

NEPAL JOINT SEMINAR

Main Theme

Effective Countermeasures to Combat Organized Crime in Criminal Justice Processes

RECOMMENDATIONS

1. Effective measures should be taken to build and strengthen national capacities for fighting organized crime and to reinforce international, regional and bi-lateral cooperation mechanisms, especially extradition and mutual legal assistance.
2. The existing laws governing criminal offences, jurisdiction, law enforcement, judicial procedure and the law of evidence, as well as international cooperation, should be reviewed so as to ensure that the problems created by organized crime are effectively addressed.
3. Adequate measures should be taken to facilitate the process for studying the United Nations Convention against Transnational Organized Crime, and the protocols thereto, with a view to expediting the signature and ratification of these instruments.
4. Resources should be prioritized and allocated to law enforcement agencies and the judiciary, particularly towards the fight against organized crime.
5. Capacity building - especially through the augmentation of services, research and development - and the enhancement of skills training, of all agencies responsible for the fight against organized crime should be made a priority.
6. Cooperation, coordination and information sharing between the concerned agencies should be supported, strengthened and promoted.
7. Investigation and prosecution of organized crime, in particular money laundering cases, should be strengthened.
8. Provisions for the forfeiture of the proceeds of organized crime cases should be developed, and necessary measures to incorporate the confiscation of assets should be considered.
9. The introduction of immunity systems, plea bargaining systems, or other internationally employed mechanisms to secure the effective prosecution of organized criminals should be examined.
10. Appropriate measures should be taken to provide effective protection from potential threats, intimidation and harassment for witnesses and victims in criminal proceedings.
11. Organized crime offenders should be identified by the prison authority and classified and rehabilitated accordingly.
12. Any behavior or expression associated with organized criminal groups should be prohibited inside the prison.
13. The introduction of rehabilitative programmes for organized crime offenders should be considered. The benefits of institutional programmes should be enhanced by linking them with outside community resources.
14. Recognizing the connection between humane institutional conditions and the prevention of organized crime groups in prison, special attention should be paid to the prevention of overcrowding and the improvement of facilities.