



STATEMENT OF THE G-77 AND CHINA AT THE 13th SESSION OF THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE, 11-20 MAY 2004, DELIVERED BY H.E. AMBASSADOR TAOUS FEROUKHI, PERMANENT REPRESENTATIVE OF ALGERIA

Mr. Chairman,

Permit me to express on behalf of the Group of 77 and China my congratulations to you on your election, as well as to other members of the Bureau to direct the proceedings of the 13th session of the Commission on Crime Prevention and Criminal Justice. The Group would like to take this opportunity to express its deep sense of grief on the sad demise of H.E. Ambassador Tirivafi John Kangai, PR of Zimbabwe who chaired the 11th session of the Commission and wishes to convey its sympathy to the bereaved family.

Mr. Chairman,

The 13th session of the Commission has important items on its agenda and the Group would make its views known when these are discussed. However, the Group is concerned about the delay in the issuance of working documents.

Agenda Item 3 "Thematic discussion on the rule of law and development"

The G-77 and China appreciates the relevance of the topic selected for the thematic debate for this year's session of the Commission. Rule of law and development are interconnected. New and traditional forms of crime, transnational organized crime and terrorism undermine sustainable development. On the other hand, lack of progress towards development contributes to institutional degeneration and unrest in the civil society. This situation undermines governments' capacity to effectively combat various forms of crime.

Simultaneous progress towards rule of law and sustainable development objectives necessitates a balanced approach, which focuses on both areas. The G-77 and China remains committed to the rule of law. The strengthening of rule of law, which includes the reform of criminal justice systems and building of institutional capacities to prevent and combat crime, requires international assistance. The Group is of the view that international cooperation in extradition and mutual legal assistance are essential to ensure the efficiency of rule of law. However, at the same time emphasis must be placed on global efforts towards development. Only a balanced approach will ensure the achievement of the objectives of the rule of law and development.

Furthermore, the Group expresses special interest in the sub-themes of the thematic debate related to the provision of technical cooperation in the prevention of urban delinquency, particularly in the child-youth groups and the best practices in restorative justice as adequate mechanisms in the strengthening of criminal justice.

Agenda Item 4 "The work of the UNODC"

The G-77 and China commends the useful work of the UNODC, in providing to Member States technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the key areas of prevention and control of transnational organized crime, corruption and terrorism. The Group expects that the recent consolidation of drug and crime programmes at the UNODC would further enhance its work and bring about cost-effectiveness and efficiency in service delivery.

The Group attaches great importance to the commitments made in the Vienna Declaration, which acknowledged that comprehensive crime prevention strategies must address the root causes and risk factors

related to crime, and emphasizes that effective actions for criminal justice requires the involvement of governments, national, inter-regional and international institutions. The Group is concerned about the lack of follow-up to the Action Plans for the implementation of the Vienna Declaration and requests the Secretariat to take concrete steps towards its implementation. In particular, the Group underlines the importance of improved mechanisms for enhancing prevention, law enforcement and institutional capacities of States against urban criminality, which is a high priority for the G-77 and China. The Group further stresses the need for adequate follow - up of the Vienna Declaration and the allocation of adequate resources. The Group requests that the follow-up of the Action Plans for the implementation of the Vienna Declaration will be a separate agenda item in the future sessions of the Commission.

Agenda Item 5 "International cooperation in combating transnational crime"

The G-77 and China welcomes the entry into force of the TOC Convention and two of its protocols, which has now made it possible for the first Conference of the Parties to the Convention to be convened in June 2004. It is in this context that the Group emphasizes that technical assistance for the implementation of the Convention and its protocols should be provided to the developing countries.

Similarly, the G-77 and China welcomes the signing in Merida, Mexico of the United Nations Convention against corruption and underscores the need for the speedy entry into force of this instrument as well as initiation of the follow-up mechanism. In this regard, most members of the Group require specialized assistance and advice in order to expedite national legislative review and ratification process. The Group commends the efforts of the UNODC for initiating regional workshops to promote the entering into force of the Convention. There is a need to pursue technical assistance activities in relation to the Convention against Corruption with the same vigor which marked the ODC endeavors to promote the ratification and implementation of the TOC Convention.

Mr. Chairman,

As regards kidnapping, the G-77 and China strongly condemns and rejects this practice, in any circumstances and for any purpose, in all its forms and manifestation. The Group urges all Member States to implement ECOSOC resolution 2003/28 entitled "International Cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims".

Mr. Chairman,

Concerning money laundering, the G-77 and China regards it as a thread that runs through the whole fabric of criminal activity. Fighting crime in all its forms entails action against proceeds derived from criminal activities, which are used in expanding crime networks. In this connection, the Group commends the activities of UNODC under the global programme against money laundering and also stresses the need to further develop an universal regime against money laundering, under the aegis of the United Nations.

Mr. Chairman,

The G-77 and China has always stressed the importance of international cooperation in the fight against organized crime and terrorism in the light of Security Council resolution 1373. The International community also has a common agreement on a model treaty for extradition and mutual legal assistance.

