

**12th UN Congress on Crime Prevention and Criminal Justice
11th & 12th Plenary Meetings (AM PM)
High-Level Segment**

**World Criminal Justice System Found Wanting, Says Congress
Secretary-General, as High-level Segment Continues**

United Nations Office on Drugs and Crime Chief Describes Failure to Keep Pace with
'International Mafias'

SALVADOR, 18 April (UN Information Service) – The Twelfth United Nations Congress on Crime Prevention and Criminal Justice had put the world's criminal justice system on trial, but the case could be dismissed for lack of evidence, Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime (UNODC) and Director-General of the Organization's Vienna Office, said today, as the event's high-level segment continued in Salvador, Brazil.

"Unlike in other domains where the United Nations is the world's best information provider, we don't have the definitions, data and logical framework to report on crime trends, understand its causes and measure its size," said Mr. Costa, the Congress Secretary-General. "Unable to assess progress, we cannot tell you whether your policies are succeeding or not."

Describing the verdict on the criminal justice system as "harsh", he said many cities were unable to provide public order, as police came under fire from well-equipped, well-connected criminals who hired the world's best lawyers to keep them out of jail. Overcrowded prisons had become "incubators of infections and universities of crime", and money-laundering had corrupted entire economic sectors. Only the material costs and suffering of crime were seen, said Mr. Costa, adding that global governance had failed to keep pace with economic globalization, allowing international mafias to prosper.

He said organized crime -- from drug-trafficking in West Asia, to the smuggling of migrants and arms in Europe and North America, to piracy in the Horn of Africa -- was big business, racking up profits equivalent to the national incomes of many countries and rivalling those of the world's largest corporations. It created instability, hampered investment and led to a vicious cycle of conflict, mass poverty and environmental deterioration, he said, pointing to the correlation between weak rule of law and weak socio-economic performance. "We cannot just throw money and Blue Helmets at crisis situations; it is the pursuit of justice that will create the conditions for security and development," he said. "The world is expecting your guidance: don't let down 'We, the peoples....'"

A consensus must emerge in Salvador on the need to review and systematically update all criminal justice standards and norms, he emphasized, urging the Congress to call for a mechanism to review implementation of the United Nations Convention on Transnational Organized Crime so that the 2015 Congress could assess progress on combating corruption, identifying areas of improvement. Previous congresses had expressed concern over the economic might and firepower of organized crime, but failed to agree on mechanisms for measuring progress and identifying assistance needs, he said.

Serge Brammertz, Prosecutor of the International Criminal Tribunal for the Former Yugoslavia, illustrated the interdependency between organized crime and violators of international humanitarian law by describing the Balkan wars that had torn the former Yugoslavia apart in the 1990s. The late President Slobodan Milošević and those under his influence had misappropriated millions of dollars, while organized criminals had helped political elites to further their ethnic cleansing goals, smuggle in weapons and oil, and plunder civilian property.

He went on to state that conflicts were sometimes artificially sustained to ensure that armed groups and criminal gangs benefited from illegal activities. That had been the case in Colombia,

where armed groups had cooperated with cocaine traffickers; in Afghanistan, where the Taliban worked with heroin smugglers traffickers; and in West and Central Africa, where rebel fighters and organized criminals worked together to trade illegally in natural resources. After the end of armed conflict, criminals often continued to enjoy State protection, he said, noting that many well-trained, well-armed and well-resourced members of Mr. Milošević's special units had joined organized criminal networks and grown in status.

In a global society, law enforcement agencies must work together to confront international crimes through an integrated, coordinated and systematic approach, he said, stressing that improved inter-State cooperation, information sharing and mutual legal assistance were essential to achieving that goal. Such steps were likely to help identify and investigate dangerous individuals and groups, and subsequently to containing their criminal activities. Institutions that investigated, prosecuted and adjudicated violations of international humanitarian law would uncover information and evidence, which must be shared with appropriate prosecutorial agencies, he said.

Delegates described their national efforts to tackle crime head on, with Kenya's Assistant Minister for Justice, National Cohesion and Constitutional Affairs pointing out that the country was currently handling 13 piracy cases involving 118 accused -- the highest number in the world. However, its personnel were overstretched, as the Government took on a plethora of criminal justice issues, including the handling of children in conflict with the law.

Thailand's Permanent Secretary for Justice called for a comprehensive, holistic approach to promoting women's rights and gender sensitivity in the administration of justice. The Standard Minimum Rules for the Treatment of Prisoners were a highly authoritative guide for Member States, but they lacked precise provisions to address female prisoners' specific needs and vulnerability, he said. "It is high time for the Crime Congress to acknowledge the human rights and dignity of these women and respond to their needs more adequately."

Italy's Under-Secretary of State for Justice said his country was working to bring down the Mafia by squashing its financial activities and economic profits rather than focusing on arrest, which was often less effective and easily tolerated as a "business risk". To do that, Italy had extended the power to seize the illicit assets of Mafia members and their families; minimize the organization's ability to conceal assets; and establish responsibility for legal money-laundering. From June 2008 to March 2010, a Government entity had seized cash, as well as movable and immovable property from the Mafia worth €8.9 billion, he said.

The President of the Supreme Court of Sao Tome and Principe pointed to national legislative measures to address trafficking in persons and drugs, including reforms to the Penal Code and criminal justice processes, as well as a new anti-money-laundering law. But he lamented the Government's lack of qualified personnel to implement new laws, noting that its dependence on foreign aid thwarted progress. Effective measures were needed, but the country could not implement them on its own, he said.

Also speaking today were Government Ministers and other senior officials from the Czech Republic, Iran, Egypt, Cameroon, Romania, Ghana, Malaysia, Canada, Peru, Oman, Namibia and Angola.

The Congress also heard from the representatives of Slovakia, Indonesia, Democratic Republic of the Congo, United Kingdom, Austria, Germany, France, Switzerland, India, Turkey and Israel.

Jean-Paul Laborde, Special Adviser and Head of the Counter-Terrorism Implementation Task Force also addressed the Congress.

Speaking on behalf of non-governmental organizations was a representative of the International Society for Traumatic Stress Studies.

The Crime Congress will reconvene at 10 a.m. Monday, 19 April, to conclude its high-level segment.

Background

The Twelfth United Nations Congress on Crime Prevention and Criminal Justice met today to continue its high-level segment.

Statements

ANTONIO MARIA COSTA, Secretary-General of the Congress, Executive Director of the United Nations Office on Drugs and Crime (UNODC) and Director-General of the United Nations Office at Vienna, said the Congress had so far “put the world’s criminal justice system on trial” and the verdict was harsh. Too many cities were unable to provide public order; income inequalities within and across nations had created an uneven distribution of justice and security; and private guards protected the rich in gated communities, while gangs ruled the ghettos. Police were under fire from well-equipped, well-connected criminals, he said, adding that their salaries were often low and the temptation to accept bribes high.

