

Human Rights and Organised Crime Agendas: Four Areas of Convergence for Policymaking

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Summary²

As a global challenge, organised crime is increasingly threatening the safety and security of citizens. Despite the real-world impact, there is an apparent disconnection between international human rights laws and policies, and responses to transnational organized crime. Even though the regulatory frameworks may have different objectives and scopes, human rights and responses to organised crime are not concepts at odds. Without aiming to provide an exhaustive or comprehensive account of all human rights issues deriving from the workings of organised crime, this briefing note identifies four areas that justify greater attention to the fundamental rights of natural persons, and convergence in the human rights and crime agendas. It draws on a review of Global Initiative against Transnational Organized Crime (GI-TOC)'s research and programming, and the author's own experience as a lawyer working on organised crime issues for the past five years.

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Anti-crime and human rights frameworks: disjointed but connected

As a global challenge, organised crime is increasingly threatening the safety and security of citizens. Violence associated with organised crime is responsible for homicide rates that at times reach a higher level than in conflict zones. People, especially vulnerable groups, face human rights challenges due to migrant smuggling; forced marriage, sexual exploitation, and trafficking. In many of these instances, the crimes committed by criminal groups violate the right to life, liberty, security of persons, property, freedom of movement, and freedom of speech, among many other fundamental rights.

Despite the real-world impact, there is an apparent disconnect between international human rights laws and policies and responses to transnational organised crime. The starting point of this disconnection perhaps lay in the distinct scope and objective of the two regulatory frameworks. While the human rights framework focuses on the obligations imposed on states to respect, protect and fulfil several rights that individuals are entitled to; the anti-crime framework aims to protect the state from illegal activity committed by criminal actors or groups.³

Even though the regulatory frameworks may have different objectives and scope, human rights and

responses to organised crime are not concepts at odds with one another. The interconnection can be seen in many areas.⁴ Legal and policy discussion of the impact of organised crime on human rights has advanced in some overlapping areas such as the nexus between crime and conflict, gender and organised crime, and in the context of some specific markets such as human trafficking and smuggling, as well as drug policy. However, the overlaps between crime prevention, criminal justice and human rights agendas are still very overlooked and disjointed. There is little scholarship looking at areas of accountability for victims of organised crime, or what criteria need to be fulfilled for an illicit activity to amount to a violation of human rights.⁵

Without aiming to provide an exhaustive or comprehensive account of all human rights issues deriving from the workings of organised crime, this briefing note identifies four areas that justify greater attention to the fundamental rights of natural persons and convergence of the human rights and crime agendas. It is based primarily on Global Initiative against Transnational Organized Crime (GI-TOC)'s research and experience in working on organised crime issues.

Four areas of convergence

Sources of international human rights law are multiple and can be found in various international and regional instruments, customary international

3 There are no strong references to human rights in the United Nations Convention Against Transnational Organized Crime and the Protocols Thereto. See: Noortmann, M. & Sedman, D. (n.d.). Transnational criminal organisations and human rights. In P. Hauck & S. Peterke (Eds), *International Law and Transnational Organised Crime*. Oxford University Press. <https://opil.ouplaw.com/display/10.1093/law/9780198733737.001.0001/law-9780198733737>

4 The United Nations Office on Drugs and Crime (UNODC) has recognised that crime prevention and criminal justice 'are inextricably linked to human rights in multiple levels' (United Nations Office on Drugs and Crime (UNODC), 2022). The resolutions 5/1 and 6/1 of the Conference of Parties to the UNTOC expressed great concern regarding the impact of organised crime on human rights, rule of law, security and development. See: United Nations Office on Drugs and Crime (UNODC). (2022). *The United Nations Convention Against Transnational Organized Crime and International Human Rights Law* [Issue Paper]. https://www.unodc.org/documents/organized-crime/tools_and_publications/21-01901_UNTOC_Human_Rights_eBook.pdf

