



Economic and Social Council

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Commission on Crime Prevention and Criminal Justice

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Agenda item 5

International cooperation in combating transnational crime

Colombia and France: revised draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolution:

International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance for the victims

The Economic and Social Council,

Concerned at the practice of kidnapping in various countries of the world and at the harmful effects of that crime on victims and their families, and resolved to support measures to assist and protect them and to promote their recovery,

Reiterating that the kidnapping of persons constitutes a serious crime and a violation of individual freedom and that hostage-taking constitutes a violation of international humanitarian law applicable in situations of armed conflict,

Noting the transnational nature of organized crime and the tendency of organized criminal groups and terrorist groups to expand their illegal operations,

Concerned at the growing tendency of organized criminal groups and terrorist groups to resort to kidnapping, especially for the purpose of extortion, as a method of accumulating capital with a view to consolidating their criminal operations and undertaking other illegal activities, such as trafficking in firearms, drugs and persons, money-laundering and crimes related to terrorism,

Convinced that the links between various illegal activities, including terrorism, and organized crime pose an additional threat to security and the quality of life, hindering economic and social development,



Convinced also that the United Nations Convention against Transnational Organized Crime¹ provides the legal framework necessary for international cooperation in the fight against kidnapping,

Recalling its resolution 2002/16 of 24 July 2002, entitled “International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance for the victims”, in which it requested the Secretary-General, in coordination with competent entities of the United Nations system, to submit a progress report to the Commission on Crime Prevention and Criminal Justice at its twelfth session on the factual and legal situation of kidnapping throughout the world, including the situation of victims,

1. *Vigorously condemns and rejects once again* the practice of kidnapping, in any circumstances and for any purpose, including kidnapping by organized criminal groups and terrorist groups;

2. *Stresses* that organized criminal groups and terrorist groups are responsible for any harm or death that results from a kidnapping committed by them and should be punished accordingly;

3. *Takes note with appreciation* of the progress report of the Secretary-General on international cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims,² submitted pursuant to its resolution 2002/16;

4. *Urges* Member States that have taken new measures in the context of the present resolution to cooperate with the Secretary-General and competent entities of the United Nations system, in particular the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime³ of the Secretariat, inter alia, by submitting comments on the progress report of the Secretary-General and by providing information on national legislation and on practical measures and experience at the domestic level in that connection;

5. *Invites* Member States that have not yet done so to provide to the Secretary-General information on the practice of kidnapping and on relevant domestic measures that have been adopted, including any related to support and assistance to the victims and their families;

6. *Also invites* Member States that have not yet done so to adopt the legislative or other measures necessary to establish kidnapping as a serious crime in their domestic legislation, in accordance with the definition of “serious crime” in the United Nations Convention against Transnational Organized Crime;¹

7. *Encourages* Member States to continue to foster international cooperation, especially extradition, mutual legal assistance, collaboration between law enforcement authorities and information exchange, with a view to preventing, combating and eradicating kidnapping;

8. *Calls upon* Member States that have not yet done so, in furtherance of the fight against kidnapping, to strengthen their measures against money-laundering and to engage in international cooperation and mutual assistance, inter alia, in the

¹ General Assembly resolution 55/25, annex I.

² E/CN.15/2003/7 and Add.1

³ Formerly known as the Office for Drug Control and Crime Prevention.

tracing, detection, freezing and confiscation of proceeds of kidnapping in order to combat organized criminal groups and terrorist groups;

9. *Requests* the Secretary-General, drawing on extrabudgetary funds or voluntary contributions, to provide technical assistance to States, upon request, to enable them to strengthen their capacity to combat kidnapping, including establishing, as appropriate, special law enforcement and prosecution units and mechanisms for cooperation with civil society and international cooperation;

10. *Also requests* the Secretary-General to complete his report on the implementation of Economic and Social Council resolution 2002/16, including in it information on the practice of kidnapping and on relevant domestic measures that have been taken, including those related to support and assistance to the victims and their families, and to submit it to the Commission on Crime Prevention and Criminal Justice at its thirteenth session.