Prosecutors lacked the skills and equipment to collect evidence, while criminals hired the world’s best lawyers to keep them out of jail, while judges were intimidated, bribed and even murdered, he said. In so many countries they were overwhelmed, resulting in justice delayed, which was justice denied. Prisons, overcrowded with people in pretrial detention or guilty of minor offences, had turned into “incubators of infections and universities of crime”. Money-laundering corrupted entire economic sectors, inducing a sense of inequity that law-abiding ordinary people resented. “Yet if criminal justice were really on trial, the case would be dismissed for lack of evidence,” he said.

“Unlike in other domains where the UN is the world’s best information provider, we don’t have the definitions, data and logical framework to report on crime trends, understand its causes and measure its size,” he continued. Unable to assess progress, we cannot tell you whether your policies are succeeding or not.” All that was seen were the material costs and suffering caused by crime. Global governance had failed to keep pace with economic globalization, allowing international mafias to prosper. Organized crime had become a business with macroeconomic dimensions, comparable to the national incomes of many countries and the profits of the world’s largest corporations. Due to its size and the way it operated, organized crime had become a threat to security.

He went on to cite the spread of drug cartels in West Asia and West Africa; insurgents and criminal groups in Central Africa and the Andean region; the smuggling of migrants and modern slavery in Europe and the Maghreb; gun trafficking from arms-surplus nations in North America; piracy from very poor countries in the Horn of Africa; and the counterfeiting of medicines, illegal exploitation of natural resources, cybercrime and money-laundering. Organized crime was so serious that the United Nations Security Council had considered its implications on several occasions.

Organized crime also threatened the welfare of nations, he said, noting that it created instability which in turn hampered investment and led to a vicious cycle of conflict, mass poverty and environmental deterioration, while impeding the drive to attain the Millennium Development Goals. “There can be no development without justice, and vice versa,” he said. Crime, violence and underdevelopment overlapped, and there was a correlation between weak rule of law and weak socio-economic performance. Crime was indeed causing poverty.

“We cannot just throw money and Blue Helmets at crisis situations; it is the pursuit of justice that will create the conditions for security and development,” he said, inviting the Congress to contribute to the Millennium Development Goals Summit to be held in New York in September. “With much of humanity expecting better, quicker and more honest justice, how can this Congress help? Do we discuss endlessly draft declarations, or do we act so as to facilitate the delivery of justice? The world is expecting your guidance: don’t let down ‘We, the people’,” he said.

Emphasizing the key importance of protecting human rights, he recalled that Member States at the 2005 World Summit had resolved to integrate human rights protection into national policies. In 2008, the Secretary-General had asked all United Nations institutions to do likewise, but despite progress in many areas, criminal justice policies and practices were not among them. “We have a shared responsibility to place human rights at the heart of the justice system; whatever the crime, people under investigation or behind bars have not lost their humanity,” he stressed.

He said a consensus must emerge in Salvador on the need to review and update systematically all criminal justice standards and norms, which served as the “intellectual capital” of more than half a century of congress deliberations. Hopefully, the current Congress would call for a mechanism to review implementation to be in place speedily, effectively and universally so that participants in the 2015 edition could assess the progress made on combating corruption, identifying areas of improvement and calibrating domestic policy on the basis of evidence. Nothing of the sort was presently feasible.

“I will find it disappointing if this Congress adjourns without a resounding call to agree, at the next Conference of Parties, on a similar mechanism to review implementation of the UN (Palermo) Convention against Organized Crime,” he said, adding that “you can sense my frustration”. Delegates

had unanimously manifested concern over the economic might and firepower of organized crime, but previous conferences had failed to agree on mechanisms to measure progress and identify assistance needs. There was incongruence between the silent majority in society that was sickened by crime, and the vocal minority that was attracted to it for profit or fun.

There were many willing associates of organized crime, he said, pointing out that irresponsible journalists turned mobsters into stars, while the entertainment industry glamorized gangsters, musicians sang about “getting stoned” and models were photographed snorting cocaine. Were such people blind, stupid or mercenaries? They were certainly oblivious to the miserable farmers who tilled arid land with their bare hands to satisfy drug habits on the other side of the world; girls sold to brothels by their parents; children forced into hard labour to manufacture expensive garments; unemployed youth turned into foot soldiers of international mafias; illegal migrants enticed into sweat shops; and the thousands of unlucky, ordinary people killed in the crossfire of cartel violence.

“The law will not rule unless we launch massive efforts to engage common people and make society at large willing to promote the culture of justice,” he emphasized. That was happening in equally titanic struggles against climate change, pandemics and poverty, he said, expressing support for civil society’s vibrant participation in the Congress. “There can be no security, no development without justice. Crime prevention and criminal justice are not ends in themselves; they create safer and richer societies. “I invite you to turn this around. Let justice be done to save the world,” he said in conclusion.

DANIELA KOVAROVA, Minister for Justice of the Czech Republic, associating herself with the European Union, focused on the plight of children and juveniles in the criminal justice system, saying she personally struggled with questions such as whether to permit her son to download the hit movie Avatar from the Internet; whether to let her daughter take pictures of her friends on her mobile phone and paste them on Facebook without their consent; and whether to read her children’s text messages so as to monitor their safety.

She said debate was raging in her country on whether the age of prosecution, set at 15 years, was too low, or whether it was valid since children matured earlier and had the wherewithal to tell right from wrong. With the advent of the Internet, children had access to more information than ever before, and adults could either close their eyes to it, or choose to adapt to the fact that “our children are ahead of us”. She said she personally supported raising the age of prosecution to 18 years only in terms of the worst crimes, such as murder and rape cases that resulted in death. It was not unknown that children as young as 11 or 12 years committed such crimes, though they were rare, she noted, adding that there should be a possibility of trying them in court and, as the case may be, punishing them.

Children were not only potential offenders, but also potential victims, she stressed, expressing supported for their maximum protection, especially in the face of new types of criminal activities without borders, committed over the Internet or mobile phone, including sexual abuse. Some countries already had strong tools at their disposal to deal with those crimes, but more were needed, she said, recounting how her daughter had gone to a disco for the first time last week. There was every reason to fear that she would be offered drugs or drink alcohol. The best preventive measures, such as bans from entering sporting or social events, could fail despite society’s best efforts. She expressed support for different types of punishment with an educational impact, but stressed that they should be applied as little as possible.

