



FINAL DECLARATION

(Rome, 30th May, 2009)

During the G8 ministerial meeting of Justice and Home Affairs, held in Rome on 29th and 30th May 2009, we, the Ministers of Justice and the Home Affairs, discussed a number of issues of common interest in the field of justice and home affairs, together with the Vice President of the European Commission. Ministers of the current E.U. Presidency and INTERPOL, UNODC and UNICRI attended the meeting as well.

We focused our attention on issues of strategic importance related to fighting international terrorism and transnational organized crime, and we came to the conclusion that a critical tool in fighting organized crime is to deprive criminal organizations of the proceeds of crime, by means of confiscation and other proceeds-driven approaches. We also emphasised the importance of protecting critical infrastructure in an interdependent world.

We held a special event aimed at remembering the figure as well as the ideas of Giovanni Falcone, whose insights are deeply entrenched in the Palermo Convention against transnational organized crime.

We discussed the increasing scourge of piracy, especially off the coast of Somalia.

We examined the phenomenon of trafficking in persons and migrant smuggling, by analyzing the possible intervention strategies. We also considered the issue of integration of immigrants recognizing the positive benefits of lawful migration.

Some other topical issues we discussed included cybercrime and combating child pornography. As regards the fight against child pornography, we emphasized its urgency and importance by adopting a stand-alone declaration "The Risk to Children Posed by Child Pornography Offenders".

We then analyzed the issue of urban security, as a new "global security issue", which our countries are increasingly called upon to deal with.

CONCLUSIONS

COUNTERTERRORISM

We, the G8 Ministers of Justice and Home Affairs, strongly reaffirm our condemnation of all acts of terrorism, irrespective of their motivation, whenever and by whomsoever committed, while reaffirming that States must ensure that any measures taken to combat terrorism comply with their obligation under International law, in particular human rights law, refugee law and humanitarian law.

We are also aware that, despite the efforts and successes reported by the international community, terrorism is still one of the most serious threats to international security.

Our assessment of the threat shows that international terrorist groups maintain a significant offensive capability and demonstrate considerable organisational flexibility in adapting their structures and operational models to different contexts.

The continuing ability of radicalization and recruitment to generate international terrorism is a cause of great concern.

To counter these phenomena, the best defence is prevention. To this end, we need to broaden and share our knowledge on the recipients of radicalisation and the channels used to spread violent extremism.

This requires monitoring the activities and communications terrorist organizations rely on to radicalize, recruit and plan for their criminal acts to the extent permitted by domestic laws governing such monitoring. In particular, we need to continue focusing on their exploitation of the Internet.

The counter-terrorism co-operation between G8 countries is essential and it is important to continue to strengthen and to further develop co-operation through new and well-established mechanisms, such as our joint threat assessment and the exchange of knowledge and best practices.

Key objectives of international co-operation in this field lie in the exchange of operational information to the extent permitted by the relevant domestic laws, in blocking the channels of terrorist financing, by implementing the FATF's Special Recommendations to Combat Terrorist Financing. In addition, it is important to study new forms of funding terrorist activities, to counter terrorist mobility, to minimize the vulnerability of critical infrastructures and all modes of transportation while increasing their resilience, to impede the misuse of cyberspace for terrorist purposes and to prevent Chemical Biological Radiological and Nuclear (CBRN) terrorism.

In particular, we recognize that our growing interdependence requires increased cooperation to protect the critical infrastructures upon which our industries and societies rely. Our experts' recent work on energy and chemical infrastructure represents an important step in promoting a more in depth knowledge and we request the experts of the Roma/Lyon Group to continue this work.

We stressed the importance of making counter-terrorism measures, including preventive measures compatible with the respect for fundamental human rights and the rule of law.

Well aware of the fact that the fight against terrorism can also be enhanced through a wider adherence to internationally recognized standards of protection of fundamental rights, we agreed on the importance of vigorous capacity building efforts, which serve to strengthen law enforcement and judicial capabilities and to protect human rights in third countries.

Prevention alone is not sufficient to respond to the challenge posed to our society by terrorists. Criminal proceedings, dealt with in full respect of the rule of law, should result in effective, proportionate and dissuasive criminal sanctions on people found guilty. We renew our commitment to implement fully our recommendations from 2004 for sharing and protecting national security intelligence information in the investigation and prosecution of terrorists and those who commit associated offences.

TRANSNATIONAL ORGANIZED CRIME

We, the G8 Ministers of Justice and Interior, consider transnational organized crime a threat to national security and international

stability. Transnational organized crime undermines the rule of law and negatively affects the economy.

The analysis of the threat posed by transnational crime has registered a global expansion of drug trafficking, arms smuggling and trafficking in persons, while money laundering has increased and violations of intellectual property rights have proliferated.

We reaffirm the need to carefully monitor the possible connections of transnational crime with international terrorism.

