Contribution submitted by
the Chair of the Commission on Crime Prevention and Criminal Justice
to the 2018 High Level Political Forum on Sustainable Development
Theme: “Transformation towards sustainable and resilient societies”

I. Introduction
This contribution is submitted by H.E. Ambassador Lotfi Bouchaara (Morocco), the Chair of the Commission on Crime Prevention and Criminal Justice (CCPCJ) at its 27th session, and has been prepared in close coordination with the Extended Bureau of the Commission, in response to a letter from the President of the Economic and Social Council inviting the Commission to provide substantive inputs to the 2018 High-level Political Forum on Sustainable Development, which will convene under the auspices of ECOSOC at UN headquarters in New York from 9 to 18 July 2018, on the theme “Transformation towards sustainable and resilient societies”.

II. Responses to Questions from the Economic and Social Council

(a) an assessment of the situation regarding the principle of “ensuring that no one is left behind” at the global level:

In the 2030 Agenda for Sustainable Development, Member States committed to take steps to “shift the world on to a sustainable and resilient path”, pledging that “no one will be left behind”.

As the principal policymaking body of the United Nations in the field of crime prevention and criminal justice, the Commission supports the implementation of the 2030 Agenda on Sustainable Development, touching upon several specific goals and targets. The work of the Commission on Crime Prevention and Criminal Justice (CCPCJ) is intertwined with a vast array of social and economic issues as

1 A/RES/70/1. Transforming our world: the 2030 Agenda for Sustainable Development.
increasingly being recognized by the international community. The CCPCJ works to strengthen the capacity of Member States and their legal systems to detect, prevent, prosecute and combat all types of transnational organized crime, to provide access to justice for all and build effective, accountable and inclusive institutions at all levels. It also plays a major role in strengthening international cooperation in addressing global challenges and threats.

The outcome document of the Thirteenth Congress on Crime Prevention and Criminal Justice of April 2015, the Doha Declaration, which was prepared by the CCPCJ, highlights these important linkages and acknowledges that sustainable development and the rule of law are strongly interrelated and mutually reinforcing. The Commission draws on the Declaration in its work to address crime in a broader development context, ensuring that no one is left behind.

For the 14th United Nations Congress on Crime Prevention and Criminal Justice, to be held in Japan in 2020, to which the Commission acts as a preparatory body, the overall theme of “Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda” has been adopted, which underlines the important role that the mandates of the Commission play in successfully achieving the goals of the 2030 Agenda.

The Fourteenth Congress presents the international community with a unique opportunity to undertake a comprehensive stocktaking exercise regarding the role that the criminal justice system and the institutions comprising it can play to support the achievement of the Sustainable Development Goals of the 2030 Agenda for Sustainable Development.

The Commission has in numerous resolutions and guidelines highlighted the need for Member States to uphold human rights and fundamental freedoms for all, in particular for those affected by crime and those who may be in contact with the criminal justice system.

The work of the Commission supports the achievement of all targets under Sustainable Development Goal 16 on the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all and to build effective, accountable and inclusive institutions at all levels. The CCPCJ works in support of Member States strengthening their public institutions (target 16.6) to make them more resilient and to mitigate vulnerabilities. Upon recommendation of the Commission, the agenda of the 14th Crime Congress features an item on the promotion of the rule of law and access to justice for all.

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The Commission has taken the lead in the development of a significant body of United Nations Standards and Norms, developing and promoting universal principles in crime prevention and criminal justice, covering a wide range of issues including access to justice, treatment of offenders, justice for children, victim protection, and violence against women, to the benefit of the most vulnerable members of society. As an example, the CCPCJ developed the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), that the General Assembly adopted in resolution 70/175 in 2015, and a resolution on the promotion of their practical application for the adoption by ECOSOC in 2017.

(b) the identification of gaps, areas requiring urgent attention, risks and challenges:

The Commission on Crime Prevention and Criminal Justice works on a large portfolio of issues. The ones addressed in this section do not reflect the comprehensive work of the Commission, but represent examples related to the 2018 theme and the SDGs under review.

The situation and needs of migrants and victims of trafficking persons, in the context of crime prevention and criminal justice, is an area which requires more attention. Trafficking in persons is a crime which affects every country in the world as a country of origin, transit, destination, or a combination of these factors, and which disproportionately affects least developed countries and their peoples. As noted in General Assembly resolution 67/185, entitled “Promoting efforts to eliminate violence against migrants, migrant workers and their families”, adopted upon the recommendation of the Commission, migrants often experience impediments to accessing livelihoods, schooling, as well as other services, which, in turn, contributes to their vulnerability to crime and violence, including trafficking in persons.

