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Fourth United Nations Congress
on the Prevention of Crime
and the Treatment of Offenders
(Kyoto, Japan, 17-26 August 1970)

Preparatory Regional Meeting of
Experts in Social Defence (Latin
America and the Caribbean Region)
(Buenos Aires, Argentina,
1-6 December 1969)

REPORT OF THE PREPARATORY REGIONAL MEETING
OF EXPERTS IN SOCIAL DEFENCE
(LATIN AMERICA AND THE CARIBBEAN REGION)

INTRODUCTION

1. The Preparatory Regional Meeting of Experts in Social Defence for Latin America and the Caribbean region was the third of a series of meetings to be held in Africa, Asia, Europe, Latin America and the Caribbean region and the Middle East, in preparation for the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, scheduled to take place at Kyoto, Japan, 17-26 August 1970.
2. The meeting was opened by the Minister of Justice of Argentina, who outlined the objectives in relation to the 1970 Congress and in terms of the advancement of social defence policies in the context of economic and social development in the region.
3. The background of the meeting was then reviewed briefly, with emphasis on the need to integrate national policies for the prevention and control of criminality, with strategies for national development during the Second United Nations Development Decade.
4. The meeting adopted the following agenda:
 - (1) Social defence policies and national development planning;
 - (2) Organization of research for policy development in social defence;
 - (3) The Standard Minimum Rules for the Treatment of Prisoners in the light of recent developments in the correctional field;
 - (4) Technical assistance in social defence in the region;
 - (5) Participation of the public in the prevention and control of crime and delinquency;
 - (6) Adoption of the report.
5. It was decided to take as a basis for the consideration of the agenda items the discussion guide prepared by the United Nations Secretariat for this purpose.^{1/}

^{1/} "Some issues for discussion at regional meetings of experts in social defence convened in preparation for the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (17-26 August 1970, Kyoto, Japan)".

I. DISCUSSION OF THE AGENDA ITEMS

A. Social defence policy and national development planning

6. In evaluating, first of all, sectoral social defence policies, the experts participating in the meeting agreed that the majority, and possibly all of the countries of the region manifested serious deficiencies in this regard. They pointed out the common lack of system and rational basis in the allocation of resources to the different bodies which are part of the social defence sector; a common example was the tendency to concentrate allotted resources on the police service at the expense of the needs of the judicial system and penal institutions. It was noted that there was considerable instability in the allocation of resources; funds were seldom distributed according to a previously drawn up, systematic plan, but often according to chance events and the fluctuations of public opinion. The lack of co-ordination between the objectives and programmes of the judicial sub-sector and those of the other sub-sectors of social defence (such as the correctional and police services) was also pointed out.

7. As regards the possible causes of the deficiencies in sectoral social defence policies, the following factors were singled out as being of special importance:

(a) Lack of the kind of information that could serve as a basis for a rational social defence policy;

(b) Lack of a comprehensive orientation on the part of the representatives of the different sub-sectors of social defence;

(c) Lack of interest and understanding on the part of the authorities as regards the need for a systematic social defence policy and as regards the high direct and indirect costs of delinquency, as compared to the cost of the proposed measures for prevention and rehabilitation.

8. Accordingly, the meeting emphasized the urgent need for better co-ordination of the policies carried out by the different bodies in the social defence sector. Bodies entrusted with sectoral planning should be created, including experts in the relevant subjects. These bodies should promote contacts with criminological research institutes which could help to furnish the necessary information and at the same time provide useful frames of reference for the development of integrated policies and programmes.

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9. As regards the role of social defence in intersectoral planning, it was stated that social defence was not usually included in national planning. The allotment of resources to the sector was apparently made without a clear understanding of its needs and of its relative importance. Planning of development as a whole did not take into account the interaction between the prevention of delinquency and development. In particular, the effects of planned interventions on delinquency and the possibility that such effects might disturb development to a lesser or greater degree was not usually taken into account in planning for "growth poles" and in regional "integrated" planning.

10. The following were cited as possible causes of this situation:

(a) The dominant and, in some cases, exclusive position of economists in national planning and the scarcity or absence of experts in social development and in social defence;

(b) The lack of information - or of accessible information - on social and criminological phenomena;

(c) The lack of appreciation of planning objectives and familiarity with planning techniques among criminologists.

11. The participants recommended the following measures to improve the situation:

(a) Orientation of the training of criminologists towards the needs of social planning;

(b) Intensive efforts to include representatives of social defence and of social development in central planning bodies;

(c) Less modesty on the part of criminologists concerning their ability to contribute to more rational national planning. Qualitative knowledge could well be used where there was no quantitative knowledge. The latter existed to a limited extent and could be developed at a rapid pace if efforts were directed towards this objective. In general it could be said that much knowledge was available but that it was not being used.

