

**Southern Regional Model United Nations, Atlanta 2013**  
***Beyond 2015: Reshaping the Millennium Development Goals for an***  
***Empowered Future Sustainability***  
November 21-23, 2013 - Atlanta, GA  
Email: [oas\\_atlanta@srmun.org](mailto:oas_atlanta@srmun.org)



Esteemed Delegates,

I welcome you to the Southern Regional Model United Nations (SRMUN) Atlanta 2013 Conference and the Organization of American States (OAS). It is my honor and distinction to serve as your Director for this stimulating and exciting committee. This is my fifth year participating with the conference and third year on staff. In years prior, I served as the Chair for the World Health Organization (WHO) in Atlanta 2010, Assistant Director (AD) in the Commission on the Status of Women (CSW) in Atlanta 2011 and the General Assembly Plenary (GA Plen) in 2012, and lastly served as a Director for the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the Inaugural SRMUN Charlotte Conference that occurred this past April 2013. I am a recent graduate of Pace University with my Masters in Public Administration and Bachelors in Business Administration in International Management with a concentration in Latin America. Additionally, I have minors in Political Science, Spanish and Peace and Justice Studies. Serving as my Assistant Director for this committee is Ms. Victoria Vaught. This will be Victoria's second conference with SRMUN as a staffer as she previously was the AD for the Food and Agriculture Organization (FAO) in Atlanta 2012. She as well is a recent graduate with her Masters of Public Administration from Kennesaw University and holds two bachelor's degrees from the same university, a Bachelors of Arts in History and a Bachelors of Science in Political Science.

The OAS is the world's first regional organization of its kind and built on the premise to achieve among its Member States—as stipulated in Article 1 of the Charter—"an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity, and their independence." Established by the signing of the Charter of the OAS in 1948 in Bogota, Colombia, the OAS today brings together 35 independent States of the Americas and constitutes the main political, jurisdictional and social governmental forum in the Western Hemisphere. The OAS has 67 permanent observer States including the European Union. This organization uses a four-pronged approach to effectively implement its essential purposes, namely, democracy, human rights, security, and development.

Keeping in mind with the mandate and pillars of the OAS and the theme of SRMUN Atlanta 2013 conference, we have chosen the following topics to discuss at this year's conference:

- I. Improving Wetland Conservation and Protection
- II. Preventing Transnational Organized Crime

The following background guide serves as a base core for your research, however, it should not be utilized as a delegation's entire means for the above topics. The background guides for each individual topic are prepared in depth solely to be used as a starting point for delegates and it is expected and encouraged that delegates research beyond the guide in preparation for their position paper as well as in preparation for the conference come November.

Each delegation is required to submit a position paper that will help serve as the foundation for your success in committee. The position papers to be submitted should be no longer than two pages in length (single spaced) and showcase your Member State's position, policies, and recommendation on each of the two topics. More information regarding formatting and examples for position papers can be found on the SRMUN website at <http://www.srmun.org>. All position papers MUST be submitted no later than **November 1, 2013, 11:59 pm EST** via the on-line submission system at <http://srmun.org>.

Victoria and I send you the best regards in preparation for the 2013 SRMUN Atlanta Conference and look forward to your position papers as well as the diligent work during committee. Please feel free to contact, Reggie, Victoria or I should you have any questions during your preparation for the conference.

Maricruz Retana  
Director  
[oas\\_atlanta@srmun.org](mailto:oas_atlanta@srmun.org)

Victoria Vaught  
Assistant Director  
[oas\\_atlanta@srmun.org](mailto:oas_atlanta@srmun.org)

Reggie Thomas  
Director-General  
[dg\\_atlanta@srmun.org](mailto:dg_atlanta@srmun.org)

## History of the Organization of American States (OAS)

The Organization of American States (OAS) was founded in 1948 at the Ninth International Conference of American States in Bogotá, Columbia when 21 states agreed and signed the OAS Charter. Though many see the effort as the vision of Simón Bolívar (a Venezuelan political and military leader) coming to fruition, the regional agreement was the result of previously held meetings over the course of nearly 60 years. The first true effort started in 1889 at the First International Conference of American States held in Washington D.C. The first conference was attended by 18 where they discussed their need for collective action in areas such as peace, security, and territorial integrity. The meeting culminated in the formation of the International Union of American Republics “for the prompt collection and distribution of commercial information” and the Commercial Bureau of the American Republics situated in Washington D.C.<sup>1</sup> Two decades later the union was transformed into the Pan American Union.

The Pan American Union stood firm, surviving the effects of two global wars. Realizing their current agreements did not provide for stronger protection against external aggression, 19 countries signed and ratified the Inter-American Treaty of Reciprocal Assistance (Rio Treaty) in 1947 in Rio de Janeiro, Brazil.<sup>2</sup> A year later in April 1948, 21 countries joined together for the Ninth International Conference of American States in Bogotá, Colombia. A number of issues were discussed including but not limited to their collective security and economic needs. Ultimately, they formed the regional partnership by ratifying the Charter of the Organization of American States. The Charter went into full ratification in 1951.<sup>3</sup>

The OAS Charter, most currently amended in the Protocol of Managua in 1993, outlined eight areas of focus encompassing peace and security initiatives, cooperation amongst members in cultural, social, and economic ventures, and the eradication of poverty and hunger.<sup>4</sup> The overarching goal of the OAS “reaffirmed the fundamental rights and duties of states, proclaimed the goals of the new organization, and established its organs and agencies.”<sup>5</sup> The overall purpose of the OAS is to strengthen security and democracy, seek solutions to political and economic issues, promote cooperative action and human rights, cultural development, eradicate poverty, and encourage social development. The body also collectively addresses issues dealing with terrorism, drugs, trafficking, and corruption.<sup>6</sup>

Today, the OAS functions as a democratic alliance of 35 countries in the Americas. The four official languages of the organization are English, Spanish, Portuguese, and French.<sup>7</sup> The OAS is also referred as the Organización de los Estados Americanos (OEA) by most Spanish speaking nations.

The OAS is comprised of multiple organs all of which are charged with carrying out its mission. The supreme governing body is the General Assembly, headed by the leadership of José Miguel Insulza, former Minister of the Interior and Vice President of the Republic of Chile. He was first elected in to the role of Secretary General in 2005 and again in 2010.<sup>8</sup> Under the auspice of the General Assembly falls the seven main bodies and specialized conferences, these include such committees as the Inter-American Commission on Human Rights, Inter-American Judicial Committee, Meeting of Consultation of Ministers of Foreign Affairs, Permanent Council of the Organization, and the Inter-American Council for Integral Development. Within the subsidiary bodies there are smaller organizations aimed at meeting the goals and plans of the organization. They utilize a “four-pronged approach to effectively implement its essential purpose” through their main pillars of democracy, human rights, security, and development.<sup>9</sup> They achieve these objectives through the use of “political dialogue, inclusiveness,

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<sup>1</sup> “History,” United States Permanent Mission to the Organization of the American States, <http://www.usoas.usmission.gov/history.html> (accessed May 28, 2013).

<sup>2</sup> Ibid.

<sup>3</sup> “About the OAS: History,” United States Permanent Mission to the Organization of American States, <http://www.usoas.usmission.gov/history.html> (accessed May 29, 2013).

<sup>4</sup> *Charter of the Organization of American States*, Organization of American States, April 20, 1948, [http://www.oas.org/dil/treaties\\_A-41\\_Charter\\_of\\_the\\_Organization\\_of\\_American\\_States.htm](http://www.oas.org/dil/treaties_A-41_Charter_of_the_Organization_of_American_States.htm) (accessed May 28, 2013).

<sup>5</sup> “History,” United States Permanent Mission to the Organization of the American States, <http://www.usoas.usmission.gov/history.html> (accessed May 28, 2013).

<sup>6</sup> “Who We Are,” Organization of American States, [http://www.oas.org/en/about/who\\_we\\_are.asp](http://www.oas.org/en/about/who_we_are.asp) (accessed May 29, 2013).

<sup>7</sup> Ibid.

<sup>8</sup> “Our Structure,” Organization of American States, [http://www.oas.org/en/about/our\\_structure.asp](http://www.oas.org/en/about/our_structure.asp) (accessed May 28, 2013).

<sup>9</sup> “What We Do,” Organization of American States, [http://www.oas.org/en/about/what\\_we\\_do.asp](http://www.oas.org/en/about/what_we_do.asp) (accessed May 29, 2013).

cooperation, and legal and follow-up instruments.”<sup>10</sup> Efforts include action in the areas of social, cultural, economic, and international affairs.

Membership within the OAS consists of the 35 independent countries in the Americas who have signed and ratified the OAS Charter, including the original 21 members and the subsequent 14 Member States who later joined; the most recent being Belize and Guyana who joined in 1991. Cuba’s membership was suspended following a 1962 resolution, which ceased to have affect in 2009 and their participation was left for further discussion at the decision of the Cuban government.<sup>11</sup>

There are 68 current permanent observer states within the OAS. Permanent Observers were first established during the first General Assembly meeting held in San José, Costa Rica in 1971. Permanent Observers can participate in the activities and programs of the OAS and include a number of global Member States including but not limited to Armenia, Czech Republic, the European Union, Germany, and Sri Lanka.<sup>12</sup> Permanent Observer status is managed by the Department of International Affairs within the OAS. They are at times granted permission to attend closed door meetings with the organization and are given the opportunity to speak during the General Assembly sessions.<sup>13</sup> Through the inclusion of permanent observers OAS continues their commitment to the basic tenants set forth in the charter as well as maintaining a global presence.

OAS participates in the United Nations (UN) system as a permanent observer as an intergovernmental organization (IGO). The OAS does not maintain any permanent office at any UN location. In early 2013, UN Secretary-General Ban Ki-moon called for greater cooperation between OAS and the UN.<sup>14</sup>

The current Members States of the OAS include:

Antigua and Barbuda, Argentina, The Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts And Nevis, Saint Lucia, Saint Vincent and The Grenadines, Suriname, Trinidad and Tobago, United States of America, Uruguay, and Venezuela.

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<sup>10</sup> Ibid.

<sup>11</sup> “Member States,” Organization of American States, [http://www.oas.org/en/about/member\\_states.asp#ftn1](http://www.oas.org/en/about/member_states.asp#ftn1) (accessed May 29, 2013).

<sup>12</sup> “Permanent Observers,” Organization of American States, [http://www.oas.org/en/ser/dia/perm\\_observers/countries.asp](http://www.oas.org/en/ser/dia/perm_observers/countries.asp) (accessed May 29, 2013)

<sup>13</sup> Ibid.

<sup>14</sup> “Ban calls for stronger ties between UN and Organization of American States,” United Nations, <http://www.un.org/apps/news/story.asp?NewsID=44136&Cr=americas&Cr1=#.UUUuVTDFX2t> (accessed May 29, 2013)

## I: Improving Wetland Conservation and Protection

*“Biodiversity and the ecosystem services it provides are central to achieving the vision of a water secure world. Ecosystems influence the local, regional, and global availability and quality of water. Forests help regulate soil erosion and protect water quality and supply. Wetlands can reduce flood risks.”<sup>15</sup>*

*- Ban Ki-moon, United Nations Secretary-General*

### **Introduction**

According to world population growth projections of the United Nations (UN) Population Division of the Department of Economic and Social Affairs, by 2050 an estimated 9.2 billion people will be on the planet which exceeds previous expectations by 117 million individuals.<sup>16</sup> Population increase will only continue to bring an even larger expectation upon already strained natural resources on the global level. One of the most important and vital resources is water and securing a constant and steady source of clean drinking water is important. For many Member States, securing water has been the source of constant difficulty and with climate change, development, urbanization, and economic activities increasing at a more rapid pace, securing water sources is critical for their long term success. Wetlands, especially fresh water wetlands, provide a secure and renewable water source for drinking, agricultural pursuits, sanitation, tourism, and transportation. Water resources are shared natural resources and require high levels of commitment and communication between Member States in order for continued access to these needed water sources. As withdrawals and demands increase, the need for protecting delicate wetland ecosystems becomes even more critical.

Historically, wetland protection and water resource management in the Organization of American States (OAS) has been a domestically managed program, with a Member State identifying and managing their own individual efforts. For the OAS, wetland protection is gaining momentum in becoming a key part of the Department of Sustainable Development plans. In recent years, the Department of Sustainable Development has begun incorporating more comprehensive plans for strengthening protection of water sources, including wetlands. With no concern for political boundaries, wetlands in the Americas span across multiple Member States and effective protection efforts include regional schemes for greater participation and more long term success. Agriculture remains a predominate source of income for the majority of OAS Member States, making protection of these vital water resources a critical area of discussion.

### **Wetland definition and significance**

Once viewed as swaths of land unfit for development and protection, wetlands have only recently received the focus of the global environmental protection movement. Beyond the surface of the wetland image as dark and dank places of mysterious inhabitants, these complex ecosystems support the diverse aquatic flora and fauna and equally diverse animal population of vertebrates and invertebrates. Wetlands provide food sources for both those living within the ecosystem and the human based communities surrounding the area.<sup>17</sup> The overall value of the wetlands for Member States often reaches into the millions and in some cases the billions. In the Caribbean region, coral reefs provide shoreline protection, saving the Member States an estimated 2.2 billion USD annually.<sup>18</sup>

Despite a general acceptance of the wetland as a region defined by the presence of standing water, a single accepted definition of a wetland has been difficult to pinpoint due to the variety of wetlands across the world. Wetland variations include not only the typically accepted swamplands, but also peatlands, riparian wetlands, marshes, and

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<sup>15</sup> “Integrated nature based solutions into urban planning can help lead to better water future, Secretary General says in message for day of Biodiversity,” Department of Public Information, May 17, 2013. <http://www.un.org/News/Press/docs/2013/sghsm15032.doc.htm> (accessed June 20, 2013).

<sup>16</sup> “U.N. Raises Low Population Projection for 2050,” Worldwatch Institute, <http://www.worldwatch.org/node/6038> (accessed July 1, 2013).

