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

REPORT OF THE ASIA AND PACIFIC REGIONAL PREPARATORY MEETING  
ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

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## INTRODUCTION

1. The Asia and Pacific Regional Preparatory Meeting on the Prevention of Crime and the Treatment of Offenders was the second of a series of regional meetings convened to discuss the provisional agenda for the United Nations Seventh Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1985, in pursuance of General Assembly resolution 415(V) and 36/21 and Economic and Social Council resolution 1982/29. The list of the five topics recommended by the Committee on Crime Prevention and Control at its seventh session, held at Vienna from 15 to 24 March 1982, and approved by the Economic and Social Council in its resolution 1982/29, was adopted as the agenda for the Meeting. To facilitate the discussion, the Meeting had before it a discussion guide prepared by the United Nations Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs (A/CONF.121/PM.1), which outlined the subject matters.

2. The Meeting was held at the headquarters of the Economic and Social Commission for Asia and the Pacific (ESCAP), Bangkok, from 4 to 8 July 1983. It was attended by over 60 participants, including representatives and experts from 16 States members of ESCAP, observers from the United Nations Asia and Far East Institute on the Prevention of Crime and the Treatment of Offenders (UNAFEI), the secretariat of ESCAP, the United Nations Secretariat and intergovernmental and non-governmental organizations. The Meeting was also attended by Mr. H. Hudioro (Indonesia) representing the Committee on Crime Prevention and Control, in accordance with Economic and Social Council resolution 1982/30. A list of participants is given in annex I.

3. The Executive Secretary of ESCAP welcomed the participants and invited His Excellency Mr. Chaleo Vajjarabukka, Deputy Minister of the Interior of Thailand, to open the Meeting. The Deputy Minister welcomed the participants and stressed the importance of the five topics that they would be discussing. He expressed the hope that concrete proposals could emerge from the Meeting and emphasized the need for strengthened international and regional action in the field of crime prevention, as criminality was a major obstacle to national development.

4. The Executive Secretary stated that harmonized action on the part of ESCAP and its members in the field of crime prevention and control was needed as many countries of the region were witnessing changes in the dynamics of crime and delinquency, especially in their most serious forms. He expressed the hope that the Meeting could present a new opportunity for ESCAP to be more directly involved in the mainstream of United Nations crime prevention and criminal justice activities, thus ushering in an era of greater regional co-operation in the field. In this connection, he invited the Meeting not only to make relevant recommendations for the Congress but also to indicate ways and means of implementing them at the regional level as effectively and practically as possible.

5. The Assistant Secretary-General for Social Development and Humanitarian Affairs conveyed the greetings of the Secretary-General of the United Nations to the participants, and thanked the Executive Secretary of ESCAP, the Director of UNAFEI and the Government of Thailand for their co-operation and support. She explained the objective of the regional meetings and outlined the five substantive agenda items. In particular, she emphasized the new perspectives of United Nations activities in crime prevention and criminal

justice in the context of development, which called for more efficient, consistent and humane approaches to the problem of crime in view of its enormous social and material costs and its threat to the quality of life in many countries. She also stressed the urgent need for strengthened integrated action, particularly at the regional and subregional levels, and the value of technical co-operation among developing countries in terms of planning and implementing joint practical programmes of common concern to the countries of the region. In that regard, she hoped that the regional commissions would participate in the United Nations activities in crime prevention and criminal justice, both to enhance the role of the regional institutes and to maximize international efforts in that field by following up their practical application at the regional level.

6. Finally, the representative of the Committee on Crime Prevention and Control explained that his presence at the Meeting was intended to facilitate the work and the tasks of the Committee as the preparatory body of the Congress, thus ensuring increased co-ordination in all its preparations.

7. Following the opening ceremony, the Meeting elected by acclamation the following officers: Dhavee Choosup (Thailand), Chairman; Li Shisheng (China) and P.B. Herat (Sri Lanka), Vice-Chairmen; and R.V. Pillai (India), Rapporteur.

## I. DISCUSSION OF THE TOPICS

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

8. The item entitled "New dimensions of criminality and crime prevention in the context of development: challenges for the future" was introduced by the Executive Secretary of the Seventh Congress, who noted that current trends, dynamics and patterns of crimes, in their new forms and dimensions, had to be assessed with a view to finding less costly and more effective and humane ways and means of preventing and controlling criminality. He also stressed the need for a broader formulation and execution of crime prevention policies in line with national strategies for social, economic, political and cultural development and for their incorporation into the national planning process.

