



UNITED NATIONS



**Seventh United Nations Congress
on the Prevention of Crime
and the Treatment of Offenders**

Distr.
GENERAL

A/CONF.121/1
30 July 1985

Milan, Italy, 26 August to 6 September 1985

ORIGINAL: ENGLISH

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ANNOTATIONS TO THE PROVISIONAL AGENDA

1. Opening of the Congress

The Congress will be opened by the Secretary-General of the Congress on Monday, 26 August 1985, at 10 a.m., at the Milanofiori Congress Centre.

2. Organizational matters

(a) Election of the President

Rule 6 of the provisional rules of procedure (A/CONF.121/2) provides that the Congress shall elect a President from among the representatives of particular States. Rule 41 provides that all elections shall be held by secret ballot, unless the Congress decides otherwise.

(b) Adoption of the rules of procedure

The provisional rules of procedure, contained in document A/CONF.121/2, were approved by the Economic and Social Council in its decisions 1979/25 of 9 May 1979 and 1980/105 of 6 February 1980, as amended by decision 1985/134 of 29 May 1985, whereby it decided also that, at the Seventh Congress, the provisional rules of procedure should be modified, as appropriate, to take into account the appointment of the Secretary-General of the Congress, pursuant to Council resolution 1984/45 of 25 May 1984.

(c) Adoption of the agenda

The Economic and Social Council, in its resolution 1982/29 of 4 May 1982, approved the provisional agenda for the Seventh Congress. The General Assembly, in its resolution 39/112 of 14 December 1984, invited the Seventh Congress to pay particular attention to the question of illicit drug trafficking.

(d) Organization of work

Rule 43 of the provisional rules of procedure provides that there shall be as many committees of the whole as may be approved from time to time by the Economic and Social Council, on the recommendation of the Committee on Crime Prevention and Control, and that each committee may set up subcommittees and working groups to the extent permitted by available facilities.

The Economic and Social Council, in its resolution 1984/45 of 25 May 1984, decided that the Seventh Congress should be held from 26 August to 6 September 1985, with two days of pre-Congress consultations. It also decided that items 1, 2, 3 and 8 of the provisional agenda should be considered in plenary meeting, and that items 4 and 7 should be allocated to Committee I and items 5 and 6 to Committee II. The Council, in the same resolution, decided further that the general theme for the Seventh Congress should be "Crime prevention for freedom, justice, peace and development".

The provisional rules of procedure provide also for the appointment of a Credentials Committee (rule 4) and the setting up of a General Committee (rule 6). A proposed time-table for the work of the Congress will be circulated for consideration by the Congress in document A/CONF.121/3.

(e) Election of officers other than the President

Under rule 6 of the provisional rules of procedure (A/CONF.121/2), the Congress shall elect, in addition to the President, 24 Vice-Presidents and a Rapporteur General, as well as a Chairman for each of the Committees provided for in rule 43. Those 28 officers shall constitute the General Committee and shall be elected on the basis of ensuring its representative character.

(f) Credentials of representatives to the Congress

(i) Appointment of the members of the Credentials Committee

(ii) Report of the Credentials Committee

Rule 4 of the provisional rules of procedure provides that a Credentials Committee of nine members shall be appointed by the Congress on the proposal of the President and that its membership shall, as far as possible, be the same as that of the Credentials Committee of the General Assembly of the United Nations at its immediately preceding session. At the thirty-ninth session of the General Assembly, the Credentials Committee consisted of representatives of the following States: Bhutan, China, Cuba, Equatorial Guinea, Italy, Ivory Coast, Paraguay, the Union of Soviet Socialist Republics and the United States of America. In accordance with rule 4, the Credentials Committee shall examine the credentials of representatives and report to the Congress.

3. New dimensions of criminality and crime prevention in the context of development: challenges for the future (Topic 1)

The emergence of new forms and dimensions of criminality and the deleterious impact that crime has on socio-economic development was acknowledged by the Sixth Congress and recognized by the General Assembly in resolutions 35/171 of 15 December 1980 and 36/21 of 9 November 1981. The Seventh United Nations Congress may wish to examine new dimensions of criminality with a view to reviewing and further improving effective ways and means of its prevention. A working paper has been prepared by the Secretariat dealing with that matter.

