

National Model United Nations

Week A

March 17 – March 21, 2013



**Commission on Crime Prevention and
Criminal Justice
Documentation**

Commission on Crime Prevention and Criminal Justice

Committee Staff

Director Fiona Macdonald
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Agenda

1. Strengthening Prevention Measures and Criminal Justice Responses to Human Trafficking
2. Establishing International Legal Norms to Counter Maritime Piracy
3. Environmental Protection through Criminal Law

Resolutions adopted by the committee

Document Code	Topic	Vote (Y/ N/ Abstention/ Non-Voting)
CCPCJ 1/1	Strengthening Prevention Measures and Criminal Justice Responses to Human Trafficking	Acclamation
CCPCJ 1/2	Strengthening Prevention Measures and Criminal Justice Responses to Human Trafficking	Acclamation
CCPCJ 1/3	Strengthening Prevention Measures and Criminal Justice Responses to Human Trafficking	25/1/7/7
CCPCJ 2/1	Establishing International Legal Norms to Counter Maritime Piracy	31/1/3/5
CCPCJ 2/2	Establishing International Legal Norms to Counter Maritime Piracy	Acclamation

Summary Report

Commission on Crime Prevention and Criminal Justice Summary Report

The Commission of Crime Prevention and Criminal Justice (CCPCJ) held its annual session in order to discuss and consider the following agenda items: *I. Environmental Protection through Criminal Law, II. Establishing International Legal Norms to Counter Maritime Piracy, and III. Strengthening Prevention Measures and Criminal Justice Responses to Human Trafficking.*

The session was attended by representatives of 37 States.

The first session began with the discussion of setting the agenda. As discourse commenced, delegates found it fairly difficult to agree upon a specific agenda. While conversation during caucus seemed to be supportive of a definite agenda proposal, voting procedure proved that the committee was rather indecisive. After three forty-five minute caucus sessions, a final agenda of 3-2-1 was set with a vote of 23 in favor and 14 against.

During the course of the next two sessions in caucus, delegates began to form working groups in order to effectively combat the issue at hand. While numerous small working groups were created initially, larger more unified working groups appeared as the sessions continued. Ultimately, the existence of consolidating groups showed the importance in which the CCPCJ views unification and collaboration in order to work towards the common goal of a sustainable working paper. This particular partnership resulted with four working papers being presented to the dais Monday evening.

Eventually, five working papers were submitted to the dais. Three different working papers merged together in order to properly display the subject of concern in more depth. Working papers B and D completely merged together to present a comprehensive draft resolution to tackle the challenging issue of human trafficking through the focus of education and awareness. Working paper E released its substantive clauses to both working paper A and B to elaborate on the crucial rehabilitation process for trafficking victims. Near the end of the sixth session, three draft resolutions were on the floor of the committee. At the end of the sixth session, a general consensus to conclude with human trafficking and move on to the topic of maritime piracy was apparent within the committee.

At the beginning of the seventh session, a motion was offered to close the debate on human trafficking and commence voting in order to decide the fate of draft resolutions 1/1, 1/2, and 1/3. While draft resolutions 1/1 and 1/2 were voted to the status of resolution through acclamation, draft resolution 3/1 was motioned to go into a roll call vote. After the vote, draft resolution 1/3 was granted the status of resolution with a consensus of 25 member states voting in favor, 7 abstaining, and 1 voting against. Effective collaboration was clearly demonstrated throughout the session contributing to the notion of cooperation that was present throughout the CCPCJ.

Once the eighth session commenced, four working papers discussing maritime piracy were submitted to the dais. Working papers A and C merged together as well as papers B and D. This process allowed for expedited revision time and ultimately permitted papers AC and BD to be introduced to the body as draft

resolutions. After a forty-five minute caucus, a motion was in order to officially close the debate on maritime piracy and move to voting procedure. Draft resolution 2/1 transitioned to the status of resolution after a roll call vote of 31 in favor, 1 against, and 3 abstentions. Draft resolution 2/2 became resolution 2/2 after a unanimous agreement through acclamation. With a total of the three resolutions passed through acclamation and two passed through a substantial favor majority through roll call, the CCPCJ distinctly represented the effectiveness in which the United Nations can operate when proper cooperation exists.

Code: CCPCJ/1/1

Committee: Commission on Crime Prevention and Criminal Justice

Subject: Strengthening Prevention Measures and Criminal Justice Responses to Human Trafficking

