



UNODC

United Nations Office on Drugs and Crime

**Responding to the security threat posed by
Transnational Organized Crime in East Asia
and the Pacific**

**Speech to the
International Serious and Organized Crime Conference**

by

Gary Lewis

**UNODC Regional Representative
for East Asia and the Pacific**

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Distinguished Ladies and Gentlemen,

On behalf of the participants – especially those who have travelled from overseas to be here today, I would like to thank the organizers for their very warm welcome. We thank you also for the “welcome to country” undertaken by the traditional owners of Worungeri – or what is now known as Melbourne land. I think that it is a wise and necessary undertaking to try to understand the past in order to secure the future.

I am honoured to have been invited to attend this meeting. In the time I have been allotted I will try to outline the impact of transnational organized crime on security in East Asia and the Pacific. But my main aim will be to suggest a series of responses. The presentation will therefore be divided into two roughly equal parts.

- Part 1 – will examine the nature of the threat and the evidence of its current dimensions.
- Part 2 – will explore **5 ways** in which we can do something about it.

PART 1. THE NATURE AND DIMENSIONS OF THE TRANSNATIONAL ORGANIZED CRIME (TOC) THREAT

MAKING THE LINK BETWEEN DEVELOPMENT AND RULE OF LAW

- If we look back over the past 15 years, I would argue that the international community has largely failed to anticipate the evolution of TOC into the sort of strategic threat which it now poses to us all.

- Globalization – assisted by lower communication and transportation costs¹ – has brought in the bad with the good. Among those who have been rewarded are people who have a “comparative advantage in the production of illegality”.
- I also believe it is true to say that TOC has become “polycrime” and has internationalized faster than the ability of law enforcement and world governance to keep pace.
- TOC hinders development.² It fuels corruption. And corruption fuels TOC. It may sound simplistic to say this, but development is probably the best prevention for TOC. Throughout the world, prosperity and good governance have proven – in general – to be effective vaccines against the violence and corruption associated with organized crime and TOC.
- TOC infiltrates politics. In symbiosis with corruption, it has the potential to undermine the rule of law and trust in public institutions. Loss of legitimacy weakens a state’s capacity to resolve internal conflicts peacefully. As history has shown, when justice is seen to be denied, violent conflict is often the result.
- For all these reasons, TOC now represents a “strategic” – or overarching – threat to governments, to societies, and to economies.

¹ In addition to higher transport and communication efficiencies and ‘reach’ (in terms of geographic access) that accompany these lower costs.

² Sustainable foreign and domestic investments don’t flow to countries with high TOC and corruption. There is brain drain. As a result, countries suffer lower growth, more unemployment, reduced fiscal revenues, poorer health and education. And thus less development.

- That is why UNODC – in its work – attaches priority to the RULE OF LAW. The UN defines rule of law as follows: "**... a principle of governance in which all persons, institutions and entities – public and private, including the State itself – are held accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights and standards**". This is a fundamental principle which drives much of the work of the United Nations work.
- Less than a month ago this principle was – again – recognized in the Outcome Statement of the “**UN Millennium Development Goal Summit**” in New York.³ This underscores how closely the RULE OF LAW is linked to our achieving the Millennium Development Goals.⁴

MAPPING TOC DIMENSIONS

- I would now like to draw your attention to the green report which we have shipped over from Vienna copies of which are part of your conference material. It is entitled “The Globalization of Crime – A Transnational Organized Crime Threat Assessment” – or TOCTA.

³ Among other things, that gathering of world leaders agreed that development is secured by, among other things: (a) halting illicit activities that harm the environment; (b) combating trafficking in children; and (c) tackling corruption, illicit financial flows and stolen asset transfer.

⁴ Some other recent examples of high-level recognition of the nexus between rule of law and development are as follows: (a) 2004 – the UN High-Level Panel on Threats, Challenges and Change identifies TOC as one of “*six clusters of threats with which the world must be concerned...*”; (b) In every single year since 2007 the UNODC Executive Director is requested to brief the UN Security Council on emerging TOC threats; (c) In 2010, the UN Security Council notes with alarm the threat of drug trafficking and TOC, and especially its role in conflict and then urged the Secretary-General to “*consider these threats in conflict prevention ... and integrated mission planning.*”.