The Economic and Social Council, in resolution 1984/48 of 25 May 1984, recommended that the Congress give detailed consideration both to the further development of studies on such topics as the relationship between criminality and particular socio-economic factors - for example, the transmission of social values and changes in family functions, and to concrete problems of crime and criminal justice data, in the light of the Second United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies, and the proposed manual on the collection and analysis of crime statistics.

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The General Assembly, in resolution 36/21 of 9 November 1981, called upon the Committee on Crime Prevention and Control to give particular attention to current and emerging trends in crime prevention and criminal justice, with a view to defining new guiding principles for the future course of crime prevention and criminal justice in the context of development needs and the goals of the International Development Strategy for the Third United Nations Development Decade and a new international economic order, taking into account the political, economic, social and cultural circumstances and traditions of each country and the need for crime prevention and criminal justice systems to be consonant with the principles of social justice. The Economic and Social Council, in its decision 1984/153 of 25 May 1984, approved the submission to the Seventh Congress of a draft resolution and draft guiding principles for crime prevention and criminal justice in the context of development and a new international economic order, which had been recommended by the Committee on Crime Prevention and Control.

The General Assembly, in resolution 39/112 of 14 December 1984, inter alia, requested the Seventh Congress to give urgent attention to the strengthening of technical co-operation in crime prevention and criminal justice, in pursuance of the recommendations of the regional preparatory meetings and the Committee on Crime Prevention and Control.

The General Assembly, in the same resolution, also invited the Seventh Congress to pay particular attention to the question of illicit drug trafficking.

Pursuant to Economic and Social Council resolution 1982/29 of 4 May 1982 and General Assembly resolution 39/112 of 14 December 1984, the report of the Secretary-General on the implementation of the recommendations of the Sixth United Nations Congress will be submitted to the Seventh Congress.

The Interregional Preparatory Meeting (Meeting of Eminent Persons), which was held at New Delhi from 22 to 26 April 1985, adopted the "New Delhi consensus on the new dimensions of criminality and crime prevention in the context of development" as its contribution to the draft guiding principles.

Documentation

Working paper prepared by the Secretariat on new dimensions of criminality and crime prevention in the context of development: challenges for the future (A/CONF.121/20)

The Second United Nations Survey on Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies: report prepared by the Secretariat (A/CONF.121/18)

New guiding principles for crime prevention and criminal justice in the context of development and a new international economic order: note by the Secretariat (A/CONF.121/19)

Implementation of the recommendations of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders: report of the Secretary-General (A/40/492)

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Report of the Interregional Preparatory Meeting (Meeting of Eminent Persons) for the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic 1: New dimensions of criminality and crime prevention in the context of development: challenges for the future (A/CONF.121/IPM/5)

4. Criminal justice processes and perspectives in a changing world (Topic 2)

The Caracas Declaration, adopted by the Sixth Congress, 1/ emphasized the great importance of comprehensive policy formulations and planning in criminal justice, and resolutions 1 and 2 adopted by the Sixth Congress reflected the need for better information on all aspects of crime prevention and control and for the entire machinery of criminal justice to be responsible for changing economic and social conditions in individual societies. A working paper has been prepared by the Secretariat dealing with that matter.

The Sixth Congress, in resolution 9 on the specific needs of women prisoners, requested that at future congresses and their preparatory meetings, time should be allotted for the study of women as offenders and victims. The Economic and Social Council, in resolution 1984/49 of 5 May 1984, reaffirmed that request and decided that the question of the fair treatment of women by the criminal justice system, inter alia, should be included in the provisional agenda for the Seventh Congress and requested the Secretary-General to submit a report on the matter.