12. The meeting discussed the measures to be adopted in order to achieve a better understanding, on the part of the representatives of national planning bodies, of the needs and possibilities of social defence. A regional meeting was proposed, with the participation of planners/economists and criminologists; the suggested details are given in another part of this report.^{2/}

^{2/} See para. 61 below.

13. A related topic which preoccupied the experts was the negative effect of the predominance of economists in national planning on the possibility of developing a new criminological orientation. In many cases, because of the priorities established by the central planning authorities, there were difficulties in obtaining access to international resources for technical assistance needed for the methodological reorientation of criminology.^{3/}

14. The formulation of a social defence policy had to be based on a clear understanding of the quantity and quality of present and future criminality. It was evident that the meeting could not be expected to formulate a "theory of development as related to criminality"; nevertheless, it made an effort to order its ideas with a view to singling out essential areas meriting attention. With this objective in mind, it was felt that development had both a "general" and a "specific" criminologically relevant impact. It produced changes that affected the total and general situation in a country; an example was the increase in the volume and speed with which new points of view and kinds of behaviour were propagated. It also produced certain changes, the effects of which were concentrated on a specific sector of the population or a functional sector; youth, women and marginal urban groups were mentioned as relevant examples. Social defence policy had to foresee and take into account these two types of effects of development.

15. A general effect, regarded as being of the greatest importance, was the disintegration of the family as an agent of social control and education. Another was the increase in the density of social activities (brought about by population growth, the extension of urbanization and expansion of communications) which possibly produced an automatic increase in the number of deviations, which often had a delinquent character.

16. An attempt was made to identify some strategic groups or subcultures in planning for social defence in the region. Prevention of crime associated with socio-economic development required that the different forms of anti-social behaviour and the prevalence of each of them among different groups, classes or social strata be detected.

^{3/} See also section D, "Technical assistance in the field of social defence".

17. Some anti-social types of behaviour were frequent among certain socially disadvantaged groups; others could be found among young persons who have had access to cultural advantages and generally belonged to the higher social strata than the aforementioned groups; there were still others which occurred specifically in the classes wielding great social and economic power and which possibly arose from the disharmonies that frequently accompanied development, such as for instance inflation.

18. The behaviour of youth of a high cultural level took the form of violent protest manifestations against institutions or situations which they considered deficient or unjust. It was not the traditional juvenile delinquency that resulted from moral or material abandonment. We were facing types of conduct having manifest political and social objectives. The systematic denial of the scale of social values generally accepted by the community to which these young persons belonged assumed an extreme character to which this age group tended.

19. It should be noted that this occurred in an identical way in the developed countries and in the developing and under-developed ones. The relationship of these forms of behaviour to development had not been clearly established. There were also no clear indications of adequate means of prevention of this type of anti-social conduct.

20. Finally, upper class delinquency, which resulted from a situation of social and economic privilege and, at the same time, the abrogation of inherent responsibility towards the community, which was motivated by an inordinate desire for gain, required a revision of the penal legislation in order adequately to repress - and also to prevent - anti-social attitudes which often remained unpunished, because they were not always labelled as criminal by the positive law in force.

21. It was considered particularly useful for the analysis of the relationship between the development process and criminality, to take into account the different subcultures in terms of cultural anthropology, distinguishable in Latin America. These subcultures implied particular ethnic, socio-economic and cultural elements which were affected by the development process in different ways. It was believed that such consideration in terms of cultural anthropology would facilitate the explanation of delinquent behaviour and offer an adequate basis for an effective preventive social defence policy.

22. A clear consequence of the above-mentioned factors was the need to reform some of the penal legislation in the region. There were new forms of crime based on new situations and new types of conduct logically requiring new legal forms. It was also considered necessary to focus the attention of the legal system on the possible increase in the social importance of specific forms of crime.

23. It was deemed necessary to evaluate the relevance of the usual forms of punishment for groups in situations which were sometimes radically new, created by the process of development.

24. As an area requiring special attention in planning for social defence, the meeting singled out the complex of white collar crime (among others, the different forms of administrative fraud resulting from the increasing centralization and widening scope of public authority and private economic activity.

25. It was agreed that a reform of the penal legislation was of fundamental importance; but that this, as an isolated measure, would not be sufficient. The importance of such a reform would be differential and vary with the different groups exposed to the effects of development. The same was true of individual cases. Social defence policy should consist of a set of co-ordinated activities. As an example, the participants underlined the central importance for delinquency of inflation, thus emphasizing the interdependence of the various sectors.

