



Security Council

Sixty-seventh year

6760th meeting

Wednesday, 25 April 2012, 10 a.m.

New York

Provisional

<i>President:</i>	Ms. Rice/Mr. DeLaurentis	(United States of America)
<i>Members:</i>	Azerbaijan	Mr. Musayev
	China	Mr. Li Baodong
	Colombia	Mr. Osorio
	France	Mr. Briens
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Manjeev Singh Puri
	Morocco	Mr. Bouchaara
	Pakistan	Mr. Tarar
	Portugal	Mr. Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Sangqu
	Togo	Mr. Menan
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham

Agenda

Threats to international peace and security

Securing borders against illicit cross-border trafficking and movement

Letter dated 5 April 2012 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (S/2012/195)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security

Securing borders against illicit cross-border trafficking and movement

Letter dated 5 April 2012 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (S/2012/195)

The President: Under rule 37 of the Council's provisional rules of procedure, I invite the representatives of Argentina, Armenia, Australia, Belarus, Brazil, Costa Rica, Cuba, Indonesia, the Islamic Republic of Iran, Israel, Jamaica, Japan, Libya, New Zealand, Norway, the Republic of Korea and the Bolivarian Republic of Venezuela to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Tété António, Permanent Observer of the African Union to the United Nations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2012/195, which contains a letter dated 5 April 2012 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General, transmitting a concept paper on the item under consideration.

I welcome the presence of the Secretary-General, His Excellency Mr. Ban Ki-moon, and I give him the floor.

The Secretary-General: I thank the United States for using its presidency of the Council to draw attention to the important issue on today's agenda.

Across the globe, insufficiently protected borders enable the trafficking of drugs, weapons, contraband,

terrorist funding, materials related to weapons of mass destruction, conflict minerals, wildlife and people. Such illicit flows undermine the sovereignty of States, destroy communities and individual lives, threaten peace and security and are rightly the focus of the Security Council's close attention.

Countering those illicit flows requires action on many fronts. Strengthening border security is crucial. Member States are obligated under international law to secure their borders against illicit flows. But fragile and vulnerable countries — some of them devastated by war, others struggling to transform themselves — often lack the capacity to overcome the conditions that allow such criminal activity to flourish. The United Nations is thus hard at work, helping many States to build that capacity. In Africa, Latin America and the Caribbean, the Airport Communication Project, known as AIRCOP, has been set up to strengthen controls at international airports. Project AIRCOP's maritime equivalent is the Global Container Control Programme. Although more than 500 million maritime containers move around the world each year and account for 90 per cent of international trade, only 2 per cent are inspected. Strengthening customs and immigration systems is essential.

Border strengthening is effective, but not if done in isolation. We also need to give priority to establishing public institutions that deliver a sustained level of security and justice for citizens. Border security can never come at the expense of migrants' rights. Nor can it be used to legitimize inhumane treatment.

The United Nations Task Force on Transnational Organized Crime and Drug Trafficking, co-chaired by the United Nations Office on Drugs and Crime and the Department of Political Affairs, is developing comprehensive approaches. Regional cooperation is key to addressing both illicit flows and human trafficking, as are legal tools. I urge Member States to ratify and implement the United Nations Convention against Transnational Organized Crime and the Protocols thereto, as well as the United Nations Convention against Corruption and the legal instruments designed to fight terrorism.

Countering illicit flows also requires us to do more to prevent money laundering. We need systems that can detect and monitor the enormous flows of

illicit money generated by cross-border crimes, most of which is laundered through the global financial system.

Illicit flows are directly linked to terrorism. Our counter-terrorism strategies rely on States adopting measures on the cross-border movement of people, goods and cargo, small arms and light weapons, nuclear, chemical, biological, radiological and other potentially deadly materials. We are helping Member States to strengthen their institutional and legislative frameworks in that area. The Counter-Terrorism Implementation Task Force's Working Group on Border Management relating to Counter-Terrorism is compiling a comprehensive compendium of international instruments, norms and best practices.

The illicit flows that pose the gravest threat are, of course, those related to the possible terrorist acquisition of weapons of mass destruction. Efforts to address that challenge include the United Nations Global Counter-Terrorism Strategy and the implementation of resolution 1540 (2004) through the activities of the Security Council Committee established pursuant to resolution 1540 (2004).

Trafficking in firearms and ammunition also helps to fuel terrorism, violence and armed conflicts, while hindering social and economic development. We are helping Member States to strengthen their institutional and legislative frameworks in that area by developing technical guidelines for the safe management of ammunition and international control standards for small arms and light weapons.

There are no quick solutions to illicit flows. There is only a long-term process that requires the sustained commitment of all. Our watchtowers must be accompanied by the watchwords: information, intelligence, data collection and analysis. It is an area where the United Nations, with its ability to provide objective and balanced information, can play a key role. We will continue to identify new threats and bring them to the attention of the Security Council, so that the international community can respond.

As the Council knows, prevention is one of my priorities. Preventing illicit flows is beneficial to countries, communities and individuals. It is important for security, development and human rights. In six months, I will return to the Council with a report providing a comprehensive assessment of the United Nations work to help Member States counter illicit flows.

Thank you again, Madame President, for addressing the aforementioned matters and working to improve our work in this crucial area.

The President: I thank the Secretary-General for his statement.

I now give the floor to the members of the Security Council.

Mr. Cabral (Portugal): I would like to start by thanking the United States delegation for bringing today's important matter to the Security Council for our discussion. The interest the topic generates is eloquently demonstrated by the number of speakers inscribed on the list.

I would also like to thank Secretary-General Ban Ki-moon for his thought-provoking briefing.

Portugal attaches great importance to the efforts being developed throughout the United Nations system to respond to requests for assistance by States in areas of national concern related to the ever more sophisticated and often interconnected threats and challenges posed by illicit cross-border trafficking and movement of materials, funds and goods, as well as human beings.

Those areas of concern include the need to protect and secure borders, a need echoed by an increasing number of requests by States for assistance in tackling the various forms of illicit cross-border trafficking and movements, with the aim of countering and preventing the negative impact of those phenomena on their national systems and the unravelling of regional and subregional stability and security. Indeed, all these types of illicit trafficking and movements have a tremendous impact on every State, but in particular on the most fragile ones, debilitating their efforts towards institution-building, peace, stability, the rule of law and sustained development. This is where the United Nations, in its efforts to promote and coordinate the international community assistance, has a crucial role to play.

In November last year, under the Portuguese presidency, the Council organized a briefing on new challenges to international peace and security (see S/PV.6668). It was evident then, as it is evident now, that the Council cannot disregard its role in conflict prevention and has to increase its awareness of new realities that are increasingly challenging or have the potential to threaten peace and security. We suggested

then that the Council could establish a kind of observatory tool — an informal working group of Council members — to monitor these issues on its horizon and to review information derived from reports of the Secretary-General, which could serve as the foundation for concerted, articulated, prompt and effective action of the international community. We think the Council should give this further thought.

Today's debate follows, in our view, a similar logic. We believe also that there is clearly here a role for the Security Council to play. The Council cannot simply turn a blind eye to the impact of illicit trafficking and movements across borders in the destabilization of States and regions and their impact on peace processes and on fuelling conflicts — not to mention its links with international terrorism, namely, through its financing. These are concerns that the Council should keep on its horizon, and we should be prepared to act whenever necessary and at the request of the affected countries or region, to which falls the primary responsibility. However, these are issues that the Council should not deal with alone.

Indeed, for the United Nations, helping States to secure their borders through technical assistance is already a well-established task, as reflected in a wide range of activities carried out and programmed by a large number of its bodies and organs, both within the orbit of the General Assembly and in the sphere of the Security Council. As in other segments of its activity, however, we believe that the United Nations may and should improve its performance in this area — on the one hand, by improving the effectiveness and operational coordination of its internal efforts to assist States and regions in need, and, on the other, by enhancing its coordination with relevant non-United Nations partners and bodies.

The identification of areas of existing overlaps and gaps seems to be a logical step in order to further improve the adequacy and effectiveness of the efforts being carried out. That is why we appreciate and welcome this debate and its anticipated outcome, particularly in respect to the invitation made to the Secretary-General to submit, in six months, a report providing a comprehensive survey and assessment of the United Nations work to address Member States' requests for assistance in countering and preventing illicit cross-border trafficking and movement through their respective borders.

We believe that this report will provide a very valuable basis for the work of the Security Council, the General Assembly and all other relevant United Nations organs and bodies, with which, we believe, it should be shared, opening the way for better coordinated and more effective assistance strategies and plans of action. We also believe that improving the coherence of action between Headquarters-based bodies and the United Nations structures in the field, distinctively tailored to each specific context and situation, and pursuing consistent preventive approaches could be of great value to this endeavour.

As we said at the open debate in November, it is our duty to deepen our knowledge of these phenomena so as to ensure that they do not turn into conflicts. As the main body responsible for maintaining peace and security, the Council must be ready to shoulder its responsibilities.

Mr. Osorio (Colombia) (*spoke in Spanish*): We believe that today's debate on securing borders against illicit cross-border trafficking and movement and how cross-border crime and its manifestations can exacerbate situations under the Council's consideration is taking place at a very timely moment. The Secretary-General made some very pointed comments on the implications of such activities and the involvement of the United Nations.

Managing, securing and protecting borders is a sovereign prerogative of States. We believe it necessary to strike a balance between control measures to maintain secure borders and facilitating the movement of persons, funds and legitimate goods. This discussion should lead us to deepen the cooperation between the Security Council and other bodies of the United Nations system concerning an issue that, by its very nature and global scope, requires concerted and coordinated action of the various organs and bodies of the United Nations system in development of the principles of the Charter and the framework of its respective responsibilities and mandates.

Illicit trafficking in nuclear, chemical or biological weapons and their delivery systems, as well as the movement of terrorists and their funds across borders, are recognized as threats to international peace and security. Moreover, in specific contexts, the Council has discussed different manifestations of organized crime that contribute to the deterioration of situations that are already fragile. These complex

criminal activities transcend the trafficking and cross-border dimensions and require a comprehensive and balanced approach that addresses all their aspects.

The international community must combat such criminal activities with unwavering resolve. That is why it is a priority to adopt, in the context of the Organization, a binding instrument to improve control of the trade in small arms and light weapons, explosives and related materials, and the marking and registration of munitions in order, and to prohibit their transfer to armed non-State actors. The illicit cross-border traffic in weapons is probably one of the factors with the greatest impact on national and international security, and further exacerbates violent situations.

We must acknowledge that effective compliance with obligations arising from the Council's decisions adopted under Chapter VII of the Charter depends not solely on political will, but also on the tools available to Member States. That is why, on the basis of an assessment that emphasizes cooperation and coordination, we should focus our efforts on improving the efficiency of binding decisions taken by the Council to strengthen the capacities, institutions and normative frameworks of Member States.

In exercising sovereign power to manage and control their borders, States have the responsibility to fully meet their international obligations. In that context, Colombia welcomes the creation of an inventory of actions and initiatives that have been taken by the Organization at the request of States in order to strengthen its capacities in this area.

The criminal manifestations under consideration today are also regulated by specialized international treaties, in conformity with a broad and comprehensive legislative framework that offers the legal tools adequate to combating them. Similarly, agreements reached in the context of the General Assembly recognize overall concepts that are broadly accepted within the Organization and allow the development of inclusive and balanced strategies. The Organization as a whole must focus its efforts on providing the assistance requested by States towards achieving comprehensive compliance with the obligations that arise from these agreements.

It is also necessary to adopt efficient mechanisms and measures to strengthen international cooperation and coordination among States to combat the various manifestations of the crimes under consideration. It is

therefore a priority to strengthen border controls through the allocation of technological and financial resources, to establish effective legal cooperation agreements, and to exchange information.

My country believes that these challenges should be addressed holistically and in respect for the balance between measures to strengthen security and avoiding obstacles to social and economic development. While we understand the need to protect ourselves from the dangers posed by what has been referred to as illicit cross-border trafficking and movement, Colombia's laws and Constitution consider borders primarily as zones of integration wherein economic, social, scientific, technological and cultural development should be promoted. As such, they emphasize the strengthening of systems for cross-border customs cooperation, as well as of networks for the sharing of information among law-enforcement authorities.

