

CCPCJ

*Advanced
ECOSOC*



TOPICS: Preserving User Privacy in a Digital Age, Prosecuting Transnational Crime

CHAIRS: James Moffett, Noah Huang

LAIMUN XXVIII

December 3-4

LAIMUN XXVIII

Letter from the Secretariat

3

Introduction to the USG

4

Introduction to the Dais

5

Committee Description

7

Topic A: Preserving User Privacy in a Digital Age

9

Topic B: Prosecuting Transnational Crime

21

LAIMUN XXVIII

December 3-4

Letter from the Secretaries-General

Dear Delegates,

On behalf of our entire staff, it is our pleasure to welcome you to Session XXVIII of the Los Angeles Invitational Model United Nations (LAIMUN) conference. LAIMUN XXVIII will take place on Saturday, December 3 and Sunday, December 4 of 2022 at the Mira Costa High School (MCHS) campus.

Our staff, composed of over 100 MCHS students, has been working tirelessly to make your debate experience the best it can be. You will find your dais members to be knowledgeable about the issues being debated and MUN procedure. We pride ourselves in hosting a conference that is educational and engaging, and we hope you take advantage of that as you prepare and debate.

At LAIMUN, we value thorough research and preparation. We ask that delegates write position papers following [these directions](#). The deadline to submit position papers to be considered for Committee and Research Awards is Friday, November 25 at 11:59 PM PT. The deadline to submit to be considered for Committee Awards is Thursday, December 1 at 11:59 PM PT.

We also encourage all delegates to read the [LAIMUN Rules of Procedure](#) for conference-specific information and as a reminder of points and motions that can be made during committee.

Feel free to reach out to our staff with any questions or concerns you may have. Delegates can find their chairs' contact information next to their committee profile and the Secretariat's email addresses on the staff page. Any member of the LAIMUN staff will be happy to assist you.

We look forward to seeing you in December!

Sincerely,

Allyssa Lessinger and Brady Stephens
Secretaries-General, LAIMUN XXVIII
secretarygeneral@mchsmun.org



Introduction to the USG

Hello Delegates! My name is Ava Reyes and I am the Under-Secretary General of ECOSOC. This is my fourth year in the Mira Costa Model UN program and I am beyond thrilled to welcome you to LAIMUN XXVIII!

I'm so excited to see the various diplomatic strategies of debate and topical discussions concerning the very real and pressing issues we encounter on a global scale. Our chairs intend to hold the delegates to high standards of research, diplomacy, speeches, and solutions.

As you may know, we have a strict no pre-written resolutions policy—resolutions may only be worked on at your chair's discretion. Please verify that your work is authentic to ensure all delegates experience a fair and relatively accurate depiction of a United Nations conference.

The Mira Costa Model UN program has provided me with incredible opportunities and lasting memories; I hope that LAIMUN XXVIII will be a memorable experience for you as well! Mira Costa MUN strives to ensure that delegates gain knowledge, confidence, speaking skills, and most importantly, a new understanding of international relations and the current events around us that affect the way we live today. All LAIMUN XXVIII staff have been hard at work to provide the best experience for everyone in attendance and we wish you the best of luck throughout your preparation!

If you have any questions or concerns, please don't hesitate to reach out to ecosoc@mchsmun.org or any other secretariat member. Looking forward to seeing you in December!

Regards,

Allyssa Lessinger and Brady Stephens
Secretaries-General

Ava Reyes
Under-Secretary General

Introduction to the Dias

Hello Delegates,

My name is James Moffett. I am currently a senior at Mira Costa and I will be one of your chairs at LAIMUN. I have been in the MUN program since freshman year and have participated in LAIMUN myself. My past experience at LAIMUN was very good and it was one of my favorite conferences. I play for the Costa golf team and I have been playing since freshman year. I like to watch or play sports, listen to music and go to social events with my friends. I think balancing school and social events is important and I think MUN has definitely helped me communicate and carry conversations with people. I have seen a lot of interesting things happen during debates and I am excited to see you guys show off your skills. I know debate can get boring but I hope to see you guys use some creative hooks in your speeches to keep me interested. I wish you guys best of luck and I am interested to see what you guys can come up with to stand out!

If anyone has any questions please feel free to reach out to us at:

ccpcj.adv.laimun.xxviii@gmail.com

Best of Luck,

James Moffett

Hi Delegates!

I hope you are all excited for LAIMUN this year! I know I am and I can't wait to meet you all. My name is Noah Huang, and I am a sophomore in Mira Costa's MUN program. I will be co-chairing with James Moffett for CCPCJ Advanced this year. I have been a part of the MUN program since my freshman year, participating in some advanced local conferences as well as attending DMUNC in Davis, California. I'm extremely excited to be chairing this year at LAIMUN, and here is a little bit about me.

Separate from school, I love playing basketball and I have been playing since first grade. I'm currently playing for the Mira Costa Basketball team, and my go-to NBA team is the Minnesota Timberwolves. Other than sports, I love going out with my friends, playing the drums, and playing video games. MUN has given me many fun experiences and new friends, and I'm excited to see what you guys will bring to the committee. Don't forget to be creative with your solutions, and most importantly, have fun!

