



## Economic and Social Council

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### Commission on Crime Prevention and Criminal Justice

#### Nineteenth session

Vienna, 17-21 May 2010

Item 2 of the provisional agenda

#### Adoption of the agenda and other organizational matters

### Provisional agenda and annotations

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. Thematic discussion on protection against illicit trafficking in cultural property.
4. Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:
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  - (b) Ratification and implementation of the United Nations Convention against Corruption;
  - (c) Ratification and implementation of the international instruments to prevent and combat terrorism;
  - (d) Other crime prevention and criminal justice matters;
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5. World crime trends and emerging issues and responses in the field of crime prevention and criminal justice.
6. Consideration of the conclusions and recommendations of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice.

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7. Use and application of United Nations standards and norms in crime prevention and criminal justice.
8. Strategic management, budgetary and administrative questions:
  - (a) Work of the working group on governance and finance;
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9. Provisional agenda for the twentieth session of the Commission.
10. Other business.
11. Adoption of the report of the Commission on its nineteenth session.

## Annotations

### 1. Election of officers

In its resolution 2003/31, entitled “Functioning of the Commission on Crime Prevention and Criminal Justice”, the Economic and Social Council decided that, with effect from 2004, the Commission on Crime Prevention and Criminal Justice should, at the end of each session, elect its Bureau for the subsequent session and should encourage the Bureau to play an active role in the preparation of the regular session as well as the informal intersessional meetings of the Commission, so as to enable the Commission to provide continuous and effective policy guidance to the United Nations crime prevention and criminal justice programme; and also decided that the Chairman of the Commission should, whenever appropriate, invite the Chairmen of the five regional groups, the Chairman of the Group of 77 and China and the representative of or observer for the State holding the Presidency of the European Union to participate in the meetings of the Bureau.

Pursuant to Economic and Social Council resolution 2003/31 and rule 15 of the rules of procedure of the functional commissions of the Council, the Commission, at the end of its reconvened eighteenth session, on 4 December 2009, opened its nineteenth session for the sole purpose of electing its Bureau for that session. In view of the rotation of offices based on regional distribution, the officers elected for the nineteenth session of the Commission and their respective regional groups are as follows:

<i>Office</i>	<i>Regional group</i>	<i>Officer</i>
Chair	Group of Latin American and Caribbean States	Eugenio María Curia (Argentina)
First Vice-Chair	Group of Western European and other States	Rüdiger Lüdeking (Germany)
Second Vice-Chair	Group of Asian States	Dinesh Patnaik (India)
Third Vice-Chair	Group of African States	Hakeem Balogun (Ghana)
Rapporteur	Group of Eastern European States	Simona Manuela Marin (Romania)

A group composed of the Chairs of the five regional groups, the Chair of the Group of 77 and China and the representative of or observer for the State holding the Presidency of the European Union has been established to assist the Chair of the Commission and to participate in the meetings of the Bureau, pursuant to Economic and Social Council resolution 2003/31.

## **2. Adoption of the agenda and other organizational matters**

Rule 7 of the rules of procedure of the functional commissions of the Economic and Social Council provides that the Commission shall, at the beginning of each session, adopt the agenda for that session on the basis of the provisional agenda.

In its decision 2009/246, the Economic and Social Council took note of the report of the Commission on its eighteenth session; and approved the provisional agenda and documentation for the nineteenth session of the Commission.

Following the adoption of the agenda, the Commission may wish to establish a timetable and agree on the organization of work for the nineteenth session. A proposed organization of work is contained in the annex to the present document.

As agreed by the Commission at intersessional meetings held on 11 September and 23 November 2009 and confirmed at the reconvened eighteenth session, the nineteenth session of the Commission will be held from 17 to 21 May 2010, with informal consultations to be held on the working day preceding the first day of the session. Pursuant to Economic and Social Council decision 2009/246 and in view of the fact that the Twelfth United Nations Congress on Crime Prevention and Criminal Justice would be held from 12 to 19 April 2010, at the reconvened eighteenth session Member States were strongly urged to submit draft resolutions at least one month prior to the opening of the session, and by 21 April at the latest. Draft resolutions should be accompanied by such information as the intended scope, a proposed timetable for implementation, identification of resources available and other relevant information. The provisional deadline for the submission of draft resolutions for consideration at the nineteenth session is Monday, 17 May 2010, at noon.

Pursuant to Economic and Social Council decision 2009/251, the Commission will hold its annual one-day reconvened session in the second half of 2010, back to back with the reconvened session of the Commission on Narcotic Drugs.