Mr. Bouchaara (Morocco) (*spoke in French*): At the outset, on behalf of my delegation, I should like to thank the delegation of the United States for its initiative in organizing this important debate on securing borders against illicit cross-border trafficking and movement. I should also like to thank the Secretary-General for his detailed briefing. The theme chosen by your delegation, Madam President, involves the entire international community. We appreciate the perspective from which your delegation has chosen to holistically take up the issue of securing borders in the face of various cross-border challenges that pose a threat to international peace and security. This debate also provides an opportunity for all delegations participating today to undertake a broad and constructive exchange of views on this important issue.

The United Nations was established to ensure the maintenance of international peace and security. In line with their respective competencies, the problems posed by illicit cross-border trafficking and movement have been addressed by various bodies through conventions, protocols, mechanisms, action plans and sanctions regimes. Today there is no doubt that the work of the United Nations, along with the steps taken by Member States at the national, regional, subregional and interregional basis, has made it possible to better secure our borders.

We must acknowledge, however, that in this new era of globalization the various networks involved in illicit cross-border trafficking and movement have

unfortunately been able to benefit from the growing interconnectedness of our world and to evade our collective efforts to combat them. The increasing fluidity at the international level has made it possible for those various networks — whether they are associated with trafficking in weapons, natural and mineral resources, drugs or human beings — to link up in non-transparent ways and set up mutually supporting alliances that sometimes involve terrorist networks, armed groups and separatist movements.

That state of affairs is especially worrying in that such interconnectedness is not just a mere potential threat, but a reality in various regions of the world. It is unfortunately a reality on the African continent. The Sahelo-Saharan and Atlantic coastal regions have been especially affected, as has the Gulf of Guinea. The recent developments in the Sahel must be the focus of our attention, as they illustrate the impact that the tangle of networks involved in illicit cross-border trafficking and movement could have on the sovereignty and territorial integrity of the countries of those regions, as well as on international peace and security.

Combating this threat must first and foremost be a concern for Member States, which must in a sovereign manner identify and take the necessary appropriate measures to secure their borders while observing their international obligations. Given the nature of this cross-border challenge, our efforts must also be both collective and effective.

Securing borders also entails heightened dialogue and cooperation at the bilateral level, as well as the subregional, inter-regional and international levels, on the basis of the principles of solidarity and shared responsibility to address the underlying causes that make possible the continuation and development of illicit cross-border trafficking and movement. The goal should be to provide a concrete, tailored and sustainable response.

The issue of assistance is also crucial. In that regard, it is essential that the international community demonstrate greater solidarity by providing effective support to States that desire such assistance in strengthening their capacities to secure their borders, all the while respecting their national sovereignty. It is also important to support those States in their efforts to combat the various types of cross-border movement by putting an end to the safe havens enjoyed by networks.

To that end, the United Nations and the various existing cooperation and coordination mechanisms have a key role to play.

The Kingdom of Morocco has always been an active member of the international community in combating this scourge. We have constantly called attention to the danger posed by the growing interconnectedness of illicit cross-border trafficking and movement in our region. It is in that spirit that Morocco hosted the launching of important international initiatives, in particular the Global Initiative to Combat Nuclear Terrorism and the African Initiative for the Atlantic, which aim to provide a coordinated and concerted response to illicit cross-border trafficking and movement and to facilitate cooperation and the exchange of best practices.

Morocco has also organized numerous events dealing with various aspects of the phenomenon we are addressing today. I should also like to take this opportunity to inform the members of the Council that, before the end of this year, Morocco will host the holding of the second meeting of the regional ministerial conference on border security in North African and Sahel countries.

We should all continue to work together to combat illicit cross-border trafficking and movement and the various networks involved, as well as to ensure that the legal instruments and mechanisms that have been established are able to respond to the evolving nature and scope of the dangers they pose. The United Nations, its Member States and the various organizations concerned should coordinate their efforts and demonstrate genuine political will to continue, update and adapt the international norms and the mechanisms that have been established in order to face this phenomenon.

In conclusion, my delegation takes note of the proposal to request the Secretary-General to prepare a report on illicit cross-border trafficking and movement. We hope that the report will contribute to the Organization's efforts to provide a collective response that can help us to effectively overcome the challenges we face.

Mr. Rosenthal (Guatemala) (*spoke in Spanish*): I should like to thank you, Madam President, for organizing this open debate. We have taken note of the concept paper (S/2012/195, annex) prepared by your delegation to guide our deliberations, for which we are

also grateful. We also express our gratitude to the Secretary-General for his clear introductory statement.

As you are aware, Madam President, although our delegation did not object during your initial consultations to the holding of a debate on the general topic of illicit cross-border trafficking and movement, the discussions leading up to today's meeting turned out to be quite lively. I would like to explain the basis for our own concerns, as seen from our national perspective.

Most of our concerns stem from whether emphasis should be placed on securing borders or on illicit trafficking. With regard to the former, our concern is simply that securing borders against the illicit movement of goods, services, financial flows and persons can be defended on its own right; however, it always poses the risk of hampering licit movements, thereby causing more harm than good. With regard to the latter, we wonder about how one is to distinguish between illicit and licit movements — and the grey areas in between — and about how one is to differentiate between various types of movement, taking into account that dealing with, for instance, narcotics trafficking is quite different from human trafficking or dealing in stolen cultural artifacts, not to mention the cross-border movement of persons.

Moreover, not all illicit cross-border activities pose an actual threat to international peace and security, although some certainly have that potential. Furthermore, however we approach the scourge of illicit trafficking, whether under the purview of the Security Council or, in more general terms, within the overall context of the United Nations system, we should be motivated by the idea of promoting cooperation between Member States on such matters. However, by emphasizing controls and regulations, we run the risk, perhaps unintentionally, of encouraging a more defensive approach on the part of sovereign States, with an every-man-for-himself mentality, which would be contrary to the purposes and principles of the Organization.

Besides such comments of a conceptual nature, we also have some more specific observations to make, mostly of a more positive nature.

First, we believe that this discussion can contribute to our efforts to prevent conflicts with a view to maintaining international peace and security and strengthen our responses to emerging threats and

challenges. Like terrorism, the phenomena of transnational organized crime and illicit trafficking in arms, goods and persons are shared responsibilities; in order to prevent and combat them, we must work collectively. Moreover, we need to secure our borders and combat illicit trafficking and movement in order to uphold the rule of law at the national and international levels.

Secondly, a wide range of existing strategies and initiatives to address these issues has been developed at the national, regional and international levels, which makes it more difficult to identify synergies and similarities. That can be attributed not only to the particular nature of each issue, or to the fact that each is discussed in separate expert forums, but also to the fact that each topic is governed by its own legislative and treaty frameworks. That is additional justification for strengthening international cooperation and for providing technical assistance, particularly to promote and facilitate the implementation of the relevant international conventions and protocols.

Thirdly, distinct strategies are required to address specific threats posed by different types of illicit trafficking and movement, including appropriate strategies designed to reduce the demand and supply of illicit drugs. In effect, we need to address the underlying causes of that phenomenon and to take actions designed to reduce the market for illegal drugs as well as the profits from their sale. Unless the underlying issues are addressed, the problem will simply be displaced, or else it will be replaced by another illicit activity. Governments must therefore strengthen the rule of law in their countries in order to develop social antibodies to fight organized crime and eventually break the cycle of crime and underdevelopment.

Fourthly, strengthening the capacity of the United Nations to assist Member States to secure their borders against illicit trafficking and movement is only one aspect, albeit an important one, in the wider arsenal of measures to address this issue. While recognizing that the United Nations has a role to play in helping the States concerned, which should be carried out within existing mandates, upon the request of Member States, with full respect for their sovereignty and under national ownership. Moreover, adequate resources are also needed to ensure that sustainable efforts yield significant results.

Fifthly, many parts of the United Nations system, including most visibly the United Nations Office on Drugs and Crime, the United Nations Development Programme, the Department of Economic and Social Affairs, the United Nations Conference on Trade and Development and the regional commissions, are either directly or indirectly involved in supporting countries in the effort to combat the illicit trafficking of goods, services and people. There is a case to be made in that regard for greater coherence and coordination within the system.

Finally, the Security Council should continue to strengthen its mechanisms under resolutions 1373 (2001) and 1540 (2004), which specifically address the implementation of counter-terrorism and non-proliferation obligations, since they also concern cross-border control and management.

Mr. Manjeev Singh Puri (India): At the outset, let me join others in thanking you, Madam President, for organizing this open debate on the threats to international peace and security posed by illicit cross-border trafficking and movement. I would also like to thank the Secretary-General for his briefing.

Trafficking by non-State actors in nuclear, chemical and biological weapons, their means of delivery and related materials, and the movement of terrorists and their funds challenge international peace and security. Moreover, there are situations where international peace and security is exacerbated by illicit cross-border trafficking in arms and drug trafficking. In such cases, Security Council pronouncements have invariably listed those exacerbations and sought to control them.

At the same time, there are a number of United Nations bodies and agencies that have their identified and Charter-mandated areas of specialization in connection with illicit cross-border trafficking and movement. It is important that the Council respects the mandates of other organs of the United Nations and its specialized bodies.

Of late, there has been a concerted push to bring several global issues onto the Council's agenda under the pretext of their affecting international peace and security. That needs to be avoided. The Charter provides for a clear division of responsibility between the General Assembly, the Security Council, the Economic and Social Council and other specialized

bodies. We must respect that separation of functions in letter and spirit.

General norm-setting must necessarily belong to relevant organs and agencies of the United Nations. The Security Council should step in only where there is threat to international peace and security, and in the context of specific situations, such as in conflict and post-conflict situations, and under sanctions regimes established pursuant to resolutions 1540 (2004), 1373 (2001) and 1267 (1999), under Chapter VII of the Charter.

The United Nations has played a seminal role in the capacity-building of Member States. States need assistance to fulfil their international commitments, to strengthen their internal institutions, including those dealing with law and order, and to secure their borders. Such an exercise must always be demand-driven and led by Member States. We commend the efforts and commitment of the relevant United Nations agencies in developing the capacities of countries in conflict and post-conflict situations. Commitment to the capacity-building of States in different sectors requires greater financial and technological support, and we should be willing to provide the same to them.

However, the connected issue is how the relevant United Nations agencies can help interested Member States secure their borders against illicit cross-border trafficking and movement. The first fundamental principle in that regard is respect for the sovereignty and territorial integrity of the State seeking assistance. Secondly, donors and the relevant United Nations agencies must respect the prerogative of the Member State concerned in securing its own borders. Thirdly, assistance in capacity-building must be provided only upon request and as mutually agreed.

The challenges we are discussing today are global in nature, and their interlinkages make them even more complex. They call for strong collaborative action, involving all Member States working together in a manner that is legitimate and appropriate.

Mr. Churkin (Russian Federation) (*spoke in Russian*): The theme of today's meeting is directly related to the growing and ever-diversifying challenges and threats from terrorism, drug trafficking and cross-border organized crime. Porous borders are one factor encouraging the illicit trafficking of weapons and drugs and the movement of terrorists and their financial resources. Many types of illicit cross-border trafficking

genuinely and seriously undermine the efforts of the Council to maintain international peace and security.

Particular attention should be paid to the sanctions regimes imposed by the Council and the ad hoc regimes established under its relevant counter-terrorist resolutions, in particular resolutions 1373 (2001) and 1540 (2004), where for us, the priority areas are illicit trafficking of drugs, weapons, weapons of mass destruction and their components and the movement of terrorists and their financial resources.

It is a secret to no one that there are problems in terms of compliance with these regimes. The destructive impact of Afghan drug trafficking, which has merged with terrorism, has long grown beyond the borders of that specific region. We view Afghan drug trafficking as a threat to international peace and stability. We advocate a comprehensive approach to countering this threat, including the range of tools available to the Security Council to curb the financial flows that fuel drug trafficking and to place drug lords on the relevant Security Council sanctions lists.

Important measures have been put in place in terms of implementing Security Council resolution 1817 (2008) in order to counter the smuggling into Afghanistan of the chemical precursors used to manufacture drugs. There needs to be greater involvement on the part of the international security forces in Afghanistan in efforts to eradicate drug crops and drug laboratories in that country. The outcomes of the third Ministerial Conference of the Paris Pact, held in Vienna in 16 February, provides us the necessary platform for comprehensive efforts to curb Afghan drug flows.