The topics this year for CCPCJ are very relevant and relatable to countries across the globe. We expect to see that you are well researched and come in with a wide range of solutions that can be adaptable and implementable. These topics are also influenced by a lot of moving parts, so make sure you stay up to date with current events and understand how they might affect digital privacy and transnational organized crime. Let me know if you have any questions at all or just feel like reaching out!

Good luck!

Noah Huang

Committee Description

Criminal justice in its relation to international crime has always been a prominent source of concern among the international community, but its presence on the global stage became noticeably more defined in the late 20th century. In 1992, the Commission on Crime Prevention and Criminal Justice (CCPCJ) was established under Resolution 1992/1 as a council governed by the United Nations Office on Drugs and Crime (UNODC). The Economic and Social Council (ECOSOC) elects 40 member states to serve in the CCPCJ, which is chaired by a bureau that includes a member from each regionally acquainted group. While the establishment of the CCPCJ was significant in itself in that it is the only division of ECOSOC specifically dedicated to the prevention of crime and the assurance of criminal justice, it was also important in that it dissolved the Committee on Crime Prevention and Control. The Committee on Crime Prevention and Control was the predecessor to the CCPCJ, whose dissolution symbolized the abandonment of ineffectiveness and the procurement of progression.

The CCPCJ was further developed in Resolution 1992/22, which outlined the Commission's priorities and mandates such as, "Improving international action to combat national and transnational crime and the efficiency and fairness of criminal justice administration systems." This Resolution also promoted collaboration between member states in the form of a forum where states could share experience, information, involved agencies, and expertise in the matter at hand in order to successfully combat the crime in that state. In addition to providing this forum to member states, the CCPCJ also has the responsibility of approving the budget for

the United Nations Crime and Criminal Justice Fund, as delegated to this committee in Resolution 61/252.

Holding regular sessions every five years and meeting in additional reconvened sessions, informal consultations, political events, and intersessional meetings, the CCPCJ works tirelessly to navigate international crime policies. They do this by collaborating with involved states, non-governmental organizations, and experts in the subject and by setting specific goals for the Commission that comply with each Sustainable Development Goal. The most recent session of the CCPCJ was the 28th session on May 20-24, 2019 in Vienna. With a focus on correcting the rising international trends of xenophobia, hate-motivated attacks, and civilian violence, this session highlighted, "The responsibility of effective, fair, humane and accountable criminal justice systems in prevailing and countering crime motivated by intolerance or discrimination of any kind." Overall, this session had 1,500 participants, 22 UN bodies and affiliates, 51 non-governmental organizations, and 18 intergovernmental organizations, showing the large-scale international involvement embedded into the foundations of the CCPCJ. The next session, the 29th session, will be held on December 3rd, 2020 with fewer member states than usual due to the COVID-19 pandemic. However, this session will still attempt to tackle the issues of crime and criminal justice that still prevail today.

Topic A: Preserving User Privacy in a Digital Age

I. Background

The development of technological advancements has blurred the lines between the right to privacy and using data to fuel the digital economy. In recent times, both governments and big companies have become desperate for data. These corporations have started collecting information about every part of our activities and behavior. New pieces of technology have enabled the constant transmission of information. The new artificial intelligence and technological revolution has made it possible for mass information to benefit companies without them having to directly inform the public that this is happening.

The new collection of data and the undeniable advantages of the new technology have shown that privacy is steadily becoming a luxury. The idea that the appropriate reaction to the massive pooling of data is to enhance the right is a direction companies are not willing to go in. They don't have this opinion because it would end in us all having better control over our personal information. Many believe people should have the option to choose what space within¹ their personal information can be tapped into by companies. This would give people the ability to control the information given to companies and the timing of the information's exposure.

¹ Auxier, Brooke, et al. "Americans and Privacy: Concerned, Confused and Feeling Lack of Control over Their Personal Information." Pew Research Center: Internet, Science & Tech, Pew Research Center, 17 Aug. 2020, <https://www.pewresearch.org/internet/2019/11/15/americans-and-privacy-concerned-confused-and-feeling-lack-of-control-over-their-personal-information/>.

The company's point of view doesn't show much regard to human rights and the borders of the right to privacy. Furthermore, no one is allowed to make any use of information from individuals without consent, except in extraordinary circumstances. The terms of use seem to be disregarded because of their length these days. A recognized leaker named WikiLeaks revealed that the Central Intelligence Agency may be using personal electronic devices for espionage. Just² weeks after this a lawsuit settlement admonished Facebook for reading messages, the company had led its users to believe the messages were private.

This was not the first time in which Facebook and the Government of the United States have been accused of accumulating information from citizens' private devices, and even homes. This issue has been carefully swept under the rug by the large corporations it affects. In today's political climate—digital data, photos, conversations, health information or even finances—nothing can really be fully privatized. For those corporations accused and charged with gathering people's information, including governments and big tech companies, the solution to consumer privacy may not always be in line with their own ideas.

