

UNODC CCPCJ: Commission on Crime Prevention and Criminal Justice, 26th Session

22nd – 26th May 2017, Vienna

Report

The Organization of the Families of Asia and the Pacific (OFAP) has the privileged to attend the 26th Session of the Commission on Crime Prevention and Criminal Justice Meeting, the OFAP's President Mr. Nuno Maria Roque Jorge attended in Vienna last 22 – 26 May 2017.

The thematic discussion this time will be on the subject of *"Comprehensive and integrated crime prevention strategies: public participation, social policies and education in support of the rule of law"*.



Opening of the Session Meeting

Special Events:

- ❖ ***EU-UNODC Cooperation: Addressing Trafficking in Persons and the Smuggling of Migrants***
- **Trafficking In Persons** – Human trafficking is the acquisition of people by improper means such as force, fraud or deception, with the aim of exploiting them. It is serious crime and a grave violation of human rights. Every year, thousands of men, women and children fall into the hands of traffickers, in their own countries and abroad.
 - Now, UNODC placed to undertake research of global scope on the crime of human trafficking, the main research output on this topic is the biennial Global Report on trafficking in Persons, which is based on official, national data and analyses the patterns and trends of trafficking globally, regionally and at the country level
- **Smuggling of Migrants** – Smuggling of migrants involves assisting people to enter a country in which they are not citizens or legal residents illegally for a financial or

other material benefit. Like trafficking in persons, migrant smuggling affects almost every country in the world. This crime undermines the integrity of countries and communities, and costs thousands of people their lives every year.

- UNODC's work in this field research on migrant smuggling is, however, still in its infancy. The first-ever research output will be a global study, based on existing data and information from a large number of sources. The study will include analyses of the main migrant smuggling routes in each region, profiles of the actors, how the crime is carried out, the human costs of migrant smuggling and the reasons that compel the people to resort to smugglers.

Managing the Risk of Hidden Forced Labour

- **A Guide to Companies and Employers**
 - What is the Problem?
 - Facts and Legislation
 - How Can Hidden Forces Labour Affect Your Company?
 - What Can you Do Now: The Seven Steps
 - Quick Risk Assessment – Do-It-Yourself
 - Checklists
 - Red Flags and Indicators of Forced Labour

Facts & Figures

- **77% UK Companies** – likelihood of modern slavery in their supply chains
- **97% Reputational risk** as main driver for company action
- Twice as many CEO's involved since UK Modern Slavery Act (Game changer)
- **63% US imports of apparel / footwear** from countries High risk of child labor
- "High" or "Extreme" risk of association with slavery in 115 countries (China, India)
- **5 Top Human Rights Risks to Watch in 2016:**
 1. Labour Brokers: Building trust in ethical recruitment
 2. Supply Chains: Achieving traceability
 3. Moving Beyond the Audit: Increasing supply chain responsibility
 4. Mandatory Reporting: Enhancing supply chain transparency
- **5. Migration: Preventing forced labour in European supply chains**
- **Business and Human Rights issues 2016:**
 - **#2: Leadership to Combat Forced Labour and Human Trafficking**

Revolution in Risk Management? or just disruption?

- **A changing landscape**
 1. Technology, mobility and affordable, accessible connectivity
 2. More media interest and exposure "bad business cases"
 3. More regulation & requirements
 4. More self-regulation and Private sector engagement
 5. Weak labour representation / voice (so far...)
 6. Limitation of traditional audits & inspection
 7. Need for new risk management solutions...

HEUNI Side Event: Countering Human Trafficking through Private Sector Involvement

- ❖ **Preventing Human Trafficking in Supply Chains through Government Measures**
 - **Ruth Freedom Pojman, OSCE**
- **OSCE project** “Preventing Trafficking in Human Beings in Supply Chains through Government Practices and Measures”
- **Financial supported** by Austria, Germany, the Netherlands, Switzerland and the USA
- **Project objective** to provide OSCE pS with practical tools to enact measures to prevent THB in supply chains and build their capacity to implement these measures



On-going seminar of the event mentioned above

Why should the ferry industry be interested in countering THB?

