



Economic and Social Council

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Commission on Crime Prevention and Criminal Justice

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Agenda item 4 (a)

World crime trends and responses: 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: 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

Colombia: 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 to prevent, combat and eliminate kidnapping and to provide assistance to victims of kidnapping

The Economic and Social Council,

Concerned about the increased number of kidnappings of persons in various countries of the world and about the harmful effects of that crime both on victims and on their families, and determined to support measures to assist and protect victims of kidnapping and their families and to promote their recovery,

Reiterating that the kidnapping of persons under any circumstances and for any purpose constitutes a serious crime and a violation of individual freedom that undermines human rights and may have a negative impact on the economies, development and security of States,

Concerned about the growing tendency of organized criminal groups and, in certain circumstances, terrorist groups to resort to kidnapping, especially for the purpose of extortion, with a view to consolidating their criminal operations and undertaking other illegal activities, such as trafficking in firearms or drugs, money-laundering or trafficking in persons,



Convinced that any linkage of various illegal activities involving kidnapping poses an additional threat to quality of life and hinders economic and social development,

Convinced also that the United Nations Convention against Transnational Organized Crime,¹ the applicable provisions of the relevant terrorism conventions and the other applicable provisions of relevant multilateral and bilateral agreements provide the legal framework necessary for international cooperation to prevent, combat and eliminate kidnapping and that, in order to achieve that objective, it is necessary to create opportunities for dialogue among States and for the exchange of experiences and good practices in combating kidnapping,

Recalling General Assembly resolution 59/154 of 20 December 2004, entitled “International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims”, in which the Assembly requested the United Nations Office on Drugs and Crime to prepare a manual, for use by competent authorities, of proven and promising practices in the fight against kidnapping,

Acknowledging the financial and technical contributions made by Member States to the preparation of that manual,

Recalling General Assembly resolution 61/179 of 20 December 2006, in which the Assembly noted with satisfaction the publication of an operational manual against kidnapping, prepared pursuant to its resolution 59/154, and invited Member States to consider the possibility of using the manual in their national efforts to combat kidnapping,

1. *Vigorously condemns and rejects once again* the offence of kidnapping, under any circumstances and for any purpose;

2. *Encourages* Member States to continue to foster international cooperation, especially extradition, mutual legal assistance, collaboration between law enforcement authorities and the exchange and joint analysis of information, with a view to preventing, combating and eliminating kidnapping, including by denying kidnappers the benefit of substantive concessions;

3. *Calls upon* Member States that have not yet done so, in furtherance of the fight against kidnapping, to establish kidnapping as a predicate offence for money-laundering and to engage in international cooperation and mutual assistance in, inter alia, the tracing, detection, freezing and confiscation of proceeds of kidnapping;

4. *Also calls upon* Member States, consistent with their obligations as parties to the relevant international conventions, to fully implement the provisions of those conventions, in accordance with the fundamental principles of their legal systems, by permitting extradition when any one of the bases of jurisdiction provided for in one of those conventions is asserted by a requesting State;

5. *Encourages* Member States to take such measures as they deem appropriate, including measures to raise awareness, to ensure that judges, judicial officials, prosecutors and others in the criminal justice system are aware of the

¹ United Nations, *Treaty Series*, vol. 2225, No. 39574.

obligations of parties to the relevant international conventions and that they understand the utility of those conventions as a vital tool for assisting States in the administration of justice, particularly in the prosecution of kidnapping cases;

6. *Also encourages* Member States to take measures intended to provide adequate assistance and protection to victims of kidnapping and their families, including measures addressing their rights and legal interests;

7. *Invites* Member States to consider using the operational manual against kidnapping prepared pursuant to General Assembly resolution 59/154 of 20 December 2004 in their national efforts to combat kidnapping, and requests the United Nations Office on Drugs and Crime to continue to provide, within its mandate, Member States, upon request, with technical assistance and advice in implementing the manual;

8. *Requests* the United Nations Office on Drugs and Crime, in coordination with other relevant entities, to provide technical assistance to Member States, upon request, to enable them to strengthen their capacity to combat kidnapping, including by:

(a) Providing training for judges, judicial officials, prosecutors and law enforcement officials to promote their understanding of processes and mechanisms available for disbanding criminal organizations, including training in the use of special investigative techniques for the rescue of kidnapped persons, bearing in mind the particular need to safeguard and protect victims of kidnapping;

(b) Reviewing trends and enhancing understanding of the problem in order to create a basis for developing policies and strategies against kidnapping;

(c) Organizing practical courses or workshops for the exchange of experiences and best practices in combating kidnapping, in collaboration with international or regional organizations;

9. *Invites* Member States and other donors to contribute resources for the above-mentioned purposes;

10. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice, at its nineteenth session, on the implementation of the present resolution.