5 There is a growing scholarly interest in organised crime and international law, including human rights and humanitarian law: IRRC. (2023). *Organized Crime: Humanitarian debate: Law, policy, action*. International Review of the Red Cross. <https://international-review.icrc.org/sites/default/files/reviews-pdf/2023-06/Organized-Crime-International-Review-of-the-Red-Cross-No-923.pdf>; Hauck, P. & Peterke, S. (2016). *International law and transnational organised crime*. Oxford University Press. <https://opil.ouplaw.com/display/10.1093/law/9780198733737.001.0001/law-9780198733737>. However, most of the the analysis of state responsibility for infringements committed by organised criminal actors focuses on human trafficking and smuggling. See the analysis in: Guercke, L. (2021). State responsibility for a failure to prevent violations of the right to life by organised criminal groups: Disappearances in Mexico. *Human Rights Law Review*, 21(2), 329–357. <https://doi.org/10.1093/hrlr/ngaa061>.

law as well as domestic laws (constitutional laws, for example).⁶ These various instruments set a multiplicity of duties and obligations for state that are parties to these instruments, and rights for citizens which are under states' jurisdiction. This is because human rights law generally confers legal form to inherent human rights that are universal to all people, and sets forth the duties and obligations of states to uphold those rights. A human rights violation is, then, a failure (normally of the state) to comply with the duty and obligation to respect, protect and fulfil human rights.

There is no agreed upon definition of what organised crimes are.⁷ It is also true that not all crimes inherently constitute human rights violations. In fact, that are few human rights instruments that provide for the obligation to criminalise conduct.⁸ However, several criminal behaviours and activities have the potential to impact (direct or indirectly) human rights.

The four areas of convergence below encompass situations where the impact of organised crimes on human rights⁹ deserves further attention. The first two areas of convergence focus on human rights violations that occur by specific organised crime activity and where state actors may face challenges in complying with their obligations to protect, respect and fulfil human rights. The third point of convergence focuses on human rights safeguards and the specific rights of defendants, witnesses and victims that may be violated by the state or non-state actors in the context of crime

repression. The fourth challenges the paradigm that only states and selected non-state actors, such as corporations, could be held accountable for human rights violations.

1. (Organised) crimes that amount to human rights violations

As mentioned before, there are many situations whereby organised crime impact on human rights, even amounting to gross human rights violations. The GI-TOC has reported on organised crime activities that negatively impact on human rights, and that can amount to limitations to the enjoyment and exercise of rights by citizens in contexts as diverse as Latin America, Southern Africa and Southeast Asia. Two specific areas of organised crimes impacting human rights are concerning when looking at anti-crime laws and policies intended to protect, respect and fulfil human rights.

The first is a set of crimes that amount to human rights violations due to organised criminal violence or human rights infringements that involve violence. The classic example is human trafficking, which is largely considered by human rights bodies as a human rights violation (United Nations Office on Drugs and Crime (UNODC), 2022).¹⁰ In fact, two core human rights instruments expressly mention forms of trafficking in their text,¹¹ considering the vulnerabilities of women and children to being victims of these crimes.

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- 6 States parties to the UNTOC may be subject to different human rights obligations depending on the source of human rights law.
- 7 The UNTOC, for example, opts to define what constitutes an organised criminal group (article 2a). The GI-TOC Global Organized Crime Index has defined organised crime 'as illegal activities, conducted by groups or networks acting in concert, by engaging in violence, corruption or related activities in order to obtain, directly or indirectly, a financial or material benefit.' (Global Initiative against Transnational Organized Crime. (n.d.). *Global organized crime index 2021*.)
- 8 See the hybrid instruments International Convention for the Protection of All Persons from Enforced Disappearance and Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, by way of example.
- 9 Primary on the rights set forth in the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). Together with the Universal Declaration of Human Rights (UDHR), they form part of the 'International Bill of Human Rights'.
- 10 United Nations Office on Drugs and Crime (UNODC). (2022). *The United Nations Convention Against Transnational Organized Crime and International Human Rights Law [Issue Paper]*. https://www.unodc.org/documents/organized-crime/tools_and_publications/21-01901_UNTOC_Human_Rights_eBook.pdf
- 11 The Convention on the Rights of the Child explicitly establishes the obligation to protect children from all forms of sexual exploitation and sexual abuse (article 34) (UN General Assembly. (1989, November 20). *Convention on the Rights of the Child*, Art. 34. United Nations, Treaty Series, vol. 1577. <https://www.refworld.org/docid/3ae6b38f0.html>); the Convention on the Elimination of Discrimination Against Women establishes that state parties shall take all appropriate measures, including legislation, to suppress all forms of trafficking and exploitation of women (article 6) (UN General Assembly. (1979, December 18). *Convention on the Elimination of All Forms of Discrimination against Women*. A/RES/34/180. <https://www.refworld.org/docid/3b00f2244.html>).
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Human trafficking is not the only case. Situations of widespread violence are constant reminders of the rampant impact of criminal violence on the most fundamental right – the right to life. According to UNODC, nearly 40% of homicides worldwide were related to organised crime and gang violence over the period 2015–21 (UNODC, 2022, p. 31).¹² Research by Kaysser and Oliveira on assassinations also shows the role of organised crime as enabler and perpetrator in a large number of targeted killings against specific communities such as environmentalists, journalists and criminal justice actors (Kaysser & Oliveira, 2021).¹³ The disappearances crises in Mexico and El Salvador (Atuesta & Gozález, 2022; Guercke, 2021; Carcach & Artola, 2016)¹⁴ are also attributed to some extent to the workings of organised crime, violating multiple rights of citizens.

