

APPENDIX F

Speech by Mr Antonia Maria Costa, Director General, United Nations Office of Drugs and Crime:

The global crime threat - we must stop it

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Mr. Chairman, Excellencies, Ladies and Gentlemen,

It is commonplace to talk about our time in terms of fault lines, turning points and defining moments. In fact, I believe this Commission is meeting at a critical juncture - whether we speak about the financial crisis, the resulting economic catastrophe, climate change, energy and food shortages, terrorism and crime. In my opening remarks I will obviously focus on this latter point, crime, though I believe there are threads connecting it to the turmoil in so many other areas.

Criminals have posed a threat to people, property and activity since time immemorial. For centuries the concern was more about conventional crime, namely offences against individuals and assets, in the awful forms of murder, fraud and theft. These uncivil behaviours persist.

Yet, in the past quarter century, the nature of crime has changed. It has become organized and transnational; it has reached macro-economic dimensions; it has turned into a global business operating in collusion with legitimate activity. It has become more than localized violence - it has turned into a widespread threat to the security of cities, states, even entire regions.

The response has been robust, but not effective. Security forces, armed with war-grade weapons, are patrolling cities and fighting gangs. Armies are being mobilized to fight drug traffickers. Navies are chasing pirates and smugglers. Jet fighters and satellites are being deployed to stop drug trafficking. The UN Security Council has dealt with the issue of national security threatened by organized crime in a number of countries. Around the world organized crime has changed strategic doctrines and threat assessments. It is causing alarm among citizens, politicians and media alike.

Why has organized crime reached such magnitude, the world over? Is it the result of post-communist transition, and a realignment of the world order? Is it due to globalization, the opening up of borders, the ease of travel and communication, the growing economic integration? Or is it because development has not taken root in so many regions, where mass poverty and large-scale unemployment have deepened vulnerability to crime? Perhaps it is because of all of the above, with different root causes in different countries. For sure, in the firmament of our society the stars are now lined up in an adverse constellation that causes anxiety, even fear.

Warning signs everywhere

This meeting takes place at the right time. I seek your guidance because, globally, I believe we face a crime threat unprecedented in breadth and depth. The warning signs are everywhere:

- drug cartels are spreading violence in Central America, Mexico and the Caribbean. The whole of West Africa is under attack from narco-traffickers, that are buying economic assets as well as political power;
- collusion between insurgents and criminal groups threatens the stability of West Asia, the Andes and parts of Africa, fuelling the trade in smuggled weapons, the plunder of natural resources and piracy;
- kidnapping is rife from the Sahel to the Andes, while modern slavery (human trafficking) has spread throughout the world;
- in so many urban centres, in rich as much as in poor countries, authorities have lost control of the inner cities, to organized gangs and thugs;
- the web has been turned into a weapon of mass destruction, enabling cyber-crime, while terrorism - including cyber-terrorism - threatens vital infrastructure and state security.

Is this crime wave going to last? I fear it will. The economic crisis will no doubt worsen this situation. (i) Institutional weakness in fragile states is being exploited by criminal groups that count on corruption and impunity. (ii) Worldwide, tight household budgets are calling for increased demand (and therefore supply) for cheap goods, including those pirated and counterfeited, or those produced by forced labour. (iii) The return of migrants and the reduction of foreign remittances are encouraging the smuggling of, and even trafficking in persons. (iv) A growing number of hungry, angry and unemployed youth are now susceptible to joining gangs, crime syndicates, or terrorist groups. (v) The financial sector, facing widespread illiquidity and insolvency, is being penetrated by cash-rich organized crime groups: money-laundering has never been easier, more widely practiced, and on such a grand scale.

An incomplete crime control regime

Are we equipped to face the global crime threat? I'm not sure.

First, we need to establish whether there is a viable anti-crime architecture, a conceptual framework, in place. For example, the drug control regime has been in existence for over half a century. It is based on three UN Drug Conventions (1961, 1971 and 1988) that have established obligations by Member States, and the mechanism for monitoring compliance. This well-structured system comprises a legislative body (CND), a judicial mechanism (INCB), and an executive arm (UNODC). Drug control has been supported by an unmatched statistical basis that allows Member States to determine changes in drug demand and supply, the impact of policy, and the priority areas of intervention.