Another example is the spread of Libyan weapons. There is a real threat that those weapons could fall into the hands of terrorists. In that connection, Russia initiated resolution 2017 (2011), which sends the necessary signal and sets out the relevant framework for efforts to counter that new threat.

The critical problem of piracy in Somalia also persists. The sanctions regime against that country, which for an extended period has had no border-control regime, has long been in effect. However, Somali pirates freely receive and have available to them sophisticated weaponry, boats, Global Positioning System navigation devices and other equipment necessary for their criminal activities.

Specifically for such situations, it would be useful to have an overview of the problems concerning the control of borders, illicit trafficking and movements across them. It is important, when considering cases of illicit cross-border movement and trafficking, that the Security Council act strictly within the framework of its mandate to maintain international peace and security, that it not encroach upon the purview of other international organizations or bodies, and that it avoid engaging in revamping the existing international system of cooperation in the area of border protection.

The current draft presidential statement, based on the outcome of today's meeting of the Council, requests the Secretary-General to prepare a comprehensive assessment of United Nations activities in assisting States to counter various types of illicit cross-border trafficking and the movement of terrorists and their finances. We believe that it is important that the report reflect the priority areas I have addressed and that it take into account the measures that have already been clearly taken by the Security Council, which remain in effect.

Mr. Menan (Togo) (*spoke in French*): The choice of the theme of securing borders against illicit cross-border trafficking is of great interest to Member States, especially those of us in the West Africa subregion, because that issue goes to the heart of the matter discussed by the Security Council last February with regard to our region. My country would therefore like very much to thank the United States for having proposed this subject to be considered by the Council.

The quality and speed of means of transport, the development of information and communications technologies, as well as the policies promoting the formation of groups in the subregion, have today facilitated the free movement of persons and goods across borders, thereby creating enormous difficulties in controlling borders. Thanks to the ease of inter-State transport and the loosening of border controls, we have seen the flourishing of all kinds of illicit trafficking. That is due to the fact that borders, especially in developing countries, generally remain quite porous and those countries do not have modern means for controlling their borders. Insufficiently controlled borders give rise to an environment in which we see a proliferation of spontaneous contextual practices that have no legal status within those States.

For those reasons, borders have become completely lawless spaces in some of our countries, where all types of activities flourish, including trafficking in weapons, drugs and natural resources, as well as trafficking in human beings, illegal migration, illicit trafficking in goods, corruption, money-laundering and terrorist activities — all of which can jeopardize the peace, security and the stability of States.

It is therefore no exaggeration to say that border zones obey a logic that goes well beyond the sovereignty of States. Criminal groups moving across borders are well equipped and quick to adapt to new situations or relocate their operations in order to avoid detection. They can take over entire regions of a country where Governments lack the technical means needed to counter such groups. They make substantial profits from their activities, which often flourish to the detriment of vulnerable persons, such as the victims of human trafficking, migrants and child soldiers.

The activities of such groups have led to an increased feeling of insecurity, felt by other countries as well, and they raise the issue of the management of borders and the subsequent matter of relations with neighbouring States.

International legal instruments, such as the 2003 United Nations Convention against Transnational Organized Crime and its related protocols, on the trafficking of persons and the illicit trafficking of migrants, the United Nations Programme of Action on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the United Nations Convention against Corruption, have all sought to address the need to counter those new threats to peace and security.

Nevertheless, the threat posed by factors linked to securing our borders and combating illicit movements is greater than ever, even greater than when those legal instruments came into effect. This is why the quest for appropriate responses to new transnational threats should be a priority for the international community.

Securing borders and combating illicit trafficking and cross-border movement require human, material and financial means, which are quite significant and often beyond the reach of many States individually. Many States do not have an effective means of providing surveillance and control of borders. An overall integrated and holistic approach on the part of the international community will make it possible to

meet the challenges and insecurity generated by illicit border trafficking. The value added of such an approach lies in working in a coherent way at the global, regional and transregional levels to fight threats that State mechanisms are unable to counter, and in adapting our responses to challenges in the field.

The threats posed by illicit cross-border trafficking and organized crime to their sovereignty, stability and security have led the States of West Africa to take measures to reduce the risks arising from our porous borders. At the subregional level, in addition to the four-State agreement among Benin, Ghana, Nigeria and Togo to fight transborder crime, in 2009 my country and Ghana signed a memorandum of understanding between our security, law enforcement, police, customs and immigration services to fight transnational organized crime. Moreover, the Heads of State and Government in the Co-Prosperity Alliance Zone, comprised of those same four countries, also hold regular consultations on combating the proliferation of small arms and light weapons.

Also at the subregional level, with the help of the United Nations Office on Drugs and Crime (UNODC), we have developed a cross-cutting multilateral strategy based on shared responsibility, called the UNODC Regional Programme for West Africa 2010-2014.

At the national level, Togo has responded to the issue with various measures. Among them are the creation of our central anti-drug and anti-money-laundering office and a national narcotics laboratory, which help the national police and customs in their respective duties. Moreover, our integrated national plan includes several steps undertaken with the technical and financial assistance of development partners. Those have led to the establishment in February 2011 of an integrated container control unit in the port city of Lomé, and a national financial data centre at the Lomé international airport.

Despite those initiatives, and given the weak operational capacity of the States of the West Africa subregion, funding and capacity-building for national agencies are necessary and require the ongoing support of the international community. Now is an opportune time to express our gratitude to the United Nations, especially the UNODC, which has consistently helped to strengthen the capacities of national institutions.

Given the magnitude of the problem, Togo hopes that the Secretary-General will study the issue and

propose approaches and solutions to bolster existing mechanisms.

Mr. Li Baodong (China) (*spoke in Chinese*): I wish to thank Secretary-General Ban Ki-moon for his briefing.

With increasing globalization, the links and exchanges among countries have grown ever closer as the global movement of materials and people accelerates. At the same time, the problem of illicit cross-border trafficking and movement, exemplified by arms proliferation, drug trafficking and the spread of terrorism, is ever more serious. Lately, arms proliferation in West Africa and the Sahel region and the turbulence in Mali have raised widespread concern. Granted, arms proliferation in the region has its own history, but recent regional conflicts have aggravated it.

I wish to take this opportunity to emphasize three points related to strengthening international cooperation in fighting illicit cross-border trafficking and movement.

First, border management falls within the sovereignty of Member States. National Governments shoulder the primary responsibility for strengthening their border and customs control and for preventing and fighting all types of illicit cross-border trafficking and movement. We hope that countries, in accordance with relevant United Nations and Security Council resolutions, will fulfil their obligations under relevant international conventions and international law, improve domestic legislation, strengthen interdepartmental coordination and cooperation, increase law enforcement capabilities and take practical steps to strengthen border management.

Secondly, we support international cooperation in fighting illicit cross-border trafficking and movement. Such cooperation should focus on assisting countries in need of capacity-building. In the meantime, countries differ from one another in their border management practices. While providing assistance, the international community should fully respect the national circumstances, desires and choices of countries receiving aid, adhere to the principles and purposes of the United Nations Charter, and respect the sovereignty and territorial integrity of Member States.

Thirdly, it is essential to bring into full play the advantages of the various United Nations agencies so as to create synergy. In assisting Member States to

strengthen their border management capacities, it is advisable to fully take advantage of existing United Nations agencies, including, for instance, by formulating best practices. The various United Nations agencies should, in accordance with their respective terms of reference and specialties, properly allocate tasks and strengthen their coordination. The Security Council has the primary responsibility for maintaining international peace and security. It should therefore focus its attention on illicit cross-border trafficking and movement that threaten international peace and security, and avoid duplication of labour and disrupting the functions of other United Nations bodies.

Mr. Wittig (Germany): We welcome the initiative of the United States to streamline United Nations action on illicit trafficking and movement of persons and goods in areas where there is overlap, and we thank the Secretary-General for his briefing. We agree that there is a need to discuss efficient structures for assisting States in dealing with widespread illicit cross-border trafficking and movement of goods, funds and individuals, which can pose or exacerbate threats to peace and security. In that regard, we would like to stress that the Council has already repeatedly addressed threats to international peace and security posed by cross-cutting issues such as drug trafficking, organized crime and human trafficking.

In our view, it is important to bear in mind that open borders in themselves should not be seen as threats. Interconnectedness and the free legal movement of goods and people are things to aspire to, not to condemn. However, they need to be balanced with effectively fighting some very real threats posed by illicit transfers, which can be exacerbated by poorly managed borders. We would therefore commend an assessment of United Nations capacities as an essential step towards identifying possible fields of overlap and room for improvement. We believe that the Secretary-General would be well placed to undertake such a task.

I would like to make a few brief observations. First, we should bear in mind that there is a limit to streamlining. Nuclear materials, weapons, dual-use goods, drugs and people crossing borders each require different approaches and means of cooperation. We would also like to stress that streamlining should not lead to decreasing the efficient implementation of sanctions in any way. On the contrary, we see further improvement in the implementation of sanctions as an essential contribution to securing borders.

Secondly, illicit trafficking and movement of goods, funds and individuals do not necessarily constitute a threat to international peace and security. In many cases they are adequately dealt with by national law enforcement authorities. However, illicit trafficking and movement can have an impact on national and international security when issues such as terrorism or arms proliferation are at stake. Organized crime, drug traffickers and traffickers in human beings obviously also benefit from inadequately managed borders. The United Nations Convention against Transnational Organized Crime therefore rightly addresses the improvement of border management structures.

Thirdly, when combating illicit trafficking and the movement of goods, funds and individuals, States face a number of challenges resulting from the overall goal of maintaining free global trade, on the one hand, and responding to safety and security needs on the other. For example, long borders require high numbers of personnel and highly developed risk assessments. Border protection needs qualified and well-equipped personnel. It is in the nature of illicit trafficking and movement to seek to overcome existing border-protection mechanisms. Therefore, reliable and sustainable organizations are necessary that, besides many other challenges, are resistant to corruption.

Looking at United Nations efforts to help Member States tackle those challenges, we would like to stress the importance of capacity-building and institution-building. Those elements are key to enabling functioning State institutions to adequately differentiate among the various goods and persons crossing their borders. With regard to capacity-building, I would like to mention that Germany has supported a number of projects, such as providing technical aid in the framework of a customs data project.

Also, in peacekeeping operations, the reconstruction of border control capacities should be given particular attention where appropriate at an early stage. In that regard, it might be worthwhile to explore how United Nations police could assist in enhancing such capacities by providing support for the early reconstruction and capacity-building of border protection entities. In that regard, Germany supports the African Union Border Programme, aimed at the demarcation of borders, cross-border cooperation and capacity development.

Last but not least, national border-management efforts should be embedded in close international cooperation with neighbouring States as well as regional and international organizations. In the case of the Schengen Area in Europe, regarding the movement of persons and goods inside the single European market, there are generally no internal border controls. Border control, monitoring and security are not primarily ensured by each sovereign State member, individually, but through regional cooperation.

The draft presidential statement that the Council will adopt today also rightly stresses the important role of regional organizations and underlines the need for regional strategies and United Nations support for regional cooperation.

Germany has for a long time been committed to a comprehensive approach to curb the illicit trade of small arms and light weapons and to prevent the proliferation of weapons of mass destruction. For several years now, Germany has been a strong supporter of projects of the United Nations Office on Drugs and Crime (UNODC) aimed at capacity-building in the security sector. I would also like to mention our support for the UNODC Global Container Control Programme, aimed at ensuring effective control of container cargo in some West African countries in order to suppress and prevent drug trafficking.

Within the European Union (EU) framework, we contribute to the EU Sahel strategy, which addresses both development and security issues and aims at strengthening regional cooperation.

Mr. Musayev (Azerbaijan): Allow me to begin by thanking the United States presidency for convening this important open debate on threats to international peace and security and securing borders against illicit cross-border trafficking and movement. We also thank the Secretary-General for his briefing.

Azerbaijan joins the position of the Non-Aligned Movement on the issue reflected in the letter and annexes that will be circulated as a document of the Security Council (S/2012/257).

Illicit cross-border trafficking in weapons of mass destruction, their means of delivery and related materials; trafficking in arms, drugs, human beings and conflict minerals; and the cross-border movement of terrorists, organized criminal groups and their funds have an impact on international peace and security and

the potential to undermine the sovereignty and territorial integrity of States, jeopardize domestic and regional stability and economic development and fuel conflicts. While each of those phenomena separately constitutes a broad matter for discussion, and has been extensively dealt with by the United Nations, today we are focusing on the border aspects and on how to better secure our borders against illicit cross-border trafficking and movement.

