



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, SIXTH SESSION, VIENNA, 15-19 OCTOBER 2012 DELIVERED BY H.E. AMBASSADOR ALFREDO LABBE VILLA, PERMANENT REPRESENTATIVE OF CHILE

Mr. Chairman,

1. I have the honor to speak on behalf of the Group of 77 and China. The Group is pleased to see you chairing this 6th Conference of State Parties of the UN Convention against Transnational Organized Crime and assures you of its full support in the tasks ahead. The Group would also like to congratulate other members of the Bureau and takes this opportunity to express its appreciation to the Secretariat for the preparation for this Conference and for the documentation made available.

Mr. Chairman,

2. The Group reaffirms its beliefs that the United Nations Convention against Transnational Organized Crime and the protocols thereto constitutes the main tool available to the international community to fight against the serious and growing problem of transnational organized crime. In this regard, the Group welcomes the increasing number of States which have ratified the Convention and its Protocols, which testifies the collective will of Member States to promote cooperation in fighting transnational organized crime.

3. The Group, as well, acknowledges the efforts made by State Parties in promoting the implementation of the Convention and its Protocols and encourages all States to continue to strengthen such efforts.

4. On the review of implementation of the Convention and its protocols, an important decision was made by the last Conference of the Parties to develop terms of reference of a Review Mechanism or mechanisms to assist the Conference in such review. Members of the Group have actively participated in the deliberations of the working group established by the Conference as well as its informal consultations, in order to finalize the terms of reference as reflected in resolution 5/5. The Group looks forward to a balanced outcome of the consultations during the Conference towards the adoption of the Review Mechanism or mechanisms at this session. In this context, the Group wishes to reiterate its position regarding the following elements, which need to be preserved in the terms of reference:

- First, any review mechanism shall be fully consistent with the Convention as well as with the principles set out by the Conference in Resolutions 5/5;

- Second, the review mechanism shall be a tool to assist State Parties in identifying and substantiating specific needs for technical assistance, as well as to promote and facilitate the provision of such assistance. In this regard, the Group is of the view that funding for such assistance needs to be incorporated in the funding structure for the mechanism;

- Third, the Group reiterates its conviction that at least the core elements of the review mechanism should be funded from the regular budget of the United Nations.

5. There are other important issues included in the agenda which are of high value to the Group members. The Group wishes to highlight, in particular, the follow-up of the work done by the Working Groups on Trafficking in Persons, Smuggling of Migrants and Trafficking of Firearms. The Group looks forward to the

examination of the conclusions of these working groups by the Conference, and their adoption for further follow-up and implementation.

6. The Group wishes to underscore that the full and effective implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children necessitates continuous improvement of the capacity of Member States. In this context, due attention must be given to issues relating to trafficking in Persons for the purpose of removal of organs to enhancing international cooperation, and to addressing issues pertaining to supply and demand as well as awareness-raising.

7. The Group welcomes the conclusions of the Fourth Meeting of the Working Group on Trafficking in Persons held in October 2011. The Group is of the view that the Working Group should continue its work in assisting the Conference. The Group also looks forward to the publication of the next Global Report on Trafficking in Persons in December 2012.

8. Regarding the smuggling of migrants, the Group welcomes the holding of the first meeting of the Working Group on Smuggling of Migrants earlier this year. On the recommendation of the Working group that State Parties should continue to review and, as appropriate, strengthen their relevant legislation to combat smuggling of migrants, the Group underlines the need for such efforts to be pursued alongside the protection of the human rights and fundamental freedoms of all migrants, regardless of their immigration status, nationality, gender, ethnicity, age or religion. The Group strongly encourages all States Parties to avoid making migrants liable to criminal prosecution for having been the object of conduct set in Article 6 of the Protocol. 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. We endorse the recommendation for the Working Group to continue advising and assisting the Conference.

9. Our Group welcomes the work of the Working Group on firearms, created by the Conference at its fifth session, to advise and assist it in fulfilling its mandate in relation to the Protocol on manufacturing of and trafficking in firearms, their parts and components and ammunition. The Group reaffirms its concerns about growing production, transport and trade of illegal weapons, their parts, components and ammunition as another of the various manifestations of transnational organized crime. Traffickers have developed global networks which the Protocol is meant to fight through international cooperation. The Group finally acknowledges the important work carried out through regional organizations.

10. Under agenda item 3, the Group reiterates its particular concern for the trafficking of cultural property, which is causing increasing damages to the cultural heritage of our nations and thus, to a part of our identities. In this regard, the Group welcomes the work done by the secretariat in the elaboration of the draft "specific guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property" which are a valuable tool to assist Member States in identifying crime prevention and criminal justice.

11. At the same time, the Group welcomes the joint discussion of the Working Groups on Technical Assistance and International Cooperation, which will be held in the framework of this Conference and looks forward to their recommendations. The Group is strongly convinced that a constructive approach by all Member States will provide this forum with the necessary tools to promote the practical application of this Convention in matters related to cultural property offences.

12. The Group notes progress in the work of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime. The Group calls upon the expert group to enhance its efforts and invites it to finalize the study and report to the CCPCJ at its 22nd session in 2013 as mandated by UN General Assembly resolution 65/230 and CCPCJ resolution 20/7. In this regard the Group looks forward to the second meeting to be held in February 2013.

13. The Group reaffirms the need for enhancing bilateral, regional and global cooperation in the area of

exchange of information, extradition and mutual legal assistance, in accordance with domestic legislation, with the aim to contribute to countering the threats posed by transnational organized crime.

14. The Group calls for the implementation of Resolution 4/2 of the Fourth session of the Conference of the States Parties to the United Nations Convention against Corruption held in Marrakech in October, 2011, for convening of an open-ended intergovernmental expert meeting to enhance international cooperation to advise and assist Member States with respect to extradition and mutual legal assistance.

15. The Group believes that technical assistance is a crosscutting issue throughout the Convention, and its provision is an essential part of its effective and efficient implementation of the Convention. The Group emphasizes that in order to promote the implementation of the UNTOC, the requesting State Parties should be provided with technical assistance including through the UNODC, especially for the benefit of developing countries. To this end, appropriate funding mechanisms need to be developed.

16. Finally, the Group of 77 and China highlights once more the importance of adequate financial and administrative support for full, efficient and effective implementation of the activities assigned to the United Nations Office on Drugs and Crime. Additionally, assuring a sufficient and stable funding to the Conference and to UNODC is essential to promote programmes and projects which, at the request of the benefiting country, provide the proper technical assistance to implement the Convention. Therefore, the Group reiterates, that the core activities of the Office should be funded from the regular budget.

Thank you, Mr. Chairman.