



Special Issue, 7 October 2016

The SHERLOC Newsletter is pleased to share with you our recent efforts to facilitate the dissemination of information regarding the implementation of the <u>UN Convention against Transnational Organized Crime</u> and its three Protocols.

What's Inside

Page 1 & 2: Spotlight

Page 3: Feature

Page 4: What's New on Sherloc/Meet a Contributor

Page 5: Upcoming **Events**

Spotlight

UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND THE PROTOCOLS THERETO



Pursuant to article 32 of the United Nations Convention against Transnational Organized Crime, the Conference of the Parties to the Convention was established to improve the capacity of States Parties to combat transnational organized crime and to promote and review the implementation of the Convention.

This special issue will focus on the 8th session of the Conference of the Parties, to be held in Vienna from 17 to 21 October. For more information please see http://www.unodc.org/unodc/en/treaties/CTOC/CTOC-COPsession8.html.

Cont. Page 2

































The eighth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime will be opened on Monday 17 October 2016, at 10 a.m.

The ninth Working Group of Government Experts on Technical Assistance will be running parallel to the conference, held from 17 to 19 October 2016. The tentative agenda includes 3 substantive items, including on criminalization of the laundering of proceeds of crime (Article 6) and criminalization of obstruction of justice(Article 23) of the organized Crime Convention. Both these topics are covered on the SHERLOC portal:

<u>Legislation on Article 6</u>

Case law on Article 6

Legislation on Article 23

Case law on Article 23

Also running parallel to the Conference will be the seventh meeting of the Working Group on International Cooperation, to be held from 19 to 21 October 2016, which will also mark the tenth anniversary of the Working Group. The agenda includes, among others, an update by the Secretariat on available tools related to international cooperation in criminal matters. The updated Directory of Competent National Authorities* will also be unveiled.

The Directory contains the contact information of central and other competent authorities of Member States authorized to receive, respond to and process requests for mutual legal assistance, extradition, transfer of sentenced persons, illicit traffic by sea of narcotic drugs and psychotropic substances, smuggling of migrants by sea, cooperation to combat trafficking in firearms, prevention of transnational organized crime and cooperation against trafficking in cultural property.

* The online directory will be available to competent authorities and government agencies of Member States with a user account.





























Feature – Article 23

Article 23 of the Organized Crime Convention deals with the criminalization of obstruction of justice. The elements of the offence include the use of physical force, threats or intimidation in order to induce false testimony or to interfere with the exercise of official duties by justice or law enforcement. The United



States of America has criminalized a wide range of these acts under 18 U.S. Code Chapter 73 on obstruction of justice.

A classic example of this chapter in use, particularly \$1503 - Influencing or injuring officer or juror and §1510 - Obstruction of criminal investigations, while dealing with an organized criminal group, is in the case of United States of America v. Michael Coiro. Coiro was a criminal defense attorney whose clients included Angelo Ruggiero, Gene Gotti and John Carneglia, partners in a large narcotics enterprise and members of the Gambino crime family, which is one of the notorious families dominating organized crime activities in New York.

The evidence at Coiro's trial, based in part on conversations recorded by the FBI with electronic surveillance, revealed Coiro's involvement in the narcotics organization at least as early as February, 1982. Coiro, who had last represented a member of the enterprise in 1975, now helped them by bribing and facilitating the bribing of law enforcement and other officials to obtain confidential information, by assisting the concealment and laundering of narcotics proceeds, and by otherwise using his position as an attorney to assist other members of the enterprise in avoiding criminal prosecution.

Coiro assisted the enterprise after the death of one of its members, Salvatore Ruggiero, Angelo Ruggiero's brother. After his death, the FBI and the grand jury began to inquire into his previous activities, into possible harboring by others, and into the location of assets he had amassed from the narcotics business. During this period, Coiro helped to create false stories to be fed to the authorities, conceal evidence, and influence the testimony of prospective witnesses, in order to obstruct the pending law enforcement and grand jury investigations. Further, Coiro was involved in the organization's hiring of an individual, named Jack Conroy, to detect electronic surveillance and bribe telephone company employees for information on wiretaps.

The various obstruction of justice charges on which Coiro was convicted were based on his conduct in the aftermath of Salvatore Ruggiero's death. The two counts of obstructing a criminal investigation were based upon the fabricated story meant for the FBI that Coiro helped create. Coiro was convicted on two counts of endeavoring to obstruct the grand jury investigating the harboring of Salvatore Ruggiero. Those charges stemmed from Coiro's counseling others to conceal and destroy evidence, to liquidate property derived from Salvatore's fugitive drug trafficking, counseling others to influence the testimony of prospective witnesses, helping to launder Angelo Ruggiero's narcotics proceeds, counseling Angelo Ruggiero to testify falsely, and finally, offering himself to testify falsely.

The challenge and subsequent affirmation of the judgement can be found on <u>SHERLOC</u>.





























What's New on SHERLOC?

Global access and multilingualism have been important goals for SHERLOC. To this end, the SHERLOC interface is now available in Arabic, Chinese, English, French, Russian and Spanish. When you visit sherloc.unodc.org, you will see a drop down menu with the six languages.



SHERLOC aims to be a one-stop-shop for legal resources to better prevent and combat different forms and manifestations of organized crime. We hope that making the portal available in the six official United Nations languages will ensure access for a larger number of users.



Rodrigues from Portugal.

Meet a Contributor!

The SHERLOC team would not be complete without our interns. We have benefited from the work of excellent legal interns who have assisted in research and analysis of organized crime cases and legislation, as well as keeping SHERLOC up-to-date.

This year, three interns have assisted the SHERLOC team: Johannes Eder from Austria, Colin Craig from Australia and Alexandra Fernandes-

SHERLOC is always looking for contributors who support us in collecting and summarizing legislation, case law and bibliographic data. Contact us at sherloc@unodc.org





























Upcoming Events



- 17 21 October Conference of the parties to the United Nations Convention against Transnational Organized Crime, 8th Session
- 17 19 October Working Group of Government Experts on Technical Assistance, 9th Session (closed)
- 19 21 October Working Group on International Cooperation, 7th Session (closed)

For further information, please contact:

sherloc@unodc.org

Conference Support Section Organized Crime and Illicit Trafficking Branch/Division for Treaty Affairs



























