



UNITED NATIONS
Office on Drugs and Crime

Opening Statement by the Executive Director

Second Session of the Conference of the Parties

United Nations Convention against Transnational
Organized Crime

Vienna 10 October 2005

Opening statement by the Executive Director

I would like to begin by extending our sympathies to the people of Pakistan, India, and Afghanistan . . . thousands are reported killed in the recent earthquake, and they need both material support and our prayers. Certainly, at the United Nations, we are ready to offer both.

I also want to welcome all of you back to Vienna, and I would like to offer my congratulations to you, Mr. President, the Vice Presidents, and the Rapporteur, on your elections.

We all look forward to the ideas and initiatives you will undoubtedly bring to this Conference.

I also wish to express my appreciation to our departing President, Ambassador Victor G. Garcia III of the Philippines, for his leadership during the First Session of the Conference of the Parties.

Mr. President,

The Convention against Trans-national Organized Crime, with its 3 protocols, represents a major achievement, and not just for the UN and the member states. Potentially, it is a breakthrough for everybody, worldwide.

It is so easy, of course, at the United Nations to make grandiose statements. So, I hope you will not consider what I just said merely another “rhetorical” device to grab the attention of my audience. On the contrary, I believe very strongly that, in spite of technological advances, intellectual accomplishments and efforts to realize moral and material well being, the world at large is still grappling unsuccessfully with the consequences of uncivil behaviours – crime, corruption, urban violence, terrorism, trafficking of arms, drugs and humans.

And I believe these threats continue to pose serious danger to the quest for world security and human dignity.

For centuries, states believed that these uncivil behaviours fell under domestic jurisdiction, and should be addressed with national legislation and law enforcement. In a world that lacked mobility and global communication systems, characterized by protected economic activity and state-controlled movement of capital and labour—it was easy to believe one’s own country could be adequately protected.

A Copernican shift

Now everything has changed. The markets for goods and services are wide open, resources—human, financial and information—move practically unimpeded, outside government controls. Communication has abolished time and space. With most of the world’s players now able to display their comparative advantage, the economic benefits—the global benefits—have materialized. But so have the world’s global maladies: every state and every citizen is now a potential victim of the same powerful forces that fuel the phenomenon we call trans-national organized crime (TOC). All countries now recognize that they cannot protect themselves in isolation.

One of the most remarkable things about the TOC Convention is that it could not have occurred without this Copernican shift in perspective, this acknowledgement that all nations are, at the same time, both a source and a target for crime and violence. Thanks to the TOC Convention, crime is now recognized as being:

- a global detriment that depends on the interplay of economic incentives, social vulnerability and inadequate rule of law;
- a global detriment that operates driven by economic forces as powerful as those that fuel legitimate commerce;
- a global detriment oblivious of borders, whether those marked on a map, on enshrined in a legal code, or carved in the human conscience.

Because of this, TOC operates like a state that exists above all others, outside the jurisdiction of nations, and beyond the long arm of international law. This has to change.

As the Convention signatories now acknowledge the global nature of TOC, they have agreed to criminalize the underlying behaviours and to establish the framework for joint action. Yet, greater efforts are needed.

When I examine the name plates of countries sitting beyond the great divide that, in this Hall, separates the countries that “have” from those who “have not” ratified the Convention, I see that too many rich nations fall into the latter category.

I urge all of you to ratify the Convention, so that we can show the world—better yet, show the criminal underworld— that we are indeed united against TOC.

Not just fighting crime

As you know, at UNODC we see crime as both the cause and consequence of poverty, insecurity, and underdevelopment. We have documented this recently in a far-reaching *Report on Crime and Development* (I should say, crime and underdevelopment) *in Africa*. And I was pleased late last week to note the strong support the General Assembly Third Committee has given to this African Report and related Programme of Action. I invite you all to look at this new UNODC initiative as an incentive to do even better, faster work via this Conference’s deliberations. Here is the reason.

While the primary mandate of UNODC is to prevent and fight crime, we also act as a catalyst and motivate development institutions to work with us in synergistic ways. Thus, we are promoting a comprehensive, balanced approach that lets every agency at the UN or outside work on different fronts with equal force and effectiveness.

When drug cultivation and production are run by armed militias, when crime syndicates trade guns for natural resources, when corrupted officials facilitate the transit of human cargo, when the laundering of money destabilizes nations and, therefore, the world’s financial systems—in all these cases, the final result can only be more poverty, greater instability, economic dislocation and enormous suffering. We see this clearly in Central and South America, in Western Asia and in the Golden Triangle, and in many African countries. Even many developed countries, for example in Europe, are affected.

By committing to a strong mechanism of implementation of the TOC Convention, this Second Session offers States Parties a chance to do more than just fight crime and protect the victims: you are promoting development, peace and stability. The opportunity, as well as the responsibility, in front of you is truly historic.

Information at the heart of monitoring implementation

Today, the Conference enters a new and crucial stage. At the first session, attention was largely devoted to organizational issues, and housekeeping matters. At its first session, the Conference also set the stage for a structured approach to review the implementation of the Convention and its Protocols. With these initiatives you have agreed to build a knowledge base that will be central to almost everything this Conference does.

Therefore, and as per your guidance, over the past year we have collected information from States Parties and signatories. This information reveals that compliance with the Convention and its Protocols is neither complete nor consistent: one half of States Parties failed to provide the required information, and many of those that did respond failed to meet the deadline.

Without adequate data regarding implementation, the Conference simply cannot make the concrete recommendations—you cannot improve a process, this one or any other, if you are unable to measure its true dimensions or evaluate its impact.

Let me offer you an analogy: look at the very effective implementation of the three Drug Conventions. What is behind this success? A massive effort to gather data, and to organize and structure the information as reliable support for policymaking. Of course, the monitoring mechanisms envisaged by the Drug Conventions are very different from the ones under discussion here. But my point is not about one type of monitoring or another – my point is about your having, or not having, the right information to discharge this body's responsibility to function as a peer review group.

There are two questions we face right now:

First, how can we ensure that all parties comply with their obligation to provide the Conference with the needed information in a prompt and complete manner? Without this information, the Conference cannot build an adequate knowledge base.

Second, how do we determine which provisions the conference should review next? We need to broaden the database in order to complete the first round of reviews regarding implementation and begin talking about the operational issues.

Technical Assistance

Let me now turn to a related issue on the Conference agenda—technical assistance.

The link between implementation of the TOC Convention and technical assistance has been firmly established already within the Convention, and it occupies a prominent place in your mandate.

What role does this Conference intend to play regarding the relationship between implementation and technical assistance? How will this Conference fulfil its mandate regarding technical assistance?

The construction of a valid knowledge base is not only necessary for implementation, my earlier point – It is fundamental to a proper understanding of the “when’s, whys, and hows” of technical assistance. We need a real-world picture of where the gaps may be in a nation’s ability to implement the Convention, so we can respond in targeted ways to help this country.

A strategic approach to technical assistance translates into more efficient, better-targeted, properly tailored use of resources to meet specific requirements and to produce tangible, measurable results. If we have this type of system in place, we can convince even the staunchest critics that the technical assistance provided is, in each and every case, justified. Donors and their taxpayers, as well as recipients and their assisted constituencies, will benefit by money well spent.

Mr. President,

Distinguished delegates,

The tasks in front of us are demanding. I wish you the most fruitful deliberations.

Thank you for your attention.