- This report is the very first attempt by UNODC to survey the broad terrain of transnational organized crime on a global basis. It comes 10 years after the birth of the UNTOC Convention.
- The Threat Assessment focuses on 16 TOC problems. 13 of these are inter-continental. Most touch our region – East Asia, SE Asia and the Pacific. In preparing the TOCTA, our intention has been to try to connect the dots and provoke some new thinking – and on the basis of what we perceive – to ring some alarm bells.

CAVEAT

- But first, a rather large caveat. I think it's important that we recognize there are very few really good statistics out there on organized crime, as a category. This is partly because there is not a lot of consensus about what we should be measuring when we speak about “organised crime”. Do we count:
 - the number of organized criminals?
 - the number of organized crime “events”?
 - the incidence of organized crime events – relative to population?
 - And how do we consistently record these organized crime events across the globe?⁵ How many of us know, for example, that the number of drug trafficking offences recorded in Norway is more than six times as high as the number recorded in Mexico.
- And even when we have the statistics at our disposal, do we understand what they really mean?

⁵ It is important to note that all data on crimes that could be classed as "organized" is heavily reliant on the capacity – and the will – of the state to detect them.

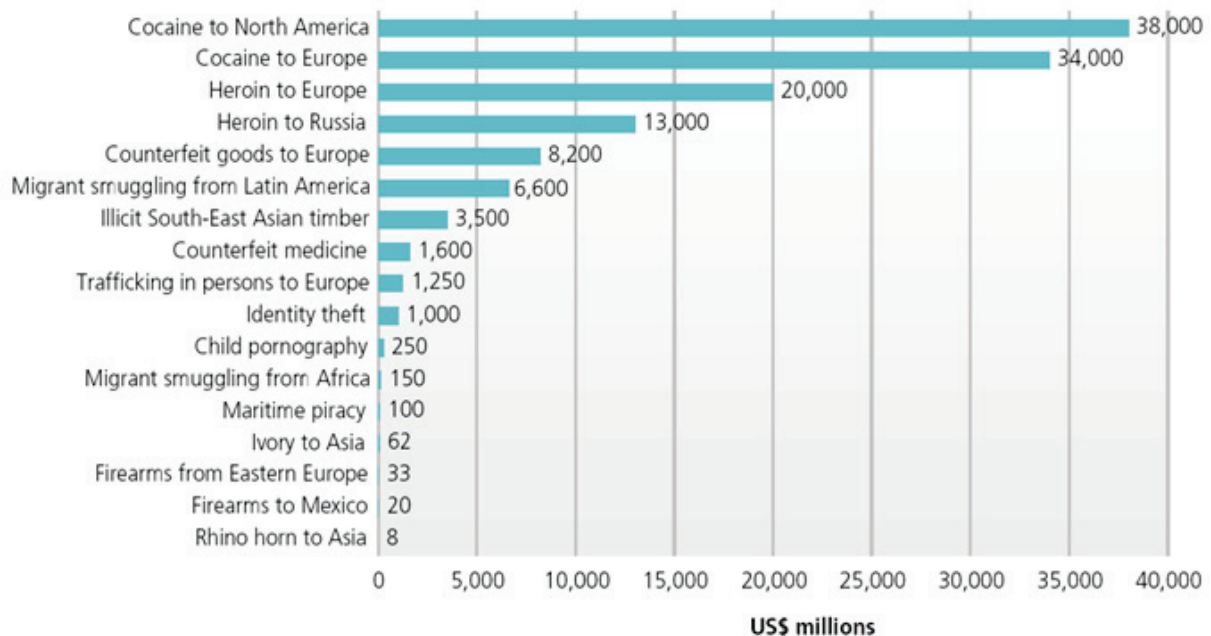
- What do they tell us about different levels of harm caused by TOC? For example, how do you compare the seizure of a kilo of heroin with the rescue of a human trafficking victim in calculating your organized crime total?
- What – in the final analysis – do they tell us about the effectiveness of our response?



UNITED NATIONS
Office on Drugs and Crime

1. Nature and dimensions

TOCTA: Key flows



Source: UNODC estimates

CORE FINDINGS

- Nonetheless, UNODC believes – on the basis of the available evidence – that we can say the following.
- The total of all the TOC flows recorded in our report – and we fully acknowledge that this is not a complete or exhaustive list of TOC – adds up to \$125 billion per year.