### **Documentation**

Provisional agenda and annotations (E/CN.15/2010/1)

## **3. Thematic discussion on protection against illicit trafficking in cultural property**

The Economic and Social Council, in its decision 2009/246, decided that the prominent theme for the nineteenth session of the Commission would be "Protection against illicit trafficking in cultural property". At an intersessional meeting held on 23 November 2009, the Commission endorsed the following subthemes, which had been agreed in the course of informal consultations and were subsequently confirmed at the reconvened eighteenth session:

(a) Applicable law and policies, from the perspective of crime prevention and criminal justice, to combat trafficking in cultural property, including issues of

criminalization and implementation of judicial decisions, with emphasis on the links between such trafficking and transnational organized crime;

(b) Preventing trafficking in cultural property, in particular through:

(i) Awareness-raising, capacity-building, technical assistance and interdisciplinary coordination;

(ii) Criminalization in the context of prevention;

(iii) Measures designed to safeguard cultural property, including means for the identification of cultural property and physical protection measures;

(c) Emerging trends (such as use of the Internet, electronic commerce and auctions) and adequate responses;

(d) International, regional and bilateral cooperation, within the mandate of the United Nations Office on Drugs and Crime, in preventing and combating trafficking in cultural property, including through mutual legal assistance, private/public partnerships and mechanisms for the restitution and return of such property, with due regard to the role of technical assistance.

The Economic and Social Council, in its resolutions 2004/34 and 2008/23, entitled “Protection against trafficking in cultural property”, recalled the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property, which was adopted at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and welcomed by the General Assembly in its resolution 45/121.

In its resolutions 2004/34 and 2008/23, the Economic and Social Council emphasized the importance for States of protecting and preserving their cultural heritage in accordance with relevant international instruments such as the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, the Convention on Stolen or Illegally Exported Cultural Objects and the Convention for the Protection of Cultural Property in the Event of Armed Conflict and the two protocols thereto.

In its resolution 2008/23, the Economic and Social Council reiterated the significance of cultural property as part of the common heritage of humankind and as unique and important testimony of the culture and identity of peoples and the necessity of protecting it. The Council reaffirmed the necessity of international cooperation in preventing and combating all aspects of trafficking in cultural property, and noted that such cultural property was especially transferred through licit markets, such as auctions, including through the Internet. The Council expressed concern about the demand for cultural property, which led to its loss, destruction, removal, theft and trafficking, and was alarmed at the growing involvement of organized criminal groups in all aspects of trafficking in cultural property.

Also in its resolution 2008/23, the Economic and Social Council reiterated the request made in its resolution 2004/34 that the United Nations Office on Drugs and Crime (UNODC), in close cooperation with the United Nations Educational, Scientific and Cultural Organization (UNESCO), convene an open-ended intergovernmental expert group meeting to submit relevant recommendations on

protection against trafficking in cultural property to the Commission; and requested the Secretary-General to report to the Commission at its nineteenth session on the implementation of resolution 2008/23. Pursuant to Council resolution 2008/23, the expert group on protection against trafficking in cultural property met in Vienna from 24 to 26 November 2009. The recommendations of the expert group will be before the Commission for consideration (E/CN.15/2010/5); the report on the meeting of the expert group will also be made available (UNODC/CCPCJ/EG.1/2009/2).

#### **Documentation**

Report of the Secretary-General on protection against trafficking in cultural property (E/CN.15/2010/4)

Note by the Secretariat on the recommendations of the expert group on protection against trafficking in cultural property (E/CN.15/2010/5)

Note by the Secretariat on the discussion guide for the thematic discussion on protection against trafficking in cultural property (E/CN.15/2010/6)

Note by the Secretariat on world crime trends and emerging issues and responses in the field of crime prevention and criminal justice: protection against trafficking in cultural property (E/CN.15/2010/17)

#### **4. Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice**

##### **(a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto**

The Conference of the Parties to the United Nations Convention against Transnational Organized Crime will hold its fifth session in Vienna from 18 to 22 October 2010. The Conference will consider, inter alia, the use of the Convention for combating emerging forms of crime and the question of international cooperation with particular emphasis on extradition, mutual legal assistance and international cooperation for the purpose of confiscation, and the establishment and strengthening of central authorities.

In its resolution 64/179 on strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity, the General Assembly, recalling that 2010 marked the tenth anniversary of the Organized Crime Convention, requested the Secretary-General to convene a special one-day high-level meeting of the Assembly in the second quarter of 2010 on transnational organized crime, aimed at fostering universal adherence to the Convention and the Protocols thereto and at strengthening international cooperation; also requested the Secretary-General to organize a special treaty event to promote ratification or accession to the Convention and the Protocols thereto during the special high-level meeting of the Assembly; and recommended to the Conference to organize a high-level segment during its fifth session in order to discuss new and emerging forms of crime, and ways and means of enhancing the implementation of the Convention and the Protocols thereto.