- **Indirect links: transport**
 - Ferries as a means of transport when organized crime groups and other traffickers use ferries for transporting trafficking victims
 - Transportation of migrant workers who may be exploited in the country of destination
- **Direct links: sites of exploitation**
 - Possible occurrence of prostitution and sexual exploitation on board
 - Possible occurrence of exploitation by subcontractors on board
- **CSR framework: human rights**
 - Trafficking is a criminal offence and a human rights violation and private businesses have an obligation to prevent it, provide information and assistance to possible victims
 - The ferry industry benefits from managing safety, security, risk and reputation

Informal Dialogue by UNODC – NGOs



Speakers of the event

Cybersecurity and Cybercrime in China:

➤ Regulation and Best Practice

- *Held by College for Criminal Law Science, Beijing Normal University*
- *International Research Centre of Criminal Information Law*

I. Regulation Development in China:

A Systematic Approach

1. National *policies* related to C&C
 - “Internet Plus” Action Plan
 - “Made in China 2025” Plan
 - National Strategy for Big Data
 - 13th Five-Year Plan for Informatization
 - National Cyberspace Security Strategy
 - International Strategy of Cooperation on Cyberspace
2. Basic *legislations* related to C&C
 - Cybersecurity Law
 - *E-commerce Law
 - *Personal Information Law
 - *Telecommunication Law
 - *Internet Service Law
 - Criminal Law

Basic *legislations* related to C&C:

Cybersecurity Law

- General Dispositions
- Cybersecurity Support and Promotion
- Network Operation Security
- Network Information Security
- Monitoring, Early Warning and Emergency Response
- Legal Liability



Mr. Jorge at the meeting

3. ***Other dispositions*** related to C&C: ***Cyberspace Administration of China***

- Dispositions on Instant Message
- Dispositions on Internet Broadcasting
- Norms on Cybersecurity Standardization
- *Norms on Personal Information Security
- *Norms on Transnational Data Flow

Other dispositions related to C&C: ***Supreme Judicial Authorities***

- Interpretation on Informational Fraud
- Interpretation on Personal information
- *Interpretation on Illegal Radio
- *Interpretation on Cybercrimes

II. **Best Practice Status in China:**

A Cooperative Approach

1. ***Authorities – Partnership***

- Preliminary research
- Text preparation
- Post evaluation

2. ***Private Entities***

- Promotion of Cybersecurity culture
- Development of innovative instruments
- Participation into emergency response

3. ***Research Institutions***

- Formation
- Research
- Consultation
- Cooperation

❖ **Reflections:**

1. Necessity of considering C&C as a whole
2. Necessity of engaging all interested parties

Developing Global Legal Framework against Cybercrime

By Mr. XU Feng – Deputy Division Director, Treaty and Law Department (Ministry of Foreign Affairs)



Mr. Xu Feng (middle) and Mr. Shenkuo WU, as the Speaker

OUTLINE:

I. Cybercrime: global challenge need global legal solution

- Global connectivity of Cyberspace and the anonymous and trans-boundary flow of cyber activities, brought challenges to traditional legal and law enforcement framework.
- Criminal and terrorist use of ICTs become more rampant and sophisticated
- Diversity and fragmentation of cybercrime laws and rules increase possibilities of escaping from legal punishment by criminals misusing ICTs

II. China's effort

- **2017 International Strategy of Cooperation on Cyberspace**
- Effort within the UN framework (supports the Open-ended inter-governmental expert group on cybercrime)
- Effort outside the UN framework
- **BRICS:** Asian-African Legal Consultative Organization
- **(AALCO):** Other regional or bilateral effort

III. On Future Work in developing global legal framework

- **Platform:** the UN (CCPCJ)
- **Elements** for Global legal framework
 1. **General principles:** (Legislative commonness between countries; widest possible international collaboration; comprehensive approach through prevention; regulation and combating private and public partnership; proportionate between cyber resources and responsibilities; respect of State Sovereignty and cultural diversity, etc.)
 2. **Procedural rules:**
 - **Existing rules:** expedited preservation of stored computer and also traffic data; search and seizure of stored computer and also traffic data; and real-time collection of traffic data and interception of content data
 - **Possible new rules:** law enforcement assistance obligation, crime prevention, reporting obligation of cyber service providers, etc.
 3. **Roadmap**