9. In that regard, he emphasized that the formulation of new guiding principles, in accordance with General Assembly resolution 36/21, would be one of the central issues for the Seventh Congress. Therefore, the relevance of receiving comments and observations from the regional meetings was clear. He also recalled the most pertinent provisions of the United Nations Charter, the Universal Declaration of Human Rights (General Assembly resolution 217A (III)), the Declaration on Social Progress and Development (General Assembly resolution 2542 (XXIV)), the Declaration and Programme of Action on the Establishment of a New International Economic Order (General Assembly resolutions 3201 (S-VI) and 3202 (S-VI) and the Charter of Economic Rights and Duties of States (General Assembly resolution 3281 (XXIV)), as well as the International Development Strategy for the Third United Nations Development Decade (General Assembly resolution 35/56, annex), all of them seeking to establish a safe, secure and just society. Action was needed at all levels to ensure that crime prevention, justice and equity became a more universal basis of penal policy and development planning in the context of the new international economic order.

10. The representative of the Committee on Crime Prevention and Control endorsed the statement by the Executive Secretary and underlined the importance of regional comments and views for the work of the Committee.

11. A wide variety of views was expressed. Some participants outlined the gradual changes in socio-economic, political and cultural conditions, which had remained relatively stable over the most recent years, except where modern aspects of development had affected them. Others emphasized the radical reappraisal of the reasons for the responses to crime that had followed major changes in the political structure of their countries and the replacement of imported cultural patterns by indigenous forms of social control. In many countries the introduction of a democratic system of government, the adoption of new laws, structural modifications in industrial organizations, economic growth, rapid urbanization and migration and the acceptance of new values and life styles had led to crucial changes in political, economic, social and cultural areas which, in one way or another, affected the crime situation.

12. Different interpretations were given of the way in which new forms of criminality were related to economic development. It was largely agreed that economic development did not automatically entail an increase in crime if social development went along with it. It was generally agreed that

socio-economic and technical progress could not be considered a major cause of crime. On the contrary, some crimes were fostered by a lack of socio-economic reforms or a delay in implementing them. In countries where considerable social progress had been made, certain categories of crime had, in fact, decreased during the past 10 years. However, in some countries that had made economic growth their major objective, as social issues in general, and law and order and the administration of justice in particular, had been given a low priority, certain categories of crime had increased.

13. In attempting to assess the types of crime that had shown an increase over the last 10 years and had therefore caused serious concern, representatives found many common factors. The type of crime or criminogenic activity that had spread most notably throughout most of the region in this period was traffic in and abuse of drugs. Narcotic drugs (heroin, opium, hashish) were the most significant, but synthetic stimulants and naturally grown soft drugs, especially cannabis, were also prominent. Drug-related criminality was a particularly complex phenomenon because of the two quite different types of activities involved: trafficking and abuse. Several countries in the region were producers of various kinds of drugs, especially opiates, much of it under official control and supervision. However, the price difference between the legal and the illegal markets (1 to 1,000) caused illicit trade to flourish unless the demand, as well as the supply, were limited. In turn illicit traffic led to organized smuggling, often involving violence against or corruption of authorities.

14. Drug abuse, which was particularly likely to affect the young, seemed to grow with increased urbanization and unemployment. The relationship between drug abuse and drug-related crimes, and between such crimes and the expansion of tourism, and other aspects of economic development was particularly mentioned. The increase in criminality among youth, which had been noted in many developed countries of other regions some time ago, was also observed in many countries of the ESCAP region.

15. Several countries reported a rise in various forms of white-collar or economic crime, including criminal breach of trust and misappropriation of public funds. In developed countries, this was observed in the continuous and sharp increase in computer crimes. Because the use of computers was expanding in the public and private sectors and would probably spread to the less developed countries quite soon, it was suggested that it could well become a major area for crime prevention in the coming years for many countries in the region.

16. Offences against the State or individuals that involved fraud, embezzlement or extortion were also reported. Quite frequently, illegal transfers of goods or money were undertaken by more complex and less obvious means, including illegal bank transactions and flow of financial assets. Thefts of works of art and articles representing the cultural heritage of nations were also increasing in some countries, although controls on private collections were being imposed. An increased traffic in and use of firearms was also noted, although the use of firearms had been considerably reduced by the introduction and enforcement of much tighter regulations. Other offences that were of concern to countries in the region included crimes against women because of dowries, racketeering in the export of skilled manpower, sea piracy against refugees and trafficking in women across international boundaries.

17. In summary, the following trends emerged:

(a) Crime across national boundaries was increasing significantly, especially illegal trafficking and smuggling of drugs, arms and even human beings;

(b) Common criminality tended to follow the same lines as in previous decades, except in countries where major social or political changes had taken place, and crimes against the State had become more prevalent than crimes against the individual and against property;

(c) Non-conventional crime mostly took the form of white-collar and economic crime, computer crime and acts against national artistic heritage.

