



UNODC

United Nations Office on Drugs and Crime



DRAFT

Regional Programme for the Arab States

**To Combat Criminal, Terrorist and
Health Threats and Strengthen Criminal
Justice Systems in Line with International
Standards on Human Rights (2016-2021)**

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TABLE OF CONTENTS

I. INTRODUCTION	2
II. GOVERNING BODIES, MANDATES AND CONVENTIONS OF THE UNITED NATIONS OFFICE ON DRUGS AND CRIME	3
III. REGIONAL CONTEXT	5
3.1 POLITICAL CONTEXT	5
3.2 SITUATIONAL ANALYSIS	5
IV. RESPONSE OF THE UNITED NATIONS OFFICE ON DRUGS AND CRIME TO CHALLENGES IN THE REGION	11
4.1 CROSS-CUTTING THEMES	11
4.1.1 <i>Data collection and research</i>	11
4.1.2 <i>Regional and International Cooperation</i>	12
4.1.3 <i>Partnership with civil society</i>	13
4.1.4 <i>Human Rights</i>	13
4.1.5 <i>Gender mainstreaming</i>	14
4.2. SUB-PROGRAMME I: ORGANIZED CRIME	14
4.3. SUB-PROGRAMME II: COUNTERING TERRORISM	23
4.4 SUB-PROGRAMME III: COUNTERING CORRUPTION AND FINANCIAL CRIMES	26
4.5. SUB-PROGRAMME IV: CRIME PREVENTION AND CRIMINAL JUSTICE	28
4.6 SUB-PROGRAMME V: HEALTH	35
V. PARTNERSHIPS	38
5.1 NATIONAL AND REGIONAL PARTNERS	38
5.2 INTERNATIONAL ORGANIZATIONS	39
5.3 DONORS	39
VI. LESSONS LEARNED	40
VII. RISK MANAGEMENT	41
VIII. ACCOUNTABILITY	42

I. INTRODUCTION

The Regional Programme for the Arab States to combat criminal, terrorist and health threats and strengthen criminal justice systems in line with international standards on human rights (2016-2021) (hereafter Regional Programme or RP) is the second Regional Programme of the United Nations Office on Drugs and Crime (UNODC) in the Middle East and North Africa region (MENA region). It functions as the overarching framework for cooperation between the League of Arab States (LAS), the 17 participating States¹ and UNODC. Upon request of Member States in the region, UNODC will continue the work of its first Regional Programme on Combating Drugs, Crime Prevention and Criminal Justice Reform for the Arab States (2011-2015) (hereinafter referred to as the first Regional Programme or first RP) and include initiatives responding to new and evolving challenges.

The overall objective of the Regional Programme is to support Member States' efforts to bring peace and stability to the region by enabling governments to more effectively and efficiently combat organized crime, terrorism and corruption, in compliance with the rule of law and human rights standards. Under the framework of the RP, challenges posed by illicit trafficking, terrorism and corruption will continue to be addressed. The strengthening of criminal justice systems and crime prevention as building blocks for security, human rights and peace will take a prominent role and UNODC will continue to work with national governments to find effective ways to reduce the prevalence of drug use and HIV/AIDS.

The Regional Programme is the strategic umbrella for a coherent and integrated approach to the challenges observed in MENA region and the needs identified through ongoing projects in the region, the in-depth independent evaluation of the first Regional Programme, and the recommendations of the 2014 RP Steering and Follow-Up Committee meeting.

Structure

UNODC assistance in the region under the framework of the RP is structured around the following five Sub-Programmes, outlined in more detail below:

- I. Organized Crime;
- II. Countering Terrorism;
- III. Combating Corruption and Financial Crimes;
- IV. Crime Prevention and Criminal Justice; and
- V. Health.

Cross-cutting themes to all UNODC initiatives under the five Sub-Programmes will include:

- I. The strengthening of data collection and research;
- II. The promotion of regional and international cooperation;
- III. The fostering of partnerships with civil society;
- IV. A human rights and gender mainstreaming approach.

¹ The RP covers 17 countries in the MENA region: Algeria, Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Sudan, Tunisia, United Arab Emirates and Yemen. Syria for now is not included in the RP due to its present suspension from the League of Arab States. When the suspension is lifted, Syria will automatically be included in the RP.

II. GOVERNING BODIES, MANDATES AND CONVENTIONS OF THE UNITED NATIONS OFFICE ON DRUGS AND CRIME

UNODC Regional Programme is designed to combat criminal, terrorist and health threats and strengthen criminal justice systems in line with international standards on human rights. This Regional Programme is also consistent with the UNODC strategic framework 2016-2017 and the resolutions adopted by the Commission on Narcotic Drugs (CND) and the Commission on Crime Prevention and Criminal Justice (CCPCJ)², which guide UNODC's work at the global level, as well as the Doha Declaration³ on integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation.

UNODC mandates are grounded in the:

- ❖ International drug control conventions⁴;
- ❖ United Nations Convention against Transnational Organized Crime and the Protocols thereto⁵;
- ❖ United Nations Convention against Corruption⁶;
- ❖ International Instruments related to the Prevention and Suppression of International Terrorism⁷; and
- ❖ United Nations Standards and Norms in Crime Prevention and Criminal Justice⁸.

As the United Nations system's specialized entity in criminal justice reform and countering organized crime and terrorism, UNODC possesses the technical expertise to address those challenges in a comprehensive and integrated manner. UNODC offers support in the adoption and implementation of the international drugs, crime and terrorism conventions and instruments, and direct technical assistance for law enforcement and justice authorities and professionals. As the guardian of the United Nations drugs and crime conventions, UNODC focuses on strengthening its partners' capacity to act in a more effective, efficient, and fair manner, in accordance with international law, standards and norms.

Sustainable Development Goals and the post-2015 development agenda

On 25 September 2015, Member States formally adopted “*Transforming our world: the 2030 Agenda for Sustainable Development*,” with its 17 Sustainable Development Goals (SDGs). The Agenda is intended as “*a plan of action for people, planet and prosperity that seeks to strengthen universal peace in larger freedom*.” In particular, the 2030 Agenda affirms explicitly that “*there can be no sustainable development without peace and no peace without sustainable development*”. The Agenda draws together the strands of peace, rule of law, human rights, development and equality into a comprehensive and forward-looking framework. Reducing conflict, crime, violence, discrimination, and ensuring inclusion and good governance, are key elements of people's well-being and essential for securing sustainable development. This is a universal agenda that requires profound transformations and a new global partnership.

² UNODC reports to and receives its mandates from its governing bodies: CND and CCPCJ. CND is the central policy-making body for drug-related matters within the United Nations system, providing Member States with a forum to exchange expertise, experience and information on drug-related matters and to develop a coordinated response. CCPCJ is the central body within the United Nations system covering crime prevention and criminal justice policy, including the rule of law, aspects of counter-terrorism and other non-drug transnational organized crime challenges.

³ https://www.unodc.org/documents/congress/Declaration/V1504151_English.pdf

⁴ <https://www.unodc.org/unodc/en/commissions/CND/conventions.html>

⁵ https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf

⁶ https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf

⁷ https://www.unodc.org/documents/terrorism/Publications/Int_Instruments_Prevention_and_Suppression_Int_Terrorism/Publication_-_English_-_08-25503_text.pdf

⁸ https://www.unodc.org/pdf/criminal_justice/Compendium_UN_Standards_and_Norms_CP_and_CJ_English.pdf

The Regional Programme will contribute to achieving the relevant SDGs⁹, set forth in the new post-2015 development agenda following and expanding the Millennium Development Goals. All UNODC mandates reflect universal aspirations embedded within the SDGs, and UNODC has the technical expertise and experience in capacity building in the region to support Member States in reaching particular goals, namely:

- **Goal 3:** Ensure healthy lives and promote wellbeing for all at all ages
- **Goal 5:** Achieve gender equality and empower all women and girls
- **Goal 16:** Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels
- **Goal 17:** Revitalize the global partnership for sustainable development

The aim of any development programme is to ensure that security and rule of law are key to empowering individuals as right holders. Through the post-2015 development agenda, the international community has a unique opportunity to prioritize precisely the rule of law, security, and the fight against organized crime and illicit trade. Understanding better the nature and extent of illicit cross-border trafficking, as well as the size of markets, flows of goods, and the involvement of organized criminal groups is essential to designing effective responses. International efforts to address issues hampering development, including illicit cross-border trade and movement, must not be limited to hard measures such as strengthening borders and law enforcement capacities. Instead, they require multi-disciplinary responses that integrate rule of law, development, human rights, social and security approaches, involving all sectors of government and society at the national, regional and international levels.

In SDGs context, the Regional Programme will mainstream crime and drug control in the development agenda, strengthen the policy dialogue with national and regional stakeholders in promoting the rule of law, improve the dialogue and cooperation with civil society, and support “knowledge networks” across the region.

United Nations Office on Drugs and Crime in the Middle East and North Africa Region

UNODC has been supporting Member States in the MENA region since 1992 with programmes and activities to strengthen the response to national, regional and transnational threats related to drugs, organized crime, terrorism and corruption and to build effective and humane criminal justice systems.

At present, UNODC has a Regional Office for the Middle East and North Africa (ROMENA) in Cairo and Programme Offices in Jordan, Lebanon, Libya, Morocco, Palestine, Tunisia, and the United Arab Emirates.

In partnership with the LAS, UNODC developed and implemented its first Regional Programme over the period 2011-2015. Despite the fundamental political transformations that occurred in the region starting in 2011, thus deeply changing the geopolitical and security framework in many MENA countries, UNODC succeeded in providing significant contributions in areas such as criminal justice reform, anti-corruption, combating transnational crimes, anti-human trafficking, border control, and combating drug abuse. Upon request of and in consultation with Member States in the region, UNODC has developed this second Regional Programme for the period 2016-2021 taking into account experiences and lessons learnt and the findings of the in-depth independent evaluation¹⁰ of the first Regional Programme, as well as the challenges and needs identified in the region through ongoing projects and during consultations with Member States.

⁹ For more information on and a complete list of the new SDG goals see: <http://www.un.org/sustainabledevelopment/sustainable-development-goals/>

¹⁰ For more detailed information on the first Regional Programme, on its achievements and activities undertaken, please refer to the in-depth evaluation on the Regional Programme for the Arab States 2011-2015: https://www.unodc.org/documents/evaluation/indepth-evaluations/2015/RP_Arab_States_Final_Evaluation_July_2015.pdf

III. REGIONAL CONTEXT

3.1 POLITICAL CONTEXT

The Middle East and North African region is undergoing profound political and social transformations. The events linked to the popular uprisings, generally referred to as Arab Spring, sparked by the self-immolation of a Tunisian street vendor in December 2010, set in motion a wave of dramatic political upheavals and inspired widespread hopes for electoral, policy and institutional reforms throughout the region. Demands voiced by millions of protesters taking to the streets had common elements across MENA countries: improved governance and human rights, an end to corruption, and inclusive economic opportunities.

The outcomes of these upheavals varied, as each country addressed them differently. In some countries long-standing autocratic ruling was removed while in others, possibilities for more pluralistic or democratic developments opened up. On the other hand, in countries, such as Iraq, Libya, and Yemen, violent conflicts continued. In Syria, a full-fledged civil war is on-going for more than four years and has caused one of the worst humanitarian crises in the world with millions of internally displaced persons and refugees impacting the security and social cohesion of bordering countries, the region and beyond. Jordan and Lebanon are most notably impacted, with Lebanon experiencing a particularly volatile security situation.

Militant extremist groups, in particular Islamic State of Iraq and the Levant (ISIL/Daesh) and other violent non-state actors are gaining strength. Power vacuums and fragile states no longer able to control their borders provide fertile grounds for (transnational) organized criminal groups. Five years after the Arab Spring, the region finds itself in an unstable and turbulent environment where focus of citizens shifted from hopes for political reform to conflict management and seeking peace and stability as a priority.

An aggravating element is the fact that most of the Arab countries suffer from serious economic and socio-political problems resulting in high levels of unemployment and poverty. Perceived lack of security has negatively impacted tourism and foreign direct investment, two major economic pillars for several Member States in the region. Weak social infrastructure, such as education, health care and social security systems, is a common problem in many of the countries in the region, further undermining stability.

At present, MENA region is facing several challenges in the political, economic, social, religious and energy sectors which are key for its future and the future of wider regional security. Security challenges and the spread of terrorism appear to be the most imminent threats to many Member States. A comprehensive and well-integrated programme, at both national and regional levels, to improve security, justice and human rights as well as human security is the most promising approach for sustainable security, stability, peace and development in the region.

3.2 SITUATIONAL ANALYSIS

The following section provides a brief overview of the main drugs and organized crime related threats and challenges facing MENA region. The focus of the profile is on areas relevant to UNODC mandates under the five Sub-Programmes of the Regional Programme, namely, 1) Organized Crime; 2) Countering Terrorism; 3) Combating Corruption and Financial Crimes; 4) Crime Prevention and Criminal Justice; and 5) Health.

3.2.1 Organized Crime

At present, the headlines about the Middle East and North African region are focused on the security threat posed by extremist militant groups. However, the growth of transnational organized crime networks in the region is also significantly threatening national and regional security. The currently prevalent political instability across MENA caused by armed conflict in several countries has led to a deterioration of the capacity of several Member States to exert effective control over their borders. This circumstance, combined with weak economies, with reduced employment opportunities and youth often traumatized by conflict, and the geographic proximity to lucrative European black markets, provide fertile ground for criminal groups and networks to prosper. Of major concern to the region is that some criminal groups have changed their modus operandi in relation to extremist militant groups with apparent symbiotic or outright cooperative dynamics between extremist militant groups and organized crime groups resulting in significant amounts of funding for terrorist groups from illicit trafficking by acting as protector or facilitator.¹¹

3.2.2 Drug Trafficking¹²

Cannabis continues to be cultivated in most African countries. While Morocco remains the largest producer of cannabis resin on the continent, Lebanese cannabis has increasingly been seized over the past years. In addition, Afghan cannabis is trafficked to the Gulf States and to the Middle East. Evidence shows that illicit maritime drug trafficking is taking place along the Mediterranean in addition to the traditional trans-Saharan route. Heroin originating from Afghanistan is typically trafficked to the Middle East through Iraq and Turkey. As border controls have become more efficient between Turkey and Iran, a southern route has emerged in recent years, starting from Afghanistan through Pakistan and southern Iran, transiting through the Middle East and the Gulf States, and continuing along the coastlines of East and West Africa as well as through South-East Asia en route to final destinations in Asia and Europe. A significant increase in heroin seizures was recorded in several MENA countries over the past years. In 2014, for example, heroin seizures in Egypt almost tripled compared to the year before. The same trend can be observed with cocaine. Major maritime seizures in 2014 seemingly destined for Egypt, Jordan, Saudi Arabia and the United Arab Emirates, account for more than what was intercepted in the entire region during the period 2010-2013. Furthermore, cocaine seizures indicate transit from the North African region, mainly Morocco, to West Africa, which points to a shift in trafficking routes as North Africa used to function as transit for cocaine going through West Africa en route from South America to Europe. Whether traffickers are trying to find new routes into Europe or whether there are other reasons behind this new trend, such as uncollected shipments, is still unclear.

