

A Background Guide for the
*United Nations Office on
Drugs and Crime*



Dalton Model United Nations III

Saturday, April 25, 2015

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Dalton Model United Nations

A LETTER FROM THE CHAIR

Dear Delegates,

Welcome to the third annual Dalton Model United Nations Conference! My name is Hannah State, and I am so excited to be your chair on the United Nations Office on Drugs and Crime. Model UN has been a huge part of my high school experience since I attended my first conference freshman year. I'm currently a junior, and an Under Secretary-General for the Dalton team. Outside of MUN, I am a member of my school's Performing Arts Committee, a section editor for RealPolitik, Dalton's political journal, and a choreographer for my school's dance concert. Some of my other interests include playing guitar, listening to music, and eating green tea ice cream.

Your moderator, Veronica Stewart-Frommer, is a sophomore on the Dalton MUN team. When she's not wearing western business attire, she is a part of Dalton's *a capella* group "Sweet N' Low," Secretary of Dalton student government, and plays on the volleyball team. She also enjoys watching *The West Wing* and playing guitar.

I can't wait to see where debate will take us - I think that the topics of human trafficking and criminal justice reform are not only incredibly pressing and prevalent global issues, but also ones that will foster interesting discussion and challenge you all to both work diplomatically and pragmatically, and articulate and defend your nations' policies. No matter how experienced of a delegate you are - whether you've been doing MUN for years or have never attended a conference - I really encourage every single one of you to get up and speak. MUN is truly what you make of it, so don't be afraid to tackle the problems you are presented with, and think outside the box.

I can't wait to meet all of you in April! If you have any questions, please don't hesitate to get in touch.

Yours,
Hannah State
Chair, United Nations Office on Drugs and Crime (UNODC)
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Introduction

History of the UNODC

Established in 1997, the UNODC, United Nations Office on Drugs and Crime, is “a global leader in the fight against illicit drugs and international crime”¹. Originally founded as a merge between the United Nations Drug Control Programme and Centre for International Crime Prevention, the UNODC works through an array of offices to cover a wide range of international issues. The UNODC aims to promote cooperation between regional and transnational bodies to combat the growing threat to security posed by organized crime, drug trafficking, corruption, and terrorism.² The UNODC ultimately hopes to create a network comprised of various governments to strengthen the rule of law, improve justice systems internationally, and create a safer, more secure future for our world’s communities. UNODC is also unyieldingly committed to educating the general populous on

the dangers of drug use, and raising awareness regarding signs of drug addiction. The UNODC aims to strengthen international action against drug production, trafficking and drug-related crime. To achieve this end, the UNODC carries out a broad range of initiatives, including alternative development projects, illicit crop monitoring and anti-money laundering programs.³

The UNODC draws 90% of its budget from the donations of private donors and willing donor nations, both of which are committed to promoting awareness, education, and action for the issues addressed by the committee.

The work carried out by the UNODC rests on three pillars. The three pillars of the UNODC work programme are:

- Field-based technical cooperation projects to enhance the capacity of Member States to counteract illicit drugs, crime and terrorism
- Research and analytical work to increase knowledge and understanding of drugs and crime

¹ "United Nations Office on Drugs and Crime." About UNODC. N.p., n.d. Web. 15 Dec. 2014.

² "United Nations Office on Drugs and Crime (UNODC)." RSS. N.p., n.d. Web. 15 Dec. 2014.

³ *Ibid*

issues and expand the evidence base for policy and operational decisions

- Normative work to assist States in the ratification and implementation of the relevant international treaties, the development of domestic legislation on drugs, crime and terrorism, and the provision of secretariat and substantive services to the treaty-based and governing bodies⁴

In summary, the UNODC focuses on education, research, and strengthening legal framework to provide the means to support attempts to counteract crime. All the while, the UNODC remains firm in efforts to integrate all perspectives regardless of gender, ethnicity, or class.⁵

Topic A: Human Trafficking

Statement of the Problem

The issue of Human Trafficking, which includes the dehumanizing and degradation of women, men, and children worldwide, has been one of great prevalence for centuries. Human trafficking is defined by the UNODC as “the acquisition of people by improper means such as force, fraud or deception, with the aim of exploiting them.”⁶ Though efforts have been made to combat this type of unacceptable treatment of citizens of the international community – efforts including attempting to protect and assist victims of human trafficking and prosecute traffickers – the past three decades have been characterized by a stunning increase in numbers of human trafficking crimes and have shown that traditional methods, while effective to a certain degree, have simply not been enough to fully address this pressing issue. It is time

⁴ "United Nations Office on Drugs and Crime." About UNODC. N.p., n.d. Web. 15 Dec. 2014.

