

STATEMENT

BY

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BEFORE THE

**SIXTEENTH SESSION OF
COMMISSION ON CRIME PREVENTION
AND CRIMINAL JUSTICE**

ON AGENDA ITEM 4

Word crime trends and responses

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In the Name of God, the Compassionate, the Merciful

At the outset, my Delegation would like to congratulate you and your colleagues at the Bureau on your election. My Delegation also wishes to extend its congratulations to the secretariat of the UNODC for the excellent arrangement of this session.

My Delegation fully endorses the statement read by distinguished Ambassador of Sudan on behalf of G77 and China.

A) Transnational Organized Crime

Mr. Chairman,

Transnational organized crime poses a serious threat to the rule of law, safety of civil society and is an obstacle to the socio-economic development of many societies, which are the basis for the prosperity and safety of the societies. Due to technological advances and expansion of world trade and globalization of economies, the traditional borders cannot constitute a barrier for criminals, especially transnational criminal groups, when law enforcement authorities are “handicapped” by having to act within the same borders. Therefore, inter-state co-operation should constitute a key element of any effective campaign against transnational criminality such as trafficking in narcotics, trafficking in human beings, trafficking in firearms, money-laundering, economic crimes and corruption, cyber crime and other new forms and manifestations of this menace. It is therefore, absolutely necessary that each and every state should join hands in tackling transnational organized crime, including through provision of technical assistance and expertise to the requesting states in order to create or upgrade national capacity to prevent and combat this multi-faceted scourge.

Transnational organized crime is too complicated in nature and too diversified in form to be combated individually. In other words, international cooperation is an inevitable essential for controlling the menace. The United Nations Convention against Transnational Organized Crime is an appropriate international instrument to draw the lines and define the ways and means of such cooperation.

The adoption of the United Nations Convention against Transnational Organized Crime and its Protocols, aiming at the prevention and suppression of the most threatening forms of organized criminality is a great achievement of international community. But effective implementation of the Convention requires maximum cooperation between member states especially through technical assistance and exchange of expertise and knowledge. The UNODC has a pivotal role to play in this regards, including by facilitating the provision of technical assistance and other forms of assistance to requesting countries, especially the developing and the least developed ones. Provision of any form of assistance to such countries should be based on, and be in line with, overall national program and priorities.

The conference of the parties to the Convention against Transnational organized Crime has been established to improve the capacity of the states parties to combat transnational organized Crime and to promote and review the implementation of the Convention. One of the main decisions of the last session of the said

conference(COP) was the convening of two open-ended working groups of experts, on the issues of international Cooperation and technical assistance. Technical assistance and international cooperation are key elements in combating transnational organized crime and the work of the two working groups should be supported by all Member States.

Mr. Chairman,

The Islamic Republic of Iran while Expresses its appreciation to the UNODC for its endeavors to promote the ratification and implementation of the Convention against Transnational Organized Crime and its protocols, welcomes more close cooperation with the related UN agencies, in particular the UNODC, in area of crime prevention and promotion of criminal justice. My country has benefited from technical and legal assistance provided by the UNODC in following projects which in turn will facilitate the implementation of the Convention:

-Project strategy and linkages to SPF

This project which is aimed at identifying priorities for cooperation between UNODC and the Iranian Government will provide an appropriate framework for continuing the assistance already provided by UNODC to the Government of the I.R. of Iran under the “NOROUZ” program. Through a training program, the project will focus on improving the skills of judges in dealing with organized crime in the context of the existing legislation and upon enactment of a specific law on this topic.

- Project on Improvement of Iranian Legislative and Judicial capacity to tackle Organized Crime and Money Laundering and promotion of Mutual Legal Assistance:

One of the important purposes of the above project is the promotion of judicial capacity for fighting money laundering. This project also strengthens mutual legal assistance between The Islamic Republic of Iran and other Countries, in particular in criminal matters related to transnational organized criminal groups.

- Project on Measures to prevent and combat trafficking in human beings in the Islamic Republic of Iran

The project will be implemented in the framework of the Global program against trafficking in persons. The purpose of this project is capacity-building of the Iranian judiciary for implementation of the laws on combating trafficking in persons, and strengthening cooperation mechanisms between the relevant organs and Departments of the Islamic Republic of Iran and other countries in combating the menace.