<sup>17</sup> “The value of wetlands,” World Wildlife Fund, 2013, [http://wwf.panda.org/about\\_our\\_earth/about\\_freshwater/intro/value/](http://wwf.panda.org/about_our_earth/about_freshwater/intro/value/) (accessed July 20, 2013).

<sup>18</sup> Ibid.

mangroves and can be found in both salt water and freshwater locations.<sup>19</sup> The Ramsar Convention on Wetlands provides a basic working definition of wetlands as an “area of marsh, fen, peatland, or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish, or salt including areas of marine water, the depth of which at low tide does not exceed six meters.”<sup>20</sup>

Wetlands come in a variety of types and are greatly influenced by their geographic location. The most commonly identified wetland environments are marshes, which are characterized by the continuous presence of water and soft stemmed vegetation.<sup>21</sup> Marshes vary between locations but generally receive their water from either surface water or groundwater. Two types of marshes exist: tidal and non-tidal. A majority of the marshlands in North America are considered non-tidal marshes. Non-tidal marshes are frequently freshwater and are found alongside other water sources such as lakes, rivers, and streams.<sup>22</sup> Non-tidal marshes are important not only for the biological diversity they support, but also for their role in mitigating flood effects. Tidal marshes, on the contrary, are traditionally found along coastlines such as those found in the southern United States along the Gulf of Mexico. Tidal marshes experience an influx of both fresh and salt waters and serve as a buffer against coastal erosion caused by storm damage. Tidal marshes also help maintain a nutrient balance before water moves between oceans and estuaries.<sup>23</sup> Estuaries themselves also serve as a buffer zone between bodies of water, typically between rivers or streams and oceans. They function as a transition location for fresh and salt water to mix before making the full transition to either fresh or salt water.<sup>24</sup> Estuaries also provide flood water protection to help prevent coastline erosion.

Swamps, another more commonly recognized wetland environment, are characterized by nutrient rich soils from a consistent presence of water and an abundance of flora and fauna. They vary in extent and types based on location and are broken into two types: shrub swamps and forested swamps. Swamps not only provide a habitat and food source for animal life living within the boundaries, but also play a vital role in natural flood protection.<sup>25</sup> Despite their invaluable flood protection, destruction of swamp land has increased rapidly over the course of the last hundred years. Due to their characterization as dark and dangerous places many swamps have been drained of their water for agricultural endeavors or other development efforts.<sup>26</sup> Sometimes considered marginal land, swamp lands continue to face widespread destruction as greater demand is placed upon the land to meet the growing population needs.<sup>27</sup>

Riparian zones are frequently overlooked wetland areas, but serve an important function for wetland ecosystems. Riparian zones, commonly called stream corridors, are transitional zones between the main body of the wetland and the land.<sup>28</sup> Through their location next to the wetland, riparians help facilitate transportation for animals in the area while also helping move nutrients between areas. In the Canadian province of Saskatchewan, the riparian areas are easily identified by the lush and vibrant landscape surrounding the corridor while the remaining landscape remains dry.<sup>29</sup> Vegetation growing in the riparian areas help to filter pollutants, preventing them from entering the main wetland areas.<sup>30</sup> Beyond pollution control, riparian zones help prevent erosion of river banks, prevent large influxes of soil and sediment into wetland areas, and help in the hydrological cycle of water exchange through the wetland areas.<sup>31</sup>

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<sup>19</sup> “Ecology of Wetland Ecosystems: Water, Substrate, and Life,” Nature Education Knowledge, 2012, <http://www.nature.com/scitable/knowledge/library/ecology-of-wetland-ecosystems-water-substrate-and-17059765> (accessed July 15, 2013).

<sup>20</sup> Ibid.

<sup>21</sup> “Wetlands,” United States Environmental Protection Agency, 2013, <http://water.epa.gov/type/wetlands/index.cfm> (accessed July 1, 2013).

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> “Riparian zones,” Capital Regional District, 2013, <http://www.crd.bc.ca/watersheds/ecosystems/riparianzones.htm> (accessed July 23, 2013).

<sup>29</sup> Ibid.

<sup>30</sup> D.L. Osmond, J.W. Gilliam, and R.O. Evans. *Riparian Buffers and Controlled Drainage to Reduce Agricultural Nonpoint Source Pollution*. (Raleigh: North Carolina State University, 2002), 8.

<http://www.soil.ncsu.edu/publications/Bulletins/RiparianBuffers.pdf> (accessed July 21, 2013).

<sup>31</sup> Ibid.



Other wetlands include bogs and peatlands, both characterized by the presence of saturated soil covered by moss or peat deposits. Similar to swamps and marshes, these other wetland varieties provide natural flood protection barriers by absorbing excess amounts of water. Continued overuse and destruction only further increase the likelihood of widespread flooding throughout lower lying areas surrounding wetlands. Fortifying these areas must become a priority in order to secure the survival of these areas.<sup>32</sup>

Despite the varied definitions of wetlands, commonalities exist in three main areas: the consistent presence of shallow waters, soil composition derived predominately from anaerobic means, and biological organisms that have adapted to anaerobic existence amongst flood conditions. These three main concepts are the basis for understanding the important role wetlands hold in the global economic system, in providing vital water resources for local communities impacted by wetlands. Wetlands account for only six percent of the Earth's surface, but they provide a substantially higher percentage of ecological services based upon their environmental impact. Providing not only a food source, wetlands also provide protection from floods, improvements to water quality, and replenishment of essential groundwater aquifers.<sup>33</sup> Groundwater aquifers meet the day to day water needs of local populations and are in need of consistent replenishment for their continued use. Groundwater is water held in the space between rocks below the land in the saturated zone and is replenished by surface water seeping into the open spaces. Groundwater also feeds into the wetland areas and replenishes water pulled from those sources for continual use by local populations.<sup>34</sup>

Wetland conservation also addresses the issues of food production, water quality control, power resources, and tourism revenue. Once communities distinguish these factors as intersecting correlations, more sustainable wetland use programs and protections may bolster the vital resources derived from wetland ecosystem. In order to meet future social, economic, and environmental needs, a sustainable development plan must be implemented regionally, and not only by individual Member States. Markets are directly and indirectly impacted by wetland resources through overuse and eventual depletion or through their sustainable utilization and the slower development allowing for a more sustained economic growth and expansion.

### ***Threats to Wetlands***

Wetland protection and conservation faces three major sources of threats: climate change, development and urbanization, and economic pursuit. Creating a triple threat in many instances, impacts of these three threats are far reaching and hold long term consequences if not addressed. Addressing the three threats can assist Member States with meeting their current needs and assure the utilization of these resources beyond their generation.

Climate changes over the last 50 years have wreaked havoc upon Member States already struggling with water security issues. Meeting the basic needs of clean and safe drinking water becomes a significant issue for many Members States. According to World Bank figures, 1.6 billion individuals currently face water scarcity and the number is expected to rise to 2.8 billion people by 2050, putting an even further strain on an overly utilized source.<sup>35</sup> Coupling drinking water needs with the sanitation needs tips the scale against finding a healthy balance. Erratic weather patterns and climate changes that disturb the water nutrient composition pose an even more difficult challenge for the already stretched resources. As many Member States within the OAS are faced with seemingly insurmountable difficulties following natural disasters, developing plans before disasters occur can help alleviate demand following those disasters.

Climate change is also reshaping wetlands through increased temperatures. Global temperatures rose on average of one to two degrees Celsius during the 21<sup>st</sup> century.<sup>36</sup> A seemingly small temperature rise of one to two degrees

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<sup>32</sup> "Wetlands," United States Environmental Protection Agency, 2013, <http://water.epa.gov/type/wetlands/index.cfm> (accessed July 1, 2013).

<sup>33</sup> "Ecology of Wetland Ecosystems: Water, Substrate, and Life," Nature Education Knowledge, 2012, <http://www.nature.com/scitable/knowledge/library/ecology-of-wetland-ecosystems-water-substrate-and-17059765> (accessed July 15, 2013).

<sup>34</sup> "Groundwater and Aquifers," FracFocus Chemical Disclosure Registry, 2013, <http://fracfocus.org/water-protection/groundwater-aquifers> (accessed June 15, 2013).

<sup>35</sup> "Water Partnership Program". The World Bank. 2013, <http://water.worldbank.org/wpp> (accessed August 2, 2013).

<sup>36</sup> "Facts About Climate Change," The Nature Conservancy, 2013, <http://www.nature.org/ourinitiatives/urgentissues/global-warming-climate-change/help/facts-about-climate-change.xml> (accessed June 15, 2013).

causes longer term damages as temperature increases result in a higher frequency and intensity of storms, and sea level shifts. Rising sea levels from melting glaciers drain into ocean waters, changing the salinity of the ocean areas and ultimately feeds into the wetland areas. Changing the composition of the ocean salinity, and thus impacting fresh water wetlands through the influx of saltier water and the plant and animal life cycles and ecosystems.<sup>37</sup> Stronger and more frequent storms also negatively impact wetland areas through a gradual decrease in their ability to function as buffer zones for storm waters. With approximately 100 million individuals living in areas within three feet of sea levels, rising levels as well as buffer zones serve important functions protecting these communities and their livelihoods.<sup>38</sup>

Climate and environmental changes are not the only threats to wetland areas. Continued development and urbanization along wetland areas presents a growing threat. Development and urbanization over the course of the 20<sup>th</sup> century has chipped away at the peripheral edges of the wetland areas, moving in closer every year. As continued growth of urban city centers into the surrounding suburban areas push further into wetland areas, their size decreases and overall capacity for water storage. According to the UN Habitat report following the Expert Workshop in Naivasha, Kenya on Urban Development, Biodiversity and Wetland Management, urbanization is expected to grow at a rate of 1.6 percent worldwide.<sup>39</sup> As population growth rises alongside the rise of urbanization wetlands are called upon not for their economic benefit, but rather for their use as viable land for development.

The increased need and requirement of land for development projects is only part of the development picture. The other half of the development picture comes through the infrastructure needed for development projects such as roads, bridges, and parking lots. Roads, projects, and parking lots are considered impervious surfaces which prohibit rainfall and run off from seeping back into the groundwater aquifers.<sup>40</sup> Increased urbanization also amplifies pollution levels from sources such as pet waste, landscaping and agricultural fertilizers, heavy metals, and debris from human activity.<sup>41</sup> Poor urban planning also impacts wetland protection due to infrastructure projects cutting directly through the disappearing urban wetland areas rather than preserving the space and diverting projects. Sustainable urban planning is a crucial part of the protection effort and must include seeing wetlands as “water management infrastructure” rather than as a reserve and must build into their plans provisions for water management, ecosystem support, and impact mitigation.<sup>42</sup>

Economic pursuits have brought about the largest changes to the wetland ecosystems. Worldwide, agricultural pursuits account for 65 percent of the total water draw.<sup>43</sup> Supplying communities not only with water, wetlands also supply a source of valuable aquaculture resources including small invertebrate animals, fish, plants, grasses, and food products such as rice and cranberries.<sup>44</sup> Across the Americas wetlands provide a source of water for agricultural pursuits, but have also experienced draining and clearing for further land to increase production yields. There are a number of ways agricultural activities impact the wetland ecosystem beyond the draining of the water for the land. During the draining process water is typically diverted from any remaining wetlands thus reducing the incoming water amounts and preventing the regeneration of the wetlands during the water cycles. Vegetation surrounding the wetland is also removed during the clearing process disrupting the natural habitat of the animals living in the wetland area and reducing the capacity of the wetland to hold water levels and prevent pollutants from moving into other water sources.<sup>45</sup> Wetlands act as a natural control for erosion, but during the clearing process their capability of providing erosion control is greatly diminished resulting in further damage to the ecosystem because of their inability to filter out pollutants and prevent the introduction of sediment into the wetland area. An increase in

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<sup>37</sup> “Rising Seas,” The Nature Conservancy, 2013 <http://www.nature.org/ourinitiatives/urgentissues/global-warming-climate-change/threats-impacts/rising-seas.xml> (accessed June 15, 2013).

<sup>38</sup> Ibid.

<sup>39</sup> Rob McInnes, *Urban Development, Biodiversity and Wetland Management, Expert Workshop Report* (Oxford: Bioscan (UK) Ltd, 2010), 10. <http://www.unhabitat.org/downloads/docs/ExpertWorkshopWetlands.pdf>

<sup>40</sup> “Wetland Loss and Degradation,” NCSU Water Quality Group, <http://www.water.ncsu.edu/watershedss/info/wetlands/wetloss.html> (accessed July 20, 2013).

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> “Threats to wetlands,” World Wildlife Fund, 2013, [http://wwf.panda.org/about\\_our\\_earth/about\\_freshwater/intro/threats/](http://wwf.panda.org/about_our_earth/about_freshwater/intro/threats/) (accessed July 21, 2013).

<sup>44</sup> Ibid.

