



# **Eleventh United Nations Congress on Crime Prevention and Criminal Justice**

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Items 3, 4, 5, 6 and 7 of the provisional agenda\*

**Effective measures to combat transnational  
organized crime**

**International cooperation against terrorism and  
links between terrorism and other criminal  
activities in the context of the work of the  
United Nations Office on Drugs and Crime**

**Corruption: threats and trends in the twenty-first  
century**

**Economic and financial crimes: challenges to  
sustainable development**

**Making standards work: fifty years of standard-setting  
in crime prevention and criminal justice**

## **Preliminary text of the draft Bangkok Declaration on Crime and Justice, Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice\*\***

### **Note by the Secretariat**

1. In its resolution 59/151 of 20 December 2004, the General Assembly requested the Commission on Crime Prevention and Criminal Justice to begin preparation of a draft declaration at intersessional meetings to be held following its thirteenth session, for submission to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice at least one month prior to its commencement, taking into account the recommendations of the regional preparatory meetings for the Eleventh Congress.

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\* A/CONF.203/1.

\*\* Submission of the present document was delayed because of the need for additional consultations.



2. Pursuant to that resolution, the Government of Thailand was requested to start the process of preparing a preliminary text of the draft declaration.
3. The Permanent Mission of Thailand to the United Nations (Vienna) convened 12 meetings of the informal group “Friends of the Chair”, which were attended by representatives of 39 States from all regional groups.
4. The product of that process, contained in the annex to the present document, is submitted to the Eleventh Congress by the Commission, pursuant to the decision taken at its intersessional meeting, held in Vienna on 1 March 2005. It is understood that the preliminary text is intended to form the basis for consultations among States at the Eleventh Congress on the finalization of the Bangkok declaration.

## Annex

### **Preliminary text of the draft Bangkok Declaration on Crime and Justice, Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice**

*We, the Member States of the United Nations,*

*Having assembled* at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice in Bangkok from 18 to 25 April 2005 to decide to take more effective concerted action, in a spirit of cooperation, to combat the world crime problem,

*Convinced* that the United Nations congresses on crime prevention and criminal justice, which constitute a major intergovernmental forum, have influenced national policies and practices by facilitating the exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels, thus making a significant contribution to progress and the promotion of international cooperation in crime prevention and criminal justice,

*Recalling* the work of the previous United Nations congresses on crime prevention and criminal justice,

*Reaffirming* the responsibility vested in the United Nations Crime Prevention and Criminal Justice Programme to work, together with Member States and regional and international organizations, in the field of crime prevention and criminal justice,

*Alarmed* by the expansion and dimensions of transnational organized crime, terrorism and the links between the two and by the increasing sophistication and diversification of the activities of organized criminal groups,

*Emphasizing* that enhancing dialogue among civilizations, tolerance, preventing the indiscriminate targeting of different religions and cultures and addressing development issues and unresolved conflicts will contribute to international cooperation, which is among the most important elements to combat terrorism in all its forms and manifestations by all means, in accordance with the Charter of the United Nations and international law, and reaffirming that no terrorist act can be justified in any circumstances,

*Alarmed* by the rapid growth, geographical extent and effects of new economic and financial crimes, which have emerged as significant threats to national economies and the international financial system,

*Noting with appreciation* the work of the regional preparatory meetings for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice,

*Declare as follows:*

1. We proclaim our political will to achieve the aspirations and objectives as set out in this Declaration.
2. Crime and terrorism have shown that they do not respect national borders. In a spirit of common and shared responsibility, we reaffirm our readiness

to seek to improve international cooperation in the fight against crime and terrorism, at the bilateral, multilateral and regional levels, in areas such as extradition and mutual legal assistance. We encourage regional and subregional organizations to continue to strive for improved cooperation and coordination in those areas as well. In implementing the relevant international instruments against crime and terrorism, we commit ourselves to comply with international law, in particular international human rights law, refugee law and humanitarian law. We shall seek to ensure our national capacity and, where appropriate, our international capacity, through the United Nations and other relevant international and regional organizations, to engage in international cooperation, in particular in the prevention, investigation, prosecution and adjudication of transnational organized crime and terrorism.