- And 85% of this amount is generated in the illicit drug markets.⁶
- We can also say that today the criminal market spans the planet – involving all the major nations – the G8 – the BRIC countries – and all the regional powers. Illicit goods are sourced from one continent, trafficked through another, and marketed in a third. This is true globalisation at its finest, with criminal groups and individuals taking advantage of every new efficiency, every innovation, and every opportunity.
- Let me then use the TOCTA and combining it with other UNODC sources, I have chosen FOUR FLOWS – all of which are especially alarming for our Asia-Pacific region – for special treatment in this discussion.

DRUGS:

- First drugs.
- As I've noted, according to the TOCTA, drugs remain the highest-value illicit commodities trafficked internationally, and by quite a wide margin.⁷
- Drugs remain the backbone of TOC worldwide. They command the largest share of revenues – and they fuel violence, corruption, conflict and addiction.
- **Opiates in Southeast Asia.** Despite our major drug control successes in diminishing opium poppy production by more than 80% over the last two

⁶ The OECD has estimated that global trade in counterfeit and pirated goods rose to about 250 billion US\$ in 2007, up from roughly 100 billion US\$ in 2000. It is therefore possible that the figures reported in the TOCTA are underestimates.

⁷ The countries that grow most of the world's illicit drugs, like Afghanistan (opium) and Colombia (coca), receive the most attention and criticism. Yet, most drug profits are made in the destination (rich) countries. For example, out of a global market of perhaps US\$55 billion for Afghan heroin, only about 5 per cent (US\$2.3 billion) accrues to Afghan farmers, traders and insurgents.

decades, we are now seeing a resurgence in Myanmar. The country is the source of over 95% of production in SE Asia. The trend has been relentlessly upward for the past 4 years.

- Moreover, and by almost every single yardstick, **amphetamine-type substances** (or ATS) have supplanted opiates in terms of drug production, trafficking and consumption in East and SE Asia. The figures are alarming. Just over one month from now – on 25 November – we will release our latest ATS trends analysis in Tokyo. And the news will not be good.
- So the message is simple. We cannot afford to take our eyes off the drug threat – something which I rather fear has happened, in our region, over the past decade.

HUMAN TRAFFICKING:

- Second, the human trafficking flow. We know that in East and SE Asia, men, women and children are trafficked out of – into – and within our region. The figures are hotly contested. But we can say with some confidence that worldwide there are millions of modern slaves traded at prices not significantly higher – in real terms – than what their historical counterparts fetched during the era of formal slavery. We know that the victims of this crime, bought and sold as a commodity, are routinely raped and beaten, infected with HIV, and imprisoned. They suffer physical injury – and a psychological trauma – which will stay with them for years. The crime of trafficking is a gross violation of human rights.

- Now it is true that much trafficking occurs between countries of the same region.⁸ But our research also shows striking evidence of significant inter-continental trafficking from East and Southeast Asia. Most remarkably, victims from East Asia have been detected in more than 20 countries way beyond our region – including Europe, the Americas, Middle East, Central Asia and Africa. However, **internal trafficking** is significant in many countries in East and Southeast Asia, as well.
- And the main tragedy in all this is the **impunity** we see. In proportion to the assumed extent of the problem, the number of arrests, prosecutions and convictions is very low. On top of this, we still do not know what the real extent of human trafficking is. As a result, we do not know whether our efforts are contributing to a reduction in human trafficking.
- We must strengthen the criminal justice response to human trafficking. Solutions exist. We must apply them.

MIGRANT SMUGGLING:

- In Southeast and East Asia, there are two major countries of origin for smuggled migrants when we look at long-distance smuggling. These are Viet Nam – and, most importantly – China. Moreover, Southeast Asia is an important transit region for migrant smuggling from West and South Asia to Australia. Southeast Asia is also an important region for intra-

⁸ See the 2009 UN.GIFT report and the 2010 TOCTA chapter on human trafficking into Europe (which is also based on the UN.GIFT research).

regional **irregular migration** with hundreds of thousands of migrants crossing borders irregularly every year. Much of this movement is facilitated by migrant smugglers. Profits are high and the criminals generally face few risks of detection and punishment. As a result, migrant smuggling is a **high-profit low risk crime**. This is what criminals find so attractive.⁹

- And because criminal networks prefer methods that minimize their risks, this often puts the safety and lives of the smuggled migrants in danger. In recent times, the death toll associated with migrant smuggling has dramatically increased. Migrant smuggling has thus also become a **deadly business**.
- And let's not also forget that migrant smuggling is a business that exposes migrants to exploitation and human trafficking¹⁰ – both during the smuggling process and after it has been completed.¹¹

ENVIRONMENTAL CRIME:

- South East Asia is home to some of the world's most extensive networks of tropical rainforests and diverse flora and fauna. Unfortunately, and mainly over the past 20 years, poor forest management practices and

⁹ Migrant smuggling groups in the region have become increasingly professional and networked and now offer a range of services from the highly sophisticated and expensive to the very cheap and life threatening. For example some smuggled migrants safely travel by air with the use of genuine documents that have been obtained on fraudulent grounds. Other – poorer – smuggled migrants suffocate to death in the back of a truck.

