UNODC
United Nations Office on Drugs and Crime

SHERLOC
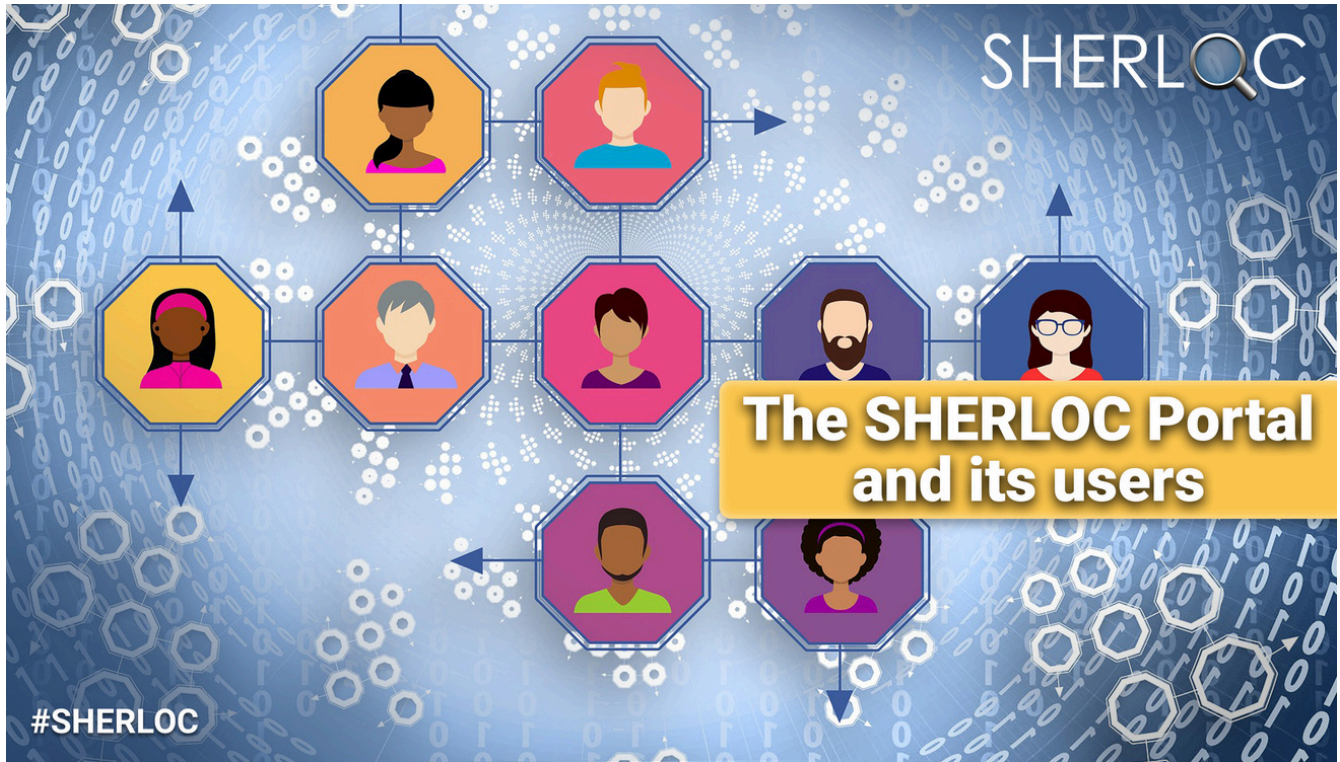SHARING ELECTRONIC RESOURCES AND LAWS ON CRIME

NEWSLETTER

The UNODC SHERLOC team is pleased to share with you Issue No. 27 of our newsletter on the relationship between SHERLOC and its users.

EDITORIAL
SHERLOC BEST PRACTICES

The present issue focuses on SHERLOC more generally, in particular on the relationship between SHERLOC and its users. This issue provides an overview of how various stakeholders can interact with our team or the portal itself, including at intergovernmental meetings or as part of their academic research, and provides concrete best practice examples.