Saudi Arabia is perceived as a prime destination and the largest market for amphetamine sold as counterfeit Captagon tablets, which are smuggled into the country through Jordan and Syria. The use of containers via maritime routes to smuggle the drug has been repeatedly reported over recent years. The abuse of Tramadol, a synthetic opioid not under international control or regulation, has become an increasingly alarming problem in a number of Arab States and much of the African continent.¹³ It is trafficked mainly from China and India by sea to Egypt, Libya and the United Arab Emirates. On a smaller scale, increasing seizures of new psychoactive substances have been recorded in the region over the past years.

3.2.3 Trafficking in Human Beings and Smuggling of Migrants

Trafficking in persons and migrant smuggling is of concern to all countries in MENA region, either as countries of origin, transit or destination. The volatile political transition in Arab countries, in particular

¹¹ Groups would either allow illicit trafficking to safe pass through the territory they control or take over the logistics for the transit of good and people through the area(s) they control. For more information on the nexus between organized crime and terrorism, see the "*Report of the Secretary-General on the Threat of Terrorists benefiting from Transnational Organized Crime*", 21 May 2015.

¹² Data and information in this section are taken from the World Drug Report 2013&2014, the UNODC/INCB reports 2013 & 2014 and internal UNODC reports.

¹³ Report of the 25th meeting of Heads of National Drug and Law Enforcement Agencies/Africa, 14-18 September 2015, in Algiers.

the conflicts in Iraq, Libya, Syria and Yemen, have generated flows of refugees and population displacements not witnessed since the end of World War II. More than 53 per cent of the world's refugees are in the Arab region, which hosts only 5 per cent of the global population.¹⁴ In 2014, 219,000 asylum seekers and irregular migrants arrived by boat in Europe from North African shores. Between January and September 2015 close to 474,000 asylum seekers and irregular migrants arrived by boat in Europe, while, according to the International Organization of Migration, more than 2,800 are believed to have perished at sea.¹⁵ Migrants from the Horn of Africa move northwards through North African countries to reach Europe. Despite the worsening situation in Yemen and Libya, there is noticeable migrant smuggling activity across the Gulf of Aden to Yemen and on the Central Mediterranean route, and Egypt has emerged as one of the main transit points. Egyptian security forces state to have arrested more than 6,000 people attempting to illegally enter or leave the country between October 2014 and April 2015.¹⁶

The main routes used for human trafficking recorded in MENA region include: domestic trafficking between rural areas and the main cities in all countries of the region; regional trafficking from less affluent countries in North Africa to more affluent countries in the Gulf region; international trafficking to all Arab countries and especially to the Gulf States from South and South-East Asia, Sub-Saharan Africa, Eastern Europe, the Caucasus and Central Asia; and international trafficking from North Africa and the Middle East to Europe, the United States, and Canada.¹⁷ Regional instability has allowed criminal and terrorist organizations to move people across borders more freely. Trafficking in human beings and smuggling of migrants across or through MENA indicates the presence of sophisticated and well-entrenched organized criminal networks within the region, likely in collaboration with criminal networks in other regions.

3.2.4 Firearms

Arms trafficking is not a new phenomenon in MENA region. Weapons have been trafficked throughout the region for many years. Given that the region is currently one of the most unstable in the world, the threat that illicit trafficking in arms poses today has taken another dimension, especially with regard to the rise of terrorist groups such as ISIL/Daesh and other violent non-state actors. Arms trafficking occurs in or through almost all countries, strengthening the military capacity of terrorist groups operating in different parts of the region. In 2014, the Small Arms Survey recorded 24 new groups in possession of either man-portable air defence systems or anti-tank guided weapons in MENA region.¹⁸ The current abundance of firearms following the collapse of the Qaddafi regime in Libya and the violent conflicts within the region are seen as key drivers to the flourishing of illicit trade of weapons. Reportedly, many of the arms stolen by smugglers appear in Egypt, both as final destination and as a transit point to the Gaza Strip and various Syrian militias - as Egypt represents an important junction for arms smuggling in the Middle East.¹⁹ Furthermore, countries neighbouring Syria are at risk: Jordan, Lebanon, and Iraq are becoming increasingly fertile grounds for cross border trafficking of arms and weapons (including chemical, biological, radiological and nuclear) and weaponry precursors in vehicles and cargo.

3.2.5 Trafficking in cultural goods

Available data on trafficking cultural goods are very limited. In a 2011 publication,²⁰ UNODC estimated that the proceeds of transnational crime related to art and cultural property amounted to about 0.8 per cent of all illicit financial flows - between US\$ 3.4 and 6.3 billion. Political instability, corruption and a lack of resources to control borders and provide security at archaeological sites or museums leave many

¹⁴ Carnegie Endowment for International Peace: 'Syria in Crisis; The Middle East 2015: What to Watch'; December 2014.

¹⁵ International Organization of Migration: "Missing Migrant Project", September 2015 (<http://missingmigrants.iom.int/>).

¹⁶ RMMS: 'Regional Mixed Migration 2nd Quarter Trend Analysis 2015'; August 2015.

¹⁷ The Arab Initiative to Build National Capacities to Combat Human Trafficking in the Arab Countries: 'Understanding Trafficking in Persons in the MENA Region'; 2013.

¹⁸ Small Arms Survey: 'Armed Groups and Guided Light Weapons 2014 Update with MENA focus; 2014.

¹⁹ Foreign Policy Today: 'The Middle East and illicit arms sales: The perfect alliance'; December 2013.

²⁰ UNODC: 'Estimating illicit financial flows resulting from drug trafficking and other transnational organized crimes'; 2011.

countries vulnerable to the loss of their cultural property. Of great concern is also the fact that much of the looting is related to protected antiquities being excavated for which no established records exist, meaning that current monitoring systems (red lists, inventories of stolen artefacts, etc.) are largely irrelevant. At present, ISIL/Daesh has effective control over territory that harbours invaluable cultural heritage. Egypt, Iraq, Libya and Syria have also suffered from widespread looting of antiquities over the past years.

3.2.6 Counterfeit products and fraudulent²¹ medicine

The flow of counterfeit goods and fraudulent medicine across the world has increased dramatically over recent years, and the Arab region is no exception. Media reports indicate that up to 56 per cent²² of goods traded in the Arab markets may not be genuine. Most of the world's counterfeit products can be traced back to East Asia in general, and China in particular. However, counterfeit goods often pass through free trade zones in the United Arab Emirates on their way to Europe. Saudi Arabia, for instance seized 125 million counterfeit units in 2013, an increase of 127 per cent compared to 2012.²³ The Moroccan National Committee for Industrial Property and Anti-Counterfeiting (CONPIAC)²⁴ reported seizing more than 3.3 million counterfeit items in 2013, triple the amount of counterfeit goods seized in 2012.²⁵

Of particular concern are fraudulent medicines and the illegal re-importation (parallel trade) of medicines as they can have serious or fatal public health consequences. Falsified medicines may contain no active pharmaceutical ingredient (API), inaccurate dosage or the wrong API, and can thus lead to serious health damages. Laboratories have confirmed the presence of various groups of chemicals such as pesticides, rat poison, brick dust, leaded paint, cartridge ink and floor polish in counterfeit medicines.

Estimates by the World Health Organization (WHO) suggest that as much as 35 per cent of the entire pharmaceutical market in the Middle East may be illicit in some form and reaches all levels of the industry, from common antibiotics and painkillers to medicines for the treatment of schizophrenia and cancer. In particular Iraq's healthcare is struggling with unregulated pharmaceuticals as unsecured borders and the collapse of the existing regulatory regime have meant that such counterfeits are regularly smuggled into the country and are pervasive in the domestic supply.²⁶ A number of organized criminal networks specialised in fraudulent medicines have been dismantled in the past years. However, the phenomenon is still widespread given the volatile security situation and the lack of access to medicines.

3.2.7 Terrorism

Terrorism is currently perceived as the biggest threat to national security to countries both inside and outside MENA region. Power vacuums across MENA region, porous borders and an expansion of non- or under-governed territories following the Arab Spring have created fertile grounds for militant extremist groups and other violent non-state actors: ISIL/Daesh, al-Qaeda, Ansar al-Sharia or Jabhat al-Nusra, to name a few. The civil war in Syria is leading to a strengthening of violent extremism. The sudden expansion of ISIL/Daesh since June 2014 and its control over various zones in Syria and Iraq, its capability to takeover important cities such as Mosul as well as the recent attacks in Northern Sinai (Egypt) pose a great threat to international peace and stability.

A further threat of terrorism comes from foreign terrorist fighters (FTF) returning to their home Arab countries, a phenomenon known from the pre-9/11 Afghanistan conflict. It is estimated that over 20,000 fighters from outside Iraq and Syria have joined the fighting there, supporting a range of militant groups,

²¹ The term "fraudulent" medicine may encompass the concept of "counterfeit". See also, the Commission on Crime Prevention and Criminal Justice (CCPCJ) Resolution 20/6 of 2011, on Countering fraudulent medicines, in particular their trafficking.

²² E.g.: <http://www.emirates247.com/eb247/economy/uae-economy/counterfeit-goods-cost-uae-and-other-gulf-countries-18bn-2009-12-14-1.22570> and <http://www.alquds.co.uk/?p=419951>

²³ Saudi Customs Report 2013.

²⁴ <http://www.stopcontrefacon.ma/saisie-aux-frontieres>

²⁵ <http://www.stopcontrefacon.ma/sites/default/files/synthese-etude-contrefacon.pdf>

²⁶ Dunia Frontier Consultants: 'Counterfeits, Parallel Trade Disrupt MENA Pharma'; 2015.

including ISIL/Daesh. Around 2,000 of these fighters are from Europe, the rest coming from the Arab world.²⁷ Returning fighters present an acute risk to their nations. As they have learned certain skills such as bomb-making, sharp-shooting and clandestine communication, they can contribute to further radicalization of existing groups in the countries. There is also a risk that they have connected with a broad set of networks to call upon for future potential attacks in their home country.

3.2.8 Money Laundering

Money laundering is closely linked to corruption, organized crime and the financing of terrorism – issues that are all of great concern to the security and stability of MENA region at present. Due to current levels of corruption in the region, money laundering activities legitimizing the proceeds of financial crimes and illegal earnings have, reportedly, increased in the past years. This trend is partly explained by the large sums of illegally-earned money under the collapsed regimes that are transferred abroad. Fighting money laundering is a challenging task not only in MENA region, as some anti-money laundering efforts may be perceived as conflicting with established tradition, such as money or value transfer services (remittance) gifts or deference to clients. The slow development of necessary laws and regulations are impediments to a comprehensive fight against money laundering in the region. Also, the prevalence of informal, cash-based economies in the region makes Arab countries vulnerable to undetected money laundering.

The emergence of new forms and dimensions of transnational organized crime in MENA region following the Arab Spring, in particular the potential links between terrorist groups and organized crime that can lead to funds being used for terrorist attacks or other politically motivated violence, make anti-money laundering efforts ever more urgently needed for Arab countries. An effective and robust national system to detect and prevent money laundering is a highly effective means to identify criminals and terrorists, as well as the underlying activity from which money is derived.

3.2.9 Corruption

Corruption hinders economic development and inclusive growth and frustrates economic aspirations and security of millions of people across MENA region. One of the main catalysts of the Arab Spring was widespread discontent with corruption, along with other grievances such as entrenched inequality, high unemployment, weakened rule of law and political repression. Fuelled by the demand to end corruption and cronyism, people took to the streets from Tunis to Sana'a. Although several former leaders and high-level officials were charged with corruption and money laundering, corruption is still prevalent in MENA region including in the public sector which could be attributed to the relatively weak formal systems of checks and balances as well as limited disclosure and access to public information. There is also a widely held belief among the public that national wealth has been stolen and moved abroad and that governments need to do more to seize and return stolen assets.

The public in the Arab World, in the wake of these recent developments, is more than ever aware of corruption, and are looking to their governments for greater accountability, transparency and reform. National strategies and actions to fight corruption, in which the public is enlisted as an ally, are critical elements in this equation.

3.2.10 Rule of Law and criminal justice system

One of the root-causes of the uprisings that started in 2011 was a deep frustration with governments perceived to be undemocratic, repressive and corrupt. Five years later, the calls for democratic reform are heard less while the attention is directed towards security-related issues. But, to heed the lessons of recent history, good governance measures would mitigate political change and the instability that often accompanies it. Deficits of confidence and trust between the governments and the governed lie at the basis of many conflicts in MENA region, and a number of Arab States are in urgent need of initiating fundamental legislative and institutional reforms in order to improve compliance with the rule of law and

²⁷See report S/2015/358 entitled "Analysis and recommendations with regard to the global threat from foreign terrorist fighters".

meet the demands of their citizens for transparency, accountability and legitimacy. Addressing deficiencies in the security and criminal justice sectors is an important challenge as it is a highly political process coupled with technical, organizational and administrative considerations. For MENA region two objectives will be critical in the coming years in order to build legitimate, effective and inclusive governance that can respond to these deficits: first, the establishment of effective governance, oversight and accountability in the security and criminal justice sectors; and second, the improvement of security and justice service delivery.

Increasingly, and particularly in MENA region, prisons are becoming breeding grounds for radicalization and extremism. For instance, according to the Iraqi Ministry of Interior, 60 per cent of terrorists in Iraq are former prisoners. Prisons, particularly when overcrowded and ill-managed, are places where personal vulnerabilities, such as lack of education, traumatic family backgrounds, poverty and deprivation are exploited for radicalization. Overall, living conditions are harsh in prisons across MENA region. As a result, prisons can easily become ‘schools of crime’ and radicalization can take place. Rehabilitation and reintegration programmes inside and outside of prisons are critical to prevent this radicalization. In general, effective social reintegration programmes are not the norm across MENA region and are thus urgently needed in order to prevent recidivism, increase public security, and to turn former criminals into members of society positively contributing to the national security and socioeconomic development.

3.2.11 Violence against Women

Violence against women is one of the most widespread violations of human rights. It can include physical, sexual, psychological and economic abuse, and it cuts across boundaries of age, race, culture, wealth and geography. Violence against women has far-reaching consequences, harming families and communities as gender-based violence not only violates human rights but also hinders productivity, reduces human capital and undermines economic growth. Discrimination, violence and harassment continue to deprive women and girls in MENA region of equal social, educational and economic opportunities. These are highly sensitive matters, with social stigma and perceived indifference and fear of negative consequences for the victims leading to serious under-reporting of gender-based violence. Across MENA region, there is a general lack of adequate, victim-oriented support from national governmental and non-governmental institutions.

3.2.12 Violence against Children

Violence against children is a widespread phenomenon affecting many children in MENA region. Whether it takes place within the family, in schools, at the work place or within the community, violence against children is often socially condoned and not legally sanctioned. Violence is also perpetrated against children when in contact with the justice system (i.e. child victims and witnesses of crime as well as alleged juvenile offenders) which can have detrimental consequences for the children’s development and growth into adulthood.

Across MENA region, and despite all the efforts that were undertaken to protect and promote the rights of children and prevent violence against them within the criminal justice system, children rights are still experiencing violations to varying degrees as the capacities of key institutions and actors are not appropriate. Many Member States face similar challenges when dealing with children in contact with the law. For example, statistics and scientific standards in the field of justice for children are often either non-existent or not shared among concerned practitioners. Legislative and institutional approaches to dealing with children in contact with the law and child victims and witnesses of crime are not clearly defined and are in need of improvement, including ensuring protective environments at all levels of judicial proceedings. Alternatives to imprisonment and restorative justice in order to reduce prison overcrowding and the expansion and strengthening of rehabilitation and reintegration programmes are scarce in most of the Member States. Another phenomenon that has surfaced in several of the Member States in the past years and needs to be addressed urgently is the detention of children for political reasons.

