



European Union

Statement on the occasion of 28th session of the Commission on Crime Prevention and Criminal Justice

Vienna, 20-24 May 2019

Opening Statement

Madam Chair,

1. I have the honour to speak on behalf of the European Union and its Member States. The following countries align themselves with this statement: North Macedonia, Montenegro*, Serbia*, Albania*, Bosnia and Herzegovina*, Iceland†, Liechtenstein†, Ukraine, the Republic of Moldova, Georgia, Armenia and San Marino.
2. Let me start by congratulating you, Madam Chair, for your election as Chair of this 28th Session of the Commission on Crime Prevention and Criminal Justice. We also want to thank your predecessor for the tireless work during the 27th session.
3. We look forward to fruitful discussions this week on a wide range of important topics in the field of crime prevention and criminal justice.

Madam Chair,

4. We continue to strongly believe that national criminal justice systems should ensure effective, fair and humane procedures, based on the protection of human rights, including the right to a fair trial. Human dignity, liberty, the rule of law and respect for human rights and fundamental freedoms are at the heart of everything we do.
5. We oppose the death penalty in all cases and without exception, and we are consistently calling for its universal abolition in every forum.
6. Advancing crime prevention and criminal justice, in full respect of the rule of law, human rights and fundamental freedoms, plays a crucial role in the promotion of sustainable development, the eradication of poverty and the reduction of social inequality.
7. We are committed to implementing the 2030 Agenda, which includes a commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, in line with the Sustainable Development Goals, in particular Goal 16.
8. We appreciate and support the valuable work of UNODC in supporting Member States' efforts on crime prevention and criminal justice. The European Union, together with its Member States, remains the largest contributor to the technical assistance and capacity-

*Candidate Countries North Macedonia, Montenegro and Serbia as well as potential Candidate Countries Albania and Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

†Liechtenstein and Iceland are members of the EFTA and of the European Economic Area.

building work of the Office. We look forward to our continued results-oriented collaboration, keeping in mind the need for coordinated responses with other multilateral organizations.

Madam Chair,

9. We are deeply concerned that transnational organised crime and corruption undermine human development, the rule of law, transparency, fair competition and democracy, damage private and public sector integrity and reduce access to public services.
10. We reaffirm the importance of the United Nations Convention against Transnational Organized Crime (UNTOC) and the Protocols thereto as well as the United Nations Convention against Corruption (UNCAC). We welcome the work of UNODC to assist Member States in the full and effective implementation of these conventions.
11. UNTOC and UNCAC provide a solid basis for international cooperation in criminal matters, especially extradition and mutual legal assistance. However, gaps exist in their implementation by State Parties which hinders international cooperation. In this regard, we welcome the adoption of a review mechanism to the Palermo Convention and the protocols thereto. This review mechanism will help all State Parties in their efforts to make UNTOC an even more valuable tool in the fight against organized crime.
12. Corruption, the risk of progressive infiltration of organised crime into the legal economy and public administration, the terror-crime nexus, the smuggling of migrants, the trafficking in persons as well as of firearms, drug trafficking, environmental and wildlife crimes, the illicit trafficking in falsified medicines and the illicit trade in cultural goods – these examples indicate the challenges we face and which need to be addressed based on effective national law enforcement and judicial systems and on international cooperation.
13. We spare no effort to help return stolen assets to their legitimate owners. This helps fighting corruption and money laundering and other serious crimes. EU and national legislation regulate the return of assets on the basis of national judicial decisions and facilitate the exchange of information between our Member States and the relevant authorities of requesting states around the world. In order to enhance the return of assets to communities affected by the most serious criminal phenomena, Member States should consider taking measures allowing confiscated property to be used for public interest or social purposes.
14. Combating cybercrime represents a very special challenge demanding an even better international cooperation. At the same time, we remain strongly committed to a free, open and secure internet respecting human rights and fundamental freedoms. We promote the Budapest Convention on Cybercrime as the framework for international cooperation and we join the broad international consensus on the need to increase our capacity building efforts.
15. We unreservedly condemn and deplore terrorism in all its forms and manifestations and we attach great importance to the universal adherence to, and full implementation of all international Counter-Terrorism Conventions and Protocols. We reaffirm our commitment to ensuring that effective investigative tools, such as those which are used in combating organised crime or other serious crimes, are made available for investigating and prosecuting terrorist offences. We also want to emphasise that any measures we take to prevent and combat terrorism must comply with our obligations under international law, in particular international human rights law, refugee law and humanitarian law.

Madam Chair,

16. We welcome that the thematic debate tomorrow concentrates on preventing and countering crime motivated by intolerance or discrimination of any kind. The European Union strongly rejects any forms or expressions of racism, xenophobia, intolerance and extreme nationalism. The EU attaches great importance to prevent, counter and eradicate these phenomena in Europe and beyond. At the EU level, a comprehensive response to such phenomena has been progressively strengthened, building on a solid legal framework which has been developed over the years to address racism, xenophobia, hate speech and hate crime in the Member States.
17. A number of general provisions of the EU Treaties provide for the basic principles and framework of this action. Non-discrimination, equality, pluralism, tolerance and the respect of the rights of persons belonging to minorities are among the founding values of the European Union, explicitly mentioned in the Treaty on the European Union. The EU's Charter of Fundamental Rights, to which all EU institutions and bodies are bound to, as well as EU Member States when they implement European Union law, also prohibits discrimination on any grounds including race, colour, ethnic origin, religion or belief and belonging to a national minority. A solid legal framework has been developed over the years to address discrimination based on sex, racial and ethnic origin, religion or belief, disability, age or sexual orientation as well as racism, hate speech and hate crime in the EU Member States. We look forward to a lively debate later this week.
18. We also welcome the leadership of the Government of Japan in preparing the next Crime Congress. We look forward to building on the previous congresses as we work with all partners towards a successful Congress in Kyoto in 2020.

Madam Chair,

19. We urge all Member States to fully and effectively include the contribution of the civil society, the private sector, academia, media and all relevant stakeholders in the development, implementation and monitoring of crime prevention policies, on the basis of a participatory, inclusive, collaborative and integrated approach.
20. We also underline the crucial role of education and awareness-raising, especially among young people, in preventing and countering crime in all its forms and manifestations and in promoting a culture of lawfulness based on the protection of human rights and the rule of law.

Thank you, Madam Chair.