The Group would also like to recall that the General Assembly resolution 58/135 of 22nd December 2003 had requested UNODC to undertake a study on the functioning of extradition and mutual legal assistance through existing mechanisms. This mandate has also been reflected in the annotations to the provisional agenda item 5a of this session. However, there is no mention of such a study in any of the documents circulated so far by the Secretariat. The Group expects that such a study has been undertaken and that the findings would be presented to the Commission before the end of this session. As this study shall provide

very useful inputs in the discussions in the Commission on the agenda items related to International Cooperation.

The G-77 and China is of the view that an open-ended Expert Group should be established to examine the feasibility of an international convention for facilitating international cooperation in these areas.

Agenda Item 6 "Strengthening international cooperation and technical assistance in preventing and combating terrorism"

Mr. Chairman,

The G-77 and China condemns terrorism in all its forms and manifestations. In this regard, the Group wishes to underscore the need for enhanced international cooperation in combating terrorism, according to Security Council Resolution 1373, as no single state could effectively address this phenomenon on its own. The Group welcomes the increased coordination between the United Nations Counter Terrorism Committee (CTC) and UNODC Terrorism Prevention Branch under the Global Programme Against Terrorism, as evidenced in the meeting that took place in Vienna from 11 to 12 March 2004, with the collaboration of OSCE. The Group believes that a broad and sustained strategy to combat terrorism must include increased Inter-Agency Cooperation and capacity building, both at the national, regional and international levels. Sufficient training and other forms of technical assistance, transfer of technology and also more adequate donor assistance to developing countries are needed to facilitate implementation of international instruments relating to terrorism. In this context, we urge the Terrorism Prevention branch of the UNODC to continue to provide all necessary assistance and provision of expertise needed to strengthen the rule of law and to build national capacities to implement the Conventions and Protocols relevant to terrorism.

The Group considers that the organization of a senior level discussion during this Commission constitutes an opportunity to assess the progress made with regard to criminal justice aspects of terrorism and international cooperation and to the universal conventions and protocols related to terrorism, exchange information on the nature of the links between terrorism and other forms of crime, so as to increase the synergies among International Organizations in the delivery of technical cooperation.

Agenda Item 7 "Use and application of the United Nations standards and norms in crime prevention and criminal justice"

The Group appreciates the work of UNODC in evolution of standards and norms for different aspects of criminal justice system. However, we would also like to point out that the application of standards and norms depends on various factors related to socio-cultural background, legal systems, and stages of development. It is necessary to provide Technical and financial assistance for application of these standards and norms to developing countries. The Group stresses the importance of the participation of developing countries in the set up of standards and norms.

The G-77 and China expresses its appreciation for the work undertaken by the Intergovernmental Expert Group on United Nations Standards and Norms in Crime Prevention and Criminal Justice. The Group also expresses its appreciation to the Government of Canada for its financial support for the organization of the meeting and which enabled the participation of some members of the Group.

The Group welcomes the report of the Intergovernmental Expert Group. We would also like to recall that in accordance to high priority attached to International cooperation by the Group, ECOSOC resolution 2003/30 had included standards and norms related to international cooperation in the first two clusters on which a report to the commission was requested from the Secretary-General. However, we note that the Expert Group convened by the Secretariat only considered the information gathering instruments in respect to standards and norms in the first cluster related to persons in custody. We expect that similar exercise shall be carried out in respect to standards and norms in the second cluster related to International Cooperation.

Agenda Item 8 "Preparation of the 11th UN Congress on CPCJ"

The G-77 and China would like to express its gratitude to the Government of Thailand for the arrangements being put in place for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and for regularly briefing members of the Commission on these arrangements. The Group would also like to express its appreciation to the UNODC for the efficient manner it has arranged the regional preparatory meetings to examine the substantive items on the agenda and workshop topics of the Eleventh Congress. The Group expresses the hope that the outcomes of the regional preparatory meetings would serve as useful basis for deliberations and recommendations of the Eleventh Congress.

Agenda Item 9 "Strategic management and programme questions"

Mr. Chairman,

With the recent consolidation of drug and crime programmes at the UNODC, the G-77 and China believes that there is a need for the alignment of the works the Commission on Crime Prevention and Criminal Justice with that of the Commission on Narcotic Drugs. Similarly, the Group is of the view that there is a need for streamlining the work of the Commission with that of the Conference of the Parties to the TOC Convention in order to avoid duplications. The Group expresses its support for the proposed strategic framework for the biennium 2006-2007 programme on drugs and crime.

On the functioning of the Commission on Crime Prevention and Criminal Justice, the Group also believes that the Commission could function efficiently with less number of days than it has for the present session. In this regard, the Group is in favor of a shorter duration for the future sessions of the Commission on Crime Prevention and Criminal Justice and recommends that this should start at its 14th session.

I thank you Mr. Chairman.