on the first day, Executive Director of the UNODC, Yury Fedotov, made his remarks at the opening. He emphasized that the human trafficking, migrant smuggling and firearms are the three important protocols necessary to be addressed for the global challenges, making this convention more urgent than ever. At the same time, the 2030 Agenda has made it clear that combating organized crime, promoting justice and the rule of law are essential to achieving the Sustainable Development Goals. The convention



*Pres. Nuno Jorge and Dr. Francisco Jacinto, Procurator of the Supreme Court of Portugal, Ret.*



*Pres. Nuno Jorge at the opening session*

provides a platform for 87 States Parties to enable and enhance the cooperation, formal and informal, within and between regions that needed to confront transnational organized crime.

He also made a remark on the new and emerging crimes and cybercrime, including criminal use of the internet, cyber-enabled fraud or online exploitation and abuse of children; organ trafficking; environmental crime; maritime crime as well as trafficking in cultural property raises lots of concern.

### **Side Event: “Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Protocols Thereto”**

The event starts with the report of the current situation in US by the Homeland Security Investigation Department. The United States has employed the UNTOC protocol on more than 30 occasions. The challenges of electronic evidence has expanded in the last several years due to smart device.

1. Mobile banking payment services are growing to meet the demands of underbanked areas of the world  
→ Evolving anti-money laundering programs
2. Virtual currencies are increasing in market share.  
→ Advanced anti-money laundering programs seem to be the norm



*Pres. Nuno Jorge and V. P. Of OFAP, Dr. Eduardo Vetere, also, V. P and Exec. Sec. of IAACA, and chair of the Anti-Corruption Institute, Vienna*

Applying the UNTOC protocol for gathering electronic evidence.

1. Know what type of evidence is available.
2. Take advantage of Customs to Customs agreements. Example: CMAA
3. Unofficial request to see if the information is available followed up by official UNTOC MLA.

For Application:

1. The UNTOC is written with sufficient broadness to allow application to nearly any crime.
2. Investigators should focus on the motivation of the crime
3. Apply UNTOC to the illicit pathway for financial benefit: Meaning attack the money laundering techniques or contacts to move or conceal illicit proceeds. Investigate corrupt government officials who facilitate or permit the movement of contraband and the specified unlawful activities.

The under banked have more access to financial services than ever before.

Along with advances in mobile banking and virtual currencies, digital evident has also grown:

1. Device ID's
2. IP addresses
3. Device fingerprinting
4. Geo Location
5. Data that is leaded above the device or location
6. Linking persons to many devices or accounts. There may be more than one stream of evidence
7. Country servers

Examples are also introduce as in how to collect applicable evidence for charge.

### **Side Event: "Into the Dark: Hidden Web Services & Firearms"**



*Preparatory meeting before the side event*

The event was led by Neil J. Walsh, Chief of the Global Programme on Cybercrime. He introduced the term of Darknet. The Darknet is a collection of thousands of websites that use anonymity tools like TOR to hide their IP addresses. Its most known use is for black-market drug and weapon sales and child abuse. It can't be accessed from a regular internet browser like IE, Firefox or Chrome. TOR, the Onion Router, is the most popular way to access the Dark Web.

Dr. Walsh also access the TOR network instantly, teaching people how to access to the Darknet. He has been doing research on this topic. His research approach combines different methodologies, such as Document review, stakeholders/expert interviews, primary data collection through web crawling and scraping techniques.

**Side Event: “Perspective: UNTOC and Firearms Protocol”**

UNODC has emphasis the terms to NGO in order to identify trafficking and teach NGO how to trace the route. “Illicit trafficking” shall mean the import, export, acquisition sale, delivery, movement or transfer of firearms, their parts and components and ammunition from or across the territory of



*Conference Room*

one State Party to that of another State Party. If any one of the States Parties concerned does not authorize it in accordance with the terms of this protocol or if the firearms are not marked in accordance with article 8 of this Protocol. “Tracing shall mean the systematic tracking of firearms and, where possible, their parts and components and ammunition from manufacturer to purchaser for the purpose of assisting the competent authorities of States Parties in detecting, investigation and analyzing illicit manufacturing and illicit trafficking.

**Side Event: “Countering Trafficking in Persons - Contributing to a Global Compact on Migration”**

In this session, Exec. Dir. Yury Fedotov calls on every country to join the world in fight against the traffickers and smugglers. He applauded the New York Declaration adopted at the UN General Assembly’s Summit for Refugees and Migrants. Urgent resolutions have to be made as the large-scale movements of people (around Europe) are vulnerable to violence and exploitation in which leads to transnational organized crime. In addition, According to the UNODC research, 79 per cent of the detected victims are women and children. Exec. Dir. Fedotov mentioned that funds should be used in a more strategic way to tackle these problems, such as targeting the criminal networks and their financial flows. UNODC has already worked intensively with their partners, Member States and all other stakeholders to keep this problem always on the agenda and actively response to it.

On the last day of the conference, as a wrap up, Exec. Dir Fedotov mentioned that by recognizing crime can hinder and obstruct sustainable development, (this conference) has made an evolutionary leap in the way crime is perceived. The COP had played a pivotal role in bring governments together to face the new problems that arises.