GHOLAMHOSSEIN MOHSENI AJYEH, Prosecutor General of Iran, described implementation of criminal justice as highly subtle, sensitive, complicated and difficult. For a long time, great thinkers had been trying to find ways to prevent people from committing crimes, and the Congress itself was the result of 55 years of such efforts. Now was the time to consider other instruments by recognizing the pivotal role of spirituality, for example.

Relying on Islamic law, Iran paid great attention to the upbringing of children and solidifying family foundations, he said, noting that his country had enacted special laws to ensure the rights of teenagers and children, who enjoyed special treatment and protection. In today’s world, the collapse of family foundations and the undermining of divine values were two contributing factors to child and teenaged delinquency.

Turning to transnational organized crime, he said numerous conventions had not helped to stem the tide of terrorism, drug smuggling, human trafficking, theft of historical artefacts, cybercrime, financial corruption or money-laundering. The surging narcotics trade in neighbouring Afghanistan

had caused “huge negative effects”, resulting in an overwhelming number of police deaths, he said, calling for greater international cooperation to combat it.

Trafficking in women and children for prostitution, forced labour and the removal of human organs also required integrated international action, he said. The rise of cybercrime made it essential for Governments to establish communication channels. Iran had ratified its own anti-cybercrime law in 2009. Yet, criminal justice entailed returning ex-offenders to a decent life -- what religion referred to as repentance. They should not be made to feel guilty or treated as social misfits.

BRANISLAV HITKA (Slovakia) said his country had adopted a crime prevention strategy and a special Law on Prevention of Crime and Other Anti-Social Activities in 2008. It treated crime prevention as a matter of concern for all society and the basis for criminal justice policy, while giving rise to a new system for financing prevention programmes. It defined the structure of the central and local authorities, the police, prosecution bodies, courts, municipalities and higher territorial units in preventing crime.

He said the Law provided for a special unit of the Ministry of Interior to process data on criminal offences and other anti-social activities, with particular emphasis on trafficking in human beings, money-laundering, cybercrime, juvenile delinquency and the smuggling of migrants. It established rules for ensuring rational financing from the State budget of crime-prevention projects, and was coordinated by the Government’s Council for Crime Prevention.

The new legal framework aimed to make qualitative changes in crime prevention, he said. It helped to establish a more balanced relationship between prevention and repression within the framework of crime control. The Government had made the protection of victims a priority, as it was for the current European Union presidency. The 2008 law established all the necessary tools for effective implementation of the requirements of the draft Salvador Declaration.

BOULES FAHMY ESKANDER, Assistant Minister of Justice for Administrative and Financial Development and Judicial Requests of Egypt, said that since the last Congress, his country had instituted a host of laws to criminalize forced labour and improve existing national penitentiary laws. Through those laws, it had succeeded in harmonizing criminal court procedures, from the time of arrest to sentencing. Court officials, prosecutors and the police had undergone training on human rights, and correctional bodies had been reoriented to promote reintegration and rehabilitation. He said his country had introduced a decree enshrining the rights of children and youth to live in dignity, in the “family context”, and protecting them from abuse. Criminal liability was assigned to children over 12 years of age, overseen by special children’s courts. The courts had instituted even more serious sentences for crimes committed against children, such as sex abuse.

On the international front, Egypt was in the vanguard on migrant-rights protection, he said. The country had also enacted a law on illicit drugs and psychotropic substances that reflected the principles set forth in international conventions covering those substances. In that connection, he called for greater international cooperation on extradition, legal assistance, the freezing of illicit assets and respect for international court verdicts. Technical cooperation was important in building the capacity of States parties to fight terrorism, he said, noting that national leaders were aware of the grave nature of terrorist activities and the fact that they were not limited to one region of the world. Egypt was also concerned with protecting intellectual and cultural property, and called on other States to implement their international obligations on that score, with diligence and in good faith.

GIACOMO CALIENDO, Under-Secretary of State for Justice of Italy, recalled that, in past decades, his country had firmly supported the various United Nations bodies and forums involved in promoting a common international approach to fighting organized crime, including the recent adoption in Doha of a review mechanism for the Merida Convention. The United Nations Convention against Transnational Organized Crime, which had opened for signature in Palermo in December 2000, aimed to fight the financial activities of international criminal associations. It drew on the belief of the late Judge Falcone that arrest was often less effective than large-scale action to seize and recover illicit Mafia assets, he said, noting that the Mafia could tolerate arrest as a “business risk”, but was defeated when the justice system took away its economic profits.

Based on that premise, he said, Italy had adopted an approach to fighting organized crime which extended the power to seize the illicit assets of Mafia members and their families; minimized the Mafia’s ability to conceal assets; and established the responsibility of legal persons in money-laundering. Refined in the last two years, such measures could help significantly to strengthen the fight against criminal organizations in terms of resources and law enforcement. With international cooperation, the Ministry of Interior and the Ministry for Economic and Financial Affairs had set up a

fund enabling the justice sector to gather money and assets recovered from the Mafia, he said. From June 2008 to March 2010, it had seized cash, as well as movable and immovable property, worth €8.9 billion. Italy would provide technical support to expand the list of States parties to the Palermo Convention, with the ultimate goal of universal accession, he said.

EMMANUEL NGAFFESSION, Secretary to the Penitentiary Administration in the Ministry of Justice of Cameroon, said that since the last Congress, his country had intensified its cooperation with other nations, while passing regulations to improve the administration of criminal justice. Juvenile justice now focused on reintegrating youthful offenders into society and considered incarceration only as a last resort. Improving detention facilities was another major concern, he said, noting that additional resources had been invested in prison infrastructure and the reintegration of ex-offenders.

With regard to transnational organized crime, he said his country had ratified optional protocols aimed at preventing and punishing criminals engaged in the trafficking of women and children, and the illegal smuggling of migrants. Acting within the frameworks of the Economic Community of Central African States (ECOCAS) and the Economic Community of West African States (ECOWAS), Cameroon had concluded two standard-setting instruments and a plan of action on trafficking in persons, in addition to agreements made bilaterally with other countries.

In fighting corruption, another priority, Cameroon had established an anti-corruption commission in 2006, with the Supreme Court acting as “auditor”, he said. It had also created a national financial investigation agency to report suspicious information to the judicial branch and, with the help of UNODC, was able to repatriate recovered money. In March, Cameroon had hosted a World Bank seminar in Yaoundé to improve procedures targeting terrorism financing and money-laundering.