18. The difficulty of accurately measuring the economic and social cost of crime in the countries in the region was stressed; the lack of reliable indicators was one reason for it. However, it was considered highly desirable that progress should be made in that direction in order for the prevention of crime and the administration of justice to be given a higher priority.

19. New measures and crime prevention policies ranged from specific measures against specific types of crimes to general policies and legislative reforms. Participants reported and commented on specific measures for counteracting drug trafficking and other transnational crimes, including special training for police officers and prosecutors. Law enforcement officials who understood the modus operandi of criminals involved in illegal activities were much more likely to succeed in the fight against those activities. The need for the criminal justice system to be seen to be efficient was also stressed; the responsible and careful use of discretion by the public prosecutors in one country was cited as a major factor in the high standing of the criminal justice system in the public eye. Furthermore, intergovernmental support at a high level, stronger extradition treaties and judicial assistance mechanisms through multilateral and bilateral international agreements were necessary for international law enforcement.

20. Other new countermeasures and crime prevention policies involved various types of public participation, often of a traditional and indigenous character, including councils of arbitration, mediation, reconciliation and conflict resolution. In fact, the traditional Asian culture continued to have a strong influence on concepts of criminality and social responses to offenders, and local communities and neighbourhoods assumed significant responsibility for crime prevention and the apprehension of offenders. That was not limited to nations with widespread village systems, but was manifested as well in highly urbanized countries in which public awareness programmes had augmented citizen co-operation in crime control.

21. Popular or local community courts were seen to reduce delays and costs in the administration of justice, keep conflict to a minimum level and be part of the social realities and circumstances; such courts had to be accountable to higher authorities, however. Some delegations also reported very high success rates with reformation and training schools, particularly with juvenile delinquents. The social re-integration of offenders could be accomplished if the external social circumstances were appropriate. Locally elected monitoring groups were reported to be very effective in controlling crime at the place of work, and the residential committees on housing estates provided a useful service by promoting projects in which the residents themselves participated, for example by controlling crimes committed on the estates or deciding on effective ways of combating crimes.

22. Crime prevention policies had to be incorporated into national development plans if economic growth and social progress were to be accompanied by an attempt to keep crime at an acceptable level. In that regard, crime prevention planners had to assume an active rôle in adopting and adjusting education, health, housing, industrial and urban development policies with a view to reducing the cost of crime to a minimum. In the process of planning for crime prevention and criminal justice in the context of development, it was necessary to co-ordinate efforts of and obtain feed back from all governmental and public organizations concerned with the prevention of crime and the administration of criminal justice, and added emphasis should be placed on the important role played by private organizations that are involved in crime prevention policies.

23. The establishment of co-ordination committees, comprising members from criminal justice agencies and the national development planning departments, was one of the most innovative measures brought before the Meeting. Such committees enabled planners to understand the problems of crime and crime prevention by meeting representatives of the criminal justice system and members of the public who were involved in crime prevention programmes. Some delegations reported that national peace and order councils had been set up, with corresponding units at the regional and local levels. Members of the councils came from a number of areas, and community participation was emphasized.

24. Research into the factors contributing to the increase of crimes, particularly crimes associated with development, had an important role to play because statistics from research departments and various criminal justice agencies were circulated to the development planners and national development planning bodies. Such statistics served as guidelines for formulating policies and programmes and thus had an impact at a high level.

25. The co-operation of the public - such as that undertaken by volunteer probation officers, community courts and grass-roots-level organizations in the region - could supplement the work of other criminal justice agencies as well as sensitize planners to crime prevention by mobilizing all sections of society and ensuring the necessary co-ordination in the prevention and control of crime.

26. The foremost problem in almost all countries in the region was that of obtaining adequate funds for crime prevention and criminal justice, which ranked as a very low priority item in the national budgets throughout the region. Emphasis was usually placed on strategies to improve the gross national product, especially through agriculture and industries where the results were more tangible and immediate, rather than on social problems. Even where there were plans for solving social problems, the emphasis had been on improving health, education and employment services. In many countries of the region, large-scale unemployment, poverty, illiteracy, malnutrition and disease required prior attention. However, with the improved conditions of living and with the realization that crime would impede development efforts, the number of crime prevention programmes being incorporated into national planning and the amount of funds being allocated to them were increasing.

27. It was also noted that urbanization and migration often occurred because people were "pushed off" the land rather than "pulled in" to the cities. Studies were cited which showed that where greater economic development (as



measured by per capita income) had not been accompanied by such variables as higher rates of migration, urbanization and population density, lower rates of total crime could result. Accordingly, the correlation between high population density and high crime rates had important implications for those areas of rural and urban planning concerned with population movements, employment policies, human settlements, environmental design, development of social organizations and delivery of social services.