<sup>45</sup> “Agriculture’s Impacts on Wetlands and Riparian Areas” United States Department of Agriculture, 2004, <http://www.cals.ncsu.edu/wq/wqp/wetlands/factsheets/FactsheetWR2.pdf> (accessed July 21, 2013).

sediment into the wetland area over time transforms the spongy and nutrient rich soil into a different soil composition upon which other plants and animals cannot survive.<sup>46</sup>

In recent years, ecotourism activity has increased for many Member States. Drawing in people from all over the world, ecotourism has left a substantial imprint upon wetland areas. For many OAS Member States, tourism activities, including ecotourism, provides a substantial portion of their economy. The Department of Economic Development, Trade and Tourism (DEDTT) is tasked with pulling the tourism activity within the OAS organization together as a working component of the structure. A relatively new component to the DEDTT plan is the raise of sustainable tourism, of which ecotourism activities would comprise a large portion of their focus.<sup>47</sup> Ecotourism is generally defined as tourism centered on the natural landscape and environment, seeks to maintain the nature of the environment, and promotes conservation.<sup>48</sup> In wetland areas, of which rivers and lakes are a large part, tourist activities such as camping, boating, and skiing have negative impacts upon the river and lake environment. Tourists seeking the natural beauty surrounding wetlands still leave an imprint of their actions which have rippling effects for the flora and fauna of the wetland areas.<sup>49</sup>

### *Actions of the United Nations (UN)*

The first stirrings of wetland protection came following the 1962 Project MAR conference. Dedicated to the growing concern regarding the rapidly diminishing marshlands and wetlands in Europe, the conference marked the first call for an international convention directed at protecting wetlands.<sup>50</sup> The MAR Conference, named for the marshes it was focused on protecting, met at Les Saintes Maries-de-la-Mer, France in November 1962.<sup>51</sup> Following the convention, efforts continued over the next eight years before the first international meeting was held in Ramsar, Iran. During the eight year span prior to the Ramsar meeting, much discussion occurred regarding the efforts of protecting waterfowl, but was later expanded to focus on protecting the wetlands as a whole rather than a specific species residing in the wetlands.<sup>52</sup> 18 Member States signed the Convention on Wetlands on 2 February 1971 and was fully enforced in December 1975.<sup>53</sup>

Since its 1971 inception, the convention has undergone two amendments, first by the Paris Protocol in 1982 and second by the Regina Amendment in 1987.<sup>54</sup> The Paris Protocol was the first amendment following the recommendations made during the Conference of the Contracting Parties, the official conference where all signatories to the Ramsar Convention meet, in November 1980.<sup>55</sup> The 1982 Extraordinary Conference of the Parties to the Ramsar Convention met following the Contracting Parties recommendation regarding the amendment process to the convention. Prior to the amendment, there were no provisions in place for amendments to the convention, something which the amendment addressed. The Paris Protocol also brought about the translation of the convention into other official languages.<sup>56</sup>

Five years after the Paris Protocol, an Extraordinary Conference of the Contracting Parties convened in Regina, Canada. The Regina Amendments were made to Articles 6 and 7 of the original convention. Though they did not add any substantive language to the convention, they elaborated upon and altered the operation of the convention.<sup>57</sup> Pursuant to the amendments, the power of the Conference of the Parties was more formally defined, an inter-session

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<sup>46</sup> Ibid.

<sup>47</sup> "About the Program," Organization of American States Sustainable Tourism Program, <http://www.oas.org/en/sedi/dedtt/tourism/about.asp> (accessed July 1, 2013).

<sup>48</sup> "Ecotourism in America," Ecotourism in America, <http://www.ecotourisminamerica.com/tools/definitions/> (accessed July 20, 2013).

<sup>49</sup> "Threats to wetlands," World Wildlife Fund, 2013, [http://wwf.panda.org/about\\_our\\_earth/about\\_freshwater/intro/threats/](http://wwf.panda.org/about_our_earth/about_freshwater/intro/threats/) (accessed July 21, 2013).

<sup>50</sup> "History" Ramsar Convention on Wetlands, 2013, [http://www.ramsar.org/cda/en/ramsar-about-history/main/ramsar/1-36-62\\_4000\\_0](http://www.ramsar.org/cda/en/ramsar-about-history/main/ramsar/1-36-62_4000_0) (accessed April 20, 2013).

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid.



standing committee was established as well as a permanent secretariat, and a formal budget for the Convention was outlined. The Regina Amendments were not formally in place until 1 May 1994 but were informally accepted during the interim.<sup>58</sup>

Events following the Paris Protocol and the Regina Amendments were more directed to the function of the convention as an organization. Between 1987 and 2013, the Ramsar Convention has had five secretary-generals and a further eight Conferences of the Contracting Parties, bringing the focus of the Ramsar Convention into more areas than water fowl. Currently the vast majority of OAS Member States are party to the Ramsar Convention with Grenada being the most recent signatory in 2012.<sup>59</sup> At the basic level, the Ramsar Convention on Wetlands functions as an intergovernmental treaty which helps Member States conserve and sustainably utilize wetlands and their resources. The convention provides a basic framework for local, regional, and global action by Member States. Contracting parties to the convention, which includes the vast majority of OAS Member States, agree to the three main pillars of the Convention: the “wise use of all their wetlands”, designating wetlands to the List of Wetlands of International Importance and establishing a sustainable utilization plan for their wetlands, and agreeing to international cooperation with transboundary wetland partners.<sup>60</sup>

### *Convention on Biological Diversity*

A second undertaking of the UN followed well over a decade later through the Convention on Biological Diversity (CBD). During the early 1980s, the United Nations Environmental Programme (UNEP) began discussing the growing impact of population growth upon ecosystems and species and how best to preserve the delicate systems often overrun by expansion efforts. In 1988, UNEP established the Ad Hoc Working Group of Experts on Biological Diversity in response to their aforementioned concerns.<sup>61</sup> The working group set out to create an information sharing network as a means of helping to support local communities and regions making efforts at protecting their local environments. Their efforts evolved into the Intergovernmental Negotiating Committee which culminated at the signing of the CBD on 22 May 1992.<sup>62</sup>

The CBD aims at protecting the vast biological diversity present on the planet. The convention serves a number of roles in the protection of not only wetlands, but biodiversity as a whole. The convention offered incentive measures for Member States encouraging them to implement conservation and sustainable development plans in their domestic plans for securing biological diversity.<sup>63</sup> The convention also set in place mechanisms for the sharing of technology and best practices, public awareness and education resources, technical and scientific support, financial resources, and ensuring the equity of resources for contracting parties.<sup>64</sup> With a more overarching framework and structure than the initial Ramsar Convention, the CBD serves as a larger framework for meeting multiple needs for Member States seeking to incorporate more sustainable and responsible development and use of natural resources, including wetland areas.

### *International Year of Water Cooperation*

Access to clean drinking water and the protection of water sources, one of the fundamental needs for individuals. Currently 783 million people live without access to clean water and 2.6 billion do not have access to sufficient sanitary conditions.<sup>65</sup> Recognizing greater efforts were needed surrounding collective action for water conservation, the UN General Assembly (GA) declared 2013 the International Year of Water Cooperation through

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<sup>58</sup> Ibid.

<sup>59</sup> “Grenada Joins Ramsar, Designates Wetland of International Importance,” Biodiversity Policy and Practice, June 11, 2012. <http://biodiversity-l.iisd.org/news/grenada-joins-ramsar-designates-wetland-of-international-importance/> (accessed July 8, 2013).

<sup>60</sup> “About” Ramsar Convention on Wetlands, 2013, [http://www.ramsar.org/cda/en/ramsar-about-introductory-ramsar/main/ramsar/1-36%5E16849\\_4000\\_0](http://www.ramsar.org/cda/en/ramsar-about-introductory-ramsar/main/ramsar/1-36%5E16849_4000_0) (accessed April 20, 2013)

<sup>61</sup> “History of the Convention,” Convention on Biological Diversity, 2013. <https://www.cbd.int/history/> (accessed May 2, 2013).

<sup>62</sup> Ibid.

<sup>63</sup> Convention on Biological Diversity. The United Nations. May 21, 1992, <http://www.cbd.int/doc/legal/cbd-en.pdf> (accessed July 8, 2013)

<sup>64</sup> Ibid.

<sup>65</sup> “Facts and Figures,” UN Water World Water Day, 2013 <http://www.unwater.org/water-cooperation-2013/water-cooperation/facts-and-figures/en/> (accessed June 5, 2013).

A/RES/65/154<sup>66</sup>. The International Year of Water Cooperation is part of the larger International Decade for Action “Water for Life” 2005-2015.<sup>67</sup> Falling under the auspice of the United Nations Educational, Scientific, and Cultural Organization (UNESCO), the aim of the International Year of Water Cooperation is to not only raise awareness of taking collective action towards water conservation, but also to ensure water cooperation extends beyond 2013 in order to achieve Goal 7 of the Millennium Development Goals (MDGs) to Ensure Environmental Sustainability.<sup>68</sup> Goal 7 is broken into four main targets. Target 7B and 7C are focused around biodiversity loss reduction and increasing access to safe drinking water and basic sanitation.<sup>69</sup> Wetlands provide not only biologically diverse habitats, but for many Member States provide a steady water source for drinking water, economic endeavors, and providing needed water for basic sanitation services. Ground water aquifers are necessary and wetlands feed the needed aquifers which ultimately feed into bodies of water such as lakes, rivers, and streams.

Water cooperation is essential for conservation efforts as water sources cross over political boundaries. Globally there are 276 trans-boundary river basins, with 38 of those shared boundaries in South America.<sup>70</sup> As part of the yearly effort, UNESCO identified four important areas that are key for water cooperation. Cooperation (1) helps build and sustain peace, (2) helps lead to security, poverty eradication, social equity, and gender equality, (3) provides and maintains economic activities, and (4) is vital for the continued protection and preservation of water sources.<sup>71</sup> Water has served as a catalyst in many instances for fostering and enhancing cooperation amongst Member States; pulling them together for action in order to meet the needs of growing populations. Despite disagreements, water cooperation has helped resolve differences and since 1948 “approximately 295 international water agreements were negotiated and signed.”<sup>72</sup>

### ***OAS Efforts***

Currently, wetland protection efforts by the OAS Member States are generally handled and maintained through domestic policies and are financed through the individual Member States. Working together as a collective body, the OAS offers technical assistance for Member States to implement environmentally sound development plans on the “hemispheric level”.<sup>73</sup> For the OAS, their focus has been centered on ensuring the availability of clean drinking water. During the fourth session of the OAS General Assembly they adopted AG/RES. 2347 related to the availability of and access to drinking water.<sup>74</sup> The resolution encompasses seven objectives for action, including increasing cooperation between sectors for sustainable water utilization and fostering the sharing of technical information in order for improved water use in local areas. The resolution also called for greater integrated water resource management and directed the Permanent Council and Inter-American Council for Integral Development to help foster greater communication between Member States, especially through “bilateral and regional cooperation on integrated water resource management.”<sup>75</sup>

Coupled with AG/RES. 2347 from the same session was AG/RES. 2349 On Water, Health, and Human Rights.<sup>76</sup> Building further upon the concept of fostering and enhancing cooperation, the resolution maintained the individual

<sup>66</sup> A/RES/65/154. International Year of Water Cooperation, 2013. United Nations General Assembly. 11 February 2011, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/521/78/PDF/N1052178.pdf?OpenElement> (accessed June 5, 2013).

<sup>67</sup> “Frequently Asked Questions,” UN Water World Water Day, 2013 <http://www.unwater.org/water-cooperation-2013/water-cooperation/faq/en/> (accessed June 5, 2013).

<sup>68</sup> Ibid.

<sup>69</sup> “Facts and Figures,” UN Water World Water Day, 2013 <http://www.unwater.org/water-cooperation-2013/water-cooperation/facts-and-figures/en/> (accessed June 5, 2013).

<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

<sup>72</sup> “Challenges for Water Cooperation,” International Decade for Action “Water for Life” 2005-2015, 2013 [http://www.un.org/waterforlifedecade/water\\_cooperation\\_2013/water\\_cooperation\\_challenges.shtml](http://www.un.org/waterforlifedecade/water_cooperation_2013/water_cooperation_challenges.shtml) (accessed July 23, 2013).

<sup>73</sup> “Environment,” Organization of American States, 2013 <http://www.oas.org/en/topics/environment.asp> (accessed July 23, 2013).

<sup>74</sup> AG/RES. 2347. *Inter-American Meeting on Economic, Social, and Environmental Aspects Related to the Availability of and Access to Drinking Water*. Organization of American States General Assembly. June 5, 2007, <http://photos.state.gov/libraries/oas/231771/PDFs/AG03738E14.pdf> (accessed July 23, 2013).

<sup>75</sup> “About the program,” Organization of American States, 2013, <http://www.oas.org/en/sedi/dedtt/tourism/about.asp> (accessed July 8, 2013).

<sup>76</sup> AG/RES. 2349. *Water, Health, and Human Rights*. Organization of American States General Assembly. June 5, 2007, <http://photos.state.gov/libraries/oas/231771/PDFs/AG03738E14.pdf> (accessed July 10, 2013).

rights of each Member State to utilize their natural resources as deemed fit. Following the mission of the OAS to work collectively on a hemispheric level, the resolution called upon Member States to recognize climate change impacts upon water sources. It urged them to take needed precautions in order to protect vital water resources for drinking water and sanitation services. Included in the resolution was the call for the sustainable utilization and development of wetland and protection against further degradation.<sup>77</sup>

Water conservation efforts are funneled through the Inter-American Water Resources Network (IWRN). IWRN was first established in 1994 following the recommendation of the First Inter-American Dialogue on Water Management and the Miami Declaration.<sup>78</sup> Considering the 70 plus trans-boundary waterways throughout Central and Southern American, IWRN serves as a mechanism for support information exchanges between Members States in the OAS. Its mission is to “enhance sustainable integrated water resource policies and management” through collaboration by Member States and foster collective action and management of water sources.<sup>79</sup> Working in conjunction with the Department for Sustainable Development, IWRN framework has allowed for multiple projects throughout Central and South America.

