



# Malaysia

Permanent Mission to the United Nations



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**STATEMENT BY THE HONOURABLE SENATOR NORLIZA ABDUL RAHIM  
MEMBER OF PARLIAMENT AND REPRESENTATIVE OF MALAYSIA**

**ON BEHALF OF  
THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN)**

**COMPRISING BRUNEI DARUSSALAM, THE KINGDOM OF CAMBODIA,  
THE REPUBLIC OF INDONESIA, LAO PEOPLE'S DEMOCRATIC REPUBLIC,  
MALAYSIA, THE UNION OF MYANMAR, THE REPUBLIC OF THE PHILIPPINES, THE  
REPUBLIC OF SINGAPORE, THAILAND AND  
THE SOCIALIST REPUBLIC OF VIET NAM**

**ON**

**AGENDA ITEM 103: CRIME PREVENTION AND CRIMINAL JUSTICE**

**AGENDA ITEM 104: INTERNATIONAL DRUG CONTROL**

**OF THE THIRD COMMITTEE  
67<sup>TH</sup> SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY  
NEW YORK, 11 OCTOBER 2012**

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Mr. Chairman,

It gives me great pleasure to speak on behalf of the ten Member States of the Association of Southeast Asian Nations or ASEAN, namely Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam.

Mr. Chairman,

2. Transnational crime continues to be a serious threat to international security. No country is immune from the development of transnational crime and no legal system on its own is capable of fully controlling its growth. Combating transnational crime requires cooperation among countries through the exchange of information, capacity-building, mutual legal assistance, or joint investigations.

3. ASEAN cooperation in transnational crime primarily takes place within the framework of the ASEAN Ministerial Meeting on Transnational Crime (AMMTC), which discusses the framework of cooperation and oversees the implementation of activities to combat the problem. In addition,

annual Senior Officials Meetings on Transnational Crime (SOMTC) are held to implement and review the decisions taken at the AMMTC level, as well as to recommend new projects and further areas of cooperation.

4. In line with the recommendations set forth in the Secretary-General's report on the activities of the United Nations Office on Drugs and Crime (UNODC), ASEAN undertakes necessary actions to have a stronger and more effective regional and international cooperation in the area of transnational crime, recognizing that such cooperation is vital to successful domestic prosecutions as well as to eliminating safe havens for the offenders of transnational crime.

5. This is especially vital as ASEAN moves towards the realization of the ASEAN Community in 2015, to be a rules-based Community of shared values and norms; a cohesive, peaceful, stable and resilient region with shared responsibility for comprehensive security; as well as a dynamic and outward-looking region in an increasingly integrated and interdependent world.

Mr. Chairman,

6. ASEAN's recognition of the threats imposed by terrorism and terrorist acts since the early nineties augured preventive measures in addressing the threat of this common enemy. ASEAN in this regard, has developed a regional Convention on Counter-Terrorism, which complements the United Nations Global Strategy on Counter Terrorism and the relevant UN Resolutions and Conventions to ensure the security of the region and its people. ASEAN Convention on Counter Terrorism (ACCT) was signed by ASEAN Leaders on 13 January 2007.

7. ASEAN is the first regional group in the world to develop a comprehensive convention countering terrorism. ACCT is not only complementary to the 13 UN Resolutions and two amendments pertinent to counter-terrorism, it also aims to address the challenges that the region is encountering and the root causes conducive to terrorism. ASEAN Convention on Counter Terrorism has entered into force effective 28 May 2011.

8. ASEAN's initiative is a contribution to the global effort in the fight against terrorism. A secure and stable ASEAN means one less worry to the world. Success in the war on global terrorism ultimately depends on the coordinated effort of every peace-loving societies of the civilized world. ASEAN will relentlessly strive for the attainment of a world free from terror and acts of terrorism.

Mr. Chairman,

9. As with the rest of the international community, ASEAN condemns in the strongest possible terms the heinous crime of human trafficking. We are seriously committed to and will spare no effort to address and eventually eradicate the problem.

10. ASEAN's determination to combat human trafficking is reflected by the establishment of the Work Programme to Implement the ASEAN Plan of Action to Combat Transnational Crime, which was adopted during the Special Ministerial Meeting on Terrorism on 17 May 2002 in Kuala Lumpur. The Work Programme identifies trafficking in persons as one of the eight (8) priority areas of transnational crime. The signing of the ASEAN Declaration against Trafficking in Persons Particularly Women and Children on 29 November 2004 in Vientiane further demonstrates the pledge and commitment of ASEAN member countries to combat the problem regionally.

11. During the 8<sup>th</sup> ASEAN Ministerial Meeting on Transnational Crime which was held in Bali, Indonesia from 9 to 13 October 2011, Ministers reiterated their commitments to maintain and

further strengthen collaboration among ASEAN Member States at the regional level particularly on reinforcing the regional approach in combating transnational crime through the development of an ASEAN Convention on Trafficking in Persons (ACTIP).

12. Additionally, since its inception in 2002, all ASEAN Member States have actively taken part in the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, co-chaired by the Governments of Australia and Indonesia. The Bali Process brings together participants to come up with practical measures to help combat people smuggling, trafficking in persons and related transnational crime in the Asia-Pacific region.