28. Poverty, unbalanced regional growth, the uneven distribution of wealth, population growth and mobility (particularly rural-urban migration), unemployment, ill health, the domination of one group in society over others by virtue of wealth or power, lack of awareness, frustration because basic needs were not met, negative influences of the mass media and the lack of legitimate avenues for participation all contributed in a complex relationship to the perpetuation, if not growth, of crime and delinquency.

29. The scope and trends in criminality, and the factors associated with them, had important policy and programme implications for the region, where Governments, non-governmental organizations and whole communities should maintain a continuous alert to anticipate, and to prevent, the increasing incidence of crime and its new manifestations. Appropriate action had to be planned and implemented at all levels and in all sectors, not only to prevent crimes but also to ensure justice and redress in the entire region. In that connection, concurrent and integrated policies, programmes and measures to deal with the varied criminogenic influences had to be identified and executed, consistent with the realities of each country's socio-economic context of development and within the framework of the existing regional structures and institutions. The following aspects should be taken into account:

(a) The elimination of poverty through necessary structural and political adjustments in international economic relations. Such adjustments should work towards a more balanced economic relationship between the developed and developing countries consistent with the goals of the new international economic order;

(b) A purposeful redistribution and redirection of development opportunities and benefits to the poor and those population groups that are often "marginalized", if not left out of, the mainstream of development;

(c) The development of knowledge and skills necessary to integrate crime prevention planning in overall development planning;

(d) Specific research and studies to better determine the relationship of patterns and trends of crime and delinquency to each of the different development sectors such as health, education, social welfare, housing and human settlements, tourism, industrial and rural development, finance, employment, population, mass media, communications, technological and economic advancements;

(e) Research on the various types of crime and their causes, aimed at providing a framework of differential prevention and treatment modalities appropriate to the crime, the offender and the victim;

(f) A review of the effectiveness of present policies and measures that deal with economic crimes; transnational illegal transactions or other international syndicates engaged in the abuse of properties or the environment; trafficking and abuse of drugs; and exploitation of children, youth and women for labour or prostitution;

(g) The development of integrated policies across all the development sectors and the careful monitoring of such policies to eliminate any adverse impact on the crime situation;

(h) The assessment of manpower needs and manpower development and utilization in the whole spectrum of the requirements of crime prevention and criminal justice, taking into account the roles of such existing social institutions as families, schools, places of work and religious institutions;

(i) The establishment of more adequate social support structures and community-based organizations that involve indigenous personnel in programmes of crime prevention and control.

30. In considering the guiding principles annexed to the discussion guide, the participants agreed on the significance of and the need for the next Congress to adopt such principles, especially in view of the fact that most of the provisions proposed were related, in one way or another, to established practices or current processes of re-examination and re-assessment of crime prevention and criminal justice policies in the individual countries of the region.

31. It was emphasized that the new guiding principles were the direct result of the recommendations of the Sixth Congress and were drawn up with a view to placing crime prevention and criminal justice in a broader, international context in relation to both development strategies and the goals of the new international economic order. The importance of principles 3, 5, 21, 28, 40 and 43 was particularly stressed.

32. It was also underlined that most of the articles proposed could be considered appropriate and generally acceptable although, in view of the difficulty of the task, some further elaboration of the draft would be necessary. The role of the United Nations and other international organizations in the chapter dealing with crime prevention and the new international economic order had to be enlarged. Several representatives drew attention to the fact that problems of victims required greater attention and emphasis. Especially in view of the conclusions reached in the discussion of topic 3, it was suggested that the category "victims" be extended to include not only victims of economic crimes, as mentioned in principle 13, but also victims of traditional crimes and institutional violence. In general, the victim should be encouraged more to participate in the criminal justice process. In addition, it was recommended that provisions be included to provide special protection for law-enforcement officers, prosecutors, judges and correctional personnel victimized in the performance of their duties, including adequate compensation to them or their families. All these aspects should be properly covered by chapters A, B and C of the proposed draft. ✓

33. With reference to chapter B, entitled "National development and the prevention of crime", it was observed that more emphasis had to be given to social development and crime prevention in order to have them more closely integrated and linked to economic plans.

34. With regard to chapter D - "International co-operation in crime prevention and criminal justice" - many countries of the region expressed interest in extending international co-operation in the field of judicial assistance and penal matters and stressed the importance, in this connection, of strengthening regional and subregional collaboration, including technical co-operation among developing countries.

35. It was also proposed that chapter D include references to international terrorism, hijacking and kidnapping of diplomats, and the relevant international covenants and conventions should be cited.

36. Finally, the Meeting endorsed the general ideas contained in the guiding principles and expressed the wish that its comments and observations be taken into account.