- furthering substantive discussion within the UN inter-governmental expert group on cybercrime
- CCPCJ establishes a working group for adoption of a voluntary model provisions on combating cybercrime
- the UNGA establish a special committee for drafting a global legal instrument on combating cybercrime

Side Event:

“Partnering with Civil Society in Anti-Corruption Effort to Fight Organized Crime” UNODC CRIMJUST & Transparency International



UNODC Speakers, Mr. Marco Teixeira, Ms. Candice Welsh and Ms. Zoe Reiter

What is the Goal?

What?

- Accountable and enabled institutional capacity of public sector effectively tackle organized crime

Why?

- Organized crime isn't just a criminal problem, it's a corruption problem that fuels inequality and insecurity

How?

- Making sure the right institutions have the right accountability mechanism and the right resources in place
- Pressure to ensure enforcement

Key Outputs

- Gap analysis in the mechanisms of control, transparency and participation of target criminal justice institutions
- Generation of concrete recommendations
- Direct advocacy with target institutions to minimize gaps
- Capturing of best practice and lessons learned

❖ ***Law Enforcement and Justice Institution Accountability Tool***

❖ ***Open Ownership – who controls, influences or benefits from a company***

Investigative Journalism

- ***Global Partnership to Open New Fronts in Fight Against Corruption***

The Organized Crime and Corruption Reporting Project (OCCRP) and Transparency International (TI) are joining forces in a first of its kind partnership to root out grand corruption on a global scale, the Global Anti-Corruption Consortium.

This new initiative will connect investigative journalists turning a spotlight on the secretive shadow economy with anti-corruption activists able to translate complex information into compelling campaigns for change.

The project is structured to ensure the independence of reporters and activists to pursue their distinct goals and will generate information sharing between those communities on an unprecedented scale with common themes agreed at editorial level.

United Nations Crime-Related Treaties

- As States recognized that organized crime and corruption ceased to be local issues to become a transnational phenomenon, a concerted response was sought. Both of the Conventions promote the participation of society as a measure of prevention. United Nations conventions and their related protocols underpin all the operational work of UNODC
- ❖ **CRIMJUST** – Funded by the European Union and implemented by UNODC, in partnership with INTERPOL and Transparency International

The CRIMJUST Project: Institutional Integrity

1. Selection, Training and Vetting

- Rigorous selection process
- Fully fledged investigations
- Polygraph through career
- Permanent training
- Broad scope for trainings
- Remuneration
- System of recognition

2. Case Management, Processes and SOPs

- Comprehensive SOPs
- Inter-agency teams
- Stakeholder involvement



Event Participants

- Checks and balances
- Technical assistance and risk assessments
- Harmonization

3. Accountability Mechanisms

- Codes of conduct
- Assets disclosure & conflict of interest
- Transparent disciplinary procedures
- Whistleblowing protection and reporting channels
- Internal inspection and audit
- Role of civil society

- Access to information

Anti-Corruption Work of UNODC in Central America and the Caribbean

- **Codes of Conduct**
 - Bill for the Reform of Law 59 of 1999 on Asset Declarations and Illicit Enrichment (Panama, 2015)
 - Bill for the Reform of the Ethic Code for Public Officials / OGP (Panama, 2015)
 - Ethics Week together with the Governmental Ethics Tribunal (El Salvador, 2016)
 - Revision of the Probity Law (Guatemala, 2016)
- **Corruption & TOC**
 - Workshops on the Prevention Detection and Prosecution of ML (El Salvador, 2015)
 - Workshop on Investigation and Prosecution of Human Trafficking (Panama, 2016)
- **Money Laundering** – Campaign against Money Laundering
- **Corruption Risk Mapping** – Panama, 2015 – 2017

CRIMJUST Project expected outcomes

- Enhanced capacity of law enforcement to exchange data and conduct joint investigations on OC at interregional level, collect evidence for successful prosecutions
- Enhanced capacity of the judiciary to prosecute and adjudicate OC / drug trafficking cases and enhanced transnational judicial cooperation between criminal justice officials in WA and LAC
- Enhanced integrity and accountability of law enforcement and the judiciary, with the active participation of CSOs, for more effective investigations, prosecutions and international cooperation in relation to OC
- Enhanced capacities of CSOs to identify, monitor and propose measures to address key integrity and accountability challenges in effectively combating OC in law enforcement and the judiciary
- ❖ Corruption as bottleneck to achieving sustainable results in the fight against OC / drug trafficking

What have we done...