¹⁰ It is often only after a smuggled migrant arrived in the destination country that he or her becomes a victim of human trafficking. That is, the trafficking process did not start in the country of origin – was not pre-organized or commissioned - but it started in the destination country, where opportunistic traffickers took advantage of the vulnerabilities of smuggled migrants.

¹¹ The Bangkok Statement on Migration and Development (September 2010) – that resulted from Asia-Pacific Regional Preparatory Meeting for the Global Forum on Migration and Development 2010 – also underscored that “smuggled migrants' status as irregular immigrants makes them vulnerable to abuse, exploitation and human trafficking”.

weak law enforcement have resulted in these valuable natural resources becoming threatened by illegal logging and the illicit trade in forest products, known collectively as forest crimes.¹²

- The Intergovernmental Panel on Climate Change (IPCC) estimates that the cutting down of forests is now contributing close to 20% of the overall greenhouse gasses emitted into the atmosphere.¹³ So, for our region and especially the ASEAN countries with their vast forest resources, addressing illegal logging is of prime importance if we are to mitigate climate change through Reducing Emissions from Deforestation and Forest Degradation (or what we call REDD).¹⁴ It will be impossible to win the battle against climate change without saving these forests.¹⁵

CONCLUSION

- These are just FOUR examples from a wealth of new evidence – included in our various reports – on the nature of what we are up against.

¹² Rapid commercial activity in the Asia Pacific region in the early to mid 1990s led to uncontrolled deforestation. In particular, the Mekong region, spanning Cambodia, Laos, Thailand and Viet Nam, experienced the highest rates of deforestation. The depletion was so severe that many forest areas in the Mekong basin remain at critically low levels today. The persistence of forest crimes in these and other regions in South East Asia means immediate action must be taken to combat these crimes before regional forest stocks disappear completely.

¹³ The Stern Review (titled “The Economics of Climate Change”) observes alarmingly, that if current rates of deforestation in Brazil and Indonesia continue until 2012, they will wipe out nearly 80% of the total emissions savings agreed under the Kyoto Protocol.

¹⁴ From the “National Development Planning: Indonesia Response to Climate Change” (2008) and “National Action Plan Addressing Climate Change” (2007) Republic of Indonesia.

¹⁵ The UNODC TOCTA estimates that illicit wood products imported from Asia to the EU and China were worth some US\$2.5 billion in 2009. The criminal networks in control of this illicit trade are highly organized and sophisticated groups, which are capable of influencing national laws and circumventing tight regulations. Publicly available reports tell us that in many cases high-ranking public officials and in some cases the military are involved in this illegal businesses.

- If you will permit, I would now like to turn to some suggestions on how to deal with the threats posed by the globalization of TOC.

PART 2. FIVE WAYS TO RESPOND

1. WE NEED TO KNOW THE THREAT BETTER

- One of the biggest problems we face in analyzing TOC is our lack of accurate information. Technology has “flattened” time and space. So you’d think that we should know what is going on around the planet at any given moment – wouldn’t you? Well, we don’t. There are many, many **forgotten places** – outside of government control – places too scary for investors and tourists to venture. These are precisely the places where smugglers, insurgents and terrorists operate. In many instances, they do so unperturbed – and undetected. They run fleets of ships and planes, trucks and containers that carry tons of drugs and weapons. Their activities are mostly discovered by chance:
 - the crash of a phantom plane,
 - a drug ship that has run out of fuel,
 - a fortuitous seizure of an illicit shipment.
- Our picture has to improve. Policy **must** be based on solid evidence. We cannot keep groping around in the dark. I find that we tend to get drawn to the visible. The real challenge is to know what we don’t know.
 - (In parentheses, I should hasten to add that, fortunately, this handicap does not apply to drug control where we do have a lot of information and a strong data set – as illustrated by our annual World Drug Report – plus the ATS and Opium Poppy surveys which we are producing for the Asian region.)

