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cicad

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AG/RES. 2026 (XXXIV-O/04)
FIGHTING TRANSNATIONAL ORGANIZED CRIME IN THE HEMISPHERE
(Adopted at the fourth plenary session held on June 8, 2004)

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THE GENERAL ASSEMBLY,

RECALLING that, in the Declaration on Security in the Americas, the States of the Hemisphere declared that the new concept of security “is multidimensional in scope, includes traditional and new threats, concerns, and other challenges to the security of the states of the Hemisphere, incorporates the priorities of each state, contributes to the consolidation of peace, integral development, and social justice, and is based on democratic values, respect for and promotion and defense of human rights, solidarity, cooperation, and respect for national sovereignty;”

CONCERNED that the security of the states of the Hemisphere is affected, in various ways, by traditional threats and by new threats, concerns, and other challenges of diverse types, such as transnational organized crime;

RECALLING ALSO that in the Declaration on Security in the Americas the member states condemned transnational organized crime, since it constitutes an assault on institutions in our states and negatively affects our societies; renewed the commitment to fighting it by strengthening the domestic legal framework, the rule of law, and multilateral cooperation, respectful of the sovereignty of each state, in particular through the exchange of information, mutual legal assistance, and extradition; and committed to combat transnational organized crime, inter alia, by fully implementing the obligations contracted by the states parties to the United Nations Convention on Transnational Organized Crime and its three protocols, so that money laundering, kidnapping, illicit trafficking in human beings, corruption, and other related crimes are criminalized in the Hemisphere and so that the assets from the proceeds of these crimes are identified, traced, frozen or seized and are ultimately confiscated and disposed of, as well as to improve coordination and technical cooperation to strengthen national institutions dedicated to preventing and sanctioning these transnational crimes and identifying and prosecuting members of transnational criminal organizations;

EMPHASIZING the importance of enhancing women’s participation in all efforts to promote peace and security, the need to increase women’s decision-making role at all levels in relation to conflict prevention, management, and resolution, and to integrate a gender perspective in all policies, programs, and activities of all inter-American organs, agencies, entities, conferences, and processes that deal with matters of hemispheric security;

RECALLING that, according to the Anti-Drug Strategy in the Hemisphere of 1996, dismantling criminal organizations and their support networks should be another of the key objectives of initiatives taken by the countries of the Hemisphere against illegal drug trafficking and related crimes, and that the countries of the Hemisphere will intensify their efforts to exchange information and gather evidence to enable them to bring to trial and sentence the leaders and other members of criminal organizations and their support networks, within the framework of full respect for due process of the law;

BEARING IN MIND United Nations General Assembly resolution 58/135. “International

Cooperation in the Fight against Transnational Organized Crime: Assistance to States in Capacity-Building with a view to Facilitating the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto”;

RECOGNIZING the prevention efforts of ILANUD and other regional organizations in fighting organized crime in the Hemisphere;

REAFFIRMING the importance of the ratification of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) by all member states of the Organization of American States, and of the earliest possible implementation of the Convention by the states parties, in order to promote and facilitate cooperation and the exchange of information and experiences among the states parties with a view to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials, which facilitate and contribute to transnational organized crime;

BEARING IN MIND the decisions of the Inter-American Drug Abuse Control Commission (CICAD) on the conclusions and recommendations on fighting transnational organized crime in the Hemisphere reached by member states at the First Inter-American Meeting on Cooperation Mechanisms against Organized Crime, held in Mexico City in October 2003 and at the meeting of the CICAD Ad Hoc Group on Transnational Organized Crime, held in Washington, D.C. in March 2004;

BEARING IN MIND ALSO the conclusions and recommendations of the Fifth Meeting of Ministers of Justice or of Ministers or Attorneys General of the Americas (REMJA V), held in Washington, D.C., in April 2004; and

BEARING IN MIND that, within the OAS, the Committee on Hemispheric Security is to coordinate cooperation among the organs, agencies, entities, and mechanisms of the Organization related to the various aspects of security and defense in the Hemisphere, respecting the mandates and areas of competence of each,