3.2.13 Drug Consumption and HIV Prevalence

Data on drug consumption in MENA region is scarce in general, and in particular drug injection among women (due to the stigma attached to drug use). It is estimated that there are around 620,000 people who inject drugs in MENA region. Available information suggests that drug consumption has been increasing since 2012. Egypt, for instance, records the highest consumption of heroin in North Africa as well as the highest demand for cannabis. Data from Algeria indicate an increase in the use of cocaine, cannabis, tranquilizers and sedatives, while Morocco shows an increase in the consumption of cocaine and opiates. Another trend in MENA region is the growing use of synthetic drugs, in particular Captagon prevalent in Kuwait, Qatar, Saudi Arabia and the United Arab Emirates. Also, Tramadol (a prescription opioid) raises major concerns in North African countries, notably Egypt and Libya. In addition, new psychoactive substances, such as the synthetic cannabinoid known as ‘Voodoo’ or ‘Spice’ on the market, and psychoactive medication and medications used for opioid substitution therapy, such as Subutex, are reportedly increasing in North African countries.²⁸

In 2014, there were an estimated 240,000 adults and children living with HIV in MENA region. In the same year, there were an estimated 12,000 AIDS-related deaths, i.e. triple the number of deaths related to AIDS that were reported in 2000, and an estimated 22,000 new HIV infections.²⁹ New infections can mainly be found among: people who inject drugs through the sharing of injection equipment (36%) and sex workers (36%).³⁰ In addition, data show a prevalence of the Hepatitis C Virus of 36% to 48% among people who inject drugs in MENA region.³¹

IV. RESPONSE OF THE UNITED NATIONS OFFICE ON DRUGS AND CRIME TO CHALLENGES IN THE REGION

4.1 CROSS-CUTTING THEMES

4.1.1 Data collection and research

Improved knowledge is the first and underlying step to designing effective prevention mechanisms, developing appropriate, evidence-based responses, and implementing successful strategies and policies to counter the threats stemming from illicit trafficking and other serious and organized crime and the impact it has on security, stability, governance and public health.

In general, data on drugs and drug use, crime, corruption and terrorism in MENA region are scarce. Analytical studies on the profile of organized criminal groups involved in illicit trafficking, their modus operandi and the routes used are very limited, as is information on the relation between organized crime and terrorism. This can be the result of a lack of capacity and/or infrastructure to generate, manage, analyze and report data. Another reason could be the lack of or poor coordination amongst the relevant institutions. The scarcity of information on drugs and crime related issues has become even more evident in the countries that have experienced revolutions, regime change and political instability leading to changes in government staff responsible for the collection and analysis of such data.

Given the region’s vulnerability to transnational organized crime, illicit trafficking and terrorism, UNODC will assist Member States in improving their capacity to generate and manage information and

²⁸ UNODC World Drug Report 2013 and IDPC Drug Situation of the Middle East and North Africa Region 2014.

²⁹ UNAIDS Fact Sheet, 2014.

²²UNAIDS report on the global AIDS epidemic 2012.

³¹MENAHRA Drug Use Assessment Report 2012.

to produce thorough analytical reports in order to facilitate evidence-based policy design at the national and regional levels. UNODC will also work with the Member States to increase information sharing between relevant institutions nationally. Countries are encouraged to increase and strengthen information sharing in order to enhance the efficiency and effectiveness of law enforcement agencies dealing with drugs and other organized crime-related issues.

4.1.2 Regional and International Cooperation

Active promotion of regional and international cooperation, and the exchange of good practices, lies at the heart of UNODC work in MENA region. In order to develop a comprehensive and coordinated response to all forms of transnational organized crime, including drug trafficking, human trafficking and trafficking in other illicit goods as well as preventing terrorism, the establishment of well-functioning mechanisms and networks to facilitate information exchange and the sharing of best practices is essential. UNODC will continue to assist Member States strengthening their regional and international cooperation efforts between law enforcement, judicial practitioners and other relevant actors, as well as to develop their domestic legal frameworks required to better investigate criminal offences and facilitate judicial cooperation (e.g. within the framework of extradition or mutual legal assistance) while improving the sharing of information and best practices.

UNODC will continue to support already existing mechanisms and networks, such as the *Gulf Cooperation Council* (GCC), through which operational and judicial frameworks for regional and inter-regional cooperation to combat illicit trafficking and transnational organized crime are already in place, and the *GCC Criminal Information Centre to Combat Drugs* (GCC-CICCD), which acts as a force multiplier in combating illicit trafficking. UNODC will be supporting GCC-CICCD efforts in building closer cooperation with other regional and international law enforcement cooperation entities/organizations³² under the framework of UNODC “Networking the Networks” initiative targeting organized crime. In addition, as a follow-up to the February 2014 meeting at the League of Arab States on international cooperation, where the decision was taken to establish a network of organized crime and terrorism authorities, UNODC will further its work with LAS in order to operationalize this network.

In the context of the UNODC Container Control Programme, AIRCOP and the land border control programme, UNODC will place a strong emphasis on strengthening regional and international law enforcement cooperation. UNODC will also continue to work under the *Arab Initiative to Build National Capacities to Combat Human Trafficking in the Arab Countries*, which is the main framework for UNODC assistance in the field of combating trafficking in persons and has the objective to strengthen regional cooperation and enhance the capacities of LAS Anti-Human Trafficking Coordination Unit. UNODC will also ensure operational cooperation with other regions in the framework of existing initiatives, such as the Khartoum Process, which covers mixed migration flows from the Horn of Africa towards North Africa, to increase synergies with other international and national actors.

In the interventions proposed below, UNODC will also support national authorities improving international cooperation in criminal matters. This translates in to raising awareness on existing judicial procedures and mechanisms for mutual legal assistance, extradition, rogatory commissions, etc. In this regard, instruments such as the UNODC Mutual Legal Assistance Request Writer tool and the application of relevant provisions of the United Nations Convention against Transnational Organized Crime (UNTOC) will be promoted.

Regional and international cooperation is also crucial to promote good governance and the fight against corruption. UNODC will thus continue to assist the Member States in their active participation in as well as follow-up through the United Nations Convention Against Corruption (UNCAC) Review Mechanism.

³² Such as INTERPOL, EUROPOL, World Customs Organisation, Joint Planning Cell (JPC), South East European Law Enforcement Centre (SELEC), Central Asian Regional Information and Coordination Centre (CARICC), Police Organisation of ASEAN (ASEANPOL) and others.

4.1.3 Partnership with civil society

The presence of a knowledgeable and capable civil society plays an important role in building societies based on the rule of law and acting as effective support to health, economic and security government policies. This is of particular importance for countries in transition. Civil society can help former inmates harmoniously reintegrate into society; they can act as relays to health services to conduct outreach and awareness-raising; they can support anti-corruption efforts by acting as whistleblowers; they can help mediating local conflicts and counter the narrative of terrorist organizations. Awarding the Nobel Peace Prize for 2015 to the National Dialogue Quartet, a union of four key Tunisian civil society organizations, is a testament of the important role these organizations can play in supporting peace, security and development in the region.

In dealing with complex and sensitive issues, such as drug use, crime and criminal justice reform, there is a strong need to promote solid partnerships with civil society across MENA region. Where appropriate, UNODC will promote the involvement of civil society organizations (CSOs) in its programmes and projects, in particular in the fields of drug and HIV prevention and treatment, juvenile justice reform and anti-corruption, notably in relation to the second cycle of the UNCAC review mechanism. These efforts are in line with the 2014 Doha Declaration. This will be achieved mostly through capacity-building, awareness-raising and the provision of grants (in line with UNODC and national rules and regulations) in order to further the combat against drugs, crime and health threats faced by the Member States.

Where applicable, UNODC will map CSOs and networks in the region working on the thematic areas outlined in this Regional Programme, carry out targeted advocacy campaigns with CSOs to raise awareness at the local level, and create and reinforce existing communication channels with Member States, international organizations, and experts.

4.1.4 Human Rights

Human Rights are at the core of all work of the United Nations system and – together with peace, security and development – represent one of the three, interlinked and mutually-reinforcing, pillars of the United Nations as enshrined in the Charter.

UNODC is in a unique position to work across all three pillars in its efforts against crime, drugs and terrorism and in supporting Member States establishing a safe society founded on the rule of law. In this regard, *CND Resolution 51/12* reaffirmed the importance of countering the world drug problem in a multilateral setting with full respect for all human rights and fundamental freedoms.

UNODC assistance is based on the United Nations standards and norms in crime prevention and criminal justice, which provide a collective vision of how criminal justice systems should be structured and help to significantly promote more effective and fair criminal justice structures. The standards include the following:

- Standards and norms related primarily to persons in custody, non-custodial sanctions, juvenile justice and restorative justice;
- Standards and norms related primarily to legal, institutional and practical arrangements for international cooperation;
- Standards and norms related primarily to crime prevention and victim issues;
- Standard and norms related primarily to good governance, the independence of the judiciary and the integrity of criminal justice personnel.

With its expertise in the areas of the rule of law, crime prevention, criminal justice and security sector reform, as well as drug prevention, treatment and care, UNODC has the potential to significantly contribute to mitigating challenging human rights situations.

To ensure that human rights are taken into due consideration, particular attention will be given to the United Nations system-wide policy “*Human rights due diligence policy on United Nations support to non- United Nations security force (HRDDP)*”. The policy provides that United Nations activities for such forces are undertaken following proper examination of the human rights situation. Where concerns are detected, the United Nations agencies are required to address these as appropriate within the regional and thematic context of their mandates.

4.1.5 Gender mainstreaming

Gender inequalities remain deeply entrenched in every society and in many areas. To date, 188 countries, and most recently the State of Palestine in April 2014, have ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), signalling their commitment to implementing a human rights-based response to the benefit of women and girls. Yet, all too often women are denied control over their bodies, denied a voice in decision-making, and denied protection from violence. Furthermore, the United Nations Security Council Resolution 1325 of 2000 on women, peace and security acknowledges the disproportionate and unique impact of armed conflict on women and girls. It calls for the adoption of a gender perspective to consider the special needs of women and girls during conflict, repatriation and resettlement, rehabilitation, reintegration and post-conflict reconstruction.

UNODC will apply a culturally-sensitive and context-based approach to introduce gender mainstreaming into its activities. Projects, such as violence against women, support to women in prison settings, capacity-building on protection and assistance of human trafficking victims, and HIV-related interventions in prison settings, will be rooted into a gender mainstreaming framework. Partnerships with civil society will be developed and strengthened (in line with UNODC and national rules and regulations) so as to raise awareness of these issues. In addition, UNODC will strive to not only consider gender mainstreaming in the context of obtaining an equal number of male and female participants to training activities, but to also counter persisting stereotypes and to ensure the application of international best practices by national institutions. Further considerations will also be given to the removal of obstacles to secure equal access of men and women to UNODC activities.

UNODC assistance will be based on relevant international standards and norms, including CEDAW, the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), relevant Crime Commission resolutions, as well as the Guidance Note for UNODC Staff on Gender mainstreaming in the work of UNODC³³.

4.2. SUB-PROGRAMME I: ORGANIZED CRIME

Sub-Programme I of the Regional Programme will consist of four outcomes focusing on strengthening the responses of Member States to organized crime, by strengthening capacities to control their borders and counter trafficking of illicit goods, human beings and migrant smuggling. Furthermore, assistance to strengthen technical and specialised policing capacities to combat organized crime will be provided under this outcome.

All UNODC interventions will be based on and aligned with the United Nations Convention against Transnational Organized Crime and its three supplementing Protocols, which target specific areas and manifestations of organized crime: (a) the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; (b) the Protocol against the Smuggling of Migrants by Land, Sea and Air; and (c) the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their

³³ <http://www.un.org/womenwatch/directory/docs/UNODC-GuidanceNote-GenderMainstreaming.pdf>

Parts and Components and Ammunition. UNTOC is the main international instrument in the fight against transnational organized crime and all Arab countries have signed, ratified or accepted the Convention.

Outcome 1: Capacities to effectively control borders strengthened

UNODC approach to land border control

The current instability in the entire region is to be coupled with the sheer size of the countries. With a total of 47,195km of land borders, the 19 countries covered by ROMENA³⁴ are experiencing difficulties in addressing the porosity of their borders. In addition, several of these borders are located in remote desert areas where patrolling requires not only heavy logistical means but also special training and capabilities in order to face potential criminal and terrorist activities. Traditional methods to secure borders, such as securing official border crossing points and regularly patrolling borders is neither sufficient nor fully effective given the facts that most of illicit trafficking does not pass through official land crossing points and that the sheer length of the borders makes it impossible to effectively secure the borders by patrolling.

The institutional challenge of combating illicit trafficking in MENA region largely relates to human, organizational and financial capacities of the national counterparts to respond to these forms of crime. There is no technological quick fix to address illicit trafficking in MENA region. As a result, UNODC assistance to governments in MENA region will comprise a holistic approach to strengthening border control capacities. UNODC will provide assistance to (a) improve skills, equipment and techniques used by law enforcement agencies operating at official border crossings; (b) improve criminal information collection, analysis and sharing at key hub cities along smuggling and trafficking routes; and (c) support frontline officers collecting as much information as possible from seizures and arrests, as well as illicit movements, and sharing it with central authorities in charge of in-depth investigations on organized crime and terrorist groups.

In addition, UNODC will focus on promoting national and regional cooperation to respond to organized crime and illicit trafficking. This will mainly be reached through the creation of common Police Offices (Border Liaison Offices - BLOs) to support regional counter-trafficking investigations. These Offices will include officers from all relevant operational units (police and customs) of the concerned countries. The function of BLOs will be to collect, analyze and share information received at the borders and communicate it to the local authorities concerned. Officials inside the BLOs will serve as focal points catering to sub-regional and local illicit trafficking inquiries and they will result in a professional and improved response time. Currently, UNODC is providing assistance to improve counter trafficking work in Egypt, Libya, Sudan and Tunisia through training on profiling, the delivery of equipment, joint training sessions among neighbouring countries, and support to inter-agency collaboration. The RP is to extend those activities to other countries.

UNODC approach to sea container and cargo control

About 90 per cent of all trade is conducted via maritime containers of which more than 750 million are shipped yearly in the trade supply chain, and of this amount, less than two per cent are inspected. The incredible volume of containers travelling the seas from country to country and continent to continent, make them important targets for actors in the illicit drug trade as well as for actors involved in producing and delivering counterfeit goods and merchandise and in trafficking of arms and strategic goods for terrorism purposes. The global dependency on maritime trade, combined with sophisticated concealment methods employed by narcotraffickers, counterfeiters and smugglers, and diverse trafficking routes, make

³⁴ The figures include South Sudan, which is covered by ROMENA but not formally part of this Regional Programme and Syria, whose membership to the League of Arab States is currently suspended.

successful interdiction and intervention difficult. The situation, therefore, poses a serious threat to the international trade supply, as well as to sustainable development.