⁵ *Ibid*

⁶ "UNODC on Human Trafficking and Migrant Smuggling." UNODC: United Nations Office on Drugs and Crime. N.p., n.d. Web.

to begin to innovate new and creative ideas.⁷ An estimated 27 million victims of trafficking suffer each day. That one child could still today be taken from his or her family to be entered into the world of human trafficking; that one woman could be subject to the abuse and humiliation that comes with sexual exploitation; that one man could be reduced to a price value and forced to work as a slave is proof enough that not only should past actions be reinforced but innovative solutions must also be brought to the table.

The UN Global Initiative to Fight Human Trafficking (UN.GIFT)

The United Nations Global Initiative to fight human trafficking (UN.GIFT) was founded as a response to the lack of awareness surrounding human trafficking. As one of the only UN bodies specifically committed to combatting human trafficking, UN.GIFT has become a pivotal resource. It aims to mobilize state and non-state actors to eradicate human trafficking, and serves as an

advocate for the eradication of human trafficking by: “a) reducing both the vulnerability of potential victims and the demand for exploitation in all its forms; b) ensuring adequate protection and support to those who do fall victim, and c) supporting the efficient prosecution of the criminals involved, while respecting the fundamental human rights of all persons... [in order to] increase the knowledge and awareness on human trafficking, promote effective rights-based responses, build and develop capacity of state and non-state actors, and foster partnerships for joint action against human trafficking.”⁸ UN.GIFT has organized regional events in nations including Uganda, Brazil, Thailand, South Africa, India, Cote d’Ivoire, Lithuania, and Turkey to refine strategies for developing lines of communication between local officials and non-governmental organizations (NGOs), resulting in the formation of regional trafficking combatant action plans.⁹

⁷ Pape, Background. "An Introduction to Human Trafficking: Vulnerability, Impact and Action." UN.GIFT (n.d.): n. pag. Web.

⁸ Update, 200 Progress. GLOBAL INITIATIVE TO FIGHT HUMAN TRAFFICKING (UN.GIFT) (n.d.): n. pag. Web.

⁹ *Ibid*

Underlying Issues

Human trafficking is often the product of deeper political or economic instability. This is why increased rates of human trafficking are often recorded in developing nations.¹⁰ In addition to rendering men, women, and children more likely to fall victim to human trafficking, individuals who live in developing nations undergoing political or economic stress may turn to perpetrating trafficking to secure revenue.

In addition, a desire to migrate from one's country can often lead to vulnerability in terms of human trafficking. One's desire can be easily taken advantage of, which leads to cases of human trafficking.¹¹ Some of the common factors that lead to mass migration include: poverty, human rights violations, lack of social or economic opportunity, danger resulting from conflict or instability, and similar conditions. Political instability, militarism, civil unrest, internal armed conflict and natural

disasters may all result in an increase in trafficking.

Apart from these areas of instability, certain groups have been statistically shown to be more vulnerable to human trafficking, namely women and children.

Especially regarding cases of sex trafficking, social stigma against women often plays a large role in their vulnerability. Women who live in distressed areas are highly more likely to be victims of trafficking. This points to not only the issue of social instability, but the larger issue of sexism and gender inequality.¹²

Furthermore, children are becoming increasingly subject to human trafficking. In conflict-zones, or in particularly impoverished areas where a parent may not be able to care for a child, many children end up living on streets, or in shelters and orphanages, putting these children at higher risk of being abducted.¹³

¹⁰ "Human Trafficking FAQs." UNODC: United Nations Office on Drugs and Crime. N.p., n.d. Web.

¹¹ *Ibid*

¹² "Addressing the Root Causes of Trafficking." Toolkit to Combat Trafficking in Persons (n.d.): n. pag. Web.

¹³ *Ibid*

In order to fully address the issue of human trafficking, one must tackle not only causes at the surface of this problem, including a lack of efficient border control and failure to properly prosecute attackers, but also underlying root causes of the issue.