- But there is a second reason why we need better knowledge on TOC. And this is to be able to measure progress in our efforts to defeat it.
- Please, then, allow me to share with you the following practical proposal. I have drawn attention to the Global TOCTA Report. I would now like to share with you this afternoon that our office in Bangkok is planning to undertake a Regional TOCTA for East Asia and the Pacific. Please note that this effort will complement – not replace – efforts already ongoing at the regional level to assess TOC.¹⁶
- So I call upon all present to consider contributing to this Regional TOCTA. Please help us with your brains. Please help us with your resources. Help us to build an independent, accurate and policy-oriented TOCTA for our region.
- Let me share with you the areas in which we are seeking to develop our knowledge basis.

¹⁶ For example the TOC assessment conducted on an annual basis by the Pacific Island Forum Secretariat (PIFS).



TOCTA For East Asia and the Pacific

1. Opiates from Myanmar to the region
2. ATS (including ketamine) within the region and beyond the region
3. Human trafficking within the region and from the region to the world
4. Migrant smuggling within the region and from the region to the world
5. Timber smuggling from Indonesia and PNG to East and SE Asia
6. Chemicals (including precursors and counterfeit medicines) from East Asia to the world
7. Firearms from East Asia to the world
8. Wildlife from SE Asia to East Asia
9. Counterfeit goods in Asia-Pacific

- It's not a complete list, I agree. But it's a start. Some of those areas are already being analyzed and we are making suggestions to improve our response. And I thank those governments – some present here today – which have had the foresight to financially support our efforts to collect this information (especially on drugs and migrant smuggling). But more needs to be done. And it will be done. Acquiring knowledge is the first step.

2. WE MUST STRENGTHEN THE GLOBAL FRAMEWORK AGAINST TOC

- Response Number 2. Any game without rules will soon descend into chaos. Fortunately, in fighting TOC, the rules do exist. In fact, an **entire global legal framework** is in place already.

- First of all, we have the three **drug control conventions**. And, in the Asia-Pacific region we are in reasonably good shape on these.
- Next we have the **UN Convention Against Corruption** (or the UNCAC) which represents an innovation in matters of asset recovery and return of assets and which, for this reason, is essential in our global response to TOC. Since criminals are motivated by profit, we must increase the risks and lower the incentives that enable organized crime to access this profit.
- We have the 16 international **counter terrorism instruments** – including UN Security Council Resolution 1373 on the Counter Financing of Terrorism.¹⁷ I'd like to say a little about UNODC's CT work in the region in order to illustrate the potential for strengthening global frameworks. Many Asian – and especially Pacific – countries have drawn on UNODC's technical assistance to ratify several of the CT conventions and to revise their national CT legislation. We are currently working with over 15 countries to strengthen their capacity to implement CT legislation. What we now need is similar action in the area of TOC.
- This brings me squarely to the **UN Convention against Transnational Organized Crime (UNTOC)**. This convention was adopted in Palermo ten years ago. In it,

¹⁷ Recently, many countries in Asia and the Pacific have strengthened their relation to terrorism activities through: (a) statements condemning and rejecting terrorist acts; (b) signing or ratifying anti-terrorism conventions and integrating them into national and regional principles and mechanisms and (c) greater information sharing and cooperation. This is all very encouraging and we need similar action in the UNTOC. UNODC can assist and has developed, in this respect, relevant programmes for East and Southeast Asia and a separate one for the Pacific Islands. All we need are the resources to translate this into operational capacity development on the ground at a country level.

we have a 21st century solution, for a 21st century problem. Yet, unfortunately, as many as one-third of our Member States – including some major countries – have not yet ratified it.¹⁸ Implementation is patchy. There is no review mechanism like there is for the UNCAC. And some of its Protocols are seriously neglected.

- So, in sum on Response #2, we need to do more to build on the excellent framework against TOC which already exists. This is an area where UNODC can assist by helping our Member States' to better apply the conventions they have already ratified. This means helping them develop the necessary laws. It also means helping law enforcement and the prosecution services to both understand – and apply – these laws.