When companies and corporations make decisions about privacy and things that relate to that matter, without any obvious law or anything, it becomes a matter of opinion. Government officials say the CIA has a good argument for why it's in the best interest of the country to use technology to collect people's data. The government has successfully used technology to monitor serious threats to our national security. Many believe that those uses should be the only

² Auxier, Brooke, et al. "Americans and Privacy: Concerned, Confused and Feeling Lack of Control over Their Personal Information." Pew Research Center: Internet, Science & Tech, Privacy in the Digital Age,

government interactions with citizens' data. Internet users are becoming increasingly aware of this issue, and increasingly wary of companies charged with protecting their information. A report said that about 12 percent of Americans and 9 percent of social media users reported a high level of confidence that the government and tech corporations can access their personal data. The Pew study from 2016 showed the population as skeptical of the government. Popularity of these platforms makes it difficult for people to not use them.

The coronavirus has also been a significant part of this topic. This pandemic has called for the implementation of contact tracing. This is a necessary part of the response to any extreme disease outbreak. In the spring of 2020 Robert Redfield said that contact tracing of infected³ citizens should be treated as an essential step in bringing coronavirus cases down. He also talked about how technological solutions to better contact tracing were being discussed. Robert focused on the more traditional and labour-intensive ways of contact tracing. The traditional ways require an extremely large number of health workers to get in touch with family, friends, coworkers of infected people. They also need to arrange for the individuals to be tested, and contact them to find out about their experience medically. This pandemic would require even a small nation to require thousands of full-time public health officials to run an efficient contact tracing team. Very large amounts of detail and resources have been trying to find ways to leverage digital technology to make parts of this project much easier. Taking advantage of the

³ “How to Protect Your Digital Privacy.” The New York Times, The New York Times, <https://www.nytimes.com/guides/privacy-project/how-to-protect-your-digital-privacy>. Idx.us, what-is-digital-privacy-and-how-can-it-be-protected.

citizens in developed countries that carry smartphones and other technological devices which integrate GPS chips capable of exact location would be extremely beneficial. Using bluetooth which can keep track of the distance between devices, and always-on connections to the Internet can be helpful when creating a better tracing system. Contact tracing is trying to use this mechanism to turn individuals own devices into contact tracing mechanisms. The advantages of this system are massive. In a perfect world, it would allow for contact tracing to be extended to a nation's whole population rather than just a majority or minority of infected people. This system tracks movements and contacts with extreme amounts of detail, would be more efficient and requires less labor intensive work that is risking human error.

There have been many complications throughout the process of contact tracing. Different nations have taken vastly different approaches to completing the system and functioning of such a complicated matter. In March 2020, contact tracing tests of various systems had been made and tested independently by corporations in Israel, South Korea, Singapore, Thailand, Taiwan and Vietnam. Around a month later in April 2020, smartphone vendors such as Google and Apple announced that they were joining efforts to create a sustainable system for contact tracing. This would be created directly into the technological systems of phones powered by their software. After Google and Apple made their solution recognized, many countries still continued to try and perfect their own contact tracing applications. They would attempt to bypass the ⁴Google and Apple framework as a whole. This shows that the main goal of early

⁴ Li, Harold. "Council Post: The Pandemic Has Unmasked the Digital Privacy Divide." Forbes, Forbes Magazine, 5 May 2021, <https://www.forbes.com/sites/forbestechcouncil/2021/05/05/the-pandemic-has-unmasked-the-digital-privacy-divide/>.

efforts to create contact tracing systems was made difficult due to a lack of a centralised solution. It was impossible to get a majority of nations to agree upon how this should be handled. The major issue with getting citizens on board was the question of, who should have access to the data they have? The quest to find a system for contact tracing isn't straightforward and it requires a positive technological advancement. Many people wanted to help limit the spread of a the disease but are worried about data privacy. Rights over digital data, online privacy and surveillance in the Information Age is wanted by the people.

After covering the basic functionality of these systems, there is a massive difference between the two options. The data/technological solution could allow health authorities to directly find and get in touch with people who have tested positive for the virus.⁵ The privacy approach will make it significantly harder if not impossible to identify people who tested positive. This leaves the responsibility for letting health corporations know about your illness or submitting a test, up to the individual. The non- privacy approach would also require GPS location data as well as the contact interaction log. This allows health authorities to spot the specific places where clusters⁶ of the virus have occurred. This is clearly not possible with the privacy solution. Technically, the privacy focused system will still have notified the individuals possibly exposed to the diseased group. It would do this without telling them where the infection happened or who passed on the infection.

II. United Nations Involvement

⁵ S. Gonzales, Last Modified Date: September 29. "What Is Digital Privacy?" Easy Tech Junkie, 29 Sept. 2022, <https://www.easytechjunkie.com/what-is-digital-privacy.htm>.

⁶ Idx.us, <https://www.idx.us/knowledge-center/what-is-digital-privacy-and-how-can-it-be-protected>.

The growing pace of technological development allows people all over the world to use new information and communication technologies to enhance their lives. At the same time,⁷ technology is improving the capacity of governments, corporations and citizens to undertake surveillance, interception and information collection, which is in violation of human rights, or more specifically the right to privacy. This led to the UN General Assembly's Third Committee adoption on November 21st of a new resolution on the right to privacy in the digital age. This comes as timely and crucial for protecting the right to privacy because of the new challenges we face.

