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**NEW DIMENSIONS OF CRIMINALITY AND CRIME PREVENTION  
IN THE CONTEXT OF DEVELOPMENT:  
CHALLENGES FOR THE FUTURE**

**Working paper prepared by the Secretariat**

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## INTRODUCTION

1. The importance of the present topic is dramatically underlined by the general pattern of recent changes in criminality that emerges from the available data, which shows that in recent decades numerous countries have experienced a sustained growth in many categories of crime, challenging the operational effectiveness of the crime prevention and criminal justice systems of the affected societies. Indeed, the Second United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies reports a 33 per cent average overall increase in recorded crime between 1975 and 1980. 1/

2. Increased criminality has aroused deep concern and widespread feelings of insecurity among the population of those countries, a response sometimes aggravated by the suspicion on the part of the citizenry that perhaps certain established crime control policies and programmes may no longer be adequate to cope with the new crime problem. Furthermore, such increases in criminality have brought many Governments to the realization that, unless the sustained growth of crime is stopped, or at least significantly slowed down, it may seriously undermine the social and economic life of their countries and hamper their development efforts.

3. In response to these concerns and to the threat to society which gave rise to them, the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders unanimously adopted the Caracas Declaration, in which it is stated, inter alia, that "... the phenomenon of crime, through its impact on society, impairs the overall development of nations, undermines people's spiritual and material well-being, compromises human dignity and creates a climate of fear and violence that erodes the quality of life," further affirming that "... crime prevention and criminal justice should be considered in the context of development, political systems, social and cultural values and social change, as well as in the context of the new international economic order". 2/ This formulation was endorsed and reaffirmed by the General Assembly in its resolution 35/171 of 15 December 1980.

4. The same concerns later led the General Assembly, in its resolution 36/21 of 9 November 1981, to call upon the Committee on Crime Prevention and Control to "... give particular attention, in the formulation of the agenda of the Seventh Congress, 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". In response to this request, the Committee, at its seventh session, indicated, inter alia, that topic I of the Seventh Congress, "New dimensions of criminality and crime prevention in the context of development: challenges for the future," should serve as a vehicle for identifying and strengthening international co-operation in crime prevention and for defining new guiding principles for future action on crime prevention and criminal justice. 3/ The Committee also suggested that this topic could be an umbrella item for the Congress and recommended to the Economic and Social Council that it be discussed in plenary meetings. This was endorsed by the Council in its resolution 1982/29 of 4 May 1982.

5. Given the significance of this topic, and based on a recommendation by the Committee on Crime Prevention and Control, the Secretary-General of the United Nations convened an interregional preparatory meeting of eminent persons in New Delhi, India, from 22 to 26 April 1985, on new dimensions of criminality and crime prevention in the context of development. The meeting was attended

by eminent personalities of internationally recognized status and broad experience in national and international affairs so as to contribute effectively to the conceptualization of new approaches to crime prevention and criminal justice. After extensive discussions during the meeting the panel of eminent persons adopted the New Delhi Consensus on the New Dimensions of Criminality and Crime Prevention in the Context of Development and presented it to the Seventh Congress as its contribution to the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order. The New Delhi Consensus is contained in document A/CONF.121/IPM/5 of 15 May 1985 which is before the Congress.

## I. NEW DIMENSIONS OF CRIMINALITY

### A. Dimensions of contemporary crime

6. An analysis of the dimensions of contemporary criminality is a prerequisite for improvements in current crime prevention policies and for the elaboration of new and more effective crime control strategies and measures. In this connection, the "Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order," hereafter referred to as "draft Guiding Principles" recommend that "criminal sanctions ... should ... be oriented towards the new forms and dimensions of international, transnational or national crime, through the adoption of new legislative instruments and measures adequate to meet the challenges" (principle 32).

7. It is noteworthy that the newness of the forms and dimensions of crime referred to is not restricted to the emergence of wholly new forms of criminality, but refers as well, and perhaps predominantly, to substantial transformations in a number of factors characterizing different categories of crime. However, a full identification of the new forms of criminality cannot be regarded as final because of the highly dynamic and complex social context in which crime occurs. A brief examination of the available data gives some insight into the dimensions of the problem and may prove useful for the further analysis of contemporary criminal behaviour and for the adoption of effective countermeasures against it.

8. Thus, the emergence of a variety of recognizably harmful acts which, because of their relative novelty, are not yet adequately covered in most existing penal codes represents a significant new dimension of criminality. In view of their harmful impact, such acts may require penal legislation for their effective neutralization, especially with regard to acts that inflict serious damage on the environment and certain acts harmful to consumers and other large population groups.

9. (a) A new dimension of criminality is the very substantial increase in the financial volume of certain conventional economic crimes, such as tax evasion, illegal capital transfers or fraud in the massive transfer of vital commodities, where the overall impact may be great enough to threaten the economic stability of entire countries;

(b) Similarly, the prevalence of certain criminal abuses of office for the purpose of private gain, such as corruption at high levels, represents a dimension of contemporary crime which characterizes the administrative apparatus in some countries and threatens their economic stability and domestic peace;

(c) Crime seems also to have gained a new dimension in terms of its "instrumentation", namely the application, by criminals, of new scientific and technological advances to the furtherance of their illegal goals, as is the case with the different forms of so-called computer crime and terrorism by the use of remote control devices;

(d) Another new dimension emerges in terms of the high degree of international co-ordination and extension characterizing certain criminal operations, such as a substantial part of the illicit activities of organized crime, particularly drug trafficking;

(e) The considerable increases in the number of victims per offence may similarly be viewed as a new dimension of contemporary crime, encompassing certain terrorist actions and some cases of gross negligence;

(f) Another dimension of contemporary crime is to be found in the sustained growth through a number of years in the frequency and seriousness of certain offences of the street-crime type, such as murder, theft or burglary, so that the overall cumulative increase goes beyond a society-specific tolerance threshold and becomes a source of great concern and insecurity among the population;

(g) A further new dimension is represented by the gradual reappearance of certain conventional crimes that were believed, until recently, to have totally disappeared from the face of the earth, such as piracy and other maritime crimes, including marine insurance fraud, the scuttling of vessels and the diversion of cargoes;

(h) In certain countries crime also shows a new dimension in terms of the emergence of new groups of offenders, as appears to be the case with growing female criminality and the increasing number of aliens involved in criminal activities;

(i) Gradual changes in certain cultural values and social attitudes have led, in some societies, to a re-evaluation of certain conventional offences, such as child- and spouse-battering, and to their reclassification as more serious and grave than had been hitherto assumed.

10. The above-mentioned dimensions may be sufficient to encompass most aspects of criminality in the contemporary world. The relative importance of each dimension is, however, likely to vary from country to country, depending upon the unique social, economic, cultural and political conditions of each society. In spite of this variety, comparisons are still useful for the formulation or improvement of the crime prevention strategies of each country.

#### B. Specific manifestations of contemporary criminality

##### Non-conventional offences

11. Inasmuch as certain acts of a substantially harmful nature are often not specifically included in penal codes, they are thus, strictly speaking, not crimes. The harmfulness of some such acts may not be readily evident and therefore not commonly recognized by important sectors of public opinion, a situation likely to hinder efforts to ensure their effective control and prevention. Such circumstances raise important questions concerning the formulation and implementation of information programmes designed to create a new public awareness of the deleterious impact of these acts and thereby substantially facilitate their criminalization and effective control.

12. Thus, in recent decades, and partly as a result of the United Nations Conference on the Human Environment, 4/ world opinion has grown increasingly aware of the destructive impact of certain industrial and commercial practices on the general ecological balance. The pollution of the environment, the careless depletion of non-renewable resources and the wanton destruction of numerous animal species and marine life have been repeatedly denounced as representing a serious threat to the well-being and survival of the human species and to the entire bio-sphere.