At the Crime Congress in 2015, Member States committed “to implement effective measures to protect the human rights of smuggled migrants, particularly women and children, and unaccompanied migrant children” and “to implement effective measures to eliminate violence against all migrants, migrant workers and their families, and to take all necessary legal and administrative steps to prevent and counter crimes involving violence against those group”.

Upon the recommendation of the Commission, the Economic and Social Council adopted the resolution 2014/23, entitled “Strengthening international cooperation in addressing the smuggling of migrants”, in which Member States highlighted the need to promote or strengthen, as appropriate, development programmes and

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8 Ibid, 5 (o)
cooperation at the national, regional and international levels, taking into account the socioeconomic realities of migration and paying special attention to economically and socially depressed areas, in order to combat the root socioeconomic causes of the smuggling of migrants, especially those related to poverty.

In the 2016 Global Report on Trafficking in Persons\textsuperscript{9}, it is highlighted that, as a general pattern, victims are trafficked from areas of lower economic activity to wealthier regions, from rural to urban areas, from poorer suburbs to economically more attractive parts. The report also found that people escaping from war and persecution are particularly vulnerable to becoming victims of trafficking. In resolution E/RES/2017/18 on the “Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons”, adopted upon the recommendation of the CCPCJ, the ECOSOC recalled that “trafficking in persons impaired the enjoyment of human rights and fundamental freedoms, continues to pose a serious challenge to humanity and requires a concerted international assessment and response and genuine multilateral, regional and bilateral cooperation among countries of origin, transit and destination for its eradication”. A high-level meeting of the General Assembly on the appraisal of the Global Plan of Action was held in 2017.

Targets 8.7. and 8.8. of SDG8 on decent work and economic growth require that States “take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour”, and “protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment”\textsuperscript{10} - the Commission’s work in this area is in support of the realization of that goal.

The 2018 theme “Transformation towards sustainable and resilient societies” calls for expanding opportunities and addressing challenges in creating sustainable and resilient societies. Addressing the specific needs of children and youth are crucial to success in this regard. One of the ways of achieving that is to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all (SDG 4) and to address the specific needs of children in all aspects of crime prevention and criminal justice. The CCPCJ works extensively on youth crime prevention, as showcased for example in resolution E/RES/2016/18 on “Mainstreaming holistic approaches in youth crime Prevention”, adopted on the recommendation of the CCPCJ. The topic of “Education and youth engagement as key to making societies resilient to crime” will again be the topic of a workshop at the next Crime Congress.

Furthermore, UNODC has been supporting Member States through its Education for Justice (E4J) initiative and its work on crime prevention through sports, two components of the Global Programme for the Implementation of the Doha Declaration.

\textsuperscript{10} A/RES/70/1. Transforming our world: the 2030 Agenda for Sustainable Development.
Violence against women and girls generates widespread and high costs in the areas of justice, health, social services, education, business and employment as it results in lost employment and productivity and diverts resources from the healthcare and justice systems as well as social services.

“All forms of violence against women seriously violate and impair or nullify the enjoyment by women of all human rights and fundamental freedoms and have serious immediate and long-term implications for health, including sexual and reproductive health, for example through increased vulnerability to HIV/AIDS, and public safety, and have a negative impact on the psychological, social and economic development of individuals, families, communities and States”. 11 The Commission noted this linkage to the social fabric in the “Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice”12. Addressing this area can contribute to the transformation towards more sustainable and resilient societies.

The Model Strategies exemplify the extensive work that the Commission undertakes to promote access to justice for women and girls in support of SDG5 to achieve gender equality and empower all women and girls. “Bearing in mind the need for vigilance with regard to the specific situation of women in the administration of justice, in particular while they are deprived of their liberty, as recommended in the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)”13, the CCPCJ in 2017 adopted resolution 26/2 on “Ensuring access to measures for the prevention of mother-to-child transmission of HIV in prisons”.

The Commission in recent years in a number of resolutions addressed the specific needs of women in crime prevention and criminal justice, being victims of gender-based violence, most recently in resolution 26/3 on “Mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime”, where the Commission for example urged “Member States to enhance measures for protecting and empowering victims of violence against women in the criminal justice system14.