Step 1: Survey and gathering of baseline data

Step 2: Establishment of contact network

Step 3: Dialogue and exchange of good practices and experiences in inter-regional workshops

Step 4: Report on integrity priorities

Step 5: Coordination with Civil Society (Workshop & IACC)

Survey and Analytical report on priorities

- Capacity building & Supervision
- Clear rules and regulations (SOPs, Codes of Conduct, etc.)
- External accountability & oversight
- Internal accountability mechanisms
- Fair staff management & disciplinary procedures
- Reporting channels

- Risk assessments

For future activities...

1. Assist beneficiary countries in the implementation of concrete actions to reduce corruption vulnerabilities
 2. Raise awareness regarding judicial & prosecutorial integrity of criminal justice systems
 3. Provides technical assistance aimed at strengthening judicial & prosecutorial integrity and capacity
 4. Enhanced the participation of CSOs to support measures addressing key integrity and accountability challenges in effectively combating OC in law enforcement and the judiciary
- ❖ By Henry Ford: Coming together is the beginning
Keeping together is progress
Working together is success

Side Event:

- ❖ ***Development Spotlights in Human Trafficking:***
- UN Security Council Resolution 2331 (2016) and the Progressive Effects of Seeking Retroactive Application of the US Legislation (TVPA and TVPRA) for Trafficking Victims' Protection
- ***The Association of the Bar of the City of New York, Dr. Hong Tang***



Dr. Hong Tang (middle), the Speaker of the Event

The resolution far reaches the intersection and links between:

- Human trafficking and the sexual and gender-based violence;
 - Human trafficking and the violation and abuse of human rights;
 - Human trafficking and the protection of children affected by armed conflicts;
- Overall, the resolution specifically addresses the issues of conflict driving the desperation and disorder that enables human traffickers to thrive and the widespread impunity they enjoyed amid the mass displacement of vulnerable population
- It was emphasized that Islamic State in Iraq and the Levant (ISIL/Da'esh), Boko Haram, Al-Shabaab and others used trafficking and sexual violence as a weapon of terror and an important source of revenue.

- UN Security Council resolution 2331 (2016) underscores that “...certain acts or offences associated with trafficking in persons in the context of armed conflict may constitute war crimes; *and recalling further the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes...*”
- It clearly outlines the link between human trafficking and the notion of Responsibility to Protect (R2P)

Side Event:

- ❖ ***Crime Prevention through Anti-corruption Empowerment: The Finnish approach***
- **By Mr. Aarne Kinnunen, Ministry of Justice, Finland**



On-going discussion

A broad definition of criminal policy

- In Finland *criminal policy* is defined as a societal decision making in a broad sense with following aims:
- Prevention of crimes and risks of criminality
- Maintaining predictable and fair criminal justice system
 - Criminal justice system should be developed in accordance to scientific knowledge and best practices
 - Respect to human rights and rule of law
- Ensuring a credible, rational and cost-effective execution of sentences aiming to preventing recidivism
- Improving the status and legal rights of victims

The role of anti-corruption in general criminal policy

- Corruption is a force which drives – poverty, inequality, undermining rule of law, dysfunctional democracy and political decision making, distorting market forces, organized crime and global insecurity
- The same factors are behind other criminality
- ***Corruption undermines crime prevention efforts***

Comprehensive approach to fight corruption

- Prevention, prosecution and education
- Accountability and transparency
- Building integrity and developing a high integrity culture, or fostering ethical cultural values
- Appropriate corruption-related legislation

- National anti-corruption strategies and plans are a component of realizing this desire

Finland's anti-corruption strategy

Main goals of the draft strategy (2017-2021)

