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CONFERENCE BACKGROUNDER

SIXTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

Matters of international interest in crime prevention and criminal justice will be discussed at the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders that will meet in August-September 1980 at Caracas, Venezuela.

Government delegates from all Member States of the United Nations and other representatives, totalling well over 1,000 participants are expected to attend the two-week Congress which begins on 25 August. Experts from all professions in the field of crime prevention and the treatment of offenders, including government ministers, planners, judges, criminologists, penologists, specialists in criminal law and criminal justice, public administrators, experts in the field of probation, parole and social welfare, will be among the participants.

Six major topics have been chosen for discussion:

- 1) Crime trends and crime prevention strategies;
- 2) Juvenile justice: before and after the onset of delinquency;
- 3) Crime and the abuse of power: offences and offenders beyond the reach of law?
- 4) De-institutionalization of corrections and its implications for residual prisoners;
- 5) United Nations norms and guidelines in criminal justice: from standard-setting to implementation; and
- 6) New Perspectives in crime prevention and criminal justice and development: the role of international co-operation.

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Special attention will be given to the problem of capital punishment. The Congress will also examine the impact of the conclusions and recommendations of the last Congress which was held at Geneva, Switzerland, in 1975. These include the 13-Article Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was subsequently approved by the General Assembly.

Preparations

Over the past four years extensive preparations have been made for the Sixth Congress. In addition to the preparatory work done by the United Nations Committee on Crime Prevention and Control and the United Nations Secretariat's Crime Prevention and Criminal Justice Branch, which serves as the Congress secretariat, a series of regional preparatory meetings have been held at Addis Ababa, Bonn, Cairo, Manila, and San José in Costa Rica. Interregional meetings of experts have been convened on five of the six topics, at Ottawa (Topic 1), Reno (Topic 2), New York (Topic 3), Cambridge, United Kingdom (Topic 4), and The Hague (Topic 5). Recommendations have been made at these meetings which will enable the secretariat to prepare the documentation for the Congress.

Following a 1950 resolution of the United Nations General Assembly, inter-governmental congresses on the prevention of crime and the treatment of offenders have been convened every five years to consider matters of common interest to countries and to guide United Nations work in this field. They offer a unique forum for the presentation of policies which have proved useful and for the sharing of experiences of States in preventing crime. The congresses also help to stimulate progress in the more humane treatment of offenders.

Documentation for the conference is being prepared by the conference secretariat. It will be distributed to governments and invited conference participants in advance of the Congress and discussions will be based on these documents.

Main Items on the Provisional Agenda

Of the topics to be considered at Caracas, Crime trends and crime prevention strategies will involve an examination of the nature and extent of crime world-wide and of how present methods of compiling criminal statistics could be improved, of the changes of crime trends and possible reasons for those changes, and of the most immediately serious crime problems and why they are considered especially pressing. There will be emphasis on the cost of crime to economic and social development. The Congress will examine the various crime prevention strategies of governments, the need for new guidelines and policies, both within the criminal justice sector and across all sectors involved in economic and social development and the cost effectiveness of crime control measures.

The second item on the provisional agenda, Juvenile justice: before and after the onset of delinquency, will deal with the problem range of juvenile justice from three perspectives: (1) juvenile justice in the sense of social justice for children and young persons; (2) juvenile justice in the sense of special efforts to confront the problems of children and youth in danger and in need of care or protection; and (3) juvenile justice in the sense of justice for the child or young person who has already been formally convicted of a criminal offence.

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Under the item Crime and the abuse of power: offences and offenders beyond the reach of law? the Congress will study crimes arising from the misuse of economic or public power. The last Congress noted that, in addition to ordinary criminals who escaped detection, there was a substantial number of powerful perpetrators of harmful acts who wielded their power and influence with impunity, to the detriment of the community as a whole. Criminal justice specialists and the general public are increasingly questioning the validity of the traditional focus on offences of a conventional kind ("street crime") to the neglect of such crimes as corporate offences which are less obvious but often much more noxious to large segments of the population. This item will also deal with consumer fraud, corruption, offences against the environment, and abuses of public power constituting infringements of fundamental human rights.

The fourth item, De-institutionalization of corrections and its implications for the residual prisoners will involve an examination of current trends in penal policies and practices, within the broader context of the implementation of the Standard Minimum Rules for the Treatment of Prisoners. The Congress will also discuss the wide range of alternatives that could be used to replace imprisonment, particularly with the involvement of the community, and the treatment of residual prisoners.

The Fifth Congress emphasized that the use of imprisonment should be restricted to those offenders who were anti-social or dangerous and needed to be neutralized in the interests of public safety and for the protection of society. A recent report of the United Nations Committee on Crime Prevention and Control stated that concepts and practices of imprisonment that were previously universally accepted were now being challenged. The main task was that of reducing the number of persons requiring such an ultimate form of control and of devising other alternatives.