As of late, things have however changed. Drug control is coming under pressure, not because of the threat drugs pose to health, but because of our failure to deal with a criminal black market that has profited from the drugs trade. This is a failure of crime control, not drug control. In other words: lack of a crime control architecture threatens to cause the collapse of a robust drug control regime. The pro-drug lobby never had it so easy when it proposes drug legalization: an aberration that is now trying to find legitimacy.

Of course, Member States have agreed upon the UN Conventions against Crime and against Corruption, as well as the 3 TOC protocols. Several instruments related to terrorism have also entered into force. But implementation has been patchy. There is almost no information on world crime. Efforts to fight organized crime have been disjointed. The rules of behaviour are not in place, and the mechanisms for monitoring compliance are incomplete.

As a result, the potential of these legal instruments has not been reached, while crime has gone global. I dare say that these are self-inflicted wounds. The world over, countries face a crime situation largely of their own making. Failure to act has also caused collateral damage to countries caught in the cross-fire. It also belittles the sacrifice of law enforcement officers, and the humanitarian contributions by civil society.

A global response to organized crime

Can we view this crisis as an unparalleled opportunity -- an urgent necessity to change the way we fight organized crime? We must, and we must do so together, in the same way we have united to face terrorism, AIDS, climate change, or the financial crisis.

Since organized crime is a cross-cutting issue, a system-wide response by the UN is essential. UN agencies dealing with development, improving habitats, assisting migrants or protecting children can be as effective in preventing crime as law enforcement is in fighting it. Crime control must also be integrated into peace-building and peace-keeping operations, and this is happening.

The blueprints for a global response to organized crime already exist, but they are not being used. So far, one third of all UN Member States - including some members of the G8 - are not yet parties to the Palermo and Merida Convention. Let's achieve universal accession before the Crime Congress next year. And let's close the gaps between ratification and implementation by making national laws and structures consistent with international commitments - and start to use them to prosecute and convict.

This is just the beginning. There have been half a dozen Conferences of the State Parties, but there is still no mechanism for Parties to review implementation of the UNTOC. The only pilot initiative is for the UNCAC. Too much time has been wasted on process rather than on substance. I advise you to turn the Conferences of Parties for the crime conventions into serious endeavours, and develop review mechanisms, data collection and periodic reporting. Within 18 months Member States will have the opportunity (first in Doha, then in Vienna) to put into place all that is needed to fight organized crime and corruption. Go for it.

But there is more. Two out of three of the UNTOC protocols are inactive. The Firearms Protocol has few state parties, none among the major arms producers: a hand-gun is cheaper than a cellular phone. The Smuggling of Migrants Protocol is also neglected, despite the daily tragedy of tens of thousands of desperate people who pay a small fortune to cross perilous seas, deserts and mountains - and very often end up paying with their lives. Let's bring these two Protocols to life. And let's use the General Assembly Discussion on Human Trafficking next month to intensify the global response to modern slavery.

I welcome the thematic discussion on economic fraud and identity-related crime. Money laundering is rampant: honest citizens - worried about losing their pensions, homes and jobs - wonder why the assets of untouchable mafias are not seized. If we now implement tough anti-corruption measures, a decade from now people will say that the financial crisis had a silver lining: it put an end to bank secrecy, tax havens and regulation and compliance failure.

Also, more must be done to prevent the internet from being used as a tool for supplying drugs, arms, people and human organs, and as a weapon of cyber-terrorism.

Evil minds are quick to adapt to technological change. We are not. Why are member states so opposed to doing something against a crime that is virtually penetrating every home?

In my view, efforts to fight organized crime must become more operational. While drug controlled deliveries are common practice, governments have found it more difficult to work together against mafia cartels - and even more difficult to investigate and prosecute jointly terrorists. I urge you to engage in mutual legal assistance on the basis of all UN anti-crime instruments, to extradite, prosecute and convict criminals. UNODC has expertise, including software, that can help.

Ladies and Gentlemen,

We face a crime wave that has become a security crisis. It must be stopped before it spreads even more fear, corruption, violence and poverty.

The political will of states is mightier than the greed and fire power of criminal groups. Working together does not mean surrendering sovereignty, it means defending it. So let us enforce the rule of law where uncivil society prevails.

Thank you for your attention.

