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Remarks to the Ministerial Segment
of the
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on
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(Check Against Delivery)

Opening Remarks to the Ministerial Meeting
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Greetings, and welcome to the High Level Ministerial Meeting of the 11th Crime Congress. This week, we have been engaged in an undertaking that affects the lives of people around the world. We don't know their names. We can't see their faces. Yet, they are out there waiting, unaware perhaps, that deliberations in this Congress may change their futures.

We owe these constituents — whether law-abiding citizens turned into victims of violence, taxpayers robbed by corrupt leaders, young girls sold to brothels, or innocents exposed to terrorists — we owe them our full attention. They have no voice except the one you bring to this meeting. It's your job not just to speak up, but to speak out on their behalf.

The Royal Family, the Prime Minister, the government and the Thai people have displayed an extraordinary determination to help us. This 11th Congress has turned Bangkok, during this week, into the world capital in the fight against crime. Our commitment to act must be just as strong.

We have important issues on our agenda:

- The global aspects of, and linkages between crime, corruption, and terrorism;
- The ratification of the pertinent legal instruments and the responsibility of Member States to their implementation;
- The role that my Office, the United Nations *Office on Drugs and Crime*, plays in bringing these instruments to life;
- And finally, the ability of international agreements to adequately address evolving crime trends.

The world has indeed changed since the Vienna Congress, five years ago. (i) Terrorism, weapons of mass destruction and organized crime are now recognized as global threats. (ii) As a consequence, there has been increasing policy emphasis on trans-national crime, to a point, in fact, that has made some believe this has distracted attention from domestic criminal justice issues. (iii) Because of greater freedom in communication, trade and transport, the actual nature, size and awareness of trans-national crime have increased – making it even more difficult to handle.

Given all this, here is the question I would like to ask: is there enough determination in this Hall to address these trends, so that we leave Bangkok better equipped to protect our societies?

Let me read you a passage from the Declaration prepared for an earlier Congress: "*There comes a time when patience loses virtue. There comes a time when good intentions stand alone as futile. There comes a time when human tragedy is so profound that a nation cannot protect the safety and*

security of its citizens, their possessions and their fundamental rights We therefore call, on behalf of all humanity, for the end of complacency”.

We need to pause here and consider whether we have responded to this wake-up call. We also need to ask ourselves if in Bangkok we can sustain the momentum imparted by half a century of productive work.

Impact of Previous Crime Congresses

The past 10 Congresses have indeed left a mark. They have produced standards and norms in criminal justice. They have called for new Conventions at the appropriate time. They have brought us closer to a shared vision of freedom and security, and consolidated our stance against crime and terrorism.

- First UN Congress (Geneva, 1955) set standard minimum rules for the treatment of prisoners.
- Second Congress (London, 1960) viewed crime through the prism of rapid economic development.
- Third Congress (Stockholm, 1965) developed policy at the intersection between crime and social change.
- Fourth Congress (Kyoto, 1970) again focused on crime and development.
- Fifth Congress (Geneva, 1975) stressed crime prevention, after decades of action on the law enforcement side.
- Sixth Congress (Caracas, 1980) measured the escalation in violence and crime -- especially in urban settings;
- Seventh Congress (Milan, 1985) examined illicit drug use and trafficking, and its relations to organized crime and terrorism.
- Eighth Congress (Havana, 1990) addressed the lethal connection between crime, drug abuse and AIDS, especially among prison populations.
- Ninth Congress (Cairo, 1995) considered progress made in combating crime syndicates and economic crime offences;
- Tenth Congress (Vienna, 2000) stressed need for an effective international legal instrument against corruption.

If you look closely at the timeline marked by the Crime Congresses, you see a pattern: their agendas have mirrored changing threats. They did not rely on old solutions to resolve new dangers.

Fifty Years of Standards for Prisons

The Crime Congress Golden Jubilee coincides with another celebration: a half-century spent crafting standards that have changed the world's thinking about the treatment of prisoners. Prison conditions may not generate the same headlines that terrorism or mafia crimes do, but they do measure the progress of a civil society.

