

11<sup>th</sup> United Nations Congress  
on  
Crime Prevention and Criminal Justice

OPENING REMARKS

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United Nations *Office of Drugs and Crime*

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by  
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Mr. President,  
Excellencies,  
Ladies and gentlemen,

We live at a time of change. Many of the changes that are taking place — perhaps most of them -- are for the better, and I pay tribute especially to the political and economic improvement we witness in Asia.

At the same time we are seeing things we do not like: for example, the emergence of new threats to our societies, and the risk that old threats to them may become ever more serious. We therefore welcome the Secretary General's message we just heard, that has highlighted the importance of this Congress in regard to the new, and the more severe risks our societies face. In my capacity as the Secretary General's representative, I would like to take a few minutes to elaborate on the United Nations' views on these new challenges, how we

propose to control them, and the role this important meeting can play in this regard.

This Congress should promise not just opportunities for debate, but – I hope -- also time and stamina for decisions, especially during the last three days. A lively exchange of views is welcome, yet we cannot stop just there, at the rhetoric of matters.

The agenda in front of us is complex: it mirrors the complicated realities in our societies. For this reason, we welcome the presence of non-governmental organizations. They add a special flavor, a spontaneous intuition, and an important opportunity to confront views with government and international officials. And vice-versa. I am especially grateful for NGO's efforts to promote good governance, integrity in policy-making, and the respect for human rights.

Today, we celebrate an important jubilee, half a century of deliberations on crime prevention and criminal justice. This Eleventh Crime Congress represents what is by now a great tradition, built on

common values. Earlier Congresses emphasized the link between strong judicial systems and vibrant democracy, and helped nations build strong criminal justice systems. Other Congresses addressed the relation between socio-economic development and the administration of justice. More recently, the meetings' emphasis was placed on the threats posed by crime and terrorism to peace, security and development.

### Time for Action

This Congress should do more than just offer the opportunity to talk. Perhaps more than at any earlier time, it imposes serious obligations on participants.

Five years ago, when the Tenth Congress was held in Vienna, the international community was about to complete the negotiations on the first UN Convention against Transnational Organized Crime and its Protocols. It also reaffirmed members States readiness to embark on new negotiations on the first UN Convention against Corruption. Vienna was indeed an

occasion to benchmark Member States commitment to oppose uncivil behaviors.

Today, all of these instruments have been successfully concluded. The TOC Convention and two of its Protocols have entered into force, in a speedy process that leaves no doubt about the political commitment of Member States to join forces against crime. The Firearms Protocol is also about to enter into force, bringing into play a new set of rules against those who specialize in trading in the most deadly instruments of violence. The Convention against Corruption also will soon enter into force: the current steady stream of ratifications is proof that promoting integrity is a priority for Member States.

This is what we accomplished since we met in the last Congress: five eventful years, rich statements but also in deeds.

Legal instruments are not just papers we discuss, agree upon, and then file in a library. The challenge before us is their implementation. This is the challenge I

see during the next five years. The monitoring mechanisms envisaged in the two Conventions, soon to be refined by the respective Conferences of the Parties, reflect carefully balanced role for individual states, and for the collective responsibility to make the world's system more secure. Let's all capitalize on these accomplishments.

Of course, means do count. In order to succeed, further political and financial commitments are needed.

- (A) Political support must be there, committing a growing number of countries to the provisions of the Conventions. Political support thus translates into the willingness to pursue domestic policy, keeping in mind its impact on other.
- (B) Economic capital must also be invested. We need decisions in regard to the regular budget of the United Nations to support crime prevention and criminal justice programs, and to the voluntary contributions offered for technical assistance. The functioning of the Conferences

of the Parties and the ability of many developing countries to fully implement the Conventions depend on the availability of resources. Our Office (UNODC) is making major efforts in this regard, but without adequate financial support, we cannot sustain the pace of progress realized thus far.

The High-Level Panel, appointed by the Secretary-General a year ago, and so well chaired by the former Prime Minister of our Host Country, identified transnational organized crime as one of the six major world threats. This warning, coming on the heels of the approval of the two Conventions and the three Protocols mentioned earlier, should make us think. The Panel's message is clear: if governments choose to delay action, they shall face a threefold risk:

- first, threats thought to be remote, could be at our doorstep anytime;
- second, threats we believed would endanger our neighbors could become a menace for us as well, and

- third, threats we thought could be handled easily now risk spinning out of control.