Under the item United Nations norms and guidelines in criminal justice: from standard-setting to implementation, the Congress is expected to examine the existing United Nations Standards and Norms with the view to securing the rights and preserving the dignity of all those who come in contact with the criminal justice system.

The value of United Nations instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Standard Minimum Rules for the Treatment of Prisoners, has been recognized by most Governments, but there is a need for devising more effective means and procedures for national and international implementation.

In December 1977 the United Nations General Assembly called on the Congress to include on its agenda the discussion of capital punishment and its possible restriction, including a more generous application of the rules relating to pardon, commutation or reprieve. Both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights affirm everyone's right to life.

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At its organizational session 1980, the Economic and Social Council added a further substantive agenda item, entitled New perspectives in crime prevention and criminal justice and development: The role of international co-operation. This new item might well be seen as the focal point for all Congress topics, within the overall context of "Crime prevention and the quality of life", a concept which had guided the Committee on Crime Prevention and Control both in the selection of all topics and in the elaboration of the International Plan of Action, and which has emerged from the Second United Nations Development Decade. The new topic recognizes the all-too-frequent connexion between rapid - especially industrial - growth and increasing crime rates, seeks to alert Member States to this danger and offers the experience of countries who have successfully dealt with the problem.

Participants

Those who are expected to participate at Caracas fall into these categories: Delegations from Member States and Non-Member States as well as representatives of the United Nations Council for Namibia; representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under the auspices of the General Assembly in the capacity of observers; representatives of national liberation movements; representatives of United Nations organs and related agencies; observers for other inter-governmental organizations; and observers for non-governmental organizations. In addition the Secretary-General has been empowered to invite individual experts and consultants having a direct interest in the field of crime prevention and criminal justice to attend as observers. Inquiries concerning invitations may be addressed to the Executive Secretary. Voting will be confined to government delegations.

United Nations' Role in Prevention of Crime and Criminal Justice

In 1951 the United Nations assumed world leadership in promoting work in crime prevention and in the treatment of offenders by taking over the functions of the International Penal and Penitentiary Commission (IPPC), an intergovernmental organization established in 1875. Successive United Nations resolutions have stressed the need for strengthening U.N. activities in this field.

The United Nations aims at setting basic standards and maintaining fundamental human rights in crime prevention, criminal justice and the rehabilitation of offenders. The Organization provides information to governments and experts on tested policies and practices that may be adapted to their local needs and situations. In its technical assistance programmes the Organization has given priority to training programmes to help meet the acute shortage of qualified crime prevention personnel, as a prerequisite for effective prevention and control programmes.

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United Nations work in crime prevention and criminal justice is currently guided by the Committee on Crime Prevention and Control. Composed of 27 experts from various countries, the Committee formulates guidelines and suggests priorities for international action to the Economic and Social Council. It is serviced by the Crime Prevention and Criminal Justice Branch of the United Nations Secretariat, which also carries out the relevant programme activities decided on by the General Assembly and the Economic and Social Council.

While the United Nations cannot by itself enforce laws or measures to prevent crime in the different sovereign Member States, it can make recommendations, offer guidance in this respect and assist in the training of law enforcement and correctional personnel. Moreover, the United Nations Crime Prevention and Criminal Justice Branch is frequently called upon to render advice and technical assistance, in matters falling within its competence.

In recent years the United Nations has been particularly concerned with rising crime rates in many parts of the globe. A recent world survey of trends carried out by the United Nations (document A/32/199) showed, for instance, that during the 1970-75 period intentional homicide increased by 20 per cent, theft by 46 per cent, robbery by 197 per cent and drug abuse by 114 per cent world wide. Between 1970 and 1975 crime increased by about 15 per cent in the aggregate, although decreases were noted in several countries.

The First United Nations Congress on the Prevention of Crime and the Treatment of Offenders was held at Geneva, in 1955. It approved a set of Standard Minimum Rules for the Treatment of Prisoners. The Second Congress, at London, in 1960, dealt among others with measures for the prevention of juvenile delinquency, and considered prison labour, parole and after-care. In 1965, meeting at Stockholm, the Third Congress approved measures for crime prevention in the developmental context and for combating recidivism. The Fourth Congress met in 1970 at Kyoto, Japan and, among other measures, adopted a Declaration on the need for adequate planning for crime prevention so as to minimize the negative side-effects of industrialization on development, the quality of life and the human environment.

The Fifth Congress was held at Geneva, in 1975. Among its achievements were the Declaration on the Protection of All Persons from being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It also adopted a series of recommendations for action at the international, regional and national levels, progress in the implementation of which will be examined by the Sixth Congress this year.

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