Dostoevsky believed that “..a society should be judged not by how it treats its outstanding citizens, but by how it treats its criminals.” Imagine Dostoevsky walking into this Hall, and listening to some of our debates earlier

in the week: he would have been very pleased. Now, imagine him walking into some of our prisons today: would he have been equally pleased? Like Dostoevsky, we cannot tolerate situations where men and women are forced to abandon their humanity, and their human rights, when they walk into a prison. Overcrowding, corruption, drugs, sexual violence, torture, inadequate food and health conditions, life-long social exclusion — all of this begs for continuing attention.

The picture is, of course, not entirely bleak. Not at all. When on mission, I not only meet politicians and administrators, I also visit drug addicts and inmates. As Edmund Burke once put it, I “*dive into the depths of dungeons,*” and witness how the UN standards have indeed improved prison conditions throughout the world. Generally, people now admit that prisoners are human beings, and that the standards protecting them represent the minimum threshold for maximum compassion. But we could still do better.

While attending the funeral of His Holiness John Paul II in Rome, his reference to the Gospel of Matthew, Chapter 25 came to mind: “*In Carcere Eram, et Venistis ad Me*” – “*I was imprisoned and you came to me.*” This was the Holy Father’s way of saying that: “*We are still a long way from the time when our conscience can be certain of having done everything possible to prevent crime andto offer to those who commit crimes a way of redeeming themselves and making a return to society*”. Perhaps, by the time this Congress is over, we will have moved closer to realizing this vision.

The Rights of Victims

Then there is the other side of the coin. During the Congress, I heard calls for better protection of the rights of victims who do not always receive adequate protection. I wonder why. Who could have moral objections to this? Ensuring the victims’ recovery can be an effective form of crime prevention, educating potential victims to the dangers around them, and eliminating occasions for crime as a means of preventing violence.

We are now beginning to understand that the predicaments of offenders and victims are often driven by the same social and economic realities. Cultures riddled by violence, poverty, the lack of choice and the absence of hope, create only two kinds of human animal: predator and prey.

The description is stark, but the antidote is within reach. We have to re-examine the moral assumptions on which our policies and practices stand. I always admired Mohandas Gandhi’s way of putting it: “*Those who say justice has nothing to do with politics, do not know what justice is.*” It is time to wake up to the plight of poor, homeless, and street children trafficked for sex, exploited as forced labor, imprisoned in jails, and murdered on the sidewalks by organ traffickers or authorities armed with instructions to “get rid of the garbage.”

We need to reject cultural attitudes that devalue women, and encourage prostitution. And we have to convince our leaders that real power is not only measured by military or political muscle, but also by the protections

and liberties extended to all citizens. In places where women and children are viewed as commodities, conscience has already signalled unconditional surrender.

Road to the 11th Crime Congress

When the General Assembly launched the UN Crime Prevention and Criminal Justice Programme (CPCJP), it acknowledged “*the growth of democratic governments around the world, the need for increased international cooperation, and the wider enjoyment of human rights and fundamental freedoms.*”

“*Notwithstanding these developments,*” the GA statement continued, “*the world today is still beset by violence and other forms of serious crime. These phenomena constitute a threat to the rule of law.*”

Thus, we arrive at the Eleventh Crime Congress, and its goal of fostering the ratification of the Conventions against Corruption, and against Organized Crime, and related Protocols. These legal instruments represent both an opportunity and a challenge. The opportunity lies in the “*consensus and the political commitment they manifest.*” They are a benchmark States can use to chart a course against crime, in a concerted manner.

“*The challenge is to make sure that the political will remains strong and that these instruments are used as building blocks for the rule of law.*”

In other words, it is the responsibility of Member States to breathe legislative and operational life into the legal instruments they have agreed upon. Will it happen? There are people who are taking odds, and some are betting against our chances for success.