26. In the case of those who were socially disadvantaged, penal law reforms were not considered essential; the general improvement of the living conditions of those who have, unfortunately, remained on the periphery of development was a task of over-all social development policy. The man who attempted to commit an offence against the property of others because the social circumstances compelled him to do so, the unemployed who did not have the habit of steady work, because he lacked the necessary skills - as a result of his subhuman social condition - needed education, nourishment, employment, housing. But still, this was not sufficient. It was necessary to foster the recognition of the individual as a separate entity by increasing his possibilities of participating in community activities and sharing communal responsibilities.

27. In connexion with the discussion on the need for multisectoral measures, the meeting stressed the importance of stimulating the social participation of the groups which presented signs of anomie and alienation. Certain experiences

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achieved in the region seemed to indicate that there was a likelihood of influencing delinquency through programmes of popular participating (see also section E, "Public participation in the prevention and control of crime and delinquency").

28. The meeting explored the possibility of the differential application of legislation according to different sub-cultural or social conditions, by introducing a certain measure of local and popular participation in the administration of justice. One suggestion, for example, was the adoption of a system similar to that of the Anglo-Saxon institution of "sheriff".

29. The meeting raised the possibility of developing techniques for the determination of critical areas requiring attention from the standpoint of social defence policy, modelled upon those used in the planning of infrastructural investments, employing the criterion of multisectoral multiplication of the effects of interventions. It was also considered necessary and feasible to apply the techniques of cost-benefit analysis to concrete local situations, as pilot studies.

30. Another fundamental problem was that of the lags between legislation and the system of administration of justice.

31. A further area considered by the meeting was the lack of co-ordination between police activity and the penal orientation; as an example the sometimes considerable difficulty in penetrating the field of "white collar" crime was mentioned.

32. Another problem underlined was the extreme overcrowding of the prison system. The interdependence of the different subsectors of social defence was stressed in the connexion. The problems of a sector frequently resulted from phenomena produced in another, as is the case of the overcrowding of prisons, which was due partly to the shortcomings of legal systems.

33. It was emphasized that the allocation of resources for the police service should be based on estimates of the relevant population and of its crime index. This rarely happened in fact.

34. The meeting pointed out the considerable variations in levels of training of members of the police service in the region and the serious shortcomings existing in this respect. It was agreed that in certain cases it was necessary to give greater attention to the opportunity for police officials to reach the executive level, to salary raises with additional training and with education in police relations with the public.

35. As regards the functioning of the courts, it was emphasized that delay in trials was a frequent and serious problem in the region. It tended to produce the following effects: (a) it was an injustice and a personal, family and social tragedy; (b) it eroded respect for justice; (c) it was a criminogenic factor; (d) it contributed notably to the overcrowding of prisons and made the successful rehabilitation of prisoners more difficult or even impossible.^{4/}

36. A partial reason for this serious problem was the lack of sufficient resources for the courts in a situation of rapid and marked population growth and increases in the urban concentration of the population. Another cause was bureaucratic inefficiency, and another, the nature of the criminal law system.

37. It was recommended that the possibility of budgetary, administrative and legal reform be considered in order to improve an untenable situation. There was a special need for better means of referring certain crimes to courts with police authority and authority over contraventions. It was necessary to reduce the use of preventive detention, through legislative reforms in the administration of justice.

38. With respect to the prison system, the meeting observed that closed institutions predominated in the region. It urged that the system be diversified by introducing open and semi-open institutions in countries where there were few or no such institutions. The participants noted, inter alia, that such diversification was necessary because it was impossible to resolve treatment problems solely by building prisons, especially since the resources available would not be sufficient to meet the needs for some time to come.

39. It was deemed necessary to stimulate, in certain countries, a fuller legislative use of systems of fines, (especially the system of "day fines"), as a substitute for prison sentences, both for reasons of social justice and because of the overcrowding of prisons.

40. The meeting also stressed the need to bring rehabilitation methods up to date, increasing the possibilities of readaptation after release from prison - through authorized leaves of absence, régimes of semi-detention and semi-liberty etc.

^{4/} See also section C, "The Standard Minimum Rules for the treatment of prisoners in the light of recent developments in the correctional field".

41. The experts emphasized the existing difficulties in obtaining qualified prison personnel. Two important factors were the low level of remuneration and the general lack of job security in administrative systems influenced by political changes.

42. It was pointed out that there existed frequently the need for better integration of personnel of the new professional type with other prison personnel.

43. On the whole, the meeting agreed on the urgency of prison reform as concerns vocational training of prisoners and the provision of full-time occupation.

Programmes with this objective could eventually be related to general development planning tasks; an example would be the provision by prisoners of materials for public housing projects.