### ***Case Study: High Andean Wetlands***

Much of the concentrated efforts in wetland protection and conservation for the OAS as a regional body have been centered on the High Andean Wetlands. Spanning across multiple States, the complex ecosystem provides a multiplicity of needs for those within the wetland area, including a source of drinking water for millions of inhabitants throughout the Andean Mountains, and economic endeavors, such as agricultural production, stemming from the use of the watersheds of the wetland area. The wetlands extend through the Andean Mountains through the States of Argentina, Bolivia, Chile, Colombia, Ecuador, Peru, Venezuela, and into Costa Rica which shares a *páramo* region similar to that found in the High Andean wetlands. Within this vast wetland area there are multiple regional differences, providing the local residents a variety of differing climates, water sources, and economic advantages.<sup>80</sup>

The High Andean wetlands are comprised of three main bio-regions: the *páramos*, *jalca*, and *puna*. The *páramo* is located in the higher tropical regions and is characterized by lower temperature, severe weather shifts during the day, and a year round relative humidity over 80 percent. Soil is characterized as being rich in organic matter and has a higher flood storage capacity than other areas. Fresh water sources stem mainly from this bio-region provided by glaciers, lakes, rivers, and other underground streams, resulting in swamp conditions for much of the region.<sup>81</sup> The *jalaca* is a transitional bio-region between the *páramo* and the *puna* and is located primarily in the northern range in Peru. Similar to the *paramo*, the *jalaca* is high in humidity and experiences severe weather changes throughout the day. The final bio-region is the *puna*. The *puna* is in the higher elevations, characterized by dramatic weather changes throughout the seasons, severely cold temperatures, and an arid climate. Vegetation in this area is scattered, with a typical lack of trees and bushes. Salt pans, bofedales, and vegas are the typical in the *puna* regions.<sup>82</sup>

Currently, the OAS and the involved Member States are following the framework set in place through the Convention on Wetlands, signed in Ramsar in 1971. As part of a follow up in Kampala, Uganda in 2005, the OAS and the Member States impacted by the wetlands, composed the current *Regional Strategy for the Conservation and Sustainable Use of High Andean Wetland*. The regional strategy came about after the seven States met in July 2002 and brought their collective actions together under one strategy for the sustainable use and preservation of the wetlands. The strategy aims to bring the Member States together in a manner which respects the cultural needs of the local populations, but also ensures communication for collective action to ensure sustainability. The establishment of the National System of Protected Areas brings together areas under special legal protection such as the Natural Monument.<sup>83</sup> Ultimately, the vision of the strategy is to have a fully developed and integrated

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<sup>77</sup> Ibid.

<sup>78</sup> “Welcome to IWRN,” Inter-American Water Resource Network, 2011 <http://www.iwrn.org/> (accessed July 8, 2013).

<sup>79</sup> Ibid.

<sup>80</sup> *Regional Strategy for the Conservation and Sustainable Use of High Andean Wetlands*. 9<sup>th</sup> Meeting of the Conference of the Parties to the Convention on Wetlands. Kampala, Uganda. 2005. [http://www.ramsar.org/pdf/cop9/cop9\\_doc26\\_e.pdf](http://www.ramsar.org/pdf/cop9/cop9_doc26_e.pdf)

<sup>81</sup> Ibid.

<sup>82</sup> Ibid.

<sup>83</sup> Ibid.

management system for the High Andean wetland areas and include the conservation of biological diversity within the region.<sup>84</sup>

### ***Conclusion***

As noted by Braulio Ferreira De Souza Dias, the Executive Secretary of the CBD in March 2013, water resource management, including the protection of wetland areas, is often times managed by multiple parties with little overlap between efforts.<sup>85</sup> Wetland protection is a multifaceted issue and requires attention and focus from not only individual Member States, but also regional efforts as well. While much of the current effort is funded and carried out individually, there is the beginning and stirring of incorporating a regional effort in helping to maintain and manage the wetland resources in order to meet the needs of the local populations. Through the assistance of UN conventions and resolutions along with OAS resolutions, wetland conservation is beginning to receive greater attention from the OAS as a collective regional body.

Bringing the protection attempts under the auspice of the Department of Sustainable Development helps push the efforts further along by providing some of the structure and support many of the Member States need as well as providing the networks needed to facilitate information sharing. Despite the efforts, there still remains areas of critical need within the OAS as a regional body. Though falling within the sphere of action for individual Member States, responsible stewardship over the wetlands and the resources derived from the wetlands must include collective action from the OAS as a whole.

### ***Committee Directive***

The mission of the OAS is to bring Members States into collective action in order to strengthen endeavors undertaken by individual Member States into regional efforts for change. While a majority of the regional effort has focused upon the High Andean region, the wetlands throughout the OAS are in need of greater collective action to allow for their further protection and sustainable use and development. The action thus far has been limited in scope and attempts. The goal before the committee is how the current projects throughout the OAS, including those currently occurring in Brazil and Grenada, can become regional efforts in order to provide greater benefits for the region as a whole.

Delegates should consider the following when completing their research in potential actions: Where are the current wetland protections and where are future plans heading? How can those plans currently in place become regional undertakings? Are the plans in place keeping with the Ramsar Convention and the Convention on Biological Diversity? For Member States without wetland protection plans, how can support be provided to jumpstart the undertaking? Will the current plans be manageable across regions or are they too specific for regional efforts? Delegates should look to other examples of regional water cooperation and see how those practices and attempts can be reshaped and formulated to meet the needs of the OAS.

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<sup>84</sup> Ibid.

<sup>85</sup> Braulio Ferreira De Souza Diaz, Message of the Executive Secretary of the Convention on Biological Diversity on the Occasion of World Water Day, 22 March 2013, <http://www.cbd.int/doc/speech/2013/sp-2013-022-water-day-en.pdf> (accessed July 13, 2013).

## II: Preventing Transnational Organized Crime

*“Corruption is an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights, distorts markets, erodes the quality of life and allows organized crime, terrorism and other threats to human security to flourish. This evil phenomenon is found in all countries—big and small, rich and poor—but it is in the developing world that its effects are most destructive.*

*Corruption hurts the poor disproportionately by diverting funds intended for development, undermining a Government’s ability to provide basic services, feeding inequality and injustice and discouraging foreign aid and investment. Corruption is a key element in economic underperformance and a major obstacle to poverty alleviation and development.”<sup>86</sup>*

*-Kofi Annan, Former Secretary-General of the United Nations*

### **Introduction**

The concept of transnational crime originated in the mid-1970s when the United Nations (UN) introduced the term to identify certain criminal activities that crossed national borders.<sup>87</sup> In 1986 the UN then identified 18 categories of transnational criminality (most of which were organized).<sup>88</sup> It was then defined that Transnational Organized Crime (TOC) be known as “offences whose inception, prevention, and/or direct or indirect effects involved more than one country.”<sup>89</sup> TOC today is defined in Article 2(a) of the United Nations Convention against Transnational Organized Crime. “Organized criminal group” shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit.”<sup>90</sup> The term TOC often refers wholly or in part to those self-perpetuating entities or individuals who operate transnationally with the drive of gaining power, influence, and economic and/or commercial gains by illegitimate means.<sup>91</sup> TOC is an issue of international importance as there is no single structure under which criminals operate as they vary from hierarchies to clans, networks, and cells, and usually evolve to other structures.

Identified as one of the “six clusters of threats” to the United Nations, TOC has been defined as “...any process that leads to large-scale death or lessening of life chances and undermines States as the basic unit of the international system is a threat to international security.”<sup>92</sup> TOC encompasses illegal activities such as but not limited to money laundering, terrorist activities, theft of intellectual property, illicit arms trafficking, environmental crimes, trafficking in persons, trade in human body parts, illicit drug trafficking, corruption and bribery of public or party officials.

Organized Crime is not just a criminal activity that has legal repercussions but further threatens peace and human security, violates human rights and undermines economic, social, cultural, political and civil development of societies around the world. TOC knows no race, gender, or culture and more importantly knows no border or jurisdiction. It is a criminal act that affects each and every global citizen.

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<sup>86</sup> “The Secretary-General: Statement On The Adoption By The General Assembly Of The United Nations Convention Against Corruption,” The United Nations Office on Drugs and Crime, 31 October 2003.

<http://www.unodc.org/unodc/en/treaties/CAC/background/secretary-general-speech.html> (accessed June 3, 2013).

<sup>87</sup> “Transnational Crime: Introduction,” Peace Palace Library for further research in international law,

<http://www.peacepalacelibrary.nl/research-guides/international-criminal-law/transnational-crime/> (accessed July 26, 2013)

<sup>88</sup> Ibid.

<sup>89</sup> The Fourth UN Survey of Crime Trends and Operations of Criminal Justice Systems, United Nations, 1986-1990, <http://www.unecjin.org/Statistics/WCTS/WCTS4/wcts4.html> (accessed July 13, 2013).

<sup>90</sup> A/RES/55/25. *Convention Against Transnational Organized Crime and the Protocols Thereto*. United Nations General Assembly, November 15, 2000, [http://www.unodc.org/pdf/crime/a\\_res\\_55/res5525e.pdf](http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf) (accessed July 18, 2013).

<sup>91</sup> *Strategy to Combat Transnational Organized Crime: Addressing Converging Threats to National Security*, United States of America, July 2011,

[http://www.whitehouse.gov/sites/default/files/Strategy\\_to\\_Combat\\_Transnational\\_Organized\\_Crime\\_July\\_2011.pdf](http://www.whitehouse.gov/sites/default/files/Strategy_to_Combat_Transnational_Organized_Crime_July_2011.pdf) (accessed July 25, 2013)

<sup>92</sup> “A More Secure World: Our Shared Responsibility” Report of the Secretary General’s High-Level Panel on Threats, Challenges and Change. 2004, <http://www.un.org/secureworld/report2.pdf> (accessed June 29, 2013).



TOC is especially damaging in the region of the Americas because it poses “...a threat to security, especially in poor and conflict-ridden countries. Crime is fuelling corruption, infiltrating business and politics, and hindering development. And it is undermining governance by empowering those who operate outside the law.”<sup>93</sup> The Organization of American States (OAS) charter clearly defines in Article II that security within the Americas is a top priority and must be addressed when peace is compromised.<sup>94</sup> The threat posed by TOC is often misunderstood. There is a tendency to oversimplify, and, in particular, to equate the damage done by organized crime with the amount of violence associated with the market. But the threat posed is much deeper than a body count, tragic though this loss of life may be, it is important to note that loss of life is only one facet of TOC.

### *Actions of the United Nations (UN)*

Established in 1997 through a merger of the United Nations Drug Control Programme and the Centre for International Crime Prevention, the United Nations Office on Drugs and Crime (UNODC) was born.<sup>95</sup> UNODC’s mandate is to assist Member States in their struggle against illicit drugs, crime and terrorism.<sup>96</sup> The three pillars that the UNODC is based on are: (1) field-based technical cooperation projects to enhance the capacity of Member States to counteract illicit drugs, crime and terrorism, (2) Research and analytical work to increase knowledge and understanding of drugs and crime issues and expand the evidence base for policy and operational decisions, and (3) Normative work to assist States in the ratification and implementation of the relevant international treaties, the development of domestic legislation on drugs, crime and terrorism, and the provision of secretariat and substantive services to the treaty-based and governing bodies.<sup>97</sup> The UNODC, although known as an international body, also serves regionally in the areas of TOC. Notably the UNODC established in 1975 the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) which is currently headquartered in San José, Costa Rica.<sup>98</sup> ILANUD’s main objective is to collaborate with Member States to promote balanced economic and social development within the region through the formulation and incorporation into national development plans of adequate policies in the field of crime prevention and criminal justice.<sup>99</sup> ILANUD’s services include research, training and technical assistance in designing and implementing programs, and projects in crime prevention and criminal justice.<sup>100</sup>

Adopted by General Assembly (GA) Resolution 55/25 of 15 November 2000, the United Nations Convention against Transnational Organized Crime was created and is the main international instrument in the fight against transnational organized crime.<sup>101</sup> Also known as the Palermo Convention, as it was signed in Palermo, Italy, the convention was entered into force on 29 September 2003 and was supplemented further by three Protocols, which target specific areas of organized crime. These are 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.<sup>102</sup> The intent of the UNTOC is to “promote cooperation to prevent and combat transnational organized crime more effectively” and since its inception has been utilized to help harmonize international policies in an effort to combat international crime, money laundering, trafficking of persons, and an entire slew of problems that affect global citizens. The United States of America (USA) stated on 24 October 2012 that they have used the convention over 100 times with 37 different Member States to extradite people, obtain evidence and secure

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<sup>93</sup> Ibid.

<sup>94</sup> Charter of the Organization of American States. 1948, [http://www.oas.org/dil/treaties\\_A-41\\_Charter\\_of\\_the\\_Organization\\_of\\_American\\_States.htm](http://www.oas.org/dil/treaties_A-41_Charter_of_the_Organization_of_American_States.htm) (accessed June 29, 2013).

<sup>95</sup> “About UNODC” The United Nations Office on Drugs and Crime, <http://www.unodc.org/unodc/en/about-unodc/index.html?ref=menutop> (accessed June 3, 2013).

<sup>96</sup> Ibid.

<sup>97</sup> Ibid.

<sup>98</sup> “United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders; San Jose, Costa Rica- (ILANUD),” United Nations Office on Drugs and Crime, <https://www.unodc.org/unodc/en/commissions/CCPCJ/institutes-ILANUD.html> (accessed July 24, 2013)

<sup>99</sup> Ibid.

<sup>100</sup> Ibid.

<sup>101</sup> A/RES/55/25. *United Nations Convention Against Transnational Organized Crime and the Protocols Thereto*. United Nations General Assembly, November 15, 2000, [http://www.unodc.org/pdf/crime/a\\_res\\_55/res5525e.pdf](http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf) (accessed July 18, 2013).

<sup>102</sup> Ibid.

convictions against real world criminals.<sup>103</sup> Currently, 177 Member States are party to the Convention with Saint Lucia being the last to become party to the document on 16 July 2013.<sup>104</sup> Of the OAS Member States, all 35 have either signed or ratified the document in some form or another and often with declarations and reservations, however the only Member State of the OAS to have not ratified the document is the Barbados.<sup>105</sup>

As mentioned before, the Convention is supplemented with three protocols which are of different and equal importance to TOC. The first, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Woman and Children was introduced and adopted by the GA in 2000 and then later entered into force on 25 December 2003; As of 2013, the Protocol on Trafficking in Persons has been ratified by 156 States.<sup>106</sup> The Protocol was adopted in an effort to offer practical help to States with drafting laws, creating comprehensive domestic anti-trafficking strategies, and assist with resources to help implement these strategies.<sup>107</sup> The first of the three protocols is under the auspices of the UN Office of Drugs and Crime (UNODC).