13. In a similar manner, the information campaigns carried out by consumer protection and other concerned groups have contributed to a growing awareness of the dangers to health and life represented by the widespread use of certain substances in the manufacture of foods and medicines, and by the uncontrolled availability of defective and dangerous products. 5/

14. In recent years, and partly in response to the new public awareness, numerous countries have enacted legislation designed to establish effective controls over many activities harmful to the environment and provide adequate protection for consumers. Although such legislation is not equally comprehensive in all countries, positive results appear to have been achieved in both areas. An assessment of the effectiveness of such legislation would therefore play an essential role in the improvement of the provisions, and could provide valuable information to countries considering the enactment of equivalent legal measures. However, in attempting to criminalize certain acts, careful attention should be given not only to possible alternative legal and socio-economic measures that would bring more effective and less costly results, but also to the concurrent evaluation of criminalization and decriminalization, so as to achieve a humane and effective criminal policy.

#### Conventional criminality

##### Organized crime

15. Although certainly not a new phenomenon, organized crime has acquired an unprecedented geographical extension and international co-ordination in recent decades, as well as an effective diversification into all profitable criminal activities, such as the production, transport and sale of illegal narcotic drugs, smuggling of weapons and embargoed products on a vast scale, extensive insurance fraud, maritime fraud schemes, massive tax evasion, illegal currency manipulations and capital transfers, fraudulent bankruptcy, traffic in persons, especially women, for purposes of prostitution, the illegal transport of aliens, illegal gambling, extortion, banditry, counterfeiting and the production and sale of pornographic material.

16. Moreover, since the profits deriving from their criminal enterprises amount to hundreds of millions of dollars, in some cases vastly exceeding gross national products, 6/ criminal organizations sometimes possess an overwhelming economic power 7/ that has permitted them, on occasion, to ensure the complicity and protection of government officials at the highest level, thereby acquiring immunity for their operations. As generators of corruption, these criminal organizations have become a source of political instability in many nations.

17. It is further known that organized crime has often succeeded in infiltrating legitimate business activities, which are promptly transformed into instruments for the furtherance of the organizations' criminal goals, such as the laundering of ill-gotten gains and similar financial operations, thereby seriously undermining the overall legitimate economic life of numerous nations.

### Illicit narcotic drugs traffic

18. Of all the offences committed by organized crime, illicit drug trafficking has acquired particularly threatening dimensions in many developed and developing regions, 8/ not only because of the large number of victims it produces and the government corruption and political instability often associated with such criminal activities, but also because of the serious difficulties encountered by the international community in achieving effective control of the traffic. In response to this alarming situation, the General Assembly, in its resolution 39/112 of 14 December 1985, invited the Seventh Congress to pay particular attention to the question of illicit drug trafficking.

19. According to recent estimates, drug trafficking revenues in one of the major developed countries may be as high as 45 to 63 billion dollars. 9/ Illicit transactions in drugs are therefore one of the mainstays of organized crime and, according to some experts, perhaps the largest income-producer offering the best profit margin. 10/

20. Furthermore, illicit drug trafficking produces a far-reaching series of direct and indirect crimes, including bribery, murder, assault, robbery, traffic in persons, receiving and concealing stolen property. Its costs to society are enormous. In some regions, the power of drug traffickers reaches into the highest levels of public administration, thus securing virtual impunity for their crimes. In fact, the expression "narcocracy" has been used to characterize such pathological developments.

21. The difficulties of detection and control make drug trafficking one of the hardest problems for crime prevention and criminal justice systems, requiring intensified and innovative forms of regional and interregional co-operation to combat it.

### Terrorism

22. Although terrorist acts have been known throughout much of human history, contemporary terrorism differs from its predecessors in some important respects, in part determined by recent advances in electronics, weaponry, transport and communication. 11/ Thus, like organized crime, terrorism today is marked by a high degree of international co-ordination, even among ideologically incompatible groups. In addition, terrorist organizations seem to have access to considerable financial resources, and to have developed a high degree of organizational and operational sophistication.

23. All these factors are responsible for terrorism's deadly efficiency in neutralizing, on more than one occasion, the most elaborate and costly security arrangements. Still more alarmingly, the possibility cannot be wholly disregarded that, in the not-too-distant future, terrorist groups may gain possession of other, still more lethal means of modern warfare, such as chemical, biological and nuclear weapons, which could be used to wreak havoc in entire countries. The need to avoid the terrorization and destruction of the innocent has thus been increasing and the community should protect itself more effectively from acts of indiscriminate violence.

### Hijacking

24. The re-emergence of hijacking, mostly of aeroplanes but also, occasionally, of trains, buses and vessels, is a source of grave concern for public officials and affected industries as well as the public at large. While the

introduction of extensive security measures, and the creation of a network of international conventions, had provided a temporary respite from hijacking, this form of criminality is once again on the increase,\* in disregard of the threat of stiff penalties, including, in some cases, capital punishment, awaiting the offenders if apprehended. Such offences, which endanger the life and emotional well-being of numerous innocent persons, are likely to continue in so far as potential offenders are led to believe that they may, eventually, obtain asylum and thus impunity.

#### Economic crimes

25. Economic crimes have been identified by numerous Member States as constituting a source of very serious concern, in view of their mounting frequency and their detrimental impact on the national economy. 12/ Although many conventional crimes are, in a sense, also economic in nature, in so far as they are committed for the purpose of obtaining some material gain, the expression "economic crimes" is here reserved for a narrower category of offences, seldom committed with the use of physical force, but frequently in conjunction with legitimate economic activities, and largely by perpetrators who enjoy a considerable amount of respect in their communities. Such "respectable" offenders seldom perceive themselves as criminal in a strict sense, a point of view often shared by peers and relatives.

26. Many countries have repeatedly denounced the substantial losses of income caused by tax evasion, an offence often facilitated by insufficiencies in and complexities of legislation. Similarly, it has been estimated that private and public enterprises suffer substantial losses through embezzlement, fraudulent bankruptcy, insurance fraud, theft by employees, fraudulent overproduction and diversion of products, false invoicing and other fraudulent practices.

#### Corruption

27. Corruption, or the practice whereby some venal government officials take advantage of their positions within public administrations for the purpose of private gain, has been present in numerous societies throughout much of their history. 13/ However, in recent decades and in some countries, this phenomenon has become so rampant as to be perceived, by sizeable segments of the population, as an unavoidable component of public administration. Such circumstances are likely to undermine the credibility of Governments, thereby sapping public trust in political administration and generating considerable cynicism and opportunism among the citizenry, ultimately resulting in resignation over the inevitability of a corrupt society and an inability to achieve a state of communal well-being and economic stability and prosperity. 14/

#### Criminal negligence

28. With growing industrialization, the likely impact of negligent behaviour has assumed massive proportions, so that the potential harm that can be created by a single act is incalculable. Furthermore, certain techniques and practices, such as the production, use and transport of extremely dangerous materials, constitute such an enormous threat to the lives and health of so

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\*Thus, the Public Information Office of the International Civil Aviation Organization has recorded 251 instances of unlawful interference with civil aviation between 1980 and 1984.



many people, that their introduction should be accompanied by particularly strict safety regulations aimed at the avoidance of any form of negligence. It may indeed be necessary to categorize the absence of such safety measures as criminal in itself. On the other hand the practicability of the criminal sanction as a safeguard would appear in doubt, if and when directed towards relatively inexperienced workers entrusted with the operation of high forms of technology.

#### Computer crimes

29. The growing use of computer technology for the management of national and international economic and financial transactions has enormously increased the efficiency of numerous business, commercial and banking operations, as well as of government administration. In fact, computer technology increasingly appears as an indispensable component of a highly developed economy, and, consequently, its applications are likely to increase substantially, while expanding to more and more countries.

30. On the other hand, such developments have been accompanied by the emergence of new opportunities for criminal actions, in so far as criminals who acquire the necessary computer know-how may now illicitly interfere with regular financial and banking operations for the purpose of fraudulent enrichment, thus diverting enormous sums for their own benefit. Furthermore, the highly technical nature of such computer operations makes the detection of the offence and the identification of the offender extremely difficult, given the fact that most law enforcement agencies cannot match the skill and expertise of perpetrators.