All of these episodes of criminal violence should be subject to further intersectional discussion. In that sense, consideration should be given to how organised criminal violence affects persons and vulnerable groups of victims (women, LGBTIQ+ community, children, indigenous peoples) to these crimes differently.

A second area of concern is the impact of criminal activities on the fulfilment of social, economic and cultural rights. Organised crime poses incredible challenges to states' obligations to progressively fulfil human rights – resources are drained in the 'fight' against crime as opposed to being allocated to areas such as education and health, to name a

few. Here, special attention should be given to the rights of children and vulnerable groups who are often co-opted by criminal activities or dependent on the illicit economy.

Research by Sampaio in 2021 looking at criminal governance during the COVID-19 pandemic shows the increased impact of organised crime on economic, social and cultural rights, particularly of young people. The numbers of child victims of forced recruitment into criminal businesses was also accelerated due to the pandemic. In Rio de Janeiro, between 2006 and 2018, the percentage of juvenile drug traffickers who were aged between 10 and 12 years doubled from 6.5 to 13% (Sampaio, 2021).¹⁵ The same dynamic has been observed in Cape Town. Gang recruitment in Cape Town shot up because there was nowhere for bored youth to gather in a safe environment and engage in socially productive activity. Many gravitated towards local sports clubs, where gang members were able to talent-spot them and lure them into criminality (Sampaio, 2021).¹⁶

In all these instances, states may have failed to comply with their duty to protect citizens from serious human rights violations caused by third parties, including private actors and entities (UN Human Rights Committee (HRC), 2004).¹⁷ The first step in this regard perhaps is strengthening the understanding of what types of crime amount to human rights violations and the kinds of criminal problems that jeopardise the enjoyment of human rights.

12 United Nations Office on Drugs and Crime (UNODC). (2022). *Global Study on Homicide*. https://www.unodc.org/documents/data-and-analysis/gsh/2023/GSH23_ExSum.pdf

13 Kaysser, N. & Oliveira, A. P. (2021). *Killing in silence: Monitoring the role of organized crime in contract killings (Global Assassination Monitor, p. 108)*. *Global Initiative against Transnational Organized Crime*. <https://globalinitiative.net/wp-content/uploads/2021/11/GITOC-Global-Assassination-Monitor-Report-Killing-in-Silence.pdf>

14 Atuesta, L.H. & González, I.V. (2022). Correction to: Organized crime-related disappearances in Mexico: evidence from Durango, Tamaulipas, and Coahuila. *Trends Organ. Crim.* (2022). <https://doi.org/10.1007/s12117-022-09456-z>; Guercke, L. (2021). State responsibility for a failure to prevent violations of the right to life by organised criminal groups: Disappearances in Mexico. *Human Rights Law Review*, 21(2), 329–357. <https://doi.org/10.1093/hrlr/ngaa061>; Carcach, C. & Artola, E. (2016). Disappeared persons and homicide in El Salvador. *Crime Science*, 5(13). <https://doi.org/10.1186/s40163-016-0061-x>

15 Sampaio, A. (2021). *Criminal governance during the pandemic*. *Global Initiative against Transnational Organized Crime*.

16 Sampaio, A. (2021). *Criminal governance during the pandemic*. *Global Initiative against Transnational Organized Crime*.