3. We invite donor States and financial institutions to continue to make adequate voluntary contributions on a regular basis for the provision of technical assistance to developing countries and countries with economies in transition, in order to help build their capacity to prevent and tackle crime in all its forms and apply the United Nations standards and norms in crime prevention and criminal justice and, in particular, to enable them to become parties to and implement the United Nations Convention against Transnational Organized Crime<sup>1</sup> and the Protocols thereto,<sup>2</sup> the United Nations Convention against Corruption<sup>3</sup> and the twelve international instruments against terrorism.<sup>4</sup>

4. We shall seek to improve our response to crime and terrorism nationally and internationally, by collecting and sharing information on crime and terrorism and effective counter-measures.

[5. We are convinced that upholding the rule of law and [good governance][proper management of public affairs and public property] are critical to the creation of an environment for successfully tackling crime. We are committed to the development and maintenance of fair and efficient criminal justice institutions and to the consideration of effective measures to prevent crime, in particular at the local level.]\*

[6. We recognize the important role that civil society has to play in the fight against all the various aspects of crime. We shall encourage measures to strengthen that role.]\*

7. We also recognize the importance of prevention strategies and policies in efforts to prevent and control crime and note that comprehensive crime prevention strategies and policies at the global, regional, national and local levels must target the root causes and breeding grounds of crime and victimization. We urge that such strategies be developed based on successful prevention initiatives.

8. We welcome the entry into force of the United Nations Convention against Transnational Organized Crime and two of its Protocols. We urge all States that have not yet done so to ratify or accede to and implement the provisions of that Convention and its Protocols, as well as the provisions of the United Nations Convention against Corruption and the twelve international instruments against terrorism. The implementation of the provisions of those instruments should be in accordance with international law, in particular international human rights law,

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\* Text to be considered with other comments of Member States on the document.

refugee law and humanitarian law. We support every effort to facilitate the implementation of those instruments.

9. We note that countries emerging from conflict are particularly vulnerable to organized crime; therefore, in order to promote sustained rule of law and justice in post-conflict situations, we recommend that Member States, regional organizations and international entities such as the United Nations Office on Drugs and Crime, in coordination with the Department of Peacekeeping Operations of the Secretariat, provide more effective responses to organized crime.

10. With regard to the increased involvement of organized criminal groups in theft of and trafficking in cultural property and illicit trafficking in protected species of wild flora and fauna, we recognize the importance of combating these forms of crime and, bearing in mind the work of the United Nations Educational, Scientific and Cultural Organization, the United Nations Environment Programme and the Commission on Crime Prevention and Criminal Justice, will consider effective measures to strengthen international cooperation.

11. We note with concern the rise of kidnapping as one of the most serious and profitable forms of organized crime, often committed with the objective of funding criminal organizations and terrorist activities, and hence strongly recommend that urgent measures be devised to combat it and that special attention be given to the creation of practical mechanisms for countering this crime.

12. We reaffirm the fundamental importance of implementation of extant instruments and the further development of international cooperation in criminal matters, such as consideration of strengthening and augmenting measures, in particular against cybercrime and money-laundering, the protection of cultural property as well as on extradition and mutual legal assistance.

13. We note that, in the current period of globalization, information technology and the rapid development of new telecommunication and computer network systems have been accompanied by the abuse of those technologies for criminal purposes. We therefore welcome efforts to enhance and supplement existing cooperation to prevent, investigate and prosecute high-technology and computer-related crime. We recognize the important contribution of the United Nations and regional and other international forums in the fight against cybercrime and especially the technical assistance provided to Member States in that area.

14. We recognize the importance of giving special attention to the need to protect witnesses and victims of crime, in particular victims of organized crime, especially women, children and migrants who are victims of trafficking in persons, and we commit ourselves to strengthening, where needed, the legal and financial framework for providing support to victims of crime.

15. We shall undertake to strengthen international cooperation in order to create an environment that is conducive to the fight against organized crime, promoting growth and sustainable development and eradicating poverty and unemployment through effective and balanced development strategies and crime prevention policies.