31. Inasmuch as electronic information-processing is also being increasingly utilized for the organization, storage and easy retrieval of vast amounts of data collected by national Governments and other public and private institutions, often extending to private and even delicate matters pertaining to the lives of individual citizens, unauthorized and surreptitious access to such data may give unscrupulous persons considerable power of extortion and blackmail over unprecedentedly large numbers of citizens, quite apart from the dangers which inhere in the misuse of such data by public officials intent upon abuse of public trust and authority.

32. In a similar fashion, many Governments are becoming increasingly dependent upon computer technology for the efficient administration of public affairs, including national defence. Such a development tends to increase the vulnerability of a society to terrorist attacks, in that terrorist groups could conceivably destroy or diminish the operational capability of entire nations if they gained access to such programmes.

#### Female criminality

33. In numerous developing and developed countries, a steady increase in female criminality has occurred in the last few decades. <sup>15/</sup> Such a development may be an indirect consequence of the gradual integration of women to a wider sphere of activity in fields such as the economy, the professions and government. They may also reflect profound value changes in the female population. Yet, the fact that some countries have succeeded in keeping female crime rates low or even in decreasing them despite the rapid and massive integration of women in the economic and political life of their countries gives rise to the hope that adequate planning is capable of coping with the problem of increased female criminality in nations affected by it.

### Crimes committed by aliens

34. Advances in international transport, coupled with differential economic opportunities in different countries, have substantially increased the number of aliens living, either temporarily or permanently, within the boundaries of numerous countries in most regions. As a group and, at least partially as a consequence of the cultural, linguistic and socio-economic differences that separate these aliens from the autochthonous populations, they are often more vulnerable to certain criminogenic influences.

35. Thus, while in some countries the crime rates of aliens are demonstrably lower than those of the indigenous population, in other countries aliens are more prone to commit passport and visa violations, to work illegally and to falsify certain documents, such as residence and work permits, as well as to engage in some forms of minor and major criminality, such as shop-lifting, petty theft, sex-related offences, drug use and trafficking and violence.

### Violence in the family

36. In recent years, a growing awareness of the victimization of women and children in the context of the family has led, in many countries, to a change of attitudes vis-à-vis such offences. Thus, in numerous countries, a previously practised benign disregard is being replaced by a much stricter treatment of such offences and by a facilitation of their prosecution, often by a change of evidentiary rules and of police practices, thereby taking such abuses out of the strictly private sphere. 16/

### Piracy, cargo theft and the scuttling of vessels

37. Piracy, a criminal phenomenon believed dead for over a century, has reappeared as a grave problem in the sea lanes of several regions of the world, such as the Caribbean, South-East Asia, West Africa and the eastern Mediterranean. Similarly, variants thereof, namely cargo theft, the scuttling of vessels and marine insurance frauds, have reached menacing dimensions, causing very substantial losses, particularly in developed countries, where hundreds of vessels and thousands of cargo vans are hijacked every year for the purpose of stealing their merchandise. In maritime trade, criminality has assumed such a degree of sophistication on the part of organized commercial perpetrators that many developing countries are unable to cope with the problem and a grave threat is posed to their economies.

### Street crime

38. Certain conventional offences of the street crime variety have been increasing in frequency and seriousness throughout recent decades.\* Thus, offences such as hold-ups, burglaries, muggings, hooliganism, vandalism, and stranger-to-stranger murder seem to have become an element of daily life in many developing and developed countries. In this connection, it may be noted that such sustained increases may result in a serious overburdening of

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\*Thus, crime figures for nine Western European countries, namely, Austria, Denmark, England and Wales, Federal Republic of Germany, Finland, France, Italy, Netherlands and Spain increased, between 1960 and 1980, from an average of 2,317 offences per 100,000 inhabitants to an average of 5,956 offences, according to data published by the International Criminal Police Organization in International Crime Statistics (Paris).

existing criminal justice systems, in so far as such systems were originally designed and established for the purpose of coping with substantially lower numbers of offences and offenders. In fact, such new levels of conventional street criminality often seriously threaten the efficient functioning of the infrastructure of criminal justice, hampering the effectiveness of crime control and leading to popular dissatisfaction and frustration over the functioning of the system.

C. Impact of crime upon development

39. It is generally recognized that the sustained increases in criminality observed in many developing and developed countries in recent decades, are effectively undermining some of the most elementary pre-conditions of social life, such as solidarity and social control, marginalizing sizeable segments of the population and inflicting serious damage upon numerous communal structures and valuable social institutions. Furthermore, it is widely believed that socio-economic development is hampered in many countries by proliferating economic crimes, escalating violence of various kinds, and, perhaps most alarmingly, abuses of public power resulting in the victimization of large numbers of individuals.

40. Perhaps the most easily observable and quantifiable effect of crime upon the development efforts of a country is the growing drain upon scarce and acutely needed development resources. In fact, growing crime rates often force Governments to divert increasing shares of their overall income to their crime prevention and criminal justice systems. Thus, an increasing number of offences is often countered by the recruitment of additional police and prison personnel. Similarly, increases in the number of cases may necessitate the employment of additional court personnel if overloading of the system is to be avoided, just as prisons may need expansion if the over-population of individual institutions is to be avoided.

41. Furthermore, the costs of repairing and replacing equipment and facilities damaged and destroyed by constant acts of vandalism, including arson, and the expenses incurred for effectively protecting the security of important public officials and of the public at large from terrorist attacks, represent an aggravation of the above-mentioned drain on public funds. The diversion of scarce public funds into the crime prevention and criminal justice system is bound to have a negative impact upon the development plans of the affected countries, in so far as it reduces the potential for productive investment on the part of Governments.

42. A similar drain on public financial resources may be attributed to various economic crimes, such as tax evasion, smuggling, financial frauds and the diversion of public funds for private gain. Furthermore, illegal currency manipulations, illicit capital transfers and over-invoicing deprive the State of large amounts of foreign currency, thus hampering the acquisition of industrial equipment and other necessary materials, while certain commercial practices, such as dumping, have, in some cases, seriously jeopardized existing domestic industries in developing countries. In this connection, it may be of great importance to explore means for the more effective criminalization of acts harmful to development and perpetrated in an international context.

43. The main impact of rampant corruption upon development lies, aside from its demoralizing effect upon the citizens, in the economic inefficiency and waste that it generates through its effect upon the allocation of funds.

Furthermore, since corruption may also affect recruitment and promotion patterns, the most efficient employees may not be recruited, and the allocation of positions may foster inefficiency.

44. Illegal trafficking in narcotic drugs is a source of great losses for many countries in terms of the numerous human beings permanently disabled by drug addiction and rendered prone to engage in criminal activity as a means of obtaining their daily dosage of narcotics. Thus, drug dealing and consumption have a multiplier value in the generation of crime and misery. The high costs generated by the preventive measures directed against it are also a great drain on the national economy.

45. The health of millions and, consequently, their ability to contribute productively to the development efforts of their countries, is also very seriously affected by the consumption of certain pharmaceutical and food products which do not meet minimal safety standards.~ Such criminal irresponsibility may be particularly difficult to detect in countries where a lack of resources results in inadequate official quality control of marketed products.

46. The ecological imbalances resulting from extensive damage inflicted upon the environment by certain industrial processes or commercial and agricultural practices constitute a very serious threat to the development potential of many countries, since they lower the quality of life and destroy human and natural resources which are, in many cases, indispensable factors in the effective implementation of national development policies. The draft Guiding Principles recommend, in this regard, that "... special protection against criminal negligence should be ensured in matters pertaining to public health, labour conditions, the exploitation of natural resources and the environment, and the provision of goods and services to consumers" (principle 7).

47. The deleterious impact of crime upon national development efforts is not, however, of a purely material nature. The damage inflicted upon certain human intangibles, such as dignity, spiritual well-being, optimism and hope, is as much a serious obstacle to socio-economic development as are other, more material factors, such as those mentioned in the preceding paragraph. Citizens living permanently under the fear of victimization, or demoralized by pervasive, unpunished corruption, or by flagrant abuses of power, are not very likely to contribute their utmost to development programmes. The best-formulated development plans may meet only marginal success if the members of the community find themselves unable to join spontaneously in the required common effort.