1 *Guided by* the principles of sovereignty and inalienable self-determination as outlined Chapter 1, Article 2
2 of the United Nations Charter,
3
4 *Reaffirming* the Millennium Development Goals, in particular the goals of reducing extreme poverty and
5 hunger, achieving universal primary education, promoting gender equality and the empowerment of
6 women, and combating HIV/AIDS, malaria, and other diseases,
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8 *Recalling* General Assembly resolution 64/293 of July 2010 on the Global Plan of Action to Combat
9 Trafficking in Persons of July 30, 2010, Article 38, which creates the United Nations Voluntary Trust
10 Fund for Victims of Human Trafficking,
11
12 *Reiterating* CCPCJ resolution 20/3 on the Implementation of the United Nations Global Plan of
13 Trafficking in Persons and CCPCJ resolution 19/4 on Measures for Achieving Progress on the Issue of
14 Trafficking in Persons in their combined endeavors to eliminate the crime of human trafficking,
15
16 *Recognizing* the United Nations Office on Drugs and Crime's (UNODC) continual efforts towards the
17 eradication of the trafficking in persons,
18
19 *Bearing in mind* the purpose of the *Convention Against Transnational Organized Crime* regarding Human
20 Trafficking,
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22 *Taking into consideration* the work of Intergovernmental Organizations such as the Financial Action Task
23 Force (FATF),
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25 *Noting with appreciation* the efforts of programs such as the Qatar Foundation for Combatting Human
26 Trafficking, the United Kingdom Human Trafficking Centre, the Doha Foundation Forum, the EU
27 Prosecutors Network on Human Trafficking, and the Group of Friends United Against Human
28 Trafficking,
29
30 *Acknowledging* that victims' vulnerability to human trafficking is in close correlation with a lack of
31 available information and knowledge regarding the most common practices of human trafficking,
32
33 *Aware* of the importance of educating local populations, especially those of high risk demographics such
34 as women and children, so as to raise awareness of the risks and dangers of human trafficking through
35 regional, locally active aid organizations and NGOs,
36
37 *Cognizant* of the importance of providing training and education to legal institutions and law enforcement
38 bodies to be able to fairly assess and effectively prosecute perpetrators according to due process of law
39 and protect the victims of human trafficking,
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41 *Recognizing* that social inequalities are one of the main causes of human trafficking that requires a long-
42 term solution,
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44 *Keeping in mind* the necessity of ensuring victims' and witnesses' safety when sharing their testimony,

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The Commission on Crime Prevention and Criminal Justice,

- 1) *Adopts* a four point comprehensive strategy in order to more effectively coordinate international efforts to combat human trafficking, based on:
 - a. Education for local communities in order to raise awareness regarding the risks and consequences of human trafficking and instruction for officials in order to facilitate law enforcement and judicial procedures,
 - b. Information-sharing,
 - c. Domestic and Interstate security,
 - d. Prosecution measures;
- 2) *Supports* increased efforts on the part of Member States and organizations active in the eradication of human trafficking to make crucial information, such as common practices of human traffickers, and support services available to victims, and common locations of human trafficking more accessible to high risk populations, especially women and children, for increased personal safety of potential victims by:
 - a. Extending already existing local structures that both combat human trafficking and support victims of this crime,
 - b. Humanitarian assistance staff and medical professionals with information to provide to vulnerable communities regarding the risks of human trafficking such as HIV/AIDS, psychological and physical trauma, and the risk of indentured servitude among others,
 - c. Utilizing social media to spread awareness of the possibility, risks, and consequences of human trafficking as outlined above;
- 3) *Calls upon* the United Nations Office for Drugs and Crime to create a specialized, voluntary task force that deals primarily with the education and information-sharing portions which will:
 - a. Encompass regional centers located in North America, South America and the Caribbean, Europe, Africa, Middle East, and Asia that would research, manage, and receive information from Member States and NGOs,
 - b. Create and manage an international database that will compliment the Human Trafficking Case Law Database, that will contain information on victims, response practices, areas of concern, criminal networks and offenders, and domestic support systems in place,
 - c. Process the data compiled from the reports within individual Member States and engage in best practice sharing methods including but not limited to:
 - i. Domestic police forces,
 - ii. Intelligence agencies,
 - iii. Border security forces of Member States,
 - iv. Public Health Centers;

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- 4) *Also calls upon* the Economic and Social Council to recommend to the United Nations General Assembly to integrate the data compiled from the voluntary specialized task force and its Member States into the annual Global Plan of Action on Trafficking in Persons Report;
 - 5) *Promotes* south-south and triangular cooperation when this committee is convinced that the level of national capacity in the developing countries has reached the satisfactory level;
 - 6) *Recommends* collaboration between state police forces and national border security guards within single states to:
 - a. Coordinate their operation plans,
 - b. Share records of past operations,
 - c. Share financial responsibilities,
 - d. Share technological resources,
 - e. Voluntarily train officers and support international exchange of police knowledge;
 - 7) *Suggests* the implementation of state-run agencies that allow citizens to report crimes of human trafficking, in order to be aware of:
 - a. The different forms of human trafficking including but not limited to sex trafficking, forced labor, organ trafficking,
 - b. The fact that the different types of human trafficking requires unique approaches in order to most effectively counter the issue of human trafficking,
 - c. Where trafficking routes are located in order to know where to invest more resources,
 - d. What demographic groups of people are most vulnerable to human trafficking as well as what demographic groups of people are committing trafficking offenses;
 - 8) *Advocates* Member States to sentence perpetrators of human trafficking according to the severity and type of the crime in accordance with respective cultural and religious specificities and domestic legislation;
 - 9) *Endorses* Member States to facilitate the prosecution and conviction of perpetrators through optimizing the procurement, treatment, and admission of evidence required for prosecution of acts of human trafficking through:
 - a. Member States' voluntary training of their national prosecutors through a special educational program implemented in coordination with the UNODC,
 - b. Enhancing cooperation between national prosecutors and police forces to collect evidence of trafficking of persons,
 - c. Encouraging the admission of video-recorded victim statements as evidence,