We expressed concern about the recent upsurge of piracy at sea, which our countries are determined to fight. We examined the legal challenges associated with investigation and prosecution of piracy. We recognize this as an issue requiring further expert study and we adopted a stand alone Declaration “on the fight against piracy”.

Today, the threat from transnational organized crime is more spread out and more complex than in the past. As a result, it is ever more necessary to strengthen further international co-operation as a priority for an effective fight. In this context we decided to utilise the ‘G8 Threat Assessment: The Threat to G8 Countries from Transnational Organised Crime’ project to provide improved strategic direction to the Roma/Lyon Group on organised crime.

The international community has taken an important first step in the fight against transnational organised crime with the Palermo Convention (United Nations Convention Against Transnational Organized Crime) and the Protocols thereto, and a further implementation of them should be supported. In this context, the G8 encouraged active participation in the next Conference of the Parties of the United Nations Convention Against Transnational Organized Crime and to work with UNODC towards its full implementation.

As G8 Ministers of Justice and Home Affairs, we recognize the important contribution made by UNODC, UNICRI and INTERPOL in preventing and combating transnational organized crime and their roles in support to various States.

A key-point of our considerations is that we came to the conclusion that a critical tool in fighting organized crime is to deprive criminal organizations of the proceeds of crime, pursuing a proceeds-driven approach.

It is important that such proceeds of crime, irrespective of their location or their fictitious ownership, can be detected, seized and confiscated, thus denying criminal organizations a safe haven. In this regard an important role could be played by international cooperation in the field of mutual legal assistance, which should be encouraged to the wider extent possible.

We point to the success of “Operation Mantis” – a ground breaking multilateral operation to identify and interdict bulk cash smuggling – organized by the G8 Roma-Lyon Group. As the Ministers for Justice and Home Affairs we are encouraged by this success and look forward to expanding on this experience in the future.

Based on positive national experiences, it could be an option for a State to allocate resources diverted from organized crime for the sake of social utility and, in particular, for security. This has the potential to provide substantial funds to States to prevent and combat crime and, furthermore, it would have a significant impact on gaining social acceptance of legal rules (“culture of legality”) and in restoring our citizens' confidence in the institutions.

We decided to deepen the expertise on the legal, operational and management aspects of this discussion. We request experts to consider whether additional work would strengthen and increase their ability to provide international cooperation in the execution of foreign conviction and non conviction based confiscation orders, including in particular in relation to developing countries.

CHILD PORNOGRAPHY

Sexual exploitation of children, besides being a heinous crime, is a gross violation of basic human rights.

As G8 Ministers of Justice and Home Affairs, we firmly condemn all forms of sexual exploitation of children, including “travelling sex offenders”, and the proliferation of child pornography on the Internet.

It is important to consider ratifying the Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse.

The G8 co-operation in this area is well established and it allows us to combat this despicable phenomenon more effectively.

We appreciate the G8 initiatives and projects in this area by the experts of the Roma/Lyon Group. These include the “G8 Wanted Child Sex Offenders” website, efforts to stop and prosecute “travelling sex offenders”, as well as the recent International Research Symposium held at the University of North Carolina in Chapel Hill on the sexual exploitation of children. These initiatives strengthen our capacity to prevent and combat this scourge, and we consider it important to develop them further.

The continuous advances in technology offer more scope for improving international co-operation in this field, especially in regulatory and operational terms.

We believe, in particular, that consideration should be given to aggressive measures such as the creation of a blacklist of sites containing child pornography, aimed at blocking navigation to paedophile sites and/or measures to increase the reporting of child pornography as appropriate in our various legal systems. The blacklist could be run by some international organizations. This blacklist could be updated and disseminated by international organisations, then adapted where necessary and implemented by appropriate domestic organisations.

Effective international cooperation would also be achieved through a wider membership in multi-lateral task forces, sharing specialised software and closely coordinating on line undercover investigations and other international law enforcement operations.

We therefore encourage our experts to study the various aspects underlying the implementation of the above-mentioned devices for international collaboration.

Recognizing the importance of bringing together our efforts to combat child pornography online and offline, we adopted a stand-alone Declaration on child pornography, entitled “The Risk to Children Posed by Child Pornography Offenders” and reaffirm our commitment to continue to work together to combat child pornography, particularly on the Internet.

CYBERCRIME AND CYBERSECURITY

The hazardous nature of cybercrime – which covers a broad array of crimes – is increasing in tandem with the pace of technological progress.

One alarming development is the worldwide increase in identity frauds, which threatens both the financial and personal security of individuals and undermines national security efforts. We applaud the practical guidance on this topic that Roma/Lyon experts provided earlier this year to the UN Commission on Crime Prevention and Criminal Justice.

Criminal misuse of social networks, encryption services, VoIP services, the Domain Name System, and other new and evolving criminal attacks on information systems, pose increased challenges to law enforcement capabilities and are spreading.