17 In the case of children, article 33 states parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances. See: UN Human Rights Committee (HRC). (2004, May 26). *General comment no. 31 [80], The nature of the general legal obligation imposed on States Parties to the Covenant*, CCPR/C/21/Rev.1/Add.13. <https://www.refworld.org/docid/478b26ae2.html>

2. Violation of rights due to lack of remedies for crimes committed by organised criminal groups

Human rights law imposes on states the obligation to exercise due diligence to prevent, punish, investigate or redress the harm caused by third parties (UN Human Rights Committee (HRC), 2004).¹⁸ The failure to exercise due diligence and conduct a prompt and thorough investigation can amount to a violation of the obligation to protect human rights.¹⁹ Investigations into organised crime are not simple tasks due to the typically clandestine nature of criminal activity. In some geographies, the level of impunity for perpetrators is often high, as criminal interests work under the protection of – or in collusion with – the state. Crime and politics can be highly intertwined, and organised crime can be used to maintain this balance of power (Kaysser & Oliveira, 2021).²⁰

The lack of criminal justice response is just one element of the problem. In addition, states may fail in their obligation to provide compensation and reparation. Analysis by Griselda Triana, a Mexican journalist and human rights defender whose journalist husband was murdered, described how the Mexican state failed the families of murder victims (Triana, 2021).²¹ Families might find themselves with partial or even no government support. They face numerous challenges, from the lack of state protection against continued threats from the murderers to the absence of mental health support and counselling, or sometimes even assistance with such basic tasks as arranging funerals. This would constitute a violation of the individual's right to remedy, including compensation and restitution, after a crime has been committed.

3. Violations of human rights committed in the context of preventing and combating organised crime

The respect of human rights and the provision of human rights safeguards in anti-crime policies and laws are fundamental in the repression of crime. The UNTOC has several provisions dealing with investigation, prosecution and adjudication of offences under its scope; it also references a few human rights safeguards that should be put into place in the implementation of organised crime investigations and prosecutions. Whether in relation to investigations of transnational organised crimes within the scope of the UNTOC, or investigations of illegal activities that fall outside the scope of the Palermo Convention and its protocols, measures taken by state agents when enforcing, prosecuting or adjudicating crimes have the potential to violate a multiplicity of human rights.

3.1 The 'war' on drugs

International human rights law allows for the limitation of some human rights when certain conditions are met (UN Human Rights Committee (HRC), (2004).²² Limitations, in general, should be proportional and legitimate to the aim they seek to achieve, and prescribed clearly by law. Some rights cannot be limited, they are absolute in nature – in particular the prohibition of torture and cruel, inhuman or degrading treatment or punishment, and the prohibition of slavery.

Under the framing of a 'fight against organised crime', however, these legal standards are at risk of being violated. Militarised responses to organised crime and campaigns against citizens in

18 UN Human Rights Committee (HRC). (2004, May 26). *General comment no. 31 [80], The nature of the general legal obligation imposed on States Parties to the Covenant, CCPR/C/21/Rev.1/Add.13*. <https://www.refworld.org/docid/478b26ae2.html>

19 The obligation to protect encompasses an obligation of result and due diligence.

20 Kaysser, N. & Oliveira, A. P. (2021). *Killing in silence: Monitoring the role of organized crime in contract killings (Global Assassination Monitor, p. 108)*. *Global Initiative against Transnational Organized Crime*. <https://globalinitiative.net/wp-content/uploads/2021/11/GITOC-Global-Assassination-Monitor-Report-Killing-in-Silence.pdf>

21 Triana, G. (2021). *The forgotten ones: Relatives of murdered and disappeared journalists in Mexico*. *Global Initiative against Transnational Organized Crime*. <https://globalinitiative.net/analysis/murdered-disappeared-journalists-mexico/>

22 UN Human Rights Committee (HRC). (2004, May 26). *General comment no. 31 [80], The nature of the general legal obligation imposed on States Parties to the Covenant, CCPR/C/21/Rev.1/Add.13*. <https://www.refworld.org/docid/478b26ae2.html>

the name of fighting organised crime represent a great portion of the impact and potential violation of human rights.²³ The campaign relating to the ‘war on drugs’ in the Philippines, for example, which consisted on actions targeting street-level drug retailers and users, has led to a spree of extrajudicial killings (Kennert & Eligh, 2019).²⁴ Unofficial estimates of the death toll indicate more than 6,200 suspected drug users or dealers died (Robertson, 2022),²⁵ and the staggering situation led to the opening of a landmark investigation by the International Criminal Court (ICC) to investigate potential crimes against humanity, and others under its jurisdiction, in the context of the ‘war on drugs’ (International Criminal Court (ICC-01/21)).²⁶ Police raids against ‘drug traffickers’ in the context of incursions in slums or vulnerable communities are often reported to cause a large proportion of killings of innocent bystanders. These killings represent a clear violation to right to life and right to a fair trial, which are rights that do not bear limitation.

