



## Economic and Social Council

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### Commission on Crime Prevention and Criminal Justice

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#### Draft report

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#### Addendum

### Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice

1. At its 5th, 6th and 7th meetings, on 13 and 14 April 2011, the Commission on Crime Prevention and Criminal Justice considered agenda item 5, which read as follows:

“Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:

“(a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

“(b) Ratification and implementation of the United Nations Convention against Corruption;

“(c) Ratification and implementation of the international instruments to prevent and combat terrorism;

“(d) Other crime prevention and criminal justice matters;

“(e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies.”



2. For its consideration of agenda item 5, the Commission had before it the following:

(a) Report of the Secretary-General on assistance in implementing the universal conventions and protocols related to terrorism (E/CN.15/2011/4);

(b) Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption (E/CN.15/2011/5);

(c) Report of the Secretary-General on the activities of the institutes of the United Nations crime prevention and criminal justice programme network (E/CN.15/2011/7);

(d) Report of the Secretary-General on strengthening the rule of law through improved integrity and capacity of prosecution services (E/CN.15/2011/8);

(e) Report of the Executive Director on countering maritime piracy off the coast of Somalia (E/CN.15/2011/18);

(f) Report on major activities of the United Nations Interregional Crime and Justice Research Institute (UNICRI) (E/CN.15/2011/CRP.1);

(g) Step-by-step guide to requesting mutual legal assistance in criminal matters from Group of Eight countries (E/CN.15/2011/CRP.6).

3. Introductory statements were made by the Officer-in-Charge of the Division for Treaty Affairs and Chief of the Organized Crime and Illicit Trafficking Branch, by the Chief of the Corruption and Economic Crime Branch and by the Chief of the Terrorism Prevention Branch. A statement was also made by the observer for Hungary (on behalf of the Presidency and member States of the European Union, the candidate countries Croatia, Iceland, Montenegro, the former Yugoslav Republic of Macedonia and Turkey, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina and Serbia, as well as Andorra, Armenia, Georgia, Liechtenstein, Norway, the Republic of Moldova, San Marino and Ukraine) and by the representatives of the Republic of Korea, Belarus, Japan, the Philippines, the United Kingdom, Romania, Canada, the United States, Mexico, Thailand, China, the Sudan, Algeria, the Russian Federation, Cuba and Nigeria. The observers for Croatia, Italy, Norway, Indonesia, the United Arab Emirates, Colombia, Austria, Morocco, Kazakhstan, Israel, Indonesia, Venezuela (Bolivarian Republic of), South Africa, Yemen and France also made statements. The observer for Palestine made a statement. Statements were also made by the observers for UNICRI (on behalf of the institutes of the United Nations crime prevention and criminal justice programme network), the Sovereign Military Order of Malta, the League of Arab States and the Friends World Committee for Consultation.

## **A. Deliberations**

### **1. Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto**

#### **Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime**

4. Discussions under agenda item 5 (a) covered the following topics: ratification and implementation of the Organized Crime Convention and the Protocols thereto; the need for a mechanism to review implementation of the Organized Crime Convention and the Protocols thereto; national initiatives in the areas of trafficking in persons, trafficking in natural resources and trafficking in cultural property; and using the Organized Crime Convention as a basis for international cooperation.

5. Emphasis was placed on the need for universal ratification of the Convention and the Protocols thereto and their full implementation. Application of the Convention to new and emerging forms of transnational organized crime, in particular to trafficking in cultural property whenever there was involvement of organized criminal groups, was highlighted.

6. Reference was made to the pilot programme that had been developed within the framework of the recommendations of the Open-ended Intergovernmental Meeting of Experts on Possible Mechanisms to Review Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto. It was emphasized that such a programme could assist the relevant working group, which would hold its first meeting from 17 to 19 May 2011 in Vienna. It was stated that full implementation would be achieved only through an effective mechanism to review implementation of the Convention and the Protocols and was emphasized that any review mechanism adopted should be transparent and inclusive.