Along with other UN resolutions on this topic, the resolution adopted on November 21st, 2016 emphasizes the importance of respecting international commitments in relation to the right to privacy. It underscores that any legitimate concerns or questions states may have with regard to their security can and should be addressed in a manner consistent with obligations under international human rights laws.

The United Nations recognizes that more and more personal information is being processed, collected, and shared. The recent resolution expresses concern about the sale of personal data. This often happens without the person's explicit informed consent. This resolution calls for the strengthening of prevention of and protection against such human rights violations, and calls on governments to develop stable measures and remedies.

⁷ Auxier, Brooke, et al. "Americans and Privacy: Concerned, Confused and Feeling Lack of Control over Their Personal Information." Pew Research Center: Internet, Science & Tech, Pew Research Center, 17 Aug. 2020, <https://www.pewresearch.org/internet/2019/11/15/americans-and-privacy-concerned-confused-and-feeling-lack-of-control-over-their-personal-information/>.

The 2016 resolution covers more of the role of the private sector. It calls on governments⁸ to implement or maintain effective sanctions to stop the private sector from committing violations and abuses of the right to privacy. This relates to the United Nations Guiding Principles on Business and Human Rights. These principles require states to protect against violations by making sure businesses are within their jurisdictions when conducting business. Specifically, the resolution calls on legislation to make sure companies take steps that comply with the right to privacy in a lawful way. With respect to companies and corporations, it makes the responsibility of the private sector to respect human rights known. It also calls on them to inform users about company policies that would impact their right to privacy.

The United Nations General Assembly's first resolution on this issue in 2013, was in reaction to the Snowden revelations. The U.N's resolution has come from a largely political and economic response to mass surveillance and also addressing more complicated challenges around information collection and the role of private companies. These responses have been positive, and have called for the establishment of a UN Special Rapporteur on the right to privacy. It is still hard to get companies to implement the resolutions. It is especially hard to get states to improve their laws and practices without disrupting their surveillance practices.

9

III. Topics to Consider

⁸ "Internet Privacy Laws Revealed - How Your Personal Information Is Protected Online." Internet Privacy Laws Revealed - How Your Personal Information Is Protected Online | Thomson Reuters, <https://legal.thomsonreuters.com/en/insights/articles/how-your-personal-information-is-protected-online>.

⁹ "There Is No Such Thing as True Privacy in the Digital Age." GovTech, GovTech, 30 Apr. 2021, <https://www.govtech.com/security/there-is-no-such-thing-as-true-privacy-in-the-digital-age.html>.

Public disclosure

The issue of preserving rights in this digital era has caused many people to question if their information is safe when using technology. Companies have been criticized for not informing the public that their information is being collected. People believe that consent is needed in situations where information is taken. An issue that can be debated is the public disclosure of companies collecting our information. For example, Facebook as well as the U.S government has been accused of gathering personal information through various technological devices. Social media platforms especially have been criticized for trying to keep information about privacy

Effect of social media/culture on digital privacy

Our culture is extremely fast paced, what effect does this have on maintaining digital privacy? When people post on social media they are giving out information to the public. Some say that we are giving out information without really realizing it through the use of social media. With people not patient enough to read through agreements before signing up for apps or new pieces of technology how can this issue be fixed? People's need to be present and aware of what is going on throughout all social media platforms has trumped their desire to keep their information secure.

Individual rights

Basic human rights ensure our privacy. But, with technological advances privacy is not

just¹⁰ physical space but it is also technological. Many have questioned companies and governments rights to obtain our information without consent. The power and money that is invested in technology has caused businesses to put privacy aside and money first. that In situations where terrorism or danger is a threat, should governments still be able to take our information without telling us?

IV. Case Study- Edward Snowden

The United States's response to the 9/11 attacks called for the need for more national security. This was because the United States government had relaxed its rules with surveillance. One of the first stories published in papers revealed that the NSA was collecting and monitoring phone records and the texts of citizens. Not too long after that, The Washington Post and The Guardian reported that the United States government was tapping into the servers of 9 Internet companies, such as Apple, Facebook and Google. They did this to spy on people's audio and video chats, photographs, emails, documents and connection logs, as part of a program called Prism. Later articles showed that the government was even spying on leaders of other countries, including Germany's Angela Merkel.

The President of the U.S, Barack Obama assigned two five person teams to look into the country's surveillance policy. The teams decided that several new laws and regulations should be implemented to how individuals' data and information could be held or how data collected on Americans through the surveillance of foreigners could be used. These changes resulted in

¹⁰ Li, Harold. "Council Post: The Pandemic Has Unmasked the Digital Privacy Divide." Forbes, Forbes Magazine, 5 May 2021, <https://www.forbes.com/sites/forbestechcouncil/2021/05/05/the-pandemic-has-unmasked-the-digital-privacy-divide/>.

greater transparency between citizens and companies but, many experts say the regulations improved the surveillance rules only slightly and did not address the question of invasion of privacy.

Recently after the implementation of the regulations, Snowden was charged with theft of government property, unauthorized communication of national defense information and willful communication of classified communications intelligence. He was facing 30 years in prison. Snowden fled the country, first traveling to Hong Kong and then to Russia, to avoid being extradited to the U.S. and he still resides in Russia to this day.