The World is Watching

The editorial in a major local paper on the first day of this Congress carried a banner headline -- “*Failure would be criminal.*” The article’s conclusion was interesting as well: “*Expectations are usually low for big UN conferences . . . and it is almost a tradition that platitudes fill the air, press conferences dwell on synergy, and a pleasant time is had by all . . . [but] this week’s conference agenda of crime, terrorism and corruption is too important to fail.*”

I could not have said it better myself. What then, can we do?

The UN was established at a moment of moral clarity, when the need to move from war to peace was real and immediate. Recently, the Secretary General told us that today “*...we, the people of the world, face a fork in the road.*” The Secretary General thus called for a “*comprehensive concept of collective security: one that tackles new and old threats and addresses the security concerns of all States—rich and poor, weak and strong.*”

This is the sort of tough message we need to hear. If States do not take up this challenge, international criminal gangs may bring the challenge to us. They will have established beachheads around the world. They will have recruited armies from the ranks of the dispossessed. They will have laundered enough money to buy a small-size country. They will have used the internet to attack the most secure defence systems. And they will have identified their next targets – which could my home, my country, or yours.

Conclusions

During the last few days I have been asked repeatedly what I expect to come out of this Congress. Let me tell you first what I hope we will not see in the Declaration: ambiguity, blurred political commitment, and the narrow pursuit of national interests. Namely, a Bangkok Declaration long on language and short on ideas.

Let me turn now to what I would like to see in the Declaration.

First, you all have already agreed as to the importance that the Declaration calls for the fast-track, universal ratification of the crime and terrorism-related conventions and protocols. I would supplement this call with a reference to a strong commitment to make the Conferences of the Parties work, and to disclose each country's progress in implementation. At this point, I would like to pay tribute to those countries, mostly developing countries, which indeed have already ratified all crime and terrorism-related international instruments. But there is more to it than just ratification. Nigeria is a prime example of what can happen when leaders finally say "Enough!" to rampant corruption. I therefore salute Nigerian President Obasanjo's "Zero Tolerance" initiative that has triggered high level resignations, arrests, and indictments.

Second, the Declaration may address the rather uneven implementation of the standards and norms regarding the treatment of prisoners, as well as the still infant legislation intended to shield the victims of crime. The need to strengthen the right of children to be protected from violence and exploitation is another moral imperative.

Third, Member States may wish to affirm in the Declaration that they support the Secretary General's call for reform of the United Nations, especially in those areas where his document, *"In Larger Freedom,"* addresses themes debated in Bangkok.

As you recall, the Secretary General has stressed the importance of the rule of law as a precondition for peace, security, and development. The Declaration may like to support this call, and emphasize that equal treatment under the law, support to the victims of crime, independence of the judiciary, and access to justice are intrinsic to any government's effort to fight uncivil behavior. They are a prerequisite for economic development, civil society and democracy.

Of course, not all countries are able to enforce the rule of law, unless assisted. I therefore invite you to consider positively the Secretary General's call for additional budgetary contributions to the UN *Office on Drugs and Crime*, which is the foremost development assistance provider in this regard.

Fourth, there is the thorny question regarding the new manifestations of evil: the trafficking of human organs, child pornography, cyber-crime and new forms of money laundering. At the very least, I would like to call for a complete assessment as to whether the existing instruments are adequate.

Some of you may be more ambitious, and call for new negotiations. Views are divided on the merits of such an undertaking. Should there be a decision taken to launch a negotiation on a new crime-related instrument, the UNODC stands ready to assist Member States.

On the other hand, should a decision not be taken because of other priorities and because the basis for such new conventions is still not clear, I suggest that you include in the Declaration a call to the Crime Commission to build without delay a suitable platform of knowledge that will allow you to begin negotiations when appropriate.

This Congress may not be able to provide all the answers, but we cannot leave Bangkok without addressing these fundamental questions. The gulf separating opposing views is not wide. Actually, it reminds me of the old story about the athlete who wanted to swim the Strait of Malacca. He jumped into the water, but when he reached the midway point, he decided he couldn't make it.

So he turned around, and swam back home.

This Congress may be in a similar position—halfway to our goal, but uncertain perhaps, whether we can make it all the way across. We cannot turn back, nor can we tread water indefinitely.

Thank you.