In this context, UNODC and the World Customs Organization (WCO) have come together to elaborate the Container Control Programme (CCP). The Programme has a global reach and aims to fortify the structures and processes which allow for the application of sustainable laws for States and selected ports, so as to minimize the exploitation of maritime containers for e.g. the illicit trafficking of firearms, drugs, drug precursors, counterfeit products, chemical, biological, radiological, nuclear, and explosives (CBRNE) agents, weapons of mass destruction (WMD), dual use goods, cultural property, wildlife and other criminally-driven profit commodities and contraband. Hence, for greater efficiency, while facilitating cooperation in the prevention of crime amongst States and international agencies involved in the regulation of container and cargo traffic, the Programme maintains strategic alliances with various security entities within States with operational ports. These entities include customs, the police, maritime institutions and the private sector amongst others. It is also designed to strengthen and promote the alliances between the customs, trade and enforcement communities in an effort to prevent the abuse of legitimate commercial trade for illicit activities while simultaneously making an effort to eradicate the inter-institutional mistrust and corruption that can hamper effective execution of the Programmes.

Under the CCP, UNODC will assist Governments in participating MENA countries to (a) establish and maintain effective container and cargo controls that will serve not only to prevent drug trafficking and other illicit activity, but also to facilitate legitimate trade and protect border revenue; (b) establish and maintain Port Control Units (PCUs), comprising customs and other law enforcement officers, trained and equipped to identify and inspect high-risk freight containers with minimum disruption to legitimate trade and business; (c) ensure that all PCUs have regular access to expert/mentor services and are encouraged to forge partnerships and links with the trade and business community; (d) promote closer cooperation and encourage the development of effective information-sharing mechanisms between countries participating in the Programmes and with the wider customs and border policing community; and (e) ensure that UNODC and WCO, in cooperation with relevant partners, enhance mechanisms for the collection, analysis and dissemination of container and cargo intelligence and risk assessment.

UNODC approach to airport control

In resolution 2178 (2014), the Security Council expressed “grave concern over the acute and growing threat posed by foreign terrorist fighters” and imposed obligations on member states to respond to this threat, including combating FTF travel by air. On 19 May 2015, the Analytical Support and Sanctions Monitoring Team of the Security Council’s Committee concerning Al-Qaida and associated individuals and entities released a report on FTF.³⁵ The report found that more than 25,000 FTF are currently active throughout the world, but that the flow was mainly focused on entering Iraq, Libya and Syria.

To join terrorist groups FTF mostly travel by plane. Although travel used to be direct, enforcement measures recently led to the use of more complex schemes of travel, some of them mixing air travel with land transport. Yet, most FTF still use air transport, with Turkey being used in 2015 as a major transit point (Istanbul airport). The continuous flow of FTF to/within/from MENA region is made possible by the variety of the profiles of the individuals travelling (some of them even travelling as couples), the complex routing used, the fact that many of those people are not known by law enforcement or intelligence agencies, and the legal difficulties involved in proving the criminal intent in judicial proceedings.

In addition to the travel of FTF, airports can be used for illicit trafficking. Air cargo volumes are growing annually. Business and consumer demand for the expeditious, efficient shipment of goods has fuelled the rapid growth of the air cargo industry over recent years. Though more costly than sea or land freight alternatives, the air cargo environment allows for shorter shipping times for high value and perishable

³⁵ See report S/2015/358 entitled “Analysis and recommendations with regard to the global threat from foreign terrorist fighters”.

goods. In this transport medium the airfreight industry and the air passenger industry are uniquely linked. Both are frequently carried on the same aircraft making this environment more vulnerable to security threats than other modes. The increased volume of air cargo traffic, along with sophisticated and often ingenious concealment methods and diverse routings adopted by illicit traffickers and terrorists, makes successful interdiction by law enforcement agencies difficult. In addition, border control agencies must be mindful of trade facilitation measures and the economic losses that might result from unnecessary delay and/or damage as a result of inspection/control. There is consequently a need to encourage a more integrated and joined-up approach between agencies to channel their specialist expertise, intelligence sources and agency resources to identify air cargoes of interest for both trade integrity and transport security. In MENA region, no significant seizures at airports have been made over the past years, possibly due to a low prioritization of combating illicit trafficking. But information from seizures made in Sub-Saharan Africa, Asia and Europe indicate that Arab airports are being used as rebound airports for illicit trafficking.

In addition to the CCP, which can operate in an airport setting, the AIRport COmmunication Project (AIRCOP) is a project implemented by UNODC, together with the International Criminal Police Organization (INTERPOL) and WCO. The project, launched in 2009 in West Africa, aims to strengthen airport controls through the establishment of Joint Airport Task Forces (JAITFs), composed of all relevant law enforcement agencies operating at a given airport platform or through the empowerment of existing units/security schemes. Each JAITF receives expert training and mentoring on the best profiling and search techniques. Once established, the Task Forces are given access to INTERPOL databases and to WCO's real-time, secured communication system enabling direct airport-to-airport communication. In addition, every year AIRCOP organizes joint operations where all participating countries, under the overall coordination of WCO and INTERPOL, increase their controls, test interdiction methodologies and build operational relationships with other airports. The Regional Programme intends to expand AIRCOP to MENA region and to cover all main international airports, focusing on both the travel of FTF and illicit trafficking.

Outcome 2: Capacities to counter trafficking of drugs and illicit goods strengthened

UNODC approach to drug trafficking

Available data on seizures in MENA region suggest a noticeable increase in drug trafficking through the region since 2011. Traditionally, Arab countries intercept around 30 per cent of the global cannabis resin, most of it in North African countries, which have seen an increase in the past years. Cocaine seizures are low compared to other regions, however, a drastic increase took place in 2014, when three major shipments containing cocaine were interdicted in Jordan, Saudi Arabia and the United Arab Emirates accounting for more cocaine seized in MENA region than during the preceding four years taken together. A similar trend can be observed with regards to heroin. MENA region accounts for less than one per cent of global seizures, trafficking occurring mostly through Jordan and the United Arab Emirates and Egypt being one of the main destinations. In 2014, heroin interception in Egypt almost tripled compared to the previous years. Moreover, UNODC early warning advisory reported more than 540 New Psychoactive Substances (NPS) globally by the end of 2014, and an increased number of MENA countries reported expanding NPS trafficking, in particular synthetic cannabinoids. Forensic capacities of drug laboratories to identify drugs in general and NPS in particular vary significantly across the region.

The increase of drug trafficking through the region and also the seeming emergence of new trafficking routes are the result of the unstable security situation and ongoing armed conflicts in the region, as well as drug traffickers exploiting the resulting weak border controls. In order to counter this trend, UNODC will continue to support Member States improving data and information analysis for more informed and evidence-based policy-making and increase regional cooperation, which is a key driver to curbing transnational illicit trafficking. UNODC will continue to support regional bodies mandated with drug

trafficking to act as a platform for exchange of criminal intelligence and information on drug and precursor production and trafficking.

UNODC will also continue to provide assistance to advance the knowledge and skills of law enforcement officers to effectively investigate and prosecute drug trafficking cases and strengthen Member States' drug and precursor identification and profiling capacities thereby increasing interdiction. UNODC will support the improvement of the infrastructure of laboratories and help create a network between drug laboratories across the region, in particular to strengthen the response to the challenges posed by NPS and precursor diversion. Member States will be encouraged to use the relevant UNODC platforms, such as the Precursor Incident Communication System (PICS), the Early Warning Advisory, and the International Collaborative Exercises (ICE) Programme.

Furthermore, UNODC can provide support to alternative development and alternative livelihood initiatives within the region, upon request from Member States. Eradication efforts are ongoing in many countries of the region. However, without alternative development options, this will not lead to sustainable results in curbing illicit drug cultivation as it mainly occurs in poor areas. National alternative development projects have been implemented in Lebanon and Morocco in the early 1990s and in Morocco and Egypt between 2010 and 2013. Using its expertise and experience in Latin America and South-East Asia, UNODC intervention would look at the key driver for communities to grow drugs, analyze local markets for agricultural goods, identify possible replacement cultures, support access to markets by solving logistical and/or financial obstacles, and closely monitor implementation and the size of surfaces used to grow drugs.

UNODC approach to arms trafficking

The smuggling and diversion of weaponry constitute a tremendous threat to the Member States given the present volatility and on-going violence and conflicts in the region. It allows criminal organizations, terrorist groups and other violent non-state actors to exponentially bolster their power and can thus wreak havoc on a massive scale. Arms and ammunition are smuggled throughout MENA region. At present, international and regional attention is focused on weapons smuggled from Libya and concerns over the consequent arming of insurgent movements across MENA. In the past two years, there have, amongst others, also been significant arms seizures in the Gulf originating from Iraq and seizures of pistols and ammunition in Yemen and Oman originating from Turkey. Sinai is considered a high-risk area for arms trafficking as it appears to serve as a corridor for further onward proliferation in the region, including Gaza.

In order to strengthen the response of Member States to illicit firearms manufacturing, trafficking and firearms-related criminality, UNODC will support Member States through the provision of legislative and technical assistance in this field, including updating of legislations of Member States in order to comply with the Firearms Protocol, developing marking strategies and operational support, which encompasses the institutional, technical and budgetary country-specific setting. UNODC will also provide support to approaches on increased security and effective record keeping for firearms, in particular for seized arms, and to the development of comprehensive national collection and destruction activities. Furthermore, UNODC will focus on strengthening national law enforcement capacities through specialized trainings on the effective investigation and prosecution of complex and transnational cases of firearms trafficking and their links to organized crime and terrorist activities and promote regional and international cooperation and information exchange on data relating to the illicit trafficking of firearms.

UNODC approach to trafficking in cultural goods

Political instability, corruption and a lack of resources to control borders and provide security at archaeological sites or museums leave many countries vulnerable to the loss of their cultural property. Examples of widespread looting may be found in recent years in Egypt, Iraq, Libya and Syria.

Several resolutions have been adopted in the past years by the Security Council and the Economic and Social Council of the United Nations, with a view to strengthening the crime prevention and criminal justice responses to the protection of cultural property and to address its illicit trafficking, which has become a considerable source of profit for criminal groups in MENA region. The Security Council Resolution 2199 of 2015 also recognizes the close link between illicit trafficking in cultural property and the financing of the terrorist activities of ISIL/Daesh, active in Syria and Iraq, and calls upon international organizations to assist Member States take appropriate steps to prevent the trade in Iraqi and Syrian cultural property.

The trafficking in cultural property from Syrian and Iraqi territories, but also from other countries, such as Egypt, Libya and Yemen, needs to be addressed on a global scale. A comprehensive response needs to address weaknesses in legislative frameworks, lack of awareness by law enforcement, including customs and judicial authorities, as well as financial circuits, including the work of private entities, such as auction houses. Measures need to be put in place to both stop looted cultural property from being exported from the affected countries and to prevent it from being sold either through auctions or directly to private collectors.

UNODC will provide assistance in this regard by (a) increasing research and evidence-gathering on the trafficking of cultural property as there is little information in this regard and promoting a quick exchange of information; and (b) providing technical assistance with UNESCO to strengthen the legal frameworks in the countries and build capacities of law enforcement and judicial authorities to better deal with this criminal phenomenon. UNODC will support emergency border control efforts, enabling the detection of illicitly excavated or stolen cultural property and strengthen the integrity of customs and border police to prevent criminal networks from exporting looted cultural property. A regional initiative could be designed and implemented with LAS.

The International Guidelines for Crime Prevention and Criminal Justice with Respect to Trafficking in Cultural Property and Other Related Offences developed by UNODC and adopted by the General Assembly in December 2014 can provide a framework for UNODC to assist Member States in the development and strengthening of their policies, strategies, legislation and mechanisms in the area of protection against trafficking in cultural property and related offences. UNODC will also take advantage of its Practical Assistance tool, which is currently being finalized to assist Member States in the implementation of the International Guidelines.

Outcome 3: Capacities to counter migrant smuggling and trafficking in human beings strengthened

UNODC approach to migrant smuggling

Conflicts and instability in Iraq and Syria, as well as in East Africa, are driving an increasing number of asylum seekers to leave their country and seek international protection in Europe using North African countries as embarkation points, alongside migrants on the move for economic motives from West, Central and East Africa. The activity of organized crime networks involved in smuggling operations along the routes leading to the shores of the Mediterranean and onwards has resulted in an unprecedented number of deaths. In Libya and Syria, the lack of law enforcement capacity allowed smuggling networks to operate freely, including in collaboration with local militia or terrorist groups.

The mandate of UNODC has been reiterated in Resolutions 6/3 and 5/3 of the Conference of the Parties to the UNTOC as well as in ECOSOC Resolution 2014/23 on "Strengthening international cooperation in addressing the smuggling of migrants", which encourages States and UNODC to undertake further technical assistance to enhance the capacity of Member States to criminalize, investigate and prosecute the smuggling of migrants. Regional cooperation frameworks on migration and mobility, inter alia, the

Rabat Process and the Khartoum Process, also call for concrete actions to prevent and tackle the challenges of smuggling of migrants, and the related protection issues.

To date, all North African States³⁶ are parties to the Smuggling of Migrants Protocol but some have yet to transpose its provisions into domestic legislation. A common framework between countries affected by the same smuggling route is an essential feature of effective action against this crime. In addition, the need remains to strengthen the capacity of criminal justice practitioners in the region to investigate, prosecute and adjudicate cases of migrant smuggling, as well as to enhance judicial and prosecutorial cooperation at the regional level.

Under the Regional Programme, and in line with the priority interventions highlighted in the 2015 UNODC "Contribution to International Efforts to Address the Smuggling of Migrants across the Mediterranean - Strategy for the Building of Capacity of North African Countries through an Integrated Response", UNODC will aim to support countries in the region in their efforts to dismantle transnational smuggling networks while protecting the human rights of smuggled migrants. Along with supporting the development of countries' legal and institutional framework against migrant smuggling and aligning them with the Smuggling of Migrants Protocol, particular emphasis will be placed on strengthening States' criminal justice institutional and operational capacities, while establishing channels for regular police and judicial cooperation and intelligence sharing amongst agencies at national, regional and international levels.

Building on the successful participation of civil society in promoting the UNCAC and in the implementation of its Review Mechanism, CSOs could serve as key partners in implementing the Smuggling of Migrants Protocol. This could particularly be the case for activities related to prevention and assistance.

UNODC approach to trafficking in human beings

According to the UNODC 2014 Global Report on Trafficking in Persons, most of the victims detected in the Middle East are from South-East and Central Asia (51 per cent). Victims from Sub-Saharan Africa (mainly East Africa) account for about 10 per cent of total victims detected, whereas around 31 per cent of the victims are trafficked within MENA region. Victims from North Africa were detected both in the Middle East as well as in Europe. The criminal networks making profit of the increased irregular migration flows resulting from the instability in the region often expose smuggled migrants to abuse and exploitation, with children and women particularly vulnerable to becoming victims of trafficking in persons. The 2014 UNODC Global Report on Trafficking in Persons, found that during the period 2011-2013, eight countries reported Syrian victims of trafficking. Victims from Syria were very rarely detected before the beginning of the Syrian crisis.

Recent policy and legal reforms indicate that there are increased efforts in MENA region to ensure commitment to combating human trafficking.³⁷ Significant improvements have also been made in the development of domestic legal frameworks, with the majority of countries³⁸ having enacted³⁹ an anti-human trafficking legislation. Implementation of the legislation is, however, still challenging with few prosecutions and convictions reported in the region, and with limited identifications of trafficking victims and assistance provided to them.

UNODC aims to continue supporting Member States dismantling human trafficking networks under the new Regional Programme, building on the achievements of the Arab Initiative to Build National

³⁶Except Morocco.

³⁷ With Sudan's accession to the Trafficking in Persons Protocol in December 2014, Yemen is the only remaining country covered by the Regional Programme that is not yet party to the Trafficking in Persons Protocol.

