



STATEMENT BY HIS LORDSHIP

JUSTICE MUHAMMED LAWAL UWAIS, CON
Chief Justice of Nigeria

LEADER OF THE NIGERIAN DELEGATION

AT THE

HIGH-LEVEL SEGMENT OF THE 10TH UNITED
NATIONS CONGRESS ON THE PREVENTION OF
CRIME AND THE TREATMENT OF OFFENDERS,
VIENNA, AUSTRIA,
10TH -17TH APRIL, 2000.

Mr. President,

Let me first on behalf of my delegation, congratulate you on your election to preside over this High Level Segment of the Congress.

THE 10TH CONGRESS

The theme of this Congress - "**CRIME AND JUSTICE: CHALLENGES OF THE NEW MILLENNIUM**" is most appropriate in the face of a worsening menace of transnational crime and the increasing need to ensure justice and fairness in human endeavours.

We note with appreciation, Mr. President the current efforts by the Commission on Crime Prevention and Criminal Justice to develop, in pursuance of the mandate of the United Nations General Assembly, relevant international instruments that will foster mutual cooperative efforts at controlling transnational crime. Nigeria commends the work of the Ad-hoc Committee on the Elaboration of a Convention Against Transnational Organised Crime together with its protocols in which we play an active role. We hope the Committee would conclude its work before the end of this year for the expeditious adoption and entry into force of the convention and the protocols.

Like the proliferation of these transnational crimes, their effects have been global, recognizing no national boundaries, race, culture or creed. It is a problem that affects the entire humanity. Their solution should also be global through collaborative efforts of the international community. But the uneven distribution of global resources has occasioned a large disparity between developed and less developed countries, resulting in unequal capacities to solve them. The effects of these crimes have therefore been more pronounced in developing and the least developed economies, posing constant threats to the efforts of these countries at sustainable

development. In Africa, for example, political instability, conflicts and civil strife in most countries are known to be fuelled by transnational criminal groups through the illegal arms trade and the exploitation of their natural resources.

Mr. President,

Since transnational crimes are by their nature international in scope, dimension and effect, the emerging -challenges call for structured cooperation in which those with capacity render technical assistance and training to those with insufficient expertise and resources. In this context., we call on this august gathering to devote particular attention to ways and means of bringing into operation the United Nations Convention Against Transnational Organised Crime with special attention to the needs of developing countries in the area of capacity building.

RULE OF LAW AND CRIMINAL JUSTICE IN NIGERIA

Mr. President,,

For many emerging or developing economies, the quest for justice and rule of law is perhaps as excruciating and challenging as the quest for political and economic stability, because most of these countries have yet to find the requisite political and economic stability that would enable the development of rule of law and the necessary institutions that will provide an effective criminal justice process.

As a developing country, the institutions responsible for the administration of justice 0 Nigeria are bedeviled with the problems of inadequate facilities, especially the modem equipment required to face the emerging challenges. With the restoration of democratic rule on May 29th, 1999 and the coming into operation of the 1999 Constitution, the concepts of the rule of law and justice have found true expression in both separation of powers and institutional independence.

CRIME PREVENTION

Mr. President,

Permit me to state that organised crime and criminal organisations have serious implications for the peace, security and prosperity of any society. The complexity and enormity of these crimes may vary from place to place, but the fact remains that they pose serious threats to the socio-economic fabrics of "an activities.

As an active member of the international community, Nigeria has acceded to all international initiatives on the control of transnational crimes, and has adapted the spirits of these initiatives into its domestic legislations. Appropriate policies have been formulated and institutional structures established to control the menace of these crimes.

Although successive administrations in Nigeria have made efforts to curb the menace of transnational crime., the success of these efforts have been limited by political instability and the lack of transparency and accountability in the conduct of public affairs. Since the advent of the current democratic administration, however, series of initiatives have been commenced to review existing policies and to re-organise and strengthen all the institutions responsible for law enforcement and the administration of justice.

CURRENT INITIATIVES

Mr. President,

Having commenced our democratic governance, the imperative has been its sustenance through the pursuit of populist measures that would benefit the generality of our people and at the same time foster greater cooperation and mutuality of relations with our international friends. Apart from the improvement of our vital institutions and agencies, the present democratic administration in Nigeria has taken bold initiatives to ensure transparency and accountability in both

public and private sectors. An Anti-Corruption Bill has just been passed by our National Assembly, while stringent procedures and financial controls are being enforced in the conduct of public affairs.

It is in line with this objective that the Government of the Federal Republic of Nigeria is organising an International Conference on Corruption and Organised Crime to be held in Abuja, Nigeria, from the 7th - 11th of May, 2000. The Conference, which will gather jurists and practitioners from around the globe, is to examine the various threats posed by the scourges of corruption and organised crime to global peace and prosperity. There is no doubt that Nigeria now provides a ready opportunity for business and investments, given the new democratic environment and the on-going privatization of public enterprises and liberalisation of the economy.

As we strive to enhance our potentialities, we would appreciate the active participation and cooperation of our international friends in the initiative. One of Nigeria's, and indeed, Africa's greatest concerns about corruption and organised crime has to do with the repatriation of stolen funds. We earnestly call on this forum to deliberate and recommend feasible and practical ways and means, including effective legislation, to support our efforts at recovering stolen and illegal wealth.

CONCLUSION

Mr. President.

Let me conclude by restating Nigeria's political will and total commitment to the pursuit of all measures that will ensure global peace and prosperity. In this respect, we commend the United Nations Office of Drug Control and Crime Prevention under the able leadership of Mr. Pino Arlacchi, for the excellent organisation and conduct of this Conference. We also thank the Austrian Government for hosting the Congress.

On the whole, we commend the United Nations and call on other nations to support it in its efforts to foster the necessary cooperation in order to achieve peace, security and prosperity in this our increasingly complex world.

Thank you.