Secondly, the Protocol against the Smuggling of Migrants by Land, Sea and Air was as well introduced and adopted on A/RES/55/25 but was later entered into force on 28 January 2004.<sup>108</sup> Its goal is to protect the rights of migrants and reduce the power and influence of organized criminal groups that abuse migrants.<sup>109</sup> The protocol emphasizes the need for humane treatment of migrants as well as the need for comprehensive global strategies to combat the smuggling of persons including such strategies as improving socio-economic measures of persons in their home State.<sup>110</sup>

Lastly, the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components of Ammunition was adopted by the GA through A/RES/55/255 of 31 May 2001 and entered into force on 2 July 2005.<sup>111</sup> Thus far, the Protocol regarding Firearms has 52 signatories and 101 States party to it.<sup>112</sup> States that have yet to sign the protocol include three of the top four arms manufacturers worldwide- the US, Russia, and France.<sup>113</sup> The Protocol, as stated in Article 2, was built “to promote, facilitate and strengthen cooperation among States Parties in order to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts, components, and ammunition.”<sup>114</sup> Further, the protocol offers different sequences of control measures as well as normative provisions for small arms.

Specifically looking at the UN Convention against TOC and its three Protocols, it is important to note the significance these place in the region. The OAS and further the region of Latin America and the Caribbean, has seen for decades TOC troll through and place a foot mark in not only everyday social life but further has become a

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<sup>103</sup> “The Impact of the UN Convention Against Transnational Organized Crime and Its Protocols in Combating Crime Around the World,” US Department of State <http://www.state.gov/j/inl/video/202840.htm> (Accessed July 25, 2013).

<sup>104</sup> “Status as at: 01-08-2013 05:07:33 EDT, Chapter XVIII, Penal Matters, 12. United Nations Convention against Transnational Organized Crime, New York, 15 November 2000,” United Nations Treaty Collection, [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mt\\_dsg\\_no=XVIII-12&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mt_dsg_no=XVIII-12&chapter=18&lang=en) (accessed August 1, 2013)

<sup>105</sup> Ibid.

<sup>106</sup> *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, The United Nations Convention Against Transnational Organized Crime, United Nations General Assembly, November 15, 2000, [http://www.unodc.org/pdf/crime/a\\_res\\_55/res5525e.pdf](http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf) (accessed July 18, 2013).

<sup>107</sup> Ibid.

<sup>108</sup> *Protocol against the Smuggling of Migrants by Land, Sea and Air*, The United Nations Convention Against Transnational Organized Crime, United Nations General Assembly, November 15, 2000, [http://www.unodc.org/pdf/crime/a\\_res\\_55/res5525e.pdf](http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf) (accessed July 18, 2013).

<sup>109</sup> Ibid.

<sup>110</sup> Ibid.

<sup>111</sup> “Status of Ratification,” Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, The United Nations Convention Against Transnational Organized Crime, United Nations General Assembly, May 31, 2001. [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mt\\_dsg\\_no=XVIII-12-c&chapter=18&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mt_dsg_no=XVIII-12-c&chapter=18&lang=en) (Accessed July 25, 2013).

<sup>112</sup> Ibid.

<sup>113</sup> Ibid.

<sup>114</sup> *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition*, The United Nations Convention Against Transnational Organized Crime, United Nations General Assembly, May 31, 2001, [http://www.unodc.org/pdf/crime/a\\_res\\_55/res5525e.pdf](http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf) (accessed July 18, 2013).

burden within politics, the economy and civil rights, among many others. Although the first convention of its kind, the UN Convention against TOC has already made significant strides within the international community and is a great role model of collaboration that needs to be done to combat TOC overall.

Adopted in General Assembly resolution 58/4 on 31 October 2003, the United Nations Convention Against Corruption was brought forth to promote and strengthen measures to prevent and combat corruption more efficiently and effectively. Further, the UN Convention against Corruption was created to encourage, facilitate, and support international cooperation and technical assistance in the prevention of and fight against corruption, including asset recovery and to promote integrity, accountability and proper management of public affairs and public property.<sup>115</sup>

Another organ within the UNODC, the Commission on Crime Prevention and Criminal Justice, sits as a central body addressing crime prevention and criminal justice policy which includes such issues as trafficking in persons, transnational crime, and aspects of terrorism prevention.<sup>116</sup> The Commission is experienced in monitoring relevant UN standards and norms as well as helping guide policy development in response to emerging forms of crime including environmental crime, intellectual property theft, and weapons trafficking.<sup>117</sup> The Commission, created in 1992 by the Economic and Social Council through resolution 1992/1, offers Member States a platform to exchange expertise, experience and information in an effort to develop national and international strategies for combating crime.<sup>118</sup> Membership of the Commission on Crime Prevention and Criminal Justice is composed of 40 Member States elected from the Economic and Social Council with 12 seats being assigned to African States, nine for Asian States, eight for Latin America and the Caribbean States, four for Eastern European States, and seven for Western European and other States.<sup>119</sup> Out of the current members of the Commission on Crime Prevention and Criminal Justice effective 1 January 2013, there are 9 OAS States sitting as elected members, namely Argentina, Bahamas, Brazil, Colombia, Cuba, Mexico, Peru, USA, and Uruguay.<sup>120</sup>

Another essential portion of the UNODC is the United Nations Crime Congress. Held every five years since 1995, the United Nations Crime Congress plays a major role in the international standard-setting and policy-making in crime prevention and criminal justice.<sup>121</sup> Each congress is held in a different part of the world, such as the 2010 meeting in Salvador, Brazil and the 2015 meeting to be held in Qatar.<sup>122</sup> Outcomes of the 2010 meeting include the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, where Member States underlined the need to respect and protect human rights in preventing crime and administering criminal justice.<sup>123</sup> One of the main themes of the 2010 meeting was to remind Member States that with the changing times of TOC, adaptations are needed in their criminal justice systems.<sup>124</sup>

Lastly, the UNODC published the first global threat assessment in 2010. *The Globalization of Crime: A Transnational Organized Crime Threat Assessment* analyses a range of key TOC threats and is the first ever

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<sup>115</sup> A/RES/58/4. United Nations Convention against Corruption. United Nations General Assembly, October 31, 2003, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N03/453/15/PDF/N0345315.pdf?OpenElement> (accessed July 23, 2013).

<sup>116</sup> "The Commission on Crime Prevention and Criminal Justice," United Nations Office on Drugs and Crime <http://www.unodc.org/unodc/commissions/CCPCJ/> (Accessed July 15, 2013).

<sup>117</sup> Ibid.

<sup>118</sup> Ibid.

<sup>119</sup> "Membership," Commission on Crime Prevention and Criminal Justice, United Nations Office on Drugs and Crime, <http://www.unodc.org/unodc/en/commissions/CCPCJ/members.html> (accessed July 29, 2013).

<sup>120</sup> "Composition of the Commission on Crime Prevention and Criminal Justice as of 1 January 2013," United Nations Office on Drugs and Crime, [http://www.unodc.org/documents/commissions/CCPCJ/CCPCJ\\_Membership\\_2013.pdf](http://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Membership_2013.pdf) (accessed July 29, 2013).

<sup>121</sup> "United Nations Crime Congress," United Nations Office on Drugs and Crime <http://www.unodc.org/unodc/en/crime-congress/crime-congresses.html> (Accessed July 13, 2013).

<sup>122</sup> Ibid.

<sup>123</sup> "Crime Congress wraps up with 'Salvador Declaration'" United Nations Office on Drugs and Crime, 19 April 2010, <http://www.unodc.org/unodc/en/frontpage/2010/April/crime-congress-wraps-up-with-salvador-declaration.html> (Accessed July 8, 2010).

<sup>124</sup> Ibid.

assessment of its kind to offer a striking view of the global dimension of TOC today.<sup>125</sup> Other threat assessments published by the UNODC include regional assessments of East Asia and the Pacific, West Africa, and Northern Afghanistan.

### ***OAS Actions***

The OAS has made several commitments to show their obligation to combating criminal acts that threaten to unhinge national security within American States.

Already detailed as a multifaceted issue, TOC comprises itself of many activities including money laundering, human trafficking, and trafficking of firearms and other related materials. Adopted 29 March 1996, the Inter-American Convention Against Corruption was created to promote and strengthen the development by each of the State Parties of the mechanisms needed to prevent, detect, punish and eradicate corruption. It also aimed to promote, facilitate and regulate cooperation among the State Parties. The goal was to ensure the effectiveness of measures and actions which could prevent, detect, punish and eradicate corruption in the performance of public functions and acts of corruption specifically related to such performance.<sup>126</sup>

During the 24<sup>th</sup> Special Session of the General Assembly of the OAS, on 14 November 1997 in Washington, D.C., the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA) was adopted.<sup>127</sup> The purpose of the convention is to prevent, combat, and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials and to promote and facilitate cooperation and exchange of information and experience among States Parties to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, ammunition, explosives, and other related materials.<sup>128</sup>

In the Declaration on Security in the Americas, adopted on 28 October 2003, the same year that the United Nations Convention against Transnational Organized Crime went into force, the OAS outlined measures to address this overwhelming problem that crossed Member State lines.<sup>129</sup> Focusing on Clause 25, the OAS “condemn[s] transnational organized crime, since it constitutes an assault on institutions in our states and negatively affects our societies.”<sup>130</sup> Further, the OAS through the Declaration on Security in the Americas vowed to renew their commitment as a body to fight TOC 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.<sup>131</sup> A little over ten years ago, the OAS committed to taking steps to address and create a unified inter-American response to TOC especially devastating to the Americas. The Declaration of Bridgetown (Bridgetown, Barbados) in 2002 recollected on previous OAS assertions to provide protection within the region and to devise appropriate means to build opposition to this growing problem.<sup>132</sup> The Bridgetown document further reiterates that approaches to address the prevention of organized crime must consider the various crimes committed and the groups that are involved in the unlawful acts. The nature of the crimes disrupts political, economic, social, health and environmental aspects of many American States.<sup>133</sup>

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<sup>125</sup> *The Globalization of Crime: A Transnational Organized Crime Threat Assessment*, United Nations Office on Drugs and Crime, 2010, [http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA\\_Report\\_2010\\_low\\_res.pdf](http://www.unodc.org/documents/data-and-analysis/tocta/TOCTA_Report_2010_low_res.pdf) (accessed July 21, 2013).

<sup>126</sup> *Inter-American Convention Against Corruption*. The Organization of American States. March 29, 1996, <http://www.oas.org/juridico/english/treaties/b-58.html> (accessed June 15, 2013).

<sup>127</sup> “Signatories and Ratifications; A-63: Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials” The Organization of American States, Department of International Law, <http://www.oas.org/juridico/english/signs/a-63.html> (Accessed June 3, 2013).

<sup>128</sup> *Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials*. The Organization of American States. November 14, 1997, <http://www.oas.org/juridico/english/treaties/a-63.html> (accessed July 3, 2013).

<sup>129</sup> *Declaration on Security in the Americas*. The Organization of American States. October 31, 2003, [http://www.oas.org/documents/eng/DeclaracionSecurity\\_102803.asp](http://www.oas.org/documents/eng/DeclaracionSecurity_102803.asp) (accessed July 7, 2013).

<sup>130</sup> Ibid.

<sup>131</sup> Ibid.

<sup>132</sup> “Declaration of Bridgetown: The Multilateral Approach to Hemispheric Security”. The Organization of American States. 2002, [http://www.oas.org/xxxiiga/english/docs\\_en/docs\\_items/agcgdoc15\\_02.htm](http://www.oas.org/xxxiiga/english/docs_en/docs_items/agcgdoc15_02.htm) (accessed July 7, 2013).

<sup>133</sup> Ibid.

In 2007, the pledge to combat TOC was implemented in the OAS's Hemispheric Plan of Action against Organized Crime where the Americas agreed to create the Permanent Council of the OAS Committee on Hemispheric Security and consequently the OAS Technical Group on Transnational Crime. The OAS called upon States to devote financial resources, facilitate key processes, and to assign a 'point of contact' inside their legal framework.<sup>134</sup> This OAS body last met in March 2013 and addressed past and current problems that are arising with TOC in the Americas. Other topics of the Committee on Hemispheric Security include but do not limit combating illicit arms trafficking, confidence- and security-building measures, fighting trafficking in persons, the Inter-American Convention on Transparency in Conventional Weapon Acquisition (CITAAC), and Prevention of Crime and Violence.<sup>135</sup>

Lastly, the Meetings of Ministers of Public Security of the Americas (MISPA) was created by the OAS General Secretariat with the support of OAS Member States. The object of this body is to strengthen the dialogue between key stakeholders and through this measure it would help effect communication, facilitate the exchange of knowledge, promote technical assistance and the exchange of promising practices in the region.<sup>136</sup> To date, the MISPA has met three times, October 2008 in Mexico City, Mexico, November 2009 in Santo Domingo, Dominican Republic, and Port of Spain, Trinidad & Tobago in November 2011.<sup>137</sup> Some of the most important documentation that has resulted from these meetings includes the Commitment to Public Security in the Americas in 2008 and the Consensus of Santo Domingo on Public Security in 2009.<sup>138</sup> The Commitment to Public Security in the Americas sets five mainstays to support the design and implementation of a comprehensive response to public security challenges, the five pillars include (1) Public security management, (2) Prevention of crime, violence and insecurity, (3) Police management, (4) Citizen and Community participation, and (5) International community.<sup>139</sup> The Consensus of Santo Domingo resulted in the reiteration by Member States of their commitment to confront challenges of public security from a human rights perspective. The Consensus strengthened the mission, objectives and the role of the MISPA and supports its institutional consolidation within OAS States.<sup>140</sup> The last meeting that occurred in 2011 was focused on one of the pillars, namely police management, of the Commitment to Public Security in the Americas. Discussions held in 2011 included a focus on the areas of citizen and community participation in police decision-making processes, transparency and accountability, inclusion of the gender and human rights perspective in police activities, mechanisms to support police professionalization and specialization, and strengthening of police information systems.<sup>141</sup> The next meeting of the MISPA is to be convened and held 21-23 November 2013 in Medellin, Colombia.<sup>142</sup>

### ***Different forms of TOC and its effects on society***

Transnational organized crime is big business. In 2009 it was estimated to generate \$870 billion— an amount equal to 1.5 percent of global gross domestic product (GDP).<sup>143</sup> That is more than six times the amount of official development assistance for that year, and the equivalent of close to 7 percent of the world's exports of merchandise.<sup>144</sup> TOC is a huge international issue that encompasses virtually all serious profit-motivated criminal actions and generally involves more than one Member State. There are many TOC activities but it is drug trafficking, human trafficking, and smuggling of migrants that generate the most controversy.