The Economic and Social Council, in its resolution 2009/24, entitled “International cooperation to prevent, combat and eliminate kidnapping and to provide assistance to victims of kidnapping”, requested UNODC, in coordination with other relevant entities, to provide technical assistance to Member States, upon request, to enable them to strengthen their capacity to combat kidnapping; invited Member States and other donors to contribute resources for that purpose; and requested the Executive Director to report to the Commission at its nineteenth session on the implementation of the resolution. The report of the Executive Director on international cooperation in combating transnational organized crime and corruption will be before the Commission (E/CN.15/2010/8).

**(b) Ratification and implementation of the United Nations Convention against Corruption**

In its resolution 64/237, entitled “Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets, in particular to the countries of origin, consistent with the United Nations Convention against Corruption”, the General Assembly welcomed the successful outcome of the third session of the Conference of the States Parties to the United Nations Convention against Corruption, especially the establishment by consensus of a review mechanism for the implementation of the Convention. It called, in particular, for the rapid and effective implementation of the review mechanism by all States parties and, where appropriate, relevant stakeholders. It took note with appreciation of the work of the different working groups established by the Conference and of the open-ended dialogue with international organizations, including the Institutional Integrity Initiative. It called upon States parties to the Convention to support the work of the newly established Implementation Review Group, including its work on technical assistance, and the newly established open-ended intergovernmental working group on prevention of corruption, as well as the continuing work of the working group on asset recovery. It requested the Secretary-General to continue to provide UNODC with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention and to discharge its functions as the secretariat of the Conference, and also requested the Secretary-General to ensure that the new mechanism for the review of implementation of the Convention was adequately funded, in line with Conference resolution 3/1. It reiterated its call for the private sector, at both the international and the national levels, including small and large companies and transnational corporations, to remain fully engaged in the fight against corruption, and noted in that context the role that the Global Compact could play in fighting corruption and promoting transparency. It also took note with appreciation of the work undertaken by the Stolen Asset Recovery Initiative of UNODC and the World Bank and of its cooperation with relevant partners, including the International Centre for Asset Recovery.

In its resolution 64/244, entitled “Programme budget for the biennium 2010-2011”, the General Assembly approved the necessary regular budget funding for the staffing requirements of the review mechanism.

**(c) Ratification and implementation of the international instruments to prevent and combat terrorism**

In the plan of action of the United Nations Global Counter-Terrorism Strategy adopted by the General Assembly in its resolution 60/288, Member States resolved to encourage UNODC, including its Terrorism Prevention Branch, to enhance, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, its provision of technical assistance to States, upon request, to facilitate the implementation of the international conventions and protocols related to the prevention and suppression of terrorism.

In its resolution 64/118, entitled “Measures to eliminate international terrorism”, the General Assembly requested the Terrorism Prevention Branch of UNODC to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism; and recognized, in the context of the United Nations Global Counter-Terrorism Strategy and Security Council resolution 1373 (2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building.

The General Assembly, in its resolution 64/177, entitled “Technical assistance for implementing the international conventions and protocols related to terrorism”, requested UNODC to reinforce the provision of technical assistance to Member States, upon request, for the ratification and legislative incorporation of those international legal instruments and for the building of capacity to implement them; to provide technical assistance to strengthen international cooperation in order to prevent and combat terrorism, and to ensure adequate training of all relevant personnel in executing international cooperation; to take into account in its technical assistance programme to counter terrorism the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law; and to intensify its efforts to continue to systematically develop specialized legal knowledge in the area of counter-terrorism and pertinent thematic areas of relevance to the mandates of the Office, especially through the preparation of technical tools and publications and the training of criminal justice officials.

In its resolution 64/179, the General Assembly reiterated its request to UNODC to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation with the Counter-Terrorism Committee and its Executive Directorate, as well as to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, and invited Member States to provide the Office with appropriate resources for its mandate.

In its resolution 64/168, entitled “Protection of human rights and fundamental freedoms while countering terrorism”, the General Assembly urged relevant United Nations bodies and entities and international, regional and subregional organizations, including UNODC, within its mandate related to the prevention and suppression of terrorism, to step up their efforts to provide, upon request, technical assistance for building the capacity of Member States in the development and

implementation of programmes of assistance and support for victims of terrorism in accordance with relevant national legislation.

- (d) **Other crime prevention and criminal justice matters**
- (e) **Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies**

Pursuant to Economic and Social Council resolution 1989/56, the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute, under the guidance of the Commission (as the successor to the Committee on Crime Prevention and Control pursuant to Council resolution 1992/1), shall undertake relevant activities, including formulating principles, policies and guidelines for the activities of the Institute and reporting periodically to the Council through the Commission.

