



STATEMENT OF THE G-77 AND CHINA AT 9TH SESSION OF THE CONFERENCE OF THE PARTIES TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME (UNTOC-COP) 15-19 OCTOBER 2018 DELIVERED BY MS. VERONICA GOMEZ, CHARGE D'AFFAIRES A.I., PERMANENT MISSION OF ECUADOR

Vienna, 15 October 2018

Mr. President,

1. I have the honour to speak on behalf of the Group of 77 and China. It is my pleasure to express our sincere congratulations on your election as the President of the 9th Session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime. I also wish to extend our heartfelt felicitations to the members of the Bureau for their election. Rest assured of our full support and cooperation for the successful conclusion of this Session.

2. Let me also take this opportunity to thank H.E. Ambassador Pilar Saborio, the former Permanent Representative of Costa Rica, and H.E. Ambassador Maria Assunta Accili Sabbatini, Permanent Representative from Italy, for their leadership during the past two years.

3. The Group also wishes to thank the Secretariat for the well-organized preparation of this Conference and for making documents available in a timely manner.

Mr. President,

4. The United Nations Convention against Transnational Organized Crime (UNTOC) and the protocols thereto constitute the main legal instruments available to the international community in the fight against the serious and growing problem of transnational organized crime. The G-77 recognizes the importance of promoting ratifications of the UNTOC and the Protocols thereto, which will allow Member States to strengthen cooperation in addressing this scourge. We highlight the ratification of the convention by Fiji, member of the group, since the last conference of parties in October 2016.

5. We also acknowledge the efforts made by the Parties in promoting the implementation of the Convention and its Protocols and encourage all Parties to continue to strengthen such efforts.

Mr. President,

6. The State Parties have been working hard during the last two years with the objective of negotiating the terms of a Mechanism for the Review of the implementation of the Convention that can be approved by consensus. In that sense, we would like to thank again H.E. Ambassador Saborio and H.E. Ambassador Accilli for leading the open-ended intergovernmental meeting for the purpose of defining the specific procedures and rules for the functioning of the review mechanism, which we believe has brought us closer to adopting the mechanism. We look forward to a comprehensive and balanced outcome of the consultations during the Conference towards the adoption of such review mechanism.

7. The Group wishes to reiterate that any review mechanism should be fully consistent with the Convention, as well as with the principles and characteristics set out by the Conference in its Resolutions 5/5 and 8/2. This mechanism must be transparent, efficient, non-intrusive, intergovernmental, inclusive and impartial. The review mechanism shall be a tool to assist States Parties in identifying and substantiating specific needs

to promote and facilitate the provision of technical assistance in order to strengthen international cooperation.

Mr. President,

8. We wish to highlight the importance of the work done by the open-ended intergovernmental Working Groups on Trafficking in Persons, Smuggling of Migrants, Trafficking in Firearms, Technical Assistance, and International Cooperation. We look forward to the examination of the reports of these working groups by the Conference. The G-77 appreciates the continuous assistance of the working groups to the conference.

9. We wish 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 enhancing of the capacity of States Parties. Any strategy to combat trafficking in persons should be comprehensive and integrated, taking into account the dimensions of prevention and effective law enforcement against this crime, as well as assistance to the victims. In this context, due attention must be given to issues relating to trafficking in persons, inter alia, for the purpose of removal of organs and sexual exploitation, to strengthen international cooperation, and to address issues pertaining to supply and demand as well as awareness-raising.

10. We also wish to highlight the work of the Working Group on Smuggling of Migrants held in July 2018, and in this regard, we take note of all the recommendations of the Working Group, especially those about the importance of promoting effective international cooperation, including mutual legal assistance, and the exchange of information, between countries of origin, transit and destination, on smuggling of migrants cases, including through and in accordance with the Organized Crime Convention. We would also like to stress the belief that the relief of the negative burdens and aspects related to the smuggling of migrants could be further achieved by undertaking to facilitate the process of legal migration, an aspect that had repeatedly proven beneficial to both countries of origin and destination.