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- d. Suggesting that Member States provide psychological, emotional, and physical protection before, during and after prosecution to victims and witnesses;
- 10) *Stresses* the importance enhancing the education of judicial magistrates on the issues of human trafficking through:
- a. Member States' voluntary training of their national justices through a special educational program, provided in coordination with the UNODC, overseen and created by the voluntary task force which will determine the schematics,
 - b. Voluntary development of national courts specialized in questions of human trafficking in regions most affected by the problem;
- 11) *Encourages* Member States to join and adhere to the recommendations of the FATF and its regional organs in their efforts to cut money laundering of transnational criminal organizations which operate in the human trafficking scope;
- 12) *Strongly advises* the UN Voluntary Trust Fund for Victims of Human Trafficking to expand its scope by developing a project alongside the UN Global Initiative to Fight Human Trafficking (UNGIFT) in order to:
- a. Provide funding for voluntary training and awareness campaigns for:
 - i. Military personnel,
 - ii. Judges,
 - iii. Prosecutors,
 - iv. Lawyers,
 - v. Police bodies,
 - vi. Local communities,
 - b. Provide funding for the creation and implementation of UNODC education and information sharing task force;
- 13) *Invites* Member States to provide and expand financial assistance to the best of their capabilities to the UN Voluntary Trust Fund for Victims of Human Trafficking through the establishment of public-private partnerships between governments, Non-Governmental Organizations (NGOs), and private enterprises in order to aid in the accomplishment of the previous clauses.

Code: CCPCJ/1/2

Committee: Commission on Crime Prevention and Criminal Justice

Subject: Strengthening Prevention Measures and Criminal Justice Responses to Human Trafficking

1 *Affirming* our commitment to and guided by the protection of equitable human rights as
2 defined in Article 1 of the Charter of the United Nations (UN),
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4 *Recalling* Article 3 of the Universal Declaration of Human Rights providing for the
5 unalienable right to life, liberty and security of persons,
6

7 *Stressing* the need of international cooperation in combatting transnational organized
8 crime, and more specifically human trafficking, stated in the *United Nations Convention*
9 *Against Transnational Organized Crime* (UNTOC),
10

11 *Deeply concerned* by the continued prevalence and rise in human trafficking victims as
12 evidenced by the report released by the International Labor Office, *Forced Labor and*
13 *Human Trafficking: Estimating the Profits*,
14

15 *Also recalling* General Assembly resolution 64/178 (2008) on Improving Coordination
16 against Trafficking in Persons stressing the need for public-private cooperation in
17 combating human trafficking,
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19 *Approving* the UN Global Plan of Action to Combat Trafficking in Persons set in
20 A/RES/64/293 (2010) implemented by CCPCJ/RES/20/3 (2011), which calls on Member
21 States to eliminate the demand of all forms of exploitation and an emphasis on
22 strengthening national laws to hold criminals accountable and focuses on the four
23 aspects: Prevention, Protection and Assistance of Victims, Prosecution and Partnerships,
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25 *Recognizing* the preventative measures in eradicating human trafficking as supported by
26 the Protocol to Prevent Suppress and Punish Trafficking in Persons Especially Women
27 and Children,
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29 *Also recognizing* the importance of utilizing existing UN programs and tracking the
30 progress of preventative programs through Reports submitted by the UN Office on Drugs
31 and Crime (UNODC),
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33 *Expressing its appreciation* of the efforts of CCPCJ resolution 17/1 (2008) in the fight
34 against trafficking in persons, especially women and children, and concerned by the
35 unperceived human trafficking cases still going on in some parts of the world,
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37 *Emphasizing* the importance of collaboration among all involved entities, including
38 member state governments, law enforcement agencies, Non-Governmental Organizations
39 (NGOs) as well as individual first hand witnesses,
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41 *Recognizing* the important role of widespread access to primary education in reducing
42 opportunities for crime and vulnerability to transnational criminal activities and
43 promoting victim rehabilitation,
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45 *Reiterating* General Assembly resolution 64/178 (2010) on fostering international
46 cooperation in encouraging the elevation of dignity for women and children and
47 preventing and ending vulnerability to all forms of violence against gender in order to
48 achieve social and gender equality,
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50 *Drawing attention* to the necessity to train law enforcement officials to better recognize
51 and tackle human trafficking organizations,
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53 *Noting the importance* of the International Labor Office's Program to Combat Force
54 Labor of Traffic Victims in combating human trafficking,
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56 *Calling attention* to Member States, which have yet to meet their Official Development
57 Assistance (ODA) goals set by the Monterrey Consensus,
58