RESOLVES:

1. That the topic of transnational organized crime shall continue to be considered, in its different manifestations, by the various OAS entities that have been doing so within their respective spheres of competence, such as the Inter-American Drug Abuse Control Commission (CICAD), the Consultative Committee of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA), the Inter-American Commission of Women (CIM), the Inter-American Children’s Institute (IIN), the hemispheric information exchange network for mutual legal assistance in criminal matters (REMJA), the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC), and, for those aspects where it is deemed pertinent, the Inter-American Committee against Terrorism (CICTE), with a view to consolidating a shared vision of the effort now being carried forward by the Organization through its various bodies, promoting increased coordination and integration of such efforts at the hemispheric level, and ensuring that the OAS consolidates its position as a regional forum for effective cooperation against

transnational organized crime, taking as a point of reference the provisions of the Palermo Convention and its protocols.

2. In accordance with the conclusions and recommendations adopted by REMJA-V, to instruct the Permanent Council of the Organization to convene a group of experts, through its Committee on Hemispheric Security, to consider the advisability of drawing up a Hemispheric Plan of Action against Transnational Organized Crime, as an integrated plan that brings together the efforts being made by each OAS area on diverse aspects of the problem, with the participation of the various OAS bodies that have been working in this area, in accordance with the Declaration on Security in the Americas.

3. To encourage CICAD to intensify its efforts against illicit drug trafficking and related crimes associated with transnational organized crime, in accordance with the relevant decisions taken at its 34th and 35th sessions. In particular:

a. Through existing expert and working groups, by reviewing CICAD'S existing model regulations and other initiatives in order to consider the relevancy of incorporating aspects related to transnational organized crime.

b. That the CICAD Executive Secretariat should conduct a study in close collaboration with the United Nations Centre for International Crime Prevention of the United Nations Office for Drug Control and Crime Prevention, to examine the relevancy of developing model regulations on transnational organized crime, taking into account the results of the Conference of States Parties to the Palermo Convention, held in June 2004, the responses to indicators 85 and 86 of the Multilateral Evaluation Mechanism on transnational organized crime, other initiatives in this area, available comments by the expert and working groups of CICAD, and proposals offered by states.

c. In close collaboration with the United Nations Office on Drugs and Crime, CICAD may hold workshops or seminars for the future application of the Palermo Convention with regard to illicit drug trafficking and related crimes associated with transnational organized crime.

4. To instruct the Permanent Council, taking into account the conclusions and recommendations adopted by REMJA-V, and by the Second Meeting of Ministers or of the Highest-Ranking Authorities Responsible for the Advancement of Women in the Member States (REMIM II), to convene a meeting of national authorities on trafficking in persons, with the participation, among other bodies, of the Inter-American Commission of Women, the Inter-American Children's Institute, the United Nations, the International Organization for Migration, and other appropriate international organizations, for the purpose of studying comprehensive cooperation mechanisms among the states to ensure the protection and care of victims, crime prevention, and prosecution of its perpetrators. Likewise, the meeting will facilitate the sharing of information and experiences, policy dialogue, and cooperation among countries of origin, transit, and destination in cases of trafficking in persons, as well as the establishment or improvement of statistical records in this regard.

5. To urge the member states that have not yet done so to consider signing and ratifying, ratifying, or acceding to, as appropriate, and implementing as early as possible the United

Nations Convention against Transnational Organized Crime; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; 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.

6. To urge member states that are party to or signatories of the Convention against Transnational Organized Crime and the two Protocols thereto that are currently in force to work jointly at the First Conference of the Parties, to be held between June 28 and July 9, 2004, to facilitate the application of these important international instruments.

7. To urge member states to hold both regional and national seminars and training workshops on transnational organized crime.

8. To instruct the Permanent Council of the Organization to follow up on this resolution and to present a report on its implementation to the General Assembly at its thirty-fifth regular session.

9. To instruct the Secretary General of the Organization to continue providing the secretariat services required to carry out the measures envisaged in this resolution, in accordance with existing resources and other resources.