As a critical pillar of national security, border protection is a matter of national sovereign authority and the responsibility of States. Through better protection of their borders against threats to national security, States prevent the cross-border spillover of illicit trafficking and movement from inside and outside of their territories and thereby contribute to international peace and security.

Illicit cross-border trafficking and movement involves a network of actors in different countries. Such a network often spreads its zone of operation beyond the boundaries of just one region and becomes transnational, linking up local actors with a much broader web of players in other regions who take advantage of malfunctioning border management systems and other factors existing in a country in order to establish and enhance their operations.

At the same time, securing borders against illicit trafficking and movement does not imply toughened border crossing procedures, which may create serious impediments to legal cross-border activities. States must therefore ensure that strong national border control, management and export control systems are in place that will effectively prevent illicit cross-border activities while promoting the free and secure movement of persons, goods, services and investments across borders.

It is also obvious that, in a globalized world, developing and maintaining cooperation among neighbouring States on border-related issues at the political, executive and operational levels is of paramount importance. In fact, such cooperation only adds to the effectiveness of national border-control and management systems. However, cooperation among States will not be possible without due regard for the basic norms and principles of international law, namely, respect for each other's territorial integrity and sovereignty, the inviolability of internationally

recognized borders and the principle of good neighbourly relations.

Weak border control and management systems are among the main factors conducive to the spread of illicit cross-border trafficking and movement. International organizations, including United Nations entities and the World Customs Organization, as well as regional organizations, have initiated various projects and programmes on improving the border control and management capacities of States. While welcoming such initiatives, and in certain instances becoming a beneficiary State, we nevertheless want to emphasize that the relevant projects and programmes must not be based on the one-size-fits-all approach. There are some situations where certain border-related initiatives have been designed with total disregard for the national security concerns and border priorities of a beneficiary State.

Instead, such initiatives must be tailored to address the individual needs of States, upon their request and with their involvement, and take into full account the security situation of a State and its surrounding political geography. It is also absolutely necessary that those organizations exert the maximum effort to avoid duplication with other existing initiatives.

The sensitive geographic location of Azerbaijan makes it vulnerable to transborder threats such as international terrorism; illegal migration; transnational organized crime; arms, drugs and human trafficking and the proliferation of weapons of mass destruction. The existence of those threats requires devoting particular attention to the security of our borders. At the same time, border management and export controls are important components of critical energy infrastructure protection. Azerbaijan is therefore doing its utmost, at the national level and through close cooperation with our neighbours and international partners within our bilateral security programmes, as well as with international organizations, to maintain comprehensive national border control and management, as well as export control systems.

Despite such efforts, Azerbaijan is unable to exercise control over a considerable part of its State border owing to the continued military occupation of its territories. The lack of sovereign control by the legitimate authorities of Azerbaijan over those borders creates favourable conditions for illicit cross-border

trafficking and movement in and beyond those territories.

Azerbaijan looks forward to a report by the Secretary-General on a survey of United Nations assistance to Member States to counter illicit cross-border trafficking and movement. At the same time, any survey and assessment should, in our view, be confined to the activities of United Nations entities and should avoid providing an assessment of the border-related needs and capabilities of individual Member States in an attempt to justify the relevance of certain programmes.

Mr. Briens (France) (*spoke in French*): I thank you, Madam President, for having organized this debate, which provides the Council with the opportunity to examine how the United Nations system can better help States to secure their borders against illicit trafficking and flows. I associate myself with the statement to be made shortly by the head of the European Union delegation.

Illicit cross-border trafficking and flows encompass various phenomena. Some of them certainly constitute direct threats to international peace and security, for example, the trafficking of weapons of mass destruction-related goods and technologies related to. Others can indirectly harm regional and international stability and security. I am thinking, for example, of a phenomenon that we see in a number of crises that the Council has been called on to address. Money stemming from the trafficking of natural resources fuels the illicit trade in weapons, which, in turn, increases regional instability.

When the consequences of such cross-border flows and trafficking threaten international peace and security, the Council has the responsibility to address those issues. The Council has already fully taken into account that growing threat in a number of specific areas, such as the fight against terrorism with resolution 1373 (2001) and the fight against the proliferation of weapons of mass destruction and the prevention of terrorism by means of weapons of mass destruction with resolution 1540 (2004) and subsequent resolutions. That is also a key element in the effectiveness of sanctions decided by the Council.

Moreover, in February 2010, the Council, in adopting presidential statement S/PRST/2012/4, acknowledged the increasing danger posed by cross-border threats. At last, it is increasingly taking note of

the regional dimension, as it did on West Africa and the Sahel in February by noting the threat to international peace and security posed by transnational organized crime (see S/PV.6717).

The approach that we are taking today is to consider the issue of illicit trafficking and flows from the perspective of borders, which are crossing points for such trafficking. Here, it is not a matter of having a theoretical debate on the various phenomena encompassed by the notion of illicit trafficking and flows, but rather of trying to provide concrete responses on the ground.

States have the key responsibility for border control. However, we know that criminal networks often adapt more rapidly than State structures to the opportunities provided by globalization. States sometimes do not have the necessary capacities to effectively monitor their borders and to combat illicit trafficking; hence, the importance of responding through international cooperation and the need for States to have the necessary capacities in order to be able to implement their international obligations with regard to border control. In that regard, efforts to better help those States requesting assistance in that area can be made.

In order to address such illicit flows, many strategies and mechanisms to assist States that need such assistance are already in place. We commend ongoing projects that make it possible to tackle such flows at the regional level. As an example, I would like to cite the Economic Community of West African States Convention on Small Arms and Light Weapons. Strengthening cooperation among States is important; hence, France's initiative in 2011 — in the context of its presidency of the Group of Eight — to address the fight against cross-border cocaine trafficking. Moreover, I would like to recall that, within the European Union, mechanisms exist to combat threats related to smuggling and the trafficking of goods and persons.

As the Secretary-General mentioned, there are many United Nations structures, be they institutions, programmes or bodies of the Security Council, currently cooperating with States to help them to counter such phenomena. The United Nations Office on Drugs and Crime, in particular, plays a key role in such issues, especially within the context of its regional programme for West Africa.

The tasks undertaken by the various United Nations structures often have much in common, such as assessing the position of States and providing technical assistance, and may overlap. Even when they focus on specific areas, they can provide effective external assistance. For example, when a State benefits from a technical assistance programme to counter proliferation and to combat terrorism relating to weapons of mass destruction under the 1540 Committee, or when it strengthens export control mechanisms or its customs system for that purpose, a State more generally further secures its borders, which helps it to further counter other kinds of trafficking. Thus, there are many areas for possible synergies.

International peace and security can only benefit from more efforts to prevent illicit trafficking and flows. There are many international and regional initiatives. It therefore seems particularly timely that the Council is today requesting the United Nations to assess its work on State support in that regard. In our view, such an assessment should be in the form of specific recommendations aimed at increasing consistency and effectiveness, while drawing the greatest benefit from the initiatives of other international and regional organizations that play a role in that area.

Mr. Sangqu (South Africa): At the outset, allow me to thank you, Madam President, for convening this debate on issues related to illicit cross-border trafficking and the movement of goods, funds and individuals. We also thank the Secretary-General for his statement earlier today. We align ourselves with the letter dated 24 April 2012, contained in document S/2012/257, from the Chair of the Coordinating Bureau of the Non-Aligned Movement, addressed to the President of the Council.

South Africa remains deeply concerned about the challenges and threats posed by the illicit cross-border trade in conventional arms, the proliferation of weapons of mass destruction and their means of delivery, transnational organized crime, the movement of terrorists and their funds, drug trafficking, and trafficking in conflict materials, minerals and persons. The illicit cross-border movement of goods, funds and materials has the potential to create regional instability.

We have seen recent instability in West Africa and the Sahel brought about by the challenges posed by weak structural border-management controls and

exacerbated by the crisis in Libya. The region has become awash with illicit weapons and other illicit goods, which has threatened the peace and security of several States in the region, including Mali and Guinea-Bissau. Such illicit trafficking and movements could constitute challenges to international peace and security and go to the very heart of each State's territorial integrity and sovereign responsibility to enact the necessary relevant legislation and related Government regulations and administrative measures and to set up or constantly improve implementation structures and systems. In that context, South Africa wishes to highlight the centrality of the principles of the sovereign equality of States, territorial integrity and non-interference in the internal affairs of Member States.

Those principles are key to addressing the challenges posed by the illicit cross-border trafficking and movement of goods, funds and individuals, as that involves the maintenance of effective national border controls and the effective management by each individual State of its financial architecture.

However, not all States can address those issues without assistance from cooperating partners and the relevant organizations. There are many States that could benefit from assistance and cooperation in building their capacities to address those challenges and threats, and, in doing so, all States are entitled to seek and receive the relevant cooperation and assistance, on voluntary basis, upon their request and subject to whichever bilateral terms or arrangements they may agree to.

South Africa believes that a report containing an assessment of how the United Nations can play a better role in such cooperation and assistance efforts may contribute to the ability of States to deal with those challenges. Such a report submitted by the Secretary-General should take a holistic and integral approach and have a system-wide focus. My delegation believes that such an assessment could help improve the assistance efforts made by the United Nations and play an important role in assisting all States in setting up and implementing effective border controls, export controls and financial management systems and processes that could address those challenges.

South Africa believes, however, that in the implementation of assistance efforts, State sovereignty and the mandates of the relevant organs of the United

Nations should be respected. Based on such an assessment, different organs of the United Nations could take up matters raised in such a report in line with their relevant mandates. In addition, my delegation is of the view that the Security Council, which has primary responsibility for the maintenance of international peace and security, as set out in Article 24 of the Charter, may then take up issues that are relevant and fall within its mandate.

In conclusion, let me say that we are pleased to note that there is wide interest in this debate from the broader membership of the United Nations. This is testimony to the importance attached to this issue by all States Members of the Organization.

South Africa urges the Secretary-General, in preparing the report that is envisaged in the presidential statement that we intend to adopt, to take into account all views expressed by Member States.

Mr. Parham (United Kingdom): I wish to thank you, Madam President, for having initiated this discussion on strengthening the capacity of the United Nations to assist Member States in securing their borders against illicit cross-border trafficking and movement. I should also like to thank the Secretary-General for his briefing, which set out what the United Nations system is doing to address these issues and the challenges which it faces.

In this age of globalization, it is increasingly important to ensure that borders are managed effectively. The threats all of us face from the illicit movement of goods and people are real and are felt on both a national and a global scale. The benefits of an interconnected world and developments in technology are many, but they are also available to those who seek to cause harm. The international community needs to work collectively to identify and tackle those threats in a coordinated way. At the same time, it needs to ensure that through effective border management and the facilitation of legitimate flows of people and trade, the global economy is given space and encouragement to grow and develop. I believe that it is possible to balance both of those goals.

Control over borders is one of the attributes of sovereignty, and it is obviously a matter for individual States to decide how best to defend their own. But there are many parallels between different systems, and we can learn from one another. Maintaining a secure border involves detection, interruption, disruption and

prevention as far upstream in the process as possible. It is about making sure that the right people are in the right place at the right time, with the right information.

Living on a proud collection of islands at the north-western edge of Europe, we have long recognized that our borders cannot effectively be secured in isolation. As well as a strong visa regime, robust information technology systems and a professional border force, the United Kingdom's border controls rely heavily on collaborative working partnerships to target illicit flows — partnerships which we have developed with other countries, the European Union, the United Nations and other organizations. The United Kingdom is looking to build on those partnerships, using an intelligence-led, multidisciplinary approach to identify and target key threats and to increase our sharing of best practices.

It is clear that the work of the Security Council in the maintenance of international peace and security often includes the need to take measures to address illicit flows across borders. These can involve the array of restrictive measures put in place in specific country regimes, for example, arms embargoes and targeted asset freezes. But they also include more wide-ranging thematic measures aimed at addressing global threats from terrorism or weapons of mass destruction.

The Council also needs to look at evolving threats and challenges such as the narcotics trade, people trafficking and transnational organized crime, as it has done in relevant situations in the past.

In ensuring the implementation of any sanctions measures it has imposed, the Council has created mechanisms to facilitate and assist. These range from standing bodies such as the Counter-Terrorism Committee Executive Directorate to the country-specific panels or groups of experts that assist sanctions committees in their work.