The Doha Declaration also underlines the endeavour of Member States to mainstream a gender perspective into criminal justice systems by developing and implementing national strategies and plans, in order to promote the full protection of women and girls from all acts of violence, including gender-related killing of women and girls15.

13 See CCPCJ resolution 26/2. Ensuring access to measures for the prevention of mother-to-child transmission of HIV in prisons, preambular part.
14 See CCPCJ resolution 26/3. Mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime, operative paragraph 8.
The treatment of prisoners, including addressing the concern of prison overcrowding, remains a challenge and would require significant public investment in infrastructure and services, as well as a strong commitment to effectively implement reforms allowing to reduce the number of inmates in prisons (i.e. reduce pre-trial detention levels, enforce due process-related standards, introduce alternative measures to imprisonment, review of national legislation) and reinforce effective work/measures against corruption (i.e. legislation, protocols, preventive measures, awareness campaigns, specialized studies).

At the 13th United Nations Crime Congress, Member States committed to intensify their efforts to address the challenge of prison overcrowding through appropriate criminal justice reforms, which should include, where appropriate, a review of penal policies and practical measures to reduce pretrial detention, to enhance the use of non-custodial sanctions and to improve access to legal aid to the extent possible.¹⁶

(c) valuable lessons learned on transformation towards sustainable and resilient societies:

The Commission on Crime Prevention and Criminal Justice works on a large portfolio of issues. The ones addressed in this section do not reflect the comprehensive work of the Commission, but represent examples related to the 2018 theme and the SDGs under review.

Effective, accountable and transparent institutions at all levels are central to achieving Goal 16. Governments should endeavour to develop and maintain such institutions, so as to promote the rule of law, combat terrorism in all its forms and manifestations, reduce violence, deliver justice and combat corruption.

Education for all children and youth is fundamental to the prevention of crime and corruption and to the promotion of a culture of lawfulness that supports the rule of law and human rights while respecting cultural identities.

Member States in 2015 expressed their commitment to “promote a culture of lawfulness based on the protection of human rights and the rule of law while respecting cultural identity, with particular emphasis on children and youth, seeking the support of civil society and intensifying prevention efforts and measures targeting the full potential of families, schools, religious and cultural institutions, community organizations and the private sector in order to address the social and economic root causes of crime”¹⁷.

At the 14th Crime Congress, Member States will discuss under agenda item 5 the “Multidimensional approaches by Governments to promoting the rule of law by, inter alia, providing access to justice for all; building effective, accountable, impartial and inclusive institutions; and considering social, educational and other

¹⁶ See General Assembly resolution 70/174, Annex, operative paragraph 5 (k).
relevant measures, including fostering a culture of lawfulness while respecting cultural identities”.

(d) emerging issues likely to affect building sustainable and resilient societies:

The Commission on Crime Prevention and Criminal Justice works on a vast range of issues. The ones addressed in this section do not reflect the comprehensiveness of the work of the Commission, but represent examples related to the 2018 theme and the SDGs under review.

An area posing challenges is cybercrime, an evolving form of transnational crime. The complex nature of the crime as one that takes place in the border-less realm of cyberspace is compounded by the increasing involvement of organized crime groups. As cities across the globe are building a smart infrastructure, using networked solutions to increase the effectiveness of their transportation systems, water management and electricity networks, the protection of these infrastructures depends on innovative solutions to build ‘cyber-resilience’.

The CCPCJ develops international responses to this emerging problem, and to this end for example adopted a resolution on “Strengthening international cooperation to combat cybercrime”, which encouraged the “exchange information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing responses and propose new national and international legal or other responses to cybercrime”.

At its 27th session in 2018, the Commission will hold its thematic debate on “Criminal justice responses to prevent and counter cybercrime in all its forms, including through the strengthening of cooperation at the national and international levels”.

At the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, cybercrime aspects are to be addressed, among other issues, in the context of the fourth workshop of the Congress, on the topic “Current crime trends, recent developments, and emerging solutions, in particular new technologies as means for and tools against crime”.

Terrorism and violent extremism are factors that can hinder the transformation towards sustainable and resilient societies.