#### **Documentation**

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2010/3-E/CN.15/2010/3)

Report of the Executive Director on international cooperation in combating transnational organized crime and corruption (E/CN.15/2010/8)

Report of the Secretary-General on assistance in implementing the universal conventions and protocols related to terrorism (E/CN.15/2010/9)

Report of the Secretary-General on the activities of the institutes of the United Nations crime prevention and criminal justice programme network (E/CN.15/2010/10)

Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2010/15)

#### **5. World crime trends and emerging issues and responses in the field of crime prevention and criminal justice**

The understanding and knowledge of crime trends and criminal justice indicators support effective policy formulation, operational response and impact assessment in the area of crime prevention. Regular international data-collection activities on crime trends and criminal justice and relevant analysis are mandated by General Assembly resolution 46/152 and Economic and Social Council resolutions 1984/48, 1990/18, 1996/11 and 1997/27. In its resolution 64/179, the Assembly requested UNODC to strengthen the collection, analysis and dissemination of information to enhance knowledge on crime trends. The data thus collected, together with complementary information, provide evidence to assist in identifying trends, analysing long- and short-term changes and assessing the magnitude of the crime problem.

The analysis contained in the report of the Secretary-General on the state of crime and criminal justice worldwide (A/CONF.213/3) and the note by the Secretariat on



world crime trends and emerging issues and responses in the field of crime prevention and criminal justice: protection against trafficking in cultural property (E/CN.15/2010/17) includes an overview of international trends and data in crime and criminal justice for the period 2003-2008. Context and priorities in crime measurement are described, followed by summaries of available data on intentional homicide, conventional crime, drug-related crime, trafficking in persons, corruption and the performance of law enforcement and criminal justice institutions. The majority of data presented are derived from the annual United Nations Survey of Crime Trends and Operations of Criminal Justice Systems questionnaire. Results from the Survey, by country, are published annually on the UNODC website ([www.unodc.org/unodc/en/data-and-analysis/United-Nations-Surveys-on-Crime-Trends-and-the-Operations-of-Criminal-Justice-Systems.html](http://www.unodc.org/unodc/en/data-and-analysis/United-Nations-Surveys-on-Crime-Trends-and-the-Operations-of-Criminal-Justice-Systems.html)).

Pursuant to Economic and Social Council resolution 2009/25, entitled “Improving the collection, reporting and analysis of data to enhance knowledge on trends in specific areas of crime”, the expert group on improving the collection, reporting and analysis of crime data held a meeting in Buenos Aires from 8 to 10 February 2010. As mandated in the resolution, the expert group prepared recommendations on the improvement of tools for the collection of relevant crime data, in particular the Survey, and on the collection, collation, analysis and reporting processes. The report on the meeting will be made available to the Commission (UNODC/CCPCJ/EG.2/2010/2).

In the same resolution, the Economic and Social Council requested the Executive Director of UNODC to submit to the Commission, at its nineteenth session, a report on the activities of the expert group.

#### **Documentation**

Report of the Secretary-General on the state of crime and criminal justice worldwide (A/CONF.213/3)

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2010/3-E/CN.15/2010/3)

Report of the Executive Director on the activities of the expert group on improving the collection, reporting and analysis of crime data (E/CN.15/2010/14)

Note by the Secretariat on world crime trends and emerging issues and responses in the field of crime prevention and criminal justice: protection against trafficking in cultural property (E/CN.15/2010/17)

#### **6. Consideration of the conclusions and recommendations of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice**

In its resolution 63/193, entitled “Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice”, the General Assembly decided that the Twelfth Congress would be held in Salvador, Brazil, from 12 to 19 April 2010; also decided that the main theme of the Twelfth Congress should be “Comprehensive strategies for global challenges: crime prevention and criminal justice systems and their development in a changing world”; approved the provisional agenda for the Twelfth Congress, finalized by the Commission at its seventeenth session; and decided on the issues to be considered in workshops to be

held within the framework of the Twelfth Congress. The Assembly, in its resolution 64/179, urged Member States to be represented at the Twelfth Congress at the highest possible level and encouraged States to continue their preparations for the Congress with a view to making focused and productive contributions to the discussions.

Pursuant to General Assembly resolution 56/119, the outcome of the Twelfth Congress will be before the Commission for its consideration.

### **Documentation**

Note by the Secretary-General transmitting the outcome of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2010/11)

## **7. Use and application of United Nations standards and norms in crime prevention and criminal justice**

In section VII of its resolution 1992/22, the Economic and Social Council decided that the Commission should include in its agenda a standing item on existing United Nations standards and norms in the field of crime prevention and criminal justice, including their use and application.