## II. INTEGRATED CRIME PREVENTION STRATEGIES AND PLANNING

### A. Crime prevention as a component of national development planning

48. The attainment of enhanced efficiency in crime prevention and control seems to require the integration of crime prevention strategies at all levels of national development planning, from the highest level, where long-term nation-wide general policies are formulated, down to the level concerned with the elaboration of policies intended for the local community.

49. Planning of national development policy at the highest level is most likely to exert the strongest impact upon society as a whole. The policies adopted at this level, such as the opening-up of new areas, the creation of new urban and industrial centres or the construction of new transport net-

works, if criminogenic considerations are ignored, could lead to widespread suffering, including crime, among the population.

50. Since crime prevention considerations have traditionally received a comparatively low priority at the highest planning level, it will be difficult to make them an integral part of national development planning. This raises important questions concerning the establishment of better avenues of communication among national planners so as to upgrade the priority assigned to crime prevention planning within national development programmes. In this respect, the draft Guiding Principles recommend that "efforts towards inter-sectoral planning should be designed to achieve interaction and co-operation between economic planners, agencies and criminal justice sectors, in order to establish or strengthen appropriate co-ordinating mechanisms and to increase the responsiveness of crime prevention policies to developmental requirements and changing conditions" (principle 18).

51. A useful step in this direction may be accomplished through the creation of an organ in charge of implementing high level co-ordination. The draft Guiding Principles recommend the "establishment of one or several planning and co-ordinating bodies or mechanisms, both at the national and local levels, with the participation of representatives of the different criminal justice subsystems and other experts, and with the involvement of members of the community ..." (principle 20). In this respect, some countries have set up national crime prevention councils, the members of which are representatives of the various branches of the national administration, and other countries have chosen to delegate co-ordination tasks to a number of bodies or agencies specialized in the issues in question. The results of the different solutions attempted so far may constitute a body of useful information for those countries which are still searching for a response to the challenge of effective co-ordination.

52. It is obvious, however, that the orientation, scope and techniques of crime prevention planning must be determined by the specific needs of each country, since what people conceive as crime, and their tolerance limits with respect to the various aspects of the crime situation, are dependant upon prevailing values and attitudes of each society. Furthermore, the political structures of some countries may largely limit the role of the central administration to the provision of goals and standards, information, training and evaluation, while practical implementation is left to the local authorities.

#### B. Imaginative uses of community resources in crime prevention

53. The draft Guiding Principles emphasize "community intervention and participation in all phases of crime prevention and criminal justice processes ..." (principle 28), and stress the need for constant efforts to "... enhance the contribution of ... community-oriented alternatives ..." to judicial intervention and institutionalization of offenders (principle 33).

54. Community resources in contemporary society include a relatively well-established set of institutions, such as the mass media, schools and universities, religious organizations, trade unions, consumer groups, voluntary social action groups and political parties, as well as citizens in their various roles. As organized associations of citizens, communities may significantly contribute to crime prevention policies, either acting with a certain autonomy or in direct association with law enforcement agencies. Examples of the latter are furnished by neighbourhood groups organized to prevent crime at the local level, volunteers serving in law enforcement or

probation auxiliaries, as well as community involvement in rehabilitation, after-care and community work programmes. 17/

55. Communities could devise several distinctive ways of participating in crime prevention efforts. Thus, communities may help generate and disseminate information concerning criminal law and criminal justice processes, and thereby contribute to raising the "legal literacy" of the population. Moreover, communities may be able to contribute to the social acceptance of the law, thereby reinforcing its legitimacy. Furthermore, they may apply considerable pressures for conformity with standards of behaviour established by law, such as fair labour and anti-discrimination standards, and they may also perform important crime prevention functions by imparting education in accepted values through campaigns, at the local level, against behaviour which has a deleterious impact upon society as a whole, such as drug abuse, violence against women and children, or racial and ethnic discrimination.

56. In some countries, community apathy constitutes a problem of considerable importance. Thus, general indifference toward, and low interest in, the administration of criminal justice have, on occasion, generated a dangerous unwillingness to co-operate with the authorities. Such an attitude may manifest itself, for instance, in the failure to come to the aid of fellow-citizens under criminal attack, or to report to the police the victimization of others, or in the withholding of testimony essential for the success of the prosecution. It is, therefore, of great importance for the effectiveness of the crime prevention and criminal justice system to devise programmes capable of reversing the reluctance of many citizens to assist in the operation of the system.

C. Some prerequisites for the effective implementation of crime prevention policies and strategies

57. An obvious prerequisite for effective implementation of crime prevention policies and strategies is the active involvement of the community. Information gathered thus far seems to indicate that crime prevention efforts which do not receive the support of the community stand little chance of success. That is to say that, although Governments and organizations have a major role to play in crime prevention, a policy not anchored in the community is not very likely to yield positive results.

58. Many countries have reported the development of crime prevention strategies which rely on the participation of communal organizations to assist in the reduction of the incidence of crime at the local level. The details of the structure of these organizations vary considerably with the cultural and political traditions of each country. For instance, certain countries emphasize community or workers' courts based on the organizational unit and often associated with the work-place. Developing countries feel encouraged to revitalize traditional institutions, such as informal councils based upon the village or local unit of habitation, whereas certain developed countries have tended to adopt the model of a local professional crime prevention officer acting as a stimulus to informal but structured organizations within his area. Yet some highly industrialized countries have rediscovered the value of small family-type units, often based on the work-place, or agencies which help to create solidarity and resist criminogenic influences.

59. In respect to all aspects of community participation, the role of the media appears as a critical factor in constructing the social and psychological environment in which criminal justice agencies can successfully operate. 18/ In this connection, the media have the potential of a threefold impact on

public attitudes toward the criminal justice system. First, they are disseminators of information concerning criminal justice processes; secondly, they may provide a forum for public debate on issues of criminal justice; and thirdly, they are shapers of public opinion regarding criminal justice. The co-operation of the media is thus of crucial importance for the implementation of crime prevention policies and strategies.

60. Systematic and easily accessible scientific knowledge and information about crime prevention is a precondition for the successful implementation of crime prevention policies and strategies. However, information restricted to the national or local level may often prove to be too restrictive. Thus, such information could be fruitfully complemented by data on practical experiences of, or research conducted in, other countries, especially since such data may often have innovative features and could be an important source of savings of both time and money, provided they are used with adequate caution and adapted to the specific conditions of each country.

61. Effective crime prevention requires not only the availability of an adequate number of well-trained and capable criminal justice professionals, but also the existence of a proper system of financial and non-financial rewards, facilitating the enlistment, commitment and dedication of these professionals to the crime prevention efforts. In this connection, it is highly important that a careful review should be made of not only the reward and compensation structure, but also the existing curricula at all levels of training and the selection procedures utilized in the recruitment of these professionals.

### III. REGIONAL AND INTERNATIONAL CO-OPERATION AND THE ROLE OF THE UNITED NATIONS

#### A. Need for co-operation

62. The United Nations Charter has emphasized the importance of promoting international co-operation for the solution of problems of an economic, social, cultural or humanitarian character. Various resolutions of the General Assembly and the Economic and Social Council, and the recommendations of both the Committee on Crime Prevention and Control and the quinquennial United Nations Congresses on the Prevention of Crime and the Treatment of Offenders, while underlining the need for strengthening such co-operation, have stressed the linkages between the question of crime prevention and criminal justice and the achievement of the main objectives of the United Nations in the economic, social and humanitarian field, through effective co-operation at the national, regional and international levels. In this connection, the General Assembly, by its resolution 35/171 of 15 December 1980, endorsed the Caracas Declaration and called for a number of steps designed to give it effect, including the implementation of recommendations of the Sixth Congress on new perspectives and strengthened international action in this field, with special emphasis on regional and subregional co-operation.

