FORUM: United Nations Office on Drugs and Crime (UNODC)
QUESTION OF: Dismantling Transnational Criminal Organizations and the Limits of National Sovereignty in International Law Enforcement
MAIN SUBMITTER: Mexico

CO-SUBMITTERS: Brazil, Lebanon, Algeria, Libya
SIGNATORIES: Netherlands, Egypt, Albania, France, Cuba, Lebanon, Brazil, Iran, Iraq, Paraguay, Panama, Dominican Republic, Russia, Saudi Arabia, Ecuador, Senegal

The United Nations Office on Drugs and Crime,

Recalling Articles 2(1), 2(4), and 2(7) of the Charter of the United Nations, which establish sovereign equality, prohibit the use of force against the territorial integrity of states, and protect national jurisdiction,

Reaffirming Article 4 of the United Nations Convention against Transnational Organized Crime (UNTOC), which requires Member States to respect the sovereignty and territorial integrity of other states,

Recognising that transnational criminal organizations exploit differences between national legal systems and delays in international cooperation to avoid investigation and prosecution,

Concerned that unilateral cross-border enforcement operations may undermine international trust, violate national sovereignty, and create disputes over the legality of evidence,

Acknowledging the importance of Articles 16, 18, 19, and 27 of UNTOC, concerning extradition, mutual legal assistance, joint investigations, and police cooperation,

Emphasising that effective action against transnational criminal organizations requires shared responsibility, mutual consent, respect for human rights, and stronger international cooperation,

1. *Recommends* that when a state lacks the capacity to address criminal activity within its territory, other Member States offer assistance through training, technical resources, and capacity-building programmes, with the consent of the affected state, or through an applicable Security Council mandate;

2. *Requests* UNODC to support the implementation of these measures by providing technical assistance, facilitating the exchange of best practices, and encouraging voluntary reviews of Member States' international cooperation procedures.

3. *Reaffirms* that the designation of a criminal organization as a terrorist organization does not, by itself, authorize the use of military force or foreign law-enforcement operations within another state's territory;

4. *Calls upon* Member States to strengthen and accelerate Mutual Legal Assistance (MLA) procedures by:
    a. Providing adequate staff and resources to national central authorities responsible for processing requests,
    b. Establishing expedited procedures for urgent requests involving electronic evidence, financial assets, and imminent threats,
    c. Providing clear explanations when requests are rejected or require additional information;

5. *Encourages* Member States to expand voluntary Joint Investigation Teams (JITs), in accordance with Article 19 of UNTOC, allowing participating states to:
    a. Share relevant intelligence and investigative findings,
    b. Coordinate investigations into criminal networks operating across multiple jurisdictions,
    c. Ensure that all participating officers operate under the agreed authority and laws of the host state;

6. *Recommends* expanding the use of the United Nations Office on Drugs and Crime's SHERLOC portal and legal assistance tools through:
    a. Training national officials in preparing effective international cooperation requests,
    b. Sharing examples of successful legal assistance procedures,
    c. Improving access to legal resources for states with limited institutional capacity;

7. *Urges* Member States to strengthen maritime cooperation against illicit trafficking in accordance with the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, particularly Article 17, by:
    a. Expanding shiprider agreements, allowing authorized officers from one state to assist another state's maritime authorities,

b. Establishing standing authorization procedures for boarding suspected trafficking vessels, subject to the consent of the relevant flag state,
c. Improving communication between maritime authorities to reduce delays in responding to suspected trafficking;

8. *Calls for* Member States to establish clearer procedures for the collection and sharing of electronic evidence across borders by:
    a. Promoting the ratification and implementation of the United Nations Convention against Cybercrime,
    b. Requiring appropriate judicial authorization and notification when investigations involve digital infrastructure located in another state's territory,
    c. Establishing safeguards to protect privacy, human rights, and the admissibility of evidence in national courts;

9. *Encourages* the implementation of stronger measures against the financial structures of transnational criminal organizations through:
    a. Improving cooperation between national financial intelligence units,
    b. Strengthening the tracing, freezing, and confiscation of criminal proceeds in accordance with national law and applicable international obligations,
    c. Promoting transparency in corporate ownership to prevent the concealment of illicit funds;

10. *Encourages* all Member States to strengthen international cooperation against transnational criminal organizations while respecting national sovereignty, international law, and human rights, through measures such as, but not limited to:
    a. Establishing designated national contact points to facilitate timely information- sharing and urgent requests for mutual assistance,

    b. Developing joint investigations and coordinated border, port, and maritime operations with the prior consent of the participating States, ensuring that each operation respects national jurisdiction and applicable international law,

    c. Providing voluntary technical assistance and training for police officers, customs officials, prosecutors, and financial investigators, upon the request of the receiving State, to strengthen its capacity to investigate

trafficking and money laundering,

d. Ensuring that information sharing and enforcement measures are subject to appropriate judicial oversight and safeguards for personal data, due process, and the rights of affected individuals.