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

37. In introducing the agenda item entitled "Criminal justice processes and perspectives in a changing world", the Executive Secretary of the Seventh Congress emphasized that the topic focused on: criminal justice as a system; assessing the level of performance of the system, which was influenced by socio-economic, cultural and political forces; and ensuring appropriate co-ordination and integration among the component sectors, i.e., police, prosecution, courts, corrections and after-care. A proper examination of those and other basic issues related to the concept and practice of diversion, popular and community participation, decriminalization and depenalization would help in identifying viable solutions. Such solutions, in turn, would help to develop consistent and coherent policies that were responsive to the changing needs of society, while also ensuring that all criminal justice operations through all stages of the judicial process would be carried out as effectively and speedily as possible, with due regard to the protection of basic human rights.

38. The participants discussed extensively the technical problems of the criminal justice system and their relationship to the external environment. However, it was pointed out by one representative that comparative studies could be undertaken with considerable profit but that these could be carried out only with an appropriate data base for both demographic components and criminal justice. It was essential that planning for any long-term improvement was based on relevant factual information on the resources available and a correct assessment of the requirements.

39. Several suggestions were made on how to improve the information flow between the component sections of the criminal justice system. One country reported that it had set up a co-ordinating committee which functioned at both the national and local levels. At the national level, it was chaired by the Minister of Justice and had representatives from different ministries and departments, as well as from associations of lawyers. Another country reported that, in June 1983, a comprehensive national body for the prevention of crime had been set up; it was to be permanent body, chaired by the Prime Minister and including senior national and local officials. Its regular work would be carried out by an executive bureau, which would contain a cross-section of the whole board. It was financed directly from the central exchequer and was independent of the police and the judiciary, although they would be represented on it. Local-level bodies of a parallel nature were to be established later.

40. While it was agreed that the effectiveness of the criminal justice system depended on the co-ordination between the different agencies, there was also a strong argument against their actual or complete integration. If an agency was to be both specialized and accountable (arguments for the need for specialization were particularly emphasized), it was essential that the component agencies be retained as separate organizations. Machinery was therefore needed to identify and resolve conflicts within the criminal justice systems. The general consensus was that some form of council, representing the various agencies and related professions at both the national and local levels and organized along the lines of those described above, would be an appropriate solution. In one country, the national police agency took the initiative by setting up a communication forum and inviting officials from relevant Ministries as the first step in building a more comprehensive strategy for crime prevention.

41. Three countries described specific cases of planning that furthered a systemic approach to criminal justice. In the first, the role of the public prosecutor was to control the nature and flow of cases through the courts, withdrawing prosecution at his discretion and resulting in fewer cases for judicial action. Because of that, the prosecutors and the police had to have a functioning and consistent, continuous channel of communication and a considerable degree of co-operation to achieve their own goals. The second example given was that of a country where a substantial backlog of cases had developed and where lower courts were being set up with the same geographical jurisdiction as the police stations. A third country reported introduction of trials in absentia to avoid the delay caused when the accused escaped to another part of the country. The waiting time for trials was reduced considerably.

42. The independence of the judiciary was a matter of concern to many representatives. Speakers emphasized the right of the judiciary to be independent of political or administrative influence and, in the words of one delegate, "It is important that judgement is both independent and seen to be independent". Several representatives described the system of appointment to the judiciary in their countries, and there was considerable similarity of procedure. Essentially, independence was ensured by both the constitution and the law, so as to preserve this important character of the judiciary.

43. While the integrated approach to criminal justice might require the judiciary to be closely involved with other agencies, the judiciary often did not wish for this, especially with respect to the police. On the other hand, the hierarchy of the courts and the special position of the judiciary protected their impartiality, and therefore some involvement with the overall system would not really threaten judicial independence. Also it was felt that the judiciary might accept the need for interdependence with the other component agencies at the working level, while their position would guard their overall independence. One country reported a plan to set up "kazi" courts, that is, local courts where public involvement was much greater and the legal procedures simplified. It was thought in that country that excessively sophisticated legal practices were both delaying the disposal of cases in courts and sometimes diverting justice.

44. Co-operation between the criminal justice system and the public was also a matter of interest to many representatives. One country reported that the image of the criminal justice system, regard for law and respect for the State

had been markedly improved because particular attention had been paid to cases involving government servants. This had led to a closer relationship between the Government and the people. Another representative suggested that public involvement in the criminal justice system was the best way of tackling an overload of cases in courts. As more and more of the accused could not afford bail, the number of remand prisoners increased sharply, thus blocking the entire system. Diverting some categories of cases from the criminal justice system might therefore help to solve this problem and encourage the community to become more involved through the provision of foster homes, voluntary support organizations, volunteer social officers, village helpers and similar forms of assistance.