The so-called ‘war on drugs’ has several human rights implications and certainly deserves constant reminders and policy discussion. In the particular area of criminalisation and sanctions for drug-related offences, some discussions have advanced; human rights groups have vocalised the harms of criminalisation of drug-related offences as well as the application of the death penalty sanction. In fact, the Human Rights Committee, whilst recommending that states abolish the death penalty, has understood this form of sanction should only be applied for the ‘most serious’ crimes which involve intentional killing – drug offences are not encompassed by the definition (UN Human Rights Committee (HRC) (2019)).²⁷

Responses to organised crime, in particular to drug trafficking, remains an area where there is much friction between criminal justice and human rights agendas. While law enforcement action to respond to organised crime is needed, heavily securitised and militarised responses risk human rights safeguards of those facing criminal justice. Therefore, stronger and more concentrated actions from policymakers and civil society actors to change the narrative around the ‘fight against organised crime’ and the approach to repression of crime is strongly needed.

3.2 Violation of rights of victims and witnesses during organised crime investigations

Victims of crime, whistleblowers and witnesses play key roles in organised crime investigations and prosecutions. An area of particular concern relates to the upholding of these groups’ rights, incorporating approaches that avoid re-victimisation, that are gender sensitive and that provide physical protection when needed. In a number of countries worldwide, the treatment given to those who expose criminal activity and malfeasance is often retaliation, including surveillance, cyberattacks, strategic lawsuits against public participation, arbitrary arrests, death threats and, in extreme cases, murder (Oliveira, 2022).²⁸ These threats jeopardise these groups’ ability to contribute to public accountability and good governance without fear of reprisal, which ultimately can undermine law enforcement agencies and prosecutorial capacities in countering criminality and fighting impunity.

Another point of concern relates to the challenges to upholding human rights posed by the use

23 In particular the principle of presumption of innocence, a fundamental pillar to human rights law (UN Human Rights Committee (HRC). (2007, August 23). *General comment no. 32, Article 14, Right to equality before courts and tribunals and to fair trial*, CCPR/C/GC/32. <https://www.refworld.org/docid/478b2b2f2.html>).

24 Kennert, M. & Eligh, J. (2019). *A militarized political weapon: The Philippines’ war on drugs*. Global Initiative against Transnational Organized Crime. https://www.researchgate.net/publication/333633986_A_militarized_political_weapon_The_Philippines_war_on_drugs

25 Robertson, P. (2022, November 17). *Philippines undercounts recent ‘drug war’ deaths*. Human Rights Watch. <https://www.hrw.org/news/2022/11/17/philippines-undercounts-recent-drug-war-deaths>

26 International Criminal Court (ICC-01/21). *Republic of the Philippines: Situation in the Republic of the Philippines*. <https://www.icc-cpi.int/philippines>

27 UN Human Rights Committee (HRC). (2019, September 3). General comment no. 36, Article 6 (Right to Life), 3 September 2019, CCPR/C/GC/35. <https://www.refworld.org/docid/5e5e75e04.html>

28 Oliveira, A. P. (2022, June 2). *Priority protection needed for whistle-blowers*. Global Initiative against Transnational Organized Crime. <https://globalinitiative.net/analysis/protection-for-whistle-blowers/>

of technology in criminal investigation. The exchange of information, requests for data and data storage raise serious concerns around data privacy, data protection and freedom of expression. In the context of the new Ad Hoc Committee (AHC) mandated to negotiate a new treaty on the 'criminal misuse of information and communications technology (ICT)' civil society actors have been vocalising the need to incorporate a human rights-based and strong safeguards framework in a criminal justice treaty designed to pursue cybercrime (Walker & Tennant, 2023).²⁹

4. Lack of accountability for human rights violations by organised crime groups

Given the issues already discussed, it is fair to ask how far states can be held liable for actions committed by non-state actors or, even further, whether criminal groups themselves could be held liable. As already mentioned, criminal justice instruments and human rights instruments are based in two different legal frameworks. In the first case, those engaging in illicit activity will probably be held responsible and face criminal charges before domestic courts, in which they will not necessarily be held accountable for human rights violations. Conversely, human rights bodies and courts will be triggered to assess the responsibility of state actors for human rights violations.