<sup>134</sup> Execution of Hemispheric Plan of Action against Transnational Organized Crime” The Organization of American States. 2007, <http://www.oas.org/csh/english/TOC.asp> (accessed July 8, 2013).

<sup>135</sup> “Transnational Organized Crime” Committee on Hemispheric Security, Permanent Council of the Organization for American States, <http://www.oas.org/csh/english/TOC.asp#Third> (Accessed July 7, 2013).

<sup>136</sup> “Meeting of Ministers of Public Security of the Americas MISPA,” General Secretariat, Secretariat for Multidimensional Security, Department of Public Security, Organization of American States, [http://www.oas.org/dsp/english/cpo\\_mispa\\_proceso.asp](http://www.oas.org/dsp/english/cpo_mispa_proceso.asp) (Accessed July 16, 2013).

<sup>137</sup> Ibid.

<sup>138</sup> Ibid.

<sup>139</sup> Ibid.

<sup>140</sup> Ibid.

<sup>141</sup> Ibid.

<sup>142</sup> CP/RES. 1014 (1915/13), *Holding of the Fourth Meeting of Ministers Responsible for Public Security in the Americas*, Permanent Council of the Organization of American States, April 17, 2013 <http://www.oas.org/consejo/resolutions/res1014.asp> (Accessed July 10, 2013).

<sup>143</sup> “Transnational Organized Crime- The Globalized Illegal Economy: FACTS,” The United Nations Office on Drugs and Crime [http://www.unodc.org/documents/toc/factsheets/TOC12\\_fs\\_general\\_EN\\_HIRES.pdf](http://www.unodc.org/documents/toc/factsheets/TOC12_fs_general_EN_HIRES.pdf) (Accessed July 10, 2013).

<sup>144</sup> Ibid.



## *Drug Trafficking*

Drug trafficking is a global trade involving the cultivation, manufacturing, distribution and sale of substances which are subject to drug prohibition laws.<sup>145</sup> According to the UNODC, many of the States of the Americas are transit states for cocaine bound consumer markets in North America and Europe.<sup>146</sup> The illicit drug problem can be divided into three categories: first, those illicit drugs that are either produced or processed from natural plant products such as opium poppy, morphine and heroin; secondly, synthetically produced illicit drugs such as amphetamines; and, thirdly, psychoactive pharmaceutical drugs that become illicit as a result of being diverted from illicit uses or purposes.<sup>147</sup>

Trafficking of drugs often only includes the act of transference from State to State. However, the true issue at hand is the whole drug industry chain – from poor farmers who cultivate it, to the desperate addicts who consume it, as well as those caught in the cross-fire of the traffickers.<sup>148</sup> Drug trafficking is often counterbalanced with drug control that is focused on development, security, justice and health to reduce supply and demand, and ultimately helps eradicate poverty and disrupts illicit flows of drug trafficking.<sup>149</sup> Alongside, drug control often another important root to the eradication of drug trafficking is the issue of health which is a fundamental core of each Member State.<sup>150</sup> Through health programs and projects in such things as education, drug control is not only mentioned in passing but further taught in detail. These programs thus help create generations upon generations of knowledgeable citizens in regards to drugs.

As drug trafficking comes to the forefront of TOC, global cocaine seizures have stabilized over the last few years in North America, Europe and West Africa but have risen in other parts of the world, namely South and Central America.<sup>151</sup> However, it is noted within the 2010 World Drug Report as other drugs such as opiates and cannabis have grown in profit and popularity in recent years, drug control measures such as seizures have also increased.<sup>152</sup>

Lastly, the region worst affected by drug trafficking as highlighted in the World Drug Report is the Northern Triangle of Guatemala, Honduras and El Salvador.<sup>153</sup> In this part of the world, intense-drug related violence has occurred and poses a serious challenge to their perspective governments. The murder rate in this region is at its highest in areas of where drugs are transported, such as ports and borders.<sup>154</sup> The report released in 2010 shows that although measures have been proposed and implemented, there is still much work to be done on the eradication of the drug trafficking market.<sup>155</sup>

## *Human Trafficking*

Human trafficking is a global problem affecting the lives of millions of people around the world. Traffickers deceive women, men and children from all corners of the world including the Americas and force them into exploitative situations every day. Human trafficking is best-known for the purpose of sexual exploitation but can also include forced labour, domestic servitude, child begging or the removal of human organs. An estimate from the International

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<sup>145</sup> “Drug Trafficking,” United Nations Office on Drugs and Crime, <http://www.unodc.org/unodc/en/drug-trafficking/> (accessed July 28, 2013)

<sup>146</sup> “Mexico, Central America and the Caribbean,” United Nations Office on Drugs and Crime, <http://www.unodc.org/unodc/en/drug-trafficking/mexico-central-america-and-the-caribbean.html> (accessed July 16, 2013)

<sup>147</sup> “Economic and Social Consequences of Drug Abuse and Illicit Trafficking,” United Nations Office on Drugs and Crime, [http://www.unodc.org/pdf/technical\\_series\\_1998-01-01\\_1.pdf](http://www.unodc.org/pdf/technical_series_1998-01-01_1.pdf) (Accessed July 10, 2013)

<sup>148</sup> World Drug Report 2010, United Nations Office on Drugs and Crime [http://www.unodc.org/documents/wdr/WDR\\_2010/World\\_Drug\\_Report\\_2010\\_lo-res.pdf](http://www.unodc.org/documents/wdr/WDR_2010/World_Drug_Report_2010_lo-res.pdf) (Accessed July 10, 2013)

<sup>149</sup> Ibid.

<sup>150</sup> Ibid.

<sup>151</sup> Ibid.

<sup>152</sup> Ibid.

<sup>153</sup> Ibid.

<sup>154</sup> Ibid.

<sup>155</sup> Ibid.

Labour Organization (ILO) in 2005 indicated that about 2.4 million people are victims of trafficking at any given time, and that profits from trafficking are about 32 billion USD per year.<sup>156</sup>

Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons defines the trafficking of person as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”<sup>157</sup> Human trafficking is comprised of three different elements: the act, the means, and the purpose.<sup>158</sup> The act includes recruitment, transportation, transfer harbouring or receipt of person. The means includes threat, use of force, coercion, abduction, abuse of power, or vulnerability or giving payments or benefits to a person in control of the victim. The purpose of exploitation often includes the prostitution of others, sexual exploitation, forced labour, slavery or similar practices and the removal of organs.<sup>159</sup>

Nearly every country in the world is affected by human trafficking, as a point of origin, transit or destination. Victims from at least 127 countries have been reported to have been exploited in 137 States. Human traffickers regard people as commodities: items that can be exploited and traded for profit. Human trafficking is not only an international or regional issue but often times a domestic crime with victims being trafficked within their own borders.

### *Smuggling of Migrants*

Although not often highlighted as a TOC, the smuggling of migrants is an issue of global concern as smuggled migrants are often vulnerable to abuse and exploitation of their human rights<sup>160</sup>. The smuggling of migrants affects the international community as humans are often smuggled across borders in containers with little to no oxygen, or are subject to other harsh forms of transportation such as perishing through the desert or drown at sea while being smuggled by profit-seeking individuals or persons.<sup>161</sup> It is estimated that the two principal smuggling routes include smuggling from East, North and West Africa to Europe and from South America to North America. The smuggling of migrants is estimated at a cash cow of 6.75 billion USD a year.<sup>162</sup> Each individual being smuggled generally pays a fee anywhere from 2,000 to 10,000 USD.<sup>163</sup>

Of the Americas region, it is estimated that 3 million illegal migrants enter into the US each year and that migrants are smuggled in trucks across borders as well as travel by foot, rail or even through dedicated tunnels.<sup>164</sup>

Although often individuals themselves choose to be smuggled in the hopes of a better life, they do not know the scope of the issue this poses on the international community. Smuggling migrants will pay a fee with the hope of arriving safely to a specific destination but often they neither reach their destination nor travel safely. Aside from being subjected to harsh living conditions, these vulnerable individuals might also be raped or beaten during their trip or are sometimes blackmailed after they reach their destination and pay these sums of money in fear of being deported.<sup>165</sup>

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<sup>156</sup> “Transnational Organized Crime: Let’s put them out of business; Human Trafficking: people for Sale,” United Nations Office on Drugs and Crime, <http://www.unodc.org/toc/en/crimes/human-trafficking.html> (Accessed July 10, 2013).

<sup>157</sup> A/RES/55/25, United Nations Convention against Transnational Organized Crime, General Assembly, 8 January 2001, [http://www.unodc.org/pdf/crime/a\\_res\\_55/res5525e.pdf](http://www.unodc.org/pdf/crime/a_res_55/res5525e.pdf) Pg. 32 (Accessed July 8, 2013)

<sup>158</sup> “Human Trafficking”, United Nations Office on Drugs and Crime, <http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html> (Accessed July 10, 2013)

<sup>159</sup> Ibid.

<sup>160</sup> “Smuggling of migrants: the harsh search for a better life; Transnational Organized Crime: Let’s put them out of business” United Nations Office on Drugs and Crime <http://www.unodc.org/toc/en/crimes/migrant-smuggling.html> (Accessed July 10, 2013).

<sup>161</sup> Ibid.

<sup>162</sup> Ibid.

<sup>163</sup> Ibid.

<sup>164</sup> Ibid.

<sup>165</sup> Ibid.

Furthermore, smuggling violates global, regional and domestic human rights and often fuels corruption within government.<sup>166</sup> The practice of smuggling has a relatively low risk of detection and continues to become more and more intricate and elaborate, which in turn, makes it difficult for States to not only realize the crime is occurring but also making it more difficult to stop it.<sup>167</sup>

### *Prevention of TOC in the Americas*

In an effort to prevent TOC in the Americas, the OAS created the Inter-American Drug Abuse Control Commission (CICAD) which is the region's policy forum for dealing with the drug problem.<sup>168</sup> Established by the GA of the OAS in 1986, the body's focus is to prevent and treat substance abuse, reduce the supply and availability of illicit drugs, strengthen national drug control institutions and machinery, improve money laundering control laws, develop alternate sources of income for growers of coca, poppy and marijuana, assist fellow Member States in improving their data gathering and analysis on all aspects of the drug issues, and help Member States and the region measure their progress over time in addressing the drug problem.<sup>169</sup> The mission entrusted with this body is to enhance the human and institutional capacities of its Member States to reduce the production, trafficking and use of illegal drugs and to address the health, social and criminal consequences of the drug trade.<sup>170</sup>

The CICAD, thus has many programs under its auspices including the Demand Reduction Program and the Institution Building and Integral Program. The Demand Reduction Program is a program designed to give priority to the education and training of professionals to manage prevention programs and deliver treatment services in Member States.<sup>171</sup> It was reported that in 2012, the Demand Reduction Program trained 800 counselors from 166 government and non-government organizations to provide direct services for addiction care in five countries in Central America, in coordination with the national drug commissions and prestigious universities.<sup>172</sup>

The Institution Building and Integral Program Section of CICAD provides technical assistance to its Member States in the development and the modernization of drug-related issues.<sup>173</sup> It offers direct assistance to States in the region for the development and management of public drug policies, the design of program tools, such as strategies and action plans, and participation in the evaluation and planning process.<sup>174</sup> Certain sub-programs to the Institution Building and Integral Program include the Drug Treatment Court of the Americas, the SAVIA-DRUGS Project and Legislation on Drugs in the Americas.<sup>175</sup> All of which, have different forums that help prevent drug use in their own respect.

Another area in which the OAS focuses on prevention is in migration and trafficking of persons. Under the auspices of the Migration and Development Program (MIDE) of the Inter-American Program for the Promotion and Protection of the Human Rights of Migrants and their Families, the project of Strengthening of Institutional Capacities to Combat Trafficking in Person's objective is to increase awareness of and support migration and law enforcement agencies, judges and prosecutors in the Central American region in the fight against trafficking in persons.<sup>176</sup> Some of the general outcomes of this program include increased awareness of the crime of trafficking in persons, a deeper understanding of the most vulnerable populations for becoming victims and strengthened capacity of judges, prosecutors, law enforcement and migration officials to combat trafficking of persons.<sup>177</sup>

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<sup>166</sup> Ibid.

<sup>167</sup> Ibid.

<sup>168</sup> "Inter-American Drug Abuse Control Commission (CICAD): Mission Statement" Organization of American States [http://www.cicad.oas.org/Main/Template.asp?File=/Main/AboutCICAD/about\\_eng.asp](http://www.cicad.oas.org/Main/Template.asp?File=/Main/AboutCICAD/about_eng.asp) (Accessed July 12, 2013).

<sup>169</sup> Ibid.

<sup>170</sup> Ibid.

<sup>171</sup> "CICAD: Demand Reduction" Organization of American States [http://cicad.oas.org/Main/Template.asp?File=/reduccion\\_demanda/Default\\_ENG.asp](http://cicad.oas.org/Main/Template.asp?File=/reduccion_demanda/Default_ENG.asp) (Accessed July 12, 2013).

<sup>172</sup> Ibid.