7. Attention was drawn to the fact that transnational organized crime undermined development, political stability and legitimate economic activity. Raising awareness of the potential of the Convention with regard to facilitating international cooperation needed to be mainstreamed within criminal justice systems.

### **2. Ratification and implementation of the United Nations Convention against Corruption**

#### **Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Corruption**

8. The United Nations Convention against Corruption was recognized as the global standard in anti-corruption, and speakers welcomed the increase in the number of States parties and called for its full implementation.

9. The operationalization of the mechanism to review implementation of the Convention was welcomed, and several speakers reported on their countries' participation in the reviews. The need to provide strong support to the mechanism and the work of the Implementation Review Group was stressed, as was the need for

States parties to work towards funding its future requirements through the regular budget.

10. The recommendations and conclusions of the established working groups of the Conference of the States Parties to the Convention were welcomed. In particular, the Secretariat was asked to continue its information-gathering exercise on good practices in the implementation of chapter II of the Convention.

11. Several speakers welcomed the fact that the International Anti-Corruption Academy had become an international organization, and acknowledged the significant role it could play in effectively promoting implementation of the Convention.

12. Reference was made to the valuable work of the Group of 20 anti-corruption working group, in which UNODC was a participant, and the contribution of its action plan towards full implementation of the Convention.

13. Speakers reported on their Governments' efforts to implement the Convention through the adoption or amendment of legislation to bring domestic legal frameworks in line with the Convention. The creation and strengthening of specialized institutions involved in the fight against corruption, as well as awareness-raising and education campaigns, were emphasized, as was the importance of involving civil society and the private sector.

### **3. Ratification and implementation of the international instruments to prevent and combat terrorism**

14. The role of the United Nations in coordinating multilateral efforts to counter terrorism was highlighted as being essential to maximize synergies and avoid duplication and to ensure a holistic approach in line with the United Nations Global Counter-Terrorism Strategy. The need for strengthened partnerships and cooperation with all relevant actors, including United Nations entities (the Counter-Terrorism Executive Directorate and the Counter-Terrorism Implementation Task Force) and international, regional and subregional organizations was emphasized. The importance of a criminal justice response based on the international legal instruments against terrorism, respect for the rule of law and human rights were emphasized, as well as the importance of international and regional cooperation in criminal matters and action at the national and regional levels to counter terrorism.

15. Support was expressed for the work of the Terrorism Prevention Branch of UNODC, to assist requesting States through the provision of technical assistance on the ratification and implementation of the international legal instruments against terrorism. A need was expressed for continued tailor-made capacity-building for criminal justice officials, as well as for the development of thematic training workshops and tools. Adequate financial resources were considered necessary to implement the relevant UNODC mandates.

16. Reference was made to the Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation and the supplementary Protocol, adopted at Beijing on 10 September 2010, and their contribution to civil aviation security, and to the symposium on countering terrorism, organized by UNODC on 16 and 17 March 2011, addressing connections between terrorism and related criminal activities.

17. Other issues raised included money-laundering, financing of terrorism, hostage-taking, financial intelligence units, cybercrime, the definition of terrorism and self-determination.

**4. Other crime prevention and criminal justice matters**

18. Several speakers referred to the problem of piracy off the coast of Somalia and highlighted the commitment of their Governments to combating that serious threat in a comprehensive manner. The work of UNODC in supporting counter-piracy efforts, particularly relating to the prosecution of suspected pirates, was welcomed, as well as its efforts in assisting countries in enhancing the capacity of their prosecution services and judiciary with the task of ensuring the legality of proceedings and respect for human rights. It was noted that the conduct of prosecutors should be governed by an ethical code, and reference was made to the Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors, developed by the International Association of Prosecutors, which had been acknowledged by the Commission in its resolution 17/2 of 18 April 2008.

19. The continuing work of UNODC on the Criminal Justice Handbook Series and other practical tools to assist policymakers and professionals in fighting crime was also referred to.

**5. Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies**

20. Appreciation was expressed for the work of the institutes of the United Nations crime prevention and criminal justice programme network. It was noted that UNODC and the institutes should maintain a dialogue to avoid duplication of efforts.