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English only

**Tenth session**

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**Compilation of Statements***Summary*

The present Conference Room Paper contains statements made during the tenth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime under agenda items 1 (b) on Election of Officers, 1 (d) on Participation and 8 on Other matters\*.

These statements are, with the exception of minor editorial changes, reproduced as received, or as transcribed by the Secretariat and confirmed by the relevant State Party.

**I. Agenda item 1 (b): Election of officers****United States of America**

We firmly reject the Maduro regime's candidacy and have chosen to disassociate from this decision. Far from combatting transnational organized crime, the illegitimate Maduro regime regularly promotes and empowers it. In many respects, the Maduro regime can itself be seen as a criminal regime, profiting off of criminal elements, terrorist organizations, illegal mining, and drug trafficking to line its pockets and further repress its people.

The FARC dissidents and ELN are present in Venezuela, and Maduro stated publicly that former FARC commanders Ivan Marquez and Jesus Santrich are "leaders of peace" and "welcome in Venezuela." The ELN and FARC dissidents engage in narco trafficking, illegal mining, money laundering, extortion, and kidnapping in Venezuela.

Drug trafficking is one of the most damaging and profitable forms of transnational organized crime. The President of the United States must submit annually to Congress a list of major drug source and transit countries, often referred to as the "Majors List." Venezuela is one of only two countries listed as having "failed demonstrably to make substantial efforts" to meet international drug law obligations - the most severe determination.

The illegitimate Maduro regime also allows transnational organized crime groups to engage in illegal gold mining practices in Venezuela's Arco Minero region, and in some cases, has even granted them control over certain mines in exchange for their political support. Various sources estimate that between 70 per cent to 90 per cent of



the mined gold is smuggled out of the country illegally in operations often conducted in active cooperation with Maduro regime officials. In mining communities, traffickers exploit women and girls in sex trafficking; traffickers force children, an estimated 45 per cent of miners, to work under dangerous conditions, and expose them to dangerous levels of mercury.

There is no place for the Maduro regime in the United Nations Convention against Transnational Organized Crime, and its election today threatens to undermine all the good work this Convention has achieved.

## **Bolivarian Republic of Venezuela**

Venezuela regrets the statement made by the distinguished delegate of the United States. I would like to remind that delegation and everyone else here, that the Bolivarian Republic of Venezuela has only one recognized representation before the United Nations and that is our delegation present in this room and connected to this room today and headed by the legitimate President of Venezuela – Nicolás Maduro.

We are surprised by the statement of the United States, which is not a member of the Latin American and Caribbean Group and our affairs are only of interest to us.

We have the right to sovereignty and equality, and we presented our candidacy in full respect of international law, the Charter of the United Nations and article 22 of the rules of this Conference.

With regard to the legitimacy of our government, I would like to remind you all that, based on the Constitution of the Bolivarian Republic of Venezuela, the President was elected by the people of Venezuela in open, direct and secret elections. The notion of democracy in our country is universal and implies the direct participation of the sovereign people in decision-making processes. This concept may be foreign to some countries, where the decision of the majority is not always respected, or countries that recognize pseudo-authorities who declare themselves as such in the middle of a public square, but this is a strange vision of democracy and we will not be making comments on the situation in other countries.

Contrary to the principles of international law and the Charter of the United Nations, some States, such as the United States, impose unilateral coercive measures and encourage criminal actions against sovereign and independent states. In the case of Venezuela, they have even trained, equipped and promoted the aggression of non-state actors and criminal groups from neighbouring countries against our homeland, with the purpose of weakening the institutionality of the State for political and energetic reasons. With this, they intend an illegal change of regime affecting peace and the right to development of the population. Venezuela denounces those States that associate with criminal and terrorist groups to destabilize legitimate States that do not obey their alleged interfering orders.

## **II. Agenda item 1 (d): Participation**

### **Turkey**

Mr. President, Ms. Executive Director, Excellencies, Distinguished Colleagues,

At the outset, I congratulate you, Mr. President, for your election to lead the Tenth session of the Conference of the Parties to the United Nations Convention Against Transnational Organized Crime and the new members of the Bureau.