3. WE MUST SHARPEN OUR TECHNICAL ABILITY TO RESPOND

- This brings me to Number 3 in our response. We need to sharpen our ability to respond at a technical level.
- We must **think afresh**.
- And we must **act anew**.
- The first way to **think afresh** is to pay more attention to **TACKLING DEMAND**. I think we all recognize that many who are involved in TOC markets – especially at the bottom of the pile – consider that they have very little to lose.¹⁹ Some are desperately poor. They contribute to

¹⁸ To date, 157 countries have ratified the UN Convention on TOC.

¹⁹ For example, coca and opium poppy farmers – street gang members – drug-addicted sex workers – the workforce of illegal loggers – trafficking victims turned traffickers – the irregular migrants who vend counterfeit goods – the small manufacturers who produce them. Most of the people who make illicit markets possible either do not think that what they are doing is wrong. Or they no longer care. Many are focused on making it through

global crime because there are few alternative options available to them. There is little that we can do about this. However, there is another group of people with quite a lot to lose if they are found to be operating outside the law. And these are the people who operate on the licit side of these same markets.

- So here is the basic argument. Because there is often a widespread mingling of licit and illicit markets, we need to enhance regulation and accountability in licit commerce in order to undermine demand for illicit goods and services. If you think this sounds naïve consider how swiftly the demand for legitimate origin certificates has started to influence the sourcing of goods and services in the major consumer markets of the world.
- It is often precisely the lack of clarity about origins that allows otherwise honest buyers – including commercial firms – to purchase merchandise illicitly or to purchase products which have been produced by trafficked hands.²⁰
- We must therefore regulate these markets to substantially reduce demand for contraband – or goods produced by slave labour.
- Here are a few encouraging examples of what I mean

the day. And for some, imprisonment is not the least attractive alternative. Conclusion: there is little we can do about this.

²⁰ Professional buying agents will buy from the cheapest source available. And globalized commerce makes it impossible to screen every vendor. The result is a much larger demand for contraband goods.

Think anew: Tackle the demand

- The Kimberly Process Certification Scheme for diamonds
 - The Extractive Industry Transparency Initiative for oil and minerals
 - The Publish What You Pay initiative
 - Traffik-Free Chocolate
 - Business Travellers Against Human Trafficking
 - FairTrade
 - Voluntary Certification of Wood
- Of relevance to our region, in 2008, Unilever pledged to purchase all palm oil from certified sustainable sources by the year 2015.²¹
 - This approach is not a panacea – skeptics will note that all the above initiatives are voluntary except for the Kimberly Process. But this approach will help reduce demand for a lot of other contraband.
 - Please permit me a sidebar on drugs. It is important to recognize that “eliminating the grey areas” does not work for illicit drugs, because they are – by definition – illicit. Nonetheless, in our response to the threat of drugs, we need to do much more at the “market” end in terms of erecting better barriers to experimentation – especially in terms of family-based prevention – and, for those who

²¹ http://www.unilever.com/images/Unilever_Sustainable_Development_Overview2008_v3_tcm13-163522.pdf

can't or don't want to stop using drugs – better treatment and harm reduction options.

- Here is the second way we must **think afresh**. We need to realize that **LAW ENFORCEMENT – WHILE IMPORTANT – IS NOT THE ONLY SOLUTION**. In dealing with TOC, law enforcement has been the traditional response. But we need to make a distinction between cartels and markets.
- Law enforcement works well against organized crime groups. And we must continue to exploit the openings for disruption which come when TOC groups “outsource” their **logistical** operations as a part of the globalization process. More than this – and despite the huge obstacles we face in this technologically-empowered age – we need to continue to deny criminals access to secure **communications** in order to disrupt their operations. More than this even – we need to go after their **profit** (as I said before) which often – even these days – still has to be physically moved and laundered through banking systems.
- But doing all this necessary work – **ALONE** – will not stop illicit activities if the underlying markets remain **un**addressed. Such markets, these days, also include the army of white-collar criminals. Some people call them the “clean skins”. These are the professional money-launderers and the lawyers, accountants, realtors and bankers – people who do the cover-ups and launder the proceeds of crime. Some have even argued that the “rise

of the corrupt professional” is in and of itself a major driver of illicit markets.²²

- Therefore, to conclude, on “thinking afesh”, the breaking-up of criminal groups – ON ITS OWN – will not work, because the people who are arrested will be immediately replaced. We therefore need to disrupt these markets. And we need to act as if we understand this. To do this we also need to enlist the voice of civil society in helping us to build **safer cities**.²³
- In terms of **acting anew** there is also much room for improvement. Please have a look at this screen.

