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ECOSOC 2: Commission on Crime Prevention and Criminal Justice (CCPCJ)

Research Report

Topic 1: Combating corruption within law enforcement.



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Table of Contents

Introduction	2
Definition of Key Terms.....	2
Background Information.....	2
Major Countries and Organizations Involved	3
Relevant UN Resolutions	4
Previous Attempts to Solve the Issue	5
Possible Solutions.....	5
Bibliography	7

Introduction

Corruption within law enforcement agencies poses a significant threat to the rule of law, undermines public trust, and compromises the integrity of justice systems globally. For example, corruption within law enforcement agencies, particularly at the local and state levels, has been a significant issue in Mexico, slowing development and empowering violent criminals.

Therefore, this research report will elaborate on the problem of the first topic and give examples of resolutions voted to eradicate the issue.

Definition of Key Terms

Corruption: Corruption is dishonest behavior and can refer to the abuse of power.

Corruption includes activities such as bribery and embezzlement of public funds, but it also includes practices that are not explicitly criminalized in many legal systems, such as abuse of power, trading in influence, and various forms of fraud.

Law enforcement: Refers to the system by which laws are enforced and maintained within a society, typically involving agencies and personnel responsible for ensuring compliance with legal norms and addressing violations of laws and regulations.

Background Information

Corruption within law enforcement agencies poses a significant challenge to the rule of law, human rights, and sustainable development worldwide. The United Nations has long recognized the detrimental impact of corruption on security and justice systems, particularly in fragile and conflict-affected states.

Several countries have faced severe challenges related to corruption within their law enforcement agencies. For instance, in Afghanistan, reports of bribery, drug trafficking, and collaboration with insurgent groups within the Afghan National Police have raised concerns about the effectiveness and integrity of the country's security apparatus. Similarly, in Nigeria, widespread corruption within the police force, including allegations of extortion and human rights abuses, has undermined public trust, and hindered efforts to address crime and insecurity.

In response to these challenges, the United Nations has taken various actions to address corruption within law enforcement. The UN Office on Drugs and Crime (UNODC) has provided technical assistance and capacity-building support to strengthen anti-corruption measures, enhance transparency, and promote integrity within justice and security institutions. Additionally, the UN has supported efforts to reform legal frameworks, enhance accountability mechanisms, and foster a culture of integrity and professionalism among law enforcement personnel.

However, combating corruption within law enforcement requires sustained efforts and cooperation at the national, regional, and international levels. The United Nations continues to work with member states, civil society organizations, and other stakeholders to address the root causes of corruption, strengthen institutional frameworks, and promote good governance and the rule of law globally.

The combat of corruption in law enforcement can be a key factor in the development of secure and harmonious societies. The termination of corruption in many countries has already shaped numerous societies and helped ensure a safe and viable way of life for many citizens.¹

Major Countries and Organizations Involved

Russia – Allegations of corruption within law enforcement agencies, including bribery, extortion, and involvement in organized crime, have raised concerns about the integrity of the justice system in Russia.²

Nigeria – Corruption within the Nigerian police force, including bribery, extortion, and human rights violations, has been a significant concern, undermining public trust and effective law enforcement.³

Interpol - As the world's largest international police organization, Interpol plays a role in promoting integrity and combating corruption within law enforcement agencies worldwide.

Transparency International - Transparency International is a German registered association founded in 1993 by former employees of the World Bank, with the mission to stop corruption and promote transparency, accountability, and integrity at all levels and across all sectors of society.⁴

The United Nations Office on Drugs and Crime (UNODC): The UNODC provides technical assistance, develops guidelines and best practices, and supports capacity-building initiatives to help countries prevent and combat corruption within law enforcement agencies, it plays a leading role in addressing corruption within law enforcement.

¹ UN, The United Nations Convention against Corruption (UNCAC). "International anti-corruption instrument", United Nations, 2003,

<https://www.unodc.org/unodc/en/treaties/CAC/>
UN, UNODC. "UNODC, the office of drugs and crime." UNODC, 1977,
<https://www.unodc.org/unodc/index.html>

² Jstor.org. "A Case of Predatory Policing?" , JSTOR Collection, Law & Society Review, Mar. 2008, <https://www.jstor.org/stable/2973410>
journals.uchicago.edu. "Corruption in Russia", The Journal of Law and Economics. Volume 59, Number 1, Feb. 2016,
<https://www.journals.uchicago.edu/doi/10.1086/684844>.

