



STATEMENT OF THE G-77 AND CHINA DURING THE 13TH SESSION OF THE AD HOC COMMITTEE FOR THE ELABORATION OF A CONVENTION OF AGAINST TRANSNATIONAL ORGANIZED CRIME, 2-6 FEBRUARY 2004, DELIVERED BY H.E. AMBASSADOR TAOUS FEROUKHI, PERMANENT REPRESENTATIVE OF ALGERIA

Mr. Chairman,

On behalf of the G-77 and China, I wish to express our joy at seeing you preside over the 13th and final session of the Ad Hoc Committee on the elaboration of a Convention against Transnational Organized Crime (TOC) devoted to the preparation of the draft rules of procedure for the Conference of the Parties. I wish to assure you of the Group's support in the task ahead.

Mr. Chairman,

Since the 12th session of the Ad Hoc Committee, the TOC Convention and two of its Protocols have already entered into force. This is a re-affirmation of the commitment of the international community to fight transnational organized crime in all its ramifications. In this context, the group wishes to pay special tribute to all the states that have signed or ratified or acceded to the Convention and all its protocols.

I also wish to thank the Secretariat for putting together the draft Rules of Procedure, which will no doubt form a good basis for discussion and negotiation at this session. However, the G-77 and China would like to make some observations on the draft Rule of Procedure.

Mr. Chairman,

The Group firmly believes that these rules should be entirely compatible with provisions and phraseology set forth in the Convention and its protocols. This is to avoid any possible conflict between provisions of these rules and provisions of the Convention and its protocols.

The G-77 and China has carefully examined General Assembly Resolution 55/25 from which the Ad Hoc Committee derived its mandate to prepare the draft text of rules of procedure for the Conference of the Parties, as well as articles 29 to 32 of the TOC Convention. The Group believes that before defining the rules that govern the activities contained in the articles under reference, those activities must have been defined by the Conference of the Parties. The Ad Hoc Committee should therefore, provide the procedural framework for the COP to operate. The draft text before the Ad Hoc Committee, is in line with this reasoning, but there are some areas of departure, which members of the group would point out in the course of negotiations at the session.

Mr. Chairman,

On the number of rules contained in the draft text, the Group is of the view that the final text should be concise, with less rules to allow for clarity and ease of reference. In this connection, we suggest the harmonization and streamlining of these rules.

Regarding the sessions of the COP, the Group believes these should be held at regular intervals. However, the frequency of those sessions should be such that it would not be an added financial burden on developing countries.

It is also our view that State Signatories should have a higher role in the conduct of business of the Conference of Parties in relation to other observers. On the participation of regional economic organizations and observers, the Group is of the view that the rules guiding their participation should be clearly defined to prevent any ambiguity.

Concerning the composition of the Bureau, the Group is in favor of flexibility in the requirement of ratification of protocols in force, to allow equitable geographical distribution as well as to facilitate full participation by the regional groups.

Mr. Chairman,

In conclusion, the Group of 77 and China wishes to recall the commitment undertaken by the international community during the negotiations of the TOC and its protocols, to provide technical assistance and expertise to the developing countries for the implementation of the Convention and its protocols. We expect that the COP will remain seized of this issue.

Thank you Mr. Chairman.