The UN Global Counter-Terrorism Strategy recognizes the lack of the rule of law and good governance, violations of human rights and lack of development, including poverty and unemployment, as some of the conditions conducive to terrorism. To combat the terrorism threat, Member States need effectively functioning legal regimes, criminal justice systems and frameworks to counter money laundering and the financing of terrorism, which properly implement

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18 CCPCJ resolution 26/4.
19 See CCPCJ resolution 26/4, operative paragraph 1
20 A/RES/60/288. The United Nations Global Counter-Terrorism Strategy
international counter-terrorism legal standards with respect for human rights and in compliance with the rule of law.

Member States are committed to countering violent extremism and radicalization to violence, which can be conducive to terrorism, and should endeavour to enhance efforts to implement de-radicalization programmes, and to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in the supporting of terrorist acts is brought to justice, in compliance with obligations under international law, as well as applicable domestic law.21

The CCPCJ also works towards countering terrorism by building resilience in innovative ways for example through the resolution entitled “Technical assistance for implementing the international conventions and protocols related to counter-terrorism” as recommended by the Commission for adoption by ECOSOC and, subsequently, the General Assembly22 in which Member States are encouraged to further identify, analyse and counter any existing, growing or potential links, in some cases, between transnational organized crime, illicit drug-related activities, money-laundering and the financing of terrorism, in order to enhance criminal justice responses to those crimes23.

(e) areas where political guidance by the high-level political forum is required:

The High–level Political Forum could be very helpful in advocating for the strengthening of the mechanisms for data collection and programme development within the ECOSOC system. In doing so, the High-level Political Forum can provide an opportunity to showcase the value and relevance of the work of the CCPCJ to the 2030 Agenda and the support that UNODC can provide to Member States in that regard, in close cooperation with all other relevant stakeholders.

In line with the 2030 Agenda provisions on multi-stakeholder engagement, the HLPF provides a useful opportunity for UN entities and other stakeholders to exchange ideas and information on how to coordinate their efforts and best support Member States in their implementation of the 2030 Agenda. The High-level Political Forum could also support the CCPCJ in increasing the visibility for the work the CCPCJ is undertaking. Support could also be provided by the HLPF to the CCPCJ, as the central policymaking body in the United Nations system for crime-prevention and criminal justice matters, in the efforts undertaken by the CCPCJ to strengthen its coordination with other relevant UN bodies and to further enhance the involvement of all interested stakeholders in the work of the Commission.

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21 See General Assembly resolution 70/174, Annex, operative paragraph 8 (d).
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(f) policy recommendations on ways to accelerate progress in establishing sustainable and resilient societies:

The Commission on Crime Prevention and Criminal Justice in areas of its work referred to in the paras above, has made a number of recommendations that can help accelerate progress in the transformation towards sustainable and resilient societies, among them:

- Promote a culture of lawfulness based on the protection of human rights and the rule of law while respecting cultural identity, with particular emphasis on children and youth, seeking the support of civil society and intensifying our prevention efforts and measures targeting and using the full potential of families, schools, religious and cultural institutions, community organizations and the private sector in order to address the social and economic root causes of crime\(^{24}\);

- Promote peaceful, corruption-free and inclusive societies for sustainable development, with a focus on a people-centred approach that provides access to justice for all and builds effective, accountable and inclusive institutions at all levels\(^{25}\);

- Take appropriate measures to prevent and counter trafficking in persons and the smuggling of migrants, while protecting the victims and those who have been the object of such crimes\(^{26}\);

- Promote gender-specific measures as an integral part of our policies on crime prevention, criminal justice and the treatment of offenders, including the rehabilitation and reintegration of women offenders into society, taking into consideration the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)\(^{27}\);

- Support community initiatives and fostering the active participation of citizens in ensuring access to justice for all, including awareness of their rights, as well as their involvement in the prevention of crime and the treatment of offenders, including by creating opportunities for community service and supporting the social reintegration and rehabilitation of offenders\(^{28}\);

- Address through innovative approaches the impact of urban crime and gang-related violence on specific populations and places, fostering social inclusion and employment opportunities and aiming at facilitating social reintegration of adolescents and young adults\(^{29}\);

- Adopt effective measures to prevent and counter the serious problem of crimes that have an impact on the environment, such as trafficking in wildlife.\(^{24}\)

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\(^{24}\) See A/RES/70/174. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, op. para. 10 (c)


\(^{26}\) See A/RES/70/174. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, op. para. 5 (i)

\(^{27}\) See A/RES/70/174. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, op. para. 5 (g)

