



**13TH UNITED NATIONS CONGRESS  
ON CRIME PREVENTION AND  
CRIMINAL JUSTICE**  
Doha, 12–19 April 2015



**MEETINGS COVERAGE**

Plenary  
11<sup>th</sup> & 12<sup>th</sup> Meetings (AM & PM)

DOHA/DPI/MC/6  
SOC/CP/365  
17 April 2015

## **UN CONGRESS PLENARY DEBATE FOCUSES ON INNOVATIVE TOOLS TO FIGHT CYBERCRIME, TERRORISM RECRUITMENT, WILDLIFE TRAFFICKING, AMONG NEW, EMERGING THREATS**

As criminals were racing to technologically outpace law enforcement, the international community must erect legal barriers, including new global treaties, to end impunity, prosecute perpetrators and stop cybercrime and illicit financing in their tracks, delegates heard today during a plenary debate on new and emerging forms of transnational crime, as the thirteenth United Nations Congress on Crime Prevention and Criminal Justice continued.

Botnets, online spies and terrorists recruiting foreign fighters were among a league of new threats that required equally unique and innovative responses, speakers said. Some suggested opening channels for information sharing and mutual assistance, while others debated whether or not a new cybercrime convention should be considered. Throughout the day-long debate, delegates agreed that the world had to catch up with the criminals in order to stop their illicit activities.

“We have to be smarter than them to fight their networks,” Morocco’s representative said, describing an evolving cyberspace landscape where criminals were delving into a range of illicit activities, from illegal mining to trafficking in endangered flora and fauna. The rag-tag thugs and old-fashioned gangsters of the past had modernized their operations and were using state-of-the-art technology to run illicit organizations fuelled by trafficking ever more sophisticated products, including human organs and fraudulent medicine. Other speakers agreed that new efforts were needed to stamp out the havoc wreaked by computer viruses and the widespread use of the Internet for criminal offenses, such as child pornography, identity theft and recruitment by terrorist groups.

Guiding their debate on agenda item 5: “Comprehensive and balanced approaches to prevent and adequately respond to new and emerging forms of transnational crime” were a working paper (document [A/CONF.222/8](#)) and a discussion guide (document [A/CONF.222/PM.1](#)) prepared by the United Nations Office on Drugs and Crime (UNODC) that addressed the root causes and drivers of different types of new and emerging forms of crime and the new and distinguishing modus operandi used to commit them. Delegates also heard highlights from Workshop 3 on “Strengthening crime prevention and criminal justice responses to evolving forms of crime, such as cybercrime and trafficking in cultural property, including lessons learned and international cooperation”.

While agreeing that a cooperative approach was required to fight cybercrime and transnational crime, a number of speakers were divided on whether existing or new tools would best guide that task. New crimes required new conventions, Egypt’s delegate said, adding that a new instrument should also guide States in addressing trafficking in cultural property. In addition, a new cybercrime convention should effectively respond to such offenses and provide clear guidance on extradition and repatriation. Agreeing, South Africa’s representative, speaking for the African Group, said there was an urgent need for a legally binding cybercrime instrument, with Iraq’s speaker saying that such a tool would help to contain crimes whereby “dirty” money could be transferred across the world within seconds.

A number of delegates, including representatives of Algeria and Haiti, echoed that view. Brazil’s delegate called for a multilateral legal framework to better assist countries in apprehending and prosecuting perpetrators. On existing treaties, some speakers said that, even though the Council of Europe’s Convention on Cybercrime, known

as the Budapest Convention, was open to non-member States, it fell short in certain areas. The representative of the Russian Federation said that the instrument provided for the respect of human rights; however, it did not recognize the sovereign rights of all States to lead investigations. India's speaker asked: "Can we truly fight against this crime with a decade-old instrument?"

Weighing in, a delegate of the Council of Arab Interior Ministers said that, while the Budapest Convention was an excellent, important open-ended instrument, it could be modified to include the interests of all States. What was needed, he said, was a United Nations convention that would "truly be universal".

Representing a different perspective, a number of speakers emphasized that instead of wasting precious time on shaping a new "tool", the international community should work with what it already had in its kit. The representative of the United States said drafting a new cybercrime instrument was "counterproductive" and delegates of the European Union and the Council of Europe said the Budapest Convention was the correct and appropriate multilateral tool.

Elaborating on that instrument, the representative of the Netherlands pointed out that the fourth Global Conference on Cyberspace was currently taking place in The Hague, with ministers, academics and companies such as Microsoft and Google promoting a vision of a free, open and secure Internet. That task could not be left to Governments alone, he said, adding that civil society and the private sector must be involved. That conference's expected outcomes included the establishment a global forum on cyberexpertise that would, among other things, build partnerships to bolster capacity to keep the Internet safe and secure.

Some speakers said that addressing emerging threats, including cybercrime and trafficking wildlife, could be accomplished through the Convention against Transnational Organized Crime. In that regard, Ecuador called for a review mechanism of that instrument's implementation. As for cybercrime, she said, national legislation was tackling activities related to global espionage and surveillance, which threatened the security and sovereign rights of States.