<sup>173</sup> "CICAD: Institutional Development" Organization of American States [http://cicad.oas.org/Main/Template.asp?File=/fortalecimiento\\_institucional/default\\_eng.asp](http://cicad.oas.org/Main/Template.asp?File=/fortalecimiento_institucional/default_eng.asp) (Accessed July 12, 2013).

<sup>174</sup> Ibid.

<sup>175</sup> Ibid.

<sup>176</sup> "Strengthening of Institutional Capacities to Combat Trafficking in Persons" Organization of American States [http://www.oas.org/en/sedi/ddse/pages/cpo\\_MIDE\\_03p7.asp](http://www.oas.org/en/sedi/ddse/pages/cpo_MIDE_03p7.asp) (Accessed July 12, 2013).

<sup>177</sup> Ibid.

The growth of TOC over borders has fueled additional types of TOC including cybercrime. The OAS recognizes these threats as crimes to not only individuals but their Member States and has reacted with creating programs and bodies to prevent and mitigate this issue. Through the Inter-American Committee against Terrorism (CICTE) and the Cyber Security Program, the OAS has committed itself to developing and furthering the cyber security agenda in the Americas.<sup>178</sup> The program was built on the foundation of strengthening cyber-security capacities of Member States through technical assistance and training, policy, roundtables, crisis management exercises, and the exchange of best practices related to information and communication technologies.<sup>179</sup> The CICTE last met in March 2012, where “Strengthening Cyber Security in the Americas” was the theme aimed at bolstering the cyber security and resilience of critical infrastructure related to information and communication technologies, with special emphasis on government institutions.<sup>180</sup>

### ***Case Study: Mexico and the USA***

The North American Free Trade Agreement (NAFTA), known as the world’s largest free trade area, encompasses the Member States of Canada, the USA and Mexico and was entered into force on 1 January 1994.<sup>181</sup> It now links 450 million people producing 17 trillion USD worth of goods and services and since its establishment trade between the USA and its NAFTA partners has soared with goods and services totaling 1.6 trillion USD in 2009.<sup>182</sup> However, regardless of the many economic benefits seen through NAFTA, it has opened many doors for TOC into the USA from Mexico.

Mexico has been a haven for criminal interaction for decades primarily due to its close proximity to the USA. The USA is the largest market for illegal drugs and the 2,000 mile common border has subsequently made Mexico the world’s largest supplier of illegal drugs.<sup>183</sup>

Mexico is a major supplier of heroin to the USA market and the largest foreign supplier of methamphetamine and marijuana as cited by the Council on Foreign Relations.<sup>184</sup> It is noted as well, since the USA’s successful dismantling of the Colombian drug cartels, Mexico has been on the rise and has seen production of all three of the aforementioned drugs increase since 2005. Similarly, the amount of drugs seized at the southwest border has also increased since 2005, showing that this is a serious issue between the USA and Mexico.<sup>185</sup>

In a 2010 Rand Corporation report, it was estimated that anywhere from 40 to 67 percent of marijuana originates in Mexico and an estimated 95 percent of cocaine travels through Mexico into the USA, up from 77 percent in 2003.<sup>186</sup> The USA’s Department of State found that USA drug users send anywhere between 19 and 29 billion USD annually into the pockets of Mexican drug cartels.<sup>187</sup>

Regardless of how major the drug trafficking issue may be, it still continues to grow. According to Brookings narcotics expert Vanda Felbab-Brown, Mexico’s drug system provides direct or indirect employment for much of its population.<sup>188</sup> She estimates that the market helps employ as much as 40 to 50 percent of the Mexican population in

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<sup>178</sup> “Cyber Security Program” Organization of American States <http://www.oas.org/en/sms/cyber/aboutus.asp> (Accessed July 26, 2013)

<sup>179</sup> Ibid.

<sup>180</sup> Ibid.

<sup>181</sup> “North American Free Trade Agreement (NAFTA),” Office of the United States Trade Representative, <http://www.ustr.gov/trade-agreements/free-trade-agreements/north-american-free-trade-agreement-nafta> (Accessed July 31, 2013)

<sup>182</sup> Ibid.

<sup>183</sup> “Organized Crime, Illicit Drugs and Money Laundering: the United States and Mexico”. The Chatham House: Independent Thinking on International Affairs. 2012, [http://www.chathamhouse.org/sites/default/files/public/Research/International%20Security/1112pp\\_ferragut.pdf](http://www.chathamhouse.org/sites/default/files/public/Research/International%20Security/1112pp_ferragut.pdf) (accessed July 10, 2013).

<sup>184</sup> “Mexico’s Drug War,” Council on Foreign Relations, <http://www.cfr.org/mexico/mexicos-drug-war/p13689> (Accessed July 30, 2013)

<sup>185</sup> Ibid.

<sup>186</sup> Ibid.

<sup>187</sup> Ibid.

<sup>188</sup> Ibid.

the “informal, if not illegal, economy.”<sup>189</sup> Drug trafficking plays a role in day to day lives in terms of employment but as well helps the Mexican economy on a national scale as officials estimate that the drug trade makes up to 3 to 4 percent of Mexico’s 1.5 trillion USD annual Gross Domestic Product (GDP) –totaling as much as 30 billion USD –and employs at least half a million people.<sup>190</sup>

On the other hand, however, the financial implications of the illicit trade cost Member States millions in heightened security, complex subversion tactics, and human fatalities across the Americas.<sup>191</sup> Money is laundered regularly and the TOCs earnings are funneled back into the organization to build up massive amounts of wealth. In turn, the profits become fuel to keep the organized crime machine running through a cycle of armed acts and illegal trade.<sup>192</sup> This revelation is why the USA and Mexican governments are approaching the problem in part by combating the economic means of the illicit acts. The majority of the money used within TOC are cash transactions and money changes hands so often leaving little to no trace back to the original criminal perpetrators.

Nevertheless of the economic stimulation that drug trafficking has drawn into Mexico, drug trafficking is not condoned nor overlooked by either the USA or Mexican governments. Introduced and financed in 2008, the Mérida Initiative is essentially a “counterdrug and anticrime assistance package for Mexico and Central America.”<sup>193</sup> At its inception it mainly focused on military support but after considering the root causes of TOC, its current focus is on the issues that continue to perpetuate crime. “The Mérida strategy now focuses on (1) disrupting organized criminal groups, (2) institutionalizing the rule of law, (3) building a 21st century border, and (4) building strong and resilient communities.”<sup>194</sup> Consequently Mexico made assurances to amplify security measures while the USA would examine the internal illegal drug market, trading of illegal weapons, and the flow of illegal capital back into Mexico.<sup>195</sup> The USA congress is projected to continue to finance and control operations within the initiative while hope to sustain new processes to supplement efforts are already in place.<sup>196</sup>

Other TOC initiatives came from Vicente Fox, former Mexican President from 2000 to 2006. Fox started an anti-organized crime campaign that resulted in the arrest and seizures of major crime organizations that held ties to government, military, and law enforcement entities.<sup>197</sup> Felipe Calderón, former President of Mexico from 2006 to 2012, called in armed forces to combat TOCs that plagued his country and he was able to recognize that local/municipal forces were not adequate to handle the weight of the situation.<sup>198</sup> Current Mexican President Enrique Peña Nieto reorganized security forces to be managed by the Interior Secretary and wants to create a new militarized police force that will “...gradually replace military forces engaged in public security efforts and to help states form unified police commands.”<sup>199</sup>

Irrespective though of the commitments made, “these TOCs are extremely well funded and well armed: and they are presenting a formidable threat to the security, prosperity, and psyche of the people of Mexico and the USA.”<sup>200</sup>

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<sup>189</sup> Ibid.

<sup>190</sup> Ibid.

<sup>191</sup> “Organized Crime, Illicit Drugs and Money Laundering: the United States and Mexico”. The Chatham House: Independent Thinking on International Affairs. 2012, [http://www.chathamhouse.org/sites/default/files/public/Research/International%20Security/1112pp\\_ferragut.pdf](http://www.chathamhouse.org/sites/default/files/public/Research/International%20Security/1112pp_ferragut.pdf) (accessed July 10, 2013).

<sup>192</sup> It’s All about the Money: Advancing Anti-Money Laundering Efforts in the U.S. and Mexico to Combat Transnational Organized Crime” The Woodrow Wilson International Center for Scholars, 2012, [http://www.wilsoncenter.org/sites/default/files/Realuyo\\_U.S.-Mexico\\_Money\\_Laundering\\_0.pdf](http://www.wilsoncenter.org/sites/default/files/Realuyo_U.S.-Mexico_Money_Laundering_0.pdf) (accessed July 10, 2013).

<sup>193</sup> “U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond” Congressional Research Service: Report for Congress. 2013, <http://www.fas.org/sgp/crs/row/R41349.pdf> (accessed July 11, 2013).

<sup>194</sup> Ibid.

<sup>195</sup> Ibid.

<sup>196</sup> Ibid.

<sup>197</sup> “Organized Crime and Terrorist Activity in Mexico” Library of Congress: Federal Research Division. 2003, [http://www.loc.gov/rr/frd/pdf-files/OrgCrime\\_Mexico.pdf](http://www.loc.gov/rr/frd/pdf-files/OrgCrime_Mexico.pdf) (accessed July 13, 2013).

<sup>198</sup> Ibid.

<sup>199</sup> U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond” Congressional Research Service: Report for Congress. 2013, <http://www.fas.org/sgp/crs/row/R41349.pdf> (accessed July 11, 2013).

<sup>200</sup> It’s All about the Money: Advancing Anti-Money Laundering Efforts in the U.S. and Mexico to Combat Transnational Organized Crime” The Woodrow Wilson International Center for Scholars, 2012, [http://www.wilsoncenter.org/sites/default/files/Realuyo\\_U.S.-Mexico\\_Money\\_Laundering\\_0.pdf](http://www.wilsoncenter.org/sites/default/files/Realuyo_U.S.-Mexico_Money_Laundering_0.pdf) (accessed July 10, 2013).



Mexican TOCs have expanded their scope of crimes to include much more brutal kidnappings, coercion tactics, and the forced transport of persons across state lines. Further the TOCs began to militarize their forces which now results in a greater number of deaths between those involved, the Mexican law enforcement, and innocent civilians. Effectively the Mexican police has developed into a military force to combat the groups and increased numbers within certain areas of Mexico. Mexican TOCs continue operational expansion to major USA cities and Central American cities continues to threaten security inside significant metropolitan areas.<sup>201</sup>

Mérida is not criticized for the commitment that both sides have made; it's in the irregular execution of the key principles that has weighted effectiveness counterbalanced by equal setbacks.<sup>202</sup> For example, the Mexican authorities have made great strides in increasing the use of well trained military/police force but the judicial system has not been reformed enough to implement the arrests.<sup>203</sup> The 'socioeconomic' aspect of the initiative to build more 'strong and resilient communities' has been the most neglected goal, with only a small number of programs in one city.<sup>204</sup> And finally the USA has consistently failed at disrupting the transport of illegal drugs and consumption rates remains high.<sup>205</sup>

Not only are such initiatives as Mérida being used as the scapegoat for the increasing TOC but further Russian and Asian TOCs are a few of the known external influences that have created small 'corporate' criminal networks that have begun to cooperate with Mexican TOCs to create a complex web of diverse criminal activity.<sup>206</sup> The significance of that fact is one key reason why measures to combat criminal acts that threaten to harm the very fragile stability of the region and beyond.

Regardless of the levels of implementation such as that of funding/resources towards increased policing, judicial reform, societal programs that engage citizens in the fight, funding for sophisticated technology to apply to tracing efforts and securing the border, TOC remains to be an issue. However, it is not an issue that cannot be combated through different ways and with different tactics not only in the region but internationally as well.

## **Conclusion**

Highlighting the report on *Organized Crime, Illicit Drugs and Money Laundering: The United States and Mexico*, "organized crime commands global illicit revenues in excess of a trillion dollars every year. Less than one per cent of these revenues are intercepted by the authorities."<sup>207</sup>

As depicted previously, the work of the UN thus far for vulnerable populations is not unnoticed but however not enough and it is important to note that as a regional body, the OAS and the region of Latin America and the Caribbean are often times in the ring of fire when it comes to TOC. The rights of the peoples of these lands are continuously being diminished and threatened due to the advancements of TOC as well as to the lack of change in policies by Member States.

TOC once again, is not a crime that is easily black and white but more so an area of gray for all parties. Regardless of how intricate each system may be, it is an issue that needs to see an end as it poses many threats on civil society.

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<sup>201</sup> *Convergence: Illicit Networks and National Security in the Age of Globalization*. The Center for Complex Operations Institute for National Strategic Studies. National Defense University Press. Washington, D.C. 2013, <http://www.ndu.edu/press/lib/pdf/books/convergence/convergence.pdf> (accessed July 8, 2013).

<sup>202</sup> "Refocusing U.S.-Mexico Security Cooperation." Council on Foreign Relations. 2012, <http://www.cfr.org/mexico/refocusing-us-mexico-security-cooperation/p29595> (accessed July 9, 2013).

<sup>203</sup> Ibid.

<sup>204</sup> Ibid.

<sup>205</sup> Ibid.

<sup>206</sup> "Organized Crime and Terrorist Activity in Mexico" Library of Congress: Federal Research Division. 2003, [http://www.loc.gov/rr/frd/pdf-files/OrgCrime\\_Mexico.pdf](http://www.loc.gov/rr/frd/pdf-files/OrgCrime_Mexico.pdf) (accessed July 13, 2013).

<sup>207</sup> "Organized Crime, Illicit Drugs and Money Laundering: the United States and Mexico". The Chatham House: Independent Thinking on International Affairs. 2012, [http://www.chathamhouse.org/sites/default/files/public/Research/International%20Security/1112pp\\_ferragut.pdf](http://www.chathamhouse.org/sites/default/files/public/Research/International%20Security/1112pp_ferragut.pdf) (accessed July 10, 2013).