\(^{28}\) See A/RES/70/174. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, op. para. 10 (k)

\(^{29}\) See A/RES/70/174. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, op. para. 9 (d)
including flora and fauna as protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora, timber and timber products and hazardous waste, as well as poaching, by strengthening legislation, international cooperation, capacity-building, criminal justice responses and law enforcement efforts aimed at, inter alia, dealing with transnational organized crime, corruption and money-laundering linked to such crimes.\(^\text{30}\)

### III. Links between the work of the CCPCJ and the SDGs under in-depth review in 2018 (6, 7, 11, 12, 15) and 17

#### Goal 11

The creation of safe, inclusive and resilient cities – SDG 11 is closely connected to the reduction of crime and violence (SDG 16), which is an area of work of the CCPCJ.

The work of the CCPCJ contributes to the development of effective and humane urban crime prevention strategies, including through its work on standards and norms. The United Nations standards and norms on crime prevention, including the 1990 Guidelines for the Prevention of Juvenile Delinquency,\(^\text{31}\) the 1995 Guidelines for Cooperation and Technical Assistance in the Field of Urban Crime Prevention\(^\text{32}\), and the 2002 Guidelines for the Prevention of Crime\(^\text{33}\), provide strategic guidance to national authorities on approaches to preventing crime and victimization, in addition to prevention articles in the Convention against Transnational Organized Crime (UNTOC)\(^\text{34}\) and the Convention against Corruption (UNCAC).\(^\text{35}\)

Regarding crime prevention, Member States at the most recent Crime Congress agreed to further address the “links between urban crime and other manifestations of organized crime in some countries and regions, including crimes committed by gangs, as well as to exchange experiences in and information on effective crime prevention and criminal justice programmes and policies among Member States and with relevant international and regional organizations, in order to address through innovative approaches the impact of urban crime and gang-related violence on specific populations and places, fostering social inclusion and employment opportunities and aiming at facilitating social reintegration of adolescents and young adults”.\(^\text{36}\)

#### Goal 15

An important issue that the Commission works on, as a matter of priority, in the context of the implementation of SDG 15 is the fight against trafficking in protected species of wild fauna and flora. The issue also features prominently in the 2030 Agenda, in particular SDG15 Life on Land.

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\(^{30}\) See A/RES/70/174. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, op. para. 9 (e)

\(^{31}\) General Assembly resolution 45/112

\(^{32}\) Economic and Social Council Resolution 1995/99, annex

\(^{33}\) Economic and Social Council Resolution 2002/13, annex

\(^{34}\) General Assembly resolution 55/25 of 15 November 2000

\(^{35}\) General Assembly resolution 58/4 of 31 October 2003

\(^{36}\) See A/RES/70/174. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, op. para. 9 (d)
The Economic and Social Council, in its resolution 2013/40, recognised the impact on local communities and the need for responses to engage with communities and to incorporate a livelihoods approach.

Member States are committed to “adopt effective measures to prevent and counter the serious problem of crimes that have an impact on the environment, such as trafficking in wildlife, including flora and fauna as protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora, timber and timber products and hazardous waste, as well as poaching, by strengthening legislation, international cooperation, capacity-building, criminal justice responses and law enforcement efforts aimed at, inter alia, dealing with transnational organized crime, corruption and money-laundering linked to such crimes”37.

**Goal 17**

Addressing crime in all its forms demands a comprehensive approach, and the Commission on Crime Prevention and Criminal Justice highly values the contributions of all relevant stakeholders, including UN entities and specialized agencies, regional organizations, academia and civil society, thereby supporting SDG 17. The Commission, for example, closely works with the institutes of the UN Crime Prevention and Criminal Justice Programme Network (PNI)38. The network was established to assist the international community in strengthening co-operation in the crucial area of crime prevention and criminal justice. The Commission also works closely with other functional Commissions of the Economic and Social Council, as demonstrated e.g. during an event on gender-perspectives held in the margins of the 2017 High Level Political Forum, in which the Commission participated together with the Commission on the Status of Women, the Commission on Narcotic Drugs, the UN Statistical Commission and the Commission on Science and Technology for Development.


More information on the contributions made by the Commission to the 2030 Agenda for Sustainable Development can be found on the following sub-page: [https://www.unodc.org/unodc/en/commissions/commissions-2030.html](https://www.unodc.org/unodc/en/commissions/commissions-2030.html)

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