V. Guiding questions

1. Are governments over extending their power by observing their citizens through technology?
2. Why aren't companies required to tell people information about the capabilities of the technology we use?
3. Will governments/companies ever stop using these tactics?
4. Should security come at the expense of protecting user privacy?
5. How has the coronavirus affected the usage of technology?

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Economic Forum,

<https://www.weforum.org/agenda/2021/09/how-to-protect-digital-privacy/>.

Topic B: Prosecuting Transnational Crime

I. Background

Transnational crime “is an illicit business that transcends cultural, social, linguistic and geographical boundaries and one that knows no borders or rules,” the UNODC states. As the world is ever-changing and globalization shows the interconnectedness of the human race, crime as an industry has grown and spread across borders. The increased heterogeneity of immigrants, improved communication technology, and globalization of the economy facilitate transnational crime, but its motivations are the same as crime at the local scale: “disparate socioeconomic conditions, the desire for illegal goods and services, and the universal greed for money and power” (Finckenauer). However, unlike your small town robberies, transnational crime is hard to track and prevent. Each country has their own laws, rules and regulations, and law enforcement, making it difficult for the international community to cooperate and respond to crimes that span across multiple borders.

Organized crime has been a known entity since the 1700s when pirates strategically looted merchant vessels. Today, organized crime has grown and exists in many forms throughout the world. In the US, Prohibition sparked organized crime across the country in the 1920s. There was illegal trafficking and production of liquor and violence also grew. Throughout the century, organized crime groups showed up across the globe seeking money and power. In some states, governments were strong enough to deal with these groups and adapt to enforce their laws as best they could. However in others, like Bulgaria, Montenegro, and Venezuela, organized crime

groups were able to strangle the government and establish mafia states.¹¹ Then, beginning in the 1970s, organized crime grew to the next level and became transnational because of the globalizing economy and the creation of new communications technologies.

After the end of World War II brought efforts to acknowledge human rights and establish security through stable governments, the Cold War and arms race diminished many efforts to bring peace on a global level. This worldwide tension, communication, and miscommunication led to the integration of local economies, cultures, and people. Globalization became a process that was led by new technological advancements in communication and transportation because it led to increased interaction between humans all over the world. International relations became more important and ideas diffused from one place to the next. So, add all of this to organized crime and you get transnational crime that seems nearly impossible to prevent, prosecute, and track. Crime used to be located within state borders making it relatively less complicated to deal with because it was up to a single government to decide how to deal with these issues. Now, not only do governments have to cooperate with each other to prevent organized crime across their borders, but the question comes up as to who is responsible for prosecuting criminal acts that involve more than one state. To add on, the invention of “the World Wide Web which also gave birth to the dark web and allied cyber offenses,” brings an entirely new industry of crime (CSIS).

¹² There are multiple approaches to prosecuting transnational crime, but both generally are faced with the same challenge, identifying all of the parts involved in the crime. Usually, there are so

¹¹ Naím, Moisés. “Mafia States.” *Carnegie Endowment for International Peace*, carnegieendowment.org/2012/04/25/mafia-states-pub-47954.

¹² “Significant Cyber Incidents.” *Significant Cyber Incidents | Center for Strategic and International Studies*, www.csis.org/programs/strategic-technologies-program/significant-cyber-incidents.

many people, places, and evidence involved that pinpointing members of a crime organization, tracking the victims, and collecting prosecution evidence is extremely difficult. The UN involved themselves in making arrangements between countries “to counter the globalization of crime” through the “globalization of law enforcement efforts” (UNODC). This legal approach can be difficult given that each country has their own set of law enforcement and would need to agree on a plan of action to combat this crime. This framework however, is inefficient to begin with because it does not make efforts to prevent transnational crime and focuses on taking action after a crime has been committed. On the other hand, the human rights-based approach “calls for the universalization of human rights” because it creates a clear definition for a violation of human rights across the world (eucrim).¹³ Therefore, victims of transnational crime can seek help and are more identifiable. There are limitations of each approach of course, but any course of action at this point is necessary to minimize the risk and impact of transnational crime.

COVID-19 changed the game for crime organizations in 2020. Unemployment was rising due to restrictions, infections, and supply chain issues. In Latin America, the economy shrank 8% on average in 2020 and with so many losing their jobs, gangs along with other crime organizations found themselves in primetime recruitment because people were desperate for money. Interestingly enough, in Mexico, El Salvador, and Rio de Janeiro, it was often gangs who enforced lockdowns, distributed food, and trafficked pandemic supplies, like test kits and vaccines. Some citizens saw these groups as more efficient and proactive in dealing with the pandemic, adding to their power and sway in the government. It is now going to be very difficult

¹³ “Human Rights-Based Approach to Combat Transnational Crime.” *Eucrim*, eucrim.eu/articles/human-rights-based-approach-combat-transnational-crime/#docx-to-html-fn4.