ALINA MIHAELA BICA, Secretary of State in the Ministry of Justice and Citizen Freedom of Romania, expressed support for the role of the European Union Counter Terrorism Coordinator in ensuring implementation of the regional bloc’s counter-terrorism strategy and fostering better communication with third countries, pointing out that poor communication and response rates could thwart international judicial cooperation in combating terrorism.

Effective prosecution principles could help address the non-extradition of nationals, she said, calling for more research and better assessment in the use of the Internet, as well as information and communications technology for anti-terrorism purposes. Conventions developed under United Nations auspices to fight transnational organized crime were powerful tools, she said, urging as many States as possible to sign up to the Palermo Convention. Pragmatic mechanisms were needed to improve implementation of that instrument, which also required a strong review mechanism.

Expressing support for the creation of a global network to allow faster, more efficient and direct contact among national judicial authorities, she said the European Judicial Network was a good example of such a network. UNODC should play a pivotal role in bringing regional networks together, she said. Prevention measures, such as promoting social inclusion, were the best way to reduce crime. There should also be a focus on the cross-border dimension of crime and the growing links between local and organized crime. Romania supported UNODC efforts to fight cybercrime, she said, emphasizing that Internet crimes and child pornography should also remain top priorities for the agency. International organizations, the private sector and Member States must pay constant attention to technical assistance, she added.

WILLIAM CHEPTUMO, Assistant Minister for Justice, National Cohesion and Constitutional Affairs of Kenya, associating himself with the “Group of 77” developing countries and China, said his country had hosted the African regional preparatory consultations for the Congress and currently chaired the Governing Board of the African Institute for the Prevention of Crime and the Treatment of Offenders. Kenya was also a signatory to a number of international instruments and had made various infrastructural changes to its criminal justice system. Currently handling 13 piracy cases involving 118 accused -- the highest number in the world -- Kenya was committed to combating piracy, though its personnel were overstretched, he said.

Nevertheless, the Government had taken various actions to tackle a plethora of criminal justice issues, including the handling of children in conflict with the law. On other fronts, initiatives were under way to tackle prison overcrowding, including an integrated correctional reform improvement programme. To combat money-laundering, Kenya had enacted the Proceeds of Crime and Anti-Money Laundering Act, to comply with international recommendations. Working with the United Nations Human Settlements Programme (UN-Habitat), the Government had introduced initiatives to combat urban crime, especially in Nairobi.

In terms of transnational issues, Kenya had received reports of mistreatment of its nationals working abroad, he said, underscoring the need for better inter-State cooperation and compliance with the United Nations Convention on the Protection of the Rights of All Migrant Workers. Kenya supported the emerging consensus on the need for a template on international criminal justice education for the rule of law. He said 13 African countries had adopted the Nairobi Declaration establishing a time-bound UNODC programme on promoting the rule of law and human security in the region for the period 2009 to 2012.

EBO BARTON-ODRO, Deputy Minister of Justice and Deputy Attorney-General of Ghana, said crime had struck notes of fear, anxiety, anger and frustration in the hearts of citizens across all nations, resulting in their loss of confidence in the social order and the “dislocation” of business activities. Governments had had to overstretch and divert their budgets from other sectors to fight crime. But, owing to the complex and sophisticated nature of modern crime, prevention efforts must include a globally coordinated and internationally uniform strategy.

New laws defining new crimes and amending old ones were being passed every day, he noted, adding that, in order to succeed in preventing crime, it was necessary to share information and data at a faster rate, while adopting modern intelligence strategies. Given their statutory obligation to protect life and property, it was the duty of police to restore the people’s confidence and come to grips with crime, he emphasized. For developing countries, however, equipping them with modern surveillance gadgets, tools for intercepting communications, vehicles and other machines amounted to a “huge step”.

Meanwhile, education was one way to create a sense of awareness among the people, while alerting them to their role in the fight against crime, he said. The public could learn to provide the information needed by police for the arrest of criminals and for giving evidence in court. At the national level, Ghana had enacted laws on money-laundering, whistleblowing, human trafficking, domestic violence, economic and other organized crime activities, alongside a mutual legal assistance bill, a public officers’ liability bill and an anti-terrorism law, he said.

JELAING ANAK MERSAT, Deputy Minister for Home Affairs of Malaysia, said that trafficking in persons robbed victims of their freedom and dignity while exploiting them like commodities, for the benefit of irresponsible and amoral individuals or syndicates. It generated tremendous profits for unscrupulous groups to the tune of \$38 billion annually, second only to the proceeds from drug trafficking.

Malaysia’s Anti-Trafficking in Persons Act of 2007, which had entered into force in February 2008, had been instrumental in criminalizing human trafficking, he said, noting that, to date, 202 cases had been brought to justice and 1,252 trafficked victims of various nationalities rescued by enforcement agencies. The Act had also led to the creation of the Council for Anti-Trafficking in Persons, which formulated and oversaw anti-crime policies and programmes.

But such efforts alone were not enough, he said. In March 2010, the Government had launched a five-year national action plan to educate and inform the public about the seriousness of the crime and its negative repercussions on society. Guided by the principles of Government ownership, civil society participation, human rights-based treatment for victims and effective coordination among Government agencies and international bodies, it identified nine strategic goals and nine corresponding programme areas, he said.

Malaysia’s holistic approach to addressing trafficking in persons involved the forging of strategic partnerships with other sovereign countries and international organizations, he said, noting that trafficking was relatively new to the country. The Government needed to equip its personnel with the relevant knowledge and expertise in terms of policy, prevention, protection, rehabilitation and prosecution. To that end, it had held bilateral and multilateral meetings, informal discussions and intelligence exchange.

DONALD PRAGOFF, Senior Assistant Deputy Minister, Policy Sector, Department of Justice of Canada, said his Government recognized the dangers posed to all States by those in which governance and the rule of law had broken down. Due to corruption, organized crime and other factors, criminal justice systems in those States were unable effectively to prevent and suppress crime and terrorism. For that reason, Canada had for some time supported technical assistance against organized crime and terrorism, in particular the work of UNODC.

Consent and consensus were also important among States, he said, recalling that, since 1955, they had developed many standards, norms, best practices, resolutions and legal instruments.

Without international consensus, however, the commitments by each State to full implementation of what had been agreed were mere words. Eight international legal instruments on organized crime, drugs and corruption had been produced since 1955, and several new ones were being proposed this year. Over the long term, the global nature of crime might require still further legal instruments.

However, legal instruments were not always the most effective response to crime, he continued. They were also time-consuming to produce, a major expense for the United Nations regular budget and Member States, which could divert political commitment and resources away from other programmes. In some areas, they raised fundamental questions relating to national sovereignty, human rights and other issues, which would require States to consider beforehand whether proposed instruments would be viable and worth a formal negotiation process.

