

STATEMENT  
by  
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of the  
ISLAMIC REPUBLIC OF IRAN  
before the  
TENTH UNITED NATIONS CONGRESS  
ON THE  
PREVENTION OF CRIME  
AND  
THE TREATMENT OF OFFENDERS  
(10 - 17 April 2000)

14 APRIL 2000  
VIENNA

In the name of God the Compassionate, the Merciful

I wish to congratulate you, Mr. President, and to underline that my delegation is confident that under your leadership, the Tenth United Nations Congress on the Prevention of Crime and Treatment of Offenders 'will be able to make a real difference in meeting the challenges that we face together in the twenty-first century. Allow me also to express our appreciation to Professor Pino Arlacchi for his visionary leadership, and to his colleagues at the Center for International Crime Prevention for their professionalism and hard work.

Justice is an illusive and quite complex concept. It obviously requires, as the primary responsibility of each state, maintaining a fair, responsible, ethical and efficient system of administration of justice as well as promoting the highest standards of fairness, humanity and professional conduct. We recognize the importance of the concept of justice in this rather "legal" or "technical" sense. In this context, the United Nations standards and norms in crime prevention and criminal justice do help states in their efforts to deal more effectively and fairly with criminality. And it is important to further promote those and other international justice standards. In this context, we should note the positive contribution of the United Nations Commission on Crime Prevention and Criminal Justice.

It is imperative that we reconfirm our commitment to promoting justice in its "legal" sense, that is, promoting the rule of law and strengthening the criminal justice system, exchanging experience and information on effective crime prevention in light of new developments both in criminality and in law enforcement and enhancing respect for human rights, accountability and fairness in the justice process, as far as both the offenders and the victims are concerned.

But justice must have a broader, meaning, especially in these days and this age when the forces of globalization are at work with a lightening speed in the new millennium. When we note that about half the world's population lives on less than \$2 per day, and about 1.2 billion people have to do on less than \$1 per day, poverty and starvation become an immediate consideration of justice, which should not be overshadowed by our collective attention to justice in its narrower "technical" sense. As the Secretary-General has pointed out in his recently released report to the Millennium Assembly, "Globalization offers great opportunities, but at present its benefits are very unevenly distributed while its costs are borne by all. Thus the central challenge we face today is to ensure that globalization becomes a positive force for all the 'world's people, instead of leaving billions of them behind in squalor."

It is in this broader context of justice and globalization, that we fully support the statement by the Group of 77 and China which calls for greater technical assistance, long-term assistance and strengthening international economic cooperation for fostering growth and development in the developing countries through partnership and on the basis of shared responsibility and respect for the principles of sovereign equality of states and noninterference.

We should underline the imperative of strengthening international cooperation to eliminate the root causes of crime, such as poverty, underdevelopment and unemployment as an effective preventive measure. This process coupled with inclusion of other important elements in prevention of crime, such as application of restorative justice approach, and particularly unique techniques borrowed from principal legal systems, can establish a good multi-dimensional strategy towards combating crime.

Mr. President,

The Islamic Republic of Iran notes with satisfaction that the process of elaboration of the Draft United Nations Convention against Transnational Organized Crime and protocols thereto is moving forward. It is evident that realization and effectiveness of the new mechanisms of the Convention and its protocols will depend greatly on their universality. We are hopeful that like the 1998 United Nations Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, the Convention against Transnational Organized Crime would also receive wide reception. We have taken an active interest in the work of the Ad Hoc Committee and are prepared to move our domestic process for signature and ratification of the Convention forward. My delegation also welcomes the proposal for elaboration of an independent instrument of the United Nations against corruption.

The Draft UN Convention against Transnational Organized Crime, like its predecessor, the UN Drug Convention, is mostly a "law and order" instrument. In implementing this primarily law enforcement tool, care must be taken that the integrity of domestic legal systems are not compromised. In this context, the question of the scope of application of the Convention must be responsive to these concerns. The provisions in the Draft Convention on the imperative of respecting sovereign equality and territorial integrity of states and that of non-interference in the domestic affairs of other states in the course of implementation of obligations under the Convention are fundamentally important. Under such circumstances, misgivings about the possibility of over zealous criminal justice practitioners trying to exercise some sort of jurisdiction in the territory of other states would be substantially removed.

Elaboration and wide acceptance by states of any given United Nations convention has been most successful in cases where universal consensus were forged on the existence of the problem, its implications for different parties, as well as the global benefits and advantages of addressing the problem. Furthermore, elaboration, signature, ratification and entry into force of UN conventions is one thing, their implementation, particularly their good-faith implementation is a wholly separate issue. This is a chronic challenge the United Nations faces.

The resources and the means available to effectively combat transnational organized crime are not evenly distributed. This problem is compounded by the fact that the fear of transnational organized crimes and the perceived benefit of combating them are also not evenly distributed. This is perhaps an immediate challenge before the international community to provide appropriately custom-made incentive to countries that are willing but unable, for budgetary or other reasons, to become reliable partners in the fight against transnational organized crime, and disincentive to those who are reluctant to do so because of their perceived interests in attracting the proceeds of transnational criminality.

Strengthening and improving criminal justice systems including law enforcement and adjudication process in developing countries to a level that would be effective and fair in dealing with today's sophisticated transnational organized crime is a formidable challenge due not only to limited resources available, but also to insufficient information, know-how and advanced technology. Provision of technical assistance in the form of regular assistance and exchange of information, training of criminal justice practitioners, and overall improvement of the technical capacities of the developing countries would undoubtedly alleviate the global effects of crime in general, and transnational organized crime in particular.

This once again underlines the primary and pivotal role of the United Nations and what it must be enabled to do in respect of promoting inter-state cooperation for the implementation of a future convention against transnational organized crime. Multilateral assistance, when provided through the United Nations, is perceived as assistance with less political implications, as compared to those provided on a bilateral basis. Such legitimacy is an unparalleled advantage, which the United Nations as the sole universal body enjoys. The United Nations should also be empowered to address the general and broad concerns about the overall environment of international relations and the globalization of market ideas and criminality, within which this Convention must operate.

Let me conclude by reaffirming our commitment to be a serious partner in fighting transnational organized crimes, and our belief that we shall succeed when we work together, and take concerted and mutually reinforcing measures. No nation or international institution can tackle this problem alone. The United Nations, as the most universal body, has a vital role in coordinating our efforts, and it will be enabled to fulfill its mandate if the resources available to it are commensurate with the task at hand.

Thank you.