for governments to take control back over the state and deal with transnational crimes.¹⁴ The pandemic has also created new economic possibilities for these groups through illegal trading of medical supplies and psychotropic substances. *America's Quarterly* believes that “the Andes may see an increase in illegal crops” as local peasants are looking for a secure revenue, while Central America and the Caribbean will see corrupt politicians and the state coordinating with criminal groups. This may also get other states involved, including Russia and China who can influence the kleptocracies of Central and South American nations. The first steps in many of these nations whose organized crime soared through the pandemic have been to focus on fixing the health crisis and its consequences before tackling transnational crime. On a national scale, these governments must then strengthen their justice system and law enforcement. For example, the UNODC helped Indonesia crack down on crime, including transnational crime, back in 2012. The UNODC held a legislative assessment workshop in Jakarta in 2014 in addition to improving their Penal Code and Criminal Procedure Code. It is essential that these steps are taken in order to make progress in combating transnational organized crime.¹⁵

Quy-Toan Do, an economist for the World Bank, found that transnational criminal networks that took part in drug production, human trafficking and poaching, had grown in value to over \$US 1.3 trillion in 2018 which was 1.5% of the global GDP.¹⁶ This crime produces a

¹⁴ January 26, 2021. “NEW AQ: The Pandemic's Big Winner? Transnational Crime.” *Americas Quarterly*, 25 Jan. 2021, americasquarterly.org/article/new-aq-the-pandemics-big-winner-transnational-crime/.

¹⁵ José Miguel Cruz and Brian Fonseca | January 26, 2021. “How Transnational Crime Is Mutating in the Age of COVID-19 in Latin America.” *Americas Quarterly*, 28 Jan. 2021, americasquarterly.org/article/the-other-mutating-virus-the-pandemic-and-organized-crime/.

¹⁶ World Bank Group. “Increasing Transnational Crime and Conflict Threaten Lives around the Globe.” *World Bank*, World Bank Group, 4 Mar. 2020, www.worldbank.org/en/news/feature/2019/11/29/increasing-transnational-crime-and-conflict-threaten-lives-around-the-globe.

tremendous amount of danger for the safety of the state and individual victims. Human trafficking exploits women, men, and children on various levels and recent research has shown that the issue is growing faster than many trends had previously suggested. In 2005, 2.4 million were victims of trafficking at any given time and brought in a total \$32 billion annually for the crime group. Human traffickers took advantage of the pandemic when most of the world went on lockdown as they were able to become more secretive and undetected. However, they were forced to keep their victims under tighter constraints making conditions worse for those who were trafficked. The pandemic made many susceptible to both being trafficked and taking part in trafficking because of job loss and failure to collect an income.¹⁷ Cybercrime is growing and can affect people in their everyday lives. With technology being such a large part of work and school, the security of our devices are at risk when criminals are able to “steal private data, access bank accounts and

fraudulently obtain payment card details” (UNODC)¹⁸. To make transnational cybercrime even more difficult, the 21st century has brought about a digital age that continued to become more complex until it gave us cryptocurrency. TOCs began using cryptocurrencies the minute they were created, exploiting Bitcoin and other forms of this digital currency for its anonymity and speed of transaction. Often cryptocurrency stimulates these organizations, especially if they are widespread across borders because they are unregulated by governments. The creation of the Silk

¹⁷ Johnson, Christopher. “How are human traffickers taking advantage of the pandemic?” *Reuters*, 17 October 2020, <https://www.reuters.com/article/us-global-trafficking-expertview/how-are-human-traffickers-taking-advantage-of-the-pandemic-idUSKBN27300T>. Accessed 17 October 2022.

¹⁸ Kevin.town. “Transnational Organized Crime: Let's Put Them out of Business.” *Transnational Organized Crime: the Globalized Illegal Economy*, www.unodc.org/toc/en/crimes/organized-crime.html.

Road, a darknet market on Bitcoin, is old news now as criminals have expanded their use of cryptocurrency to more than just the narcotics, child pornography, and weapons that were sold through the Silk Road. Human traffickers have now moved their recruitment and transactions online making the criminals harder to track¹⁹. Transnational organized crime is not static. It is constantly changing and adapting to stay hidden between the cracks. Individual countries cannot solve these problems on their own, it will need to be a group effort from the international community to step in and prevent TOC.

II. UN Involvement

In the 1990s, the United Nations agreed that a convention to discuss the growing threats from transnational organized crime (TOC) was crucial. So, in November 2000, they took action and the general assembly adopted resolution 55/25, the UN Convention against Transnational Organized Crime (UNTOC), which was held in December 2000 in Palermo, Italy where member states convened to discuss the next steps in fighting TOC. The two main goals of the convention included the elimination of “differences among national legal systems” and a “minimum common standard for domestic law to achieve global cooperation” (UNODC). The objective of these provisions was to ensure that the international community would have open communication and a standard for prosecuting TOC. There were three Protocols that followed

¹⁹ Realuyo, Celina. “How Cryptocurrencies Are Empowering Transnational Criminal Organizations and Countries in Latin America.” *Dialogo-Americas.com*, 11 March 2022, <https://dialogo-americas.com/articles/how-cryptocurrencies-are-empowering-transnational-criminal-organizations-and-countries-in-latin-america/#.Yw7jkuzMKrc>. Accessed 17 October 2022.

the end of the Convention in September 2003, “the Protocol to Prevent, Suppress and Punish Trafficking in Persons; the Protocol against the Smuggling of Migrants by Land, Sea, and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition” (UNODC). Those who agreed to the protocols would need to take measures through domestic criminal offenses, new extradition frameworks, and stronger law enforcement.²⁰ This convention is the main framework in which the UN follows to combat TOC. Although it definitely makes progress in creating a level playing field to allow all countries to jointly fight TOC, many states still struggle to deal with organized crime at the national level, much less the transnational level. Plus, the UNTOC provides little aid in the actual implementation of its guidelines.