In its resolution 2003/30, the Economic and Social Council decided to group those United Nations standards and norms into categories for the purpose of targeted collection of information; and requested UNODC, in collaboration with the institutes comprising the United Nations crime prevention and criminal justice programme network, to provide support to Member States requesting assistance with the use and application of those United Nations standards and norms.

The Commission may wish to consider developing a multi-year work plan to review and update the United Nations standards and norms in the field of crime prevention and criminal justice, as some of those standards and norms date back several decades.

In its resolution 64/179, the General Assembly reaffirmed the importance of the United Nations crime prevention and criminal justice programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of UNODC in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices. In addition, the Assembly encouraged Member States to take relevant measures, as appropriate to their national contexts, to ensure the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals and handbooks developed and published by UNODC.

### *Violence against women*

In its decision 17/1, the Commission strongly condemned all acts of violence against women and girls, including violence against women migrants and women migrant workers, whether those acts were perpetrated by the State, by private

persons or by non-State actors, and called for the elimination of all forms of gender-based violence in the family, within the general community and where perpetrated or condoned by the State. In the same decision, the Commission requested UNODC to convene an intergovernmental group of experts to review and update, as appropriate, the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 52/86, annex). The need to revise the Model Strategies and Practical Measures stemmed from the recognition that they had been developed over 10 years earlier, and it was felt that they should reflect current developments and research, taking into account new approaches and prevention tools and good practices. The expert group to review and update the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice held a meeting in Bangkok from 23 to 25 March 2009.

The General Assembly, in its resolution 64/179, took note of the draft report of the expert group to review and update the Model Strategies and Practical Measures and looked forward to the consideration by the Commission of the report of the expert group at its nineteenth session.

The report on the meeting of the expert group, including the text of the updated Model Strategies and Practical Measures, will be before the Commission (E/CN.15/2010/2).

#### *Women in detention and in custodial and non-custodial settings*

In its resolution 18/1, the Commission, aware that many existing prison facilities were designed primarily for male prisoners, whereas the number of women prisoners had increased significantly over the years, and considering that women prisoners were one of the vulnerable groups that had specific needs and requirements, invited Member States to take into consideration the specific needs and circumstances of women in detention and in custodial and non-custodial settings when developing relevant legislation, procedures, policies and action plans. In addition, the Commission requested UNODC to provide technical assistance and advisory services to Member States, upon request, in order to develop legislation, procedures, policies and practices for women in prison and on alternatives to imprisonment for women offenders.

In the same resolution, the Commission requested the Executive Director of UNODC to convene in 2009 an open-ended intergovernmental expert group meeting to develop, consistent with the Standard Minimum Rules for the Treatment of Prisoners and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings; and welcomed the offer by the Government of Thailand to act as host to the expert group meeting.

The expert group to develop supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings held a meeting in Bangkok from 23 to 26 November 2009. The report on the meeting of the expert group (UNODC/CCPCJ/EG.3/2009/1) will be made available to the Commission.

Pursuant to Commission resolution 18/1, the draft United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders

will be submitted to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice (A/CONF.213/17, annex). A note by the Secretary-General on the implementation of resolution 18/1 will be before the Commission (E/CN.15/2010/18).

*Capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty*

The Economic and Social Council, in its resolution 1745 (LIV), invited the Secretary-General to submit to it, at five-year intervals starting from 1975, periodic updated and analytical reports on capital punishment. The Council, in its resolution 1995/57, recommended that the quinquennial reports of the Secretary-General should continue to cover also the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty. In the same resolution, the Council requested the Secretary-General, in preparing the quinquennial report, to draw on all available data, including current criminological research. The eighth quinquennial report reviews the use of and trends in capital punishment, including the implementation of the safeguards during the period 2004-2008. The Council, in its decision 2005/247, entitled "Report of the Secretary-General on capital punishment and the safeguards guaranteeing protection of the rights of those facing the death penalty," requested the Secretary-General to prepare additional quinquennial reports on the subject for the consideration of the Commission and, upon request, the Human Rights Council (as the successor to the Commission on Human Rights). A conference room paper on drug control, crime prevention and criminal justice: a human rights perspective (E/CN.7/2010/CRP.6-E/CN.15/2010/CRP.1) will be made available to the Commission.