Documentation

Working paper prepared by the Secretariat on criminal justice processes and perspectives in a changing world (A/CONF.121/5)

The fair treatment of women by the criminal justice system: report of the Secretary-General (A/CONF.121/17 and Add.1)

Report of the Interregional Preparatory Meeting for the Seventh United Nations Congress on the Prevention of Crime and Treatment of Offenders on topic 2: Criminal justice processes and perspectives in a changing world (A/CONF.121/IPM/2)

5. Victims of crime (Topic 3)

At its seventh session, the Committee on Crime Prevention and Control acknowledged that while major attention in the consideration of the present agenda item should be paid to victims of illegal abuses of power, consideration should also be given to victims of traditional crimes, such as offences involving violence and brutality. In line with the Committee's suggestions, special attention would also be focused on certain particularly vulnerable segments of the population and on problems of double victimization and possible remedies. A working paper has been prepared by the Secretariat on that matter.

In its resolution 1984/49, the Economic and Social Council decided that the question of the situation of women as victims of crime should be taken up under the agenda item entitled "Victims of crime", and it requested the Secretary-General to submit a report to the Seventh Congress on the matter.

At its seventh session, the Committee on Crime Prevention and Control was of the opinion that the Seventh Congress should concentrate particularly on ways of providing victims with some form of redress. It emphasized that the concept of reparation or restitution should be seen in the context of social justice for the victims of illegal abuse of power, both economic and political. Pursuant to Economic and Social Council resolution 1984/45 of 25 May 1984, a report of the Secretary-General on that subject will be submitted to the Congress.

Documentation

Working paper on victims of crime (A/CONF.121/6)

The situation of women as victims of crime (A/CONF.121/16)

Survey of redress, assistance, restitution and compensation for victims of crime: report of the Secretary-General (A/CONF.121/4)

Report of the Interregional Preparatory Meeting for the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic 3: Victims of crime (A/CONF.121/IPM/4)

6. Youth, crime and justice (Topic 4)

To assist the Congress in its consideration of agenda item 6, a working paper has been prepared by the Secretariat.

The Sixth Congress, in resolution 4, recommended that the Committee on Crime Prevention and Control should be directed to develop standard minimum rules for the administration of juvenile justice and the care of juveniles, which can serve as a model for Member States, and that the Secretary-General should report to the Seventh Congress on the progress achieved in the formulation of the draft rules for review and final action. The Economic and Social Council, in its decision 1984/153 of 25 May 1984, approved the recommendation of the Committee at its eighth session that the text of the proposed draft rules, which had been submitted to the Committee by the Secretary-General would, after necessary modifications, be forwarded to the Seventh Congress for its consideration, through the interregional preparatory meeting on youth, crime and justice.

Also in resolution 4, the Sixth Congress recommended that the Secretary-General should assign to one of the United Nations crime prevention centres the responsibility for conducting research on the causes of delinquency and programmes for its prevention and report to the Seventh Congress on progress made in the research conducted in juvenile delinquency by the designated centre.

Documentation

Working paper prepared by the Secretariat on youth, crime and justice (A/CONF.121/7)

Draft United Nations Standard Minimum Rules for the Administration of Juvenile Justice: report of the Secretary-General (A/CONF.121/14)

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Research in juvenile delinquency: report of the Secretary-General
(A/CONF.121/11)

Report of the Interregional Preparatory Meeting for the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic 4: Youth, crime and justice (A/CONF.121/IPM/1)

7. Formulation and application of United Nations standards and norms in criminal justice (Topic 5)

The subject of agenda item 7 is a permanent concern of the United Nations regarding the protection of the human rights of offenders. That concern is reflected in the constant efforts directed at ensuring and preserving the dignity of all those who come in contact with the criminal justice system. A working paper has been prepared by the Secretariat on the matter.

The Sixth Congress, in resolution 13, requested the Committee on Crime Prevention and Control to give priority to the development of a model agreement for the transfer of foreign prisoners with a view to presenting the model agreement to the General Assembly for consideration as soon as possible. The Economic and Social Council, in decision 1984/153 of 25 May 1984, decided to approve the recommendation made by the Committee at its eighth session to transmit to the Seventh Congress a draft resolution submitted to the Committee, to which was annexed a draft model agreement on the transfer of foreign prisoners.