59 *Guided by* deep concern for the welfare of victims of human trafficking,
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61 *Condemning* all forms of human trafficking that purposely lead to forced marriage
62 contracts,
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64 *Encouraging* initiatives contributing to the unique economic, social and cultural
65 development of States that are most susceptible to human trafficking,
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67 *Reaffirming* the importance of participation of former human trafficking victims
68 regarding investigations of perpetrators of human trafficking,
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70 *Recognizing* the Millennium Development Goals (MDGs), which alleviate conditions
71 leading to and fostering human trafficking such as poverty and education in particular,
72

72 *The Commission on Crime Prevention and Criminal Justice*,
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74 1) *Encourages* the establishment of a mentorship and regional collaborative
75 program to combat human trafficking, within the frameworks of existing
76 regional organizations, led by Member States with already established national
77 plans of action against human trafficking through:
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79 a. Regional roundtable discussions among Member States within this program
80 that aim for the formation and refinement of national plans of action against
81 human trafficking in Member States who lack current or effective measures
82 against this issue,
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84 b. Grouping Member States first according to region, which better resolve
85 challenges to eliminating human trafficking through shared circumstances,
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- 87 c. Further grouping Member States according to the way that human trafficking
88 manifests itself in their countries, in order to formulate strategies based on
89 their shared experience,
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- 91 d. Comprising a multidisciplinary array of experts in this field, from every
92 Member State, ranging from first hand witnesses and NGO's to government
93 officials,
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- 95 e. Producing a report chronicling their progress every two years;
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- 97 2) *Emphasizes* the importance of educating civilians in reducing opportunities for
98 crime to propagate through:
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- 100 a. The establishment of human trafficking awareness campaigns in Member
101 States that will serve to broaden understanding of this issue among the general
102 public,
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- 104 b. Domestic education policies that are tailored to encouraging the integration of
105 human trafficking awareness into secondary educational curriculum, such as
106 organizing seminars on the recognition of human trafficking channels and
107 ways to avoid them,
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- 109 c. Existing organizations and programs that work with human trafficking to
110 strengthen their involvement in the education of adults and the disadvantaged
111 to ensure that even the most vulnerable members of all concerned Member
112 States have access to information regarding this issue,
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- 114 d. Public and private cooperation such as the UN Blue Heart Program, to
115 promote advertisement of the educational campaign to the general public
116 through the utilization of:
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- 118 i. Radio,
119 ii. Television,
120 iii. Social media, and
121 iv. Printed materials,
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- 123 e. Sending envoys of national authorities to rural areas that have little or no
124 access to means of communication to spread information on the risks of
125 human trafficking;
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- 127 3) *Calls for* Member States to intensify the criminalization and strengthen the
128 penalties against those in violation of human trafficking laws, akin to the UN
129 Global Initiative to Fight Human Trafficking, through:
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- 131 a. Increasing sentencing concerning those who are economically profiting
132 from human trafficking,

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- b. Encouraging countries to go beyond fining perpetrators and allow countries to expropriate profits of human trafficking from the perpetrators, the seized assets possibly being used to finance anti-human-trafficking operations;
- 4) *Calls upon* Member States to fulfill their ODA requirements to provide the funding framework that will facilitate the successful rehabilitation of human trafficking victims with measures such as granting them with temporary refugee status and basic legal allowances, such as facilitating the safe transportation of the victim to their country of origin, which would include, but is not limited to, providing assistance to obtain a passport, to disrupt the cycle of human trafficking;
- 5) *Further recommends* the consideration of implementing a Victims' Assistance Program in coherence with national legislation and programs with financial assistance from the United Nations Voluntary Trust Fund for Human Trafficking if necessary, with the goal of providing protective assistance, upon transportation of refugees to their countries of origin, in the form of:
 - a. Employment of health care services, limited to but not excluding,
 - i. Psychological recovery programs to be administered and conducted by voluntary individuals with professional expertise in mental evaluation counseling, and consistent care for as long as is deemed necessary,
 - ii. Medical assistance for short term and long term rehabilitation,
 - b. Legal assistance and measures towards justice in the form of:
 - i. Developing national government program that will provide official identity changes within systems of official documentation to prevent the likeliness of being recurrent victims in the organized crime of human trafficking,
 - ii. Consideration of reevaluating domestic migration policies towards providing victims the opportunity for long-term amnesty,
 - c. Skills training programs to enhance employment opportunities in various public sectors to minimize the sustainability to poverty after recovery and reintegration into society; collaboration with private actors and NGOs operating within the field of human trafficking combatting human trafficking where applicable, to provide employment opportunities for victims of human trafficking in order to make their experience useful in tackling the issue of trafficking in human beings;
- 6) *Reminds* the United Nations Office on Drugs and Crime to continue to evaluate risk factors of human trafficking and to identify the areas mostly likely to be