Moreover, this issue presents an innovation exercise currently undertaken by the SHERLOC team with the help of the UNHQ "Business Transformation" Service to better cater to the needs and hopes of our users.

Furthermore, this issue includes a case study on organized fraud, a crime type for which UNODC is currently developing technical assistance tools. This case demonstrates how the development of such tools feeds into SHERLOC and vice-versa.

In this issue

SHERLOC AT INTERGOVERNMENTAL MEETINGS
THE DRUG CONTROL REPOSITORY AND SHERLOC AT THE COMMISSION ON NARCOTIC DRUGS (CND)

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The 67th session of the United Nations Commission on Narcotic Drugs (CND) took place in Vienna from 14 to 22 March 2024. During the CND, our colleagues promoted the Drug Control Repository and SHERLOC.

What is the Drug Control Repository?

The Drug Control Repository, launched by UNODC in 2018, is an information management portal aimed at facilitating the dissemination of information regarding the implementation of the International Drug Control Conventions, namely the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

The Drug Control Repository offers a unique platform for accessing information on drug control. Besides housing a database containing national drug control laws and regulations, it also comprises a directory of competent national authorities designated under the three Drug Control Conventions, information on the status of adherence to each of these conventions, and other drug control resources, such as commentaries on the conventions and links to other relevant databases and publications.

How does the Drug Control Repository relate to SHERLOC?

The Drug Control Repository is powered by SHERLOC and shares its user interface. Those familiar with SHERLOC will find navigating the Drug Control Repository intuitive.

While SHERLOC's legislation database contains national penal provisions on drug-related offenses enacted to implement the international Drug Control Conventions, the Drug Control Repository's database of legislation contains legislative provisions on broader issues relating to drug control. These issues include, among others, licit activities involving controlled substances and narcotic drugs, prevention, treatment, and rehabilitation.

ACCESS THE DRUG CONTROL REPOSITORY. IF YOU HAVE ANY LEGISLATION TO SUBMIT TO THE DRUG CONTROL REPOSITORY OR SEEK ADDITIONAL INFORMATION, WRITE TO: UNODC-LEGAL[AT]UN.ORG.

SHERLOC CONSULTATIONS IN THE MARGINS OF INTERGOVERNMENTAL MEETINGS

In addition to SHERLOC's presence at the Commission on Narcotic Drugs in March 2024, our team has been offering SHERLOC consultations during numerous intergovernmental meetings this year. SHERLOC consultations are an opportunity to speak with one of our team members to find out more about our knowledge management portal.

The initiative started as a virtual alternative for SHERLOC resource centres situated in front of the meeting rooms in July 2020 in order to be able to offer demonstrations of our portal even in times of COVID-19. In 2022, we have started offering in-person consultations at the Vienna International Centre in addition to virtual consultations for the first time. This year, due to the success of the initiative, we have expanded our offer again and our booking system is now also available to international and civil society organizations alongside States and the European Union.

We have already completed numerous rounds of SHERLOC consultations this year, namely during the following intergovernmental meetings:
- the 11th Meeting of the Working Group on Firearms (3-4 April 2024) and the following Constructive Dialogue on the UNTOC Review Mechanism (5 April 2024);
- the 33rd Meeting of the Commission on Crime Prevention and Criminal Justice (13-17 May 2024);
- the 15th Meeting of the Working Group of Government Experts on Technical Assistance (3-4 June 2024), the 15th Meeting of the Working Group on International Cooperation (5-6 June 2024) and the following Joint Constructive Dialogue on the UNTOC Review Mechanism (7 June 2024).

During these meetings, our team has met with a total of 52 delegates from 20 States.

Would you like to book a SHERLOC consultation with a member of our team? Look out for our correspondence in your inbox for the following intergovernmental meetings:

- **THE WORKING GROUP ON TRAFFICKING IN PERSONS (8-9 JULY 2024) AND THE FOLLOWING CONSTRUCTIVE DIALOGUE ON THE UNTOC REVIEW MECHANISM (10 JULY 2024);**
- **THE WORKING GROUP ON THE SMUGGLING OF MIGRANTS (11-12 JULY 2024) AND THE FOLLOWING CONSTRUCTIVE DIALOGUE ON THE UNTOC REVIEW MECHANISM (15 JULY 2024);**
- **THE 12TH SESSION OF THE CONFERENCE OF THE PARTIES TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME (14-19 OCTOBER 2024).**

We look forward to talking to some of you soon!