³⁸ Morocco and Tunisia are in the process of adopting national laws against human trafficking.

³⁹ Libya and Yemen are yet to adopt dedicated national laws against trafficking in human beings in line with the Protocol.

Capacities to Combat Human Trafficking in the Arab Countries, which has been supporting recent policy and legal reforms and strengthening criminal justice responses. Continuation and expansion of such regional interventions are envisaged to consolidate the fruitful collaboration established with the LAS Anti-Human Trafficking Coordination Unit and to further respond to the needs identified by the Member States. Priorities of such expansion will focus on promoting regional law enforcement and judicial cooperation, strengthening institutional frameworks to promote implementation of anti-human trafficking legislation, and ensuring sustainability of capacity-building provided to criminal justice practitioners for adequate identification, investigation and prosecution of cases.

Outcome 4: Strengthened capacity of Member States to develop threat assessments and improved technical and specialized policing capacities

Given the new trends in security threats emerging in MENA region, there is a constant need to capacitate law enforcement authorities to enable them to identify and respond effectively to these challenges. Focus areas under this outcome include: research, criminal information analysis, forensics, and cybercrime.

Threat assessments capacity

UNODC attaches great importance to research and data analysis as a basis of all its interventions. Only through a profound knowledge on the various challenges and needs and well-established base lines, can informed policy-making come about and useful and effective interventions be designed. In addition to promoting research and data analysis throughout all sub-programmes and outcomes, UNODC will support Member States strengthening their capacities to conduct threat assessments.

In general, data on drugs, crime, corruption and terrorism in MENA region are scattered at best. Data on drugs and crime, generated from the Annual Report Questionnaire (ARQ) and Crime Trends Survey (CTS), as mandated by international treaties, show that data from MENA region is often incomplete. National reports, when and if publicly available, are often narratives of achievements instead of thorough analyses. Authorities in the region often lack the capacity and/or infrastructure to generate, manage, analyze and report data. They often lack a culture of analysis and reporting in line with international standards, and thus threats are often addressed without systemic knowledge of its patterns and modalities. Lack of transparency hinders large scale information sharing at the national and regional levels. Regional bodies acting as information sharing platforms exist but the added value of sharing information needs to be emphasized. Research and thorough analyses of security threats in the region are becoming ever more important for Member States as a means to respond effectively to the surge in terrorist, organized crime and illicit trafficking activities accompanying ongoing conflicts and profound transformations in the region.

Upon specific request from the Member States, UNODC will provide support to strengthen the capacities of Member States to create the knowledgebase needed to assess threats and develop response strategies to serious and organized crime. In this regard, emphasis will be put on the capacity to analyze criminal data in accordance with internationally-accepted standards, best practices and methodologies in criminal information collection, analysis, use and exchange.

UNODC will provide access to best-practice manuals and other tools, e.g. the International Classification of Crime for Statistical Purposes, endorsed by the United Nations Statistical Commission and the Commission on Crime Prevention and Criminal Justice in 2015, will be translated to Arabic and will be available in 2016. Through this support, Member States will have enhanced capacities for proper information generation and management. Relevant authorities will be able to conduct thorough assessments and study the impact of policies and operational strategies in order to facilitate evidence-based policy design at the national and regional levels. Baselines on drugs and crime trends in the Member States will be established and continuously monitored. UNODC will also work with the Member

States to increase regional information-sharing through supporting existing regional platforms and establishment of regional mechanisms if needed.

Criminal information analysis

Criminal information analysis provides techniques that structure the natural deductive capacities and thought processes of investigators. It provides tools, which help understand the information collected, and to communicate that understanding to others. Criminal information analysis allows law enforcement authorities establish a proactive response to crime. It enables them to identify and understand criminal groups operating in their areas. Once criminal groups are identified and their habits known, law enforcement authorities may begin assessing current trends in crime in order to forecast and hamper the development of perceived future criminal activities. Information, therefore, provides knowledge on which to base decisions and select appropriate targets for investigations. In addition to the use of criminal information analysis to support investigations, surveillance operations and the prosecution of cases, it also provides law enforcement agencies with the ability to effectively manage resources, budget and meet their responsibility for crime prevention.

Over the years, criminal information analysis has gained recognition as an essential and efficient concept to support the investigation, adjudication and prevention of crime. In many countries across the world, criminal analysis techniques have been mainstreamed and are now integrated in the organizational framework of police services as core capacities. However, across MENA region, the use of criminal analysis remains limited. Faced with the increasingly complex nature of organized crime and terrorism networks, and the frequent use of information and communication technology for the commission of crimes or attacks, law enforcement services across the region need to adopt modern and efficient techniques to prevent and counter such activities.

UNODC will assist Member States to enhance their capacities to analyze criminal data in accordance with internationally-accepted standards, best practices and methodologies in criminal information collection, analysis, use and exchange. UNODC will (a) provide access to best-practice manuals and other tools; (b) support the establishment of adequate legal frameworks; (c) strengthen the ability of governments to manage and oversee crime data collection and analysis; and (d) promote regional and sub-regional networking among specialized units. Furthermore, UNODC can provide support to law enforcement and criminal justice services in the following areas: assessment and gap analysis; development and update of national legislation on information collection, classification and sharing; institutional integration of crime analysis capacities; and criminal information analysis capacity-building for law enforcement agencies.

Forensics

UNODC regards forensic services as an integral element of criminal justice reform and the rule of law. Forensic service capacity across MENA region is in need of enhancement to ensure that reliable, probative and scientifically-based evidence is available to support criminal investigations. In several Member States there is limited capacity for collecting, preserving and analyzing forensic evidence. This restraint on capacity applies to (a) first responders, including police and investigators, to process crime scenes; (b) forensic examiners, including police specialists, to perform basic examinations; (c) laboratories and medical facilities, both governmental and external, to perform routine and non-routine forensic services; and (d) the judiciary, with respect to a proper understanding of the nature and added value of forensic evidence in criminal proceedings. Furthermore, sexual and gender-based violence victims need high quality, healthcare-oriented and timely forensic medical response. Clinical forensic medicine services in a number of Member States do not meet these needs.

UNODC aims to enhance the capacity of Member States to better deliver forensic services in accordance with internationally-accepted standards and will concentrate on the promotion of internationally-accepted best practices and quality standards in forensic service delivery. This will be achieved through (a) enhancing access to best practice manuals and other tools; (b) improving forensic medical and scientific

laboratory facilities; (c) strengthening the ability of governments to manage and oversee service delivery; and (d) promoting regional and sub-regional networking among forensic institutes.

UNODC will build on its ongoing technical assistance programmes to further support Member States in developing sustainable forensic services. These technical assistance programmes include the development of forensic capacity and infrastructure from the 'crime scene to the court room' through the development and broad availability of best practice guidelines and standards, strengthening of forensic institutions, legislative support for governing authorities, awareness-raising for stakeholders and the provision of equipment, tools and materials.

Improved forensic services contribute to more transparent, equal and fair justice systems, which will benefit the wider community and support the fundamental right to a fair trial.

Cybercrime

Cybercrimes can include a wide range of offenses, such as corporate espionage, identity-related crimes, fraudulent transactions, and malevolent use of personal information. Acts against the confidentiality, integrity and availability of computer data or systems generate significant profits for criminals each year, with far-reaching impact not only on economies and online commerce, but also on ill-informed individuals who fall victim to it.

The United Nations General Assembly resolution 64/179 drew attention to cybercrime as an emerging policy issue with particular reference to the technical cooperation activities of UNODC, and invited UNODC to explore, within its mandate, ways and means of addressing this issue. In addition, the General Assembly Resolution 65/230 requested UNODC, in the development and implementation of its technical assistance programmes, to aim for sustainable and long-lasting results in the prevention, prosecution and punishment of crime including organized crime and cybercrime.

Specifically, UNODC is able to assist Member States to build capacities to prevent, counter and raise awareness on cybercrime. This will be reached through the establishment of strong legal, regulatory and institutional frameworks in the Member States to investigate, prosecute and adjudicate cases of cybercrime, taking into account relevant international standards and recognized best practices. Furthermore, enhancing cooperation, communication and information exchange mechanisms on cybercrime between relevant national and international stakeholders is an important aspect to counter cybercrime successfully.

4.3. SUB-PROGRAMME II: COUNTERING TERRORISM

All UNODC interventions in the area of counter terrorism will be rooted in the promotion of ratification and application of the 19 universal legal instruments against terrorism and relevant United Nations Security Council resolutions.

Outcome 1: Improved criminal justice responses to terrorism

Establishing an effective criminal justice system against terrorism is an important step in building a global culture against terrorism. In this regard, UNODC has been consistently working to ensure that Member States legislation and criminal justice systems are prepared and effective to respond to the challenges of terrorism and its emerging trends.

UNODC supports Member States to (a) promote the ratification of the 19 universal legal instruments against terrorism; (b) provide legal assistance with the review of national counterterrorism legislation to harmonize it with the requirements of the universal legal instruments; (c) build the capacity of national criminal justice officials to implement these standards through various training activities, and (d) support regional and international cooperation in criminal matters to facilitate mutual legal assistance and extradition.

In order to respond to the increasingly complex nature of terrorism in MENA region, UNODC has developed specialized expertise and provides training on a range of thematic areas, that include, but are not limited to, the use of the internet for terrorist purposes, suppressing the financing of terrorism, addressing transport-related (civil aviation and maritime) terrorism offences, promoting and protecting human rights and fundamental freedoms while countering terrorism, as well as the emerging terrorist challenges, such as FTF, violent extremism, radicalization, and the growing link between terrorism and organize crime.

Legal Frameworks

Several recent United Nations Security Council resolutions require Member States to criminalize a new set of offences related to terrorism, such as the travel and attempts to join conflict zones in order to prevent terrorism. In this regard, UNODC started new activities aimed at identifying the gaps in existing legislation in relation to the new international requirements and at establishing a criminal justice preventive strategy criminalizing terrorism-related offences (incitement, glorification, recruitment, training and financing of terrorism). The first country to benefit from an in-depth training on the requirements of the United Nations Security Council Resolution 2178 of 2014 on FTF was Iraq.

UNODC will provide legislative assistance covering/tackling a wide range of issues that need to be incorporated in counter-terrorist laws, with a focus on each legal element relating to criminal procedure and international cooperation in criminal matters, such as regulations on the use of special investigative techniques (undercover operations, communications interceptions, etc.) and provisions related to supporting victims of terrorism. In addition, UNODC will continue to develop its legislative assistance material to policy-makers and relevant officials during training activities, in addition to providing comparative legislation analysis, and promoting the counter-terrorism model law (in line with international requirements) and tailor-made legal advice and recommendations on legislative provisions.

Investigations & Adjudication

Investigating and prosecuting terrorism cases present a number of challenges for criminal justice systems. For example, evidence may be classified, witnesses and juries may require special security measures, and attorneys' possibility to interact with their client may be limited. There is also a risk of infringing on human rights and fundamental freedoms during the investigation and prosecution of suspects.

At the national level, UNODC will strengthen the capacity of criminal justice and law enforcement officials in the Member States to effectively investigate, prosecute and adjudicate terrorism cases. At the regional level, UNODC will promote effective cooperation among prosecutors and law enforcement officials and facilitate the sharing of good practices. Throughout the process, the Member States will be required to comply with relevant Security Council resolutions and international legal instruments. Their response to terrorism should be grounded in the rule of law and fully respect human rights.

UNODC will continue to develop specialized training and tools, from which Arab countries already benefit, including (a) training on countering the use of the internet for terrorist purposes; (b) assistance in the development of effective national preventive strategies to counter the appeal of terrorism by specifically criminalizing preparatory acts and facilitating the prosecutorial intervention before the commission of terrorist acts; (c) a specialized tool that provides guidelines, good practices related to national legislation and the response of criminal justice system to support victims of acts of terrorism; (d)

best practices and guidelines for special investigative techniques as essential tool for successfully investigating and prosecuting terrorist cases without infringing human rights and fundamental freedoms, such as the right to privacy; (e) training on investigation and prosecution of financing acts focusing on new trends in moving and transferring funds, illicit trans-boundary movements of cash and the use of innovative technology, including new payment methods; (f) training on the efficient examination of a terrorist crime scene in order to improve evidence collection and address specific challenges and precautions to be taken when managing such cases; (g) best practices on the establishment of specialized counter-terrorism units within law enforcement authorities; and (h) training on the prevention of the dual-use of chemical materials, which represents one of the most common means used to commit terrorist attacks in MENA countries.

In addition to the support provided under Aircop and other border control initiatives in relation to FTF, UNODC will use expertise from countries that have already adopted efficient measures to investigate and prosecute FTF cases and put it at the disposal of Member States to support the development of tailor-made, rule of law compliant strategies, combined with their own experiences and best practices.

Preventing the use of the Internet for terrorist purposes

The internet has also become a powerful tool for financing, recruitment, training and even preparation of terrorist acts. UNODC will pay particular attention to this issue and provide capacity building to Member States to prevent the misuse of the internet by terrorist groups focusing on investigation and prosecution of terrorist cases involving the use of internet, including the exchange of national experiences and good practices. Training on the Use of Special Investigation Techniques of Digital Communication Channels will be expanded into MENA region and adapted to include tailor-made mock investigation scenarios. In 2016, a five-week online training course on the Use of Special Investigation Techniques is envisaged. This course builds on a previously-held in-person training conducted in Algeria, Bahrain, Egypt, Iraq, Morocco and Tunisia, and will further strengthen the capacities of investigators.

Countering the financing of terrorism

Terrorists require financing to recruit and support members, maintain logistics hubs, and conduct operations. Thus, preventing terrorists from accessing financial resources is crucial to successfully counter the threat of terrorism. However, many Member States in MENA region lack the legal and operational frameworks and technical expertise needed to detect, investigate and prosecute terrorist financing cases.

UNODC works on the legal aspects of countering the financing of terrorism, including promoting the ratification of the relevant universal legal instruments, in particular the International Convention for the Suppression of the Financing of Terrorism (1999), and the implementation of these international standards. This entails reviews of domestic legislation to ensure proper criminalization of offences related to the financing of terrorism and legislative drafting, developing the capacity of criminal justice and law enforcement officials to investigate, prosecute and adjudicate terrorist financing through the provision of specialized training on issues related to special investigation techniques, freezing, seizing and confiscating terrorist assets, and strengthening regional and international cooperation against the financing of terrorism.

In 2012, UNODC pioneered the development of two innovative training tools: a "Mock Criminal Investigation" and a "Mock Trial" on terrorism, terrorist financing and linkages to serious related crimes, providing practitioners with an opportunity to simulate trials and criminal investigations based on real-life scenarios.

In 2015, UNODC plans to start implementing the programme for selected Member States on countering terrorist financing for FTF in order to suppress evolving threats of FTF in the region.

Countering Foreign Terrorist Fighters

Member States in MENA region also face numerous challenges posed by new terrorist threats, such as FTF, kidnapping for ransom and the destruction of cultural heritage by terrorists. Following requests from the Member States and in line with the relevant General Assembly and Security Council resolutions, UNODC launched a five-year initiative on criminal justice response to FTF in the MENA (Algeria, Egypt, Iraq, Jordan, Lebanon, Libya, Morocco, Tunisia and Yemen) and Balkan countries in March 2015. In implementing the new initiative, UNODC closely partners with the European Union, United Nations Counter-Terrorism Committee Executive Directorate (CTED) and Counter-Terrorism Implementation Task Force (CTITF). The programme envisages work on harmonization of national legislation related to FTF in compliance with Security Council resolution 2178 (2014), as well as training the criminal justice officials to deal with specific criminal justice aspects related to FTF and to enhance international, regional and sub-regional cooperation in this respect. The capacity building addresses such aspects as investigation, prosecution and adjudication of FTF cases, the use of intelligence information in FTF cases as admissible evidence, the use of special investigation techniques to counter terrorist activities on the Internet, preventing and countering the financing of terrorism in the context of FTF and strengthening regional and international cooperation.