176 affected by human trafficking to better coordinate CCPCJ institutes for more
177 comprehensive knowledge and to work towards policy recommendations:
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- 179 a. UNODC will work to synthesize the work of bodies such as the Department
180 of Economic and Social Affairs (DESA), Division for Policy Analysis and
181 Public Affairs (DPA), the CCPCJ Programme Institutes and similar programs
182 to conduct the necessary research and analysis to properly identify changing
183 risk factor and high risk regions,
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- 185 b. Upon identification of risk factors, DPA will make recommendations to each
186 willing Member State that will work towards the prevention and punishment
187 of human trafficking, and the alleviation of risk factors, the UNODC
188 recognizes the need for specific solutions for each affected Member State, and
189 as such will make recommendations that do not interfere with the sovereignty
190 of each Member State, and which may be followed on a voluntary basis,
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- 192 c. Review of each high risk country will be conducted for agreeing Member
193 States every five years to assess the implementation and effectiveness of the
194 previous recommendation, following which recommendation will be updated
195 to better reflect the needs and challenges of each state,
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- 197 d. Every 10 years a report from UNODC is to be published outlining global
198 changes, progress, trends, and analyze the effectiveness of the
199 recommendations made by DPA;
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201 7) *Suggests* the promotion of gender sensitivity and social equality through access of
202 women to economic independence, implemented and financed as deemed appropriate
203 by Member State:
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- 205 a. Establishing support centers providing assistance in regards to education,
206 economic and social opportunities for women and girls,
207
- 208 b. Protecting equal rights by encouraging a positive perspective of the social role
209 of women with respect to cultural and social diversity,
210
- 211 c. Promoting equal access of women to economic resources including
212 employment opportunities and housing as well as equal access to primary
213 education;
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215 8) *Urges* Member States to engage in cooperative efforts that further the abolition of
216 trafficking for the purposes of slave labor by:
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- 218 a. Promoting labor trafficking programs such as the International Labour
219 Organization's Supporting Children's Rights Through Education, the Arts
220 and Media Program,
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222 b. Working through existing coordinating bodies similar to UN Global Initiative
223 to Fight Trafficking;
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225 9) *Encourages* Member States to promote international cooperation in ensuring legal
226 means of cross-border travel to prevent smuggling of persons as an incentive to
227 human trafficking.

Code: CCPCJ/1/3

Committee: Commission for Crime Prevention and Criminal Justice

Subject: Strengthening Prevention Measures and Criminal Justice Responses to Human Trafficking

1 *Recalling* General Assembly resolution 64/178 of 26 March 2010 of the General Assembly to
2 improve coordination in the combat against human trafficking, in particular clauses 2, 4, and 5,
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4 *Seeking* to consolidate the action of the UNODC through better efficiency,
5

6 *Recalling* the Protocol to Prevent, Suppress and Punish Trafficking in Persons of 15 November
7 2000, and in particular its Article 3, paragraph (a),
8

9 *Deeply deploring* the insufficient criminal justice response at the national level with respect to
10 human trafficking,
11

12 *Aware of* the challenges that stem from conflicting definitions of human trafficking,
13

14 *Recalling* the ongoing effectiveness of United Nations Special Representatives,
15

16 *The Commission for Crime Prevention and Criminal Justice*,
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18 1) *Invites* all Member States, who have not done so, to adopt the definition of human
19 trafficking as provided in Article 3, paragraph (a) of the Protocol to Prevent Suppress and
20 Punish Trafficking in Persons of 15 November 2000;
21

22 2) *Emphasizes* the need to enlarge the Human Trafficking and Migrant Smuggling Section's
23 (HTMSS) mandate (referred to as 'the Human Trafficking Section'):
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25 a. The Human Trafficking Section would coordinate the different existing sections and
26 departments dealing with the issues relating to human trafficking in the United Nations
27 Office on Drugs and Crime (UNODC) without any additional functioning cost; it
28 would aim at centralizing and coordinating any action undertaken within the mandate
29 of the UNODC that relates to the prevention, suppression, and punishment of
30 trafficking in persons,
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32 b. The existing sections and departments that would be coordinated are the following: the
33 applicable departments of the Implementation Support Section; the Global Report on
34 Trafficking in Persons Unit (GLOTIP) as well as the applicable departments within the
35 Division for Policy Analysis and Public Affairs (DPA) and the Division for Operations
36 (DO),
37

38 c. Without affecting the regular functioning cost of this Office, any additional fund
39 necessary to pursue special initiatives or projects should be allocated through either a
40 budget allowance adopted by the Commission on Crime Prevention and Criminal
41 Justice (CCPCJ), a grant from the United Nations Voluntary Trust Fund for Victims of

42 Trafficking in Persons, Especially Women and Children, or a voluntary donation from
43 either a Member State or a third party;

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45 3) *Further emphasizes* that the mandate of the Human Trafficking Section should notably
46 include:

