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Chapter V. International cooperation in combating transnational crime

A. Structure of the debate

1. At its 1st, 2nd and 3rd meetings, on 27 and 28 April 1999, the Commission on Crime Prevention and Criminal Justice considered agenda item 6, entitled "International cooperation in combating transnational crime".
2. For its consideration of agenda item 6, the Commission had before it the report of the Executive Director on the work of the Centre for International Crime Prevention (E/CN.15/1999/2) and the report of the Secretary-General on the work of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime (E/CN.15/1999/5).
3. At its 1st meeting, on 27 April, following an introductory statement by the representative of the Centre for International Crime Prevention, the Commission heard statements by the representatives of Germany (on behalf of the European Union), Italy, Argentina, China, Brazil, France, Ukraine, the Netherlands, Ecuador (on behalf of the Group of Latin American and Caribbean States), Mexico, Bolivia, the United States of America, the Republic of Korea, Japan, Turkey, Zambia, Canada, Chile and Poland. Statements were made by the observers for Croatia, Armenia, Venezuela, Thailand, Australia and Morocco. The observers for the United Nations Interregional Crime and Justice Research Institute and the African Institute for the Prevention of Crime and the Treatment of Offenders also made statements. A statement was made by the observer for the International Sociological Association.

4. At the 2nd meeting, on 28 April, statements were made by the representatives of Botswana, Tunisia, Pakistan, the Russian Federation, the Islamic Republic of Iran, Azerbaijan, Romania, Oman, India (on behalf of the Group of 77 and China), Malawi, the Philippines, Cuba, India, the Syrian Arab Republic, South Africa, the Sudan and Togo. The observers for the International Criminal Police Organization (Interpol), the International Scientific and Professional Advisory Council and the Verification Technology Information Centre also made statements.

5. At the 3rd meeting, on 28 April, statements were made by the representatives of Costa Rica, South Africa, China, Japan, the United States of America and Canada. Statements were also made by the observers for the United Nations Interregional Crime and Justice Research Institute (on behalf of all the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network), the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the Latin American Institute for Crime Prevention and the Treatment of Offenders, the Naif Arab Academy for Security Sciences, the International Federation of Women in Legal Careers and the Office of the United Nations High Commissioner for Human Rights.

6. At the 4th meeting, on 28 April, the Chairperson summarized the deliberations on agenda item 6.

B. Deliberations

7. Many participants expressed concern that organized criminal groups posed a global threat to the international community. Whereas knowledge about organized criminal groups and their operations was growing, there was no global overview of organized crime. Such a comprehensive overview was considered a prerequisite for effective international action to counteract organized crime. Strengthening and improving mechanisms for cooperation, in particular the exchange of information and expertise, and coordination among law enforcement agencies, together with the promotion of mutual legal assistance and extradition, were also considered essential to such international action.

8. Satisfaction was expressed with the progress of the work undertaken by the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime and the three additional international legal instruments. Participants expressed their unwavering support for the negotiation process and their commitment to bringing the work of the Ad Hoc Committee to a successful completion by the year 2000. The Convention would need to reflect adequately the various concerns of States while being comprehensive enough to cope with the multiple facets of transnational organized crime. The scope of the Convention needed to be flexible enough to encompass the many different activities of organized criminal groups and to counter their ability to shift from one operation to another and from one geographical location to another. It was noted that there were difficulties, mostly of a technical nature, that needed to be overcome in order to arrive at a set of international instruments that would take into account differences in legal systems without compromising the forcefulness and effectiveness of the instruments.

9. The task facing the international community was the development of a set of practical international instruments that would allow countries at every stage of development to join forces with one another in order to achieve the common objectives of preventing and controlling transnational organized crime. Joining forces was perceived to imply not only developing innovative measures for international cooperation, but also strengthening

domestic legal and criminal justice systems by adopting appropriate legislative and administrative measures and upgrading the skills of criminal justice personnel. Of equal importance was providing experience, expertise and assistance to developing countries and countries with economies in transition in order to enable them to meet their obligations under the Convention and the additional international legal instruments. Technical cooperation was considered to be tangible evidence of solidarity to match the commitment of such countries to bringing their limited resources to bear in the common fight against transnational organized crime. Assistance was also needed in the short term to permit full participation by developing countries, especially least developed countries, in the development of the Convention. Reference was made to the need for Governments to enhance the capacity of the United Nations to provide technical assistance by contributing a certain percentage of funds (or of the value of illicit assets) that had been confiscated by Governments.

10. Several participants expressed their deep concern about the growing problems of trafficking in human beings and trafficking in firearms.

11. Participants expressed their deep concern about the negative effects of corruption on development and national economies, in particular in view of the linkages between corruption and organized crime. Measures should be developed to combat corruption; such measures could include the establishment of independent bodies, the promotion of good governance, the promulgation of codes of conduct for public officials and the judiciary and the launching of campaigns to raise public awareness of the negative effects of corruption.

12. Many participants expressed satisfaction with the role of the Centre for International Crime Prevention and called for the strengthening of its capacity to provide assistance. Participants welcomed its new focus on transnational organized crime, which also left room for its traditional areas of work. Other important aspects of its work, such as effective crime prevention, should continue to be given priority. Prevention was considered an effective strategy in the field of criminal justice and should continue to receive active support. The protection of victims of crime and abuse of power, as well as mediation and the further development of juvenile criminal law, deserved the greatest attention. A number of participants referred to a proposal to establish an international fund in support of victims of crime.

13. Many participants supported the initiatives of the Centre regarding the global programme against corruption, the global programme against trafficking in human beings and the global studies on transnational organized crime. The view was expressed that the Commission should provide guidance on those initiatives.