Crime prevention had been shown to work and was necessary for a stable economy he said. Efforts to rehabilitate offenders contributed to both domestic and global stability. Canada applauded developments in those fields, and supported similar efforts on youth crime, urban crime, violence against women and children, and new and emerging forms of crime. Calling on States to develop the robust institutional capacity needed to prevent crime, he said in conclusion: "The struggle against crime perhaps cannot be won, but it can certainly be lost. We see evidence of this daily in fragile States, where governance and rule of law have broken down."

LUIS FINLAY SALVADOR GOMEZ, President of the Supreme Court of Justice of Tumbes, Peru, said his country was comprehensively fulfilling agreements contained in the declarations emanating from earlier congresses. It had enacted legislation and created institutions to combat transnational organized crime, in addition to developing programmes to protect women, abandoned children and abused people. The Justice Minister had recently announced the creation of a National Council for Criminal Justice Police to tackle such problems more comprehensively.

The national justice system was gradually implementing new criminal procedures to better battle corruption, drug trafficking, money-laundering, smuggling of migrants, contraband and other forms of organized crime, he said. However, implementation of the new model had begun just three years ago. Some gaps and inefficiencies must be overcome through training of personnel in the Public Prosecutors' Office and the police, with technical and financial assistance from the international community.

To end the crime wave, the Government had set up citizens' committees and several special bodies, in addition to creating urban watch patrols and farmers' patrols in rural settings, he said. But those efforts lacked the necessary financial resources to be successful. Peru was focused on preventing juvenile delinquency, not through punishment, but by providing juveniles with protective care, though such programmes lacked full national coverage. Urging the international community to make available the resources necessary to extend such treatment to all at-risk and affected minors, he said urgent alternative measures were also needed to address the root causes of overcrowding in prisons. It was not just a matter of building more prisons, but also finding solutions to social, political and economic problems.

MAJID BIN ABDALLAH AL-ALAWI, President, Tribunal of the Administrative Court of Oman, said the rule of law was important to his country, which had updated its Constitution to include criminal justice provisions. In doing so, it had sought to create a balance between the desire of victims for justice and the human rights of offenders, while upholding the independence of the judiciary and providing sufficient support to prosecutors. Among new developments was the establishment of legal centres at the provincial and local district level to bring the courts closer to the people. The Government was also making efforts to train judicial personnel to deal with new and emerging crimes.

He said his country's judicial system was inspired by Oman's Islamic heritage, applying Muslim principles to promote reparative justice and resolve disputes through reconciliation. There was a strong emphasis on family values, and the juvenile justice law enacted in 2008 focused on the primary concern of rehabilitating youthful offenders and reintegrating them into society. Oman was a party to the United Nations Convention on the Rights of the Child and its Optional Protocols, and was studying the possibility of incorporating them into domestic law. On peace and security, the Government sought to promote international cooperation on the basis of mutual understanding, including on transnational crimes such as terrorism and cybercrime.

SILVESTRE DA FONSECA LEITE, President of the Supreme Court of Sao Tome and Principe, said his country had taken important legislative measures to address trafficking in persons and drugs. With the crime rate increasing, the Government had also adopted criminal justice policies to reduce it to more reasonable levels, reinforce State authority and the rule of law, and create the necessary

conditions for doing so. In collaboration with traditional partners, the Government had recently enacted reforms to the Penal Code and criminal justice processes, which would soon take effect. The country's anti-money-laundering law would be an effective tool against organized crime.

Tackling juvenile delinquency was essential for crime prevention, he said, adding that the Government had adopted a humanitarian approach so as to enable young people to develop in a productive, harmonious, healthy way and not fall into a life of crime. The Government was also addressing the problem of street children, he said, underscoring the need for progressive policies and systematic monitoring of measures to prevent youth crime. Policies should promote educational opportunities to meet the needs of at-risk young people and support their personal development, while providing them with special protection and care.

He said that his country's criminal justice system was not equipped to fully assist children in conflict with the law. Under current legislation, anyone older than 16 years of age was held responsible for criminal action, he said, emphasizing that the legal system must be reformed effectively to assist young people. However, the Government lacked qualified human resources to implement new laws, and its dependence on foreign aid thwarted progress. Sao Tome and Principe needed effective measures, but it could not achieve that on its own, he said, urging international actors to step up cooperation with his country.

OLIVIA IMALWA, Prosecutor-General, Ministry of Justice of Namibia, associating herself with the Group of 77 and China, said that low income, a youthful population and under-resourced justice systems rendered Africa more susceptible than other regions to trafficking in persons. The Convention on Transnational Organized Crime, particularly its provisions on money-laundering, confiscation and seizure of assets, and international cooperation in criminal and migration matters should be put to full use in cases of trafficking in persons and the smuggling of migrants.

For its part, Namibia's judicial powers were vested in the Supreme Court, and its high and lower courts, she said. The country's Ombudsman, Attorney-General and Prosecutor-General were independent of the State. Because of the complexity of serious cases, the Government had introduced investigative guidelines for prosecution, and the task of investigating corruption cases was entrusted to the Anti-corruption Commission, whose powers extended to Namibians suspected of committing corruption offences in foreign countries.

On the international front, she said her country had adopted laws on the prevention of organized crime, including the Financial Intelligence Act. Namibia had ratified the Convention on the Rights of the Child, as well as the African Charter on the Rights and Welfare of Children. It was in the process of creating a separate criminal justice system for child offenders, and had already established a rehabilitation centre for persons under 18. Plans were under way to set up rehabilitation centres that would enable children to be closer to home.

KITTIPONG KITTAYARAK, Permanent Secretary for Justice of Thailand, said that, as host of the 2005 Eleventh Crime Congress, held in Bangkok, his country recognized the importance of global action to address crime prevention and criminal justice, and would continue to support collective efforts. He called for the reinforcement of strategic alliances through comprehensive strategies to reform criminal justice systems and build capacity.

Crime impeded progress towards attainment of the Millennium Development Goals, particularly those concerning the protection of women, he said, calling for a comprehensive, holistic approach to promoting women's rights and gender sensitivity in the administration of justice. While the Standard Minimum Rules for the Treatment of Prisoners remained the most authoritative instrument guiding Member States, they lacked precise provisions to address the specific needs and vulnerability of female prisoners. "It is high time for the Crime Congress to acknowledge the human rights and dignity of these women and respond to their needs more adequately," he said.