63. As the problems of criminality directly affect the vital social and cultural goals of the modern world and hamper development, a wide range of programmes, concrete measures, and activities in the field of international co-operation are urgently needed, taking fully into account different ideologies, social and judicial systems and cultural values. In fact, the necessity of closer co-operation between States in the field of crime prevention and criminal justice against dangerous forms of criminality has become more acute in recent years, due to the factors and developments noted above.

64. The past few years have been marked, in many parts of the world, by decreasing social stability, partly due to the increased intensity and violence of criminal activities which endanger the well-being and security of nations, as exemplified by attacks or threats on the lives of heads of States and Governments and spiritual leaders. The international community, therefore, is urged to make concerted and systematic efforts to intensify technical and scientific co-operation and to achieve more effective crime prevention policies and strategies.

65. Such co-operation is already taking place partly through the elaboration of conventions relating to certain criminal acts which cause damage to the values of the international community as a whole. It extends to different aspects and phases of criminal proceedings, including prosecution, investigation, judgement and enforcement of sanctions, and international judicial and other assistance, all subject to the requirement of fair trial which safeguards the rights and freedoms of the defendant and aims at an improved social rehabilitation and resettlement of sentenced offenders.

#### B. New forms of co-operation

66. New forms of co-operation have been introduced and developed in recent years, such as the following: the delegation of the prosecution to, and the execution of sentences by, another state; the right to pursue offenders across frontiers, pursuant to multilateral conventions at world-wide, regional or bilateral levels; and the enactment of provisions in domestic law offering to other States, where necessary on conditions of reciprocity, special facilities to implement criminal justice proceedings. The co-operation has also taken form in the adoption of specific measures designed to ensure protection of the interest of the persons prosecuted, the right of defence, and the legitimate claims of the victim.

67. Such new forms of international co-operation in criminal law and procedure have been extended to various forms of crime, including those aimed at the protection of the environment, the protection of data affecting privacy, bribery and corruption, fraudulent international transactions, violence and terrorism, hijacking and taking of hostages, computer crime, organized crime and drug trafficking, apartheid and racial discrimination and genocide.

68. International co-operation in criminal matters, especially international legal assistance, including extradition and the repatriation of sentenced persons for the execution of sentences, is an important part of international law which will play an ever-increasing role in the struggle against criminality. Nevertheless, regardless of the need for continuing the efforts to broaden and improve these measures, the international community will have to pursue its efforts to protect universal values and interests by a criminal justice system of its own.

69. The draft Guiding Principles provide a general framework of regional and international co-operation. These Principles, while emphasizing that co-operation in crime prevention and criminal justice is already a legal duty under conventional and customary international law with respect to international crimes, and is increasingly being recognized as a responsibility with respect to transnational crimes, have stressed the importance for the United Nations to continue and complete the codification of international criminal law with respect to international crimes. To achieve effective international co-operation, the draft Guiding Principles underline the need for the United Nations to recommend appropriate enforcement mechanisms and prepare model



instruments suitable for use as international and regional conventions, and as guides for national implementing legislation.

70. Indeed, the draft Guiding Principles will open up a new dimension in regional and international co-operation. They may assist in enhancing the role of crime prevention and criminal justice in relation to social, economic, cultural and political development, bearing in mind the interdependence of national and international economic and social orders.

71. Moreover, the General Assembly is also considering the consolidation of principles and norms relating to legal aspects of the new international economic order, as well as the proposals of the International Law Commission regarding the Draft Code of Offences against the Peace and Security of Mankind, which deal with the principle of criminal responsibility under international law, the categorization of the most serious international offences, as well as the appropriateness of penalties and of international criminal jurisdiction.

72. These developments, which were stressed by all five regional preparatory meetings for the Seventh Congress, reflect an increasing awareness on the part of the international community of the need for strengthening co-operation and co-ordination in the fight against crime, since many of the most serious manifestations of crime have acquired a clearly international modus operandi, and the gravity of the situation calls for an attitude of solidarity among all countries.

### C. Role of the United Nations

#### An overview

73. Past experience has shown that the success of United Nations activities and programmes in the common effort to prevent crime and ensure justice largely depends not only on the action undertaken by national Governments, but also on the resources, limited though they are at the moment, made available to the United Nations bodies responsible for the implementation of the recommendations embodied in the various instruments.

74. Due to the severe limitation of resources available for United Nations activities, including technical co-operation, in the field of crime prevention and criminal justice, operational activities in this area account for only a small fraction of the total budget allocated to technical co-operation in the field of social development. Moreover, in many countries a shortage of skills and institutional capacity at various levels remains a key obstacle to the implementation of existing United Nations resolutions and recommendations and to the execution of effective preventive policies. Particular attention should therefore be given, whenever necessary, to skill formation and institution-building at the national, regional and interregional levels. In this connection, most of the regional meetings have emphasized the need for technical assistance and more effective technical co-operation, made available upon request, in this important field.

75. The Western Asia Regional Preparatory Meeting has stressed the need to take advantage of the experience and contribution of the United Nations and its bodies at the regional and subregional levels, thus enabling national crime prevention and criminal justice agencies to respond more effectively and humanely to the social and material stresses of criminality. 19/ The African Regional Preparatory Meeting, expressing concern over the growth of criminality in many African countries, emphasized the usefulness of regional and

subregional co-operation in crime prevention and criminal justice and the need for technical co-operation. It called upon Member States in the African region to view crime prevention and criminal justice issues in the context of development, and encouraged the collection of data, information and experience, joint activities for training and research, demonstration bilateral and multilateral projects, agreement on the provision of human, financial and material resources, and the convening of regional and subregional seminars on the various modalities of technical co-operation. It also encouraged the involvement of scientific and professional non-governmental organizations active in the field of crime prevention and criminal justice. 20/

76. The Asia and Pacific Regional Preparatory Meeting likewise expressed its concern about rising crime and violence and the emergence of new forms of criminality in many countries of the region, and invited all Governments of the region to incorporate crime prevention elements in their national economic and social development planning. In particular, it recommended the inclusion, wherever appropriate, of projects in crime prevention and criminal justice in national United Nations Development Programme country programmes. 21/ The Latin American Regional Institute, alarmed at the escalation of violence and crime linked to severe underdevelopment in various parts of the region, emphasized the need for co-operation and assistance for countries lacking the human and material resources required to combat increasing criminality. 22/

77. In view of the importance attached to the role of the United Nations, the following framework for co-operation could be very effective, if the necessary resources are granted, at the national, regional and international levels.

#### At the regional and interregional levels

##### The United Nations regional institutes

78. The United Nations, with the full co-operation of various Member States, has created a network of regional institutes to assist countries in the prevention of crime and the treatment of offenders at the regional level through research, training courses, seminars, other programmes and the exchange of information. The institutes promote international co-operation in this field and include the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, at Fuchu, Japan, the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders, at San José, Costa Rica, and the Helsinki Institute for Crime Prevention and Control affiliated with the United Nations, at Helsinki, Finland. The activities of the institutes are financed by extra-budgetary resources, particularly by voluntary contributions from the host country and other regional Governments, and occasionally by grants from other sources.

79. Attempts are being made to broaden the scope of the programmes of the institutes, so as to respond more effectively to the needs of countries in the different regions. Activities that could be broadened and strengthened would include the following: pooling of data and exchange of expertise and experience in the area of crime prevention and control among countries with similar conditions, traditions and problems; harmonization of laws and development of model legislation needed to reform obsolete laws and procedures and ensure greater concordance between the systems of countries with similar backgrounds and economic, social and cultural circumstances; development of common or complementary approaches and strategies to deal with crime problems of mutual concern, in the context of overall socio-economic planning; regional and subregional agreements and arrangements for crime prevention and control

(for example, customs regulations, extradition treaties and agreements on the exchange of prisoners); joint research endeavours, with emphasis on innovative approaches and the exploitation of indigenous potential; regional and sub-regional training and exchange of personnel; priority-setting and policy-making conferences of decision-makers (for example, conferences of ministers of justice and ministers of interior) and similar types of meetings, seminars and workshops, so as to share experiences and promote regional and subregional co-operation; strengthening technical co-operation among countries in the different regions; provision and utilization of multilateral United Nations and other aid for more effective regional action and co-operation in crime prevention; and regular exchange of information and co-operation on research matters.