*Protection against trafficking in cultural property*

In its resolution 2008/23, the Economic and Social Council reiterated its request that UNODC, in close cooperation with UNESCO, convene an open-ended intergovernmental expert group meeting to submit to the Commission recommendations on protection against trafficking in cultural property, including ways of making more effective the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property. In addition, the Council requested the Secretary-General to report to the Commission at its nineteenth session on the implementation of the resolution. The recommendations of the expert group on protection against trafficking in cultural property (E/CN.15/2010/5) and the report on implementation of Council resolution 2008/23 (E/CN.15/2010/4) will be before the Commission; the report on the meeting of the expert group held in Vienna from 24 to 26 November 2009 (UNODC/CCPCJ/EG.1/2009/2) will also be made available to the Commission. This topic is also considered under the agenda item on the thematic discussion on protection against illicit trafficking in cultural property.

**Documentation**

Report on the outcome of the meeting of the expert group to develop supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings, submitted by the Chair of the expert group (A/CONF.213/17)

Report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/2010/10)

Report on the meeting of the intergovernmental expert group to review and update the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice held in Bangkok from 23 to 25 March 2009 (E/CN.15/2010/2)

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2010/3-E/CN.15/2010/3)

Report of the Secretary-General on protection against trafficking in cultural property (E/CN.15/2010/4)

Note by the Secretariat on the recommendations of the expert group on protection against trafficking in cultural property (E/CN.15/2010/5)

Note by the Secretariat transmitting the report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (E/CN.15/2010/7)

Report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice (E/CN.15/2010/12)

Note by the Secretariat on world crime trends and emerging issues and responses in the field of crime prevention and criminal justice: protection against trafficking in cultural property (E/CN.15/2010/17)

Note by the Secretary-General on supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings (E/CN.15/2010/18)

## **8. Strategic management, budgetary and administrative questions**

### **(a) Work of the working group on governance and finance**

### **(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme**

For its consideration of this item, the Commission will have before it the report of the Executive Director on the activities of UNODC, which contains an overview of the Office's activities during 2009 and outlines the links between drug control, crime prevention, terrorism prevention and criminal justice on the one hand, and the rule of law, development, security and peace on the other hand (E/CN.7/2010/3-E/CN.15/2010/3).

In its resolution 64/179, the General Assembly reiterated the importance of providing the United Nations crime prevention and criminal justice programme with sufficient, stable and predictable funding for the full implementation of its mandates, in conformity with the high priority accorded to it and in accordance with the increasing demand for its services, in particular with regard to the provision of increased assistance to developing countries, countries with economies in transition and those emerging from conflict, in the area of crime prevention and criminal justice reform; welcomed Commission resolution 18/3, entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime", by which the Commission established a standing open-ended

intergovernmental working group on governance and finance, whose mandate would be in effect until the session of the Commission to be held in the first half of 2011; and reiterated its request to the Secretary-General to provide the United Nations crime prevention and criminal justice programme with sufficient resources for the full implementation of its mandates, in conformity with its high priorities, and to provide adequate support to the Commission.

In its resolution 64/243, the General Assembly requested the Secretary-General to provide an effective level of support to the joint UNODC/Department of Peacekeeping Operations/Department of Political Affairs/United Nations Office for West Africa/International Criminal Police Organization (INTERPOL) programme concept known as the West Africa Coast Initiative, and recommended that a sufficient share of the regular budget continue to be allocated to UNODC to enable it to carry out its mandate in a consistent and stable manner; welcomed the initiative of the Secretary-General to open a programme office of UNODC in Barbados to collaborate with the Caribbean Community in such areas as corruption, drug trafficking, international judicial cooperation and the promotion of firearms control; expressed concern at the overall financial situation of UNODC; and requested the Secretary-General to submit proposals in his proposed programme budget for the biennium 2012-2013 to ensure that UNODC had sufficient resources to carry out its mandate.

Pursuant to Economic and Social Council decision 2009/251, entitled “Frequency and duration of the reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice”, and to Commission on Crime Prevention and Criminal Justice resolution 18/3 and Commission on Narcotic Drugs resolution 52/13, both entitled “Improving the governance and financial situation of the United Nations Office on Drugs and Crime”, a standing open-ended intergovernmental working group was established to discuss and formulate recommendations on how to improve the governance structure and financial situation of UNODC.

Pursuant to Commission on Crime Prevention and Criminal Justice resolution 18/3, at its nineteenth session the Commission will have before it a note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2010/16-E/CN.15/2010/16). Pursuant to the resolution, the Co-Chairs of the working group should hold office for a period of one year, after which the commissions may decide to renew the mandate or elect new Co-Chairs of the working group.