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48 a. The promotion of the efforts of a single and prominent office expressing the will and
49 commitment of the global community as aimed by the United Nations at international
50 levels,
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52 b. The coordination of any action undertaken within the UNODC pertaining to the
53 prevention, suppression and punishment of trafficking in persons; this Office should
54 effectively build on the initiatives of Member States and any interested third party at
55 the regional and local levels,
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57 c. The synthesis and analysis of all information pertaining to the trafficking in persons,
58 through the interview of victims of human trafficking and the establishment of
59 informational databases; such databases should notably result from voluntary
60 contributions of Member States as well as those of any interested third party,
61
62 d. The identification and review of the different crimes considered as human trafficking
63 on the basis of the definition provided in Article 3, paragraph (a) of the *Protocol to*
64 *Prevent, Suppress and Punish Trafficking in Persons* of 15 November 2000; the result
65 should be an ongoing updated list of all human trafficking-related crimes that would
66 be accessible to Member States as well as any interested third party and serve as a
67 compliment to the informational databases,
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69 e. The submission of a biennial Global Report on Trafficking in Persons, which was
70 provided for in General Assembly resolution 64/293 (2010); this report should in
71 particular acknowledge countries that have shown commitment to implement the
72 recommendations made by the Office on Human Trafficking,
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74 f. The provision of recommendations to Member States with respect to the effectiveness
75 of their criminal justice system in preventing, suppressing and punishing trafficking in
76 persons; those recommendations would notably include suggestions to reform Member
77 States' criminal legislation when the latter does not allow an effective conduct of
78 justice and prosecution of human traffickers;

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80 4) *Invites* all Member States to strongly consider any recommendation that would be made
81 by the Office on Human Trafficking to improve their criminal justice system in pursuit of
82 an effective prevention, suppression, and punishment of trafficking in persons at the local
83 and regional levels; through an active implementation of the proposals made by the
84 Office on Human Trafficking within their domestic criminal legislation, Member States
85 would ensure the most efficient protection of their citizens by preventing them from the
86 dramatic risks and tragic consequences of human trafficking;

87

88 5) *Welcomes* the regional and local initiatives undertaken by Member States to prevent,
89 suppress, and punish the trafficking in persons and encourages them to coalesce their
90 efforts with those of the UNODC Human Trafficking and Migrant Smuggling Section.
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Code: CCPCJ/2/1

Committee: The Commission on Crime Prevention and Criminal Justice

Subject: Establishing International Legal Norms to Counter Maritime Piracy

1 *Recalling the Convention on the High Seas, the United Nations Convention on the Law of*
2 *the Sea (UNCLOS), and its Article 100, which highlights the duty of cooperation in*
3 *suppressing maritime piracy,*

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5 *Also recalling the Convention on Suppression of Unlawful Acts of Violence Against the*
6 *Safety of Maritime of Maritime Navigation (SUA Convention),*

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8 *Deeply regretting the limits of the existing definitions of the act of maritime piracy in*
9 *international law,*

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11 *Recalling Security Council resolutions S/RES/1816 and S/RES/1918, S/RES/1950,*
12 *S/RES/2077 on Acts of Piracy and Armed Robbery Against Vessels in Territorial Waters*
13 *and the High Seas off the Coast of Somalia and General Assembly resolution 63/308,*

14
15 *Recognizing the success of the International Maritime Organization (IMO) and the use of*
16 *its Handbook on Recognizing and Preventing Maritime Piracy,*

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18 *Noting with satisfaction the success of Eye in the Sky, Port Buoy, Operation*
19 *ATALANTA, Operation Ocean Shield, Combined Task Force 151 and the 2004 Regional*
20 *Cooperation Agreement on Combatting Piracy and Armed Robbery at Sea in Asia as well*
21 *as regional coast guard efforts in conducting joint patrols and enhancing information*
22 *exchange, which create cooperation between domestic law enforcement and maritime*
23 *efforts,*

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25 *Fully aware that the origin of maritime piracy lies increasingly in dire economical and*
26 *social conditions such as unemployment and poverty, which affect local populations,*

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28 *Noting the need for cooperation among the United Nations Development Programme*
29 *(UNDP), the Food and Agriculture Organization (FAO), the World Food Programme and*
30 *any other appropriate bodies to identify, assess and address the economic and social roots*
31 *of maritime piracy,*

32
33 *Recognizing that solutions of the problem of piracy lie in supporting and enabling states,*
34 *which serve as home bases for pirates, to regain their own standing as sovereign entities*
35 *with working institutions to enforce their own law and order against pirates,*

36
37 *The Commission on Crime Prevention and Criminal Justice,*

- 38
39 1) *Urges Member States to organize and participate in a Review Conference for*
40 *the purposes of reviewing and strengthening the definition of maritime piracy*
41 *in the SUA by emphasizing the link between maritime piracy and transnational*
42 *organized crime;*