45. The participants agreed that the main impediment to the efficient working of the criminal justice system was lack of resources. Several countries quoted budget figures, either in raw numbers or as a proportion of the total national budget. Four per cent was the figure mentioned by a country with a relatively low crime rate; in some of the poorer countries the budgetary allocation represented a very small total sum relative to a large population and was clearly inadequate. The unwillingness of the financial branch of government to meet the cost of criminal justice was again emphasized. One delegation asked whether the question of resources and financing should have a separate place on the agenda of the Seventh Congress. "The police are under-resourced, under-equipped and under-paid", said another representative. Another cited a province in his country where the population had increased by 40 per cent in the last decade while the number of police increased by 1 per cent. Another representative noted that the lack of reforms considered necessary, such as after-care, was due to insufficient resources. As in topic 1, empirical studies were mentioned as a way to increase awareness of, and the possible significance of a higher priority for, criminal justice.

46. Suggestions made for improving the financial position of the criminal justice system included direct funding through specific taxes, which would have the advantage of making the public aware of the cost of crime. A lottery had been tried in one country outside the ESCAP region.

47. In the discussion of other aspects that impeded the efficient functioning of the system, two points were made in particular. The first was the lack of improvements in statutes or special laws for women and children, the simplification of the taking of evidence and the general approach of depenalization, decriminalization and diversion. The second was that there could be a genuine conflict between the goals of the different components of the system and between the rights of the accused and those of society at large. For instance, in one country the provision of automatic bail for those imprisoned on remand for over one year, or two years where the offence carried a possible penalty of life imprisonment or the death sentence, had not been a complete success. There had been instances of offenders on bail committing criminal acts, which would not have been the case had they been tried and punished according to the law.

48. The problem with research and planning was seen not so much as what had been done so far but as the degree to which in the future planners would be inhibited and restricted. In particular, there was a great need for a systematic and comprehensive data base that would allow for the identification of specific crime types and crime trends requiring priority attention and for the evolution and evaluation of future counter strategies. That need could be met effectively only with trained personnel. It was also important that those involved should use a common terminology and shared vocabulary, ultimately involving the use of indicators.

49. Two countries reported the recent introduction of computer technology in the organization and operation of criminal justice, especially by the police. In one country, data from the police (offender-based, rather than offence-based) were used as a base against which data from other authorities could be compared. A central body was thus able to monitor the input and output of much of the system and gain an overall picture of the flow of individuals through the process. The standardization of statistical procedures in each agency was the present and immediate future priority of that body. In the other country, micro-computing was being introduced at the bureau of police research at the national level, and the results were encouraging enough to envisage its extension to the provincial level.

50. Changes in the work priorities of the police were considered to have been determined to a large extent by demand. However, one country had made it a policy to improve the image and relations of the police force with the public by introducing more socially supportive functions and to assess very carefully the need for security and strict law enforcement functions. Special bodies were being formed to take away from the main police force some of the more repressive functions, for instance guarding prisons and the control of narcotic drugs. Another country was in the process of separating watch and ward, or public-order functions from detection work, and hoped for further improvement through the work of a national review commission.

51. Two specific proposals were made for improving the status and efficiency of the police, especially in those countries where the police retained, as a relic of a colonial past, the image of a suppressing agency. The two measures proposed were: improving the living standards of police personnel and their families and increased professionalism by modernizing training, communications and mobility. This raised again the problem of resources. It was proposed that the United Nations consider extending development aid for improving the efficiency and quality of the police, if it agreed that there was a relationship between economic development and law and order. Such aid could be patterned on that for economic development, and the Seventh Congress might be invited to consider this matter.

### Topic 3. Victims of crime

52. In introducing topic 3, "Victims of crime", the Executive Secretary of the Seventh Congress pointed out that this issue was being considered for the first time by a United Nations Congress on the Prevention of Crime and the Treatment of Offenders. The item had been included on the recommendation of the Sixth Congress, and its specific purpose was to examine all aspects of victimization process and the relationship between victim and victimizers, with major emphasis on identifying policies for preventive and remedial action, as well as on possible ways and means of redress for the injuries or damages incurred, including compensation, restitution and reparation for the harm caused, as well as legal assistance throughout the criminal process. Special attention should also be given to victimization resulting from, or linked to, large-scale criminal activities and the abuse of economic or public power, as well as to the situation of especially vulnerable groups such as women, the aged and the young.

53. Representatives felt that all members of society were potential victims, regardless of any previous personal relationship with the offender. It was also recognized, however, that people who had a weak position in society owing

to physical characteristics, social discrimination, physical or mental handicaps, age or sex were the most defenceless and thus the most vulnerable to the direct influence of changes brought about by socio-economic development, including crime. For that reason, some countries embodied in their constitutions or laws special protective measures for the children, women, the aged and the disabled.

