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People's Expectations towards Freedom from Fear Presented by Mr. Sandro Calvani, UNICRI Director

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Colleagues, friends, ladies and gentlemen,

Buongiorno! Thank you to everyone for being here this morning.

I wish to thank *Libera: associazioni, nomi e numeri contro le mafie* for the kind invitation to this significant event that I, in my capacity as the Director of the United Nations Interregional Crime & Justice Research Institute (UNICRI) and as human being, hope will trigger an increase of awareness of the affliction of organized crime in our societies.

The United Nations as a whole, and the various agencies and institutions of the U.N. – among which UNICRI – confer enormous importance on the respect of human rights: human rights that are undermined by the acts of organized criminal groups around the world. Victims of these acts, especially victims of mafia, are indeed one of the most vulnerable groups and are for this reason at the center of UN standards and norms related to crime prevention and criminal justice.

A remarkable transformation has been occurring in the last two or three decades regarding the way in which the police, judicial authorities and scientists in many countries think about victims of crime. Significant legal and organizational changes have taken place in favor of victims. This has certainly been achieved also thank to the work of many stakeholders at the international, regional and national level, including non-governmental organizations, such as *Libera* and its new Flare Programme. Indeed, it is thanks to them that we are here today to identify not only the main issues related to the phenomenon, but most important, we are here to find new potential solutions together: as a whole.

We shall put the people at centre of what we do. Indeed, my experience of spending the past twenty years as an International Civil Servant in some of the most difficult crisis areas, has left a strong imprint on my vision of the modern challenges on security and justice. Together with victims I have seen and walked the narrow paths to lead to effective good practices to fight transnational organized crime. In this connection I am strongly committed to lead UNICRI to focus on applied research activities so as to advance security, serve justice and build peace for citizens.

UNICRI take action to tackle the public, and common, concern of crime both for governments and citizens across the globe. With more than 35 years of experience, UNICRI has been structuring its work programmes and *modus operandi* to make them always responsive to the needs of the international community. Indeed, UNICRI is a United Nations entity established in 1967 to support countries worldwide in crime prevention and criminal justice. UNICRI assists in formulating and implementing improved policies in the field of crime prevention and criminal justice, facilitates judicial assistance and international law enforcement cooperation, supports the respect for international instruments and standards, promotes the advancement and understanding of crime-related problems as well as the exchange and dissemination of information and fosters just and efficient criminal justice systems.

Our applied research programmes are organized in three main areas: the Justice Reform Unit, the Security Governance and Counter Terrorism Lab and the Emerging Crimes and Human Trafficking Unit.

The Justice Reform Unit consists of projects drawn from UNICRI's long-standing experience in judicial and juvenile justice reform which have been major fields of action since the establishment of the Institute. The Unit aims at supporting countries making the best use of international expertise and best practices and in setting up appropriate structures and institutions. The projects deal with sensitive issues such as corruption, organized crime and related serious crimes consequently supporting both governments and private sector. The Unit's strategy includes the provision of legal technical assistance through carrying out legislative analysis, identification of best practices and provision of interdisciplinary training as well as setting up related national institutions. Moreover, the Unit embraces projects pertaining to technical assistance in the reform of justice, operational capacity building, juvenile justice and protection of children's rights, as well as projects for advanced

training. The projects are carried out worldwide with special attention to the African region, Balkan region and Latin America.

The capacity of the Security Governance and Counter Terrorism Lab to be responsive and creative in supporting national, regional and international policymakers facing new challenges consolidated the leadership of UNICRI in sectors such as security during Major Events, the prevention of illicit trafficking in chemical, biological, radiological and nuclear (CBRN) materials, security governance in post-conflict and law-less areas, radicalization and extremism leading to terrorism and private and public partnerships to protect vulnerable targets. With regard to the latter two topics, UNICRI started leading the UN Counter Terrorism Implementation Task Force (CTITF) Working Groups. The Institute also contributes to the activities of the UN CTITF Working Groups on “Preventing and Responding to WMD attacks”, “Promoting Inter-cultural and Inter-Religious Dialogue”, “Supporting/Highlighting Victims of Terrorism” and “Countering the Use of Internet for Terrorist Purposes”.