²² See for example, Nick Lewis, Regional Manager, Serious Organized Crime Agency (UK), UK Embassy Washington – paper “Global Trends and Developments”, paper delivered at the International Peace Institute Seminar in New York on “Transnational Organized Crime and the Palermo Convention: A Reality Check”, October 2010.

²³ The **safe cities concept** comes from different sources. Most build on the idea of creating dynamic and effective community networks that work towards the goal of creating a safer environment by reducing crime and related problems such as drug use, petty crime, prostitution and other vices within their neighbourhoods. For example, in Malaysia, March 2010, the Safe City and Safe Neighbourhood Initiative by the Malaysia Crime Prevention Foundation was launched aiming at minimising opportunities for crime and creating a safe living environment. The initiative goal is to build up strong community cooperation and neighbourhood links contributing to crime prevention. In Laos, September 2009, the Prime Minister launched a safe village concept which builds on the drug free village, cultural village, sanitation village, model village concepts with the aim of fostering and mobilizing the community to prevent and address situations or persons who could be a crime or drug risk by providing community care and support while monitoring and preventing situations where crime can proliferate.



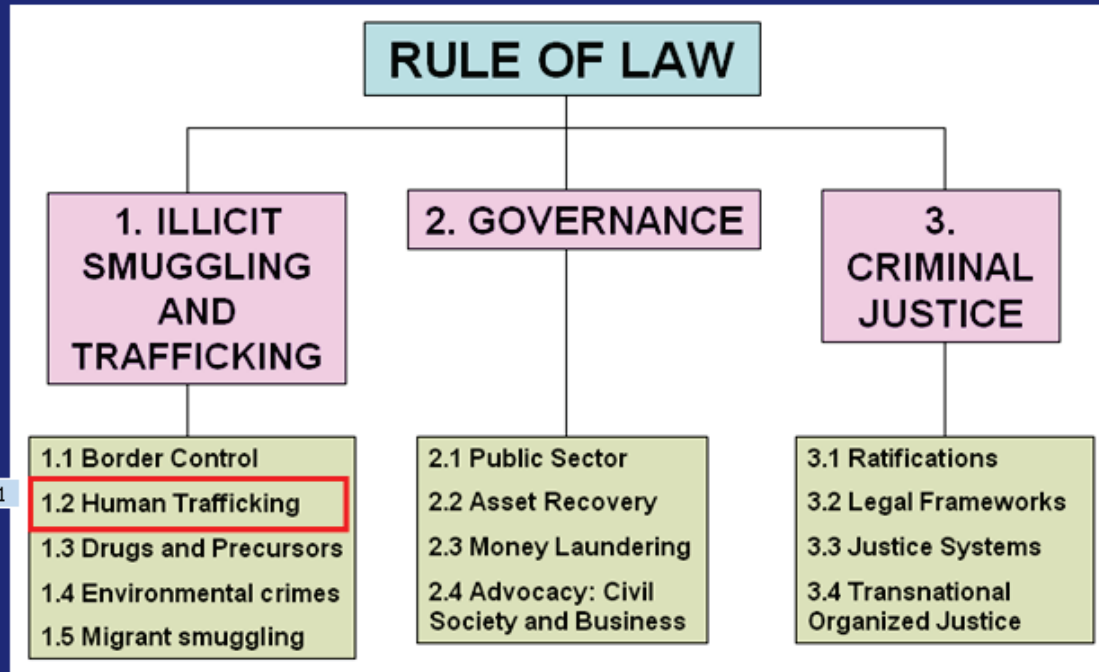
Act anew

	Why has <u>illicit</u> (and licit) trade flourished?	Law Enf. / Intel. How is the response organized?
1	Horizontal organization	Vertical organization
2	Functional specialization	“Commodity” specialization
3	Irrelevance of borders	Formal sovereignty (versus effective sovereignty)
4	Decentralized leadership	Silo mentality
5	Decentralized <u>comms</u>	Stovepipe info / limited sharing
6	Tech savvy	Slow to use new tech
7	Ample funding	Underfunded and often wasteful

- Have a look at the left side. Effectively – that’s them. The right side – generally – is us. Our style of working hands over the advantage to TOC groups. There are many things we can do to work smarter – mainly by correcting our action in the right-hand column. Our overriding concern must be based on the recognition that if states fail to deliver effective public services – including **justice and security** – criminals will quickly fill the vacuum.
- In fact, there is plenty that we can do to sharpen the tools we need to improve the delivery of justice and security.