Mr. President,

I have to make a brief statement on the participation of some NGOs to which State Parties object.

We are all aware of the importance of international cooperation in the fight against transnational crime and we must take necessary measures for effective implementation of UNTOC and its Protocols.

Turkey is in close cooperation with civil society organizations in its fight against these crimes and also to help and protect the victims.

On the other hand, in such a platform where we promote the rule of law and our struggle against organized crime and terrorism, it is unacceptable to invite non-governmental organizations which support criminal and terrorist organizations.

We expect the Conference to keep in mind that the UNTOC mechanism is an instrument between the States. It is not acceptable to consider participation of some organizations which do not contribute to the promotion of United Nations Principles. Such an approach will hamper our real goal of combatting organized crime. We have communicated to the Secretariat our objection to the participation of some NGOs.

Mr. President,

We are aware of the rules of procedure on this matter, which permit the participation of relevant NGOs in our fight against organized crime and terrorism. Any civil society organization supporting criminal groups or terrorist organizations cannot be regarded as relevant NGOs in this regard. Therefore, here we are addressing a matter of substance, not procedure.

In addition, according to rule 56, decisions of the conference should be taken by consensus. It is clear that there is no consensus on the participation of some NGOs objected by us.

Additionally, I want to emphasize once again that Turkey will not accept any reference to the participation of these organizations in the Conference report.

To be very frank, Mr. President, we hope all States Parties will understand our concerns and we will not arrive at a point where such matters cripple the international cooperation and harmony between the States.

## **Japan**

With regard to the participation of NGOs, Japan places importance in furthering the effective implementation of the United Nations Convention against Transnational Organized Crime. While it is the primary role of States Parties to effectively implement the United Nations Convention against Transnational Organized Crime, we are of the view that the contributions made by NGOs, especially those in consultative status with ECOSOC, will serve as useful input for all the States Parties.

## **Chile**

Chile would like to support what was said by the previous two delegations.<sup>1</sup> Without prejudice to the consideration the extended Bureau may make, it is very important for our country to guarantee the participation of civil society because of the support they provide in combatting transnational organized crime, especially organizations with consultative status with ECOSOC.

## **Germany**

On behalf of the German Federal Foreign Office and the Ambassador of the German Permanent Mission in Vienna, H.E. Mr. Küntzle, we would like to inform you about

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<sup>1</sup> The two previous speakers were Canada and Japan.

the German support for the NGO “Article 19” to take part in this week’s Conference of the Parties.

“Article 19” is a human rights organization with focus on promoting freedom of expression and access to information. This NGO was also an active part of the United Nations Convention against Corruption processes for over a decade and recently served as chair of the United Nations Convention against Corruption Civil Society Coalition.

“Article 19”, based in the United Kingdom, possesses ECOSOC status and not only therefore should also be a legitimate participant of the Conference of the Parties.

### **Norway**

The Norwegian delegation would also like to voice its support for the previous delegates that have stated the values of the participation of NGOs and civil society. We believe that it is both relevant and important to include them and we would like to see that they are granted participation in accordance with the rules of procedures.

### **United Kingdom<sup>2</sup>**

The United Kingdom is deeply concerned by the request of a Member State, via written procedure, to exclude “Article 19”, a United Kingdom-based NGO with ECOSOC consultative status, from participation as an observer at the 10<sup>th</sup> session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime. “Article 19”, has been attending UNODC meetings for over 10 years and it partners with the United Kingdom government in our fight against transnational crime and corruption as well as doing key work to protect freedom of expression. As “Article 19” has consultative status with ECOSOC, we stress that it is procedurally correct that this NGO be allowed to participate at the 10th session of the Conference to the United Nations Convention against Transnational Organized Crime. We are grateful for your understanding on this important issue.

### **Turkey**

We regret witnessing here today that, in such a platform where we promote the rule of law and our struggle against organized crime and terrorism, our real goal has been disregarded and international cooperation and harmony is being damaged between the States.

We expect that the relevant part of the report of that Conference will reflect clearly this position of my country.

For this time, we will not ask a voting on this subject. We will continue to follow this matter with partner States and the Secretariat. I will circulate my statements for inclusion in the report of the meeting.