B. Organization of research for policy development in social defence

44. The meeting agreed that the authorities dealing with social defence and with national planning have generally paid little attention to the results of criminological research. The apparent causes for this state of affairs lay in a normal resistance to a new discipline, combined with the deficiencies of criminological research itself. Thus, the meeting was of the opinion that there was a need to undertake two parallel tasks. One was to find ways of overcoming barriers in communication between criminologists and the authorities responsible for planning and implementation, both within and outside the social defence sector. The other was to reorient criminological research so that it could provide to a greater extent than it had to date information that would prove useful in the planning and implementation of social defence policies.

45. In the opinion of the experts, the shortcomings of criminological research in the region could be found both in the area of human resources and organizational systems and in the methodological orientations and attitudes. In general, there was scant personnel specialized in modern research techniques. Some remarkable individual results that had been obtained in criminological research in Latin America in spite of this, have depended rather on self-help efforts and knowledge obtained outside the regular educational system. There were few resources or incentives for the formation of teams or research groups. Furthermore, the prevalent lines of approach to date had derived from a criminology having a

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biological-anthropological orientation, which did not adequately take into account modern sociological and socio-psychological frames of reference. This could be explained by the preponderance of cultural contacts with southern Europe, and by the placement of the study of criminology in certain university faculties; nevertheless, rapid change in this respect was necessary if the urgently needed increase in the productivity of criminological research was to be achieved.

46. During the discussion of research areas meriting priority, the importance of routine data, such as official statistics, was emphasized. Such data were usually the principal means through which the authorities could obtain information and guidance in formulating social defence policies and programmes.

47. Consequently, an important task for criminology in the region should be the revision and possible reorganization of the system of gathering and routinely presenting statistical data. At present, such data sometimes suffered from contradictions, lack of systematic compilation and presentation and considerable dispersion among various sources. A reform of this situation was urgently needed, not only because of the potentially increased usefulness and efficacy of the data in the formulation of policies; it was also essential in order to increase the possibilities for carrying out criminological research which was often based initially or in part on this type of information.

48. It was suggested that reforms in this respect be carried out in accordance with the basic criteria of the usefulness of the information provided for social defence and the potential of the data for the evaluation of the operation of the integrated social defence system. These criteria implied, inter alia, that the statistics must furnish information on each subsector, which could be used in combination with information on other subsectors.

49. It was the opinion of the meeting that many of the deficiencies of the routine data stemmed from the dispersion of the information function among several official bodies. This made an integrated presentation difficult. It was also to be noted that much of the information that was relevant for social defence was derived from activities in other sectors (the economy, public administration, demography, etc.). This emphasized the need to consider the possible way of centralizing and co-ordinating the multi-sectoral information functions. It was pointed out that such centralization and co-ordination was of interest not only

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with respect to the specific sector of social defence (police, courts and correctional institutions) but also with respect to the other sectors which interact with that of social defence.

50. Apparently, certain deficiencies in the routine data arose from too high aspirations regarding the volume of information. These sometimes led to delays of several years in the production of information and most probably diminished its validity. It was preferable to limit the volume of the data in the interest of validity, timeliness and analytical presentation. It was suggested that advantage should be taken of the possibility of substituting certain official data with information obtained through sample surveys, which could be carried out more rapidly, more economically and probably with a higher degree of reliability.

51. It was proposed that the authorities and research institutes enter into discussions concerning the planning of such reforms which could be useful to policy-makers as well as to researchers.

52. Certain routine data needs could evidently be met more adequately without resorting to a centralized system. As an example, it was advisable to consider the usefulness of establishing a record of criminal careers, and also a register with detailed and continuous data on correctional institutions, personnel, inmates, the conditionally freed, etc.

53. It was the consensus of the meeting that there was an urgent need to foster the development of criminological research through the training of researchers able to work in teams, including the representatives of different fields of knowledge, but with special preference for sociology and social psychology.

54. This constituted a problem because of the absence of multi-disciplinary criteria in the teaching of criminology in Latin America. It was advisable to stimulate the inclusion in the different faculties where criminology was taught of personnel with different orientations. It was also considered necessary to stimulate contacts between several groups within different institutes or faculties. It was hoped, in this connexion, that the development of criminological research would not only contribute directly to social defence but also indirectly, by stimulating modernization of the teaching of law.

55. It was confirmed that there was a need for systematic plans for training in modern methodology of social research. More extensive and intensive regional

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collaboration was suggested, in order to formulate plans to this effect. Closer contacts with the United Nations and its Social Defence Research Institute in Rome were also recommended.

56. It was stressed that research programmes must take into account not only the need for information but also the educational value of different possible research tasks. A research programme could be developed as a successive training programme which would include students and other persons in research activities.

