



CRIME

**Tenth
United Nations Congress
on the Prevention of Crime
and the Treatment of Offenders
Vienna, 10-17 April 2000**

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Agenda item 7

Adoption of the report of the Congress

Draft report

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Addendum

Chapter V. Consideration of agenda items in plenary meetings and by sessional bodies and action taken thereon by the Congress

B. Consideration in plenary meetings of agenda item 4, entitled “International cooperation in combating transnational crime: new challenges in the twenty-first century”

1. At its 1st plenary meeting, on 10 April 2000, the Congress allocated to the plenary agenda item 4, entitled “International cooperation in combating transnational crime: new challenges in the twenty-first century”. The Congress considered the item at its 5th, 7th and 8th meetings, from 12 to 13 April 2000. For its consideration of the item, the Congress had before it the following documents:

(a) Note by the Secretariat on the preliminary draft of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (A/CONF.187/4 and Add.1);

(b) Working paper prepared by the Secretariat on international cooperation in combating transnational organized crime: new challenges in the twenty-first century (A/CONF.187/6);

(c) Background paper for the workshop on combating corruption (A/CONF.187/9).

Proceedings

2. At the 5th meeting, on 12 April 2000, the President of the Congress made an introductory statement. That was followed by a statement by an expert.
3. Also at the 5th meeting, a panel presentation was organized on international cooperation and the role of prosecutors and central authorities in combating transnational organized crime. The experts participating in the panel presentation are listed in annex [...] to the present report.
4. In addition, at the 5th meeting, statements were made by the representatives of the Netherlands, Turkey, Japan, Zambia, Australia, Uzbekistan and the Syrian Arab Republic.
5. At the 7th meeting, on 13 April 2000, the Congress focused its discussion on the current status of the United Nations Convention against Transnational Organized Crime. The topic was presented by a representative of the Centre for International Crime Prevention.
6. Also at the 7th meeting, statements were made by the representatives of Botswana, Egypt, Qatar, Italy, Sri Lanka, Cameroon, Romania, Brazil, Ghana and Togo. The observer for the International Association of Prosecutors also made a statement.
7. In addition, at the 7th meeting, the representatives of Austria and the United States and the observers for the European Commission and Childnet presented a report on the International Conference on Combating Child Pornography on the Internet, held in Vienna from 29 September to 1 October 1999.
8. At the 8th meeting, on 13 April 2000, the Congress focused its discussion on two topics: transnational organized crime and organized criminal groups; and links between transnational organized crime and economic and financial crime.
9. In addition, at the 8th meeting, statements were made by the representatives of Belarus, Croatia, Cuba, the Czech Republic and the Islamic Republic of Iran. Statements were also made by the observers for the African Regional Institute for the Prevention of Crime and the Treatment of Offenders, the Asia Crime Prevention Foundation, Penal Reform International and the International Federation of Women in Legal Careers.

General discussion

10. The participants at the Tenth Congress were informed about developments in crime in a number of countries throughout the world. Crime was described as having become more widespread and invidious, increasingly affecting everyday life. At the same time, various forms of organized crime were endangering the economic, social and political development of entire countries. The increasing links between conventional organized crime and white-collar crime were highlighted.
11. Many speakers referred to the substantial increase in the number of crimes perpetrated by organized criminal groups at the national and international levels, such as drug trafficking, trafficking in human beings, the illicit manufacture of and trafficking in firearms, corruption and money-laundering. Reference was also made to the increase in terrorist activities and to the intertwining of terrorism with other forms of crime.
12. Many States recognized that acts involving international financial crime were becoming bigger, bolder and more common than ever before. The central problem in fighting financial crime was stated to be jurisdictional limits, with the associated concepts

of territoriality and sovereignty. States recognized an immediate need to strengthen methods of cooperation in the investigation and prosecution of financial crime.

13. Many speakers stressed the importance of global cooperation in crime prevention and criminal justice. Several speakers noted that no State acting alone could respond with sufficient effectiveness to many forms of crime, taking into consideration their complexity and their transnational links. It was argued that crime prevention and criminal justice were the shared responsibility of States.

14. In that connection, several speakers commented on the special needs of developing countries for assistance in that area. While expressing gratitude to international donors, those speakers noted that technical assistance, training, the sharing of information and expertise on crime prevention and control, together with financial assistance, continued to be needed not only to strengthen democratic institutions, the effective application of the rule of law and involvement of the community in crime prevention and criminal justice, but also, for example, to set up programmes dealing with specific forms of crime or specific aspects of criminal justice.