## **III. Agenda item 8: Other matters**

### **United States of America<sup>3</sup>**

We firmly reject the Cuban regime’s candidacy and have chosen to disassociate from this decision. Far from combating transnational organized crime, the Castro

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<sup>2</sup> Written statement submitted to the Secretariat post-session; it has been included in this conference room paper due to the fact that one of the non-governmental organizations that received an objection is based on the territory of this State Party.

<sup>3</sup> Written statement submitted to the Secretariat post-session, as announced under agenda item 8, during the Conference.

dictatorship regularly promotes and empowers it while wreaking havoc on the Cuban people, undermining the ability for democracy and basic human rights to thrive in Cuba and elsewhere in the region. The Castro regime not only conducts and facilitates atrocious crimes on the island by harbouring known terrorists and fugitives from the United States, but also bolsters and publicly supports other criminal regimes such as the illegitimate Maduro regime. For the first time since 2015, the Department of State designated Cuba as not fully cooperating on the United States' counterterrorism efforts in 2019.

The Cuban regime continuously and illicitly profits off the backs of the Cuban people by trafficking medical workers for revenue in a guise of humanitarian aid. Cuba continues to partner with known State sponsors of terrorism such as North Korea and Iran. Cuba also is listed as a major money laundering country, thus further promoting narcotics trafficking and undermining all the good work that the United Nations against Transnational Organized Crime has achieved.

In October 2019, Colombia filed extradition requests for ELN leaders Victor Orlando Cubides (aka "Pablo Tejada") and Israel Ramirez Pineda (aka "Pablo Beltran") with the Cuban government, which has pointedly not responded. Though Cuba's government denies allowing ELN members to plan terrorist attacks from its territory, fugitive ELN terrorists continue to live in Havana, shielded by the Cuban regime, while ELN members continue to attack, kidnap, and murder in Colombia.

Cuba is a key supporter of Maduro's narco-regime and is an active participant in enabling Maduro's illegitimate authority. Cuba also siphons and steals oil through illicit trade with Venezuela while creating dire food and oil shortages on the island.

In sum, the Cuban regime does not have a place in this Convention, and its inclusion on the Bureau of the Conference of the Parties only sets this body back and delays our ability to further achieve our goals.

## **Cuba<sup>4</sup>**

Cuba strongly rejects the accusations made by the United States delegation against Cuba in item 8 "Other matters" of the agenda of the 10<sup>th</sup> session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime.

The immoral government of the United States has no authority to criticize Cuba. The government of the United States applies double standards and does not constitute an example for the international community.

The United States is a country where human rights are violated in a systematic and often massive and flagrant manner. It is part of only 30 per cent of international human rights instruments, does not recognize as such the right to life, the right to peace, the right to development, security, food, and does not recognize the rights of girls and boys. Instead, Cuba is part of 44 of the 61 international human rights instruments and reports their compliance to the United Nations. Cuba gives priority to the effective realization of the right to development, education and health, the fight against racism, racial discrimination, xenophobia and related forms of intolerance and in ensuring full respect for the principles of universality, indivisibility, objectivity, non-politicization, and non-selectivity in strengthening cooperation on human rights, an action that the United States government does not follow.

In the United States, corruption prevails in the political system and in the electoral model, against the postulates of Article 21 of the Universal Declaration of Human Rights, referring to the right to participate in the conduct of public affairs.

The United States government applies a policy of genocide that seeks to subdue the Cuban people through hunger and disease, through the application of an economic,

<sup>4</sup> Written statement submitted to the Secretariat post-session; it has been included in this conference room paper under rule 46 of the rules of procedure of the Conference.

commercial and financial blockade, which lasts for almost 60 years, which is unacceptable and in violation of International Law, of the Charter of the United Nations and International Trade Norms. This policy is rejected every year by the international community within the framework of the United Nations General Assembly.

In the last year, the government of President Donald Trump has started an escalation in its aggression against Cuba, with the application of unconventional measures, to prevent the supply of fuel to our country from various markets through sanctions and threats to ships, shipping companies and insurance companies. Its objective, in addition to affecting the economy, is to damage the standard of living of Cuban families.