He recalled that Princess Bajarakitiyabha of Thailand had initiated the "Enhancing Lives of Female Inmates" project to develop the draft United Nations rules for the treatment of female prisoners and non-custodial measures for female offenders. They would be presented for adoption by the General Assembly as a way to mainstream gender sensitivity into the culture of corrections. "Violence against women is a violation of human rights, pure and simple," he said, affirming his country's commitment to its elimination.

Noting that his country had hosted an intergovernmental expert group meeting in March 2009 to finalize the updated draft model strategies in March 2009, he said they would be presented to the Assembly later this year. The model strategies aimed to ensure that all forms of violence against

women were criminalized and prohibited, and that victims had access to appropriate physical and mental health networks. A strong recommendation from the Congress for their adoption would help reinforce common endeavours, he said.

I GUSTI AGUNG WESAKA PUJA (Indonesia), associating himself with the Group of 77 and China, said environmental crimes such as illegal logging, illegal fishing and illicit trafficking of cultural artefacts had had a devastating impact on his country's economy, and were believed to have links with transnational organized crime. States must heighten their cooperation to combat such crimes, he emphasized, adding that technical assistance played a pivotal role in strengthening the capabilities of growing economies. Money-laundering and cybercrime, two other crimes of note, had been significantly addressed between the last Congress and the present one. To ensure consistency between regional demands and the future Congress, States should consider the possibility of binding instruments on those two crimes.

Long an ardent supporter of regional mechanisms in addressing trafficking in persons and the smuggling of migrants, he said his country supported the General Assembly's current work to develop a global strategy on trafficking in persons. In the fight against terrorism, it had successfully apprehended more than 500 suspects and prosecuted more than 450 of them. However, international instruments on terrorism sometimes amounted to mere rhetoric, and Member States did not adhere to the spirit of multilateralism. For that reason, Indonesia was undertaking a "de-radicalization programme" to rehabilitate people convicted of terrorism. That approach focused on addressing the root causes of terrorism, such as intolerance and poverty. Despite the many calls for coordination between nations, a lack of political commitment, differing legal systems, the rigid application of "dual criminality" and bank secrecy still stood in the way, he said.

HENRIQUES DOS SANTOS, Deputy Attorney General of Angola, expressed concern about the growth of organized crime, which had benefited from technological advances and threatened the development of the rule of law and economic stability. Data analysis and dissemination of information on organized crime, including drug trafficking and cybercrime, should be part of the definition of global strategies.

Combating the forms of cybercrime used in drug trafficking, prostitution and child pornography called for an examination of their impact, he said. Developing countries needed technical support to more effectively implement measures to end cybercrime and implement relevant international conventions, he said. It was essential for a core UNODC group to assess the feasibility of a new convention in that context.

Prior to the Congress, Angola had ratified the Palermo Convention and it approved a law on money-laundering and financing of terrorism, he said. International cooperation and exchange was important in a changing modern world. Ratification of global instruments was an essential legal basis for cooperation, as was cooperation among States and entities in information management. He stressed the need to train specialists to apply the Palermo Convention, ensure human resources for future training, cooperate across borders to recover money laundered by banks, better detect counterfeit currency, and consolidate inspection of imports.

JACKSON BUMBA VANGU (Democratic Republic of the Congo), associating himself with the Group of 77 and the African Group, said his country had established a national committee to coordinate national efforts to combat terrorism and organized crime. It had passed laws dealing with money-laundering, terrorism financing and corruption, in addition to adopting three important decrees creating a fund for combating terrorism. To complement those efforts, the Government had established an inter-ministerial committee to tackle drug trafficking, and set up a border police unit, as well as a border commission.

Emphasizing that child protection was of special importance for African nations, he said his country had put in place a programme on disarmament, demobilization and reintegration of child soldiers. The Government had also ratified numerous international instruments relating to the rights of children and women. It had adopted a "governance contract" with the judiciary to ensure that it stepped up its actions against impunity, upheld international standards, strengthened human resources, and improved prison policies. The Government had also concluded bilateral and multilateral agreements with neighbouring countries.

CHLOE CHITTY, of the Ministry of Justice of the United Kingdom, called on all Member States to help counter money-laundering and terrorist financing, and to improve asset recovery by ratifying the Palermo Convention and the United Nations Convention against Corruption. Describing cybercrime as a serious problem, she said criminals used the Internet to target the global public. To tackle them,

it was essential to work together in identifying offences, gathering evidence and prosecuting the perpetrators. To do that, international cooperation was needed in defining how evidence could be gathered and shared, and in developing best practices on the support that States could expect from each other.

International cooperation was provided for under the Budapest Cybercrime Convention, which had been effective in defining international standards and ensuring the ability of States parties collectively to tackle cybercrime, she said. The Convention was open to accession by all. The G-8 (Group of Eight) Wanted Child Sex Offender Website, launched in March, was a welcome initiative of Interpol that demonstrated successful partnerships between law-enforcement agencies within the G-8, she said. It built upon the success of existing national "most wanted" initiatives by bringing various sites together on a single international platform.

She said that such an international approach would significantly challenge the assumption by criminals that national boundaries could protect them, while reinforcing the international policing community's collective capability to capture wanted offenders. The International Child Sexual Exploitation Image Database, launched in 2009, had materially helped investigators identify, locate and safeguard 89 child victims of such images, she continued. It sought to increase international cooperation in law enforcement, reduce duplication and achieve better results in identifying and safeguarding child victims. To make it a success, States must supply sufficient victim-identification resources such as trained investigators, proper equipment and legally compliant systems.

HELMUT BÖCK (Austria), associating himself with the European Union, said the most recent United Nations study clearly highlighted the levels of violence affecting children in all areas of life, particularly in schools, families and within institutions. Welcoming the appointment of Marta Santos País as the Secretary-General's Special Representative on violence against children, he said that, according to a UNICEF study, more than 1.1 million children were in custody, either held in police stations, pretrial facilities, prisons, closed children's homes and other places of detention. Many of them were accused or convicted of petty offences.

He said his country traditionally sponsored a Human Rights Council resolution on human rights in the administration of justice, in particular juvenile justice, he said, adding that it underlined the important principle that depriving children of their liberty should only be a last resort, and for the shortest appropriate period of time. Children were often victims of sexual exploitation, he said, noting that the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography was a fundamental part of efforts to address those crimes.

Another topic of serious concern was human trafficking, he said, adding that Austria considered its international obligations to be a matter of priority. The engagement of civil society in providing professional care and support to trafficking victims was an important part of Austria's policies in that area. Austria also supported UNODC's "excellent work", and welcomed efforts by the United Nations Global Initiative to Fight Human Trafficking, UN-GIFT. Its work in countering terrorism under the Terrorism Prevention Branch, and its involvement with the Security Council's Counter-Terrorism Committee was also commendable.