4.4 SUB-PROGRAMME III: COMBATING CORRUPTION AND FINANCIAL CRIMES

Sub-Programme III will focus on assisting Member States to curb corruption in the region. In this respect, UNODC will assist Member States in the full implementation of UNCAC as well as in the upcoming UNCAC Review Cycle for the Convention's Chapters II (Preventive Measures) and V (Asset Recovery).

Outcome 1: Strengthened capacities to preventing and investigating corruption

An important element to counter the prevalence of corruption is to minimize the possibility of it even occurring by detecting and eliminating its causes and enabling environment, mainly through the development and implementation of appropriate measures deterring any involvement in corrupt practices.

The UNCAC sets a number of preventive measures which governments are either required or encouraged to adopt, from designating preventive bodies and adopting effective policies to cooperation mechanisms with the private and the civil sectors. Some of these preventive measures have already been initiated in MENA region. The effective adoption and implementation of anti-corruption strategies, national systems of asset disclosure and conflict of interest for public officials, access to public information, public procurement systems, judicial integrity, measures to prevent corruption in the private sector, involvement of the civil sector and protection of reporting persons, are all important elements in the prevention of corruption. Among MENA countries the level of implementation of such provisions vary greatly, given the different social and economic environments and the varying levels of institutional and law enforcement capacities. UNODC will thus support the establishment and/or strengthening of these critical preventative measures required by UNCAC through the provision of expertise and training, as well as through the enhancement of required infrastructure, such as the creation of databases and data management systems. UNODC will also aim at supporting further efforts with a particular focus on the implementation of the relevant provisions of UNCAC on police integrity and oversight. The possible role of CSOs in raising awareness and supporting national campaigns will also be promoted.

In addition to supporting preventative measures, UNODC will also provide assistance to strengthen the capacities of Member States in MENA region to effectively detect, investigate, prosecute and adjudicate

corruption offences. The UNCAC requires State Parties to criminalize offences as outlined in Chapter III (Articles 15 to 25). Furthermore, legal and other additional measures to facilitate law enforcement action against acts of corruption need to be adopted, including whistleblower and witness protection, as well as special investigative techniques, amongst others.

Under the current cycle of the UNCAC Review Mechanism, most of the needs have already been identified to bring the Member States in line with the above requirements. Accordingly, UNODC will support Member States developing stronger criminal justice responses to corruption by (a) providing legislative assistance; (b) strengthening anti-corruption institutions, and (c) strengthening the capacity of judges and prosecutors to deal with corruption cases.

Outcome 2: Improved national criminal asset management systems

Recovering and returning stolen assets denies corrupt actors the ability to enjoy the proceeds of their crimes and can provide governments with much-needed funds to support the welfare of citizens.

In the past years, MENA countries have responded to the requirements of UNCAC with regard to putting in place appropriate measures to seize, confiscate and return proceeds of corruption by building their relevant judicial and law enforcement capacities and fostering international cooperation in criminal matters.

One aspect of asset recovery, however, remains less developed across MENA region: the management, use and disposal of criminally-derived (not just from corruption) and stolen assets, at the legislative, institutional and operational levels. A functioning and effective management system takes into account the management, use and disposal of assets at the domestic level and the management, use and repatriation or sharing of assets where more than one jurisdiction is involved and requires international cooperation. In addition, depending on the circumstances and their nature, seized assets need different maintenance and treatment from the moment they are seized until they are confiscated and, if the case may be, returned - which can take several months, if not years. One essential prerequisite to be able to act effectively on requests from foreign jurisdictions and assist in the tracing, seizing and forfeiture of criminally-derived and stolen assets, is a robust legal, operational and administrative regime including well defined and transparent asset management protocols at the national level.

According to international standards and best practices, an effective asset management system includes a centralized body in charge of these actions. Such a body can either be independent or placed within existing departmental frameworks. Furthermore, adequate legislation defining the jurisdictions and mandates of the institution are necessary, as well as the identification and description of responsibilities and duties of asset managers (e.g. fiduciary duty to maintain, preserve and adequately dispose of seized and confiscated assets). Asset managers also need to have the proper authority to take all necessary steps and actions/measures to properly manage confiscated assets, including the ability to recruit experts and contractors, lease facilities and/or invest. Most countries in MENA region are yet to achieve these standards.

UNODC will provide assistance to the MENA countries with expertise and best practice examples on how to build up effective criminal asset management systems and to enhance their institutional and legal capacity. Assistance will also include training to designated bodies and their staff to strengthen inter-agency and international cooperation.

Outcome 3: Capacities strengthened to counter money laundering and to conduct effective financial investigations

Illegally-obtained funds from numerous criminal activities tend to remain hidden. Yet, means are being found for these funds to be integrated into legal businesses and into the legal economy. They are laundered and moved around the globe, using and abusing shell companies, intermediaries and money transmitters. Preventing and combating money laundering has therefore drawn significant international attention in the past decades, and has become part of important international treaties, such as the Vienna Convention of 1988 and the UNTOC of 2000, which demanded the classification of money laundering as a criminal offence. Most notably, the UNCAC adoption in 2003 established the comprehensive, legally-binding obligation for countries to improve the criminalization of money laundering offences to the widest possible range of predicate offences, based on those regulated in its Articles 15 to 25.

In order to effectively fight organized crime and to dismantle related groups, one essential means is to cut the flows of financial resources that keep them functioning. In addition, tracing, identifying and confiscating illicit funds and proceeds of crime contributes to tackling other forms of serious crimes, such as trafficking of human beings, arms and illicit drugs.

Strong and effective financial investigation capacities have proven to be amongst the most effective tools to respond to gaps in financial transparency and to counter money laundering activities, thereby reducing both opportunities for corruption as well as the financing of terrorism. Various methods and tools, such as bank information, databases and registries, disclosure forms, open source information, etc. need to be processed and analyzed correctly in order to produce valid evidence and intelligence. Member States in MENA region have all taken significant steps to strengthen their legal and institutional capacities to trace illegal financial transactions. However, given the complexity of this field, the myriad of laws and regulations surrounding it, many challenges remain for the Member States to establish firm and effective financial investigation systems.

UNODC will support the Member States strengthening both their institutional and human resources capacities to respond to the challenges of tracing, identifying, freezing, seizing and confiscating proceeds of crime. UNODC will also provide necessary legislative assistance, notably revising criminal laws and procedures, and focus on establishing effective inter-agency and international cooperation.

4.5. SUB-PROGRAMME IV: CRIME PREVENTION AND CRIMINAL JUSTICE

Given the recent history of instability in MENA region, caused in part by perception of injustice and punitive approaches to crime and political dissent, particular attention should be paid to improving criminal justice systems. UNODC interventions under Sub-Programme IV will thus focus on improving these areas in order to strengthen the rule of law, good governance and equal and just criminal justice responses, in particular with regards to women and children.

Outcome 1: Development and implementation of crime prevention strategies supported

World statistics on safety and security show that MENA region has relatively low crime and homicide rates compared to other regions.⁴⁰ However, MENA region is affected by several underlying risk factors,

⁴⁰http://www.academia.edu/3555277/Planning_and_Designing_Urban_Space_Community_and_Crime_Prevention_The_Case_of_ArabCountries

such as a large young male population, high unemployment, and conflicts prevailing in several countries across the region. In addition, some countries, in particular Egypt, Jordan and Lebanon, are currently challenged by a high influx of refugees from neighbouring countries, foremost from Syria and East Africa, which can have a destabilizing effect. Refugees are often traumatized by conflicts. Having lost ties with families and community structures, they find themselves in an alien, unstructured situation, deprived of social and economic opportunities. Many men are unable to work, which has the potential to breed violence within homes and outside. Due to competition over scarce resources in the host countries, including jobs, tensions can evolve between refugees and the resident population.

Community safety in communities affected by the Syrian refugee crisis

Within refugee camps, frustration over living conditions often spins out of control and theft and violence are common and often go unpunished. Infiltration of the camps by unregistered persons or even criminal groups is also of major concern. Displacement exacerbates risks of human trafficking and forced engagement in sex work and sexual exploitation, to which young women and children are particularly exposed. Child labour, sexual and gender-based violence (SGBV), such as forced and early marriage, domestic violence and survival sex have also been observed both in camp and non-camp settings amongst the refugee population.

Many of these incidents are not reported to the police but dealt with through mediation by the community itself. If reports are made, police often lack the capacity to provide adequate assistance and safe and secure living conditions for the victims and those at risk. Limited police presence and lack of capacity amongst police officers to build trust with the refugee population, problem-oriented and community-based approaches to policing, and adequate responses to violence against women and children are urgently needed. Community policing is considered an effective way to address disorder and to prevent crime rather than traditional, reactive approaches. It also ensures local ownership of safety, security and justice by making the community a partner in the delivery of these services, which is especially key in mixed communities. Activities in this area could be linked to Outcome 5 of this Sub-Programme with regard to information collection, as community policing can be an information-gathering tool for better intelligence-led policing and more effective criminal investigations.

Building on its previous assistance to police units operating in the Za'atari camp in Jordan, UNODC will assist concerned countries in enhancing community safety and adapting their policing practices in and around refugee camps, as well as in selected communities, starting in Jordan (in Amman, Irbid and Mafraq) and Lebanon (North of the country and Bekaa). Special attention will be given to the protection of women and children and the prevention of SGBV, crimes against minors, and victims of human trafficking. UNODC assistance will help to address shortcomings in the current policing structures and capacities, as well as to strengthen partnerships between state and non-state actors, including law enforcement, service providers and community representatives to ensure an effective prevention of violence and crime, as well as adequate assistance to and protection of victims.

Local crime prevention initiatives focusing on youth

Starting in Palestine, UNODC will provide assistance in educational settings to reduce risk factors for violent behaviour that can lead to crime and it will promote life skills development and healthy life styles among youth.

Crime prevention in educational settings will focus on enhancing skills of teachers, school counsellors and families to identify and deal with students in early risk situations, and sponsor activities, including sports-related activities in order to build resilience against risk factors of crime, drugs and gang-involvement. School staff will be trained on means to respond to identify and respond to situations where youth may become involved in crime and violence, and schools and universities will be assisted in developing and enforcing policies that reduce the risk of spill-overs of drugs, crime and violence from the street into schools in order to provide a safe learning environment.

In addition, strategic advice on crime prevention will be provided including surveys on safety and victimization. Civil society organizations engaged in crime prevention will be supported in order to increase the general knowledge of what can be done in this field, to bring together all efforts, to avoid duplication, and to build on lessons learnt. Awareness-raising activities and media campaign will also play an important role in this endeavour, as well as the promotion of inter-ministerial coordination in developing and implementing crime prevention strategies.

Integrated national crime prevention strategies

Crime prevention strategies are to reduce the occurrence of crime and its potential harmful effects on individuals and society. There is clear evidence that well-planned crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to sustainable development. Effective and comprehensive crime prevention strategies enhance the quality of life of all citizens and have long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime.⁴¹

Upon request, UNODC will also support Member States in the region to develop integrated national crime prevention strategies in order to provide effective policy frameworks for the implementation of crime prevention plans, programmes and activities. In this context, UNODC will assist Member States in identifying priority crime problems and their root causes as well as areas for action, including concerning social crime prevention; situational crime prevention; the prevention of recidivism (re-offending), as well as the protection of victims.

UNODC also has the expertise to assist Member States in the development of community policing action plans. Community policing is considered as one of the most effective ways to address disorder and preventing crime rather than traditional, reactive approaches. It ensures local ownership of safety, security and justice by making the community a partner in the delivery of these services, which is considered particularly important in mixed communities. Furthermore, it can serve as an efficient information-gathering tool for better intelligence-led policing and thereby facilitate criminal investigations provided that well-functioning oversight mechanisms are in place. Upon request, UNODC can support Member States' efforts to implement relevant provisions of the United Nations Code of Conduct for Law Enforcement Professionals and the Basic Principles on the Use of Force and Firearms and other relevant crime prevention standards.

Outcome 2: Strengthened capacities of criminal justice systems enabling them to provide better access to justice for children and to prevent and respond to violence against children

Outcome 2 will focus on strengthening legislative, institutional and human resource capacities of criminal justice institutions to deal fairly and humanly with children in contact with the justice system (i.e.: child victims and witnesses of crime as well as alleged child offenders) and to promote effective measures to prevent and respond to violence against children.

The Convention on the Rights of the Child (CRC) and other legal instruments call for a specialized child-sensitive juvenile justice system that places respect for the dignity and the best interest of the child at the centre of legislation, policy and practices, while promoting a sense of worth for the children, their rehabilitation and their reintegration into society. Following the ratification of the CRC by all the MENA countries, most of them have enacted or proposed to enact laws to protect children from violence, abuse, neglect and exploitation. A number of countries have put in place comprehensive Child Laws bringing together legal provisions for the protection of children and juveniles. There is, however, a wide governance gap between these international standards and their implementation. Often, children across

⁴¹Guidelines for Crime Prevention; ECOSOC Resolution 2002/13.

the region continue to see their rights neglected by laws and institutions and have to endure harsh and retributive punishments that further stigmatize and marginalize them. In particular, children from economically-disadvantaged backgrounds, who have fled home as a result of violence, and those who suffer from mental health problems or substance abuse, find themselves at special risk.

With the recent adoption of a new international normative instrument the *United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice*, the international community has recognized the key role played by the criminal justice system in preventing and responding to violence against children and has mandated UNODC to assist countries in the implementation of this new set of international standards and norms aimed to promote justice for children.⁴²

UNODC assistance to MENA countries in the field of justice for children will include national and regional components. Despite the similarities of the challenges in the region, each country has its particularities stemming from its culture and thus, national action plans on juvenile justice have to be tailored to and by each country. UNODC will assist countries in the region to (a) set up or strengthen legal and policy reform; (b) strengthen the capacity of institutions and actors responsible for the promotion of the rights of children in contact with the justice system (c) provide capacity-building, training and awareness-raising, including awareness raising on the rights of child victims and witnesses and (d) strengthen coordination mechanisms between law enforcement, justice, the social sector, government and non-government actors.

UNODC has the expertise to provide capacity building ranging from the development and strategic planning of violence prevention and child justice policies to the investigation, control and punishment of violence against children in full respect of rule of law principles and child rights standards, the evaluation and strengthening of institutions, public service management, etc. UNODC is also able to develop training curricula, training manuals, provide training of trainers and design cost effective methods and tools for requested training activities.

UNODC assistance to the MENA countries in the field of justice for children will also include the *provision of legal advisory services* in order to align the national legal, regulatory and policy frameworks with the “*United Nations Model Strategies and Practical Measures on the elimination of violence against children in the field of crime prevention and criminal justice*”.

At the regional level, UNODC will assist Member States to (a) share and profit from best practices; (b) benefit from regional expertise and create a pool of regional experts; (c) share tools and manuals; (d) create a platform of dialogue among the various practitioners in the region; and (e) establish regional approaches supporting the implementation of child-sensitive justice systems.