UNODC programme in East Asia / Pacific



- I place on screen an image which shows the areas where we in UNODC – in all modesty, and within our limited means – are trying to support our Member States in Asia-Pacific to **promote transnational organized justice and security**.
- Our RULE OF LAW work focuses mainly on countering illicit trafficking, countering corruption and promoting criminal justice. Details on the **results** we think we are achieving are provided to you in our latest **Implementation Update** – which is the red book among your conference documents.
- If you will allow me, I shall use UNODC’s work in **human trafficking** as an example of the approach we

take in one of the several UNODC priorities depicted onscreen.

- You will recall the hideous portrait of human trafficking I painted in my earlier remarks. My urging today is therefore that those of us who promote RULE OF LAW must push strongly for a **victim-centred response** to trafficking. This should be applied across all our activities from policy and law-making right through to the conduct of law enforcement interventions, victim recovery and the judicial process.
 - Specifically, we need to prioritize training for more **front line officers** so that they recognise trafficking when they see it.
 - We must also equip **specialised anti-human trafficking units** with the expertise and resources they need, and we must let them recognize the importance of working closely with civil society in intelligence gathering and the rescue process.
 - We need to do better on **victim identification and protection**, so that we don't re-victimise the victim, and so that we give our prosecution services the best possible chance of success.
 - We need to work smarter still on **intelligence development and sharing** at local, regional, and international levels.
 - Bottom line: we need to **end the impunity** enjoyed by organized crime groups through enacting national legislation and strengthening law enforcement efforts – especially with a particular focus on the dismantling of criminal networks.

- This is what you will find – translated into action on the ground – when you peek behind the phrase “human trafficking” which you see on the screen.

4. WE MUST COOPERATE BETTER ACROSS – AND BETWEEN – REGIONS

- Response Number 4. Far too often we witness the compulsion – in the face of clear trans-boundary challenges – to return to the safe and familiar surroundings of state sovereignty.
- To a degree, this is understandable. Law enforcement and the rendering of justice are central to the exercise of sovereignty. For this reason, states are sometimes quite reluctant to concede their sovereignty and “internationalize” their work.
- But working this way means that crime control stays trapped within borders. TOC groups – on the other hand – have the advantage of operating in a borderless world. In some cases, “working the system” at borders has even become a source of business for them.
- So we have a paradox. By seeking to protect their “formal” sovereignty, states actually sacrifice their “effective” sovereignty.
- Our TOCTA Report demonstrates that, since crime has gone global, national responses are completely inadequate. At present, I believe that the multilateral response to TOC is still massively underdeveloped – and massively underutilized.

- Friends, I came across the following phrase some years back. It is not my own, but I nonetheless shamelessly promote it every chance I get. **“It takes a network to defeat a network.”**
- We need a change in attitude. It is time to regard information sharing as a way of strengthening sovereignty, not surrendering it. If police stop at borders while criminals cross them freely, sovereignty is already breached – actually, it is surrendered to the ones who are breaking the law.
- A more cooperative attitude will help us establish networks to monitor illicit flows, share intelligence and carry-out joint operations.
- For many years, UNODC has in fact been supporting such an approach in our region:
 - through the 1993 MOU on drug control in the Greater Mekong region
 - to our work to support the COMMIT process on human trafficking
 - to various ASEAN-related efforts on counter-trafficking, TOC and counter-terrorism
 - to regional computer-based training (CBT) efforts
 - to regional border liaison office (BLO) initiatives
 - to our work to support the Bali Process on migrant smuggling
 - and finally to the work we wish to do in future, through the Towards AsiaJust programme, to

promote transnational organized justice in the region.

- I believe that the TOC strategies of the future which will prove to be effective will be those based on international cooperation, involving organisations which operate both within and outside the law enforcement sphere.
- “It takes a network to defeat a network.”

5. WE NEED TO KEEP BEATING THE DRUM

- Point number 5.
- We need to get out there and beat the drum.
- We need to be clear in our vision.
- We need to communicate a sense of urgency.
- We need to stay “on message”, every time the microphone is presented in front of our faces.
- And the messages – or at least my sense of what they should be – are contained in the four preceding points.

I thank you for the invitation.

I thank you for your attention.

And I wish the remainder of the conference every success.

Thank you.