SHERLOC IN ACADEMIC RESEARCH: INTERVIEW WITH DR. BOUKLI

SHERLOC is not only a tool for States and Civil Society Organizations as outlined above but can also be useful to academics when conducting their research. To share some best practices of how SHERLOC can be utilized for this purpose, the SHERLOC Team had the honour to interview Dr. Avi Boukli, Associate Professor of Criminology at the University of Southampton, to talk about their research.

SHERLOC Team: Dr. Boukli, thank you very much for taking the time to talk to us about your research and the SHERLOC portal. For those of our readers who are not yet familiar with you or your work, would you mind introducing yourself very briefly?

Dr. Boukli: Over the past 20 years, my work has focused on the intersection of international criminal law, criminology, and more recently zemiology. I completed my PhD research at the LSE Law School as an Onassis Foundation Scholar in 2012, with a focus on human trafficking and the way this issue relates to international criminal law, security, and human rights. Since then, I have held positions at Birkbeck, the LSE, Teesside University, and The Open University. I am now based at the University of Southampton as Associate Professor of Criminology.

SHERLOC Team: You have recently published a book entitled "Zemiology and Human Trafficking" which examines the concept of social harm extending beyond the constraints of criminal investigations in the context of human trafficking. What are the key takeaways from your book and why do you think that this research is so important?

Zemiology and Human Trafficking 🔍

Dr. Boukli: "Zemiology and Human Trafficking" is dealing with an impossible task. Firstly, it deals with two topics that have never been previously combined. On the one hand, it offers a detailed introduction to zemiology, i.e. the study of social harm. On the other, it delves into a forensic analysis of three approaches intended to counter human trafficking (i.e., criminalization; security; human rights), which I divided into two eras: the early explosion anti-trafficking era (2000-2015), and the later expansion phase (2015-current).

Secondly, it aims to provide the first comprehensive conceptual framework of harm that can be applied by diverse audiences. Namely, for practitioners in the field of transnational crime, it offers an advanced analysis of how three key anti-trafficking approaches have been realized and how they can be transformed in the future. For criminology and criminal law students, it sets out the foundations of how anti-trafficking mechanisms were established and how the emerging zemiological framework can be utilized to improve anti-trafficking.

#EndHumanTrafficking

SHERLOC IN ACADEMIC RESEARCH:
INTERVIEW WITH DR. BOUKLI

The crux of the argument traces three anti-trafficking approaches, namely criminalization, security, and human rights. These have largely been preoccupied with an investigation of risk in the form of human trafficking indicators and with a reliance on criminal law provisions. To complement this, the book proposes that these should be enhanced by social harm assessments and with a softer and more holistic rights framework that revisits labour relations more broadly.

SHERLOC Team: As part of your research for the book, you used SHERLOC to help analyze trafficking in persons cases to reimagine criminal justice responses to harm. How did you learn about SHERLOC and how was it able to support your research?

Dr. Boukli: It was in 2016-2017 that I incorporated SHERLOC into my research. At the time, I was looking into online databases as part of a research project on LGBT victims of trafficking. SHERLOC was a revelation! The case law database enables the use of keywords to search across multiple sources. While there are pieces of software, such as NVivo, that researchers can use to conduct searches into a large volume of legal cases, SHERLOC provided an avenue that is easily accessible and user-friendly.

I then introduced SHERLOC to my students for both the case law database and the database of legislation. I created an enhanced interactive map, in which I incorporated SHERLOC links to visually represent or map human trafficking cases. Essentially, students utilized the SHERLOC-enhanced interactive map to connect to legislation and legal cases in order to build their understanding of human trafficking.

SHERLOC Team: Are there any best practices on engaging with SHERLOC for the purpose of academic research that you developed as part of your work? How would you recommend other academics to engage with the SHERLOC portal?