Past UN Action

Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children

Adopted by the United Nations General Assembly in 2000, the protocol defines the crime of human trafficking, and promotes the implementation of comprehensive initiatives to combat trafficking of persons, protect and assist victims of human trafficking, and encourage nations to work cooperatively to achieve these goals.¹⁴

General Assembly Resolution A/RES/68/192

This resolution, adopted on December 18, 2013, promotes the universal ratification of the Protocol

to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, suggests a human rights-based approach, which takes into consideration the gender and age implications of the crime of human trafficking, and aims to raise awareness regarding the trafficking of persons, and to improve coordination of efforts to reduce the perpetration of such crimes. It also declared July 30th World Day Against Trafficking in Persons.¹⁵

General Assembly Resolution A/RES/64/293

A/RES/64/293 established the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children. It also outlined a Plan of Action regarding preventing human trafficking to be discussed at a high-level meeting of the General Assembly.¹⁶

Questions to Consider

Use these questions to guide your research:

¹⁴ "United Nations General Assembly: CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME." International Legal Materials 40.2 (2001): 335-94. Web.

¹⁵ "Resolution Adopted by the General Assembly on 18 December 2013." General Assembly (n.d.): n. pag. Print.

¹⁶ "General Assembly." International Organization 11.4 (1957): 649-55. Web.

Topic B: Criminal Justice Reform

- What types of instability can be targeted to prevent trafficking?
- Could an international framework be set to regulate transnational trafficking? What institutions already exist? Are they effective?
- What are your countries policies on immigration and labor?
- Does your nation grant specific services to trafficking victims?
- What role can education play in preventing this issue? How could you educate potential victims?
- How can mechanisms such as legal institutions, policing, and social services work together to combat human trafficking? Are these some of the problem areas within your nation?

Statement of the Problem

The UNODC has the mission of making the world safer from crime and terrorism.¹⁷ To be an effective and sustainable organization, the UNODC must be constantly reforming its outlook on criminal justice. While ensuring the prosecution of perpetrators of crime, it is imperative to ensure that the human rights of prosecuted individuals are not infringed upon, and that international law is implemented as justly as possible.

The UNODC divides the topic of criminal justice reform into five smaller areas of focus: Police Reform, Prosecutions Service, Judiciary (the courts), Access to Legal Defense and Legal Aid, and Prison Reform.¹⁸ By continually re-evaluating protocol regarding all five of these areas, the UNODC aims to ensure that the international justice

¹⁷ "Criminal Justice Reform." UNODC: United Nations Office on Drugs and Crime. N.p., n.d. Web.

¹⁸ *Ibid*

system has the tools necessary to remain relevant and up-to-date.¹⁹

Police Reform

Local police play an incredibly significant roll in upholding international law. In most countries, police are granted extensive powers to enforce and uphold the law. However, the nature, quality and underlying doctrine of the law being upheld varies from nation to nation. In some countries, the police are direct instruments of government policy and extensions of ministerial authority. In others, they have a more independent role. In either case - and especially considering the extremely recent controversy surrounding police action in Ferguson, Missouri, and New York City - it is imperative that police are held accountable for their actions, and the ways in which they choose to exercise the immense amount of power that they are given.”²⁰

In theory, police are obligated to protect and serve the rights of the people. However, in some cases, police have been known to further perpetuate oppression. It is the responsibility of the UNODC to work toward promoting improvement of police forces worldwide, and ensure that these forces are serving the best interest of international citizens.

Prosecution Service

Public prosecutors are those who represent the government during trial.²¹ Though hired to defend the state, public prosecutors are also obligated to ensure that the non-state parties receive a fair trial. However, this is all too often not the case, and the integrity of national and international systems of law are compromised. In 1990, the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders at Havana, Cuba, adopted the *Guidelines on the*

¹⁹ *Ibid*

²⁰ "Criminal Justice Reform: Police Reform." UNODC: United Nations Office on Drugs and Crime. N.p., n.d. Web.

²¹ "The Role of the Public Prosecutor in Court." The Role of the Public Prosecutor in Court. N.p., n.d. Web. 15 Dec. 2014.

*Role of Prosecutors.*²² The guidelines ensure that basic human rights are honored in the court room, and assist Member States in making sure that criminal proceedings are impartial and fair.²³ They provide a just framework for comparison with State, National, and International policies.