Iranian judicial authorities recognize that an effective campaign against drug trafficking and organized crime would require increased cooperation with the international community through international judiciary cooperation and mutual legal assistance.

The I.R of Iran has signed and ratified agreements for cooperation in security matters with some other countries including Italy, Saudi Arabia, Belarus, Kuwait and

Yemen. The provisions of these agreements cover issues directly related to transnational organized crimes.

Moreover, the first meeting of the Interior Ministers of the Economic Cooperation Organization (ECO), on coordination of policies and programs for campaign against transnational organized crime and terrorism was held in Tehran on 1-3 November of 2006. The Interior Minister in the Tehran Final Declaration, given the adverse consequences and effects of transnational organized crime, emphasized the necessity of adopting a common, comprehensive strategy to fight all forms of transnational organized crime such as drug trafficking, human trafficking, money laundering, smuggling of cultural and historical relics. The meeting laid stress on developing effective cooperation and technical assistance with other countries and relevant international organizations, UNODC in particular, for a result-oriented campaign against transnational organized crime and terrorism.

B) Corruption:

Mr. Chairman,

Corruption as a matter of global concern, undermines sustainable development, slows and impedes the consolidation of democratic institutions, weakens the rule of law, and has a negative impact on national economies and political stability. It also undermines social fabrics and ethical values at large and weakens citizen's trust and confidence in the governments.

The adoption of the UN Convention against Corruption signals an important step forward in controlling and combating Corruption. It is an indicative of international consensus that corruption is no more a local crime and that is a crime with transnational dimensions. Therefore, No state could fight corruption alone, without the assistance and cooperation of international community. So, it is imperative to promote a general culture of anti- corruption worldwide.

The Islamic Republic of Iran had an active role in the process of negotiation of the UN Convention against Corruption and is Signatory to the Convention. The legal procedure for ratification of the Convention by the Parliament has been already in progress and final decision to ratify it, is to be made by the Expediency Council.

It is our firm belief that the United Nations convention against Corruption provides a unique legal framework for multilateral cooperation against corruption, including through mutual legal assistance, confiscation and extradition of illegally acquired assets. Since asset recovery and restitution of proceeds of crime to their legitimate and rightful owners is a fundamental principle of the Convention, so necessary measures shall be taken to make this principle materialized. The implementation of the Convention also needs extensive legal and technical expertise and knowledge. The UNODC and member states should work on appropriate ways and means to provide developing states with necessary technical assistance. Providing technical assistance to the countries in need is a sine qua non and critical elements for the effective and efficient implementation of the convention, therefore establishment of an open-ended working group on technical assistance as a subsidiary body of the Conference of the State Parties to the Convention is of great importance. My delegation is of a view that compliance with the Convention should not be a prerequisite for technical assistance and that no conditions should be attached to the

provision of the assistance. Basic principle for providing technical assistance should be mutual benefit, respect for diversity and effectiveness. It should respect national sovereignty and contain a system of effective performance evaluation to ensure that it met the expected results.

My delegation also believes that the specific provision on asset recovery is one of the achievements of the convention. Recovery of asset is one of the priority areas of the convention that deserve due consideration by the conference of the parties and should be placed high on the agenda of the Conference. Effective asset recovery would help countries to redress the worst effects of corruption, while sending a strong message to corrupt officials that there is no place to hide their illicit gains.

My delegation supports the principle of establishing an effective, well-focused review mechanism by the conference of the states parties to the United Nations Convention against corruption. The mechanism should be efficient, impartial, participatory, equitable, transparent and non-intrusive, but an overly complex and resource-intensive review mechanism should be avoided. It is imperative to establish mechanism to monitor compliance with obligations under the Convention in a manner consistent with the principle of the sovereignty of the states. Such a review mechanism should take into consideration the differing capacities and legal systems of state parties. But it might be premature to establish an independent body or expert peer review mechanism at the current stage.