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- 2) *Encourages* Member States to integrate into national legislation international legal norms by recognizing piracy as a form of transnational organized crime as outlined in Security Council resolution S/RES/1816 of 2008 and could be, in special circumstances, considered as an act of terrorism as outlined by Security Council resolution S/RES/1373 and the *Convention Against Unlawful Acts of Violence Against the Safety of Maritime Navigation* of 1988;
 - 3) *Strongly recommends* the establishment of regional training centers akin to the Legal Training for Counter Piracy Operations in Aqaba in 2012 within the International Maritime Organization and the Counter Piracy Programme, funded by voluntary contribution such as the IMO monitored Djibouti Trust Fund, by:
 - a. Providing legal training to navy and coast guard, members of the judiciary and all personnel dealing with maritime safety and security,
 - b. Raising awareness and implementation of the IMO Handbook on Recognizing and Preventing Maritime Piracy through state by state distribution;
 - 4) *Encourages* the Maritime Safety Committee (MSC), which works under the IMO, to study cases of successful operations and implementations of methods of combatting maritime piracy and adapt them in regions and states where it is needed the most, bearing in mind the specific conditions of that area;
 - 5) *Invites* all Member States to increase regional-level coordination of joint naval forces of all high-risk maritime areas:
 - a. The determination of which maritime areas are at risk should be left to interested Member States based on objective criteria provided by the Special Office on Maritime Piracy as well as considerations of special circumstances such as piracy operations that directly contribute to creating fear and political instability,
 - b. Those international joint naval forces should be organized and coordinated at the regional level administered by designated Member States upon agreement; participation should remain open to any interested Member State on a voluntary basis;
 - 6) *Calls upon* Member States to promote rehabilitation and reintegration programs to prevent recidivism, protect the rule of law and foster economic growth and development by providing educational programs, vocational training, and employment opportunities.

Code: CCPCJ/2/2

Committee: Commission for Crime Prevention and Criminal Justice

Subject: Establishing International Legal Norms to Counter Maritime Piracy

1 *Calling attention* to Article 1 of the United Nations Charter, which addresses the commitment of
2 the United Nations to promote international security,
3
4 *Affirming* the need of international cooperation in combating international crime as enclosed in
5 the *United Nations Convention Against Transnational Organized Crime* (UNTOC),
6
7 *Alarmed by* the adverse impacts of maritime piracy on the global community as reminded by
8 CCPCJ resolution 20/5,
9
10 *Recalling* Article 100 of the *United Nations Convention on the Law of the Sea* (UNCLOS) and
11 Article 14 of the *Convention on High Seas*, which affirms the duty to cooperate at the
12 international level in the repression of piracy,
13
14 *Aware* that further attention should be placed on the issue of piracy and necessary execution of
15 preventive measures to minimize the likelihood of reoccurrence of acts of piracy as reiterated in
16 SC/10820,
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18 *Expressing* its satisfaction with the programs of regional cooperation already in place such as the
19 Eyes in the Sky (EiS) plan in the Strait of Malacca,
20
21 *Noting with appreciation* the positive effects which the implementation of the Regional
22 Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia
23 (ReCAAP) had in combating piracy in South-East Asia,
24
25 *Noting with appreciation* the on-going successful work of the Regional Anti-Piracy Prosecutions
26 and Intelligence Co-Ordination Center (RAPPICC) and the Counter-Piracy Program of the
27 UNODC,
28
29 *Recognizing* the recently established Regional Anti-Piracy Prosecution and Intelligence
30 Coordination Center (RAPPICC) as a model for future initiative to directly bring the leaders,
31 financiers and enablers to justice,
32
33 *Agreeing* with the request for Member States to criminalize piracy in their domestic legislation
34 set forth in the *Convention for the Suppression of Unlawful Acts of Violence Against the Safety of*
35 *Maritime Navigation* (SUA Convention),
36
37 *Bearing in mind* the necessity of promoting security measures in harbors as recalled in the IMO
38 Code of Practice on Security in Ports,
39
40 *Recalling* the role of information exchange and communication between countries in tackling
41 piracy as mentioned in the Djibouti Code of Conduct,
42
43 *Commanding* the work of the UNODC for the legal support provided to the suspects of piracy

44 and its contribution to the international community,

45
46 *Noting* the benefit of preventing recidivism of criminals, while taking into consideration cultural
47 domestic legislative differences,

48
49 *Acknowledging* the need for more cooperation between neighboring states as stated in Resolution
50 A.683(17) on the Prevention and Suppression of Acts of Piracy and Armed Robbery Against
51 Ships from the International Maritime Organization (IMO),

52
53 *Recognizing* the commitment of Member States to the Official Development Assistance in
54 accordance with the Monterrey Consensus,

55
56 *Having in mind* Resolution A.738(18) on Measures to Prevent and Suppress Acts of Piracy and
57 Armed Robbery Against Ships from the International Maritime Organization (IMO) which
58 affirms the need for Member States to increase cooperation through joint patrols,