Even under the conditions of the COVID-19 pandemic, the United States government has continued to strengthen that policy and has applied new measures against Cuba.

The government of the United States accuses Cuba of not cooperating against terrorism. This government lies and offends because it cannot answer truthfully without accusing itself. That government has been a co-sponsor and an accomplice of terrorist actions against Cuba for more than 60 years, which has been publicly criticized by the international community.

The State Department places Cuba on a spurious list of countries that do not cooperate in the fight against terrorism, but it did not prevent or condemn the terrorist attack against the Cuban Embassy in Washington, on April 30. Since then, the United States government has maintained a complicit silence, without condemning or even rejecting the act, and has refrained from taking actions against individuals and terrorist groups based on United States territory that incite violence against Cuba and its institutions. This list is unilateral and arbitrary, has no international foundation, authority or support, and only serves to defame and coerce countries that refuse to abide by the will of the United States government in its sovereign decisions.

Cuba has been the victim of numerous terrorist acts organized, financed and executed from the territory of the United States, by groups and individuals who have enjoyed tolerance and government protection there, a reality that is in the public domain. Cuba was also a victim, in the past, of state terrorism perpetrated directly by the government of the United States, which sometimes acted in collusion with organized crime in that country. 3,478 Cubans have died due to actions of this type and 2,099 suffer or have suffered some type of disability.

Cuba's commitment to vigorous action and condemnation of terrorism is enshrined in the Constitution. This commitment is absolute and categorical against any form and manifestation of terrorism, particularly, state terrorism, and this commitment is backed by the proper legislation.

As a country that has been a victim of terrorism, Cuba deplores any manifestation of manipulation and political opportunism in dealing with such a sensitive issue.

Cuba is a Member State of the United Nations, which enjoys international prestige. On October 13, 2020, Cuba was elected, for the fifth time, a member of the United Nations Human Rights Council by the secret vote of 170 United Nations member states, that represents 88% of them.

Cuba is also a State Party to the United Nations Convention against Transnational Organized Crime and has ratified its three Protocols.

Cuba maintains a zero-tolerance policy for any form of human trafficking, including in the field of work.

Since 2013, the country has issued annual reports on activities to prevent and confront this crime.

The country supports cooperation actions and timely exchange of information with international organizations, the International Criminal Police Organization (INTERPOL), the United Nations System and counterpart organizations from

European countries and the region, in order to promote greater prevention and confrontation with human trafficking.

As an expression of the country's commitment to preventing and confronting this scourge, in 2017, at the invitation of the Cuban government, the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and girls, visited Cuba.

By declaring COVID-19 as the pandemic with the greatest health risk that the world has faced in the 21st century, the Contingent of Cuban doctors "Henry Reeve" prepared to assist the countries who requested it. In the span of five months, their presence reached 38 states. It has treated 355.785 people and saved 9.736 lives. More than 3.700 Cuban health professionals have participated, of which 61.2 per cent are women.

All Cuban health collaborators who travelled to fulfil a mission to confront and control COVID-19 did so at the express request of the authorities of the countries where they provide their services, as well as those who already offered medical assistance before the pandemic.

All Cuban technicians and health professionals who joined these brigades did so freely and voluntarily and without any kind of coercion.

The presence of health technicians and professionals in more than 60 countries and territories is always supported by bilateral collaboration agreements signed between the respective Ministries of Health.

Cuba does not export doctors; Cuba exports health services. The solidarity and human contribution of the thousands of Cuban health professionals, who, with enormous sacrifice and understanding from their families, offer services in more than sixty nations, deserves to be recognized and not questioned with misrepresentations and fallacies. The position of the United States government on this matter is despicable and politically motivated.

Finally, regarding the election of Cuba as Vice President of the 10<sup>th</sup> session of the Conference of the Parties, it is important to note that the applause received in the plenary session of the Conference, showed the general satisfaction with the appointment and is a recognition of the Cuban merits in this area.

Cuba reaffirms its commitment to carry out the position assumed with responsibility, seriousness and professionalism, as has been the practice of the country and its representatives throughout the United Nations system.

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