15. Several speakers referred to promising initiatives that could serve to expedite responses to requests for the following: international judicial assistance in criminal cases, such as the use of liaison magistrates; the preparation of manuals; the use of databases on contact points, national procedures and practical issues; the provision of model requests and model approaches; the establishment of international judicial networks; and the offering of training in legal systems and languages. Regarding the pivotal role played by prosecutors, it was suggested that the Centre for International Crime Prevention, in collaboration with organizations such as the International Association of Prosecutors, could play a major role in assisting Member States in establishing electronic networks among prosecutors and in preparing directories.

16. Other speakers referred to a number of promising international forums and mechanisms for the promotion of international cooperation, including bilateral and multilateral instruments, regional institutions and intergovernmental organizations. Many speakers stressed that it was important for developed countries and developing countries alike to follow a coherent joint approach.

17. Many speakers referred to the work of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime. Some stressed the importance of mobilizing the political will to finalize the negotiations on the draft United Nations Convention against Transnational Organized Crime and its draft protocols. Other speakers expressed the hope that the pace of the negotiations would not have an adverse impact on equitable participation and that sufficient time should be provided to examine the important issues involved, in view of the fact that the goal was to develop a universal instrument that would increase cooperation among all Member States. The need to respect the principles of public international law and, in particular, the sovereignty of States was noted.

18. Several speakers welcomed the summary of best strategies to combat child pornography on the Internet, contained in the report on the International Conference on Combating Child Pornography on the Internet. The need for worldwide criminalization of child pornography and closer cooperation between Governments and the Internet industry was stressed.

19. Many speakers made reference to the auspicious timing of the Tenth United Nations Congress. The past few decades had been replete with economic, political and social change that had led to new and more widespread forms of crime. In the view of those speakers, the

Tenth Congress offered an excellent opportunity to take stock of developments in crime and criminal justice and consider what should be done to respond to the challenges of the twenty-first century.

20. Several speakers noted that the United Nations congresses on the prevention of crime and the treatment of offenders provided an opportunity to exchange information and set policy. The congresses were described as being important in guiding the international community.

21. The Attorney-General of Thailand reported on the results of the Asia-Pacific Ministerial Seminar held in Bangkok on 20 and 21 March 2000. He announced that the Government of Thailand wished to host the Eleventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, bearing in mind the possibility of changes being made to the procedural and substantive organization of work, time-frame, format or title of the event.

22. In his statement, the Deputy Attorney-General of Mexico announced that the Government of Mexico had extended an invitation to host the Eleventh Congress. The representative of Guatemala, speaking on behalf of the Group of Latin American and Caribbean States, expressed support for the invitation of the Government of Mexico.

23. Other speakers expressed their support for the invitations of the Governments of Mexico and Thailand.

24. Several speakers expressed gratitude to the United Nations, in particular to the Office for Drug Control and Crime Prevention, for the support that it had provided to individual Member States or regions. The global programmes on corruption and on trafficking in human beings and the mapping of organized crime were commended. Appreciation was also expressed for the work of the United Nations Crime Prevention and Criminal Justice Programme network.

Conclusion

25. The participants strongly reaffirmed the importance of international cooperation in the prevention and control of transnational organized crime. In that respect, the United Nations could act as a catalyst.

26. There was a broad consensus that the draft United Nations Convention against Transnational Organized Crime could be an effective tool for preventing and controlling transnational crime. Speakers sought the early adoption of that instrument. In addition, many speakers urged States to take the necessary measures to ensure that the provisions of the Convention would be implemented as soon as possible within the framework of their national legal systems.

Annex [...]

List of experts participating in the panel presentations

International cooperation and the role of prosecutors and central authorities in combating transnational organized crime

His Excellency Mr. Penuell Mpapa Maduna, Minister of Justice and Constitutional Development of South Africa and President of the Congress; Mr. Eissa Abdel Hamid Ayoub, Head of the Judicial Police of Jordan; Mr. Adam Edwards, Senior Lecturer at Nottingham Trent University in the United Kingdom; Mr. François Falletti, General Prosecutor from Lyon, France; Mr. Jean-Paul Laborde, Officer-in-Charge of the Legal and Convention Affairs Branch of the Centre for International Crime Prevention; Mr. Eduardo Iborrola Nicolin, Deputy Attorney-General of Mexico; Mr. Mark Pieth, Professor at the University of Basel; Mr. Vincenzo Ruggiero, Professor at the University of Middlesex in the United Kingdom; and Mr. David Simmons, Attorney-General of Barbados.