Judiciary

As expressed in the Universal Declaration of Human Rights (Article 10)²⁴ and the International Covenant on Civil and Political Rights (Article 14),²⁵ as well as in regional treaties and conventions, everyone has the right to a fair, and impartial tribunal. The UNODC provides assistance to nations to ensure that members of tribunal are well educated and properly prepared to make the sometimes incredibly difficult decisions they are presented with. However, corruption remains in the tribunal process. This is the

product of multiple factors, including political inclination and personal beliefs. The UNODC aims to ameliorate this sort of partiality in the tribunal system.

Access to Legal Defense and Legal Aid

The UNODC recognizes that when fundamental rights are at stake, every individual has the right to proper representation in court. The first principle of The UN Basic Principles on the Role of Lawyers, for example, is that "All persons are entitled to call upon the assistance of a lawyer of their choice to protect and establish their rights and to defend them in all stages of criminal proceedings."²⁶

As the nature of criminal justice evolves, it is imperative that the way the international community approaches universal access to legal defense and aid similarly grows and changes.

²² "Criminal Justice Reform: Prosecution Service." UNODC: United Nations Office on Drugs and Crime. N.p., n.d. Web.

²³ *Ibid*

²⁴ "The Universal Declaration of Human Rights, UDHR, Declaration of Human Rights, Human Rights Declaration, Human Rights Charter, The Un and Human Rights ARTICLE 10." UN News Center. UN, n.d. Web. 15 Dec. 2014.

²⁵ "International Covenant on Civil and Political Rights." International Covenant on Civil and Political Rights. N.p., n.d. Web. 15 Dec. 2014.

²⁶ "Criminal Justice Reform: Access to Legal Defense and Legal Aid." UNODC: United Nations Office on Drugs and Crime. N.p., n.d. Web.

Prison Reform

In many nations, prisons and other facilities are used as the main form of punishments in the criminal justice system. However, mass incarceration can be dangerous and detrimental. Some key areas of concern regarding prisons include: prison overcrowding, poor prison conditions, poor health services within prisons, lack of social reintegration programs, lack of information systems and strategic planning, lack of inter-institutional communication, lack of inspection and monitoring mechanisms, lack of support of, and information for, civil society, lack of economic and human resources, and increasing numbers of prisoners with special needs which are rarely addressed within prisons.²⁷

In contemplating comprehensive prison reform, the above areas of concern must be addressed. Action must be taken not only to better prisoners' living conditions, but also to regulate and determine when incarceration is truly necessary, and

when other measures may be effectively taken.

Restorative Justice

Restorative justice is an approach to crime which involves the formation of a network between the victim, the offender, justice agencies, and the community.²⁸ It is a method often cited to deal with perpetration holistically, while also providing physical and mental support both for the accuser and for the victim. Restorative justice is a method that should be considered regarding criminal justice reform. How should we seek solutions that address the restorative side of prosecution?

Past UN Action

General Assembly Resolution 34/169 (Code of Conduct for Law Enforcement Officials)

This resolution defines the responsibilities of law enforcement officers, and includes such stipulations as dictating in which

²⁷ "Criminal Justice Reform: Prison Reform." UNODC: United Nations Office on Drugs and Crime. N.p., n.d. Web.

²⁸ "Criminal Justice Reform: Restorative Justice." UNODC: United Nations Office on Drugs and Crime. N.p., n.d. Web.

situations use of force is deemed “strictly necessary.”²⁹

- Is there a line to be drawn regarding inhumane punishment? Where should such a line be drawn?

ECOSOC Resolution 2006/25

Presented at the 41st plenary meeting in July of 2006, 2006/25 tackles reform of criminal justice systems, especially pertaining to those in regions undergoing post-conflict reconstruction. This resolution includes plans to provide assistance in the implementation of programs centered on sustainable reform and technical assistance, especially in cooperation with the Department of Peacekeeping Operations.³⁰

Questions to Consider

- How can the five areas of focus mentioned above be incorporated into one comprehensive set of solutions?
- What initiatives has your country already implemented regarding criminal justice reform? Do these measures align with the five focus areas? Do other countries use these methods? How effective have these measures been in the past?

²⁹ "Code of Conduct for Law Enforcement Officials." (n.d.): n. pag. [Http://www.ohchr.org/Documents/ProfessionalInterest/codeofconduct.pdf](http://www.ohchr.org/Documents/ProfessionalInterest/codeofconduct.pdf). Web.

³⁰ ECOSOC Resolution 2006/25 (n.d.): n. pag. Web.