54. Among all criminal offences, violent crimes were the ones considered to cause the most serious harm to human beings, as they infringed on the most crucial rights of individuals, such as the right to personal security. Therefore, victims of violent crime were usually given special protection, including compensation either from the offender during the criminal trial or civil action or directly from the State when the offender was not financially able or could not be identified. One country reported the establishment of a state compensation scheme and the existence of special relief funds for victims of violent crimes. In other countries new legislation was about to be introduced that provided medical care and treatment for individual victims of crime; it was also possible that such provisions would be extended to collective victims if funds were available.

55. It was also noted, however, that with rapid socio-economic, industrial and technological development, other types of victims could emerge who were not necessarily from the powerless or poorer strata of society. Examples were victims of traffic and industrial accidents, as well as collective victims of air, water or soil pollution or of harmful chemical products and food, which caused large-scale damage to entire population groups. In that connection it was pointed out that, especially in developing countries, transnational corporations had been found to operate industries that produced polluting and harmful waste products; other corporations were aggressively marketing or dumping banned or hazardous pharmaceutical drugs and pesticides in unsuspecting developing markets. Such industries or abusive practices would not have been allowed without controls in the developed countries where the parent companies of many transnational corporations were based.

59. With reference to the misuse and abuse of public power and its relationship to collective victimization, the violations of human rights - in itself a crime - was also mentioned. Such violations included torture of political opponents; cruel, inhuman and degrading treatment or punishment; and extra-legal and summary executions. Victims of torture, as well as the families and relatives of persons missing or summarily executed, should be given special priority, and increased international action for redress was needed, particularly in cases where the independence of the judiciary had been compromised.

60. Regarding the role and status of victims in the criminal justice process, it was underlined that efforts should be made to expand the role of victims by involving them in the adjudication process. Programmes were being instituted that included victims as partners in the criminal justice system, especially in relation to the application of restitution by the offender, by bringing the parties involved into a mediation or arbitration proceeding whose function was to resolve the dispute in a manner acceptable to all parties. In that sense, the Indian Panchayat, the Philippines Barangay and the Pakistani Diyat, as neighbourhood institutions for settling disputes without the formal courts, had recently come to be more appreciated, especially because such mechanisms, as an alternative to criminal justice procedures, reduced the workload of the criminal justice system.

61. Where offenders are required to make monetary restitution, an additional, positive role could be created for the victim by involving him or her in the processes of determining the amount and form of restitution and the manner in which payments are to be made and, in some cases, in receiving restitution directly from the offender in the form of services rather than money.

62. As additional measures for preventing or reducing criminal victimization, several representatives stressed the importance of improving material conditions in the social environment, through, inter alia, urban planning and environmental design, as well as of improving the activities of law-enforcement authorities that were directed towards the reduction of crime through education, social awareness and the involvement of voluntary organizations.

63. Finally, it was stressed that the concept of indirect victimization should be further explored. Equally, there was a need to ensure the speedy administration of justice in order that the offender did not become a victim of delay. It was also necessary to assure victims of errors in or a miscarriage of justice adequate compensation.

#### Topic 4. Youth, crime and justice

64. The Executive Secretary of the Seventh Congress introduced the topic and emphasized the most important aspects of the discussion guide. He noted the reasons that led the United Nations to place emphasis on the problems of youth in the contemporary world, especially within the realm of crime and justice. There were two main traditions of jurisprudence in regard to young offenders - "due process" and "parens patriae". The apparent dichotomy between the punitive and the rehabilitative approach would be considered in the elaboration of the United Nations standard minimum rules for the administration of juvenile justice. He also outlined the rationale for the specific questions raised in paragraph 61 of the discussion guide and drew attention to a new set of guidelines for the formulation of standards in juvenile justice for the Asian region, prepared by UNAFEI for discussion during the Meeting.

65. The representatives were agreed on the importance of the topic because of its implications for the future. For some time the criminal statistics of most countries had been dominated by the figures for juveniles, and the trend continued to increase rather than decrease, both in absolute figures and as a proportion of the whole. Only one country in the region reported that the proportion of youth as a whole was actually decreasing, although one or two others noted that the proportion of the very young - below seven years old - was decreasing compared to youth as a whole, thus suggesting that some decline in the statistical dominance of youth might eventually appear, but not for some time yet. In some countries the increase in the rates of youth crime was the same for females as for males. One country reported that in the urban areas women rarely worked outside the home, which accounted for the low crime rate among juvenile females.