1. Appropriate and effective institutional arrangements in the field of anti-corruption
2. Increased awareness and changed attitudes
3. Increased transparency
4. Increased possibilities for detection of instances of corruption
5. Appropriated corruption-related legislation
6. Promotion of corruption and AC-related research

Side Event:

❖ *Anti-Corruption in Crime Prevention in West Africa*

- **By Mr. Pierre Lapaque, Regional Representative of UNODC Regional Office for West and Central Africa**

Corruption in Crime Prevention

Some examples:

1. In two countries, heads of the joint airport interdiction task forces (JAITFs) tasked with intercepting drug traffickers, were caught trying to sell off seized cocaine;
2. A 2015 independent study by Lansana Gberie, found that “large body of anecdotal and other evidence suggests that drugs traffickers have been key funders of political parties and of individual politicians in [...] West Africa [...]”;
3. A 2013 investigation by the Nigerien anti-corruption body found collusion between law enforcement officials and illegal migrant smugglers in the North of the country;
4. An independent investigation in Nigeria found billions of SUS were embezzled through fictitious contracts in the defense sector from public funds destined to combat Boko Haram
5. Reports exist about maritime law enforcement agencies in the Gulf of Guinea being affected by possible collusion with criminal organizations. Although there is no proof, corruption may be at play.

What is UNODC Doing?

In Essence: Support for UNCAC Implementation, But More Specifically:

1. Support for asset disclosure systems for public officials (eg. Senegal);
2. Support for investigative journalists (eg. Cell Norbert Zongo for Investigative Journalism in West Africa – CENOZO);
3. Support for anti-corruption education in universities (eg. Burkina Faso setting up a Master);
4. Support for the stronger anti-corruption institutions (eg. Niger, Burkina Faso and Gambia);
5. Support for stronger international cooperation (eg. Network of Anti-Corruption Institution in West Africa – NACIWA);
6. Support for integrity measures in the judiciary (in synergy with the Global Network on Judicial Integrity to be established by UNODC in 2018);
7. Support for anti-corruption strategies in the defense and security sector (eg. Burkina Faso);

8. Undertake research on the links between corruption and violent extremism in the Sahel region (focused on Burkina Faso, Mali, Niger and Nigeria);
9. Support for witness and whistleblower protection (eg. Liberia);
10. Develop integrity training for police investigators (eg. Ghana).

UNODC Regional Programme 2016-2020

➤ *Pillar IV – Preventing and countering corruption*

- Outcome 1: National authorities reinforce the culture of integrity through preventive measures;
- Outcome 2: National law enforcement authorities and criminal justice systems more effectively combat corruption
- Outcome 3: National authorities more effectively counter corruption in natural resource management;
- Outcome 4: National authorities more effectively recover stolen assets and illicit financial flows

➤ *Example of specific goals*

1. Increase the n⁰ of countries with digital asset disclosure verification systems (from 0-5);
2. Increase the n⁰ of investigative news reports on corruption and organized crime in West Africa;
3. Increase the n⁰ of countries with 1+ university curricula on anti-corruption (from 0-8);
4. Increase the n⁰ of countries with revised laws in line with the UNCAC (from 2- 10);
5. Increase the n⁰ of joint investigations (from 8- 40);
6. Increase the average annual expenditure by governments on their respective anti-corruption authority (from 150 FCFA per citizen to 300 FCFA per citizen);
7. Increase the n⁰ of prosecutions and convictions (from 1209- 1800 and from 1010-1400);
8. Increase the n⁰ of countries investigation corruption in the oil sector (from 1- 4);
9. Increase the n⁰ of countries recovering assets (from 6- 10).

Conclusions

Take away messages

1. Anti-corruption is a critical challenge in crime prevention in West Africa;
2. UNODC has developed very strong relationships with partners in the region to make significant impact on the corruption challenge;
3. Every crime prevention project ought to have an anti-corruption component and more resources ought to be mobilized to combat corruption in West Africa.