80. In view of the proven effectiveness of the regional approach to crime prevention and criminal justice, it has become increasingly urgent to complete the network of United Nations regional institutes throughout the world. In this connection, the African Regional Preparatory Meeting has expressed the need for the early establishment of an African Regional Institute on the Prevention of Crime and the Treatment of Offenders, in compliance with the many resolutions calling for the creation of such an institute. <sup>23/</sup> This concern was also expressed by the Committee on Crime Prevention and Control during its eighth session (21-30 March 1984), on the basis of which the Economic and Social Council, by its resolution 1984/51, urged the Secretary-General and all the organizations and agencies involved in the establishment of the institute for the African region to take steps to ensure its prompt creation, and appealed to Governments in that region to co-operate fully and to act expeditiously in this respect.

81. Similarly, the Western Asia Regional Preparatory Meeting expressed the view that the region is in need of a scientific framework to facilitate the exchange of information and experience and to assist the Arab countries in this field. Consequently, the meeting adopted, by consensus, a draft resolution requesting the Secretary-General of the United Nations to take appropriate measures, in co-operation with the League of Arab States and its specialized bureaux, for the establishment of a United Nations Arab Regional Institute for the Prevention of Crime and the Treatment of Offenders.

#### United Nations regional commissions

82. A dialogue has been maintained with the regional commissions concerning the possibility of orienting their programmes so as to include aspects of crime prevention and criminal justice viewed in the context of overall socio-economic planning. The regional commissions have rendered a commendable service in regard to the preparatory activities for the Seventh Congress. Their continuous co-operation has contributed to the success of the regional preparatory meetings. However, the regional commissions have not been able to introduce specific crime prevention programmes into their social and economic activities, due to a lack of resources and conflicting priorities.

83. In the African region, recognition was given at the African Regional Preparatory Meeting to the central role of the Economic Commission for Africa (ECA) in the implementation of programmes for economic and social development. It was emphasized that these programmes should include elements with crime prevention and criminal justice dimensions. The meeting urged the United Nations Development Programme, the Department of Technical Co-operation for Development, and all relevant bodies and offices within the United Nations system to make available to ECA sufficient resources to permit the development of model programmes of co-operation between ECA, the Organization of African

Unity, the regional research and training institutes of the United Nations, and the Crime Prevention and Criminal Justice Branch of the United Nations, and requested the Secretary-General of the United Nations, to provide the Executive Secretary of ECA with adequate material support, including substantive services. 24/ Moreover, by its resolution 493 (XIX), the tenth meeting of the Conference of African Ministers, held at Addis Ababa from 24 to 28 May 1984, endorsed the report of the African Regional Preparatory Meeting, appealed to the Seventh Congress to support, through its decisions, the efforts of African countries in fighting the problem of increasing criminality, and invited the United Nations and its agencies to provide all assistance possible to achieve concerted socio-economic development within the framework of the Lagos Plan of Action.

84. The Asia and Pacific Regional Preparatory Meeting similarly recognized the important role of the Economic and Social Commission for Asia and the Pacific (ESCAP) in the social and economic field, and called upon all Governments in the region to initiate and vigorously support the establishment of a crime prevention and criminal justice programme at the regional level, as part of the activities to be carried out by ESCAP within the terms of its mandate and programme of work. 25/

85. In order to maximize the benefits of co-operation at the regional level in carrying out the programmes outlined above, there must be active co-ordination of work between the regional institutes and commissions. Such co-ordination should focus on the planning and implementation of research, the training of personnel through seminars, symposia and more extended training programmes, an exchange of information between regions through the services of the regional commissions and institutes, and co-operation in the delivery of technical assistance. This may entail joint planning for the required programmes and mutual support for specific programmes benefiting the various regions. The idea of establishing close links between the regional commissions and institutes was stressed at most regional preparatory meetings. 26/ As a result, ESCAP and the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders have jointly launched a few regional projects.

#### United Nations Social Defence Research Institute

86. Regional and subregional co-operation and activities are supported by the United Nations Social Defence Research Institute (UNDSRI) at Rome, which is primarily concerned with the promotion of policy-oriented research in the field of crime prevention and criminal justice and with the conduct of a research programme on criminality and socio-economic change, so as to determine the steps required to minimize the potential criminogenic side-effects of rapid social change, particularly in developing countries.

87. UNDSRI, as a United Nations research body, is in a special position to foster research and co-operation in the field of crime prevention and control. It has already contributed to the body of knowledge in this area, 27/ and continues to play a significant role in research and the analysis of the broader issues of crime prevention in the context of socio-economic development, in co-operation with the Secretariat of the United Nations and, in certain projects, with the regional institutes. For the resources required to carry out its activities UNDSRI depends largely on contributions made to the United Nations Trust Fund for Social Defence through the United Nations Pledging Conference.

### Interregional advisory services

88. The role of the interregional advisors in promoting regional and interregional co-operation and in providing Member States with advisory services in the field of crime prevention and criminal justice is of particular importance. In this connection, the General Assembly, in its resolution 35/171 endorsing the Caracas Declaration, acknowledged the role played by the United Nations through its efforts in crime prevention and the treatment of offenders and the need to strengthen this role, in order to make the application of the relevant agreements effective and to ensure that the functioning of the technical advisory and co-ordination services of the United Nations become more systematic and efficient. It further requested the Secretary-General to strengthen technical assistance programmes, taking into account the specific needs of each region.

89. Several interregional advisors were originally available, but their services have been discontinued owing to lack of funds. A single post of interregional advisor was re-established in 1982 with the following functions: to provide Governments of Member States with advisory services to assess crime patterns and trends and to establish areas of priority for more effective utilization of national resources allocated to this sector; to advise Governments on ways and means of orienting country programmes to include crime prevention and criminal justice policies in the context of overall social and economic development planning; to arrange for plans and programmes of training of criminal justice personnel in accordance with the economic, social, cultural and political circumstances of the countries concerned; to explore appropriate policies for co-ordinated activities between national institutions dealing with crime prevention and criminal justice and other development sectors, including research and the analysis of data on the interrelationship between crime and socio-economic and cultural factors, such as unemployment, migration and urbanization; to assist regional institutes in their activities, such as the organization of interregional training courses in the field of crime prevention and criminal justice; and to suggest ways and means of promoting and strengthening regional co-operation in the field of crime prevention and criminal justice, particularly as regards the exchange and dissemination of information.

90. During the past two years over sixty requests for technical assistance have been received from different countries, and additional requests are still being processed. However, there is a serious shortage of resources required for a more positive and effective response to country needs. In this respect, the Economic and Social Council, in its resolution 1984/51 of 25 May 1984, recognized the increase in requests for advisory services by Member States, and urged the Secretary-General to ensure increased support for such services, especially by providing additional interregional and regional advisors as quickly as budgetary resources would permit.

91. Indeed, the availability of resources is of crucial importance not only in order to comply with the increasing requests for technical assistance, but also to follow up the recommendations for country-level action made by the interregional advisors. In addition, feedback from technical assistance projects in the field is of great assistance to the Secretariat in its efforts to assist Member States in the development of national policies and programmes for the prevention and control of criminality.

#### At the global level

#### United Nations five-year congresses

92. United Nations congresses on the prevention of crime and the treatment of offenders provide a universal forum for the presentation and discussion of the

crime policies and strategies of Governments, the exchange of information and the formulation of innovative approaches to practical solutions of crime problems, taking into account the economic, social and cultural circumstances of the countries concerned. The congresses have undergone significant changes over the years in their official status and functions, tending towards a more intergovernmental and policy approach to matters of crime, based on the experiences and priorities of Member States. In this connection, the congresses have become a more effective instrument in promoting regional and international co-operation in the field of crime prevention and the treatment of offenders.