In its resolution 18/6, entitled “Budget for the biennium 2010-2011 for the United Nations Crime Prevention and Criminal Justice Fund”, the Commission approved the projected use of general-purpose funds in the biennium 2010-2011, and endorsed the programme support cost fund and special-purpose fund estimates for the bienniums 2008-2009 and 2010-2011 for the United Nations Crime Prevention and Criminal Justice Fund. At its reconvened eighteenth session, the Commission considered the report of the Executive Director on the consolidated budget for the biennium 2010-2011 for UNODC (E/CN.7/2009/13-E/CN.15/2009/23) and noted that the proposed budget for the biennium 2010-2011 was based, inter alia, on the strategy for the period 2008-2011 for the Office (Economic and Social Council resolution 2007/12, annex). At the reconvened session, the Commission also

considered the views expressed by the Advisory Committee on Administrative and Budgetary Questions in its report on the consolidated budget for the biennium 2010-2011 for UNODC (E/CN.7/2009/14-E/CN.15/2009/24).

The report of the Executive Director on the consolidated budget for the biennium 2010-2011 for UNODC focused on the general-purpose resources of the Fund of the United Nations International Drug Control Programme and of the United Nations Crime Prevention and Criminal Justice Fund. It also provided information on the financial situation of the Office, on the projected allocation of special-purpose funds and the programme support cost income earned from special-purpose contributions and on the resources of the regular budget of the United Nations. As was the case for the consolidated budget for the biennium 2008-2009 for UNODC, the expected accomplishments and indicators of achievement presented in the consolidated budget for the biennium 2010-2011 had been harmonized with the three subprogrammes of programme 13 of the strategic framework for the period 2010-2011 (A/63/6/Rev.1) and the proposed programme budget for the biennium 2010-2011 (A/64/6 (Sect.16)), as well as with the result areas identified in the strategy for the period 2008-2011 for the Office pursuant to Commission resolution 16/6, entitled "Budget for the biennium 2008-2009 for the United Nations Crime Prevention and Criminal Justice Fund.

In its resolution 18/6, the Commission requested the Executive Director to present to the Commission at its nineteenth session, in 2010, the changes that would need to be made to the strategic framework and a report on the implications of such an approach for the Office and for the allocation of resources to the subprogrammes of the programme of work, taking into account the views expressed by the Advisory Committee on Administrative and Budgetary Questions in the relevant parts of its report. The Commission also requested the Executive Director to report to it, at its nineteenth session, on the implementation of paragraphs 16, 17 and 18 of resolution 18/6. Pursuant to that resolution, the Commission will have before it for its consideration the report of the Executive Director on the changes required to the strategic framework and their implications for the Office and for the allocation of resources to the subprogrammes of the programme of work, and the establishment of the independent evaluation unit and the sustainability of the Strategic Planning Unit (E/CN.7/2010/13-E/CN.15/2010/13).

The proposed strategic framework for the period 2012-2013, comprising an outline of the plan and the biennial programme plan (to be issued as A/65/6 (Prog. 13)), will be made available to the Commission. The Commission is invited to review the proposed biennial programme plan for UNODC and provide its comments to the Secretary-General. The proposed biennial programme plan, modified as appropriate, will be submitted to the Committee for Programme and Coordination at its fiftieth session. The Committee's recommendations on the proposed biennial programme plan will be transmitted to the General Assembly at its sixty-fifth session in conjunction with its consideration of the Secretary-General's proposed strategic framework for the period 2012-2013.

#### **Documentation**

Proposed strategic framework for the period 2012-2013 (A/65/6 (Prog. 13))

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2010/3-E/CN.15/2010/3)

Report of the Executive Director on the changes required to the strategic framework and their implications for the United Nations Office on Drugs and Crime and for the allocation of resources to the subprogrammes of the programme of work, and the establishment of the independent evaluation unit and the sustainability of the Strategic Planning Unit (E/CN.7/2010/13-E/CN.15/2010/13)

Note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2010/16-E/CN.15/2010/16)

Note by the Secretary-General transmitting the proposed strategic framework for the period 2012-2013 (E/CN.15/2010/19)

#### **9. Provisional agenda for the twentieth session of the Commission**

In accordance with rule 9 of the rules of procedure of the functional commissions of the Economic and Social Council, the Commission will have before it the provisional agenda for its twentieth session. With respect to the duration of the session and the submission of draft resolutions, the Commission should review the experience gained thus far and is invited to consider its programme of work in relation to the duration of its subsequent sessions, as well as the appropriateness of recent practice with respect to the deadline for the submission of draft resolutions. The Commission should also devote attention to the selection of the themes for the thematic discussion at its subsequent sessions and should consider making more definite arrangements on the duration of its future sessions.