Joint Side Event: *International Anti-Corruption Academy • Ministry of Justice Finland*

❖ *Crime Prevention through Anti-Corruption Empowerment: STRENGTH IN SYNERGY*

➤ *Co-organized by IACA and Ministry of Justice of Finland*

❖ *Fostering a collaborative approach in the fight against corruption*

➤ *Examples of OSCE support*

- ***Presentation by Mr. Roel Janssens, Economic Adviser, OSCE Secretariat***



Meeting in Progress

OSCE – Organization for Security and Co-operation in Europe

Costs of Corruption

- More than **5% of global GDP** or **USD 2.6 trillion** (WEF); over USD 1 trillion paid in bribes each year (World Bank)
- Costs the private sector **USD 500 billion 3.7 x** the amount of Official Development Assistance
- Increases costs of doing business by **up to 10%** on average (WEF) and investment in corrupt countries is almost **5% less** than in countries that are relatively corruption free (IMF)
- World Bank estimates that each year **20-40%** of official development aid is stolen
- Corruption is estimated to cost the **EU economy EUR 120 billion** per year (EU Report 2014)

Promotion of good governance and the fight against corruption are integral parts of the OSCE's comprehensive approach to security:

- **2012** – Dublin Declaration on Strengthening Good Governance and Combating Corruption, Money Laundering and the Financing of Terrorism
- **2014** – Basel Ministerial Council Decision on the Prevention of Corruption
- **2016** – German Chairmanship
- **2017** – Austrian Chairmanship

Money in Politics in South East Europe

- **OCEEA** in co-operation with **ODIHR** and in close partnership with **OSCE Field Operations in Southeast Europe**
- Sharing **best practices** in preventing and combating corruption
- **Comprehensive approach** to the issue of money in politics

ANTI-MONEY LAUNDERING – National Risk Assessments

- Serbia
- Kyrgyzstan
- Croatia
- Montenegro
- The former Yugoslav Republic of Macedonia
- Ukraine (methodological support)

- Bosnia and Herzegovina

MONGOLIA – Strengthening anti-corruption capacity

- Anti-corruption legislation
- Public procurement
- Customs, trade facilitation
- Strengthening political will

❖ Crime Prevention through Anti-corruption Empowerment: *STRENGTH IN SYNERGY*

- **Presentation by Mr. Eduard Ivanov, IACA**

IACA - International Anti-Corruption Academy



Entrance w/ Booklets available

The Main Challenges for the International Community in Preventing and Combating Crime

➤ *Crime prevention through anti-corruption empowerment*

- Terrorism
- Organized crime, including smuggling of migrants and refugees and illegal arms trade
- Illegal international trade
- Embezzlement of public funds

The Key Weak Points in the Crime Prevention System

➤ *Crime prevention through anti-corruption empowerment*

- Movement of persons and goods across customs and state borders
- Movement of funds in the global financial system

Connections between Corruption and Other Types of Crime

➤ *Crime prevention through anti-corruption empowerment*

Specific connections:

- Use of corruption in border and custom control services for illegal movement of persons and good, including arms
- Use of corruption for receiving fraudulent documents

- Use of the same shadow financial infrastructure for various criminal purposes such as organized crime, economic crime, terrorism financing and corruption
- Use of corruption for embezzlement of public funds
- ❖ **Use of Shadow Financial Infrastructure** – *tax evasion, money laundering, shadow economy*
 - **Firm that sponsors terrorists** (payments according to fictitious contracts like marketing, consulting etc.) → **Fictitious firm in the action area of a terrorist organization** (“payments on behalf of the clients”)

Practical Anti-Corruption Measures:

- *Crime prevention through anti-corruption empowerment*
- Involving Financial Intelligence Units (FIUs) in checking declarations of incomes and assets of public officials
- Re-checking of transports by the border control officers after the custom control
- Identification of financial institutions involved in criminal activities
- Joint international operations against shadow financial infrastructure and the financial institutions involved in it
- Collective Action initiatives against corruption
- Creating a professional anti-corruption community

Collective Action: ...viribus unitis...

- Who wants change?
- Who wants to change?
- Who wants to **lead the** change?