93. Since the United Nations is expected to play an important role in the promotion of international co-operation in the field of crime prevention and criminal justice, the congresses must be regarded as essential instruments for the enhancement of such co-operation, which could be further supported by regional and interregional preparatory meetings and activities, where the experiences, concerns and priorities of Member States can be discussed in depth. The preparatory meetings also provide an opportunity for effective dialogue among countries with different social systems and among governmental and non-governmental organizations, as well as an exchange of views and information on the most viable policies and strategies to combat criminality. In this connection, the Seventh Congress may wish to explore ways and means of further strengthening the role of the congresses in the promotion of regional and international co-operation in the field of crime prevention and the treatment of offenders.

#### National correspondents

94. The national correspondents in the field of crime prevention and criminal justice represent one of the longest-existing mechanisms of co-operation and information exchange between the Secretariat of the United Nations and Member States. For more than thirty years, the national correspondents appointed by Governments from countries in all regions of the world have rendered invaluable assistance to the United Nations. Their specific functions include the following: keeping the United Nations informed of developments in their countries in crime prevention and criminal justice, by providing relevant information on new laws and regulations, studies and reports on the functioning of the criminal justice system and on crime trends; collecting data needed for the implementation of the United Nations work programme in the field of crime prevention and the treatment of offenders; and facilitating the dissemination of information to the appropriate national agencies about current United Nations developments in this field, with a view to enhancing national efforts in the prevention and control of crime. In this connection, national correspondents have been of great assistance to the Secretariat in the implementation of the recommendations of the Sixth Congress and in the substantive preparations for the Seventh Congress, particularly in conducting the Second United Nations Survey of Crime Trends and Operations in Criminal Justice Systems and Crime Prevention Strategies, and in the First Global Survey on the Question of the Fair Treatment of Women by the Criminal Justice System.

95. National correspondents, numbering over 274 persons from 112 countries at the end of February 1985, can effectively contribute to the promotion of regional and international co-operation in the field of crime prevention and criminal justice. Therefore, the Seventh Congress may wish to explore ways and means of further enhancing and strengthening their role and functions. These functions relate, inter alia, to the following: co-operation among national correspondents and with United Nations bodies at the regional and

subregional levels; services to enhance United Nations activities, including those involved in the implementation of recommendations of the Seventh Congress and preparations for the following congress; and the implementation of substantive research projects in co-operation with the Secretariat.

Co-operation with specialized agencies and intergovernmental  
and non-governmental organizations

Co-operation with specialized agencies and other programmes

96. During the history of United Nations congresses on the prevention of crime and the treatment of offenders there has been a growing realization that the problems of crime which cause concern to the international community are closely interlinked and cannot be resolved unilaterally. Problems relating to poverty, food shortages, health, education, development, the environment, population growth, urbanization, industrialization, housing, migration, unemployment, increases in the quantity and intensity of crime, the overburdened criminal justice system and the deterioration of domestic and external peace are not isolated phenomena. In fact, they form part of the complex system that determines the lives of individuals and nations, irrespective of creed, ideology or race. The very theme of the Seventh Congress "Crime Prevention for Freedom, Justice, Peace and Development" reflects these interlinkages.

97. Many international and regional programmes have been established to advance overall national development, without necessarily taking into full account possible criminogenic consequences. Yet, whether and how the matter of crime prevention is dealt with may have great significance for the attainment of the primary goals of the programmes themselves. The changing nature of criminality and its linkages with socio-economic and cultural developments and with the political realities and circumstances of developing and developed countries underline the necessity of studying these relationships in depth. In this connection, the specialized agencies and other bodies within the United Nations system can contribute significantly, in their respective areas of concern, to the elucidation of the above-mentioned linkages and the adoption of preventive strategies.

98. The substantive topics of the Seventh Congress open up a new dimension for future co-operation with the specialized agencies and other bodies within the United Nations system, such as the Centre for Human Rights, the Centre on Transnational Corporations, the Food and Agriculture Organization of the United Nations, the International Labour Organisation, the International Maritime Organization, the Office of the High Commissioner for Refugees, the United Nations Children's Fund, the United Nations Commission on Trade Law, the United Nations Conference on Trade and Development, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization, the United Nations Environment Programme, the United Nations Fund for Population Activities, the United Nations Industrial Development Organization, the World Bank and the World Health Organization. Given the relationships between the activities and programmes of those organizations in the social, economic and cultural fields and the work of the United Nations in the field of crime prevention and criminal justice, there is a need for more effective co-operation and co-ordination of certain projects bearing on crime prevention and control. Based on the recommendations and conclusions of the Sixth Congress, some of these relationships, their implications and possible agency contributions have already been noted in a paper prepared for the Consultative Committee on Substantive Questions at its second regular session (AC/1981/PG/11), in connection with the discussion of the links between crime

and development. With respect to preparations for the Seventh Congress, a further report submitted to the Consultative Committee dealt with concrete examples for close and fruitful co-operation with the specialized agencies and other bodies and programmes within the United Nations system. Accordingly, the Seventh Congress may wish to consider the possibility of formulating general guidelines for future co-operation and co-ordination in matters of mutual concern relating to crime prevention and criminal justice.

#### Co-operation with intergovernmental and non-governmental organizations

99. One of the most effective means of promoting regional and international co-operation is through the support of, and co-operation with, intergovernmental organizations, such as the Commonwealth Secretariat, the Council of Europe, the International Criminal Police Organization (INTERPOL), the League of Arab States, the Organization of African Unity, the Organization of American States and others, including non-governmental organizations in consultative status with the Economic and Social Council and active in the field of crime prevention and criminal justice. In recognition of this important role and the long tradition of co-operation between the Secretariat and these organizations, the Economic and Social Council, by its resolution 1982/29 of 4 May 1982, has invited the intergovernmental organizations concerned and non-governmental organizations having consultative status with the Council to become actively involved in the preparations for the Seventh Congress.

100. Since the governmental and non-governmental organizations, with their special expertise in crime prevention and control, are a valuable resource for the preparation of, and the world-wide transmission of information about, the congresses, a number of ancillary meetings, seminars and workshops on various topics relating to the agenda items of the Seventh Congress were organized on their initiative, with a view to assisting in its substantive preparations and in the implementation of various resolutions and recommendations.

101. Every effort is being made further to strengthen the very fruitful co-operation previously established with governmental and non-governmental organizations, in accordance with existing General Assembly and Economic and Social Council resolutions and with the recommendations and conclusions of past congresses.

#### Dissemination of information

102. There is little or no reliable information on the results of innovative crime prevention efforts in many parts of the world. Even where such information is available, the capacity to utilize it in the broader framework of national policy and planning is often insufficient. Moreover, countries facing new crime problems are prone to attack them on an ad hoc basis without first trying to benefit from comparable experiences in other countries. Aware of the importance of the systematic exchange of information in this field, the Sixth Congress stressed that the United Nations should provide information on world trends in crime and criminal policies on a regular basis and in close and continuing co-operation with Member States and relevant bodies. The Sixth Congress also stressed the need to strengthen the capacity of the United Nations to collect, analyse and disseminate information in the form most useful to Member States. The important role of the United Nations in this respect was also emphasized by the regional preparatory meetings for the Seventh Congress.



103. In this regard, the Second United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies was designed to increase knowledge about criminality in the context of overall development and to foster an international understanding of crime prevention policies and strategies. The Survey is likely to be of great assistance to Member States in strengthening mutual co-operation, improving the process of review and analysis of crime-related data, and facilitating the exchange of information and experiences. As a result, more effective policies and programmes for the prevention and control of crime may be formulated.

104. A major vehicle for the exchange of information and experiences has been the International Review of Criminal Policy, now in its thirty-eighth issue. The Crime Prevention and Criminal Justice Newsletter, issued biannually, is another source of information and vehicle of communication for the United Nations, Governments, intergovernmental and non-governmental organizations, national correspondents and regional and other international institutes.

