

X. UN Congress
on the Prevention of Crime
and the Treatment of Offenders



Address by

H.E. Ms. Hanna Suchocka
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of the Republic of Poland

on the opening of the Congress

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Ladies and Gentlemen,

Permit me first and foremost to greet you all most cordially and express my joy at this opportunity for us to come together.

The 10th Congress is an important event to all its participants and to the entire international community interested in combating crime. That is not only because this is one of a very few occasions for the international community, so broadly represented, to meet and share experiences on the issue of crime. It is also important because of the time in which we are meeting. The turn of the century inclines one to sum up past achievements and, on their basis, to formulate future tasks.

The century drawing to a close has been a time of profound change in the social life of individual states and of the entire international community. For many countries, mine included, it has been a century during which political and economic systems have risen and fallen. That is the basis on which new democracies are being built today. The shaping of democratic principles and the rebuilding of democratic mechanisms have not only created new opportunities to develop and strengthen the rule of law. They have also necessitated overcoming problems typical of transformation periods. Countries with an established democratic tradition have begun a process of unification which initially was limited to the economic sphere. Now it is encompassing new areas, also in the geographic sense.

The century drawing to a close has also been a period of great technological progress. Technology has entered our daily lives, and modern mass-media networks have made the instantaneous flow of information possible. But together with technological progress, the 20th century has also produced armed conflicts on a hitherto unimaginable scale. There continue to be regions of the world engulfed by wars and bloody turmoils.

All the changes and experiences that states have undergone were not without their influence on various social phenomena including crime. New versions thereof have emerged (computer crimes, money laundering and other economic crimes). Offenders quickly began taking advantage of the new circumstances by finding gaps in the law to pursue their own illicit purposes. The free transboundary transfer of people, goods and capital have been conducive to the rise of international connections between criminal groups. Crime of unprecedented proportions has taken on a transnational and organised character. This globalisation of crime constitutes a serious threat to societies and the world economy.

A task facing us at the threshold of the 21 st century is to understand the sources and scope of criminal expansion and to develop a mechanism to combat and counter that phenomenon.

We should not underestimate the role of crime prevention. Prevention should start at the source of pathological phenomena. It should have the widest possible scope and above all involve young people. This principle is neither new nor updated. The necessity of creating and implementing crime-prevention programmes stems not only from moral commitments but is indispensable also due to the growing costs of combating crime.

Fighting contemporary crime requires law-enforcement agencies organised just as efficiently as organised international crime which has already created organisations comparable to international business corporations. Its advantage over civil society lies in the fact that it does not have to conform to any laws, since it functions above the law.

During our meeting, it might be worth considering whether or not to base that co-operation on new assumptions and to forgo certain attributes traditionally appertaining to states. By setting up ad hoc International Penal Tribunals and, more recently, the International Criminal Court, we have taken the first step in that direction.

The fight against crime must be universal in character. A newly defined dimension of co-operation would make legal co-operation feasible, stringent and functioning effectively without gaps or blank spots on the map. We must be sure that we are not creating 'safe havens' for criminals, enclaves protecting them from prosecution.

The legal framework for new-style co-operation has been created by a Convention, developed at Poland's initiative, on fighting transnational organised crime. together with three additional protocols on the smuggling of migrants, trafficking in persons, especially women and children, and the illicit manufacturing of and trafficking in firearms. It is worthy to remember that the polish president proposed the first draft of the convention to the general assembly in 1996. Poland perceives the Convention as a chance to create an effective weapon to fight the most dangerous form of crime and from the outset has participated in the work of the ad hoc Committee on the Elaboration of a Convention against Transnational Organised Crime. In our view, there exists an urgent need to quickly finalise work on the Convention so as not to lag behind well-organised criminal groups. However, to complete work on the Convention, a political will is required which we should clearly express in the course of our present meeting. To make the Convention a reality financial resources are also essential. For my part I can assure you that, like last year, Poland will again financially support efforts to elaborate the Convention.

Intensification of work on the Convention should be a top-priority task so that this instrument could be accepted during the United Nations Millennium Assembly. We are also faced by other urgent tasks which include -- to mention only the most important -- combating corruption, money laundering and other economic crimes.

Corruption is among the negative phenomena which in recent years have jumped state boundaries and, according to studies, display a growth tendency. That issue is the subject of discussion and experience sharing also because of its complexity and widespread nature. Corruption affects both developing and well-developed countries, regardless of their political system and geographic location, and leads to the erosion of state structures and obstructs implementation of the principles of rule of law.

For that reason, a key task and our common duty is the creation of effective anti-corruption barriers. Society must become convinced that there exists within governing circles a real will to counteract and fight such pathologies.

Corruption cannot be fought and prevented, however, without knowledge of its sources and the conditions fostering its spread. The Centre for International Crime Prevention has made a significant contribution to understanding that phenomenon. Poland supports that valuable initiative and declares its willingness to continue co-operating with CICP. At this point, I should like to call attention to the efforts being made within the structures of OECD and the Council of Europe -- the Convention on Fighting the Corruption of Foreign Public Officials in International Commercial Transactions, the European Penal Law Convention on Corruption and the Civil-Law Convention on Corruption which Poland has signed or soon intends to sign.

We believe that such initiatives constitute a good basis for elaborating a universal legal instrument to fight corruption in all its manifestations (corruption in public administration, business corruption and so-called highlevel corruption). Without a doubt, the time has come to start work on such an instrument. But first, work on the Convention against Organised Crime must be completed.

As far as combating money laundering and other serious economic crimes is concerned, we must admit that the prosecution of such offences encounters numerous difficulties in all countries. Such problems are undoubtedly more serious in countries which are undergoing political transformation. The obvious experience of countries

with established market economies, as well as their expertise in prosecuting money laundering and economic crime, is extremely helpful. The UN Congress is the proper forum for relaying such experience.

The war on corruption and money laundering does not exhaust the list of tasks mobilising the international community to step up its efforts to create a broad zone of freedom, justice and security. It is also our common responsibility to resolve problems relating to acts of violence and terrorism, racial discrimination, xenophobia and related forms of intolerance as well as cyber crimes.

We cannot make light of the rights of crime victims, a problem that is often underestimated. Guaranteeing the proper treatment of victims by lawenforcement and judicial organs should be perceived as one of the weapons in the fight against crime. Perhaps the time has come to change the 1985 UN Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power into a new, legally binding instrument of international law.

It is undoubtedly a challenge of the 21st century, a challenge for all of us to create and realise action-oriented strategies in order to equalise the standards of internal security of states, and to develop effective police and judicialadministration structures based on the principles of the state of law.

The Vienna Declaration on Crime and Justice will certainly be helpful for defining the priorities and directions of our continued efforts to combat and prevent crime.

The programme of the 10th Congress is comprehensive and well focused. Now it is up to us whether we use the time placed at our disposal during this meeting to good

advantage, and whether the priorities and directions of future activity we define produce the results everybody expects.

In closing, let me thank you for your attention. I wish us all extremely fruitful deliberations.