The 96th and 97th meetings of the 64th General Assembly in 2010 cited the explosion of TOC and the then Secretary-General Ban Ki-moon emphasized the need to expand law enforcement the way criminal networks transcend borders, and evolve justice in the way and efficiency that criminals evade justice. He stated that the Convention against TOC was the “blueprint to counteract the threats” that TOC poses, but revisions would make the convention more efficient and effective. As a follow up in 2012, the implementation was reviewed and a list of suggestions for facilitating implementation of the convention’s measures was produced. The UNODC now provides help to construct legal frameworks and gives ideas for data collection and disintegration of TOC. Unfortunately, the UNODC lacks many resources due to their low funding and understaffing.

²⁰ “United Nations Convention against Transnational Organized Crime.” *United Nations : Office on Drugs and Crime*, www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html.

The UN General Assembly has taken other action in addition to these measures, but their effectiveness is limited through the nonspecific language of the measures and outdated solutions. The CCPCJ enforces the implementation of the UNTOC's protocols and goals, while ECOSOC issues vague resolutions that work on crime prevention. For example, their 1995 resolution on strengthening community resilience guides the UNODC's work today. The World Bank and International Monetary Fund have aided by collecting data and releasing reports on TOCs along with pledging \$4.3 billion to TOC in 2013.

III. Topics to Consider

A. Cybercrime

Cybercrime knows no boundaries and continues to grow as technology advances and people rely more on their devices. Both the criminals and victims are found all over the world and are nearly impossible to track all at once. The UNODC has responded to cybercrime by providing structure to support state action in advancing their criminal justice system responses, research on cybercrime, and public awareness on the issue, while the CCPCJ has made cybercrime their thematic focus at their discussions this May.²¹ Their program, the Global Program on Cybercrime is under their Organized Crime Branch and part of the Division for Treaty Affairs.²² They also held an Africa Digital Forensics Capture the Flag challenge where people from all over Africa competed to become the top digital forensics expert. In addition, the

²¹ "CCPCJ: U.S. National Statement." *U.S. Mission to International Organizations in Vienna*, 16 May 2022, vienna.usmission.gov/ccpcj-u-s-national-statement/.

²² "Index." *United Nations : Office on Drugs and Crime*, www.unodc.org/unodc/en/cybercrime/index.html.

GA established an Ad Hoc committee in Resolution 74/247 which is meant to discuss countering technologies that are used to commit crimes.

In the past month alone, there have been over 7 significant cyber incidents globally involving people from all of the world. Back in May 2022, Altahrea Team, a hacking group based in Iran took responsibility for a DDoS hack that targeted the Port of London Authority (PLA).²³ Security researchers believe the attack was politically motivated and it knocked some of the PLA's online infrastructure offline²⁴. Attacks like this one are happening more and more often, but the question still remains, whose job is it to prosecute these groups and prevent further attacks when there is no territorial jurisdiction in cyberspace. The attack on the PLA was a DDoS hack, however, there are other forms of cybercrime including Malware, Ransomware, Phishing/Social Engineering, MitM, and Fileless attacks which all require different prevention systems and affect victims in many ways.

IV. Illegal Smuggling of Migrants

The smuggling of migrants, an industry where smugglers are paid by voluntary people to illegally transfer them across an international border, generates around \$7 billion for smugglers and moves over 2.5 million migrants across international borders. Virtually every state experiences some form of migrant smuggling whether they are “a country of origin, a transit country or a country of destination” (UN). The UNODC not only held the UNTOC where they

²³ “Significant Cyber Incidents.” *Significant Cyber Incidents* | Center for Strategic and International Studies, www.csis.org/programs/strategic-technologies-program/significant-cyber-incidents.

²⁴Glover, Claudia, et al. “Port of London Authority Hit by 'Politically Motivated' Cyberattack.” *Tech Monitor*, 24 May 2022, techmonitor.ai/technology/cybersecurity/port-of-london-authority-cyberattack.

implemented the Protocol against the Smuggling of Migrants of Land, Sea and Air, but they established a toolkit to combat the smuggling of migrants based on the same principles.²⁵ Plus, the CCPCJ specifically focuses its resources on migrant smuggling in their Resolution 30/1 where they encourage member states to make efforts in establishing frameworks that combat illegal migrants and create communication between states that are affected by the same smuggling routes.²⁶ The ability to prosecute smugglers for their business is crucial, but also extremely difficult because of the wide range of networks. The question once again of which country's law enforcement has to deal with the issue--the origin, transit, or destination state--needs to be answered.