Madam President, looking at the concept note (S/2012/195) that you circulated for this debate, it is clear that there is a host of other United Nations entities and agencies that are active in this field. Better coordination of all United Nations bodies involved in the fight against illicit flows, working in partnership with the European Union and other partner organizations, can only bring benefits.

A lot of good work is going on, but there is also room for review and constructive assessment.

Dissatisfaction is normally a concomitant of ambition, so it is right that the Council will, in the presidential statement that we will adopt shortly, set out the need for an ambitious report which surveys the United Nations system and thereby provides the Council with assessments on the basis of which we can consider further steps to improve United Nations assistance to Member States in this area.

Mr. Tarar (Pakistan): At the outset, we would like to associate ourselves with the letter (S/2012/257) sent to the Security Council by the Permanent Representative of Egypt on behalf of the Member States of the Non-Aligned Movement regarding the theme of this open debate. We also thank the Secretary-General for his briefing.

The United Nations Charter creates a clear division of work among its various organs. The allocation of certain powers to the Security Council was duly contextualized in both substance and scope. Accordingly, while all Member States agree to implement Article 25 of the Charter, it is with the clear understanding that the functions and powers of the Security Council are confined strictly to Article 24 of the Charter.

Accordingly, we believe that the Security Council, which acts on behalf of Member States, must fully observe all Charter provisions, as well as all General Assembly resolutions, which clarify its relationship with the General Assembly and other principal organs. Similarly, no action by the Security Council should undermine the United Nations Charter or the relevant multilateral instruments or international organizations established in this regard, or the role of the General Assembly.

Securing borders falls within the sovereign purview of Member States. This core function of State sovereignty cannot be arrogated by any external or international institution. Only a sovereign State itself can decide how to protect its borders, fortify their security and ensure that the movement of goods and people across its borders does not pose a threat to it or to other States.

The issue of border security should become a concern of the Security Council only in those specific situations which pose a threat to international peace and security. Conceptually, it is almost impossible to lump all kinds of cross-border trafficking and movement under the rubric of some single term or

concept. The mutual cooperation of States in the fight against illicit cross-border trafficking and movement can be achieved only through a coherent and coordinated approach that respects relevant mandates and accepts the basic principles of sovereign equality, territorial integrity and non-interference in the internal affairs of States.

Pakistan acknowledges the well-meaning efforts of the United States to bring to the fore an important aspect of United Nations mechanisms' existing capacities to assist the efforts of Member States in addressing illicit cross-border trafficking and movement. Like many of our Security Council colleagues, we believe that an overall assessment of the United Nations capacities, including possible overlaps and needed overhauling, must be addressed by the General Assembly and relevant United Nations bodies that deal with the corresponding cross-cutting issues in a holistic fashion. We stand ready to cooperate and address this issue in its broader framework within the General Assembly setting. Within the Security Council framework, this exercise has to be restricted to those issues and threats that are addressed by the Security Council, in accordance with its mandate.

We therefore look forward to a report of the Secretary-General that would provide a comprehensive assessment of the United Nations relevant work to help Member States counter illicit cross-border trafficking and movement that have been addressed by the Security Council as threats and challenges to international peace and security in specific contexts and situations. It is our considered view that, in order to have a well-rounded assessment, the views of Member States on this subject would provide needed clarity and practical solutions. Similarly, the report must follow the logic of the treaty obligations of Member States under various instruments and should not try to influence the organizational aspect of various venues of discussion on border security.

Pakistan has taken strenuous and substantive steps to ensure that a comprehensive border control regime is in place that is in accordance with Pakistan's international obligations. We are also committed to working together with the international community to address the comprehensive issues involving illegal cross-border trafficking and movement, with a view to effectively constraining the spread of transnational threats. In this regard, the importance of addressing the root causes of such illegal cross-border trafficking and

movement, including the factors affecting supply and demand, cannot be overemphasized.

The President: I will now make a statement in my capacity as the representative of the United States of America.

I would like to begin by thanking the Secretary-General for his important statement and for his participation in today's open event. I wish to thank Council colleagues as well for their thoughtful contributions to today's event and the preparations for it.

In our interconnected world, our system of collective security is only as strong as the weakest links in the chain. One of those weak links today is the poorly secured borders that are exploited for the illicit transfer of arms and drugs; of materiel for nuclear, chemical and biological weapons; of terrorists and their funds; of conflict minerals; and even of human beings, a modern-day form of slavery. Such illicit transfers across borders increasingly undermine the sovereignty and internal stability of Member States and can threaten international peace and security. The dangers posed by these transfers are not limited to fragile or particularly vulnerable States. They affect us all.

The Security Council has often addressed these transfers individually, in specific regional contexts. For example, we have examined how illicit arms transfers have exacerbated instability in the Sahel and fuelled long-standing conflict in Somalia and in the Democratic Republic of Congo. We have seen how arms smuggling from Iran, in violation of United Nations sanctions, exacerbates conflict in the Middle East and supports terrorist groups worldwide. We have also discussed how drug trafficking has directly contributed to internal disorder in Guinea-Bissau. These are just a few examples.

The Security Council has been involved in the question of illicit trafficking and movement for a long time, but we have tended to look at each trafficked item in isolation from the common feature they share — the vulnerabilities at poorly secured borders that are too easily exploited by nefarious networks.

States already understand very well how important it is to control their borders and often ask for international assistance in doing so. States recognize their self-interest in protecting their territory and people from these interrelated phenomena that threaten

their sovereignty, corrode governing institutions and undermine internal security. States also have international obligations, including those derived from Chapter VII of the United Nations Charter and including United Nations sanctions, that require them to intercept or control contraband.

There are already significant bilateral, multilateral and regional efforts under way to help States defend their borders, and these efforts should be supported and encouraged. Today, however, we focus on the United Nations operational capacity. We believe that the United Nations system could improve its help to States to secure their borders and to put in place related intelligence and law enforcement cooperation, customs standards and administrative and legal frameworks. That is why we have convened this debate today.

Many elements of the United Nations system, as well as national, regional and other multilateral organizations, are already doing excellent work to assist States in protecting their borders and in implementing their relevant international obligations. In response to requests from Member States, organizations as diverse as INTERPOL, the United Nations Office on Drugs and Crime, the World Customs Organization, United Nations peacekeeping missions and the International Atomic Energy Agency provide such assistance.

Also engaged in this work are a number of bodies created by the Security Council, such as the Committee established pursuant to resolution 1540 (2004), the Counter-Terrorism Executive Directorate and our sanctions committees and their expert panels. The United States fully supports all these efforts. We are also committed to helping fund efforts by the United Nations Counterterrorism Implementation Task Force Working Group on Border Management to enhance international, regional and national policy and practice relating to border management in the context of countering terrorism.

These bodies are all doing important work, but because they are so narrowly focused on specific threats, they may be unaware of overlapping efforts or miss opportunities to pool knowledge and expertise. After all, these different bodies are often evaluating the same State institutions and legislative frameworks, providing similar technical advice and appealing to the same pool of donors for assistance. Put simply, they are

all working on different aspects of the same problem — how to help States that want it and need it to better secure and control the flow of illicit goods across their borders. Surely there is scope to streamline and strengthen the United Nations capacity to help States secure their borders, while realizing efficiencies in the process.

The Security Council can make an important contribution to this effort, but it is vital that the General Assembly, the Economic and Social Council and others be fully engaged as well. This complex, cross-cutting challenge cannot be tackled effectively by any single body alone. Many United Nations actors play a role in these capacity-building efforts, and it is logical that they work better together as one United Nations system to assist Member States. We therefore welcome the Security Council's request to the Secretary-General to provide a diagnostic assessment of these efforts. The Security Council needs a birds-eye view of them across the United Nations system. The United States hopes that the Secretary-General's report will also offer any proposals, as appropriate, for improvements.

By helping Member States to secure their borders, the Council can respond to and, we hope, help prevent these evolving threats to international peace and security. With this goal in mind, we look forward to revisiting this issue in six months and to taking effective action.

I now resume my functions as President of the Security Council.

After consultations among Council members, I have been authorized to make the following statement on their behalf:

“The Security Council reaffirms its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations.

“The Security Council acknowledges the evolving challenges and threats to international peace and security, including armed conflicts, terrorism, proliferation of weapons of mass destruction and small arms and light weapons, transnational organized crime, piracy, drugs and human trafficking. The Council has addressed, when appropriate, related to these challenges and threats, illicit cross-border trafficking in arms,

drug trafficking, trafficking by non-State actors in nuclear, chemical and biological weapons, their means of delivery and related materials, trafficking in conflict minerals and the movement of terrorists and their funds in violation of United Nations sanctions regimes imposed by the Security Council in accordance with Chapter VII of the United Nations Charter and other decisions taken under Chapter VII, in particular resolutions 1373 (2001) and 1540 (2004) as well as its other relevant decisions (hereinafter — illicit cross-border trafficking and movement). The Council is concerned that such illicit cross-border trafficking and movement contributes to these challenges and threats. The Council recognizes that such illicit cross-border trafficking and movement often involves cross-cutting issues, many of which are considered by the General Assembly and other United Nations organs and bodies.

“The Council notes relevant international conventions such as the Single Convention on Narcotic Drugs of 1954 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime of 2000 and the Protocols thereto, the United Nations Convention against Corruption of 2003 and the relevant international conventions and protocols related to terrorism. The Security Council recalls the United Nations Programme of Action on Small Arms and Light Weapons as well as the international tracing instrument and the United Nations Global Plan of Action to Combat Trafficking in Persons.

“The Security Council reaffirms the benefits of transborder communication, international exchange and international migration. The Security Council notes, however, that the various challenges and threats to international peace and security posed by illicit cross-border trafficking and movement have increased as the world has become more interconnected. The Security Council notes that, in a globalized society, organized criminal groups and networks, better equipped with new information and communication technologies, are becoming more diversified and connected in their illicit

operations, which in some cases may aggravate threats to international security.

“The Security Council reaffirms that securing their borders is the sovereign prerogative of Member States and, in this context, reaffirms its commitment to the purposes and principles of the United Nations Charter, including the principles of sovereign equality and territorial integrity. The Security Council calls on all Member States to improve border management to effectively constrain the spread of transnational threats. The Security Council reaffirms that Member States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, and shall also give the United Nations every assistance in any action it takes in accordance with the United Nations Charter, and shall refrain from giving assistance to any State against which the United Nations is taking preventive or enforcement action.

“The Security Council acknowledges that distinct strategies are required to address threats posed by illicit cross-border trafficking and movement. Nevertheless, the Council observes that illicit cross-border trafficking and movement are often facilitated by organized criminal groups and networks. The Council further notes that such illicit cross-border trafficking and movement, which in some cases exploits similar vulnerabilities experienced by Member States in securing their borders, can be addressed by improving Member States’ abilities to secure their borders. The Security Council further acknowledges the importance of adopting a comprehensive and balanced approach, as necessary, to tackle the conditions conducive to facilitating illicit cross-border trafficking and movement, including demand and supply factors, and underlines the importance of international cooperation in this regard.

“The Security Council calls on Member States to fully comply with relevant obligations under applicable international law, including human rights and international refugee and humanitarian law, relating to securing their borders against illicit cross-border trafficking and movement, including obligations stemming from relevant resolutions of the Security Council

adopted under Chapter VII of the United Nations Charter. The Security Council calls on all Member States to fully respect and implement all of their relevant international obligations in this regard.

“The Security Council encourages Member States and relevant organizations to enhance cooperation and strategies, as appropriate, to combat such illicit cross-border trafficking and movement.

“The Security Council encourages Member States, as well as international organizations and relevant regional and subregional organizations, within existing mandates, as appropriate, to enhance efforts to assist Member States to build the capacity to secure their borders against illicit cross-border trafficking and movement, upon request and by mutual agreement, in accordance with international law. The Security Council commends the substantial efforts already under way in this field.

“The Security Council observes that several United Nations entities, including subsidiary organs of the Security Council, already offer such assistance. The Security Council acknowledges the importance of coherent, system-wide United Nations action in order to offer coordinated responses to transnational threats, including through the use of best practices and exchange of positive experiences from relevant initiatives elsewhere, such as the Paris Pact initiative.

“The Security Council invites the Secretary-General to submit in six months a report providing a comprehensive survey and assessment of the United Nations relevant work to help Member States counter illicit cross-border trafficking and movement, as defined in the second paragraph above.”