Side Events:

- ❖ **By IACA, at the UN SDG Summit, UNNY 25 September 2015**
Sustainable Development Goals



On the right side, Mr. Nuno Jorge and Mr. Ye Wei

- **“Corruption is the antithesis vis-à-vis human rights, the venom vis-à-vis the rule of law, the poison for prosperity and development, the reverse of equity and equality. Investing in anti-corruption education and empowerment is therefore the smart way toward sustainable development, safeguarding human rights, and strengthening the rule of law.”**

- ❖ **Successful Examples of Anti-Corruption Policy of Georgia**
 - **By Gulisa Kakhiashvili, Ministry of Justice of Georgia, Secretariat of Anti-Corruption Council of Georgia**

Successful Examples

- I. Anti-Corruption Council
- II. Corruption Prevention in Public Service Delivery
 - Easy Access to the Public Information
 - Asset Declarations of Public Officials
 - Whistleblowers' Protection
- III. International Rankings

Anti-Corruption Council

- Consists of 54 institutions; 34 State Agencies; 17 Civil Societies and **Chairperson** as the Minister of Justice
- **Council – Working Group – Secretariat**

Public Service Delivery and E-Governance Legislative Framework

- e-Document and e-Signature law – 2007
- Law on Creation of Data Exchange Agency – 2010
- Law on Unified Information Registry – 2011
- Law on Information Security – 2012
- Law on Personal Data Protection – 2012
- Law on e-Document and trusted services – 2017

E-request of Public Information

- Legislative amendments to the General Administrative Code of Georgia
- Decrees on the Proactive Publication of Public Information
- Citizens' Portal

Asset Declaration

- Amendment to the Law of Georgia on Conflict of Interest and Corruption in Public Service
- Unified Declaration Electronic System
- Asset declarations monitoring system
- Constant verification of the declarations of top-level officials exposed to high risks of corruption
- Random selection of declarations
- On the basis of well-grounded written complaints submitted to the Civil Service Bureau

International Assessments

- World Bank Doing Business survey 2017 – 16th among 190 states
- Business Bribery Risk Index 2014 by Trace International – 13th out of 199 countries
- Global Corruption Barometer Survey 2016 by Transparency International perception of corruption – 7%
- World Justice Project Open Government Index 2015 – 1st out of 13 Eastern European and Central Asian countries and 29th globally
- Corruption Perception Index of 2016 by the Transparency International – 44th among 176
- World Justice Report Rule of Law Index 2016 – 1st place Eastern Europe and Central Asia and 34th globally among 113 states

We believe in ...

- **Transparent and accountable governance**
- Co-creation and
- Inclusiveness of government efforts at all levels



During the Meeting

YOUTH FOR HUMAN RIGHTS:

❖ What are Human Rights?

Every person is entitled to certain rights – simply because they are human being. They are “rights” because they are things you are allowed to be, to do or to have. These rights are there for your protection against people who might want to harm or hurt you. They are also there to help us get along with each other and live in peace.

There are “**30 rights**” and they are:

- We Are All Born Free & Equal / Don't Discriminate / The Right to Life / No Slavery / No Torture / You Have Rights No Matter Where You Go / We're All Equal Before the Law / Your Human Rights Are Protected by Law / No Unfair Detainment / The Right to Trial / We're Always Innocent Till Proven Guilty / The Right to Privacy / Freedom to Move / The Right to Seek a Safe Place to Live / Right to a Nationality / Marriage & Family / The Right to Your Own Things / Freedom of Thought / Freedom of Expression / The Right to Public Assembly / The Right to Democracy / Social Security / Workers' Rights / The Right to Play / Food & Shelter for All / The Right to Education / Copyright / A Fair & Free World / Responsibility / and No One Can Take Away Your Human Rights.

Side Events:

The Disappearing Trial: Human Rights and Trial Waivers

What does justice mean in a world with more guilty pleas and fewer trials?

- In reality, the trial is disappearing. These days, millions of cases are settled without a trial, and without all of the procedural protections that come with it. In this document discussion, they chose to use the term “**trial waiver**” which means, “a process not prohibited by law under which criminal defendants agree to accept guilt and/or cooperate with the investigative authority in exchange for some benefit from the state, most commonly in the form of reduced charges and/or lower sentences”. They have a

place in criminal justice systems, but without safeguards, trial waivers can cause injustice. These kinds of system have existed for centuries. In some countries most convictions result from guilty pleas not trials. Countries have been finding new ways to encourage defendants to give up the right to a trial and plead guilty. This growing practice has considerable implications (both good and bad) for human rights and the rule of law.

