

## **UNODC inputs to the report on “Capacity-building in ocean affairs and the Law of the Sea, including marine science.”**

### ***Piracy off the coast of Somalia***

UNODC is delivering substantial support to regional countries in their efforts to bring suspected pirates to justice. UNODC has worked with a number of regional countries, principally Kenya and Seychelles, to provide support to the police, courts, prosecutors and prisons to ensure that the trials of Somali suspects are effective, efficient and fair. The Counter-Piracy Programme has reviewed legislation in regional states and agreed on action plans to amend where necessary to support piracy prosecutions; supported prosecutors through training and office improvements; developed court facilities (including the introduction of a entire new courtroom for piracy and other large trials in Mombasa); delivered witnesses to trial; substantially improved prison conditions and reduced overcrowding; and improved police practices and evidence handling. As a result, significant improvements have been made to these local criminal justice institutions to the benefit of all who use them, not just the 150 pirates that have appeared before domestic courts in the region. The skills that police, prosecutors and court staff have gained for piracy prosecutions can be applied to all their cases, whilst improvements in local prisons benefit all those detained there.

The proven effectiveness of UNODC in this area has allowed us to take on similar work in Somalia with the support of other agencies. UNODC took responsibility for the development of the near-defunct Somali custodial corps at the end of 2009 and has moved to develop their capabilities and complete building work on 10 prisons in Somaliland and Puntland. This work will allow piracy suspects held in the prisons of Kenya, Seychelles and other regional states to be transferred back to Somalia to serve the remainder of their sentences with the agreement of all concerned.

### ***Transnational Organized Crime***

Organized criminal groups are involved in a large variety of criminal activities that have changed over time in response to both profits and law enforcement activities. Many of these crimes, in particular those relating to illicit traffic in narcotic drugs and psychotropic substances, trafficking in persons, smuggling of migrants and trafficking in firearms, may take place at sea. The 1988 UN Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances and the Additional Protocol against the Smuggling of Migrants by Land, Air and Sea supplementing the UN Convention against Transnational Organized Crime (UNTOC) contain particular provisions designed to address the commission of these crimes at sea.

UNODC promotes the ratification of UNTOC and its protocols and assists Member States in implementing the treaty and its protocols. UNODC has developed a number of tools to facilitate international cooperation in combating transnational organized crime, such as the online directory of competent authorities that includes those authorities designated as responsible for requests relating to illicit drug traffic and migrant smuggling at sea as well as the Model Law against Smuggling of Migrants – to be published in 2010 - that includes provisions addressing migrant smuggling at sea. At the request of Member States, UNODC also provides legislative assistance, training and capacity building.

An important element of the UNODC technical assistance programme in the area of building capacity around effective maritime controls is its Global Container Programme. This initiative has established dedicated, specialized Joint Port Control Units (JPCU) in the principle ports and container terminals of participating States, training their multi-agency personnel to apply new professional skills to identify, target and interdict sea containers of interest to authorities. Four years on from its inception and pilot in the ports of Ecuador, Senegal, Ghana and Pakistan the ports of the programme and new JPCU's continue to expand. This initiative has delivered solid results from its outset, intercepting sea-containers carrying illicit drugs and diverted precursor chemicals. Its efficacy is now extending into other areas of organized crime to detect the illegal shipment of endangered species, hazardous and environmentally dangerous materials, fraud, counterfeit goods and attempts at the evasion of national revenue collection. In addition to the existing pilot sites, the Container Programme is bringing Panama and Costa Rica on-line together, with a further six States in Latin America and the Caribbean in 2010. Other regions benefiting include new sites in Africa, the Balkans, Central Asia and the Economic Cooperation Organization (ECO) countries. Though capacity building and skills transference is a key component of the technical assistance delivered through this initiative, its effectiveness grows through increasing operational cooperation between an expanding network of law enforcement professionals who work at container profiling, selection and search.

At the regional level, the programme also contributes directly to combating the smuggling of migrants at sea by providing legislative assistance, training and capacity building in West and North Africa. This capacity building also aims at strengthening regional and international cooperation, as well as foster the prevention of smuggling of migrants through awareness raising.