At last, the Emerging Crimes and Human Trafficking Unit designs and implements projects on trafficking in human beings, in particular women and children, with a special focus on trafficking for sexual exploitation. The activities are carried out in several areas of the world, such as Africa, South-East Asia, Central America, Eastern Europe and the Balkans. At present the Unit includes projects concerning technical assistance in institutional capacity building and has recently opened new fields of action on Emerging Crimes, such as Counterfeiting, Environmental Crime and Cyber Crime.

The programmes of UNICRI aim to promote national self-reliance and the development of institutional capabilities. To this end, UNICRI provides a one-stop facility offering high-level expertise in crime prevention and criminal justice problems. Technical co-operation is enhanced by the use of action-oriented research to assist in the formulation of improved policies and concrete intervention programmes. Institutional and on-the-job training of specialized personnel form an integral part of UNICRI activities.

UNICRI supports governments and the international community at large in tackling the threats of crime to social peace, development and political stability through making the best use of the international standards and norms.

Within the framework of the international conventions, the *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power* adopted by General Assembly in 1985 recommends measures to be taken at the international and national levels to improve access to justice and fair treatment, restitution, compensation and assistance for victims of crime. The purpose of the General Assembly was to orient the Member States to address crime problems putting the victim at the heart of their interventions, not limiting their efforts to repression and sanctioning, but finding a balance between both the rights of victims and offenders.

The *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, although not legally binding, has been seen as one of the most important landmark achievements of the international movement to advance the interests on crime victims.

Moreover, the UN General Assembly adopted resolution n° 55/25, namely the United Nations Convention against Transnational Organized Crime (UNTOC) which entered into force on 29 September 2003. The UNTOC is now considered the main international instrument in the fight against transnational organized crime and targets the fight against organized crime while stressing the importance of victims' protection.

Indeed, the UNTOC is further supplemented by three Protocols, which target specific areas and manifestations of organized crime, and two of them give special emphasis on the protection of victims, namely, the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* entered in to force on 25 December 2003 and the *Protocol against the Smuggling of Migrants by Land, Sea and Air*, entered into force on 28 January 2004.

The *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* is the first global legally binding instrument with an agreed definition on trafficking in persons (as per Article 3 in its *use of terms*). Undeniably, its definition aims at protecting and assisting the victims of trafficking in persons with full respect for their human rights while the scope of application of the protocol is to prevent, investigate and prosecute the offences contained in the various articles where those offences are transnational in nature, as well as protecting the victims of these offences. The intention behind this definition is thus to

protect victims while facilitating the convergence of national approaches in supporting efficient international cooperation in investigating and prosecuting trafficking in persons cases.

Furthermore, the *Protocol against the Smuggling of Migrants by Land, Sea and Air* deals with the rising problem of more and more organized criminal groups who smuggle migrants. In the preventive measures of this Protocol, migrants are contemplated as a group of people to protect from falling victim to organized criminal group. Indeed, their high risk of becoming victims is the linchpin of the entire Protocol which aims at promoting cooperation among Member States so as to protect the rights of smuggled migrants and prevent the worst forms of their exploitation (which often distinguish the smuggling process).

Indeed, as crime becomes increasingly internationalized, new forms of crime emerge and organized crime spreads, national responses and international cooperation in the fields of crime prevention and criminal justice must work alongside. Undeniably, the structure of organized criminal groups changes everyday and society faces new threats and challenges: as of today, organized criminal groups may be involved in the most diverse forms of crime such as cyber crime, counterfeiting, corruption and money laundering while exploiting vulnerable human beings in leading them to new forms of slavery.

In this connection, UNICRI is currently carrying out a project on hackers profiling, with a particular emphasis on their possible involvement in transnational organized crime and cyber-terrorism. Indeed, through a better understanding of hackers, their psychology, and the techniques they employ, the project facilitates the prevention and countering of Information and Communication Technology (ICT) crimes and will improve the operational methods that may lead to the identification of computer intruders.