The Economic and Social Council, in its decision 2009/246, decided that the prominent theme for the twentieth session would be “Protecting children in a digital age: the misuse of technology in the abuse and exploitation of children”, unless the Commission decided otherwise at its reconvened eighteenth session, taking into account that Member States might submit other proposals for the thematic discussion. At its reconvened eighteenth session, the Commission took no further decisions on the matter. In its decision 2009/246, the Council took note of the proposal to have “New and emerging forms of transnational organized crime, including environmental crime” as the prominent theme for the twenty-first session of the Commission.

#### **10. Other business**

No issues that need to be raised under item 10 have come to the attention of the Secretariat and no documentation on the item is currently foreseen.

#### **11. Adoption of the report of the Commission on its nineteenth session**

It is expected that the Commission will adopt the report on its nineteenth session on 21 May 2010, the last day of the session.



## Annex

### Proposed organization of work

1. In its decision 1997/232, the Economic and Social Council decided that the Commission on Crime Prevention and Criminal Justice, in addition to plenary meetings, should be provided with full interpretation services for a total of 12 meetings for informal consultations on draft proposals and for meetings of open-ended working groups, with the precise allocation of time for the different types of meetings to be determined by the Commission under the agenda item entitled "Adoption of the agenda and organization of work", on the understanding that no more than two meetings would be held concurrently, in order to ensure maximum participation of delegations.
2. The proposed organization of work is subject to approval by the Commission. As soon as discussion on an item or sub-item has been concluded, the following one will be taken up, time permitting. Suggested meeting times are from 10 a.m. to 1 p.m. and from 3 to 6 p.m.
3. The Commission decided at its reconvened eighteenth session that the nineteenth session would be held from 17 to 21 May 2010, with informal consultations to be held on the working day preceding the first day of the session. The informal pre-session consultations could devote attention to, inter alia, a preliminary review of draft resolutions to be considered at the nineteenth session of the Commission and made available in advance, as well as the subthemes of the thematic debate of the twentieth session, the theme and subthemes of subsequent sessions and the duration of the twentieth session.

### Informal pre-session consultations, 14 May 2010

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*Date and time*

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#### Friday, 14 May

10 a.m.-1 p.m.	Informal consultations
3-6 p.m.	Informal consultations

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### Nineteenth session, 17-21 May 2010

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*Plenary*

*Committee of the Whole*

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#### Monday, 17 May

10-11 a.m.	Opening of the session
	<i>Item 1.</i> Election of officers
	<i>Item 2.</i> Adoption of the agenda and organization of work

	<i>Plenary</i>	<i>Committee of the Whole</i>
11 a.m.-1 p.m.	<i>Item 4.</i> Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice: (a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto; (b) Ratification and implementation of the United Nations Convention against Corruption;	
3-6 p.m.	<i>Items 4 (a) and (b).</i> Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice ( <i>continued</i> )	Workshop on protection against trafficking in cultural property
<b>Tuesday, 18 May</b>		
10 a.m.-1 p.m.	<i>Item 3.</i> Thematic discussion on protection against illicit trafficking in cultural property	Informal consultations: consideration of draft resolutions
3-6 p.m.	<i>Item 3.</i> Thematic discussion on protection against illicit trafficking in cultural property ( <i>continued</i> )	Informal consultations: consideration of draft resolutions ( <i>continued</i> )
<b>Wednesday, 19 May</b>		
10 a.m.-1 p.m.	<i>Item 4.</i> Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice: (c) Ratification and implementation of the international instruments to prevent and combat terrorism (d) Other crime prevention and criminal justice matters (e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies	Informal consultations: consideration of draft resolutions ( <i>continued</i> )
3-6 p.m.	<i>Item 5.</i> World crime trends and emerging issues and responses in the field of crime prevention and criminal justice	Informal consultations: consideration of draft resolutions ( <i>continued</i> )

	<i>Plenary</i>	<i>Committee of the Whole</i>
<b>Thursday, 20 May</b>		
10 a.m.-1 p.m.	<i>Item 6.</i> Consideration of the conclusions and recommendations of the Twelfth United Nations Congress on Crime Prevention and Criminal Justice	Informal consultations: consideration of draft resolutions ( <i>continued</i> )
3-6 p.m.	<i>Item 7.</i> Use and application of United Nations standards and norms in crime prevention and criminal justice	Informal consultations: consideration of draft resolutions ( <i>continued</i> )
<b>Friday, 21 May</b>		
10 a.m.-1 p.m.	<i>Item 8.</i> Strategic management, budgetary and administrative questions: (a) Work of the working group on governance and finance; (b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme <i>Item 9.</i> Provisional agenda for the twentieth session of the Commission	Informal consultations: consideration of draft resolutions ( <i>continued</i> )
3-6 p.m.	<i>Item 10.</i> Other business <i>Item 11.</i> Adoption of the report of the Commission on its nineteenth session	