Outcome 3: Gender-sensitive criminal justice systems in place and strengthened criminal justice responses towards violence against women

Outcome 3 will focus on enhancing gender-sensitivity of the criminal justice system by strengthening legislative, institutional and human resource capacities of Member States to deal efficiently and humanly with the phenomenon of violence against women and prioritizing the use of non-custodial measures for women offenders and improving the treatment of women prisoners. *The Updated Model Strategies and Practical Measures on the Elimination of Violence against Women*⁴³ and the *United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules)*⁴⁴ will serve as the normative basis for UNODC assistance.

⁴² General Assembly Resolution A/RES/69/194, Annex, of 18 December 2014.

⁴³ General Assembly resolution 65/228, Annex.

⁴⁴ General Assembly resolution 65/229, Annex.

Violence against women (VAW) continues to pose a significant challenge in MENA region. Following the Arab Spring, some Member States have paid increased attention to specific forms of violence against women and positive legislative and procedural developments have occurred in this area. Nonetheless, obstacles remain and gender-based violence continues to present an important challenge for the Member States. The various actors of the criminal justice system – police, judiciary and courts – are still failing female victims of violence. Hostile attitudes from officials dealing with such cases and under-developed services result in under-reporting of cases of violence against women and therefore go unpunished. There is a profound lack of confidence and trust in the criminal justice institutions as well as a high percentage of victims whose needs for assistance, protection and redress are neither recognized nor met.

At present, 160 countries worldwide have laws to address violence against women. Yet, the advancement towards a legal framework for protection against gender based violence is most limited in MENA region. All too often, the women subjected to violence are violated twice: the first time when they are victims of violence, and the second time when they seek, and do not find, the justice and services they are entitled to. All too often⁴⁵ the rate of trials and sanctions for acts of violence against women is low, and when perpetrators are held accountable, they are punished for lesser crimes and given shorter and lighter sentences.

UNODC will assist Member States in their efforts and initiatives to prevent and respond to violence against women, in particular by strengthening criminal justice systems and responses. UNODC will provide legislative assistance and legal advice with the objective to strengthen legal regimes in order to prevent and eliminate VAW and to combat impunity for perpetrators of VAW crimes, as well as support the improvement of access to justice and legal aid for victims. Furthermore, the collection and analysis of relevant data, including the implementation of surveys, in particular victimization and VAW surveys, will be supported. UNODC will also focus on strengthening national measures to assist and protect victims and witnesses of VAW crimes and train relevant criminal justice officials on effective responses, including on the proper treatment of victims. CSOs can play a key role in this regard, given the experience they hold on the ground in providing assistance to victims. In addition, existing national crime prevention policies and strategies in the area of VAW will be revised and amended, as required.

UNODC will also provide assistance to address violence against women during imprisonment and after their release addressing gender-specific and other needs that are often not met in criminal justice systems and prisons that were built for men.⁴⁶ Research in various countries of the region has shown that every second woman in prison has experienced violence, which is considerably higher compared to women outside of prisons.⁴⁷ In this regard, UNODC will provide legislative assistance and policy advice to bring national legislation and practices in line with the Bangkok Rules. UNODC will also support coordination and the development of specialized capacities and skills among prison administrations and criminal justice professionals to enable them to take into account the particular background of women offenders and prisoners to meet their specific needs.

Outcome 4: Improved access to legal aid

International human rights instruments recognize that when the fundamental rights to life and freedom are put at risk, individuals have the right to legal assistance in order to ensure that the State properly fulfills its obligations imposed by law. As a result, the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders adopted in 1990 the *United Nations Basic Principles on the Role of Lawyers*, which state as follows: "*All persons are entitled to call upon the assistance of a lawyer of their choice to protect and establish their rights and to defend them in all stages of criminal proceedings.*"

⁴⁵ <http://www.oecd.org/mena/governance/women-in-public-life-mena-brochure.pdf>

⁴⁶ See UNODC, Handbook on Women and Imprisonment, 2nd edition, 2014.

⁴⁷ PRI: 'Who are women prisoners?' Survey results from Jordan and Tunisia, 2014.

Special attention will be paid to children, young people and women in their capacity as victims, witnesses and rights holders vis-à-vis the criminal justice system.

A functioning legal aid system as part of a functioning criminal justice system often leads to reducing the length of time suspects are held in police stations and detention centres, in addition to reducing the prison population, prison overcrowding and congestion in the courts, while also reducing reoffending and re-victimization. It also stands to safeguard the rights of victims and witnesses in the criminal justice process, in turn cutting costs to the state and to communities. This has been recognized by Member States in 2012 in the *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*.

In this regard, UNODC will assist MENA countries in their efforts and initiatives to improve access to justice by, in particular, assisting in legislative drafting and capacity building for all justice professionals.

Outcome 5: Improved justice-police cooperation

Each MENA country has its own criminal justice system and procedure. However, two types of systems can be identified in the region: (a) countries where the prosecution or a law enforcement agency has investigative powers to build a case that will then be submitted to a judge during the trial phase in court; and (b) countries where an investigative judge leads an investigation that is conducted by a law agency and where the prosecution may have the power to request the collection of additional evidence before the case is brought to trial. Irrespective of the justice system adopted by a Member State, a common challenge faced is the implementation of an effective cooperation between law enforcement and justice actors.

Should MENA countries aim at dismantling organized criminal or terrorist groups, and thus go beyond the mere seizure of illicit goods and the arrest of low-level operatives, the effective conducting of in-depth investigations will be required. Yet, there can be no successful in-depth investigations without effective inter-institutional collaboration between law enforcement agencies and the prosecution (and/or investigative judges).

Building on the interventions in the areas of border control, counter-trafficking, counter-terrorism, anti-corruption, anti-money laundering and terrorism financing, UNODC will use its expertise in investigation to identify bottlenecks and obstacles to effective police-justice cooperation. This may require (a) to assess current criminal procedures, notably with the aim to clarify roles and responsibilities; (b) to systematically have joint attendance (police and justice officials) during training events; (c) to share best practices that have been observed within the region and beyond; (d) to conduct large scale training where law enforcement officers (traditionally in greater number than justice officials) would be sensitized to the best ways to conduct an in-depth investigation and contribute to changing prejudices and institutional rivalries.

Outcome 6: Prison systems operate in line with relevant United Nations standards and norms, and effectively contribute to reducing recidivism and addressing violent extremism in prisons

The size of the prison population is growing, both worldwide and in MENA region, where the average rate of occupancy lies at 140 per cent.⁴⁸ The management of the majority of prisons in the region focuses on security, safety and order, paying little attention to the rehabilitation programmes, despite the considerable benefit they can bring to improving prison environments and the social reintegration prospects of prisoners. Prison overcrowding is a challenge in MENA region and jeopardizes the already-

⁴⁸ International Centre for Prison studies: <http://www.prisonstudies.org/world-prison-brief>

weak infrastructure, sanitation, nutrition, health services and care, in particular for vulnerable groups, as well as prisoner activities and programmes. Furthermore, overcrowding is in itself a source of human rights violations.

Many of the prisons in MENA countries lack accurate prisoner information, which significantly undermines the possibility of following individual cases systematically and thus being able to benefit from targeted interventions in order to address their offending issues in order to reduce recidivism and in turn have some effect on the overcrowding issue. For example, proper classification and separation procedures are not practical in an overcrowded prison environment. If classification is to work properly, there must be a capacity to appropriately screen and assess prisoners according to their security rating and their treatment needs. The overcrowding issue makes it difficult to implement any effective intervention strategies to rehabilitate and reintegrate prisoners back into the community. Prison staff responsibilities become predominately focused on the security issues related to managing large numbers of prisoners. Furthermore, the spread of contagious diseases is difficult to avoid in such circumstance. Overall, the United Nations Standard Minimum Rules for the Treatment of Prisoners cannot be adhered to in overcrowded prisons, leading to the violation of human dignity and human rights.

Another factor leading to overcrowding, but further presenting a problem in itself, is the long periods of pre-trial detention, common across MENA region with a regional average of 50 per cent of pre-trial detainees and up to 70 per cent in some countries. Part of the problem may be attributed to bureaucratic judicial inefficiencies, together with the lack of suitable and efficient access to legal assistance as well as to non-custodial sanctions. Problems related to the latter are more severe in crisis and post-conflict countries, in particular where criminal justice systems may have been severely weakened, impotent due to corruption or even become non-existent. Further, in the past ten years, the trend has moved towards more punitive and longer sentences for even minor non-violent offences instead of dealing with the offenders, who are often relatively new to the justice system, by relying on diversion or by utilising non-custodial community-based sanctions, such as cautions, fines, suspended sentences, community service or restorative justice measures.

A relatively new challenge for MENA region is the increasing number of prisoners convicted of serious offences, such as organized crime or related to violent extremism. Research based on empirical data on radicalisation to violence is limited, given that this is a relatively new phenomenon, which continues to evolve. In any case, it has a significant impact on prison systems, which, for example, increasingly count arrested or convicted FTFs amongst their prison population.

UNODC will assist MENA countries in the above challenges by promoting the actions that ensure the incorporation of international standards and human rights within criminal justice systems. Building on these, UNODC can provide technical assistance to policy-makers, prison administrators and staff as they develop their own prison management processes, such as classification systems, prisoner data management systems, risk assessment protocols, rehabilitation and reintegration programs, security management processes, staff training etc. by ensuring that these processes are developed using internationally recognised best practices in order to maximise their effect.

This will be reached through (a) improving prisoner data management systems and monitoring; (b) improving classification systems, including early warning of radicalization; (c) enhancing infrastructures in prisons, including renovation and refurbishment; (d) strengthening or developing independent prison inspection mechanisms, (e) providing support for the expansion and/or development of rehabilitation and reintegration programmes - including income-generating activities and access to markets -, and legislative and advocacy support for alternatives to imprisonment; and (f) supporting the coordination between criminal justice agencies and civil society. In addition, UNODC will provide capacity-building and training on various topics related to prison reform to relevant institutions and their staff.

4.6 SUB-PROGRAMME V: HEALTH

Under Sub-programme V, UNODC will focus on strengthening prevention of drug use as well as comprehensive treatment of drug use disorders, including harm reduction measures. The right to access to quality treatment services should also be availed equitably to people in prison settings and living with HIV. Moreover, health services offered in prisons should mirror those available in the community. The drug demand reduction response in MENA region has moved forward over the last decade (including the period covered by the first Regional Programme) due to the adoption of several well-balanced drug demand reduction strategies. However, many countries are still without any such strategic documents, and some countries where a strategic response in place are still facing obstacles in translating it into evidence-based, effective and cost-effective drug prevention and comprehensive drug treatment national plans of action. Accordingly, the physical and human infrastructure providing this response needs to be established and/or supported.

Political unrest in the region has further exacerbated the flow of illicit substances into local markets. This, coupled with further negative economic and social factors have led to an increase in drug abuse among already vulnerable groups. The above-mentioned unrest has also diverted priorities away from the already frail evidence-based responses, such as substance use prevention and treatment, at a time of growing need for such programmes. For instance, the growing numbers of refugees and internally-displaced and traumatized persons in the region are at great risk to be exposed to a large set of vulnerabilities, including drug use. Even more vulnerable are youth and children who are exposed to war or highly-insecure environments. Services capable of addressing such issues are scarce, in particular services for refugees and displaced persons. This fact, compounded with the interruption of the originally limited (and fragmented) services available to drug dependent individuals will undoubtedly carry a heavy toll on health status and social conditions in the countries concerned.

Despite the challenges faced in the adoption and implementation of the relatively-new harm reduction comprehensive package components, MENA region has a lot of potential. The harm reduction comprehensive package, developed by UNODC, WHO and UNAIDS, does not only provide for health-related outcomes, but also offers economic empowerment factors and social justice components. Moreover UNODC has availed the International Standards on Drug Use Prevention and the Quality Standards for Drug Dependence Treatment, and is developing the International Standards on Drug Treatment, all of which could be of service to the Member States benefiting from the response. Accordingly, UNODC will continue. Accordingly, UNODC will continue to support vulnerable populations including inmates and people who inject drugs in accessing comprehensive evidence-based drug prevention and treatment response packages that cover harm reduction services. UNODC will also support its Member States in reducing demand for illicit drugs through advocacy, policy change and technical support.

Outcome 1: Adapted evidence-based prevention conducted in line with the International Standards on Drug Use Prevention

UNODC has been supporting the Member States providing evidence-based drug prevention packages. Moreover, UNODC has availed the International Standards on Drug Use Prevention that were endorsed by CND in 2013 and were later referred to in the Joint Inter-Ministerial Statement of the 2014 High-Level Review of the Implementation of the Political Declaration of the 2009 United Nations General Assembly Special Session. The International Standards have been availed to policy makers globally, including from MENA region, to re-orient the national responses towards evidence-based programmes focusing on the vulnerabilities associated with substance initiation at different developmental age of growth and in different social settings. The International Prevention Standards provided the core characteristics of the

prevention programmes that are associated with effective impact, as well as those highlighted in science that are actually associated with no or negative results.

UNODC will continue to engage with policy makers and service providers, capitalizing on the established infrastructure to further improve and evaluate existing responses and support evidence-based drug prevention responses by (a) focusing on the most influential social institutions (namely schools, the family, the workplace and the community); and (b) targeting the different vulnerabilities of youth at various stages of development to tailor interventions to the risk level of these individuals (universal, selective and indicated). All interventions and assistance will be guided and in line with the UNODC International Standards on Drug Use Prevention. These evidence-based prevention services will also cater for the increasing number of refugees in the region who require a response tailored to their own needs and characteristics.

Outcome 2: Capacity is strengthened to provide evidence-based drug treatment, rehabilitation and care services equitably in community centres and in closed settings while supporting efforts on alternatives to incarceration

According to 2012 estimates, around 243 million people of the world aged 15-64 have used an illicit drug. Around 27 million people are problematic drug users, i.e. they are using drugs regularly and are suffering from drug use disorders or dependence. Only one out of six of these problematic users has access to drug treatment services.⁴⁹ Despite the lack of accurate information, the situation in MENA region suggests a much larger gap in the service provision (particularly among countries going through political unrests).

UNODC has been engaging with countries from the region to develop the institutional and professional capacity to deliver evidence-based treatment interventions through the training of service providers and master trainers using the Treatnet⁵⁰ modules. UNODC has also supported national treatment centres through the UNODC-WHO Global Programme for drug treatment under the first Regional Programme for the Arab States (2010-2015). Moreover, UNODC has published its Treatnet Quality Standards and presented these in several countries in the region and is in the process of finalizing the International Standards for Drug Treatment, a tool that will allow the enhancement of drug treatment systems. Given the aforementioned growing needs in the region, UNODC will strengthen available infrastructures and service providers, and further build capacities for a drug treatment response that provides a comprehensive, multifaceted set of evidence-based interventions relying on the UNODC-WHO Global Programme on drug treatment and care, guidelines and standards and covering all different vulnerable groups (including women, youth and children).

Outcome 3: Improved access to health services in prison settings

In addition to the challenges and problems stemming from overcrowding in prisons discussed under Sub-Programme II, the overfilling of closed settings highly increases the vulnerability to infections, such as HIV, tuberculosis and hepatitis. It is estimated that the HIV prevalence among prisoners in MENA region may be up to 50 times higher than amongst the general population.⁵¹ In MENA region, around 400,263 persons were imprisoned in 2013.⁵² Drug use and injecting drugs are common in prison settings across the region. Prevalence of drug use in prisons reaches up to 20 per cent in some Member States and the sharing of injecting equipment among people who inject drugs is not uncommon. Despite evidence of

⁴⁹ World Drug Report 2014.