#### United Nations Trust Fund for Social Defence

105. In 1965, by resolution 1086 B (XXXIX), the Economic and Social Council established a special fund to assist the United Nations in carrying out activities and designing and implementing projects in the field of crime prevention and criminal justice. The General Assembly, in 1979, by its decision 34/440, endorsed Council resolution 1979/21 on the strengthening of United Nations institutes for the prevention of crime and the treatment of offenders and requested the Secretary-General to put it into effect in the context of the relevant fund-raising mechanisms of the organization. Accordingly, the General Assembly, in 1982, placed the United Nations Trust Fund for Social Defence on the agenda of the Annual Pledging Conference for Development Activities. The bulk of the resources of the Trust Fund have been used to finance the activities of the United Nations Social Defence Research Institute and related programmes.

106. The strengthening of activities and programmes to combat criminality at the regional and subregional levels entails the utilization of the resources of the Trust Fund for technical assistance, experimental projects, seminars, the enhancement of the role of national correspondents and research on innovative approaches to more effective crime prevention policies and strategies. However, the shortage of resources imposes considerable constraints on the range of choice and priority projects of Member States in this field.

107. Since the successful implementation of research and technical assistance programmes at the regional and subregional levels depends largely on the amount of resources available, the Seventh Congress may wish to address this issue and to consider the possibility of finding ways and means of strengthening the financial basis of the Trust Fund.

#### IV. CRIME PREVENTION: CHALLENGES FOR THE FUTURE

108. In this document an attempt has been made to identify certain new dimensions of criminality, based on the experiences of developed and developing countries and supplemented by studies carried out by the United Nations Secretariat. Emphasis was placed on the fact that the world community, confronted with new forms of crime, is aware that the traditional crime prevention systems are no longer adequate to cope effectively with this problem. The reports of the regional preparatory meetings show that countries

with a high degree of internal stability, homogeneity and cohesiveness tend to have a low level of crime. Correspondingly, wars, internal upheavals, severe economic crises, large-scale migration or unemployment and other factors which may disrupt the functioning of the system of social control can generally be associated with rising levels of crime.

109. The levels and forms of criminal behaviour are linked to the economic, cultural and political circumstances of each country and closely interrelated with all other aspects of social life. Economic imbalances, both national and international, social inequality and tensions, and lack of opportunities for egalitarian and democratic participation of individuals or groups in the political, social and economic life of the nation are among the factors affecting the growth of crime. 28/ The causes of criminality reported by Member States include the following: poverty; social injustice and class conflict; the uneven distribution of wealth; ill health and the domination of one group of society over others by virtue of wealth or power; frustration because of unmet basic needs; mass exploitation; unequal opportunities and man-made disasters; the severity of codes and regulations inconsistent with popular views; antiquated or alien legislation applied to indigenous populations despite being virtually inapplicable because of different or changed customs, traditions and values, or because of conflict with indigenous means of social control; unemployment; rural-urban migration; internal conflict; external warfare; alien occupation; and frustration over unfulfilled development expectations.

110. Although science and technology have been recognized as determining factors in social and material progress, there may inhere in scientific and technological developments, whether in industry, medicine or business, criminogenic consequences which affect the quality of life of individuals, thus constituting indirect sources of criminality, particularly when social and cultural change takes place in an unplanned and disorganized manner. Yet, while such scientific and technological developments may negatively affect the prospects of crime prevention policies and strategies through their criminogenic effects, they may at the same time possess great potential for crime control. 29/ This recognition constitutes a major challenge for the future. Technological and scientific developments should be used as vehicles for the enhancement of social well-being. This may require a delicate balancing of regulatory processes, including those of criminalization and decriminalization.

111. Once regarded as an internal matter of Member States, crime now extends beyond national jurisdictions and across frontiers, draining away valuable national resources. There is considerable evidence that crime is threatening both the development of nations and their capacity for self-government. Crime already intrudes into the highest levels of industry, investment and banking, and in certain instances appears powerful enough to frustrate the quest for a more equitable distribution of the world's wealth and wider sharing of the means of production.

112. The seriousness and novelty of certain forms of criminality pose a challenge to all countries to co-operate in the effort to overcome them. Concerted action is thus needed at the national, regional and international levels. Effective management of crime prevention programmes depends largely on well-functioning national, regional and international institutions, as well as on the correct choice of policies and priorities. Crime prevention policies are only relevant and effective if the institutional capacity to carry them out is available, ranging from the level of local government to that of the United Nations. Institutional reforms and the development of laws and regulations will be successful only if pursued with vision and determination on the basis of constructive and increasingly effective strategies.

113. There must be a proper balance between the severity of the crime problem, on the one hand, and the resources and planning efforts devoted to the prevention of crime, on the other. To achieve such a balance, systematic crime prevention planning is needed at all levels. Moreover, all preventive efforts must draw on the scientific expertise and understanding of the community and on its capacity to mobilize local action, resources and ideas in the search for innovative solutions. Successful planning requires valid data on crime and the overall socio-economic situation. Such data should be based on the available statistics and on alternative sources of information. Thus, victimization surveys on the basis of data collected from sources such as employers, local co-operatives or insurance companies should be encouraged. For many countries, a fresh and clearer articulation of goals and strategies for future crime prevention planning is being impeded by the lack of basic information.

114. Future crime trends will be conditioned and influenced by the extremely grave economic situation in which most of humanity lives. Since survival is a basic human instinct, increasing poverty and economic deprivation will push growing numbers of people, ordinarily respectful of law and order, into trying to satisfy their basic needs through criminal or deviant behaviour. This situation will become more intense in countries where the economic crisis has deepened.

115. The present situation and the outlook for the future require a positive response on the part of Governments and a more effective system of regional and international co-operation in the social and economic sector in general, and in the field of crime prevention and criminal justice in particular. The United Nations has an essential role to play. The Seventh Congress may wish to explore ways and means of strengthening such co-operation, taking fully into account existing mechanisms at the regional and international levels. In this regard, the future implementation of the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order would be of great significance for the enhancement of regional and global co-operation.

116. The Guiding Principles stress the need not only to explore the new dimensions of national laws and measures, procedures and institutions of criminal justice, but also to strengthen traditional concepts of international law, such as that of national legality in relation to international legitimacy, in accordance with the principles of the United Nations Charter. In this respect, the Seventh Congress may wish to consider the need for the early establishment of an effective international mechanism for protecting universal values such as peace, security and human rights, alleviating the plight of victims of crime and oppression and ensuring respect for the basic human freedoms. It may also be appropriate to undertake research on the establishment of an international jurisdiction for dealing with any type of criminality which threatens the well-being and peace of humankind.

117. In drawing the path for the future course of crime prevention and criminal justice, the attention of the Congress is invited to the recommendations and conclusions of the panel of eminent persons on new dimensions of criminality and crime prevention in the context of development (A/CONF/121/IPM/5), the most significant of which was the New Delhi Consensus. In that Consensus, the eminent persons, while recognizing that crime is a major problem of national and international dimensions, cutting across national boundaries and demanding a concerted response from the community of nations, made the following specific recommendations as essential elements of an effective plan of action:

(a) Governments should undertake to accord high priority to the integration of crime prevention and criminal justice in national development planning;

(b) The United Nations should continue to strengthen its research capacity, to take action to develop the required data base and to give particular attention to the interrelationship between criminality and specific aspects of development, such as population structure and growth, urbanization, industrialization, housing, migration and employment opportunity, and crime and criminality in relation to human rights and fundamental freedoms;

(c) Priority consideration should be given to combating terrorism, drug trafficking and organized crime;

(d) An improvement in the performance of criminal justice systems should be undertaken to enhance their responsiveness to changing conditions and requirements in society and to the new dimensions of crime;

(e) The subregional, regional and interregional programmes of the United Nations in the field of crime prevention and criminal justice, including the United Nations regional and interregional institutes, should be strengthened;

(f) The capacity of the United Nations to extend technical co-operation to developing countries, upon their request, should be urgently reinforced;

(g) The Secretary-General of the United Nations should be requested to undertake a comprehensive review of the functioning of the United Nations in the field of crime prevention and criminal justice, in order to ensure the continuing relevance and responsiveness of the United Nations to emerging needs.

#### Notes

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25/ Report of the Asia and Pacific Regional Preparatory Meeting (A/CONF.121/RPM/2), pp. 25 and 26.

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