57. In the discussion of the problems of planning and the external and internal control of research programmes, the need to maintain freedom of research as a primary consideration was emphasized. Nevertheless, there was both a need and a possibility of combining in a harmonious way the interests of freedom of research and those of national and sectoral planning. At the institute level, a certain co-ordinating and directive role and authority over the various individual research projects should be accepted. At the national level, various measures were possible and legitimate. The inclusion of representatives of official agencies on the governing boards of university and other research institutes was suggested as one alternative. The formulation of general plans and guidelines by the scientific development councils (or similar bodies) in collaboration with the national authorities was also recommended.

58. In this connexion, as in many other cases, the meeting emphasized the urgent need for the parallel inclusion of experts in criminology in official social defence bodies, as well as in those dealing with integrated national planning.

59. The meeting tried to establish certain priorities for criminological research in the region. The discussion in this respect was based on the identification of areas which were strategic and critical for social defence in most (and, in certain cases, all) of the countries represented at the meeting.

The main suggestions made are listed below:

- (1) The revision and systematization of official data (see also, previously noted points;
- (2) The systematic study of the implications for social defence of national development plans;^{5/}

^{5/} A number of areas for study have been indicated in the report of the Ad Hoc Meeting of Experts on Social Defence Policies in Relation to Development Planning, organized by the United Nations Social Defence Research Institute in Rome, in June 1969. (E/CN.5/C.3/R.4).

(3) Studies of rehabilitation and prison treatment with emphasis on social rehabilitation and the evaluation of police, legal and prison practices approached in an integrated manner;

(4) Studies aiming to determine the possible discrepancies between the penal legislation and new socio-economic and cultural situations;

(5) The study of the problems of interaction between the police and the public in the context of rapid socio-economic and cultural change;

(6) Predictive studies (as a provisional guide to planners, based, for instance on alternative future developments and courses of action) on the quantitative and qualitative trends of criminality. ("Predictive" is here used in a wider sense, and does not mean merely of a projective type.);

(7) Research designed to reveal and find ways of correcting the malfunctioning of the judicial system, especially the delays in the length of time before trial;

(8) Studies on the real application of the Standard Minimum Rules for the Treatment of Prisoners;

(9) Identification of criminogenic zones and groups;

(10) Studies of white-collar crime, with special emphasis on offences in public and private administration and other offences associated with development;

60. The meeting presented these topics as provisional suggestions; it expressed great interest in finding the opportunity to go more deeply into the question of research priorities in the region. It was also considered advisable to delegate to the various institutes the different interesting research tasks on the basis of an integrated plan formulated at the regional level.

61. These considerations led to the recommendation that a regional meeting of experts in criminology be arranged, if possible, under the auspices of the United Nations and its Social Defence Research Institute in Rome, and of the Latin American Association for Criminological Research. This meeting would also consider as a related subject, programmes for the training of researchers. It was suggested that representatives of the national economic planning units be invited to participate in the meeting in order to increase their understanding of the importance of the social defence field and in order to orient criminological research towards themes and forms which would have relevance for integrated planning.

C. The standard minimum rules for the treatment of prisoners in the light of recent developments in the correctional field

62. The meeting decided to discuss first the status of implementation of the Rules in the region.

63. It was pointed out that a review of the situation in Latin America was hampered by the lack of reliable information on the extent to which the Rules had been implemented. It was the consensus of the meeting, however, that the Rules had gained general acceptance in principle in the region. At the same time, it was clear that there was a considerable gap between this acceptance of the Rules and reality as it existed with respect to their implementation. It was noted that there were a number of difficulties and obstacles that affected the implementation of many of the Rules. These could be summarized as follows:

(a) Lack of knowledge of the Rules and of their importance to correctional practice;

(b) The prevalent penal system in the region which emphasized the deprivation of liberty as the main form of punishment and used mainly institutional methods of correction;

(c) An outdated criminal procedure resulting in long periods of detention pending trial (often of more than two or three years); it was pointed out that the proportion of persons awaiting trial frequently represented 50-70 per cent of the prison population; in some cases the proportion was close to 90 per cent;

(d) As a result, the constant overcrowding of institutions which in many cases were, in addition, structurally obsolete and did not permit implementation of such Rules as those pertaining to the separation of categories and standards of accommodation, personal hygiene and food; the organization and methods of work in penal institutions were also frequently deficient;

(e) The shortage of trained and competent correctional personnel and the problem of the low social and economic status accorded them by society;

(f) Insufficient financial provisions for the correctional system as a whole.

64. In the Caribbean region there were many similarities to the situation in Latin America, with two important exceptions: in the Caribbean region non-institutional methods were used more widely and the penal and judicial procedures

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were sufficiently speedy to avoid the problem of large numbers of prisoners awaiting trial. Consequently, there was less overcrowding in existing institutions. There was, on the other hand, a lack of appreciation of the importance of the Rules and in some cases there had been resistance to reform measures which were considered too liberal. As in Latin America, the problem of the shortage of qualified staff and insufficient financial resources were important obstacles to the implementation of the Rules.