This statement will be issued as a document of the Security Council under the symbol S/PRST/2012/16.

I wish to remind all speakers to limit their statements to no more than four minutes, in order to enable the Council to carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate their text in writing and to deliver a condensed version when speaking in the Chamber.

I now give the floor to the representative of Israel.

Mr. Prozor (Israel): Let me begin by thanking you, Madam President, for your able stewardship of the Security Council this month and for holding this very important debate.

For the people of Israel, this is not an abstract discussion. Day after day, trafficked arms explode in our cities. Day after day, our citizens live with the threat of growing terrorist networks and the States that support them.

It was just over a year ago that a ship named *MV Victoria* set sail on the Mediterranean from the port of Latakia in Syria. From the outside, it looked like an ordinary cargo vessel, but the *MV Victoria* was being used for a mission very different from any job given to the post office or Federal Express. Among a cargo of lentils and cotton, three containers were concealed in the *MV Victoria*'s hull. They held 40 tons of Iranian weaponry — not just guns and TNT, but sophisticated missiles and other weapons normally held only by modern militaries. Intelligence showed that Iran intended to transfer those weapons to terrorists in Gaza.

Fortunately, Israeli forces intercepted the *MV Victoria* before its cargo could reach its intended destination. Yet the weapon containers on the *MV Victoria* held an important reminder for the Security Council. Iran and its ally the Al-Assad regime have absolutely zero regard for the basic norms and laws of the international community. They systematically violate resolution 1860 (2009), and many others, transferring sophisticated weapons to terrorists in Gaza, Lebanon and well beyond. The consequences of their illegal smuggling activity can be measured in the blood of many innocent civilians and the spread of instability throughout our region. Each Iranian rocket is armed with a warhead that could cause a political earthquake well beyond Israel's borders.

In his report to the Council last October (S/2011/648), the Secretary-General noted that Hizbullah — a terrorist organization inside the Lebanese State — had reached almost the capacities of a regular army. Hizbullah carries Iranian arms, is trained by Iranian forces, is funded by Iranian petrodollars and acts as a proxy force for the Iranian regime from the hills of South Lebanon to the streets of Bangkok. It is the time for the Council to hold

accountable those United Nations Member States that arm, train and fund terrorists. The international community's failure to act today will only initiate a bigger nightmare tomorrow.

The issue of illicit trafficking and the infrastructure that supports it is not merely an Israeli or Middle Eastern or African problem. It is a global problem. Illicit smuggling is made possible by an increasingly connected network of smuggling rings, transnational criminals and terrorists. Such groups are working together around the world as never before. Terrorists understand that if you can smuggle narcotics into a European capital, you can do the same with an anti-aircraft missile. They understand that lawless environments are fertile ground for radicalization, and they recognize that selling drugs can pay for bombs.

Hizbullah's activities offer a disturbing example of this trend. That terrorist organization has established itself as a major player in the global narcotics market, operating a network that extends from West Africa to the Middle East to Latin America. It uses that global network to fund its terrorist activities and provide the logistical support needed to carry them out. The Hizbullah network shows how a gap in one nation's counter-terrorism capabilities is a weak link that can be exploited with potentially devastating consequences for the rest of the world. It is clear that instability in one country can mean catastrophe in another.

Israel continues to share its unique expertise with others in the global fight against these networks. We are closely engaged in counter-terrorism capacity-building initiatives with a number of States and regional organizations in Africa, South America and Asia. Those collaborative efforts cover a wide range of issues, from terrorist financing to aviation security, and from money-laundering to border protection.

Among all the issues related to illicit trafficking, there is no greater threat than the spread of weapons of mass destruction (WMDs). I have already described Iran's behaviour without nuclear weapons. We can only imagine how that regime would behave with them, and who they would share them with. The proliferation of WMDs is also great cause for concern in Syria, where instability threatens to give terrorist groups like Hizbullah the keys to the Al-Assad regime's stockpile of weapons. That includes long-range missiles, as well as biological and chemical weapons. As the regime of our region's most dangerous ophthalmologist stands on

the brink of collapse, the international community must keep a very close eye on his collection of very dangerous weapons.

While the *Victoria* remains held in port, other smuggling ships are streaming across the high seas with cargoes full of rockets and explosives. One of those rockets could spark the next major conflict. One of those weapons could be used in the next mass casualty terror attack. One of those bombs could be a nuclear bomb. We cannot allow those who want the *Victoria* to succeed to be victorious. Preventing such weapons from reaching their destination is our collective obligation. Terrorists and their backers depend on divisions in the international community to keep their operations afloat. No nation is free from responsibility, and no nation can escape the consequences of inaction.

The President: I now give the floor to the representative of Brazil.

Mrs. Viotti (Brazil): I thank the United States for having organized this open debate. I also express our appreciation to the Secretary-General for his briefing.

The wide range of problems related to illicit cross-border trafficking and movement has a grave impact on people throughout the world, in developing and developed countries alike. Their consequences are widespread and cross-cutting, affecting human rights, public security and sustainable development. It is not clear, however, that the most appropriate and effective way of addressing all the different manifestations of illicit cross-border activities is by putting them into the same category, as they may have different root causes and implications for peace and security, and thus may require different remedies.

We would argue, therefore, that the diverse problems related to cross-border flows require a case-by-case approach, taking due account of the specific nature of each situation. We may well find that not every incidence of illicit cross-border trafficking poses a threat to international peace and security. It follows that not every kind of trafficking is best dealt with within the Council's purview. Human trafficking, in particular, does not seem to belong there. The same may apply to other forms, such as drug trafficking, which may or may not pose such a threat.

In those cases where trafficking does constitute a threat to peace and security, the Council may have a

role to play, in accordance with the Charter. Even then, it must take into account the specific characteristics of each situation and the need to cooperate with other relevant bodies. More often than not, the Council's role should be to focus on encouraging greater coordination of existing initiatives on the ground, as well as on strengthening the capacity of national authorities so that they may better fulfil their responsibilities.

International efforts to curb trafficking depend greatly on enhancing domestic capacities to fight the problem. Coordinating action within the United Nations family is especially important for finding the best ways to help States tackle these challenges. The multiplicity of cooperation tools available should allow assistance to be effectively tailored to the problems faced by each country. Regional and South-South cooperation are also important in helping States improve border protection, as they allow for an exchange of information among countries with similar experiences.

Sustained attention to underlying causes is also critical to addressing illicit cross-border trafficking. Such causes often include weak State institutions, lack of development and social and economic exclusion. The latter is usually a key factor in creating conditions conducive to illicit border trafficking and movement. Reducing poverty and generating opportunity, especially for young people, must therefore be part of any strategy against trafficking.

On the normative side, we must ensure that each form of illicit trafficking is addressed in the context of its own specificity. In the area of cooperation, we must strengthen the capacity, coherence and coordination of the United Nations system to assist States according to their specific needs. By combining efforts on those two fronts, the international community can address current challenges more effectively and prevent them from becoming actual threats to international peace and security.

The President: I now give the floor to His Excellency Mr. Thomas Mayr-Harting, Head of the delegation of the European Union to the United Nations.

Mr. Mayr-Harting: I am speaking on behalf of the European Union (EU) and its member States. The acceding country Croatia; the candidate countries the former Yugoslav Republic of Macedonia, Montenegro, Iceland and Serbia; the country of the Stabilisation and

Association Process and potential candidate Bosnia and Herzegovina; as well as Ukraine, the Republic of Moldova, Armenia and Georgia, align themselves with this statement.

We welcome the initiative of the United States to discuss strengthening the capacity of the United Nations to assist Member States in securing their borders against the illicit trafficking and movement of materials, funds and goods, as well as human beings. We should all aim for better coordination of all the United Nations bodies that contribute to the fight against such illicit cross-border trafficking and movements.

As we all know, in the context of globalization borders cannot now be perceived as barriers. The fluidity of circulation of goods, funds and people is of great importance to trade, economic prosperity and human development. Facilitating that, without reducing security, is therefore important for all trade, financial and cultural flows. At the same time, international terrorism and organized crime have increasingly exploited globalization and technological progress to facilitate the development of illicit trafficking and movements, generating illegitimate gains and seriously undermining through corruption and violence the stability and development of States and regions, creating the vicious cycle of an environment conducive to such illicit activities.

For the European Union and its member States, border management is a priority area of action to address and prevent such threats and challenges. Integrated border management, linking migration management tools as well as control of the movement of goods and funds, underpinned by an intelligence-led and multidisciplinary approach, is part of the European Union's comprehensive panoply of weapons in the fight against ever more sophisticated and often interconnected forms and groups of international organized crime and terrorist groups and activities.

The European Union is addressing the threats related to the smuggling and trafficking of goods and persons at borders by applying the Global Approach to Migration and Mobility. The role of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union has recently been strengthened to allow it, for example, to share personal information with the European Police Office (Europol)

and other European agencies on those suspected of cross-border crimes and to cooperate more closely with the suspects' countries of origin and transit.

All those efforts are supported by relevant legislation and coherent policies, in particular in the area of the control of illicit movement of goods, funds and persons, transport security, maritime surveillance and international cooperation. EU structures such as Europol, Eurojust, the European Arrest Warrant, the joint investigation teams and police and customs cooperation provide us with efficient mechanisms to better tackle terrorism and organized crime.

Support for relevant United Nations international legal instruments and United Nations programmes of technical assistance, as provided by the United Nations Office on Drugs and Crime, for example, should help to further augment international cooperation aimed at addressing such global threats and challenges.

The fight against illicit cross-border trafficking and movements requires international cooperation, the sharing of best practices and standards and the exchange of information and intelligence in order to develop a comprehensive picture of threats and to facilitate a coordinated approach. Ensuring the proper implementation of sanctions regimes, for which effective border management is also relevant, is important.

Integrated border management is only one element, but a key one, in the global effort to ensure greater effectiveness on the part of the international community in fighting illicit cross-border trafficking and movement. Where efficient tools already developed by organizations such as Interpol, the World Customs Organization, the International Maritime Organization and EU agencies are in place, they should be systematically used instead of being applied as ad hoc solutions, which may negatively impact long-term sustainability and ownership of United Nations assistance. Numerous United Nations agencies are directly or indirectly involved in those domains, with different scopes and mandates, and their enhanced coordination is foreseen.

We wish to assure the Council of our appreciation of the importance of today's topic. The European Union and its member States provide political, technical and financial assistance to United Nations agencies and other partners in numerous regions of the world. We would therefore welcome and stand ready to

assist the proposed diagnostic assessment by the Secretariat in order to focus our efforts in the most effective way possible.

The President: I now give the floor to the representative of Australia.

Ms. King (Australia): I would like to thank you, Mr. President, for convening this debate. It is clear from our discussion today that many are concerned about the profound and pervasive impact that illicit trafficking can have on security. It is ironic that the very factors that should underpin peace, security and development — namely, the free movement of goods, services, people and finances — are being exploited by transnational criminal networks, proliferators and terrorists to undermine international peace, security and development.

Illicit trafficking takes many forms that are often viewed as separate phenomena. In truth, those criminal activities can often feed off and reinforce each other. Illicit trafficking thrives on and perpetuates organized crime, corruption, weak governance, poverty, unemployment and regional instability. I will focus my comments today on four areas that we believe must be part of the solution. First is the role of regions and regional organizations. Prosperity and security, including border security, begin with regional partnerships.

In our region, the Asia-Pacific region, it is regional initiatives and institutions that have forged consensus on the application of global standards and norms. Australia has prioritized the establishment of such institutions as the Asia/Pacific Group on Money Laundering and the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, which we co-chair with Indonesia, because they have a real impact on the ground.

But what has characterized the Asia-Pacific response is the dynamism of its established regional organizations, which have adapted their mandates to tackle the threat to regional and economic security posed by illicit trafficking. The Association of Southeast Asian Nations Regional Forum, for example, has established work plans for both transnational crime and terrorism. In the Asia-Pacific region, an effective United Nations Office on Drugs and Crime (UNODC) will continue to play a vital role in addressing transnational threats. Australia, together with New Zealand, is funding the first regional transnational

organized crime threat assessment for East Asia and the Pacific, to complement and build on the global assessment by UNODC in 2010.

