



**Permanent Mission of Italy
International Organisations - Vienna**

**30th SESSION OF THE
COMMISSION ON CRIME PREVENTION AND
CRIMINAL JUSTICE (CCPCJ)**

**Draft Statement by
Minister of Justice, H.E. Prof. Marta Cartabia**

Vienna, 17 May 2021

Thank you, Mr. Chairman.

Mr. Chairman, Madame Executive Director, Ministers,
Distinguished Delegates,

I am very pleased to take part **in** the commemoration of the 30th session of the Commission on Crime Prevention and Criminal Justice.

At the outset, I wish to **thank the United Nations Office on Drugs and Crime** for spearheading global efforts to prevent and combat crime and corruption, in the framework of the promotion of the rule of law.

I also convey Italy's **gratitude to the Government of Japan** for successfully hosting the 14th United Nations Crime Congress, last March.

My presence here today and the Italian chairmanship attest the importance that Italy attaches to the work of the **Commission**, which over the past three decades has proven to be a

fundamental forum to advance crime prevention and criminal justice policies through international cooperation.

The 30th anniversary of the Commission has a **special meaning** for me. In fact, it brings to memory the work of the man who led the Italian delegation to the very first session of the CCPCJ, in April 1992: **Judge Giovanni Falcone**. Only one month after his participation in the Commission, here in Vienna, he was brutally assassinated by “mafia” in Palermo. The speech he delivered on that occasion was the last one in an international venue.

During the work of the first session of the CCPCJ, it was precisely **Judge Giovanni Falcone** to launch the idea of a high level global political conference which would lay the foundations for more structured international cooperation against organized crime.

Judge Giovanni Falcone was a pioneer of the fight against transnational crime. The so-called “*Falcone method*” traced a **new trajectory in the fight against organized crime**: he had the intuition that repressive action against single isolated crimes was necessary but not enough. He understood that organized crime is based on articulated social and economic networks, across the national borders. And the reply to such criminal

system was to be based as well on networks and coordinated investigations at the national and international level.

Back in 1983, during a famous trial in Palermo, he had an intuition: *“If the police seize a shipment of drugs in Italy destined for the USA – Falcone said to himself – why not go to the USA to study the effects of that operation?”* He took a holistic approach, one that was able to understand the vast complexity of the phenomenon, with all its ramifications and unexpected connections.

The vision of Judge Giovanni Falcone led to the Ministerial Conference held in Naples 1994, which **opened the way for negotiation of the United Nations Convention against Transnational Organized Crime**, adopted in Palermo in 2000.

Falcone understood that **organized crime**, ‘Mafia’, is a poisoning social presence, not only for its cruel and brutal actions against vulnerable and isolated people, but above all for its **economic** activities, where the criminal business is carried out by means of intimidations and extortions against common citizens and by spreading a mindset of illegality in the social fabric. Mafia is not always spectacular in its criminal acts; more

often, it carries out its affairs all over the world in a subtle manner and, being undetectable, it corrodes the market system until **it becomes a real *cancer*** for the society.

For that reason, Judge Falcone saw the crucial importance of tackling the **economic dimension of organized crime**, through financial investigations and effective asset recovery: “*Follow the money*” was his motto. Follow the money and, at the same time, **enhance international judicial cooperation, making use of modern tools of investigations**, while fully respecting **human rights and fundamental freedoms** and the rule of law.

Mister Chairman, Distinguished Delegates,
it cannot be overstated that full respect of the human rights of the indicted and the convicted people, as well as prisoners, is an essential precondition for an effective international cooperation and for an effective fight against crime.

Let me turn now to the main topic of this session, which is the fight against the **smuggling of migrants**. Italy is at the forefront of immigration flows and remains fully committed to preventing and combatting this crime, particularly in the Mediterranean. We

are equally committed to the **protection of the human rights of smuggled migrants**, starting from their right to life.

Ruthless criminal organizations exploit the natural aspiration of migrants to a better life and put their lives at serious risk. **Tragedies** continue to occur despite our efforts (let me here recall that in 2020 Italy coordinated the rescue of more than 25.000 migrants).

There is a lot to do, starting from prevention. This is the reason why we value and support UNODC awareness campaigns and programming **to address the root causes** and push-factors for smuggling.

The size of the migration flows requires a choral effort.

The international community must step up its efforts.

The **Palermo Convention and its “Protocol against the Smuggling of Migrants”** represent the main legal instruments at the global level to address this problem, and we are confident that the recently launched review **mechanism**, strongly supported by Italy, will contribute to make them more effective.

International law enforcement and judicial cooperation among countries of origin, transit and destination **is essential**. In this regard, Italy promotes, in partnership with UNODC, innovative projects aimed at strengthening the collaboration with African countries in the fight against the smuggling of migrants and other related crimes, in particular trafficking in persons, including through capacity building and training activities.

We must also increase our judicial cooperation. The **deployment of a liaison magistrate** to Italy from Nigeria – who we thank for the cooperation extended – has been particularly fruitful and has been replicated elsewhere. The deployment of further liaison magistrates from African countries to Italy has been planned and an agreement with **Niger** will be concluded soon, also thanks to the support provided by UNODC. Additional initiatives to strengthen judicial cooperation between Italy and other African countries are undergoing, namely with **Mali** and **Senegal**.

With these objectives in mind, Italy has tabled, jointly with the United States, a **draft resolution** at this session of the

Commission, and we count on the support of all delegations to achieve a good result on this important topic.

Mister Chairman, Distinguished Delegates,

As we review the operation of the Commission over the past three decades, celebrating achievements in judicial and international cooperation, I would like to offer one final consideration to our today discussion: practicing justice requires striving to remove **the causes of crime**; it requires **preventing and eradicating** the deep roots of crimes and not only to get rid of the sick fruits.

An ounce of prevention is worth significantly more than a pound of cure.

It is therefore necessary to **address the causes**, to eradicate the deepest roots, to cultivate a sound cultural and economic context in order to **prevent** the proliferation of transnational organized crime.

Giovanni Falcone used to say, times and again, that in the fight against mafia and all forms of organized crime, the most

effective tool was to awake people's awareness and to spread a healthy culture of legality. Here lies **Giovanni Falcone's evergreen legacy** not to be forgotten.

Thank you.