⁵⁰ The Treatnet Training Package was developed by an international consortium of clinical experts, researchers, and trainers from international Capacity Building Consortium, led by the University of California Los Angeles / Integrated Substance Abuse Program (UCLA/ISAP). It is a central component to the effort by the UNODC Treatnet initiative to increase the level of knowledge and skills on substance abuse around the world. <https://www.unodc.org/treatment/en/training-package.html>

⁵¹ UNAIDS Gap_report_2014.

⁵² International Centre for Prison Studies website www.prisonstudies.org.

high HIV risk behaviours in prisons, the overall response to this problem in the region remains insufficient.

Health in prisons and other closed settings is intimately connected to the health of the wider society. UNODC as the leading agency responsible for assisting Member States in policy development and the coordination of strategies for HIV prevention and care among those living in closed settings will adopt, promote and support development of normative guidance, evidence-based HIV policies and programmes on HIV prevention, treatment, care and support in prisons in the region.

Furthermore, UNODC will advocate for increased access to health services including drug dependence treatment and harm reduction measures for persons living in closed settings, at least equivalent to the level enjoyed in communities outside of prisons, with the priority towards the implementation of the 15 interventions outlined in the UNODC-ILO-UNDP-WHO-UNAIDS Policy Brief on “HIV prevention, treatment and care in prisons and other closed settings: a comprehensive package of interventions”⁵³.

UNODC has been involved globally, regionally and nationally to assist Member States technically in applying harm reduction strategies, policies and activities. UNODC has been implementing a project to promote best practices and networking to reduce demand for and harm from drugs over the past years. This long-term regional project aims at empowering local capacities to cover a wide spectrum of activities geared at reducing demand for drugs. In this regard, activities in Egypt, Morocco, Jordan, Lebanon and Palestine are being conducted. UNODC has managed to introduce opioid substitution therapies (OST) in a number of MENA countries: Egypt, Morocco, Lebanon and Palestine.

UNODC will support the development of laws, policies, strategies, guidelines and practices related to HIV and people who inject drugs in order to reduce obstacles to accessing evidence-based and human rights-based HIV prevention, treatment and care services and to reduce violence experienced by people who inject drugs.

UNODC will also advocate for and support increased access to priority interventions and comprehensive packages for HIV prevention, treatment and care for people who inject drugs developed in cooperation with UNAIDS and WHO, namely (a) needle and syringe programmes (NSP); (b) opioid substitution therapies (OST) and other evidence-based drug dependence treatments; (c) HIV testing and counselling (HTC); and (d) antiretroviral therapies (ART).

Outcome 4: The disparity of access to controlled drugs for medical purposes is addressed

As stated in the 2009 Annual Report of the International Narcotics Control Board (INCB), “*One of the fundamental objectives of the international drug control treaties is to ensure the availability of narcotic drugs and psychotropic substances for medical and scientific purposes and to promote the rational use of narcotic drugs and psychotropic substances*”.⁵⁴ While opioids are essential in the management of pain experienced by millions of people who might be suffering from late-stage cancers, AIDS, surgical procedures and other debilitating diseases and conditions, they are also susceptible to abuse. This means that countries face the challenging task of balancing two public health needs: ensuring the availability of these controlled substances for medical purposes and preventing their misuse and diversion.⁵⁵

UNODC will work with relevant partners in MENA region in reviewing and revising national legislation, regulation and policies to guarantee access to controlled drugs for medical purposes in accordance with the UNODC, WHO and the Union for International Cancer Control (UICC) Joint Global Programme, which aims to ensure access to controlled drugs for medical purposes for patients in need, while

⁵³ https://www.unodc.org/documents/hiv-aids/HIV_prisons_advance_copy_july_2012_leaflet_UNODC_ILO_UNDP_Ebook.pdf

⁵⁴ <https://www.incb.org/incb/en/publications/annual-reports/annual-report-2009.html>

⁵⁵ World Drug Report 2014.

preventing the misuse, abuse and diversion of such drugs. The Joint Global Programme responds to requests by Member States as presented in the Commission on Narcotic Drugs' Resolution 53/4 on availability of internationally controlled licit drugs for medical and scientific purposes and Resolution 54/6 on availability of internationally-controlled narcotic drugs and psychotropic substances for medical and scientific purposes; and World Health Assembly Resolution 67.19 on palliative care. It is also in line with the Discussion Paper prepared by UNODC for the 54th session of the Commission on Narcotic Drugs, the 2010 Report of the International Narcotics Control Board on '*Availability of internationally controlled drugs: ensuring adequate access for medical and scientific purposes*',⁵⁶ and the revised 2012 WHO Guidelines '*Ensuring balance in national policies on controlled substances: guidance for availability and accessibility of controlled medicines*'.⁵⁷

In line with this global perspective, this Outcome will help countries in MENA region to (a) build the capacity of healthcare professionals related to utilizing controlled drugs as an aspect of pain management and palliative care; (b) review, analyze and revise existing legislation and policy related to access and availability of controlled drugs for medical purposes; and (c) engage the community in increasing awareness and decreasing the stigma associated with the medical use of controlled drugs such as morphine for cancer patients or end stage AIDS patients.

V. PARTNERSHIPS

5.1 NATIONAL AND REGIONAL PARTNERS

National ownership, mutual responsibility and strategic partnership are crucial for a successful implementation of the Regional Programme. A key strategic partnership is already in place with the League of Arab States and plays a critical role in galvanizing Member States political buy-in. UNODC works closely with the League of Arab States and the Gulf Cooperation Council in the area of terrorism prevention, trafficking in human beings and anti-corruption.

The Steering and Follow-Up Committee of the Regional Programme and regular contacts with governments in MENA region have led to the development of common priorities under the Regional Programme and fosters the appropriation of the Programme's objectives. Project development in the region always takes place through extensive consultations with the national authorities concerned before any initiative is implemented.

UNODC is closely engaged in particular with national counterparts working on the relevant mandate areas, including the Ministries of Interior, Justice and Health, law enforcement, the judiciary and anti-corruption agencies, as well as social welfare agencies concerned with supporting victims of crime, addressing drug-use and tackling the HIV epidemic among people who use drugs and in prison settings.

Moreover, the RP's objectives are designed to be aligned with other on-going regional initiatives, such as the Arab Initiative to Build National Capacities to Combat Human Trafficking in the Arab Countries and the Arab AIDS Strategy.

⁵⁶ https://www.unodc.org/documents/lpo-brazil/noticias/2011/03-marco/Jife/Report_of_the_Board_on_the_availability_of_controlled_substances.pdf

⁵⁷ <http://apps.who.int/medicinedocs/documents/s18050en/s18050en.pdf>

5.2 INTERNATIONAL ORGANIZATIONS

UNODC partners and actively engages with all relevant United Nations agencies and international organizations in the region to ensure programmatic cooperation, complementarities and synergies. This includes participating at the UNDG regional meetings, at the UNCT in the countries where staff is on the ground and providing input for the development and implementation of the United Nations Development Assistance Framework (UNDAF).

UNODC will work closely with UNAIDS with regard to supporting people who inject drugs and those living in prison settings, with UNWOMEN under the framework of 'Safer Cities', with the World Bank with regard to the Stolen Asset Recovery Initiative (StAR).

Under its counter trafficking activities, UNODC will work with WCO, Interpol, the WCO Regional Intelligence Liaison Office (RILO) network, the International Atomic Energy Agency (IAEA), the World Wildlife Fund (WWF), the United Nations Development Programme (UNEP), the International Civil Aviation Organization (ICAO) and the International Air Transport Association (IATA) and other international bodies to ensure capacity building in specialized areas including the trafficking in endangered species, drugs, arms, counterfeit goods, hazardous or nuclear material, etc.. UNODC also closely partners with the European Union, United Nations Counter-Terrorism Committee Executive Directorate (CTED), the United Nations Security Council Resolutions 1267/1989 Al-Qaida Analytical Support and Sanctions Monitoring Team, the Hedayah Center of Excellence, and Counter-Terrorism Implementation Task Force (CTITF) in the area of terrorism prevention and to counter violent extremism. Other cooperation partners include UNICEF, IOM, UNOPS, and ILO, amongst others.

The office is thereby following best practices from the previous RP and the recommendations laid down in the Quadrennial comprehensive policy review of operational activities for development of the United Nations system (A/67/93-E/2012/79). It is taking into consideration the post-2015 development agenda and the Civilian Capacity review process to build on the momentum provided by the United Nations Secretary-General's Five Year Plan of Action in which he noted the "heightened threat of organized crime, piracy and drug trafficking" and the type of integrated responses required to respond to these threats.

5.3 DONORS

Given UNODC significant dependence on donor funding to implement its programmes of support to Member States, multi-lateral and bi-lateral donors are crucial partners. Some countries in the region, such as the United Arab Emirates are both donor and recipient of UNODC activities. An analysis of donor interests and a coordinated fund raising strategy for the region has been undertaken to maximize ROMENA's networks, outreach capabilities and local expertise. UNODC fully respects donor's communication and visibility requirements and informs them of upcoming events with sufficient advance timing in order to enable/ensure their presence if needed.

VI. LESSONS LEARNED

Through the implementation of the previous Regional Programme (2011-2015), there are a number of best practices and lessons learnt for MENA region, which have also been captured in the findings of the in-depth evaluation of the previous RP conducted at the end of 2014/beginning of 2015. The main lessons learnt, which have been taken into account in the development of the present RP, include:

- **Nature of the RP:** The new RP shall function as a strategic framework reflecting priorities for MENA region within UNODC mandates instead of taking the form of an operational document.
- **Visibility:** The need to increase the visibility of the RP and its objectives and to advocate more strongly UNODC comparative advantage as a specialized agency with expert knowledge in sensitive areas and its ability to support normative work, development of knowledge products, to promote cross-border collaboration, and its ability to advocate on key issues at the highest level.
- **Fund-raising:** The importance of having a coordinated fund-raising strategy in place and to advocate for soft earmarking of funding in order to allow ROMENA to be more flexible and responsive to unforeseen developments and to urgent requests for support. During the previous RP soft earmarked funding played a crucial role in programme development and led to the funding and design of several new projects in important areas, such as combating violence against women and border control.
- **Staffing:** The fundamental importance of recruiting and keeping high calibre staff (professional, administrative and short-term experts) in order to deliver quality services.
- **Sustainability:** The importance of integrating Train-the-Trainer and Mentoring programmes as much as possible to generate enduring learning curves and embedding institutional memory within organizations.
- **Presence on the ground:** The importance of having presence/offices in-country in order to develop new and strengthen existing relationships with local counterparts as well as to raise awareness for UNODC programming and fundraising.
- **Partnership with the League of Arab States:** The partnership with LAS on the RP has proven to be indispensable. It has helped to mobilize the required political support from the Member States and has actively supported and facilitated the implementation of the previous RP, in particular regional activities, such as trafficking in human beings and the establishment of judicial network.

VII. RISK MANAGEMENT

Implementing programmes in a region undergoing a profound political transition entails a series of risks and challenges related to the stability of the environment and the strength of government institutions over which UNODC has little or no control. Unpredictable events, such as outbreaks of violence and/or sudden changes in governments can rapidly change circumstances on the ground, and thus the conditions for implementation of UNODC technical assistance. Outlined below are the major risks and challenges, both external and internal, which UNODC at this point considers possible to encounter during the period of the Regional Programme and its mitigation measures.

RISKS	MITIGATION MEASURES
EXTERNAL RISKS	
<p>Outbreak of conflicts and/or political instability hampers the implementation of technical assistance under the Regional Programme.</p>	<ul style="list-style-type: none"> ▪ In case of outbreak of violence, UNODC will follow the advice provided by the United Nations Department of Security and Safety (UN-DSS) and either suspend or relocate activities in the affected country; ▪ In case of outbreak of violence and a required (temporary) suspension of implementation in one of the countries in the region, UNODC can send officials to another country in order to provide its assistance; ▪ Some interventions under the Regional Programme have a regional coverage while being implemented through national activities. In case violence erupts in a given country, UNODC will be able to focus on countries not affected by violence or instability and continue overall implementation until it can re-start activities in the affected countries.
<p>The security situation in parts of the countries where UNODC implements activities under the Regional Programme does not allow any UNODC physical presence.</p>	<ul style="list-style-type: none"> ▪ UNODC will follow the advice provided by UN-DSS and the national authorities; ▪ UNODC will relocate its activities to safer regions within the same country can be envisaged.
<p>Given the transitional nature of several countries in the region, which are facing certain security challenges combined with the sensitive mandates UNODC is working on, Member States might not consider collaborating with UNODC on certain issues a matter of priority.</p>	<ul style="list-style-type: none"> ▪ UNODC will ensure the coherence of its work with national and regional priorities through on-going mapping / assessment of priorities. This will mainly be done through the annual Steering and Follow-Up Committee meetings where immediate priorities are updated annually; ▪ UNODC will continue to implement a clear communication strategy, which provides Member States and regional bodies with clear and compelling information on why and how UNODC can contribute to addressing national and regional drug and crime challenges; ▪ UNODC will deliver relevant and effective services, which convince Member States and relevant regional bodies of its value as a strategic partner in addressing regional crime, terrorist, and illicit trafficking challenges.

RISKS	MITIGATION MEASURES
EXTERNAL RISKS	
High turn-over in Member States' institutions reduces continuity of implementation and/or affects sustainability (e.g. with regard to training of trainers).	<ul style="list-style-type: none"> ▪ UNODC will do its utmost to secure agreements from the Ministries concerned to ensure that staff trained under the Regional Programme stay in place for an adequate period and perform the tasks they were trained for. ▪ UNODC will advocate for the establishment of appropriate handover procedures and overlapping time between departing and arriving staff.

RISKS	MITIGATION MEASURES
INTERNAL RISKS	
Adequate financing is not forthcoming from the international community	<ul style="list-style-type: none"> ▪ A donor mapping is currently being developed and will be available as of January 2016 in order to determine and appropriately align fund-raising with donor priorities. This will be coupled with continued active engagement and advocacy based on a clear communication and influencing strategy; ▪ UNODC will work to deliver effective services, which convince donors of UNODC value as a strategic partner in the implementation of their human security priorities for the region.
Flexible implementation of initiatives in line with evolving needs might be affected by some UNODC administrative processes.	<ul style="list-style-type: none"> ▪ Ongoing reform and improvements to UNODC management and administrative systems and processes are ongoing, including financing mechanisms for regional programmes and human resources management. In November 2015, UNODC changed its enterprise resource planning system to Umoja in order to apply the latest management best practices currently rolled out across the United Nations Secretariat.

VIII. ACCOUNTABILITY

As accountability lies at the core of the work of the United Nations, this document also ensures that UNODC's contribution to reaching the stated objectives in this document will be measured and analyzed. Therefore, provisions will be made that:

- Independent evaluations of every project in the region will be conducted in line with the UNODC Evaluation Policy;
- A meta-evaluation/analysis of UNODC contribution towards reaching the stated objectives, based on independent evaluations, will be planned, budgeted-for and conducted one year before the end of the Regional Programme (currently 2020);
- Evaluation capacity-building will be built in UNODC, as well as in Member States, in order to foster accountability at all levels.