Australia wants to contribute to regional solutions in other parts of the world too. We have been working with the African Union on a series of transnational crime guides to respond to the acute challenges in the Sahel and Maghreb. We are working with the Counter-Terrorism Committee Executive Directorate (CTED) to enhance border control capabilities. This week, we are conducting a workshop with the East African Community to enhance efforts on anti-money laundering and terrorist financing. We support a growing role for the United Nations in responding to regional needs, bolstering the capacities of regional and subregional organizations to develop regional solutions and mobilizing international support for those solutions.

The second important area is capacity-building. The United Nations has a role to play in identifying capacity gaps and coordinating the delivery of technical assistance to build the capacity of border protection and law enforcement agencies. We strongly support the Security Council's model set by the adoption of resolutions 1373 (2001) and 1540 (2004), which separately established norms prohibiting illicit trafficking and, importantly, created frameworks for technical assistance to implement those norms.

Similarly, while the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects is essentially a political agreement, we see it foremost as a platform for technical assistance. Based on that view, we provide bilateral and regional assistance to countries in the Pacific, Africa and Caribbean to strengthen controls against movements of illicit small arms.

Likewise, a strong and robust arms trade treaty (ATT), which includes small arms and ammunition, must provide capacity-building mechanisms. We will strongly support such provisions at the ATT conference in July.

The United Nations should continue to facilitate assistance through mechanisms that are simple and coordinated. Improving access to capacity-building should be a key aim of the Secretary-General's assessment on the work of the United Nations to counter illicit trafficking.

For us to be effective in tackling illicit trafficking, we need to focus on prevention, based on sound analysis. Resolution 1540 (2004) was groundbreaking. Controversial at the time of its adoption, the resolution has actually been very effective in preventing proliferation and building capacity. We need to think strategically about other preventive measures.

We also need to incorporate measures to address illicit trafficking into United Nations political missions and peacebuilding activities. UNODC and CTED expertise should be drawn on to support mission planning and analytical work for the Security Council, where relevant.

Finally, the United Nations and Member States need to consider illicit trafficking and border protection in the context of broader rule of law and development objectives. Efforts to secure borders will not on their own stem illicit trafficking, and must be pursued hand in hand with strategies to tackle demand, programmes to build institutions and strengthen governance, and efforts to address the underlying socio-economic factors such as poverty and unemployment.

It is vital that the United Nations ensure that its disparate programmes are integrated, efficient and consistent in norm setting. The establishment of the United Nations System Task Force on Transnational Organized Crime and Drug Trafficking is a step in the right direction. We welcome the Council's presidential statement (S/PRST/2012/16) and look forward to the report of the Secretary-General.

The President: I now give the floor to the representative of Indonesia.

Mr. Percaya (Indonesia): I would like to thank you, Mr. President, for convening today's open debate. Allow me also to express my appreciation to the Secretary-General for his statement on the important issue before us.

Indonesia subscribes to the letter (S/2012/257) submitted by the delegation of Egypt on behalf of the Non-Aligned Movement on today's open Security Council debate. In that context, Indonesia is of the view that close cooperation and coordination among all principal organs of the United Nations is essential to effectively addressing existing, new and emerging threats and challenges.

Indonesia supports the United Nations efforts within existing mandates and together with other international stakeholders to assist countries, particularly countries that lack capacities and resources, to improve the border security in those countries upon request. Securing borders is the responsibility of the relevant national authorities, but this responsibility is fulfilled effectively when there are adequate capacities and necessary instruments available to Governments.

It is important to also stress that the strengthening of capacities against illicit flows needs to be considered in a comprehensive manner in which there is sustained support for achieving overall political, economic and social betterment. A prospering and aware society with robust and accountable governance structures will be in a better position to implement strong controls over its territorial borders and take full responsibility for the issues concerned.

Transnational illicit flows of materials, goods and people are age-old phenomena, but globalization and technological improvements have enabled issues as terrorism, weapons of mass destruction and organized crime to manifest themselves as serious global challenges. Indeed, illicit flows and State legitimacy and security are closely linked.

Non-State actors, such as transnational crime groups, terrorist networks and insurgents, exploit gaps in border security. They tend to thrive in conditions of conflict, poverty, and political instability, undermining the State's legitimacy and security. On the other hand, the weakening of a State's writ and its security apparatus presents opportunities to those non-State actors to enhance their nefarious activities. The international community, in accordance with international law, should help countries in need to strengthen their national systems, and they must undertake vigilant border management.

Indonesia fully recognizes the importance of securing borders against the illegal cross-border movement of people, including terrorists and criminals; as well as goods, including small arms and light weapons, ammunition, explosives, chemical, biological, radiological and nuclear material; and other illicit materials, such as drugs. In this regard, Indonesia, through a variety of measures, including surveillance, patrols, physical barriers, joint control operations, information exchange, intelligence and

engagement with border communities on control and policing, is carrying out border management.

Indonesia has adopted numerous laws and regulations to prevent and detect the movement of illicit materials and related crimes. A new law on immigration was enacted in May 2011. We expanded our border control management system and strengthened a web-based enhanced system that includes biometrics capture at 27 of our air and sea ports. We pursue the prevention of illegal cross-border movements of people and goods also through international instruments. In 2009, Indonesia ratified the United Nations Convention against Transnational Organized Crime, along with its two Protocols to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and against the Smuggling of Migrants by Land, Sea and Air. We are also very satisfied with our cooperation with Australia through the mechanism of the Bali Process.

Indonesia is also taking measures to prevent the illicit traffic in drugs and psychotropic substances and their precursors. We established a multi-stakeholder national narcotics body in 2009 and have ratified all three anti-drug conventions under the United Nations Office on Drugs and Crime.

Terrorist movement across borders is indeed a serious matter that should be addressed. Weak State border management will be a source of exploitation by terrorist networks. Indonesia realizes that cooperation at the international level is needed if States are to overcome such exploitation. To that extent, Indonesia continues to strengthen its cooperation on countering terrorism at every level — bilateral, regional and multilateral. In the multilateral forums, Indonesia has always played an active and important role through the United Nations system and related mechanisms. Indonesia is also proud to have ratified seven international instruments related to the prevention of terrorism, as a gesture of seriousness and commitment to combating terrorism.

At the regional level, we are deeply engaged in combating terrorism with other countries of the Association of Southeast Asian Nations (ASEAN), and ratified, among others, the ASEAN Treaty on Mutual Legal Assistance in Criminal Matters in 2008, which streamlines legal cooperation on countering terrorism and its financing.

In closing, I would like to reiterate that, in order to develop appropriate border security, a combination of wide range of measures is needed. But the most effective approach is one that is undertaken on the basis of cooperation among the neighbouring countries. Consistent cooperation and coordination among neighbours reinforce individual national control systems and help establish an environment conducive to taking effective action on each side of the border.

The President: I give the floor to the representative of Argentina.

Mr. Estreme (Argentina) (*spoke in Spanish*): My delegation welcomes the opportunity to address the Security Council. We also wish to thank the delegation of the United States for having convened this most timely and important debate on the threats posed to international peace and security by illicit flows across unsecured borders. The statement on this topic made by the Secretary-General early in this debate was highly relevant.

In several decisions, the Council has urged States to take measures and to cooperate in defending their borders against trafficking in drugs, weapons, persons, the movements of terrorists and their financial assets, and other threats to State sovereignty. Since these threats are often interlinked, a holistic approach would seem to be the most appropriate to developing adequate responses at the national, regional and international levels. Such a holistic approach should not and cannot ignore the unique features of certain threats. Moreover, these threats do not always go hand in hand. For example, while terrorism is often financed by other criminal activities, in other crimes terrorism is not necessarily part of the equation.

It is necessary to acknowledge that border control is the primary responsibility of each State through the coordinated action of the various agencies with jurisdiction in the matter. Nevertheless, Argentina believes that it is critical to continue strengthening the cooperation mechanisms among neighbouring countries so that control can be ensured through the adoption of legislation and the building of national capacities to identify possible solutions to the challenges regarding borders.

At the national level, in late 2010 the Ministry of Security was created in my country with the objective of strengthening security and prevention mechanisms, with specific and exclusive jurisdiction in the

prevention and fight against terrorism and transnational organized crime.

At the regional level, Argentina cooperates closely with members of the Southern Cone Common Market (MERCOSUR) and associate member States through the harmonization of national legislation on the control of firearms, ammunition and explosives and policy coordination in the field. It also cooperates with the other countries of the region in strengthening their national capacities to enable full implementation of resolution 1540 (2004). Cooperation is also carried out with the security forces of neighbouring countries, instrumentalized through bilateral cooperation agreements between gendarmeries and coast guards, and the development of integrated information systems such as that being developed with Brazil on trafficking in persons, to be implemented in 2012.

In our common border region, a joint command made up of police and security forces from Argentina, Brazil and Paraguay has been operating in our common border region since 1996 and is playing an important role in efforts to combat illicit trafficking in weapons and ammunition, all form of smuggling, drug trafficking, kidnapping, money laundering and illegal trafficking in persons. It also constantly monitors data on the activities of international terrorism and related crimes.

Those initiatives illustrate an early awareness on the part of Argentina and its MERCOSUR partners as to the need for greater cooperation and coordination to secure their borders and defend themselves against illicit flows.

Although strengthening border security is essential to effectively combat illicit flows, we understand that under certain conditions low levels of development in one or more countries can provide an appropriate context for non-traditional threats to peace and security, such as, among others, terrorism, illicit trafficking in weapons, drug trafficking and transnational organized crime — as has recently become evident in the Sahel.

It is clear to everyone that it is not the task of the Council to assume responsibilities falling to other structures of the system, such as the General Assembly, the Economic and Social Council or the United Nations Office on Drugs and Crime. Instead, the heart of the matter lies in thinking about how the Council should

consider development issues in its decisions regarding peace and security.

In addition, border security should not come at the expense of, or be used as an excuse to, impede or prevent the exercise of basic human rights such as the rights of migrants, as the Secretary-General mentioned this morning. We do not believe that security should come about at the expense of the rule of law, nor do we accept the idea that human rights violations should be permissible under certain circumstances.

Argentina awaits the assessment of the Secretary-General on the work of the United Nations with regard to assistance to States in securing their borders against illicit flows. We also look forward to the convening of a broad and transparent dialogue among the entire membership to discuss the Secretary-General's findings and to continue to consider the issue.

The President: I now give the floor to the representative of Japan.

Mr. Nishida (Japan): First of all, I would like to thank you, Mr. President, for choosing this important theme for today's open debate at the Security Council.

We cannot avoid discussing securing borders against illicit flows if we are to maintain international peace and security, because the illicit cross-border flow of materials, funds, goods and people causes instability in our societies at both the national and international levels. Securing borders is a cross-cutting issue that encompasses organized crime, terrorism and proliferation.

Every sovereign State has the primary responsibility for securing its borders, as well as responsibility not only for inflows but also for outflows from it. While such individual effort is necessary for diligent border control, it alone is not sufficient. To secure borders from illicit flows, we, the international community as a whole, need to take a holistic and synergistic approach to our efforts. In that regard, we highly value the active roles of the United Nations and its bodies — such as the Counter-Terrorism Committee, the Committee established pursuant to resolution 1540 (2004), the various sanctions committees, including the Committee established pursuant to resolution 1718 (2006), the Counter-Terrorism Implementation Task Force, INTERPOL and the United Nations Office on Drugs and Crime — in helping States act in a coordinated manner.

Although the traditional scope of our efforts to control illicit flows is centred on land borders, we have been witnessing rapid expansion in the field. We must begin to recognize that efforts to control illicit flows have to include the sea and the air as well. As a nation bordered on all sides by the sea, Japan has vital interests in securing sea borders to block illicit flows. In addition, although it has no physical boundaries, cyberspace is a frontier that urgently requires greater attention in terms of illegal transactions, transfers of technology and classified information that may be usurped for purposes of organized crime, terrorism and proliferation.

Our success in the fight against illicit flows depends upon how we can best close loopholes that allow such flows. To that end, we need coordinated efforts, at both the international and the national levels. In that regard, we would like to encourage States that have not done so to ratify the relevant conventions, as well as to urge States to fully implement their obligations, including those under Security Council resolutions.

We also believe that combating the transfer and transport of weapons of mass destruction (WMDs), missiles and related materials contributes to the improvement of the security of the entire international community. The Proliferation Security Initiative is an international effort to halt WMD proliferation. Japan has actively participated in activities of the Initiative, including by hosting several of its maritime interdiction exercises. Japan has also conducted outreach activities for non-participating countries, particularly in Asia, to enhance the inclusiveness of international non-proliferation efforts.