The Islamic Republic of Iran welcomes more close cooperation with the UNODC, in area of controlling and combating corruption. The Islamic Republic of Iran and UNODC cooperation in field of fighting corruption has been outstanding. In mid- 2004 a joint project on strengthening the effectiveness, transparency and accountability of Iran`s Judiciary was launched. The UNODC cooperated and participated actively in holding national seminars in the years 2004, 2005 and 2006 on occasion of universal anti-corruption day. A workshop also was held jointly by Judiciary of the Islamic Republic of Iran and the UNODC on “the Review and Identification of legislative capacity and capability of the Iranian Judiciary against corruption” on 2-3 August 2006. More than one hundred Judges participated in the workshop. One of the working groups of the workshop dedicated to the analysis of the provision of the Convention against Corruption and the legal capacity of the Islamic Republic of Iran on prevention and combating corruption and international obligations derived from the Convention.

Mr. Chairman,

Based on the cooperation between the Iranian Judiciary and the UNODC, “The National Strategy of the I.R of Iran against Corruption” will be finalized in a near future. It is hope that the technical assistance provided by the UNODC, both at national and regional level, would certainly contribute to development of a regional legal framework against corruption.

C) Terrorism:

**Mr. Chairman,
Distinguished Delegations,**

International terrorism is one of the major challenges to international peace and security. It recognized no boundary between the rich and the poor, or between the innocent and the guilty. It threatens all nations and countries in the world, regardless of geography, status or power.

Fighting terrorism requires the concerted efforts and political resolve of all nations and players in the international community. All countries should organize their efforts under the auspices of the United Nations and in conformity with the United Nations Charter and international law and International Humanitarian Law avoiding double standards and selectivity.

The adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy in September 2006 was a landmark event, as it was the first time that the 192 Member States had agreed on a common approach to combating terrorism. The elaboration of such a strategy had been mandated by Heads of State and Government in the 2005 World Summit Outcome (General Assembly resolution 60/1 of 16 September 2005). In this context, we welcome the adoption of a Global Counter-Terrorism Strategy by the United Nations General Assembly which also addresses the root causes and the conditions conducive to the spread of terrorism.

The appalling cruelty of terrorist acts should not divert our attention from the bitter facts that terrorism could not be eradicated unless its root causes or the conditions conducive to its spread are identified and removed. It is now a proven fact that foreign occupation is a top root cause of the menace. Terrorism breeds in a lawless situation and any act leads to the lawlessness should be avoided.

Mr. Chairman,

A campaign against terrorism has always been a top priority for the Islamic Republic of Iran that has been a victim of this utterly appalling act. The Islamic Republic of Iran condemns terrorism in all its forms and manifestation. In our opinion, protecting our national security and preserving the safety and security of our citizens against terrorism compel us to have a comprehensive view of terrorism.

There is a need to clarify which legitimate means can be used to resist against foreign occupation or military aggression on the basis of international humanitarian law. In any case, terrorist acts are unacceptable, both in times of peace as well as during armed conflicts.

Mr. Chairman,

While thanking the preparation of the Report contained in document E/CN.15/2007/9, the Islamic Republic of Iran appreciates the Terrorism Prevention Branch of the UNODC for its contribution in convening a Workshop on Prevention and Combating Terrorism on 17-18 January 2007 in Tehran. The Workshop was organized jointly with the Iranian Ministry of Foreign Affairs and the Iranian Judiciary. Participants were members of the Iranian Judiciary and different related organizations and the workshop was divided in two Working Groups: Working Group

1 mainly dealt with international legal aspects of the universal regime against terrorism whereas Working Group 2 focused its attention on issues of domestic implementation. However, some questions were recurrently discussed in both working groups such as the definition of terrorism and the international legal status of armed liberation movements.

The assistance of UNODC/TPB during the workshop to have common understanding on scourge of terrorism and as a result to facilitate the consideration, ratification and implementation of the universal legal instruments against terrorism was very much welcomed.

Mr. Chairman

I would like to inform the Plenary that the Islamic Republic of Iran acceded to the International Convention against Taking of Hostages, in 2006; accession to the remaining instruments is underway. The Iranian judiciary is working on the best ways to incorporate the provisions of international anti-terrorism instruments into Iranian legal system.

Thank you

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