



European Union

United Nations Office on Drugs and Crime
20th Session of the Commission on Crime Prevention and Criminal Justice, 11-15 April 2011
Opening Statement by Hungary on behalf of the European Union
11 April 2011

Thank you, Mr. Chairperson,

Excellencies, Ladies and Gentlemen,

1. First of all, I would like to reiterate the message of condolences and support expressed by the European Council to the people and government of Japan, following the devastating earthquake and tsunami. At the request of Japan, the European Union has activated the European Civil Protection Mechanism to coordinate assistance from Member States, and stands ready to help the Japanese government and people.

2. I have the honour to speak on behalf of the European Union (EU). The Candidate Countries Croatia, the Former Yugoslav Republic of Macedonia¹, Iceland, Montenegro and Turkey, the Countries of the Stabilisation and Association Process and the potential candidates Albania, Bosnia and Herzegovina, Serbia, as well as Andorra, Armenia, Georgia, Liechtenstein, Norway, Republic of Moldova, San Marino and Ukraine associate themselves with this statement.

3. Let me start by welcoming you, Your Excellency, into the Chair of this 20th Session of the Commission on Crime Prevention and Criminal Justice. We have a number of important issues to consider and we would like to assure you and the other members of the Bureau of the full cooperation of the European Union in carrying out your work.

4. The EU welcomes the topic for this year's thematic discussion: protecting children in a digital age: the misuse of technology in the abuse and exploitation of children. The EU is deeply concerned that child abuse which consists of images of child sex abuse and other particularly serious forms of sexual abuse and sexual exploitation of children are increasing and spreading through the use of new technologies and the internet. The EU remains determined to continue deploying all available means to protect children from abuse and exploitation. We believe that serious criminal offences such as the sexual exploitation and sexual abuse of children require a comprehensive approach covering the prosecution of offenders, the protection of child victims, and prevention of the phenomenon. The child's best interests must be a primary consideration when carrying out any measures to combat these offences in accordance with the Charter of Fundamental Rights of the European Union and the UN Convention on the Rights of the Child and its optional protocol on the sale of children, child prostitution and child pornography as well as, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

5. The EU has been carrying out comprehensive legal regulation aiming at properly tackling this serious threat. The Council of the European Union framework decision 2004/68/JHA of 22 December 2003 on combating the sexual exploitation of children is aimed at harmonizing the laws and regulations of the States members of the European Union in order to combat the

¹ Croatia and The Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process

sexual exploitation of children. In 2010, the European Union published a proposal for a directive on combating the sexual abuse, sexual exploitation of children updating framework decision 2004/68/JHA. The directive includes a broad criminalization of the sexual exploitation of children including provisions on grooming, in other words the establishment of contact with a child, usually using the Internet, with intent to commit a sexual offence against the child.

6. The EU is of the view that the issue has a clear international dimension and, thus coordination of efforts among UN Member States, UNODC and other international and regional organizations and the private sector is essential to adequately tackle the concerns of such illegal activities. We stress the necessity for UNODC to engage in close consultation and coordination with other relevant international and regional organizations in order to build on existing activities and avoid duplication of work. In this regard we believe that UNODC also should aim at facilitating the implementation of existing international legal frameworks addressing the phenomenon.

7. The EU believes that cybercrime is a priority issue and shares the common concern of the international community raised by the growing threat of Cybercrime, where the effective international cooperation is vital. Therefore the EU welcomes that the open-ended intergovernmental Expert Group on Cybercrime at its first meeting, held in Vienna from 17 to 21 January 2011, adopted the collection of topics for consideration in a comprehensive study on impact of and response to cybercrime and the methodology for the study. We are of the view that the study should aim at examining the nature and scale of the problem, the problems and challenges encountered in practice while taking into full account the existing approaches to tackle cybercrime, in particular available initiatives and legal or practical tools for international cooperation. We encourage the UNODC to conduct the study on the basis of a multi-stakeholder involvement, including consultation of international and regional organizations, private sector, NGOs.

8. The EU is greatly concerned by the negative impact of organized crime on human rights, the rule of law, security and development, as well as by the sophistication, diversity and transnational aspects of organized crime and its links with other criminal and, in some cases, terrorist activities. The EU reaffirms the importance of the United Nations Convention against Transnational Organized Crime and the Protocols thereto. We see as a very positive step that the number of signatories has reached 147 States and the number of States who are parties to the Convention has risen to 159. The EU attaches great importance to the establishment of a strong and effective review mechanism which would enable the Parties to obtain reliable and consistent information concerning their implementation of the Convention with the view to identifying gaps, highlighting successful experiences and good practices as well as technical assistance needs. This mechanism should avoid any duplication of efforts and should also take into account practices and experiences of existing mechanisms in other international and regional fora and as appropriate should take into account the views of victims of transnational organized crime such as human trafficking. Given that the UNTOC and its three Protocols are a coherent whole, the implementation review of these four complementary instruments should be conducted through one single mechanism. In this regard the EU welcomes the resolution 5/5 adopted by the Conference of the Parties in October 2010 and looks forward to the first meeting of the Open-Ended Intergovernmental Working Group on the Review of the Implementation of UNTOC, on 17-19 May 2011.

