



STATEMENT OF THE G-77 AND CHINA AT THE CONFERENCE OF THE PARTIES TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND ITS PROTOCOLS, 5TH SESSION, VIENNA, 18 - 22 OCTOBER 2010 DELIVERED BY H.E. AMBASSADOR TAOUS FEROUKHI, PERMANENT REPRESENTATIVE OF ALGERIA

High-Level Segment:

Madam President,

On behalf of the Group of 77 and China, I would like to congratulate you on your election as President of the 5th session of the Conference of Parties to the United Nations Convention against Transnational Organized Crime, which marks the 10th anniversary of its adoption and wishes to express its congratulations to the other members of the bureau. The Group also seizes this opportunity to extend its thanks to the Secretariat for the preparation of this conference and for the documentation made available.

The Group of 77 and China wishes to congratulate the Government and people of Chile for the successful rescue operation for the 33 miners who had been trapped for over 2 months underground.

The Group believes that ten years after the adoption of the United Nations Convention against Transnational Organized Crime in 2000, this High Level Meeting has become an important forum, in particular to contribute towards raising awareness and pledging further commitment in addressing this serious and growing problem. In this regard, the Group welcomes the increasing number of States, who have ratified the Convention and its Protocols, and would further like to highlight the importance of promoting and supporting their implementation. To achieve this purpose, the engagement of all Governments and other stakeholders, in accordance with domestic law, is required.

The Group reiterates its appreciation of the role of the United Nation Office on Drugs and Crime (UNODC) in providing technical assistance to Member States upon request in the field of, among others, legal advisory services, legislative assistance and data collection with the view to assist Member States in the ratification and implementation of the Convention and the Protocols.

Meanwhile, the Group would like to reiterate its concern with regard to the overall financial situation of UNODC and urges the allocation of more resources from the Regular Budget to facilitate the implementation of the mandate of the Office.

The Group takes note with the utmost interest of the discussion on new and emerging forms of crime and calls upon Member States to consider addressing such forms of crimes in the context of the TOC Convention and its Protocols, including by considering normative development and examining comprehensively the links between traditional forms of crimes and their possible interrelation with new and emerging forms of crime.

The Group emphasizes the importance of updated information and relevant data on the trends and patterns of transnational organized crime, including new and emerging forms of crime, provided by Member States as a basis for comprehensive, objective and transparent assessment, in order to assist in the implementation of the Convention and its Protocols. In this regard, the Group calls upon all Member States to avoid unilateral actions that might weaken the multilateral framework.

Furthermore, the Group maintains that effective international cooperation is a pillar for the implementation

of the UN Convention against Transitional Organized Crime. Such cooperation relates to all aspects of the Convention, requires adequate technical assistance, and must be based on full compliance with International Law, the principles of the UN Charter and the sovereignty of Member States.

The Group welcomes the 'Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World', adopted at the high-level segment of the 12th UN Congress on Crime Prevention and Criminal Justice and the recent recommendations of the 19th session as well as previous sessions of the CCPCJ and invites this Conference of the Parties to act upon the relevant recommendations.

The Group would like to reiterate that comprehensive crime prevention policies must address the root causes related to crime through social, economic, health, education and justice policies. In this context, the Group calls upon the international community to cooperate effectively in addressing the root causes of crime, including the new and emerging crimes, as a step towards a better implementation of the Convention and its Protocols.

The Group takes note with interest of the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by the General Assembly in July 2010, calling for UNODC to establish a United Nations voluntary trust fund for victims of trafficking, especially women and children. The Group believes that such mechanisms should cover the provision of technical assistance, and further considers that the Conference of the Parties is the appropriate forum to coordinate the implementation of the Plan.

The Group wishes to recall the commitment undertaken by the international community by the adoption of the TOC Convention and its Protocols, to fight transnational organized crime in all its forms and to provide technical assistance and expertise to the developing countries and countries of economies in transition, upon request, in the implementation of the Convention and its protocols. The Group expects that the COP will remain dedicated to this issue. Furthermore, the Group calls upon Member States, relevant international and regional financial institutions and other donors to ensure a stable, predictable and sufficient financial backing to UNODC, in order to strengthen the Office's main mandate in the field of technical assistance.

In conclusion, the Group of 77 and China would like to reiterate its support to the Chairperson in the task ahead during the current session of the COP.