65. In discussing possible ways of advancing the implementation of the Rules, the meeting agreed on the following main points:

(a) Reform of the judicial system and procedures was absolutely essential, so as to speed up the penal process and reduce drastically the number of prisoners awaiting trial; this was considered a sine qua non for the improvement of the correctional system in Latin America and for the implementation of the Rules;

(b) The need to reform the penal law, with a view to a wider range of sanctions and a reduction in the use of prison sentences, wider use of parole and the introduction of new methods of implementation of sentences, such as for example probation;

(c) Diversification of correctional institutions and a gradual move towards a greater use of semi-open and open institutions; this was considered necessary to provide greater flexibility in the implementation of correctional policies;

(d) The training of qualified personnel with the objective of creating a professional and stable category of correctional staff at all levels; the training should preferably be given in special schools, although in-service and other types of training could also be utilized; various types of refresher courses should be organized from time to time. The Rules should be an integral part of all types of training;

(e) Measures to be taken to raise the social and professional status of correctional personnel through public education and other means, with emphasis on the social functions of such staff; adequate remuneration should be ensured, so as to encourage the development of a professionally competent and stable cadre in this field.

(f) The availability of sufficient budgetary allocations for the correctional system to permit improvements and also experimentation with new forms of treatment and the effective implementation of the Rules.

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66. As regards measures to make the Rules better known, it was suggested that, apart from making them an integral part of the training of correctional staff at all levels, the Rules should be used in the education and orientation of such professional groups as lawyers, psychologists, social workers, administrators etc.; it was also recommended that information on the Rules should be disseminated through the mass media in order to reach the public at large.
67. As a general means of advancing the implementation of the Rules, it was agreed that a better system of reporting by Governments should be devised by the United Nations. Economic and Social Council resolution 663 C (XXIV) had recommended to Governments that they inform the Secretary-General every three years of progress made in the application of the Rules. It was therefore suggested that a questionnaire be transmitted each time by the United Nations to Member States for this purpose, as a means of drawing attention to the Rules and of encouraging Governments to advance their implementation. The suggestion was also made that the United Nations might work out, in co-operation with the United Nations Social Defence Research Institute in Rome and other appropriate research institutes, a system of evaluating the questionnaire data which would permit an assessment, on a relative scale, of the progress made in each country in the implementation of the Rules. This system would be based on different weights assigned to different parts of the Rules. It was noted that any reporting procedure depended greatly on the willingness of Governments to inform the United Nations in a realistic manner of the actual situation existing in their penal systems.
68. The meeting noted that one of the factors adversely affecting the implementation of the Rules was that United Nations publications and reports on the subject did not reach those in a position of influence or direct responsibility in this field. It was suggested that the United Nations should review the present distribution methods and channels so as to improve this situation.
69. During the discussion of correctional alternatives, it was suggested that a progressive de-institutionalization of correctional methods should be the ultimate goal. It was pointed out that this should be kept in mind not only for economic and humanitarian reasons but, also, in order to make full use of modern techniques of social and psycho-social reconditioning and resocialization which should be the objective of all correctional practices.

70. In discussing whether the Rules needed to be revised in terms of their relevance to different national and local conditions, the meeting agreed that they enunciated moral principles and standards that were valid everywhere. It was pointed out that non-application of the Rules was not a result of defects in the Rules themselves but stemmed, rather, from a lack of reality in their implementation, the major reasons for which had been brought out in the preceding discussion. It was suggested, however, that while the moral principles and standards embodied in the Rules had general validity regardless of national or local conditions there would seem to be a case for a review of some of the provisions of an operational character included in the Rules. This would be useful in view of the changes that were taking place in correctional practice, including the trend towards greater use of open and semi-open institutions.

71. The meeting next discussed the question of whether the Rules should be extended to cover categories other than legally convicted persons. The point was made that if the Rules were modified in this manner, their moral value might be weakened to the detriment of prisoners for whose treatment they intended to set minimum standards. It was stated, on the other hand, that there were serious questions concerning the treatment of certain types of detained persons, particularly those arrested for political reasons, and that the principles of the Universal Declaration of Human Rights should be applied for their protection. As a result of the discussion on this point, the meeting agreed on the following conclusion: "It was considered advisable to examine the possibility of extending the Rules to categories other than those covered by rule 4 (1), particularly those detained for political reasons". This would formalize in the Standard Minimum Rules the rights of these persons, as derived from the Universal Declaration of Human Rights.

D. Technical assistance in the field of social defence

72. The meeting first took note of the various forms of technical aid available from the United Nations and the channels established for this purpose. It was recognized that assistance can be made available only at the explicit request of Governments, although consultants and experts are frequently assigned to work with private institutes and non-governmental organizations.