59
60 *The Commission for Crime Prevention and Criminal Justice,*

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- 62 1) *Encourages* all Member States to adopt the definition of piracy as provided by Article 3
63 of 2005 *Protocol to the Convention for the suppression of Unlawful Acts Against the*
64 *Safety of Maritime Navigation*, to create a unified and coherent front for the detention,
65 prosecution and sentencing of suspected criminals of piracy;
66
 - 67 2) *Reaffirms* the need to secure harbors, which are often the place where piracy crimes
68 happen by:
 - 69 a. Facilitating communication between the ships and the coastal border authorities to
70 make sure all the incidents happening are reported,
71
 - 72 b. Ensuring a clear command structure of law enforcement in harbors at a national level;
73
 - 74 3) *Further reaffirms* that Member States emphasize the need for increased security measures
75 and best practices to port organizations within their territory in order to properly prevent
76 maritime piracy by tackling the issue of armed robbery against ships at bay;
77
 - 78 4) *Calls* for bilateral and regional cooperation in piracy-prone regions by:
 - 79 a. Creating bilateral and regional joint training programs for officials on the best practices
80 to combat piracy,
81
 - 82 b. Calling upon Member States to work together through the creation of regional task
83 forces and by increasing domestic naval patrols in piracy-prone zones;
84
 - 85 5) *Encourages* the development of regional public awareness campaigns among
86 professionals working in the maritime sector on security measures in order to prevent and
87 know how to react to threats of piracy;
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- 91 6) *Invites* Member States to address the issue of corruption in relation to the lack of
92 prosecution of criminals committing acts of piracy by:
93
94 a. Increasing the penalties linked to crimes of corruption in national legislations,
95
96 b. Setting goals in national plans of action on decreasing the level of the corruption index
97 in countries situated in piracy-prone regions;
98
99 7) *Requests* Member States to fulfill their ODA requirements in order to tackle poverty,
100 which is an incentive to piracy;
101
102 8) *Further recommends* that the expenses of the program, as provided for in the budget
103 decided by the Governing Council, shall be provided by the following sources:
104
105 a. Voluntary contributions from the Contracting Parties,
106
107 b. Voluntary contributions from international organizations and other entities;
108
109 9) *Requests* the special allocation of funds from the Crime Prevention and Criminal Justice
110 Fund for the purpose of expanding and providing support for the UNODC Counter-Piracy
111 Program;
112
113 10) *Suggests* the establishment of a legal norm framework to provide guidelines for Member
114 States to implement their own unique and successful domestic legislation addressing anti-
115 piracy efforts by:
116
117 a. Reviewing domestic penal procedures and criminal codes to include the clear and
118 concise definition of piracy as a crime against the state,
119
120 b. Penal and Criminal codes shall address the collaboration of piracy in the form of
121 extending the definition to include, but not be limited to, those who commit acts of
122 piracy, those who sponsor through monetary means, weaponry, and equipment, and
123 the various forms of those who aid in the:
124
125 i. Disguise of the planning stages,
126 ii. Hiding of those individuals who execute acts of piracy,
127 iii. Those who organize and collaborate with executing acts of piracy;
128
129 11) *Strongly encourages* regional or inter-state initiatives aiming to reduce the pirate's
130 perception of immunity by information sharing, law enforcement, rebalancing the
131 risk/rewards ratio of piracy as exemplified by the RAPPICC;
132
133 12) *Encourages* Member States to develop methods that promote safety for vessels while
134 traveling through active piracy locations, including harbors, including humanitarian and
135 commercial ships through:
136
137 a. Domestic military patrols,

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139 b. Placing armed guards on humanitarian and commercial ships;
140
141 13) *Promotes* the extradition of those who commit acts of piracy at sea or sponsor acts on land
142 to their country of origin to face criminal charges under domestic penal legislation;
143
144 14) *Encourages* a bilateral exchange of information on criminal expertise with respect to
145 cultural, religious and social sensitivity to promote efficient communication between
146 neighboring nations to provide effective regional cooperation;
147
148 15) *Encourages* Member States to establish regional programs similar to the ReCaap program
149 in order to streamline communication and ensure appropriate and timely response to ships
150 in need, notably by:
151
152 a. Working alongside the Maritime Safety Committee and Legal Committee of the IMO,
153
154 b. Including maritime commercial associations and organizations as well as harbor
155 organizations in sharing information with national authorities and with the relevant
156 organs of the IMO,
157
158 c. Establishing durable access to information as well as straight lines of communication
159 between those actors in recognizing maritime threats;
160
161 16) *Calls upon* Member States to create a judicial Task Force on maritime piracy which
162 would be formed of national experts in legal questions surrounding piracy and armed
163 robbery against ships, said Task Force being effective for:
164
165 a. Voluntary consultation by Member States on prosecution issues relevant to Maritime
166 Piracy,
167
168 b. The formation of temporary and voluntary regional courts for countries that esteem
169 that they lack the judicial means to prosecute pirates;
170
171 17) *Suggests* that the Department of Political Affairs' Trust Fund to Combat Piracy off the
172 Coast of Somalia be extended in order to support initiatives against piracy as a whole,
173 notably the establishment of the Task Force;
174
175 18) *Suggests* that able Member States invest in expanding their coast and maritime guard
176 capacities in order to cover more adequately their territorial waters;
177
178 19) *Strongly urges* all Member States to adopt bi- and multilateral agreements in the
179 extradition of pirates as well as establishing and sharing jurisdictional competence
180 between countries capturing perpetrators of maritime piracy and armed robbery against
181 shipping and countries or origin of those perpetrators.