Although international law only holds formally recognised states accountable for human rights violations, international human rights and international humanitarian law scholarship have advanced the discussion on when armed non-state actors and de facto authorities could bear human rights obligations.³⁰ The discussion regarding criminal groups has not yet reached the same level

of depth. The line is particularly blurred when involving groups who do not have clear political will to replace the state authority, but who control territory and communities in order to enable illicit businesses to be carried out. A clear consequence is that people who live in areas controlled by organised criminal groups or that are vulnerable to harms caused by illicit economies may suffer human rights protection gaps, in particular when it comes to the right to remedies.

When it comes to accountability a few questions that deserve policy and legal exploration are:

- How international human rights law apply to situation of violence by criminal groups?
- What criteria should be used to ascertain state responsibility for actions committed by criminal groups that violates human rights?
- Considering the differential treatment of victims of crime and victims of human rights violations, what avenues can victims of crime use to seek for redress?

Policy implications

According to international law, it is the state's obligation to respect, protect and fulfil human rights. This also places the state at the centre of debates on human rights violations. Criminal acts by non-state actors are not formally labelled as 'violations' in general. They are seen as crimes against individual persons. This state-centric model of identifying human rights violations and demanding restitution for them perhaps does not take into account the independently destructive power of organised crime. There is a current need for meaningful integration of both crime prevention and human rights agendas. Some

29 Walker, S. & Tennant, I. (2023, February). *Wood for the trees*. <https://globalinitiative.net/analysis/international-convention-ict-crime-ahc-un/>

30 There is a body of scholarship recognising that human rights law has to address the challenges posed by some non-state actors – particularly armed groups and business actors. See, for example: Clapham, A. (2022). Challenging the myths which suggest that human rights bodies cannot address armed non-state actors in situations of armed conflict. In G. Gaggioli (Ed.). *The role of human rights mechanisms in implementing international humanitarian law*. Elgar. <https://ssrn.com/abstract=3728049> or <http://dx.doi.org/10.2139/ssrn.3728049>; Clapham, A. (2016). Non-state actors. In: D. Moeckli, S. Shah & S. Sivakumara. *International Human Rights Law* (3rd edn). Oxford University Press; Ruggie, J. G. (2013). *Just business: Multinational corporations and human rights* (Amnesty International Global Ethics Series). W.W. Norton; Clapham, A. (2006). *Human rights obligations of non-state actors* (1st ed.). Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199288465.001.0001>.

suggested ways forward in no particular order of importance would be:

- **Data collection and analysis on the impact of organised crime on human rights.** Policymakers could support an open dialogue on which 'organised crimes' amount to human rights violations (in particular, those related to gross violations of human rights), and what policy and legal solutions can be achieved within the existent international human rights framework, or whether further developments in international law are needed. Data collection and analysis that evaluate the impact of organised crime on specific human rights could support these efforts.
- **Support community resilience efforts.** Communities are key for responses to organised crime, and they are often the primary victims. However, there are informational and practical gaps in community access to human rights mechanisms. Policymakers and donors should encourage efforts by communities, and those actors working with victims of organised crime, that are tailored to sensitise victims of criminal violence and their communities as to what their rights are, what obligations the state has toward them, and how can they access mechanisms of redress.
- **Fight against impunity.** Efforts to tackle impunity for victims of organised crime are not solely a task for law enforcement agencies and criminal justice actors. It is important to incorporate a rights-based approach; the inclusion of victims, informants, witnesses, survivors and others is important to building trust, avoiding or preventing re-victimisation and enabling cooperation that allows the disclosure of information in a safe environment.
- **Change the narrative in the repression of crime.** The inclusion of human rights safeguards in law and policies designed to pursue and combat crime are paramount. However, they are not sufficient without a change of behaviour of those who enforce the

laws. Training for law enforcement agencies in human rights and gender issues, and provision of specialised agencies and personnel may be important components in strategies to reduce human rights violations in this regard.

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