In addition, organized criminal groups may be involved in counterfeiting goods or medicines and in relation to this, UNICRI has currently launched the Counterfeiting Report which assess the magnitude of the phenomenon of counterfeiting and in particular, the growing involvement of organized crime. Their direct experience confirmed that the evolution of this illicit activity and its criminological aspects have not been matched by a corresponding response by prosecutors, police, customs officers and the international community as a whole. While counterfeiting becomes a

lucrative international criminal business, the response of law enforcers still remain weak, bound to the old concept of counterfeiting, the one made of well hand-crafted bags and luxury goods. This approach should be replaced with a new strategy, giving proper consideration to the seriousness of the crime, its consequences and the characteristics of its perpetrators.

Moreover, corruption which is strongly connected to transnational organized crime groups through its various outcomes such as money laundering and bribery while undermining democratic accountability in states in which these groups operate, has put into place a new challenge. Without a doubt, the international community now shall ensure that the United Nations Convention against Corruption - which entered into force on the 14 December 2005 - does not remain a mere text but becomes a functioning instrument. In order to support and inform Member States adequately in this endeavor, UNICRI together with UNODC, is developing and maintaining an Anti-Corruption Technical Guide and a repository of good practices and lessons learnt in building institutional and operational capacities needed to implement the main provisions of UNCAC. The project is aimed at offering State Parties of the UNCAC a set of topical examples from different parts of the world on how to enhance their institutional and operational preparedness in implementing the preventive, law-enforcement, international cooperation, asset recovery, and information exchange measures envisaged by UNCAC.

One of the oldest crimes, slavery, should have been abolished 200 years ago, but it has not yet been stamped out. Worldwide criminal gangs, especially those connected to organized criminal groups, are getting rich through the trade in human beings – and many governments are not responding to this plague too promptly. Trafficking in human beings is not new. But it is a rapidly growing problem. A number of factors have led to its expansion, such as the easy profits made from exploitation, growing deprivation and marginalization of the poor, discrimination against women, restrictive migration laws, a lack of information about the realities and dangers of trafficking and insufficient penalties against traffickers. UNICRI has always been very active to assist governments in defeat the problem of trafficking. Indeed, one of our projects deals directly with trafficking in women and adolescents from Nigeria to Italy and includes action oriented research on successful intervention modalities for Nigerian minors who are victims of trafficking, offers technical co-operation through the adaptation of the Italian National Anti-mafia Bureau database, supports information exchange mechanisms, and foresees the assistance of victims and social

reintegration to be carried out by NGOs. As you see, we firmly believe in working closely with all NGOs.

Despite the above mentioned fast and ever-changing forms of crime emerging in our societies and the spread of the results that every day we citizens have to suffer, I still see a lack of sense of urgency to the response to organized crime thus making our efforts sometimes weak and ineffective. On the contrary, the best forces like public opinion, civil societies, political institutions and economic power have effectively joined their will and their capacity where a sense of clear and present danger was perceived. This is the reason why I am leading UNICRI to contribute to a better public and international communication on social and economical risks caused by transnational organized crime. There is no worse vulnerability than that of a person, of an enterprise, of a trade union, of a government unaware of the real impact of crime.

UNICRI applied research capacities aim to make the vulnerability of citizens and states security better known and understood by all partners. Police, justice, health, social service and other personnel concerned should receive training to be sensitized to the needs of victims of crime - as well as other vulnerable groups - and guidelines to ensure proper and prompt aid. For this reason, UNICRI trainings are targeted to law enforcement officers and public prosecutors and to put victims at the center, they include specific sections on victims' needs.

2008 is the 60th anniversary of the Universal Declaration of Human Rights. This should remind us of the serious commitments which the international community has taken.

In conclusion, let me stress once again that protection and promotion of crime victims' rights - can by no means be let aside of criminal justice policies of Member States, but on the contrary should be fully implemented and expanded so as to lead people to their freedom from fear.

In this light, events such as the one organized today by *Libera: associazioni, nomi e numeri contro le mafie* are of extreme importance.

As Mr. Kofi Annan said 'the world must advance the causes of security, development and human rights together otherwise none will succeed'. Thank you.