To cope with these threats, we believe that it is essential to improve collaboration between the service providers and law enforcement to track online activity during an investigation while respecting the rights of Internet users including the most vulnerable groups of society and especially the young and the elderly. It is also essential for States to give a technologically advanced response, and to strengthen the existing forms of international co-operation such as the G8 24/7 High Tech Crime Points of Contact.

The Ministers, recognizing the importance of enhancing investigation mechanisms in this field, such as the "Training Conferences" of the Contact Points of the 24/7 network, welcome the proposal of Italy to organize another session.

In addition, we encourage broad collaboration across G8 Countries on cybercrime, including the participation in the Meridian Process and the Conference established during the United Kingdom's Presidency in 2005.

We therefore commit to identifying the solutions needed if we are to continue to strengthen international law enforcement co-operation and to promote forms of partnership between the government and the private sector – including service providers and Computer Emergency Response Teams.

Moreover, the G8 member states should continue to enhance their cooperation in the sphere of organization of cross-border cybercrime

investigations. Currently, the G8 member states are in the process of implementation of the multi-stage initiative "Organization of Cross-Border Cybercrime Investigations", aimed at conducting examination and summarizing the experience in this field, and identifying a set of practical recommendations to be used in the G8 and, possibly, for the G8 outreach. Successful implementation of this project will result in promotion of the more effective information exchange and facilitation of the practical cooperation between the law enforcement authorities investigating cybercrime.

HUMAN TRAFFICKING, ILLEGAL MIGRATION, INTEGRATION OF LEGAL MIGRANTS

As Ministers of Justice and Home Affairs, we strongly condemn human trafficking as a serious violation of fundamental human rights and we are determined to fight criminal organizations that operate in this field making enormous profits and to prevent possible connections with terrorist organizations.

We reaffirm our common commitment to combat illegal immigration and migrant smuggling, which feeds the transnational criminal organizations and hampers the integration of legal migrants.

We express concern over the current international financial crisis, which threatens to increase the migratory pressure towards the more industrialized countries.

To address this situation it is necessary to strengthen international co-operation, taking stock of our previous considerations and experiences and improving the means of prevention and fight against them.

Particular attention should be given to countries where irregular migration flows originate or transit.

Identifying and preventing the fraudulent use of travel documents must remain a priority. We acknowledge the important contribution of machine readable passports to global security. Consequently, we encourage all International Civil Aviation Organization (ICAO) Contracting States, who currently do not issue machine readable passports, to take all appropriate steps to meet the ICAO

requirement approved in 2005 that requires all states to issue compliant machine readable passports from 1 April 2010.

As an ICAO recommended practice all non machine readable passport should expire at 1 April 2015 at the latest.

As ePassports add new security capabilities, interoperability will be crucial. We request all States to verify the authenticity of the information in ePassport chips and to use the International Civil Aviation Organization Public Key Directory to do so when their national legislation permits. The G8 fully support the ICAO recommended practice that Contracting States issuing or intending to issue ePassport and/or implementing at border controls automated checks on ePassport should participate in the ICAO PKD.

The G8 is committed to encouraging the widest possible ratification and implementation of existing international agreements (UN Protocols on Trafficking in Persons and Migrants Smuggling) and to support initiatives of technical assistance to third countries to help them acquire the capabilities required for the full implementation of these instruments.

Legal immigration must be accompanied by measures to foster the integration of immigrants and increased outreach towards their communities would benefit both countries of destination and immigrants.

This is why we consider positive the exchange of experiences and best practices on policies for the management of legal migration and integration and reaffirm our commitment to continue the work done up to now.

URBAN SECURITY

The issue of urban security is gaining importance in national policies and has a direct impact on domestic security and on the quality of people's lives.

This is a problem shared by developed countries and developing countries.

Urban insecurity affects especially the most vulnerable brackets of society and hampers the integration of immigrants.

Furthermore, urban decay can feed connections between street crime and organized crime and provide a favourable environment for the development of different forms of violence.

It should not be overlooked that because cities are the new vital centre of activity of global society, they are also a target for terrorist attacks. For example, our cities thrive on the interconnectivity modern transportation in all modes provides. Therefore, we must continue to devote ourselves to sharing best practices and promoting common standards to protect passengers and cargo from known threats, particularly explosives, while simultaneously exploring emerging threats.

On the issue of urban security, we compared our respective experiences, and for the first time in the G8, we shared the view on the usefulness of developing international co-operation in this field.

We reaffirm the positive effects of involving local communities in the development of security policies, particularly as it assists in fostering a culture of legality and in promoting democracy through closer engagement with public institutions.

The management of security in cities requires a joint effort of all institutions and, in particular, of local authorities which play a major role in this field.

We request the experts of the Roma/Lyon Group to investigate the dynamics of urban insecurity, including its possible links with more serious forms of crime and to consider appropriate arrangements for international co-operation.