Thank you, Madam President.

General Statement:

Madam President,

I have the honor to speak on behalf of the Group 77 and China. The Group is pleased to see you chairing this session and ensure you of the full cooperation of the Group.

The Group extends its thanks to the Secretariat, for the preparation of the documentation available.

The Convention and its three protocols represent a significant step forward in the fight against the transnational organized crime and signifies the collective will of Member States to promote cooperation and combat transnational organized crime more effectively through close and dynamic international cooperation. Furthermore, to successfully fight transnational organized crime, a legitimate and effective international cooperation is necessary, based on full respect for international law and the purposes and principles of the UN Charter, especially those of respect for the sovereignty of Member States and for their territorial integrity and the non intervention in their internal affairs.

The Group underlines the importance of the implementation of the TOC Convention and its Protocols, and

recalls the importance of international cooperation and technical assistance for such implementation.

The Group looks forward to consultations regarding the modalities of an appropriate and effective mechanism to assist the Conference of the Parties in the review of the implementation of the Convention and its Protocols.

Meanwhile, the Group calls for further advance in efficiency and sustainable technical assistance including transparency of action, accountability and equitable geographical distribution to enhance overall efforts of Member States in the implementation of the Convention and its Protocols.

Furthermore, the Group urges States Parties to continue providing the Secretariat with data concerning their reliance on provisions of the Convention and the Protocols thereto, in order to effect extradition, mutual legal assistance or other forms of international legal cooperation; and requests the Secretariat to update the catalogue of cases and disseminate it to the States Parties. In this regard, with a view to enhancing the implementation of the TOC Convention, the Group calls to continue the improvement of the UNTOC omnibus survey as an information gathering tool, in particular its availability in all the six official UN languages.

The Group acknowledges the increasing links between different forms of transnational organized crime, in particular, drug trafficking, money laundering and in some cases terrorism and all sources and forms of its financing. Furthermore, the Group reaffirms the need for enhancing bilateral, regional and international cooperation in the area of exchange of information, extradition and mutual legal assistance, in accordance with domestic legislation, with the aim of contributing to counter the threats posed by this transnational organized crime.

The Group welcomes the inclusion in the Agenda of the Fifth Conference of an expert consultation regarding the implementation of the Protocol against the Smuggling of Migrants. The Group would like to reiterate the challenges faced by Member States in the implementation of this Protocol, particularly those referred to the protection of the human rights of migrants and avoiding any intent of criminalization, consistent with the Protocol and with their national legislation.

The Group calls upon the international community to support countries of origin, transit and destination of irregular migration with assistance based on their specific needs.

In this regard, the Group expresses its strong support to decision 4/5 of the Fourth Conference, which suggested States Parties the convenience of establishing an Open-Ended Working Group on the Protocol against the Smuggling of Migrants. The Group calls upon States Parties to collaborate towards that end.

The Group welcomes the establishment under CCPCJ of an open-ended intergovernmental Expert Group to conduct a comprehensive study of the problem of cybercrime as recommended by the Salvador Declaration of the 12th United Nations Congress on Crime Prevention and Criminal Justice and responses to it, with a view to assess options to strengthen the international commitment to address the issue of crime manifestation of the cyber crime.

The Group also welcomes the recommendations of the Expert Group on Protection against trafficking in cultural property, which met in November 2009, and also supports the invitation by the 19th session of the CCPCJ to explore the use of UNTOC Convention and other relevant instruments as a basis for international cooperation against the trafficking in cultural property, and to consider the drafting of guidelines on this matter, as well as, where appropriate, to explore other possible normative developments.

The Group of 77 and China reiterates the importance of providing UNODC with sufficient, predictable and sustainable funding and determining technical assistance programs in accordance with national and regional priorities. The Group also reiterates that the core activities of UNODC should be funded from the regular

budget. While not discouraging provision of voluntary funding to the UNODC, there should not be heavy reliance on the extra-budgetary resources to finance core activities.

In conclusion, Madam President, the Group of 77 and China wishes to assure you of our full support and continued active and constructive engagement to fulfill effectively and efficiently our work. We are confident that, under your leadership and guidance, we will indeed attain an outcome that will make this anniversary Conference a success.

Thank you Madam President.