

**Second day of the Fourteenth Meeting**  
MC(14) Journal No. 2, Agenda item 8**DECISION No. 5/06  
ORGANIZED CRIME**

The Ministerial Council,

Reiterating its grave concern about the negative effects of organized crime on peace, stability and security,

Concerned that organized crime is becoming increasingly efficient at exploiting our globalized economies and open societies and is representing a growing multidimensional challenge to all participating States throughout the whole OSCE area,

Concerned that organized crime commands vast wealth and can wield tremendous power, potentially undermining the democratic values in our societies and threatening the safety and security of ordinary citizens directly and indirectly,

Concerned also by the challenges and threats posed by the links between organized crime, trafficking in human beings, weapons and illicit drugs, corruption and terrorism as well as other forms of transnational and domestic criminal activity,

Convinced that addressing organized crime must remain a central element in our policies to provide safety and security to our citizens, both domestically and through international co-operation,

Underscoring that organized crime can best be fought through democratic institutions that respect human rights and the rule of law, and are accountable to citizens and civil society,

Emphasizing the key role played by an efficient and effective criminal justice system in upholding public safety and security,

Recognizing that policies and activities regarding the criminal justice system should comprise and integrate, *inter alia*, crime prevention, law enforcement, the police, the judicial system, the prosecution, defence lawyers and penal systems,

Recognizing that efficient and effective criminal justice systems can only be developed on the basis of the rule of law and on the protection of human rights and that the rule of law itself requires the protection of such criminal justice systems,

Recognizing that efficient and effective criminal justice systems based on the rule of law are a prerequisite for combating organized crime, trafficking in human beings, illicit drugs and weapons, terrorism, corruption and other forms of transnational and domestic criminal activity and that specialist responses to these security challenges must take place within the overall framework of a criminal justice system,

Recognizing the continued relevance of the United Nations standards and norms in crime prevention and criminal justice and of the role of the United Nations Office on Drugs and Crime (UNODC) in supporting their use and application and welcoming increasing co-operation between the OSCE Secretariat, the UNODC and the UN Commission on Crime Prevention and Criminal Justice,

Recognizing the activities of other United Nations bodies and other international fora in the field of the rule of law,

Recognizing the importance of the implementation of the obligations under the United Nations Convention against Transnational Organized Crime (Palermo Convention) and, as appropriate, its supplementing protocols and under the United Nations Convention against Corruption, as ways for both addressing organized crime and corruption and for fostering international co-operation in criminal matters,

Taking note of the relevant Conventions and their protocols, elaborated in the framework of the Council of Europe,

Taking note of the outcome of the OSCE seminars and workshops held in 2005 and 2006 on international legal co-operation in criminal matters, on prevention of terrorism, on illicit drugs and other forms of trafficking,

Recognizing the need for the OSCE to focus on enhancing international legal co-operation and on improving criminal justice systems as part of its overall security agenda, in co-ordination with the United Nations and other multilateral forums,

1. Urges participating States to continue to address organized crime as an important threat and, where possible, to strengthen the implementation of their respective international obligations and OSCE commitments in all areas of their criminal justice systems;
2. Recommends to consider adopting, as appropriate, national plans addressing security-related issues, and to apply an integrated approach, mindful of the fact that every element of the criminal justice system impacts on the other elements;
3. Invites participating States to consider undertaking self-assessments of their criminal justice systems, using, as appropriate, instruments available from international organizations, such as the UNODC/OSCE assessment toolkits and making, if necessary, best use of other tools available, including from the Council of Europe (CEPEJ) and other organizations, academia or bar associations;
4. Urges participating States to pay due attention to the integrity and professionalism of law enforcement agencies and prosecution authorities, the efficient administration of justice

and proper management of the court system, the independence of the judiciary and the proper functioning of the penitentiary system and to explore ways of alternatives to imprisonment;

5. Recommends, as part of policy planning in preventing and fighting organized crime, the improvement of data collection and analysis, the national development and use of risk and threat assessments, and the promotion of the exchange of information and best practices to the extent not already under way;

6. Recommends increasing national efforts at international co-operation, co-ordination and information exchange as an important step in countering transnational organized crime;

7. Urges participating States to enhance international legal co-operation in criminal matters, *inter alia*, through considering becoming parties to the UN Convention against Transnational Organized Crime (Palermo Convention), as appropriate the supplementing protocols thereto, the UN Convention against Corruption, and through implementing their obligations under these and other multilateral and bilateral legal co-operation instruments to which they are a party including through appropriate utilization of the relevant articles on mutual legal assistance and extradition;

8. Urges participating States to consider accession to the Convention on the Transfer of Sentenced Persons (Strasbourg, 21 November 1983) and its 1997 Additional Protocol, as appropriate, and to consider entering into bilateral agreements complementing this Convention, facilitating the transfer of sentenced persons;

9. Supports international police co-operation and takes note of the outcome of the OSCE chiefs of police meeting held in Brussels on 24 November 2006, including the suggestion to meet regularly, when such meetings are co-ordinated with and take into account other police chiefs' meetings;

10. Recommends undertaking efforts at outreach to the population, including co-operation between law enforcement authorities and civil society organizations, so that citizens may become more aware of their civil rights, develop greater trust in the criminal justice system as the guarantor of these rights, and feel comfortable when approaching the relevant authorities;

11.(a) Tasks the Secretary General and the relevant OSCE executive structures, within their respective mandates, with giving enhanced attention in their policies and activities to the key role of criminal justice systems in institution-building and in the promotion of the rule of law, as well as with co-operating and co-ordinating more closely in order to take better into account the interaction between the components of those systems;

(b) Tasks the Secretary General and the relevant OSCE executive structures, within their respective mandates, with building on and consolidating the existing knowledge and experience on criminal justice and organized crime;

(c) Tasks the Secretary General to support and promote international legal co-operation in criminal matters between participating States, also taking into account the framework provided by the UN Convention against Transnational Organized Crime and supporting its Conference of Parties and to continue co-operating with the UNODC in matters including combating organized crime and illicit drugs;

- (d) Tasks the Secretary General and the ODIHR to brief the participating States regularly and to present a joint written report to the participating States before the summer recess in 2007, on the implementation of the above-mentioned tasks;
- (e) Tasks the Permanent Council to take note of the above-mentioned report and to consider, if appropriate, a possible follow-up;
- (f) Tasks the Secretary General and the relevant OSCE executive structures including ODIHR, as appropriate in co-ordination and co-operation with other international organizations and institutions, to stand ready to respond to project proposals and requests for co-operation from participating States and to consider facilitating training programmes, all within their respective mandates and as contributions are available for this purpose;
- (g) Underlines the importance of increased coherence and continuity of the efforts of all concerned OSCE bodies as well as reinforced co-operation with specialized agencies. In this respect, tasks the Secretary General to enhance co-ordination of these activities, within available resources and mandates. Invites the participating States to extend support to these activities.