13. The Fourth Bali Process Ministerial Conference in March 2011 took a major step towards tackling people smuggling by agreeing to a regional cooperation framework. ASEAN acknowledged that 2012 marks the ten-year commemoration of the First Bali Regional Ministerial Conference. In this context, we affirmed that people smuggling and trafficking in persons are related but distinct crimes, and that each requires a targeted response.

14. ASEAN is also supportive of the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) Meeting, which convened for the first time in New York in May 2012, as it enabled wider participation among Member States, as well as international and regional organizations, NGOs and other relevant bodies. ASEAN is of the view that the platform provided by ICAT would continue to allow stakeholders to engage in a stock taking exercise regarding the effectiveness of the cooperation and coordination measures undertaken thus far. ASEAN will also continue to explore ways and means to further enhance cooperation and coordination among member countries.

Mr. Chairman,

15. ASEAN has advocated a collective regional response to drug abuse and illegal drug trafficking as early as 1972, in which the association convened a meeting of concerned officials and agencies on the prevention and control of drug abuse. Subsequently, the Declaration of ASEAN Concord of 1976 issued by the Heads of Government called for “the intensification of cooperation among member states as well as with the relevant international bodies in the prevention and eradication of the abuse of narcotics and the illegal trafficking of drugs.”

16. The need for a regional approach in drug abuse control and prevention was strengthened with the adoption of an ASEAN Regional Policy and Strategy in the Prevention and Control of Drug Abuse and Illicit Trafficking by the 8<sup>th</sup> ASEAN Drug Experts Meeting in 1984. ASEAN reiterated the urgent need to act against the ever-increasing menace of drug abuse and illegal drug trafficking with the issuance of ASEAN Vision 2020 at the Second Informal Summit in 1997, in which ASEAN leaders embraced for the first time the idea of “a Southeast Asia free of illicit drugs, free of their production, processing, trafficking and use.”

17. At the 31<sup>st</sup> ASEAN Ministerial Meeting (AMM) in July 1998, ASEAN Foreign Ministers signed the Joint Declaration for a Drug-Free ASEAN by 2020 that affirmed the association’s commitment to eradicate the production, processing, trafficking and use of illicit drugs in Southeast Asia by the year 2020. In July 2000, ASEAN Foreign Ministers agreed to advance the target year for realizing a drug-free ASEAN from the original schedule of 2020 to 2015. The year 2015 is a timely benchmark indeed as it coincides with the international community’s galvanized efforts to achieve the MDGs by 2015. There is a growing recognition that transnational crime and related problems are major impediments towards achieving the Millennium Development Goals. We take heed of the recommendation in the Secretary-General’s report, that is for Member States to give

special consideration to the linkages between international drug control and development, especially in the context of preparations for the post-2015 development agenda and the implementation of the outcome of the UN Conference on Sustainable Development.

18. As we intensify efforts to realise the vision and goal of a drug-free ASEAN by 2015, we also note that the ASEAN region comprises a group of countries that vary significantly in their economic and social development; these variances must be taken into consideration in any region-wide assessment of the drug problem and the responses to the threat.

19. At the political level, there is undoubted support for improving the security and stability of the region by dealing effectively with the threat posed by illicit drugs. The level of policy-level attention that the issue of illicit drugs has received is a testament to the focus political leaders of the region place on mobilizing government efforts to deal with this joint concern. However, the ability to gather data and produce evidence-based assessments is a continuing challenge despite considerable progress. We note the concerns raised in the Secretary-General's report that there is a need for UNODC to strengthen the collection and dissemination of accurate, reliable and comparable data and information to enhance knowledge on illicit drug trends. We welcome UNODC's continuous engagement with Member States that require assistance in capacity building to provide data in order to prepare trend analyses and threat assessments and joint response planning.

Mr. Chairman,

20. Criminal justice responses to transnational crime encompassing criminal laws, law enforcement agencies, prosecution services and the courts are typically structured and generally only operate within the confines of national borders. Crime prevention and effective criminal justice system is an essential safety regulator to ensure social stability, economic well being and political peace. The disconnection between the realities of transnational crime and the limits of national systems presents a significant challenge to the ability of countries to effectively respond to the issue. There are numerous practical and political factors that can impede cooperation across borders in criminal investigations and prosecutions. However, while there are many challenges, there are also important opportunities. Through national laws and international agreements, most countries have developed a range of tools that can be used by criminal justice agencies to facilitate cooperation across borders in criminal matters.

21. Indeed, many international treaties and national laws are already in place to deal with the issue of transnational crime. Yet, the number of cases continues to rise. As we embark full speed towards ASEAN Community 2015, we must ensure that our integration and the protection of more than 600 million citizens of ASEAN will be safe and secure from transnational crimes of all sorts. Our community must not only be prosperous, but peaceful and free from drugs and crimes.

22. In conclusion, much more needs to be done to reverse this rising trend and make tangible progress in the fight against this ugly scourge. It is a shared dream among us to completely eradicate the problem of transnational crime. We hope that ASEAN together with the UN through the 'Joint Declaration on Comprehensive Partnership', as well as other relevant international organizations, can take concrete steps in this regard.

I thank you Mr. Chairman.