Some had another view of the discussion on using existing tools over crafting new ones. Spain's representative said the Doha Declaration (document [A/CONF.222/L.6](#)), which delegates had unanimously adopted at the start of the Congress, was a good framework for the coming years and it had been agreed upon after much work. As such, he said, it was inappropriate to use the Congress as a means to move away from the consensus found during negotiations.

Turning to a range of challenges in fighting new threats, some speakers offered suggestions on strengthening the effectiveness of national efforts. The most practical way forward to fight transnational crime, Japan's representative said, was to promptly identify needs and to provide appropriate capacity-building and technical assistance. The challenge ahead, he continued, was not the lack of a universal instrument, but existing gaps and shortfalls in Member States' laws to criminalize the core offenses and to effectively investigate and cooperate.

National laws and innovative measures were indeed needed as illicit proceeds were often siphoned back into the legal economy, Switzerland's speaker agreed, highlighting that perpetrators routinely took advantage of loop holes in the law. One approach could be to provide law enforcement officials with specialized training and establishing simple procedures to allow police to easily and quickly exchange information with partner States, she said, underlining that civil society and the private sector were important partners in those tasks.

In sharing national approaches, delegates voiced concerns about a variety of emerging threats, from foreign fighters joining terrorist groups to illegal forestry and mining operations. With regard to the fight against trafficking in cultural property, Canada's speaker said the rise in that illicit trade, particularly from conflict-afflicted areas, had strong links with organized crime and the financing of terrorism, and many delegates provided examples of national counter-efforts. Some also emphasized their support for the recent Security Council resolution 2199 (2015), condemning the destruction of cultural property in Iraq and Syria. A number of representatives, including from China and Tunisia, called for the creation of a new convention to fight that threat.

Illegal environmental and wildlife trade and poaching were also crimes requiring targeted action, delegates said. Many of those offenses were linked to transnational organized crime, said Indonesia's representative,

highlighting that the illegal fishing trade accounted for \$23 billion in industry losses each year. On environment-related crimes, Thailand's speaker said his country had enacted a number of laws to address the rapidly growing and lucrative illegal trade in forest products. A representative of the Environmental Investigation Agency appealed to Member States to ensure that legislation on transnational organized environmental crime met the "serious" crime threshold and urged them to increase investment in their capacity to conduct intelligence-led enforcement in targeting transnational criminal networks. Some delegates raised new concerns, with Italy's representative saying that trafficking hazardous waste was an underestimated threat, posing grave risk to health and natural resources.

Citing a trend of terrorists amassing proceeds through wildlife trafficking, the Russian Federation's delegate said a new legal instrument could help to find more effective ways to combat that form of crime. Viet Nam's delegate said that winning the fight against wildlife crime meant tackling the "whole chain", including supply, trafficking and consumption. Urging States to use the Convention on International Trade in Endangered Species of Wild Fauna and Flora for guidelines, she added that her country would host the third Conference on Illegal Wildlife Trade in 2016.

Fraudulent medicine was causing hundreds of thousands of deaths and UNDOC must take action on that new crime, some delegates said. India's speaker, however, said he was concerned about the definition of the term, which could include products that infringed on intellectual property rights. Before applying criminal justice guidelines, a definition must be agreed upon, he said, recommending that the World Health Organization (WHO) was best experienced to govern that issue.

With regard to the phenomenon of foreign fighters, delegates expressed a growing concern about the spread of "homegrown" terrorism, with some mentioning national laws against that trend. Australia's speaker said her country had used new counter-terrorism measures to combat violent extremism and had already cancelled more than 100 passports to prevent persons suspected of possible terrorism-related offenses from travelling overseas.

As with other forms of organized crime, the world must work together in tackling terrorism, said a speaker for the Organization of Islamic Cooperation. To better fight the scourge, he called for an international agreement on a new definition of the term.

Summing up a recurring theme heard throughout the day, he said: "We cannot stop crime unless we can identify its root causes [...] and the goals it tries to achieve." Criminals had become organized and collective, making emerging threats complex and extremely dangerous, as they used advanced technology and lethal weapons. With that in mind, he said, international cooperation to fight organized crime was inevitable.

On the opening day of the Congress, Member States adopted the Doha Declaration. By it, they agreed to a number of actions to address new threats, including to explore specific measures designed to create a secure and resilient cyberenvironment and to prevent and counter criminal activities carried out over the Internet. Also by the Declaration, Member States pledged to ensure that their law enforcement and criminal justice institutions had the expertise and technical capacities to adequately address those new and emerging forms of crime, in close cooperation and coordination with other States, and to provide those institutions with the necessary financial and structural support. (See also Press Release [SOC/CP/359](#) of 12 April.)

Also delivering statements during the debate were representatives of Germany, Norway, Sudan, France, Peru, Oman, Iran, Kuwait, El Salvador, Pakistan, Saudi Arabia and Qatar.

The Congress will meet again at 10 a.m. on Saturday, 18 April, to hold a plenary debate on agenda item 6: "National approaches to public participation in strengthening crime prevention and criminal justice".