The Sixth Congress, in resolution 16, called upon the Committee on Crime Prevention and Control to include among its priorities the elaboration of guidelines relating to the independence of judges and the selection, professional training and status of judges and prosecutors. The Economic and Social Council, in its decision 1984/153 of 25 May 1984, decided to approve the recommendation of the Committee at its eighth session to take note of the draft guidelines on the independence of the judiciary, to invite the concerned interregional preparatory meeting to finalize the draft guidelines in co-operation with all parties concerned, and to request the Secretary-General to submit the final text to the Seventh Congress for adoption.

The Code of Conduct for Law Enforcement Officials was adopted by the General Assembly in resolution 34/169 of 17 December 1979. Pursuant to General Assembly resolution 35/170 and Economic and Social Council decision 1984/153, the Secretary-General has prepared a comprehensive report on the implementation of the Code.

The Sixth Congress, in resolution 8, requested the Committee on Crime Prevention and Control to consider the question of alternatives to imprisonment and, in resolution 10, to consider the question of the development of measures for the social resettlement of offenders, and to report on those subjects to the Seventh Congress.

The Economic and Social Council, in resolution 1745 (LIV) of 16 May 1973, requested the Secretary-General to present to the Council periodic reports on capital punishment at five-year intervals starting in 1975. Pursuant to Council

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resolution 1984/45 of 25 May 1984, the third quinquennial report will be submitted to the Seventh Congress.

The Economic and Social Council, in resolution 1984/47 of 25 May 1984, approved the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners, 2/ which had been prepared by the Committee on Crime Prevention and Control pursuant to Council resolution 1993 (LX). A report on the implementation of the Rules had been prepared by the Secretary-General.

As a follow-up to resolution 5 adopted by the Sixth Congress, a note on extra-legal, arbitrary and summary executions has been prepared by the Secretary-General.

Documentation

Working paper on the formulation and application of United Nations standards and norms in criminal justice (A/CONF.121/8)

Model agreement for the transfer of foreign prisoners and recommendations for the treatment of foreign prisoners: note by the Secretariat (A/CONF.121/10)

Guidelines on the independence of the judiciary: note by the Secretariat (A/CONF.121/9)

Implementation of the Code of Conduct for Law Enforcement Officials: report of the Secretary-General (A/CONF.121/12)

Alternatives to imprisonment and social resettlement of offenders: report of the Secretary-General (A/CONF.121/13)

Capital punishment: report of the Secretary-General (E/1985/43)

Implementation of the Standard Minimum Rules for the Treatment of Prisoners: report of the Secretary-General (A/CONF.121/15)

Arbitrary and summary executions: note by the Secretary-General (A/CONF.121/21)

Report of the Interregional Preparatory Meeting for the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders on topic 5: Formulation and application of United Nations standards and norms in criminal justice (A/CONF.121/IPM/3)

8. Adoption of the report of the Seventh Congress

Under rule 50 of the provisional rules of procedure, the Congress is to adopt a report, the draft of which shall be prepared by the Rapporteur-General. In accordance with General Assembly resolution 39/112 of 14 December 1984, a report of the Secretary-General, containing his views and recommendations on the implementation of the conclusions of the Seventh Congress, will be submitted to the General Assembly at its fortieth session.

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Notes

1/ See Report of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Caracas, Venezuela, 25 August-5 September 1980 (United Nations publication, Sales No. E.81.IV.4).

2/ See Report of the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Geneva, 22 August-3 September 1955 (United Nations publication, Sales No. 56.IV.4), annex I.A, as approved by the Economic and Social Council in its resolution 663 C (XXIV) of 31 July 1957 and amended by Council resolution 2076 (LII) of 13 May 1977 (see ESA/SDHA/1).

This archiving project is a collaborative effort between United Nations Office on Drugs and Crime and American Society of Criminology, Division of International Criminology. Any comments or questions should be directed to Cindy J. Smith at CJSmithphd@comcast.net or Emil Wandzilak at emil.wandzilak@unodc.org.