Dr. Boukli: My top three tips would be: 1) As with most archival and database research, SHERLOC requires a robust methodology, strict focus, and filtering strategies. This is because it provides a growing corpus of material. Therefore, it is important to have a very specific framework in mind that directly informs your initial research question. 2) By creating a time-stamped PDF record of each SHERLOC entry and saving it along with the case transcript you are able to collect a more complete record of each case. 3) Multiple studies have now utilized SHERLOC, these demonstrate that whether you have opted to reconstruct UNODC priorities or purely approach the law, engaging with SHERLOC will offer a unique approach to research.

SHERLOC IN ACADEMIC RESEARCH:
INTERVIEW WITH DR. BOUKLI

gender and sexuality in the context of zemiology and trafficking in persons 🔍

SHERLOC Team: In the past you have worked a lot on gender and sexuality in the context of zemiology and trafficking in persons. Would you mind shortly elaborating on your work in this area and explaining aspects in which these characteristics inform victimhood and social harm with regards to trafficking in persons?

Dr. Boukli: It is impossible to holistically examine criminal justice issues without taking an intersectional approach to assess key actors. By this I mean that state principal institutions – namely, the executive, the legislature, and the judiciary – should be examined in relation to their form, composition, and structure. My work has been focusing on the criminal justice system (CJS) and as such it is interested in how gender and sexuality, but also race, ethnicity, religion, disability, and class impact on the workings of the CJS. This does not mean that these become principal categories that obscure structural mechanisms. Instead, they act as an added lens attached to wider investigations of structures. To offer an example, my work on LGBT victims of human trafficking shed light on how LGBT victims experience added layers of discrimination by, and often exclusion from, support services. Equally, my more recent work on Indigenous communities and human trafficking highlights that structural inequalities are often reflected in victim support structures.

SHERLOC Team: You are currently also working on open-source intelligence in relation to trafficking in persons. Do you think that you will be using SHERLOC again for some aspects of these ongoing projects and is there anything that you would already like to share about this work?

open-source intelligence 🔍

Dr. Boukli: My most recent project investigates the role of open-source intelligence in relation to trafficking in persons and terrorism. The way I engage with SHERLOC at the moment involves a review of legal cases that make reference to open-source investigations even if only tangentially. My approach to open-source intelligence involves the enhancement of the current highly dominant focus on risk, by considering the impact of vulnerability and harm assessments.

SHERLOC Team: Thank you again for all of these invaluable insights and for taking the time.

SHERLOC: AN INNOVATIVE TOOL TAILORED TO ITS USERS' NEEDS

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Halfway through 2023, the world is not set to achieve the Sustainable Development Goals (SDGs) by 2030. To get back on track, the United Nations has put in place the UN 2.0 initiative, a vision of a modernized UN system with cutting edge skills and forward-thinking culture.

Today, we are bringing UN 2.0 to SHERLOC with the help of the UNHQ "Business Transformation" Service under the guidance of their "Propeller" programme. We want to make SHERLOC even more effective, innovative, and useful by looking deeper into stakeholder needs and hopes for the platform.

Over the last weeks and months, the SHERLOC team has worked to set up a number of brief dialogues and workshops with different stakeholders to start the process of co-creating a common approach for future development of the platform. The dialogues will introduce human-centred design techniques and tools to help gather the stakeholders' thoughts. We hope to take the findings of these dialogues to an ideation exercise, to come up with concrete proposals for further SHERLOC transformation and formulate an action plan.

Dialogues have been set up with varying stakeholders from SHERLOC contributors to academia, Member States and civil society organizations. We are looking to gather inputs from all sources in order to better understand the needs of all our users.

DO NOT HESITATE TO CONTACT US THROUGH OUR CONTACT FORM IF YOU WISH TO SHARE RECOMMENDATIONS WITH US.

We hope to be able to share with all SHERLOC users the results of the SHERLOC Propeller Initiative soon!