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73. The extent to which technical assistance can be provided for social defence within the resources available in the United Nations programme depended largely on the priority which each Government was willing to assign to requests in this field. This created a problem, previously discussed in connexion with the first item on the agenda, because Governments and economic planners rarely appreciated the role of social defence policies and measures in a national development strategy and therefore tended to give low priority to requests in this field.

74. It was observed that the United Nations could be of considerable assistance in raising the level of technical aid in social defence if United Nations publications and studies (particularly those concerned with the interrelationship between economic development and the prevention and control of criminality) could be distributed more widely to national planning authorities and to social defence specialists and leaders. Furthermore, it was agreed that it would be helpful if the United Nations could inquire from Governments from time to time about the work being done in social defence at the country level and request information on the problems and urgent needs existing in each country in this field.

75. In discussing the question of needs and priorities in social defence in the region, it was agreed that it was urgent to work out a common terminology and unification of concepts in order to make it possible to establish objectives and methods of research in criminology and to formulate programmes of action. It was suggested that there was a need for a regional meeting of experts to undertake these tasks.^{6/}

76. At the national level, it was considered urgent to evaluate and to co-ordinate these activities in each country in order to ensure the effective use of available resources. This was important not only for technical reasons but also because of the shortage of funds available for research in all countries. In this connexion, it was considered urgent to work out in each country an integrated social defence policy, with clear objectives and priorities, in order to facilitate the effective use of United Nations assistance, when available. If this were done, the national planning authorities, through which technical assistance requests are channelled, would be in a better position to appreciate the needs for assistance in social defence and would therefore be more likely to assign sufficient priority to such requests prepared for submission to the United Nations.

^{6/} See also section B., "Organization of research for policy development in social defence".

77. As regards the need for technical assistance, the meeting agreed that the following areas were particularly important at this stage:

(a) Advancement of research methodology and the training of research personnel to undertake the design and implementation of field projects of practical value to the country and region; the need here was for experienced research technicians to help develop an action-oriented and realistic criminology in the region; in this connexion, it was suggested that courses on research methods and on the use of modern technology for research purposes should be organized;

(b) Training of personnel for institutional and non-institutional processes and for various types of preventive programmes that will have to be developed;

(c) Evaluation of existing operational and research programmes and assistance in the planning of future policies including determination of priorities in relation to the needs of each country.

78. The meeting was informed of the purposes and activities of the United Nations Social Defence Research Institute in Rome. It was suggested that the Institute should maintain close and direct contacts with national institutes and leaders in criminology in the region. The hope was expressed that the Rome Institute could assist in the development of research methodology and also in the training of research personnel. Frequent consultation between the staff of the Rome Institute and the social defence experts in the region was recommended.

79. The plans of the United Nations for the establishment, in 1970, of a regional institute for social defence in Latin America were welcomed by the meeting and it was noted in particular that the Institute would work in close co-operation with national centres and institutes in the various countries of the region. In this connexion, the meeting received with appreciation the generous offer, conveyed by the National Director of the Federal Penitentiary Service of Argentina, to the effect that his service would provide fellowships for personnel from Latin America and the Caribbean region, not only to observe correctional institutions and problems in Argentina, but also to undergo training in this field.

E. Public participation in the prevention and control of crime and delinquency

80. The meeting agreed that, with the exception of some Caribbean countries, few large-scale attempts had been made to prevent delinquency through programmes of public participation. There existed community development and public participation programmes, but these usually did not focus their interest either on the prevention of crime or on the rehabilitation of offenders.

81. Nevertheless, such attempts as have been made have produced positive results. It was considered necessary that they be encouraged and developed, since the participation of the public could well be an important vehicle for the prevention of crime and the rehabilitation of offenders. Crime was a social phenomenon and its remedies had to be social; the logical agent for this purpose was the community and neighbourhood.

82. This approach would imply co-ordination, at the neighbourhood level, of the activities of the population-at-large and of official and non-official organizations; "constellations" of official and non-official bodies and of volunteers should be formed.

83. Such co-ordination could be accomplished in various ways and utilize various elements. The meeting stressed the usefulness of the delegation of authority and responsibility, for example, as regards rehabilitation, by the official authorities to the community leaders. Apart from this, there were a number of other techniques which deserve to be tried.

84. It was pointed out that programmes of public participation usually excluded from community organizations persons whose background was not considered "the best", even though their involvement in such activities could potentially contribute to their own development in their social milieu and to the progress of the latter.

