

Statement of Australia
Thirteenth United Nations Congress on Crime Prevention and
Criminal Justice, Doha, 12-19 April 2015

Mr Chair, I congratulate Qatar on its hosting of the Congress. We are honoured to be in the magnificent city of Doha and very appreciative of the facilities you have generously made available to Congress delegates. We congratulate the President on the adoption of the Declaration and offer our support to you in your efforts this week.

Along with the adoption of the Declaration, I was pleased to hear the United Nations Secretary-General, Mr Ban Ki-Moon speak about the United Nations concern with violence perpetrated against women and children from within their own families. Australia welcomes the attention of Congress on this critical issue.

As we all know, globalisation and the rapid development of technology have been embraced and exploited by criminals. While crime often operates without borders, the fight against crime and illicit trade has remained in many ways constrained by international and jurisdictional borders – a fact that is not lost on sophisticated criminals.

This means that strong and trusted partnerships with other countries and international organisations are now more fundamental to combating crime than they have ever been. This Congress is an important opportunity for us to reflect upon the progress we have made to date and to find ways to enhance our cooperation on crime prevention and criminal justice in the future.

Mr Chair, Australia strongly supports the important role of the United Nations Crime Congress in law and policy development, the identification of emerging trends and issues in crime prevention and criminal justice.

As part of Australia's commitment to crime prevention, Australia has put in place a comprehensive whole-of-government framework in the fight against the smuggling of migrants.

Furthermore, Australia, as a party to the Migrant Smuggling Protocol, has put in place a robust domestic criminal justice framework to prosecute people that commit people smuggling offences.

Australia believes in promoting the implementation of existing international instruments, including UNTOC and its Protocols. Australia also recognises the importance of multilateral forums, and the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, which Australia co-Chairs, is a key part of Australia's regional engagement.

The Bali Process is a valuable mechanism to develop capacity in the Asia-Pacific region. Its success is achieved through encouraging and facilitating regional cooperation in addressing people smuggling and human trafficking, and focuses on the practical measures to develop capability.

In 2015, Australia as a core member of a Bali Process drafting committee developed policy guides on identifying and protecting victims of human trafficking. Australia is also co-chairing a Bali Process Working Group on Trafficking in Persons with Indonesia, which will bring together a network of experts to share information, lead projects, and promote regional cooperation to combat human trafficking.

For Australia, there is no more pressing matter of national and international security than reducing the threat from terrorism. Terrorists are younger, more violent, more innovative and highly interconnected. They are masters of social media – to terrorise and to recruit – and are very tech savvy. They incite each other. They communicate their propaganda and violence directly into our homes to recruit disaffected young men and women.

Australia already has in place comprehensive legal architecture to effectively counter terrorism, reduce the flow of foreign fighters, and limit the impact of insidious extremist narratives. This includes, but is not limited to, cancellation of Australian passports to prevent travel by foreign fighters and significant changes to our foreign evidence legislation to enable prosecution of accused foreign fighters. Furthermore we are working with our regional partners to ensure that the necessary international frameworks and networks are in place to detect and frustrate extremists seeking to join terrorist organizations like ISIL.

The Government has dedicated more than \$630 million in funding over the next four years to develop and implement a range of programmes and legislative initiatives central to our counter-terrorism efforts. An essential part of this funding is Australia's Countering Violent Extremism programme, aimed at reducing the risk of home-grown terrorism by strengthening Australia's resilience to radicalisation and assisting individuals to disengage from violent extremist influences and beliefs.

The Government has also devoted more than \$20 million to overcoming online terrorist propaganda, increasing our capacity to understand, limit access to and reduce the appeal of extremist narratives. Australia is very pleased to hear other nations speak on countering the threat from foreign fighters and believe that ongoing international collaboration will be fundamental to countering this threat.

Mr Chair, Australia supports the universal abolition of the death penalty which we consider to be an inhumane form of punishment. There is no conclusive evidence on the deterrent power of the death penalty and any miscarriage or failure of justice in the implementation of the death penalty is irreversible and irreparable. Australia urges all countries that maintain capital punishment as part of their law to cease executions and establish a moratorium on the use of the death penalty, including through bilateral representations, the Universal Periodic Review (UPR) process, Human Rights Council and the UN General Assembly (UNGA).

Corruption is an insidious form of criminality that if left unchecked has the potential to cause significant harm to public confidence in government and to severely hinder economic growth and development. Importantly, corruption is also a key enabler for a range of transnational criminal activity.

The Australian Government is strongly committed to tackling all forms of corruption. We have recently implemented a number of reforms to strengthen our ability to detect and combat corruption, including the creation of a multi-agency Fraud and Anti-Corruption Centre within the Australian Federal Police. We have also introduced measures to strengthen our foreign bribery offence and to improve corporate transparency requirements under our anti-money laundering/counter-terrorist financing regime.

Just as with efforts to combat transnational crime, the fight against corruption requires a global effort based on effective international cooperation. In our capacity as G20 President in 2014, we placed significant priority on continued efforts by G20 countries to combat corruption under the leadership of the G20 Anti-Corruption

Working Group. At the Summit in Brisbane G20 Leaders committed to the implementation of the G20 High Level Principles on Beneficial Ownership Transparency, which commit G20 countries to ensure legal entities are transparent and not misused for illicit activities like terrorism or money laundering. Leaders also endorsed the new 2015-16 G20 Anti-Corruption Action Plan which contains a detailed set of action oriented deliverables which will ensure the G20 remains a key body to drive a culture of global intolerance to corruption.

Australia is a longstanding supporter of programs to build anti-corruption capacity, including the UNODC's global program on anti-corruption, Joint Action towards a Global Regime against Corruption, and the UNDP's Global Anti-Corruption Initiative, which provides technical assistance and advice to partner countries on corruption and anti-corruption issues. Australia also works closely with countries in our region to build capacity and ensure an effective regional capability to combat corruption. In recognition of the UNCAC as the cornerstone of the international fight against corruption, Australia has provided financial support to the UNCAC Implementation Review Mechanism and supports ongoing calls for all countries to ratify and implement the UNCAC.

Cybercrime is a complex and evolving threat which affects governments, business and individuals in all countries. Given the global nature of cybercrime, international engagement is an important component of an effective response. Australia continues to support countries acceding to the Budapest Convention or using it as a basis for domestic laws to encourage harmonised legal frameworks on cybercrime.

There are many crime prevention and criminal justice issues that warrant the Congress' attention but the central tenet in our endeavours is cooperation. Australia supports the use of regional and multilateral instruments as well as bilateral cooperation and we welcome the opportunity to work with other states to streamline these procedures.

In closing, Chair, Australia looks forward to working with you and the other Parties as trusted partners to uphold the rule of law and to prevent and counter crime in all its forms and manifestations.