9. The United Nations Convention against Corruption, as the first truly global legally binding international anti-corruption instrument, is an essential tool for State parties in their struggle

against corruption and related forms of crime as it offers a global response to a global problem. We see as a very positive step that the number of signatories has reached 140 States and the number of States who are parties to the Convention has risen to 150. The Third Session of the Conference of the States Parties to the United Nations Convention against Corruption (UNCAC) in November 2009 adopted its review mechanism. This adoption has been a significant breakthrough in our common fight against corruption as it is the first time that a peer review mechanism has been established within the framework of the United Nations. Three elements of this mechanism continue to be essential for the European Union: the participation of the civil society, country visits and the availability of country review reports. The EU supports the full participation of NGOs in the work of UNCAC and its working groups.

10. The European Union reiterates that the United Nations Congresses on Crime Prevention and Criminal Justice, as a consultative body to the UN crime prevention and criminal justice programme, are very good occasions for policy makers, practitioners, academia and representatives from civil society to exchange views, knowledge and experiences on emerging trends, research and policy development related to crime prevention and criminal justice. We recall the respective roles of the Congress and the Commission on Crime Prevention and Criminal Justice as defined in GA Res/46/152, in particular the provision of advice and comments from the Congresses to the CCPCJ on selected matters submitted to it by the Commission and the submission of suggestions from the Congress for the consideration of the Commission, regarding possible subjects for the programme of work.

11. For this reason, now that we begin planning for the next Congress in 2015, it is the view of the EU that we need a discussion here at this session of the Commission on the role of the Congress, and how they should be designed in order to best fulfil this role. We need to examine such questions as the proper length of the Congress, the need for the agenda items to be focused and streamlined, the balance between substantive agenda items and workshops, the role, design and timing of the high-level segment, and the role and the arrangements for the negotiation of a Congress Declaration. In respect of all of these issues, the EU commends the work of the Intergovernmental Group of Experts which, following the Congress in Bangkok, produced an excellent set of recommendations.

Mr. Chairperson,

12. This year marks the 10th anniversary of the adoption of the Vienna Plan of action against terrorism by the General Assembly in December 2001(A/RES/56/261) which provided the start for UNODC's current technical assistance work on countering terrorism. In this context the EU reaffirms that UNODC's Terrorism Prevention Branch (TPB) is a key provider of technical assistance in the legal and related capacity building areas of countering terrorism. The EU attaches particular importance to the implementation of the four pillars of the UN Global Counter-Terrorism Strategy. The EU fully supports the institutionalization of the Counter-Terrorism Implementation Task Force and its efforts to enhance coordination and cooperation inside and outside the UN. The European Union attaches great importance to universal adherence to, and full implementation without reservations, of all international Counter-Terrorism Conventions and Protocols while reiterates that any measures we undertake to prevent and combat terrorism must comply with our obligations under international law, in particular international human rights law, refugee law and humanitarian law. The European Union reiterates its commitment to full compliance with the international legal instruments relating to terrorism and related Security Council Resolutions and continues supporting the vital work undertaken by all relevant UN entities in this regard. The EU has tabled a draft resolution

on “Technical assistance for implementing the international conventions and protocols related to terrorism”. We hope this draft resolution will enjoy broad support from all delegations during the CCPCJ and we ask for its wide co-sponsorship.

13. An issue which also has importance is the connections that sometimes exist between terrorist acts and other forms of transnational organized crime such as money laundering, trafficking in drugs, trafficking in human beings, trafficking in fire-arms, smuggling of migrants, corruption and other illicit activities. In the United Nations Global Counter-Terrorism Strategy, unanimously adopted by the UN General Assembly in September 2006 (A/RES/60/288), Member States resolved to strengthen coordination and cooperation among States in combating crimes that might be connected with terrorism. In this regard the EU notes with satisfaction the organisation of the Symposium, Taking Stock and Defining the Way Forward: “Strengthening the Response to Terrorism by Addressing Connections with Related Criminal Activities”, held in Vienna, 16-17 March 2011. The Symposium successfully facilitated an exchange of experiences and views and fostered discussion on connections between terrorist acts and related criminal activities, on how such connections manifest themselves, on what they mean for Governments and practitioners and on how they can be effectively addressed at the national, regional and international levels.

14. The EU believes that United Nations standards and norms are core instruments of the global effort to effectively address crime prevention and criminal justice issues. The standards and norms in crime prevention and criminal justice, developed over the last 60 years have provided a comprehensive and useful framework of reference for strengthening national legislation and practice, as well as international cooperation. The EU remains highly supportive of UNODC’s endeavour to promote adoption of common standards and norms and develop valuable tools to strengthen the level of human rights protection in every country and to enable closer cooperation among countries in criminal matters. In this regard we would like to mention first of all the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the field of Crime Prevention and Criminal Justice and the UN rules for the treatment of women prisoners and non-custodial measures for women offenders (known as the Bangkok Rules), which the UN General Assembly adopted last autumn. Both represent a step forward in meeting the needs and characteristics of women in the criminal justice system. The EU calls for the effective implementation of these standards.

15. The EU takes note that in November 2010, the UNODC Executive Committee endorsed the thematic programme on crime prevention and criminal justice for the period 2010-2011. The main objective of the thematic programme is to provide Member States with a clear overview of the work carried out by UNODC in crime prevention and criminal justice in 2010 and 2011.

16. On a final note, the European Union welcomes the continued implementation of the thematic and regional integrated approach, which we see as a major step towards improving the funding situation of the UNODC and creating necessary condition for it to be more sustainable and avoiding duplication of efforts and programs. We believe that this is beneficial for the focus of UNODC.

17. At this point of time, Mr. Chairperson, I would like to confine myself to these remarks. The EU has prepared a statement under agenda items 5 a. and b. and will be delivering it at the relevant time.

Thank you, Mr. Chairperson