Migrant smuggling is clearly an effect of poor conditions in the country of origin and the person(s) being smuggled are fleeing for more employment opportunities or escaping violence. Unfortunately their journey to a new location will be just as bad as their current living conditions, if not worse. They are often treated like cargo with no respect for their rights and their lives are put in immense danger.²⁷ These people are not only putting themselves and other communities at risk, but they are funding transnational criminals. The international community must not only learn to prosecute these criminals together, but also reduce the causes of migrant smuggling.

²⁵“Toolkit to combat the smuggling of migrants.” *Refworld*, https://www.un.org/ruleoflaw/files/SOM_Toolkit_E-book_english_Combined.pdf. Accessed 17 October 2022.

²⁶“D. Matters brought to the attention of the Economic and Social Council Strengthening international cooperation in addressing the.” *United Nations Office on Drugs and Crime*, https://www.unodc.org/documents/commissions/CCPCJ/Crime_Resolutions/2020-2029/2021/resolution_30.1.pdf. Accessed 17 October 2022.

²⁷ “ECOSOC - Commission on Crime Prevention and Criminal Justice.” *World Federation of United Nations Associations*, <https://wfuna.org/wimun/ny-university/CCPCJ>. Accessed 17 October 2022.

V. Illicit Wildlife Trafficking

This May at the CCPCJ convention, Angola, Peru, and Kenya began drafting another section for the UNTOC on wildlife trafficking, as environmental crime has been a major focus in recent conversations.²⁸ Organized crime that is harming the environment hinders our ability to achieve the Sustainable Development Goals for 2030. The Kyoto Declaration states that member states must attempt to combat crimes that affect the environment, like wildlife trafficking. In the Convention on International Trade in Endangered Species of Wild Fauna and Flora or CITES, they “[regulate] international trade in over 38,000 species of wild animals and plants, including their parts and derivatives. Its purpose is to ensure that this trade is legal, sustainable, and traceable” (UNODC).

Pangolins, the most trafficked mammal in the world, are used for their scales and meat. They are among the top suspects for being the intermediary that transferred the coronavirus from bats to humans. Its trafficking among other wildlife trafficking has led to the spread of infectious diseases which is why stopping this illegal trade is so important. Although tracking their trade has been a challenge, research shows that traders generally use these same routes as ivory traders and originate in West and Central Africa.

VI. Case Study: Libya’s Migrant Smuggling Crisis

In June 2017, 50 migrants went missing and 2,500 were rescued at sea after leaving Libya and being stranded on small dinghies off the coast. Earlier, on May 25, the Libyan

²⁸“The Global Initiative at the 31st CCPCJ.” *Global Initiative*, 19 May 2022, globalinitiative.net/analysis/gitoc-31st-ccpcj/.

coastguard opened fire on a migrant boat putting many in danger and causing 34 people to drown. Migrant smuggling had risen that year and has continued to rise ever since, even at the cost of the pandemic. Libya has for a long time been a central transit state for smugglers bringing migrants from North Africa to Europe. Studies show that ancient trade routes called the Trans-Saharan trade routes which were used in the 7th and 8th century AD run throughout Libya's east and west, connecting the Sahel to the Mediterranean. These same routes today have been expanded and reworked for use by smugglers and traffickers in the region. Libya has struggled to deal with the issue, seeking help from the EU to combat this TOC.²⁹

EU action in the Central Mediterranean route only led to increased smuggling from Algeria in 2020. Through a joint migration task force with the African Union and the UN, the EU set out to decrease illegal migration and create more opportunities for legal migration. The Libyan coast guard was improved and cooperation between countries led to better border controls. Operation Sophia, which ended in March 2020, led the training for coast guards and gave instructions to improve security and save more lives out at sea. Following this was Operation Iriini which enforced the UN arms embargo on Libya as well as continued the training for law enforcement.

This task force also looked at the cause of migration to tackle the issue at its routes and found that 9 in 10 migrants left their countries for economic reasons and 67% of them were from Libya's neighboring countries. The EU's emergency trust fund for Africa to improve living

²⁹ Narbone, Luigi. "Libya's illegal migration: the urgent need for a new strategy." *The Conversation*, 13 June 2017, <https://theconversation.com/libyas-illegal-migration-the-urgent-need-for-a-new-strategy-78364>. Accessed 17 October 2022.

conditions has already created over 127,800 jobs and spread campaign information on the risks of migration to 2 million people.³⁰ Although the migrant smuggling crisis continues to be a major issue, this task force among other projects has greatly reduced the amount of people seeking migration and improved border controls to prevent illegal migration. Cooperation like this has been most effective in combating transnational crimes like illegal smuggling of migrants and the next steps need to be taken to shut down and prosecute the smuggling networks established in Libya.

VI. Guiding Questions

1. What transnational crime does your country most deal with and what have they done to combat this issue?
2. How has your country dealt with transnational criminal groups in the past and what steps are they taking to prevent these issues in the future?
3. Which forms of transnational crime are most prevalent and need to be addressed now?
4. How can the international community set ground rules for prosecuting TOC?
5. Who is responsible for prosecuting transnational crime in the case where the crime is committed across more than one border?

³⁰“Migration Flows in the Central Mediterranean Route.” *Consilium*, 24 Mar. 2022, www.consilium.europa.eu/en/policies/eu-migration-policy/central-mediterranean-route/.

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