### ***Committee Directive***

As delegates begin to explore this topic, research should be directed towards the prevention of transnational organized crime as well as the history of the issue and all of its different aspects for the region as well as their perspective Member State. Delegates can find these initiatives in a myriad of organizations such as those listed throughout the guide but as well are encouraged to look at other UN bodies. Examples of this may be the United Nations Educational, Scientific, and Cultural Organization (UNESCO), the International Labour Organization (ILO), UN Women, and the United Nations Population Fund, all of which can be extremely helpful organizations in your research and will have countless information not only on transnational organized crime but more so on how this issue has impacted societies nationally, internationally, regionally.

After the initial research is completed, delegates should then embark on solutions to the topic at hand. The following questions should be considered: On a national level, has your Member State signed or ratified any of the documents detailed herein, such as the UN Convention against TOC and its three Protocols and the UN Convention against Corruption? Does your Member State take part in any of the aforementioned bodies such as the Commission on Crime Prevention and Criminal Justice or the United Nations Crime Congress? Also, look at the region itself and consider what has your perspective Member State done in the region, within OAS or other regional bodies as the Economic Commission on Latin America and the Caribbean (ECLAC)? Consider further, the implications that TOC may have or still poses on your State today either economically, politically, socially, etc.

Each of these questions is pivotal to the committee and deserves equal attention and consideration while writing your State's position paper as well as writing draft resolution(s). Delegates should not delve deeply into such things as the financial implications of TOC but rather the affect it has placated on the vulnerable population at hand. Delegates should be focused on instrumental methods that have worked in the past or are currently working and either reinforce, reinstate, or reform these initiatives rather than create new programs. A new program/ conference/ agreement shall only be used if said initiative is explicitly focused on new and innovative ways to reform and innovate current or previous practices.

Delegates should remind themselves as well that TOC is a multifaceted international, regional and national issue so their research can be quite extensive but as well can make for a interesting and thought-provoking position paper. Please see the Technical Appendix Guide (TAG) for additional sources/ thoughts for possible solutions to the topic at hand.

## Technical Appendix Guide

### I. Improving Wetland Conservation and Protection

*Climate change: Impact on agriculture and costs of adaptation.* International Food Policy Research Institute. Washington D.C.: International Food Policy Research Institute. 2009. <http://www.ifpri.org/publication/climate-change-impact-agriculture-and-costs-adaptation>.

Understanding how agriculture is influenced by climate change is an important facet of understanding wetlands and the report from the International Food Policy Research Institute is a good source for delegates as it shows the impacts and costs of adaptation that climate change pose on growing population. The Food Policy report further presents research results that assess the consequences for food security and estimate the investments that would offset the negative consequences for human well-being.

*Farming the Waters for People and Food.* The United Nations Food and Agricultural Organization. New York and Geneva: United Nations. 2012. <http://www.fao.org/docrep/015/i2734e/i2734e.pdf>

The report from the FAO looks at aquaculture and the foods derived from water sources. The report goes into detail regarding the process of withdrawing food from water sources and **the result of improper reliance upon those sources. It also looks at some of the activities of other Member States** and how their programs are finding either success or being reworked to provide more sustainability in the use of the resources.

Hector Galbraith, Priyanie Amerasinghe, and Annette Huber-Lee, *The Effects of Agricultural Irrigation on Wetland Ecosystems in Developing Countries: A Literature Review* (Sri Lanka” Comprehensive Assessment Secretariat, 2005).

[http://www.iwmi.cgiar.org/Assessment/files\\_new/publications/Discussion%20Paper/CADiscussionPaper1.pdf](http://www.iwmi.cgiar.org/Assessment/files_new/publications/Discussion%20Paper/CADiscussionPaper1.pdf)

The report for the Comprehensive Assessment Secretariat looks at how irrigation is impacting wetlands, specifically in developing Member States. As a major source of water for agricultural effort, wetlands are greatly impacted. This report goes into greater detail and looks at some long term benefits of water system management and further quantifies ecological costs and benefits of irrigated agriculture in wetland ecosystems. The report looks at how irrigation can both degrade and improve wetland protection.

*Promoting Water Security for Inclusive Green Growth.* The Water Partnership Program. 2011.

[http://water.worldbank.org/sites/water.worldbank.org/files/WPP\\_Brochure%202013.pdf](http://water.worldbank.org/sites/water.worldbank.org/files/WPP_Brochure%202013.pdf)

The World Bank’s Water Partnership Program (WPP), launched in 2009, is a multi-donor initiative created through the merger of the Bank Netherlands Water Partnership and the Bank-Netherlands Water Partnership Program. The goals of the WPP are to demonstrate the pragmatic and effective approaches to achieving climate-resilient and inclusive green growth. The report mentioned here was released by the WPP and was tasked with looking at how water security needs to be included in green growth. The overview report/program promotes improvements in the management of water resources and the delivery of water services.

Stephen N. Edwards, et al. *Comparative Study of Ecotourism Policy in the Americas-1998* (Idaho: Organization of American States, 1998). <https://library.conservancy.org/Published%20Documents/2009/Vol.II-LatinAmericaAndTheCaribbean.PDF>

In the 1990s, the Inter-Sectoral Unit for Tourism within the Organization of American States sponsored a study by the University of Idaho. This study was on ecotourism policy in the Americas and gave a detailed overview of the previous efforts made at having a collective policy regarding ecotourism and how it can be managed. The report is a good reference for delegates as it further goes into detail regarding individual Member States tourism policies and how the policies can be brought together under one umbrella.

Tiffany Wright et al. *Direct and Indirect Impacts of Urbanization on Wetland Quality.* (Ellicott City: Center for Watershed Protection, 2006).

<http://www.northinlet.sc.edu/training/media/resources/Article1Impact%20Urbanization%20Wetland%20Quality.pdf>

This report is a collection of scientific studies based on the impacts of urbanization on wetlands and their role in watershed quality. It includes information on how wetland degradation influences land alterations and how development increases the likelihood of their destruction.

*United Nations Environmental Program Global Environment Facility Project Document: Integrated and Sustainable Management of Transboundary Water Resources in the Amazon River Basin.* The Organization of American States. 2007.

[http://www.oas.org/dsd/Events/english/PastEvents/Salvador\\_Bahia/Documents/AmazonProject.pdf](http://www.oas.org/dsd/Events/english/PastEvents/Salvador_Bahia/Documents/AmazonProject.pdf)

This report follows a wetland project in the Amazon River Basin. Though not as extensive as the High Andean Wetland project, it is another example of efforts at protecting the wetland areas. It can offer delegates other resources for finding how previous programs were successful as well as offering an opportunity for building on previously worked projects.

“Water Partnership Program,” The World Bank Group <http://water.worldbank.org/wpp>

The Water Partnership Program offers those needing financial support build water and sanitation programs. The website explores multiple areas of interest within the WPP and how the World Bank is helping to influence greater dialogue regarding water and sanitation. The website provides examples of previous projects and will help provide examples of other programs and offer suggestions for areas of improvements.

*Water and climate change: understanding the risks and making climate-smart investment decisions.* The World Bank. Washington D.C.: The World Bank. 2009.

<http://documents.worldbank.org/curated/en/2009/11/11717870/water-climate-change-understanding-risks-making-climate-smart-investment-decisions>

The report from the World Bank gives an overview of the impact of climate change on water. It offers different aspects of how climate change is impacting water usage, scarcity, and preservation. The report offers other resources available as well for finding more information about the impact of climate change on water resources and how the World Bank is helping Member States mitigate the impacts.

“Water Resource Management,” The World Bank. <http://www.worldbank.org/en/topic/waterresourcesmanagement>

This website from the World Bank gives insight of the importance of water resource management programs globally. Currently the water management system within the OAS is relatively young and some of the programs mentioned within the report exemplify how the current programs can be expanded and further developed. This website will help in providing other resources for delegates to explore as they seek out innovative ways of fostering greater communication regarding water resource management.

## **II: Preventing Transnational Organized Crime**

United Nations Office on Drugs and Crime. “Environmental Crime: Trafficking in Wildlife and Timber.”

<http://www.unodc.org/toc/en/crimes/environmental-crime.html>

This article provides detailed information on trafficking in wildlife from Africa and Asia, and trafficking in timber from South-East Asia to the European Union as well as other areas in Asia. Topics of this article include the involvement of organized criminal groups, flows and prices, and what is currently being done to thwart this activity.

United Nations Office on Drugs and Crime. “Trafficking in Fraudulent Medicine.”

<http://www.unodc.org/unodc/en/fraudulentmedicines/introduction.html>

This article explains the importance of international action to combat the threat of trafficking fraudulent medicine, and highlights resolutions that have been adopted by the CCPCJ to counter this activity. The rationale behind the trafficking of fraudulent medicine is stated along with the lack of emphasis placed on criminal activity in comparison to its risks to public health. Cooperation between the UNODC, other UN bodies and international organizations to dismantle the actions of criminals in this area is discussed in Resolution 20/6 of the CCPCJ.

United Nations Office on Drugs and Crime. “UNODC and Piracy.”

<http://www.unodc.org/unodc/en/piracy/index.html?ref=menuaside>

A detailed explanation of the UNODC counter-piracy programme (CPP) is provided, highlighting the early stages of the program and its progression since its inception in 2009. The mandate of the CPP is to support efforts to detain and prosecute piracy suspects according to international standards of rule of law and respect for human rights. Its main focus has been supporting criminal justice professionals that are facing Somali piracy.

United Nations General Assembly. "International Convention for the Suppression of the Financing of Terrorism." 1999. <http://www.un.org/law/cod/finterr.htm>

This treaty by the United Nations General Assembly sought to deter the financing of terrorism through the criminalisation of the act, while laying out how the signatories agreed to handle cases of suspected financing. It also gives a working definition of terrorism, and what is seen as financing said terrorism. Further, the treaty explains potential consequences of financing terrorism. This document gives delegates definitions that already exist, while giving them a foundation to build upon in the context of piracy.

United Nations Office on Drugs and Crime. "Objectives of the Global Programme against Money Laundering, Proceeds of Crime and the Financing of Terrorism." <http://www.unodc.org/unodc/en/money-laundering/programme-objectives.html?ref=menuaside>

The Global Programme against Money Laundering, Proceeds of Crime and the Financing of Terrorism seeks to strengthen the ability of Member States to fight money laundering and to assist them in depriving persons of the proceeds of their criminal activity. All of the objectives that the UNODC's Global Programme against Money Laundering, Proceeds of Crime and the Financing of Terrorism seeks to achieve are laid out here. While the objectives are helpful in themselves, the UNODC has also provided subsequent links on the Programme, including background information, and legislation in place in terms of money laundering and financing of terrorism. This should help delegates have a richer understanding of what is already in place in order to build upon it and focus on issues such as money laundering.

United Nations General Assembly. "Political Declaration and Action Plan against Money Laundering." 1998. <http://www.imolin.org/imolin/ungadec.html>

In this declaration, the General Assembly recognized that the problem of laundering money derived from illicit trafficking in narcotic drugs and psychotropic substances, as well as from other serious crimes. The General Assembly held a special session in order to come to the agreements found in this declaration, which is mentioned, which highlights the sense of urgency held by that committee. This document gives delegates a sense of the direction in which the UN hopes to see legislation on money laundering go.

United Nations Office on Drugs and Crime. "Transnational Organized Crime in Central America and The Caribbean." [http://www.unodc.org/documents/data-and-analysis/Studies/TOC\\_Central\\_America\\_and\\_the\\_Caribbean\\_Exsum\\_english.pdf](http://www.unodc.org/documents/data-and-analysis/Studies/TOC_Central_America_and_the_Caribbean_Exsum_english.pdf)

A main reason for violence in Central America and the Caribbean is cocaine trafficking, which leads to competition and territorial control between groups of traffickers. Delegates will understand the relationship between violence and cocaine trafficking, along with those groups that are involved. Methods used to impede violence and drug trafficking along with efforts from UN agencies are also stated.

United Nations Office on Drugs and Crime. "Crime and Instability. Case Studies of Transnational Threats." 2010. [http://www.unodc.org/documents/data-and-analysis/Studies/Crime\\_and\\_instability\\_2010\\_final\\_26march.pdf](http://www.unodc.org/documents/data-and-analysis/Studies/Crime_and_instability_2010_final_26march.pdf)

Case studies will provide a comprehensive overview of the impacts of trafficking in cocaine in specific regions including the Andean Region, West Africa, and Mesoamerica. The impacts of the heroin trafficking is also closely examined in South-West and Central Asia, South-East Europe, and South-East Asia. Minerals smuggling from Central Africa and maritime piracy off the horn of Africa is also discussed.

United Nations Office on Drugs and Crime <http://www.unodc.org/toc/en/whatsbeingdone.html>

This website highlights what has already been done to prevent transnational crime. Education, awareness, intelligence and technology, and assistance are the key organizational factors of this website. Each of these sections highlight specific UN organization resolutions which will help delegates in determining what actions have already been taken by the international community and which of these their Member State supports.

United Nations Police. "Transnational Crime."

<http://www.un.org/en/peacekeeping/sites/police/initiatives/transcrime.shtml>

From the UN Police, this gives delegates an idea of the initiatives in place by the UN and its subsequent bodies. It also provides inter-organizational relationships already in place that exist to prevent and deter TOC. Delegates will also note that TOC is not solely an issue being targeted by individual Member States or regional bodies but further is also at the forefront of the international community and the UN Police Division is a prime example of UN actions to design effective and sustainable strategies that help to better protect transitional societies from the scourge of TOC.



United Nations Office on Drugs and Crime. "The Blue Heart Campaign." 2009. <http://www.unodc.org/blueheart/>  
The Blue Heart Campaign is an initiative by the UNODC to raise awareness, and fight, human trafficking. The campaign's main objective is widespread education about human trafficking and the problems it presents globally. As an already existing campaign by the UNODC, the Blue Heart Campaign can serve as something to promote or something to draw inspiration for ideas that are unconventional and full of ingenuity in pieces of legislation by delegates.