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COMMITTEE ON HEMISPHERIC SECURITY Original: English

Fourth Meeting of National Authorities on

Transnational Organized Crime (RANDOT IV)

April 8-9, 2024

Washington D.C.

RECOMMENDATIONS

“BUILDING AN INTER-AMERICAN RESPONSE TO

TRANSNATIONAL ORGANIZED CRIME”

(Adopted by RANDOT IV at the fourth plenary session, held on April 9, 2024)

RECALLING that the United Nations Convention against Transnational Organized Crime and the three protocols supplementary thereto, on Trafficking in Persons, Smuggling of Migrants, and Illicit Trafficking in Firearms, Their Parts and Components and Ammunition, constitute the cornerstone of international cooperation and an essential legal framework for combating transnational organized crime; and welcoming the twentieth anniversary of the adoption of these instruments, as well as the entry into force of the Mechanism for the Review of the Implementation of the Convention and its protocols;

RECALLING ALSO that the “Hemispheric Plan of Action against Transnational Organized Crime,” was adopted by the Permanent Council of the Organization of American States (OAS) in October 2006 [CP/RES. 908 (1567/06)] with the principal objective of promoting the application by the OAS member states of the Convention and the protocols thereto; as well as the “Hemispheric Strategy against Transnational Organized Crime,” adopted by the General Assembly of the Organization of American States in 2021, [AG/RES/ 2970 (LI-O/21)];

RECOGNIZING that with the globalization process and the spread of technology significant changes in the nature and extent of organized crime are occurring;

CONCERNED at the diversification of the illicit activities in which organized criminal groups are involved, including by means of information and communication technologies, as well as an increase in the number of countries affected by organized crime;

DETERMINED TO WORK TOGETHER, WE RECOMMEND THE FOLLOWING MEASURES:

* Enhance capacities for comprehensive and timely tracing of seized and recovered firearms and sharing trace results with law enforcement agencies charged with investigating illicit firearms trafficking, in accordance with the respective domestic legislation.
* Promote the establishment, when appropriate, of specialized human trafficking investigation units, specialized human trafficking prosecutor’s offices, and specialized human trafficking courts staffed with personnel highly experienced in victim identification and investigating and bringing to trial complex cases of this nature, and provide training for these units on victim-centered and trauma-informed approaches. (III Work Plan – Guidelines on Combating and Punishment of Trafficking in Persons, Paragraph 54)
* Use asset forfeiture as a tool to deter, disrupt, and dismantle transnational criminal enterprises by depriving them of the proceeds and instrumentalities of crime.
* Encourage member states to develop innovative control approaches – such as generic, analogue legislation, temporary or emergency controls, and early warning systems – to allow for improved national controls on new psychoactive substances (NPS), and synthetic drugs, particularly in relation to fentanyl-related substances for non-medical use and chemical substances used to manufacture synthetic drugs, and strengthen and expand drug use preventive programs, treatment, and recovery support services, as well as initiatives and measures aimed at minimizing the adverse public health effects of drug use in the education, family, work, and community settings, as well as for at-risk populations.(CICAD 73).
* Combat corruption by intensifying efforts to enhance the capacity of the competent authorities in successfully detecting, investigating, prosecuting, and adjudicating corruption and related offences, including allocating sufficient resources so that specialized anti-corruption agencies, including financial analysis institutions, public transparency agencies, and criminal justice institutions, can investigate and prosecute those crimes more effectively. (2021 UNGA Special Session on Corruption).
* Reaffirm our strong commitment to implement the international anti-corruption treaty obligations, as enshrined under the United Nations Convention against Corruption (UNCAC) and Inter-American Convention against Corruption, as well as the commitments made in the UN General Assembly Special Session (UNGASS) of 2021 Political Declaration.
* Strengthen the development of identification and control efforts, in order to guarantee compliance with tax, customs, and exchange obligations and to ensure that foreign trade operations are carried out under equitable, transparent, and lawful conditions.

We further recommend that:

* Continue efforts to implement the UN Convention against Transnational Organized Crime and its supplementing protocols as well as the “Hemispheric Plan of Action against Transnational Organized Crime,” including by developing and implementing national strategies against organized crime.
* National authorities on transnational organized crime, national points of contact on transnational organized crime, and law enforcement collaborate with international partners, academia, private sector, civil society, survivors, and other entities as appropriate, in countering Transnational Organized Crime (TOC) in line with the objectives and purposes of the United Nations Convention Against Transnational Organized Crime (UNTOC) and the protocols supplementary thereto on Trafficking in Persons, Smuggling of Migrants, and Illicit Trafficking in Firearms, Parts and Components and Ammunition, as well as the OAS Hemispheric Plan of Action against TOC, and in accordance with their respective domestic legislation.
* Member States Parties to the UNTOC share with other States Parties, at each Meeting of National Authorities on Transnational Organized Crime (RANDOT), good practices identified in the framework of any new partnerships with nongovernmental stakeholders, including civil society, academia, and the private sector, on transnational organized crime related issues.
* Member States, at the annual meetings of the RANDOT process, encourage the exchange of information and provide the following information concerning the implementation of the UN Convention against Transnational Organized Crime:
  + The number of cases of mutual legal assistance, extradition, joint investigations, or other type of formal cooperation in the preceding calendar year in which that the treaty provided a legal basis for the cooperation.
  + The number of cases where individuals were found guilty of any of the offenses covered by the Convention and its Protocols, specifically, Articles 5, 6, 8 and 23 of the UNTOC, articles 5 of the Trafficking in Persons and Firearms Protocol and Article 6 of the Migrant Smuggling Protocol, and if available, the sentence imposed.
  + The number of cases where legal persons were found liable either criminally, civilly, or administratively for conduct described as offenses under the UNTOC or its protocols.

We request that the OAS Committee on Hemispheric Security and the National Points of Contact on Transnational Organized Crime continue to follow up on the implementation of these measures and report on advancement of them at the 5th Meeting of National Authorities on Transnational Organized Crime.

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