He said UNODC had a joint initiative with Austria and the International Anti-Corruption Academy, with support from the European Anti-Fraud Office, aimed at professionalizing anti-corruption work. He also pointed out the importance of combating emerging crime and threats such as environmental crime. Criminal law had an important part to play in a global approach for the protection of the environment. Also welcome were discussions and presentations on issues like torture and religious assistance in prisons.

WILFRIED GROLIG (Germany) said global crime challenges could only be overcome if experts exchanged experiences nationally and internationally, and set general standards based on scientific findings. Germany's strategies to address juvenile delinquency were educational and non-repressive. Its child and youth welfare agencies played a key role, in partnership with the police and judiciary, in preventing crimes among children under 14 years old -- the minimum age for criminal responsibility. Transnational cooperation was needed to combat child sex abuse, particularly child sex tourism and child trafficking, he said, adding that his country had adopted legislation to prosecute people who sexually abused children abroad. Germany had been actively involved in formulating the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, he said, adding that it had signed and ratified the Protocol, and largely met its standards.

To fight terrorism worldwide, prosecution authorities, the police, administrative authorities and intelligence services must cooperate effectively and exchange information easily and quickly, he said.

That required the implementation of Security Council resolutions, as well as conventions on combating terrorism, and Germany would offer support to States experiencing technical difficulties in implementation. The country was particularly affected by organized crime, he said, noting that almost 80 per cent of those cases involved cooperation between suspects of different nationalities. Almost 90 per cent of the offences had transnational connections, and a coordinated international approach was needed to fight it. He stressed the importance of the Financial Action Task Force on Money Laundering, the Palermo Convention and the United Nations Convention against Corruption, as well as the Council of Europe's Convention on Cybercrime and its Additional Protocol.

OLIVIER WEBER (France), associating himself with the European Union, said organized crime had debilitating effects on developing countries, impeding their development. Recent UNODC studies showed that whole economic sectors were under the control of criminal networks, creating insecurity within States. Those networks were sometimes as powerful as States, with financial and logistic resources to match. They were highly adaptable to changing circumstances, destabilizing whole regions, such as West Africa, which they had turned into a drug-trafficking hub. They also undermined post-conflict reconstruction in such areas, and the international community must learn to anticipate their every move if they were to take effective counter-measures.

As the Congress moved to adopt a declaration and road map for the next five years, Members States must keep those issues in mind, he emphasized. It must support existing initiatives that were producing results without forgetting to involve civil society stakeholders. There were ongoing consultations on the possible adoption by the General Assembly of a global action plan against trafficking in human beings, which contained provisions on care for victims. Apart from showing political commitment, States must adopt appropriate legal frameworks to penalize perpetrators and assist victims. In terms of cybercrime, for example, the Budapest Convention was open for signature to non-members of the European Council, the originating body for that instrument.

BERNARDO STADELMANN, Deputy Director of the Federal Office for Justice of Switzerland, said the most important contribution of the Congress should be providing, through the draft Salvador declaration, the necessary political impetus for concerted action to address the interrelated threats facing the international community. The internationalization of crime called for a corresponding increase in international cooperation on detecting and repressing it, and in capacity to confiscate illicit proceeds from crime and return them to their rightful owners, as stipulated in the Merida Convention. Switzerland had been successfully pursuing that objective, he said, noting that his country had, in the last 15 years, returned some 1.7 billion Swiss francs to the countries from which they had been stolen.

In 2001, Switzerland had launched the Lausanne Process, hosting seminars to bring together Government representatives and international experts to improve existing asset-recovery practices, he said. This year's seminar, scheduled for 29 to 30 April, was organized with the Stolen Assets Recovery Initiative (StAR), a joint programme of the World Bank and UNODC, he said, adding that in June, Switzerland and StAR would convene a high-level conference in Paris on the links between asset recovery and development. The Swiss Parliament would debate a draft law this year on the confiscation of plundered assets and their restitution to the countries of origin.

He said his country strongly supported the rights of children and had sponsored meetings on the training of personnel involved in criminal proceedings involving minors in conflict with the law. Switzerland chaired the Core Group of 14 States responsible for implementing the Geneva Declaration on Armed Violence and Development. Low-income countries were the most vulnerable to that threat. The declaration had the support of 108 countries, he said, inviting all States to sign up to it and give due consideration to the recommendations contained in the Secretary-General's report on promoting development through the reduction and prevention of armed violence.

NIRMALJEET SINGH KALSI, Joint Secretary, Ministry of Home Affairs of India, associated his statement with that of the Group of 77 and China, saying that United Nations norms and standards should be widely disseminated to ensure greater respect for the rule of law and human rights. At the same time, crime was an economic and social development issue, he said, noting that a functioning, efficient, effective and humane criminal justice system might have a positive influence on long-term sustainable economic and social development.

He said India was particularly concerned about increasing links between transnational organized crime and other illicit activities, including terrorism and its financing. Another serious matter was the growing nexus between organized crime syndicates, drug mafias and gun-running syndicates on the one hand and terrorist organizations on the other. The rise of cybercrime, economic fraud and

identity-related crime, and their links with other criminal activities -- in many cases related to terrorist activities -- was also worrying.

Welcoming the decision by the Congress to engage in a thematic debate on protection against illicit trafficking in cultural property, he said his country would like to see the establishment of an international framework to address that matter. Of particular importance was the recovery and return of illicitly appropriated property. India also advocated international cooperation to deal comprehensively with the issue of migration, so as to ensure the concerns of origin, transit and destination countries. India had just ratified the Convention on Transnational Organized Crime and all its three protocols, and the instruments of ratification would shortly be deposited with the Secretary-General, he said.

NEHIR ÜNEL (Turkey), associating herself with the European Union, said new and evolving threats could not have been anticipated at the founding of the United Nations in 1945. Turkey, therefore, attached great importance to the work of UNODC, which worked with States to enhance their responses to the intertwined problems of drugs, crime and terrorism, and to strengthen the rule of law through the promotion of fair, humane and accountable criminal justice systems. Noting that UNODC relied on voluntary funding, she called on Member States to provide it with sufficient resources to sustain its technical assistance work, in particular that of its Terrorism Prevention Branch, by increasing its regular budget and providing it with predictable, multi-year extrabudgetary resources.

She urged States to sign up to various international legal instruments, such as the Convention on Transnational Organized Crime, in order to deny criminals any safe haven. Turkey welcomed the establishment of a review mechanism for both the Transnational Organized Crime Convention and the Convention against Corruption, and wished to suggest the creation of a single mechanism to cover both instruments. Turkey's efforts to combat illicit trafficking in firearms, trafficking in persons, and the smuggling of migrants were recorded on the Foreign Ministry's website.

