

UNODC XCE/S50 Project: "Enhancing operational capacity to investigate and disrupt Human Trafficking activities in the Western Balkans"

Meeting / Workshop

Tirana, Albania
23-25 February 2009

RECOMMENDATIONS

- The Participants affirmed that Multi-Disciplinary Units were already established on their respective territories on an Ad Hoc basis, to work on specific cases, when necessary. UNODC assistance would be welcomed, however, in the establishment of more efficient and effective methods / channels for sending requests for assistance from other countries in the region and elsewhere (including MLA instruments), via the specialised Police and Judicial Units of Organised Crime Departments.

MLA instruments can include:

1. Taking evidence or statements from persons
2. Executing searches and executing seizures, and freezing;
3. Examining objects and sites;
4. Providing information, evidentiary items and expert evaluations;
5. Providing originals or certified copies of relevant documents and records;
6. Identifying and tracing proceeds and property for evidence;
7. Facilitating voluntary appearance;
8. Temporary transfer of persons in custody.

Assistance could include advice on the more effective and efficient preparation and service of Rogatory Letters.

- The Participants supported increased and structured use of OFPs (LE / Prosecution) within the AHT and SOM specialised units, and to continue to rely on the SECI centre for its strategic and operational input and assistance in THB and SOM investigations;
- Under Article 29 of the UNTOC Convention, 'each State Party shall, to the extent necessary, initiate, develop or improve specific training programmes for its own law enforcement personnel including prosecutors, investigating magistrates and customs personnel, and other personnel charged with the prevention, detection and control of the offences covered by this Convention. Such programmes may include secondments and exchanges of staff.

Such programmes shall deal in particular and to the extent permitted by domestic law, with the following, e.g.:

1. Methods used in the prevention, detection and control of the offences covered by this Convention;
2. Routes and techniques used by persons suspected of involvement in offences covered by this Convention;
3. Detection and monitoring of the movements of proceeds of crime...
4. Collection of evidence;
5. Methods used in the protection of victims and witnesses.

....State Parties shall promote training and technical assistance that will facilitate extradition and MLA.'

All of the above recommendations are in line with other relevant international conventions and treaties, especially the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (Strasbourg 8.XI.2001), in particular its art. 20 on joint investigation teams.

The Participants welcomed the support of the UNODC in the facilitation of the provision of relevant expertise based on assessment of the needs of individual participating countries, in order to strengthen the capacity of specialized law enforcement and judicial THB/SOM units. Fields in which expertise could be provided include the use of criminal intelligence analysis, special investigative techniques and financial investigation techniques during the pre- and post-arrest investigative phases.