

STATEMENT By Mr. A. Gopinathan, Joint Secretary, Ministry of External Affairs, Government of India, (Agenda item 110 : Crime Prevention and Criminal Justice), (Agenda item: 111 International Drug Control), Third Committee, 56th General Assembly, NEW YORK, 17TH OCTOBER, 2001

Mr. Chairman,

The world, which was changed by an act of terrorism on September 11, sees now, with the clarity that sudden danger brings on, that terrorism is not just a crime, it is a threat and a challenge to order, to pluralism and democracy, to all civilised values. Crimes are committed for profit, terrorism seeks to coerce and undermine governments. It either kills indiscriminately, or targets groups which represent other religions or political persuasions, to create the general state of panic we call terror. Its aim is to destroy, and at its worst, it tears apart the political, social and economic fabric of the countries it preys upon. Above all, terrorism is the most savage violation of human rights; as High

Commissioner Mary Robinson has said, the many thousands killed at the World Trade Centre were robbed of the most fundamental human right of all - the right to life. And the World Bank has forecast earlier this month that, in the aftermath of the attacks on September 11, the immediate impact on world trade will lead to a rise in poverty which will claim tens of thousands of lives in the developing world.

This being the nature of the challenge, the practice in the Secretariat of seeing terrorism only as a subset of its work on crime prevention is completely inadequate. There are, of course, obvious synergies: acts of terrorism are crimes under both domestic and international law, there is a nexus between: international terrorism and networks of transnational organized crimes, particularly in drugs and arms trafficking, the illicit trade in diamonds and other precious commodities, the trafficking in persons, particularly women and children, and money-laundering. As events following September 11 have established once again, these can only be monitored and countered through painstaking criminal investigations and prompt judicial action, involving enormous domestic effort and unstinted international cooperation. The Commission on Crime Prevention and Criminal Justice has an important role to play here, particularly in coordinating an international response to interrelated problems.

We were distressed, therefore, that at the Tenth Session of the Commission, held in Vienna in May this year, there was so much reluctance to adopt the Draft Action Plans, and particularly the one on terrorism. While countries that have borne the brunt of terrorism for some time urged the adoption of specific plans with certain levels of commitment, sadly, this was opposed by many who thought they were immune from the contagion. The diluted plans adopted at the resumed session of the Commission in early September are nowhere near

what is needed. Now, however, we hope that there will be a renewed interest in adopting a plan of action that will truly address the challenge of terrorism, matched by a commitment to provide the resources that will be needed.

The perception of the threat terrorism poses to peace and security has also changed. In Resolution 1269(1999), its first resolution on terrorism, the Security Council condemned acts of terrorism as "criminal and unjustifiable", and "in particular those which could threaten international peace and security"; the odd implication was that only some acts of terrorism were threats. In Resolution 1373, adopted last month, however, the Security Council described all acts of terrorism as a threat to international peace and security. If terrorism is a general and pervasive threat to international peace and security, the UN system must surely commit the resources needed to counter it.

It is ludicrous that this world-wide challenge is being met by the UN through a Terrorism Prevention Branch in Vienna, which has two professionals trying to stop the serried ranks of bin Laden and other shadowy figures of the terrorist world who have not yet made the headlines. We all know now that very large investments of time, resolve and resources will be needed to win the war on terrorism; for a start, the two lonely sentinels in Vienna need urgent reinforcements, which we trust this General Assembly will send. (Simply as an order of comparison, in the 1990s, the Security Council determined that there was a threat to regional peace and security, first in the Balkans and later in Rwanda, which could only be met by setting up two ad-hoc criminal tribunals to try those accused of having committed serious crimes and human rights violations there; these tribunals will cost member states about \$400 million this year, or about one-sixth of what the UN spends on everything else in a regular budget of \$2,5 billion.)

Mr. Chairman,

Earlier this year, there was some credulous jubilation that the Taliban had complied with the wishes of the international community, issuing and ruthlessly implementing a fatwa to choke off poppy cultivation. However, on closer examination, it turned out that the Taliban had merely turned to their advantage three points of pressure - the drought which hampered cultivation, the international outcry against them and the glut of opium on the market. They did not destroy the stocks in their possession, estimated at 2,800 tons, as large as the average annual Afghan crop. Prices of heroin have soared, and if the Taliban continue in Afghanistan, those stocks will be released when the market is, in every sense of the word, ripe for a killing.

South Asia will continue to be particularly at risk, both from the drug trade and from terrorism, and the UNDCP needs to keep that in mind while setting its priorities. We are disturbed by evidence of what looks like a neglect of a region most at risk, and by the thinning down of the UNDCP presence where it is needed most.

Mr. Chairman,

The adoption of the Convention against transnational organised crime and its three protocols dealing with trafficking in persons, the smuggling of migrants as well as the illicit manufacturing of and trafficking in firearms represent a significant advance in the battle against transnational organised crime. We commend the work of the Commission on capacity-building and technical cooperation for the implementation of the Convention and its protocols. We welcome the progress made in the implementation of the "Vienna Declaration on Crime and Justice: Meeting the challenges of 21st century".

The 55th General Assembly asked for draft terms of reference for the negotiation of an international legal instrument against corruption to be submitted to this session. We commend the work of the open-ended Intergovernmental Expert Group which met in Vienna earlier this year, and which has recommended to us elements which should be considered by the Ad hoc Committee that will negotiate the Convention. We expect and will work for a strong and deterrent Convention which would provide for transparency in international transactions, particularly in banking, and provide for the repatriation of funds to countries of origin.