Different types of sanctions -- such as conciliation -- were being used as alternatives to short-term imprisonment, to help ease prison overcrowding, she said. Justice must be based on the rule of law and respect for human rights, and for that reason, Turkey supported measures to ensure that the rights of migrants and their families were upheld, and increasing acts of racism and xenophobia eliminated. In line with that, the Congress should recommend that the Commission on Crime Prevention and Criminal Justice consider elaborating a model strategy on the elimination of violence against migrants, migrant workers and their families in the field of crime prevention and criminal justice.

JEAN-PAUL LABORDE, Special Adviser to the Under-Secretary General and Head of the Counter-Terrorism Implementation Task Force, emphasized that the global threat of terrorism must be met with global solutions. The United Nations Global Counter-Terrorism Strategy, adopted in 2006 with the universal approval of Member States, described all acts of terrorism as criminal, and stated that terrorism must be stopped through better law enforcement and long-term measures to crush the base of terrorist operations.

However, counter-terrorism measures must not trample on human rights and the common values enshrined in the United Nations Charter, he said. Terrorism must be fought in the overall framework of the rule of law and a criminal justice system that could ensure that terrorists were brought to justice, he said, adding that anti-terrorist actions must establish penalties for serious criminal offences in domestic laws and regulations.

However, those instruments could not be implemented without international cooperation on criminal matters, he said, warning that, in the absence of such cooperation, Council resolution 1373 (2001) on bringing terrorists to justice could not be enforced. The absence of fair justice systems resulted in human rights violations, he said, calling on donors to help justice systems try terrorism cases. Fair trials were also needed in order to provide due restitution, compensation and assistance for victims.

The Task Force comprised 30 agencies working to reinforce the criminal justice system through coordination and policymaking, he said, adding that terrorism flew in the face of all United Nations principles. He warned, however, that limiting global anti-terrorism responses to military and law-enforcement measures would weaken what was needed most in combating the threat -- the cooperation of the people. That could not be allowed to happen, he emphasized.

SERGE BRAMMERTZ, Prosecutor of the International Criminal Tribunal for the Former Yugoslavia, said that, during armed conflict, Government institutions often constituted a façade behind which crimes were carried out. There had been an interdependency between organized crime and violators of international humanitarian law during the Balkan wars that had torn the former Yugoslavia apart in the 1990s. Former President Slobodan Milošević and those under his influence had misappropriated millions of dollars, and organized criminals had helped political elites to further ethnic cleansing, smuggle in weapons and oil, and plunder civilian property.

He went on to say that conflicts were sometimes artificially sustained to ensure that armed groups and criminal gangs benefited from illegal activities. That had been the case in Colombia, where armed groups had cooperated with cocaine traffickers; in Afghanistan, where the Taliban worked with heroin traffickers; and in West and Central Africa, where rebel fighters and organized criminals worked together to trade illegally in natural resources. After the end of armed conflict, criminals often continued to enjoy State protection, he said, noting that many well-trained, well-armed and well-resourced members of Mr. Milošević's special units had joined organized criminal networks and grown in status.

In a global society, law enforcement agencies must work together to confront international crimes through an integrated, coordinated and systematic approach, he said, stressing that improved inter-State cooperation, information sharing and mutual legal assistance were essential in achieving that goal. Such steps were likely to help identify and investigate dangerous individuals and groups, and subsequently to containing their criminal activities. Institutions that investigated, prosecuted and adjudicated violations of international humanitarian law would uncover information and evidence, which must be shared with appropriate prosecutorial agencies, he said.

A positive development in that regard, he continued, was that material transferred by the Tribunal to the War Crimes Prosecutors' Office of Bosnia and Herzegovina could prove useful in cases before the Organized Crime, Economic Crime, and Corruption division of the that country's State Court. International policies of integration and conditionality could encourage reform of the judiciary and police services in fragile, post-conflict States, and provide an incentive for enforcing the rule of law during times when that was not politically attractive. The conditionality policies implemented by the European Union, North Atlantic Treaty Organization and the United States towards the former Yugoslavia since 1999 had been particularly successful in fostering reform throughout the region.

YIFAT RAVEH (Israel) said her country had adopted a law to combat criminal organizations, which made involvement in such organizations an offence. It was also an offence for public servants to aid such bodies. The law provided for aggravated penalties and the forfeiture of property, if needed. Other laws were focused on protecting the rights of victims of sexual violence, which gave them the right to receive information on criminal proceedings and to express their opinions in plea bargains or parole hearings. There were victim-assistance units throughout the country, she said.

Especially vulnerable persons, such as children and people with disabilities, received special attention under the law, she continued. The Children Protection Act had been amended so that cases involving victims under 14 years old would not be investigated by police but by trained social workers, who were authorized to decide whether they should appear in court. If not, the social workers testified in their place. However, there was an ongoing debate over the appropriate balance between children's rights and those of defendants, particularly the right to cross-examination.

She said that, in view of difficulties in investigating people with mental or cognitive disabilities, a new law provided for suspects, victims and witnesses with mental or cognitive disabilities to be investigated by welfare services officers. That was because, even without police abuse of power, there was a higher risk of extracting false confessions since they were highly suggestible. Other areas of focus included restorative justice, money-laundering, the affordability of legal representation, cybercrime, prison conditions and terrorism, she said.

Yael DANIELI of the International Society for Traumatic Stress Studies, speaking on behalf of non-governmental organizations, noted that more than 1 billion people suffered harm due to crime every year, and millions more were abused by power and terrorism. While the rights of offenders were established, those of victims were largely overlooked. At best, criminal justice systems used victims as witnesses to establish cases, she said, calling for the creation of an expert group to study the implementation of international conventions and instruments in support of victims' rights.

Noting that at least 30 statements by Member States had emphasized the importance of victims' rights and care during the Congress, she called on all States to adopt and implement appropriate legislation to protect victims of crime and terrorism. As for the protection of juveniles, she urged all

Member States to adopt 14 as the minimum age of criminal responsibility, as proposed by the United Nations Special Rapporteur on Torture, emphasizing also that the rights of children should be the concern of the international community as a whole.

The staff of relevant commissions and organs should conduct training to assist children and prevent their further victimization, she continued, adding that the children of prisoners were also forgotten victims. Their needs must be taken into account during every stage of the criminal justice process, from arrest to release. Young children should be dealt with through supportive care rather than punishment. Responses should be educational and ensure participation by young persons. She stressed the importance of restorative justice and the need to understand how it worked.

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For further information:

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