FEATURED CASE ON ORGANIZED FRAUD

United States v. Drinkman, et al., No. 09-626 (JBS) (S-2) (D.N.J. Jul. 15, 2013)

From as early as 2005 through 2012, an organized criminal group hacked the computer networks of multiple corporations, resulting in a large-scale data breach in which 160 million credit card numbers were stolen. The group used malware to attack and infiltrate the corporate systems. They concealed this activity by deploying malware that could not be detected by the anti-virus software, and leasing servers that were inaccessible to law enforcement (i.e. 'bullet-proof' hosts).

The stolen credit card numbers and associated personal information were sold in batches to "resellers", who in turn would sell them either through online forums or directly to individuals or organizations. The buyers encoded the stolen data onto the magnetic strips of plastic bank cards and used them to withdraw cash from items or make unauthorised purchases.

As a result, the organized criminal group defrauded financial institutions, credit card companies and consumers, resulting in the loss of hundreds of millions of dollars. In 2015, the District Court of New Jersey sentenced two of the members of the group (Drinkman and Smilianets) to 144 months and 51 months and 21 days of imprisonment, respectively.

This case highlights two things: firstly, how sophisticated cyberattacks can prejudice the interests of millions of people, and secondly, the importance of international cooperation in cases of serious transnational crimes. In the present case, the group carried out the illegal conduct outside the United States causing significant damages in its territory and elsewhere. The US issued two extradition requests to the Netherlands for the surrender of Smilianets and Drinkman, who had been arrested by Dutch authorities while traveling there. Effective extradition practice requires the ratification by States of bilateral or multilateral extradition treaties, including the Organized Crime Convention (UNTOC), which can be used as the direct legal basis for extradition requests in line with its Article 16.

See the <u>full case law entry on SHERLOC</u> for more information.

In relation to organized fraud, UNODC is currently in the process of developing technical assistance tools, including an Issue Paper on Organized Fraud, which will present a typology and offer policy and legislative recommendations for Member States' consideration.

Resources, including legislation and case law like the present featured case, discovered and analyzed during the legal research conducted as part of this project will further be made available on the respective SHERLOC databases.

MORE INFORMATION ON THE <u>PROJECT</u>. ONCE THE ISSUE PAPER IS PUBLISHED, IT WILL BE AVAILABLE ON SHERLOC'S <u>TOOLS AND RESOURCES WEBPAGE</u>.

MEET A CONTRIBUTOR

NIKOLINE LANDHEIM

Nikoline Landheim interns in UNODC's Organized Crime and Illicit Trafficking Branch. She is a part of the Global Programme on Implementing the Organized Crime Convention and is a SHERLOC contributor uploading legislation and case law on a variety of crime-related topics.

Before joining UNODC in January of this year, Nikoline interned at the Permanent Delegation of Norway to the OECD and UNESCO in Paris. In addition, she has explored disarmament issues at the UNODA, human rights at the OHCHR, and terrorism and extremism at Hedayah. She also has experience as a humanitarian field worker.

Nikoline holds two master's degrees – one in law and one in strategy – and a bachelor's degree in business and economics. She wrote her master's thesis about humanitarian operations in Syria. During her business studies, Nikoline worked on criminal organizations and criminal business strategies. Furthermore, Nikoline has obtained certificates in Terrorism and Counterterrorism from Georgetown University and in Child Protection and Humanitarian Response from Harvard University.

MEET A CONTRIBUTOR

ANGELA PASCAL

Angela Pascal is a recent LLM graduate in International and EU Law at Erasmus University in Rotterdam, with a specialization in European Union Law. Originally from the Republic of Moldova, Angela joined UNODC as a legal affairs intern in January this year. She has two years of experience in the private sector as a recruiter specializing in executive searches. Additionally, Angela spent three years volunteering for AIESEC, a global non-profit Youth organization.

At UNODC, Angela is a member of Team Planet – the research team at the Research Analysis Branch working on Crimes that Affect the Environment. As a contributor to SHERLOC, she reviews and uploads legislation and case law relating to Crimes that Affect the Environment, collected during the research on the Global Analysis of Crimes that Affect the Environment.