At the national level, securing borders involves complex coordination of multiple entities, such as customs, immigration and law enforcement bodies. Since they have their own authorities and jurisdictions, even in a country with sophisticated systems it is difficult to make such coordination function in an effective way. Each State needs determination to achieve active coordination. For its part, Japan has operated strict border control in order to prevent illegal inflows and outflows, by means of a cross-organizational and multilayered response that relies on cooperation between our relevant ministries and agencies, the training of personnel and outreach to exporters.

In addition, we recognize that there is an urgent need to improve the capacities and awareness of developing countries to further coordinate our efforts to fight against illicit flows. Every year, Japan holds the Asian Export Control Seminar in Tokyo to deepen understanding of the importance of export control and to exchange views and information in the region, recently with the active participation of sanctions committees, including the 1540 Committee.

Japan has also implemented various programmes aimed at assisting developing countries in building their capacities in the areas of immigration control, air and sea port control and customs. Those programmes include organizing a series of seminars, dispatching experts from Japan, organizing training programmes in the respective countries and providing equipment, such as X-ray inspection tools.

Securing borders extends to people, goods and funds, each of which is covered by its own relevant Government agencies. What is critically important is to connect the distinct bodies responsible for different aspects of border security into a cohesive and comprehensive strategy, and to close any gaps or loopholes. Although we need to avoid any duplication and to continue our discussion on more efficient ways to tackle the issue, we believe that, in some cases, it is beneficial to address the threats generated by illicit flows with a multilayered approach, without being afraid of superimposing our efforts.

Finally, the spread of globalization is making border security more urgent than ever before. Once again, I thank you, Madam President, for your leadership in drawing our attention to this important issue in a very timely manner. Japan will continue to proactively contribute to ensure that every border is secured from illicit flows that could pose serious threats to international peace and security.

The President: I now give the floor to the representative of Cuba.

Mr. León González (Cuba) (*spoke in Spanish*): Cuba endorses the letter (S/2012/257) addressed by the representative of Egypt to the President of the Security Council on behalf of the Non-Aligned Movement.

Addressing organized crime and illicit acts is an important matter for the Organization. Member States coordinate actions in the General Assembly and in other organs and specialized agencies of the United

Nations system, as well as through relevant international treaties to combat and eradicate scourges such as drug trafficking and the traffic in human beings, the illicit trade in nuclear material, terrorism and the illicit trade in small arms and light weapons. One of the common traits of all those efforts is the universal, or near majority, participation of Member States, which means that the issue before the Council today — securing borders against illicit flows — exceeds the functions and powers of the Security Council as set forth in Article 24 of the Charter. Yet again, the Council is encroaching upon the functions of other key organs of the Organization.

The General Assembly is in the midst of a discussion on reforming the United Nations. It has adopted a number of resolutions and decisions in that regard, including agreements at the highest level. It is also involved in other conversations on the global struggle against terrorism and the illicit trade in small arms and light weapons, combating the drug trade, and addressing human trafficking.

The so-called illicit movement described in the concept paper distributed by the rotating presidency of the Council (S/2012/195, annex) in the context of this meeting requires coordinated action by all Member States, including the possibility of participating in decision-making. If the goal is to maximize coordination among existing structures and to avoid embarking on duplicate actions, the General Assembly needs to be in charge.

Neither nuclear proliferation nor the illicit trade in its component parts can be eradicated without the total elimination of nuclear weapons. Some permanent members of the Council are opposed to adopting immediate measures that would establish a time frame for the total elimination of the 23,000 nuclear weapons that still exist. Terrorism cannot be successfully addressed while it is promoted and utilized as a form of statecraft. The drug trade cannot be successfully combated without taking forceful and decisive action in the markets that consume them. The illicit arms trade cannot be eradicated so long as acts of imperialist aggression are being employed to topple Governments, or without prohibiting transfers to non-State actors.

In order to strengthen border security against illicit actions, there undoubtedly needs to be decisive action on the part of States. Governments have the primary responsibility for that task.

Cuba has been subjected to a war consisting of illicit acts for more than 50 years. As a result of terrorist actions, 3,478 people have died and 2,099 have been physically affected. Thousands of weapons and explosives were illegally introduced in Cuba in order to overthrow the Government, and were used to murder innocent people. Cuba is subjected to an adjustment law that stimulates illegal emigration for political ends, with no regard for the means utilized by those involved, who have at times resorted to violence.

Eleven million Cubans suffer from the economic and financial blockade that has for 20 consecutive years been rejected by the Member States of the General Assembly. In what constitutes an extreme expression of savagery and disrespect for the basic principles of civilized coexistence, the leader of the Cuban Revolution, Fidel Castro, has been the object of more than 600 attempts against his life. In order to remain within the established time limit, I will not belabour the point with further examples. Moreover, abundant information on these facts is available in the official archives of one of the permanent members of this Council, most of it accessible on the Internet. Cuba has provided the Council's Counter-Terrorism Committee with abundant information that is also available to the general public.

If we truly seek to combat illicit international activities, hypocrisy and double standards must cease. Let all countries unite in genuine cooperation on the basis of the principles and purposes of the Charter of the United Nations. Cuba will continue to adhere to those principles and to its obligations under the relevant international treaties and agreements. We are ready to cooperate in that spirit with all other Member States, without exception.

Mr. Shin Dong Ik (Republic of Korea): At the outset, I would like to express my appreciation to you, Madam President, for organizing this meaningful open debate on securing borders against illicit flows. My appreciation also goes to the Secretary-General, His Excellency Ban Ki-moon, for his thorough and insightful briefing.

The illicit flow of materials, funds and goods, as well as of people, poses grave concerns to international peace and security. In an effort to circumvent tighter national measures and international frameworks against them, those engaged in illicit flows from smuggling, trafficking, brokering, trans-shipment and

re-export have grown smarter and have developed more complicated techniques, even engaging in cyberspace activities.

By contrast, national and international measures to counter them remain static and outdated, and lack the necessary coordination among Member States and international organizations. I believe that if proper measures are not taken to close those loopholes, that trend will pose an ever-growing threat to international efforts to maintain and foster global peace and security. Today's thematic meeting is therefore a timely occasion to accomplish that while simultaneously taking stock of current actions throughout the Organization, with a view towards streamlining and elevating the United Nations toolkit for addressing such a significant problem.

States have the first and primary responsibility to impose domestic measures with respect to securing their borders against illicit flows of every kind. In the same manner, it is also an international obligation; a number of Security Council resolutions and international regulations call upon Member States to establish the necessary measures to fully respect and implement their international obligations in that regard, moving forward to better control illegal activities.

Moreover, as illicit flows continue to cross borders and to occur at the margins of extra-territorial jurisdictions, close regional and international cooperation, including information-sharing and assistance in capacity-building, are badly needed. The Republic of Korea has redoubled its jurisdictional efforts and is determined to contribute to international action to prevent and combat illicit transnational flows.

To that end, the Republic of Korea and Australia, submitted a draft resolution, entitled "Preventing and combating illicit brokering activities", to the First Committee at the sixty-third session of the General Assembly; the draft was ultimately adopted by the Assembly as resolution 63/67. It encourages States to establish appropriate national laws and to engage in international cooperation to prevent and combat illicit brokering.

I believe the resolution has facilitated discussions within the United Nations framework on the issue of illicit flows, resulting in Member States establishing domestic institutions to enforce their international obligations. The resolution was re-adopted by an

overwhelming majority of Member States at the sixty-fifth General Assembly in 2010 (resolution 65/75).

Furthermore, with its well-advanced Internet-based infrastructure, the Republic of Korea has effectively implemented its customs and export controls. Particularly, with respect to non-proliferation, I would like to draw your attention to our "yes-trade" programme, a database and one-stop verification system for dual-use and contraband materials. Yes-trade provides self-classification and classification services for strategic items, and a one-stop service for acquiring an export license, should that be deemed strategic.

Since its launch in 2005, the Korean Government has not only implemented its export control system successfully with that online system, but the Republic of Korea has also presented its merits to countries interested in the system in relevant forums.

In addition, given the new threats of illicit flows in cyberspace, the Republic of Korea, as a leading information technology powerhouse, has proven its active participation in international cooperation and collaboration for cybersecurity.

Our participation includes joining the work of the Group of Government Experts on Information Security and hosting seminars on cybersecurity within the framework of the Asia-Pacific Economic Cooperation and Association of Southeast Asian Nations Regional Forum. We are also running train-the-trainer programmes for law enforcement officials in developing countries to support their capacity-building, on which we place high importance. In order to further contribute to enhancing global efforts to address cybersecurity issues, including illicit flows on the Internet, the Korean Government will host the Conference on Cyberspace in 2013, succeeding the United Kingdom and Hungary.

I hold high expectations for the diagnostic assessment to be prepared by the Secretary-General on options and recommendations to help States with regard to their illicit flows problems. I look forward to hearing those recommendations, and I would like to reassure you of our firm commitment and willingness to closely engage in the issue in the coming future.

The President: I now give the floor to the representative of Costa Rica.

Mr. Ulibarri (Costa Rica) (*spoke in Spanish*): My delegation appreciates the convening of this debate, as well as the draft presidential statement that was distributed. We also appreciate the Security-General's report presented during this meeting.

Illicit cross-border trafficking is a subject of concern for Costa Rica, which we are approaching in an integrated and holistic manner while preserving respect for human rights and the rule of law.

Human trafficking, illicit trafficking of weapons, drug trafficking, illegal trafficking of minerals, trafficking of organs and money-laundering all have three common denominators: their relationship with organized transnational crime, the use of local criminal groups and their potential destabilizing effect for States.

Therefore, this debate should be based on a basic principle: the defence of borders against illicit flows does not start with nor end at those borders. The success of that defence is related to institutional capacity and the level of legislative, legal, technical, police and financial capability achieved by States. But it is also essential to develop effective strategies for regional and global cooperation, as well as to promote the contribution on the part of international organizations to providing capacity-building and the coordination of efforts among countries. And that would include the United Nations with all of its relevant bodies, which play a key role.

Organized crime, and drug trafficking specifically, not only affects international peace and security, it also undermines economic and social development and distorts public investment in developing countries, which have to use their scarce resources to combat such crimes, resources that would be better used in health, education and social well-being.

In their enthusiasm to control markets, traffickers bring in weapons, recruit people to distribute them and attempt to generate corruption. By paying their recruits with drugs, they stimulate a domestic market that undermines safety, security and public health. Moreover, money-laundering can be a factor in monetary and economic distortion. In other words, its impact is not just limited to nor can it be approached simply by means of stricter controls.

We need substantive improvement in those areas of course, but, to do just that without looking at the broader scope might end up being counterproductive.

And that is why we want to emphasize integrated strategies that take into account aspects related to development and promote opportunities for young people, institutional strengthening, education and prevention.

Such strategies are part of our country's national approach to those issues, and they have led to some success. Such an approach should also be taken in the context of international cooperation to deal with the problem. Costa Rica, like the rest of the Central American region, is part of a transit route between the supplying countries and the largest consumer countries. That is a huge challenge for our region.

For a number of years, we have had an agreement in place for joint patrolling with United States authorities, as well as a cooperation agreement against trafficking in drugs and psychotropic substances in the Caribbean region, in which a number of countries participate and of which we are a depository. Both of these are examples of good international cooperation.

However, it is necessary to increase our patrolling capacity in the maritime area, to improve detection capacity in ports on a large scale and to provide technical support for efforts to detect land-based trafficking of weapons and drugs, which have an enormous impact on transit countries.

Since July 2011, Costa Rica has been working to combat activities on the part of criminal groups by focusing on Central American security. On 16 May 2012, in the context of the General Assembly, there will be an open general debate on the matter.

Central America needs decisive and coordinated support from the various bodies of the United Nations in order to develop the potential of what the United Nations is already providing to the region.

We believe that one of the outcomes of today's discussion and that of 16 May, as well as the various presidential statements and resolutions of the Security Council, will be more consistent and integrated action on the part of the United Nations system, including the Security Council, to combat those scourges.

The President: There are still a number of speakers remaining on my list for this meeting. I intend, with the concurrence of Members of the Council, to suspend the meeting until 3 p.m.

The meeting was suspended at 1 p.m.