³ Afrobarometer, Richard Kweitsu. "Amid growing insecurity, Nigerians fault police for corruption and lack of professionalism." Dispatch No. 715 , 11 October 2023, <https://www.afrobarometer.org/wp-content/uploads/2023/10/AD715-Nigerians-fault-police-for-corruption-and-lack-of-professionalism-Afrobarometer-10oct23.pdf>

⁴ Le Monde, International . "Russia declares Transparency International undesirable." Le Monde with AP, March 6, 2023,
https://www.lemonde.fr/en/international/article/2023/03/06/russia-declares-transparency-international-undesirable_6018406_4.html
Transparency International, News. "WE HAVE ONE VISION, A WORLD FREE OF CORRUPTION" transparency.org, Founded on May 4, 1993,
<https://www.transparency.org/en/the-organisation>

Relevant UN Resolutions

1. *The conference of the States Parties to the United Nations Convention against Corruption (Sharm el-Sheikh declaration only)*

At its ninth session, the Conference adopted the following resolutions (Total of 27 different resolutions, only a few are listed, and the numbers of each clause are next to it): ⁵

1. *‘Encourages States parties to further the full and effective use of the United Nations Convention against Corruption to develop, put in place and, where appropriate, improve and strengthen anti-corruption policies and strategies, in accordance with domestic law, to ensure emergency preparedness and address corruption during times of emergencies and crisis response and recovery;’*
4. *‘Calls upon States parties to prevent opportunities for public officials to use their status, influence or insider knowledge to profit from procurement processes or the design, allocation, distribution or management of crisis response and recovery measures by requiring public officials to disclose potential conflicts of interest and ensuring appropriate review, management and sanction mechanisms, in accordance with domestic law;’*
15. *‘Urges States parties to take measures, within their means and in accordance with the fundamental principles of their domestic law, to provide the public with timely information during times of emergencies and crisis response and recovery, to prevent and combat corruption and to counter misinformation;’*
26. *‘Requests the United Nations Office on Drugs and Crime, in close cooperation with bilateral and multilateral technical assistance providers, to continue to provide technical assistance to States parties, upon request, based on priorities and needs and subject to the availability of extrabudgetary resources, to implement the relevant provisions of the present resolution;’*

2. *Draft resolution for adoption by the General Assembly*

The Conference of the States Parties to the United Nations Convention against Corruption recommends to the General Assembly the adoption of the following draft resolution (Conference In Abu Dhabi)⁶

*‘Welcoming the entry into force on 14 December 2005 of the United Nations Convention against Corruption, which is the most comprehensive and universal instrument on corruption, and recognizing the need to continue to promote its ratification or accession thereto and its full and effective implementation,
Acknowledging the importance of promoting, facilitating and supporting international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery’*

⁵ UN, The Conference of the States Parties to the United Nations Convention against Corruption “session9-resolutions.” UNODC, 13 to 17 December 2021, <https://www.unodc.org/unodc/en/corruption/COSP/session8-resolutions.html>.

⁶ UN. COSP8, “ Draft resolution for adoption by the General Assembly” United Nations,UNODC, 16 to 20 December 2019, <https://www.unodc.org/unodc/en/corruption/COSP/session8-resolutions.html>

Previous Attempts to Solve the Issue

United Nations Convention against Corruption (UNCAC):

- Adopted in 2003, UNCAC is the primary international legal instrument to address corruption, including within law enforcement agencies.
- UNCAC includes provisions related to preventive measures, criminalization, international cooperation, and asset recovery, aiming to strengthen the integrity and effectiveness of law enforcement institutions.

International Standards and Guidelines:

- The UNODC has developed various tools, such as the Anti-Corruption Toolkit for Prosecutors and the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, to provide guidance and support to member states in addressing corruption within law enforcement.

Country-Specific Initiatives:

- The UN has supported country-specific initiatives and reforms to strengthen legal frameworks, enhance accountability mechanisms, and foster a culture of integrity and professionalism within law enforcement agencies.
- Through its field missions and country offices, the UN has facilitated dialogue, cooperation, and partnership with governments, civil society organizations, and other stakeholders to address the root causes of corruption and implement effective anti-corruption measures.

Other Organisations:

E.g. Transparency International actively works with governments worldwide and associations to tackle corruption.

Possible Solutions

The UN and national or international organizations could:

- **Strengthen Legal Frameworks:**

- Support the development and implementation of robust legal and regulatory frameworks that criminalize corruption, bribery, and other forms of misconduct within law enforcement agencies.
- Promote the ratification and effective implementation of international conventions, such as the United Nations Convention against Corruption (UNCAC), to enhance international cooperation and legal standards.⁷

- **Promote Professionalism and Ethics:**

- Develop and implement comprehensive training programs and ethical guidelines for law enforcement personnel, focusing on professional conduct, integrity, human rights, and anti-corruption measures.

⁷ UN, UNCAC. "United Nations Convention against Corruption." UNCAC, 31 October 2003, <https://www.unodc.org/ropan/en/AntiCorruptionARAC/united-nations-convention-against-corruption.html#:~:text=Since%20the%20adoption%20of%20the,status%20as%20of%20December%202012>

- Foster a culture of accountability, transparency, and respect for the rule of law within law enforcement agencies through leadership training, mentorship, and organizational reforms.

- **Empower Civil Society and Media:**

- Strengthen partnerships with civil society organizations, media, and other stakeholders to raise awareness, monitor compliance, and advocate for reforms to combat corruption in law enforcement.

- Support initiatives that promote transparency, citizen engagement, and public participation in monitoring law enforcement activities and holding institutions accountable.

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