11. We also welcome the work of the Working Group on firearms to advise and assist the conference in fulfilling its mandate in relation to the Protocol on manufacturing of and trafficking in firearms, their parts and components and ammunition. We reaffirm our concerns about growing production, transport and trade of illegal weapons, their parts, components and ammunition as one of the various manifestations of transnational organized crime. Traffickers have developed global networks that should be addressed through international cooperation, including at regional level, and the provision of technical assistance to state parties to facilitate the effective implementation of the protocol at the national level. In this regard, the Group highlights the need for Parties to the firearms protocol to fully implement the marking and record keeping requirements of the protocol, and to establish and maintain record keeping systems of firearms and, where appropriate and feasible, their parts and components and ammunition, for the purpose of facilitating their traceability and facilitating international cooperation for the detection, investigation and prosecution of criminal offenses involving firearms. The Group would also like to take note of the outcome of the sixth meeting of the working group on firearms, which took place in Vienna in May 2018.

Mr. President,

12. The Group wishes to express its concern for the illicit trafficking of cultural property and related offences, including the involvement of organized criminal groups, which continues to inflict increasing damage to the cultural heritage of our nations, and thus, to part of our identities. In this regard, the Group stresses the need to enhance efforts to combat this crime and to implement, in accordance with domestic legal frameworks the International Guidelines for Crime Prevention and Criminal Justice Responses With Respect to trafficking in cultural property and other related offenses, adopted by the General Assembly.

13. We would also like to reiterate our serious concern over cyber-crime including the recently emerging trends, such as the intrusion into the national databases and telecommunication systems. At the same time,

we would highlight the need for enhanced international cooperation to effectively counter this challenge. In this light, the Group supports the essential role of the United Nations in the fight against cybercrime and welcomes the work of the Open-ended Intergovernmental Expert Group to Conduct a Comprehensive Study of the Problem of Cybercrime and the outcome of its latest meeting, held in April 2018, including the adoption of 2018-2021 work plan, and takes note of the preliminary recommendations put forward. The Group calls upon Member States to continue supporting the Expert Group to continue its work and function as the platform for further discussion on substantive issues of cybercrime.

14. In this context, the Group encourages Member States to continue to exchange information on national legislation, best practices, technical assistance and international cooperation, with a view to examine options to strengthen existing responses and to propose new national and international legal or other responses to cybercrime in all its forms and manifestations, including, in some cases, the use of the internet for terrorist purposes.

15. We would also like to underscore the challenges posed by emerging forms of crime, such as illegal mining in precious metals, smuggling of petroleum and its derivatives, wildlife and forest crimes and crimes in the fishing industry that have a significant impact on the environment and/or the development of the States. Although, environmental issues are dealt with in different intergovernmental forums, crimes related to the protection of the environment need to receive proper attention from this Conference while avoiding institutional overlap and duplication of work. And, in that sense, the Group recalls the central role of the Convention on international trade in endangered species. We look forward to a productive discussion that responds to the call of the Doha Declaration for Member States to adopt measures for preventing and addressing effectively cases of such emerging forms crime.

16. We urge Member States to continue the analysis and exchange of information and practices relating to evolving forms of transnational organized crime with varying impacts at the regional and global levels, with a view to more effectively preventing and countering crime and strengthening the rule of law.

Mr. President,

17. The Group also welcomes the meeting of the Working Group on International Cooperation that will be held within the framework of this Conference, and looks forward to its 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. We are firmly convinced of the importance of, and the concrete role played by this group.

18. In this regard, the Group reaffirms the need for enhancing international cooperation, particularly in the area of mutual legal assistance, exchange of information, extradition and identification, confiscation, seizure, recovery and repatriation of proceeds of crime, in accordance with domestic legislation, with the aim to contribute to countering the threats posed by transnational organized crime.

19. The Group wishes also to underscore the labour of the Working Group on Technical Assistance and its last meeting held in May 2018. We firmly believe that technical assistance is a key and crosscutting issue throughout the Convention, and its provision is an essential part of its effective and efficient implementation of the Convention. In this context, we would like to reemphasize 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. The Group also highlights the value of the expertise existing in developing countries in combating transnational organized crime.