85. In the opinion of the meeting, the possibilities that could arise from public participation were considerable but differed with the particular environmental context and the type of offence. Consequently, the conclusion was reached that necessary and potentially productive experiments in this field should be based on thorough study of local conditions and the selection of those that seemed most favourable. In general, it was felt that rural environments would present less

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difficulties, although there would be certain urban contexts which would make attempts in this direction feasible; there were some positive experiences in this field in the region.

86. One important obstacle was the popular ignorance concerning the causes of crime, the possibilities of prevention and the techniques for rehabilitation, as well as the public's own responsibility towards delinquency. There was a tendency to stigmatize certain offenders and to consider them as sub-human beings; this tendency was sometimes encouraged by the activity of some mass communication media.

87. It was pointed out that certain kinds of shortcomings of administrative bodies themselves probably contributed in an unfavourable way to the present lack of relationship between the public and the State as regards preventive and correctional activities. Emphasis was thus placed on the need to maintain the prestige of the police, the courts and the correctional services as concerns public opinion. It was considered necessary in particular to guarantee a restrictive use of public authority, avoid long delays in court decisions and remedy the lack of effective publicity on the activities of the system of the administration of justice.

88. Consequently, it was concluded that it was necessary to combine the efforts involving public participation with systematic campaigns, designed to sensitize the community to such needs. In addition, it was deemed essential that codes of criminal procedure be revised with a view to incorporating elements in them which would permit greater influence of the neighbourhood on the offender.

II. CONCLUSION

89. It was decided to recommend to the Secretary-General that the report of the meeting be circulated to Governments in the Latin American and Caribbean region, so that they could give full consideration to the recommendations and suggestions made by the experts, and transmit their comments to the Secretary-General.

Annex I

LIST OF PARTICIPANTS AT THE MEETING

Experts invited by the Secretary-General

Dudley Allen
Chief Probation Officer
Ministry of Development and Welfare
Kingston, Jamaica

José Arthur Alves da Cruz Ríos
Presidente
Instituto de Estudios para o Desenvolvimento
Social y Económico (INES)
Rio de Janeiro, Brazil

José Calatayud
Director, Departamento de Justicia
Ministerio de Cultura
Montevideo, Uruguay

Jorge E. Centeño
Director del Departamento de Corrección
Ministerio de Gobierno y Justicia
Panamá, Panamá

J. Carlos García Basalo
Sub-Director nacional del
Servicio Penitenciario Federal
Buenos Aires, Argentina

Marco González Berendique
Director, Instituto de Criminología
Santiago, Chile

Cecil Murray
Chief Probation and Welfare Officer
Probation and Welfare Department
Georgetown, Guyana

Florencio A. Ortega del Campillo
Profesor de Criminología
Subsecretario de Desarrollo de Comunidades
Ministerio de Bienestar Social
Mendoza, Argentina

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Miguel Paiva
Director Nacional del Servicio
Penitenciario Federal
Buenos Aires, Argentina

Sebastián Soler (Chairman)
Profesor de Derecho Penal
Facultad de Derecho y Ciencias Sociales
Universidad de Buenos Aires, Argentina

United Nations

Kurt Jansson
Deputy Director, Social Development Division

Anders Hallstrom
Social Defence Expert in Venezuela

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Annex II

LIST OF DOCUMENTS

Some issues for discussion at regional meetings of experts in social defence convened in preparation for the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (17-26 August 1970, Kyoto, Japan)

- ST/SOA/SD/CG.2/WP.1 The prevention of delinquency in the context of national development
- ST/SOA/SD/CG.2/WP.3 Implementation of the Standard Minimum Rules for the Treatment of Offenders
- ST/SOA/91 Report of the United Nations Consultative Group on the Prevention of Crime and the Treatment of Offenders (Geneva, 6-16 August 1968)
- E/CN.5/C.3/R.2 United Nations activities in the field of social defence
- E/CN.5/C.3/R.3 Work Programme of the United Nations Social Defence Research Institute

Ad Hoc Group of Experts
on the Prevention of
Crime and the Treatment
of Offenders:

- Working Paper No. 1 Some approaches to planning for social defence
- Working Paper No. 2 Research approaches in social defence planning
- E/CN.5/C.3/R.4 Report of the Ad Hoc Expert Group on the Prevention of Crime and the Treatment of Offenders (Rome, 18-23 June 1969)
- E/CN.5/443 Report of the Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders on its third session held at Rome, 24-30 June 1969
- ST/SOA/SER.M/20 International Review of Criminal Policy No. 20
(United Nations publication, Sales No.: 63.IV.3)
- ST/SOA/SER.M/23 International Review of Criminal Policy No. 23
(United Nations publication, Sales No.: 65.IV.4)
- ST/SOA/SER.M/25 International Review of Criminal Policy No. 25
(United Nations publication, Sales No.: 68.IV.7)

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