

Resolution

2005/16

Action against transnational organized crime: protection of witnesses

The Economic and Social Council,

Recalling General Assembly resolution 55/25 of 15 November 2000, by which it adopted the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,

Recalling also General Assembly resolution 55/255 of 31 May 2001, by which it adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,

Concerned about the negative political, economic and social implications of the activities of organized criminal groups and the possible expansion of such activities,

Convinced of the need to strengthen local, regional and international cooperation in the effective prevention and combating of such activities wherever they occur,

Determined to facilitate the testimony of witnesses in order to ensure prosecution of those who participate in or profit from transnational organized crime, and thus to prevent the provision of safe havens for such persons,

Reaffirming the growing recognition of the key role of witnesses in criminal proceedings, especially in cases involving organized crime, and the need to encourage their collaboration and to provide them with effective protection from retaliation or intimidation,

1. *Takes note with appreciation* of the report of the Secretary-General on the United Nations Convention against Transnational Organized Crime and the Protocols thereto;¹

2. *Encourages* Member States to exchange their experiences with, and information on, action taken to provide effective protection for witnesses in criminal proceedings involving transnational and national organized crime and for their relatives and all other persons close to them;

3. *Requests* the Secretary-General to pay special attention, within the framework of technical assistance activities, to the issue of the protection of witnesses, in order to enable Member States to establish effective witness protection programmes;

¹ E/CN.15/2005/6.

4. *Also requests* the Secretary-General to convene, within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the United Nations Office on Drugs and Crime,² an open-ended intergovernmental group of experts, the composition of which should reflect equitable geographical representation and the diversity of legal systems, to exchange experiences and put forward suggestions and recommendations with regard to protecting witnesses and encouraging them to collaborate in the judicial process, taking into account ongoing work in that area.

*36th plenary meeting
22 July 2005*

² This new language does not provide a basis for an increase in the regular budget or requests for supplemental increases.