20. The Group emphasizes the need for enhancing meaningful and result-oriented international cooperation in the area of asset recovery.

21. In this line, we highlight once more the importance of adequate financial and administrative support for full, efficient and effective implementation of the activities assigned to the UNODC. 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, provides the proper technical assistance to implement the Convention. The Group expresses concern over the increasing dependence of UNODC on extra budgetary resources, and therefore, reiterates that the core activities of the Office should be funded from the regular budget.

Mr. President,

22. The Group acknowledges the increasing links between transnational organized crime and other illicit activities; including drug related crime, corruption, money laundering and illicit financial flows, as well as the links that, in some cases, exist with terrorist crimes and their financing. Accordingly, the Group reaffirms the need for enhanced bilateral, regional and international cooperation in the area of exchange of information, extradition and mutual legal assistance, in accordance with domestic legislation and with the aim to contributing to countering the threat posed by transnational organized crime.

23. On the particular issue of prevention of terrorism, and in order to face this challenge, the Group calls for strengthening international responses, in accordance with national legislation inter-alia, through more effective implementation and application of the Convention, as well as all applicable regional and international counter-terrorism legal instruments. We call upon UNODC and requested Member States to continue to assist requesting Member States with technical assistance to build capacity and strengthen cooperation at sub-regional, regional and international levels, in order to effectively respond to the new strategies employed by terrorist organizations. The Group strongly reaffirms that terrorism cannot and should not be associated with any religion, civilization, nationality or ethnicity, and reiterates that all efforts to counter it should be in line with international law, in particular the Charter of the United Nations, international human rights law, refugee and humanitarian law.

24. The Group expresses its serious concern over any form of ranking of Member States for the purpose of International cooperation in criminal matters, including, inter alia, trafficking in persons, terrorism, financing, money laundering, trafficking in firearms, migrant smuggling and other forms of organized crime as well as corruption. In this sense, it calls upon all Member States as well as other relevant regional and international Organizations to avoid such rankings and unilateral actions and sanctions that might weaken the international cooperation framework and Member States capabilities to fight against such crimes.

Mr. President,

25. The Group welcomes ongoing efforts to follow-up on the implementation of the Doha Declaration, and emphasizes the need for UNODC to regularly brief the Vienna-based Permanent Missions on the progress in this regard. The Group takes this opportunity to reaffirm its commitment towards the objectives set forth by the Doha Declaration. In this endeavour, capacity-building support and the provision of adequate, long-term, sustainable, effective and demand driven technical assistance are of high importance, in collaboration with UNODC as an essential partner for the achievement of the provisions of this Declaration. Accordingly, sufficient, stable and predictable funding is necessary. The Group also highlights the importance of international cooperation, including South-South and triangular cooperation, to enhance capabilities of Member States to implement crime prevention and criminal justice programs. The Group also wishes to receive more information regarding the preparations for the 14th Crime Congress scheduled for 2020 in Japan.

Mr. President,

26. The Group stresses the need for UNODC to enhance coordination and consultation with Member States in determining topics of its research work, which should be based on transparency and clear mandates.

27. The Group acknowledges that sustainable development and the rule of law are strongly interrelated and mutually reinforcing. In this regard, the Group emphasizes the need for the full and effective implementation of the sustainable development goals established in the 2030 agenda.

Mr. President,

28. This Session of the Conference is timely for reassessing our work. It comes at a time in which our world faces various challenges that need all of our efforts and collaboration to deal with. It also presents a renewed opportunity to readdress the issue of an effective review mechanism to the convention. We are ready to work together to have a positive outcome of this meeting in order to pave the way for better global responses and concerted actions in countering the challenges in the years ahead as well as in effectively implementing the Convention and its Protocols thereto.

29. Finally, the Group wishes you and the members of the Bureau success in your work.

Thank you, Mr. President.