- On the other hand, *"Fair Trial"*, an organization that works to improve respect for the fundamental human right to a fair trial, will present the key findings of its new global study into the use of trial waiver systems – including plea bargaining, abbreviated trials and crown witness arrangements. A distinguished panel will discuss the implications of trial waiver systems for criminal justice priorities such as efforts to tackle torture, corruption, the overuse of pre-trial detention and drug crimes.

Terrorism Prevention Branch:

Legislative and Capacity Building Assistance to Prevent and Combat Terrorism

- The Terrorism Prevention Branch of the United Nations Office on Drugs and Crime delivers counter-terrorism legislative and capacity-building assistance to Member States. The assistance is aimed at strengthening national capacity to implement the universal legal regime against terrorism.
- ***Legal and Capacity – Building:***
 - Universal Legal Framework against Terrorism
 - Investigation, Prosecution and Adjudication of Terrorism-related Cases
 - Human Rights and Criminal Justice Responses to Terrorism
 - International Cooperation in Criminal Matters Related to Terrorism
 - Countering the Financing of Terrorism
 - Criminal Justice Responses to the Threat Posed by Foreign Terrorist Fighters
 - Preventing and Suppressing Chemical, Biological, Radiological and Nuclear Terrorism
 - Transport-related (Civil Aviation and Maritime) Terrorism Offences
 - Countering the Use of the Internet for Terrorist Purposes
 - Victims of Acts of Terrorism
 - Children Associated with Violent Extremist Group including Terrorist Groups
- ***Delivery Methods***
 - Capacity-Building Workshop – which criminal justice officials receive specialized knowledge enhancement and training on preventing and countering terrorism
 - Online Counter-Terrorism Learning Platform – an interactive tool for training criminal justice officials on countering terrorism

- Mock Trials and Investigations – of terrorism cases, terrorist financing and linkages to serious terrorism-related crimes, providing practitioners with an opportunity to simulate trials and criminal investigations based on real-life scenarios
- Legislative Services – to support Member States in incorporating the provisions of the international legal instruments against terrorism into national legislation through legislative analysis, drafting and national workshops
- Study Tours – for criminal justice officials to get acquainted with good practices in counter-terrorism
- Partnership with National Training Institutions – to promote professional legal training on counter-terrorism issues through train-the-trainer programmes and the development of training, materials customized for each national legal system

Organized Crime Branch

- The Organized Crime Branch of the United Nations Office on Drugs and Crime seeks to strengthen the rule of law through supporting Member States in the implementation and practical application of the Convention against Transnational Organized Crime and the Protocols thereto, as well as the international drug control treaties.
- There are **3 Sections** work to support the operations of the UNODC and assist Member States against Transnational Organized Crime:
 1. **Conference Support Section (CSS)** – provides service in legislative assistance in the ratification and implementation of the Organized Crime Convention and acts as the focal point within UNODC or emerging crime topics such as cybercrime and digital evidence, online child abuse and exploitation, as well as trafficking in cultural property. It also provides legislative assistance in the implementation of the international drug control framework.
 2. **Implementation Support Section (ISS)** – provides, inter alia, advice, technical support and project guidance on the implementation and practical application of the international conventions. It interacts directly with law enforcement and legal authorities including police, customs, anti-narcotics enforcement, border control bodies, national security agencies, financial intelligence units, criminal asset recovery units, prosecutors, judges and others.
 3. **Human Trafficking and Migrant Smuggling Section (HTMSS)** – supports Member States in implementing the key international instruments that address trafficking in persons and the smuggling of migrants: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime. And it also facilitates international cooperation, supports policy work at the international and inter-agency levels, and provides substantive technical services and comprehensive strategic advice to inter-governmental and inter-agency forums to prevent and combat trafficking in persons and the smuggling of migrants.