I am glad the HL Panel made these points so effectively, thus giving an implicit mandate to this Congress to start thinking what to do about the risks posed by organized crime and terrorism. Later on I will spoke about the Secretary General's own reform proposals, which should also be — to the extent that they are relevant — on our agenda this week.

### Link between Crime and Terrorism

Terrorism has hit so many countries, so hard, so deadly, for so long. No surprise, therefore, that during the past few years, the policy debate on terrorism has evolved considerably — every time acquiring greater momentum. The Secretary General has recently added new dimensions to the fight against terrorism, by proposing a strategy that challenges the international community: (i) to agree on what to do (through the comprehensive Convention); (ii) to take decisive action; (iii) to do so jointly; and (iv) to show solidarity by extending technical assistance.

At this Congress, I invite you all second the Secret General's proposals. Therefore I invite you to reaffirm your commitment to abide by, and implement the existing twelve instruments (soon to be thirteen) against terrorism. Such a commitment must be demonstrated via concrete policy initiatives, in the framework of international laws and the respect for human rights.

I would like this Congress also to address a related matter: the link between crime and terrorism. I recommend that the world community demonstrate courage by advancing the aims and the instruments against both terrorism and organized crime. I hope you agree with me that by fighting one evil, we fight the other as well. Furthermore, since these uncivil behaviors are conspiratorial in nature, I propose we equally conspire — namely, we act together -- in opposing them.

This takes me to the broader picture:

## The rule of law

In the background to all this -- whether we fight crime, or oppose corruption, or struggle against trafficking of people, or protect our societies against deadly terrorist attacks -- one particular goal stands out: the need to strengthen criminal justice systems the world over. Nations struggling to impose the rule of law, nurture the culture of respecting other people's rights, or promote good governance and administrative integrity, cannot do all this without proper legislation, honest courts, skilled and aggressive prosecutors, and adequate detention facilities.

These concepts figure prominently among the High-Level Panel recommendations and in the report of the Secretary-General for the reform of the United Nations. This Congress is in a unique position to drive these efforts.

In the next eight days, you will have opportunities to debate all of these matters, and summarize recommendations in a final document, as requested by the General Assembly in its resolution 591151. I know

that a great deal of work has already gone into the construction of the Bangkok Declaration. There has been semantic discussion as to whether the Declaration should be inspirational, aspirational or operational. That is a decision only you can reach, as these options are beyond my mental portfolio. However, even a cursory look at the current draft, and the comments so far received, shows that considerably more effort is needed to produce a document that would uphold the tradition this Congress represents: namely to show the ways ahead. Don't forget. Judgment on the Bangkok Declaration will come not at the end of this meeting (in a week time), but at the end of the quinquennium when (in 2010) people will tell whether Bangkok was worth its money.

I understand that you are divided as to whether the time is right to embark on new negotiations on emerging concerns: cyber crime and money-laundering, in particular. Resolving these differences and finding common ground is going to require lots of work. But let me say this: the decisions you reach must be clear. Your recommendations should leave no doubt about

how you wish to proceed. Whatever your final decisions may be, you must make sure that you highlight the issues you believe deserve immediate and decisive action. The threats are certainly there: if you fudge the answer I invite you to give, you will have to live with the consequences.

As I emphasized before, we have a formidable tradition to uphold. Expectations run high and we cannot afford to shy away from them. It is our job to ensure that this Congress is worthy to take its place alongside the historic meetings that have preceded it, and because it takes place at the time when crucial negotiations are progressing on the reform of the United Nations system. Whether the judicial system will, or will not, be included in the reforms, also depends on the result of your deliberations in the days ahead.

To make Bangkok successful, it will take more than attendance at the sessions and meetings, more than talk, and more than draft proposals. I intend to issue my own challenge to Member States on Friday, with a call to action. In the mean time, I hope you will be committed

enough to do the same. UNODC is ready to show you what can happen when partnerships move into the world, on a higher gear. Give yourselves the opportunity to invest in the old Conventions we have worked so hard to hammer out. Give yourselves the inspiration to be creative regarding new legal instruments. Then, acting together, we will show that peace, security and development will prevail over crime, mal-governance and terrorism.

I wish you success in your deliberations. My staff and I will stand ready to support you in your work during this Congress and beyond.

Thank you.