16. We urge States that have not done so to become parties to and implement the twelve international instruments against terrorism as soon as possible. In order to enhance the capacity of States to become parties to and implement those

instruments and to comply with the relevant Security Council resolutions against terrorism, we express our support for multilateral and bilateral programmes and the activities of relevant United Nations entities, including the United Nations Office on Drugs and Crime, aimed at the provision of technical assistance to developing countries and countries with economies in transition, upon request.

17. We call upon Member States to conclude as soon as possible the ongoing negotiation of the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism.

18. We are convinced that the expeditious entry into force and subsequent implementation of the United Nations Convention against Corruption are central to the efforts at the international level to fight corruption, and therefore we shall accord high priority to supporting efforts to that end.

19. We are also convinced that the proper management of public affairs and public property and the rule of law are essential to the prevention and control of corruption. Furthermore, we recognize that, in order to curb corruption, it is necessary to promote a culture of integrity in both the public and the private sector.

20. Asset recovery is one of the essential components of the United Nations Convention against Corruption and, for that reason, we emphasize the need to adopt measures to facilitate asset recovery that are consistent with the principles of that convention.

21. We are conscious of the challenge of investigating and prosecuting complex cases involving economic and financial crimes, including money-laundering. We shall strive to develop appropriate policies, measures and institutions of national action and international cooperation in the prevention, investigation and prosecution of economic and financial crimes, including money-laundering and those crimes conducted via, or facilitated by, information technologies, and the financing of terrorism.

22. In order to support the efforts of developing countries in fighting economic and financial crimes effectively, we recommend that voluntary contributions and appropriate technical assistance be made available, especially in the area of capacity-building.

23. We shall endeavour to use and apply, as appropriate, existing United Nations standards and norms in our national programmes for crime prevention and criminal justice reform and to undertake, as needed, efforts to ensure their wider dissemination. We shall endeavour to facilitate appropriate training for law enforcement officials, including prison officials, prosecutors, the judiciary and other relevant professional groups, taking into account best practices at the international level.

24. We recognize the importance of further developing restorative justice policies, procedures and programmes in order to decrease the caseload of criminal courts, as well as of promoting the incorporation of restorative justice approaches into criminal justice practices, as appropriate.

25. We affirm our determination to pay particular attention to juvenile justice. We shall consider ways to ensure the provision of treatment to children who are victims of crime and children in conflict with the law, in particular those

deprived of their liberty, and also to ensure that that treatment takes into account their gender, social circumstances and developmental needs and the relevant United Nations standards and norms, as appropriate.

26. We stress the need to consider measures to prevent the expansion of urban crime, including by improving international cooperation and capacity-building for law enforcement and judiciary in that area.

#### Notes

<sup>1</sup> General Assembly resolution 55/25, annex I.

<sup>2</sup> General Assembly resolutions 55/25, annexes II and III, and 55/255, annex.

<sup>3</sup> General Assembly resolution 58/4, annex.

<sup>4</sup> Convention on Offences and Certain Other Acts Committed on Board Aircraft (United Nations, *Treaty Series*, vol. 704, No. 10106); Convention for the Suppression of Unlawful Seizure of Aircraft (United Nations, *Treaty Series*, vol. 860, No. 12325); Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (United Nations, *Treaty Series*, vol. 974, No. 14118); Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (United Nations, *Treaty Series*, vol. 1035, No. 15410); International Convention against the Taking of Hostages (United Nations, *Treaty Series*, vol. 1316, No. 21931); Convention on the Physical Protection of Nuclear Material (United Nations, *Treaty Series*, vol. 1456, No. 24631); Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (United Nations, *Treaty Series*, vol. 1589, No. 14118); Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (United Nations, *Treaty Series*, vol. 1678, No. 29004); Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (United Nations, *Treaty Series*, vol. 1678, No. 29004); Convention on the Marking of Plastic Explosives for the Purpose of Detection (S/22393, annex I); International Convention for the Suppression of Terrorist Bombings (General Assembly resolution 52/164, annex); and International Convention for the Suppression of the Financing of Terrorism (Assembly resolution 54/109, annex).