66. Two countries reported that the most recent increase in youth crime, although not large by some standards, exhibited a new characteristic: a growing number of children of the relatively affluent or the middle class tended to be involved in types of crime that were of an escapist nature.



67. Most of the countries of the region still had a predominantly rural, agricultural way of life, owing to the strong informal social controls that still existed in rural societies, deviance and criminality was often not reported. Thus, it was difficult to place much reliance on the statistics for youth crime in many countries.

68. The types of crime that had continued to increase could be divided into two categories. First, those which had long been the "traditional" youth crimes, especially casual violence and small theft, such as bag snatching and pickpocketing. To this group had been added the crimes associated with the changing socio-economic environment, urbanization and greater wealth, which had led to a great increase in vehicle thefts for joy-riding. Urbanization seemed to correlate closely with the increase of drug abuse reported by several countries, and only two countries actually reported no increase in drug abuse. The experiences of individual countries varied considerably. One country reported a significant decrease in youth crime in the last few years, after a peak of violence and theft following a period of turmoil. Another reported an alarming increase in highway robbery.

69. One representative described an in-depth study carried out in his country; whether the results were in any way typical for the region was not known. A low level of education of the parents and the offenders themselves and a large, dependent family living in congested accommodations emerged as the overwhelming characteristics of the young offender. Neither broken homes nor unemployment seemed to be of great influence. Many young offenders had criminal relatives and friends, and in a statistically significant number of cases one or both parents were dead. More than one quarter of adult criminals had been arrested as juveniles, and almost one half had some kind of record of youth crime.

70. It was difficult, therefore, to generalize about the patterns of youth crime for the whole region. In some countries, generally speaking the more economically developed, there seemed to be a significant increase in crimes committed for the sake of excitement; in the less developed countries, crimes were for the sake of gain. In the less developed countries, in particular, some youth seemed to have unrealistically high expectations of standards of living, although unemployment was common. The most frequently advanced explanation for the false expectation of youth was the influence of the media, particularly television, by portraying Western role models, excessive consumerism and violence.

71. One developing country was beginning to experience the growth of tourism and the spread of television. Apprehension was expressed as to whether these factors would affect the crime rate. Even in the most developed countries it was accepted that the young were more susceptible to immediate environmental influences, and the exploitation of children had often accompanied the spread of tourism.

72. The limited integration of youth in society, especially owing to unemployment and the lack of appropriate adult role models, was suggested as a critical factor leading to juvenile crime. The main problem was how to restore trust and provide good models. One country reported that talented and conscientious people were selected to work with young offenders on an individual, one-to-one basis. Two representatives referred to the lack of resources and facilities for socializing the children of slum dwellers and to

other deficiencies such as the lack of playgrounds or a shortage of schools which had led to a surplus of unskilled labour. One representative pointed out that in traditional societies young men returning from reformatory schools were stigmatized and deprived of access not only to appropriate work but even to arranged marriages.

73. During the discussion on the age of responsibility it emerged that, in general, children under 7 or 8 years of age were excluded from any responsibility for criminal acts, while offenders in the age group 8 to 14 were treated differently from country to country. Some flexibility in terms of the maturity and understanding of the child, or young person, was allowed, and in one country any individual under 16 could be tried under a separate code. Normal responsibility for criminality was generally assumed for those over 16, but in all countries it was regarded as desirable that incarcerated young people should be kept separate from adults.

74. In this connection, it was also generally accepted that separate juvenile courts were desirable. Such courts should be as free as possible from the full formality of the law, although the requirement of due process might make some legal formalities necessary. In particular, rules of evidence should not be relaxed and some kind of legal defence advice should be available. The principles of due process and parens patriae should not be regarded as mutually exclusive alternatives, but efforts should be made to harmonize them and have the best of each as far as possible. In some countries, in order to develop the parens patriae aspect, judges in cases involving juveniles were not lawyers but doctors, qualified social workers and members of similar professions. It was important, however, to have someone involved who understood the law, so that due process was not lost. One representative suggested that a body that dealt with delinquency and youth crime should itself be flexible and able to cope with change. One approach would be for the court to take whatever remedial action it thought fit and refer the case to the public prosecutor if it considered formal criminal action necessary. Another representative described a method of appointing judges for the juvenile court that placed emphasis on social understanding rather than legal expertise.

75. The administrative and organizational details of the juvenile courts had some similarities in all countries. In one country, an observation and protection centre was attached to each juvenile court. However, as lack of resources had prevented the establishment of juvenile courts in all provinces, in many provinces children and young people were tried in the local magistrates court, perhaps by the magistrate in an informal way. They could be sent to the nearest training and observation centre if it was thought necessary. Several countries reported inadequate resources to set up enough juvenile courts. One country reported that various bodies had recently been established to re-integrate alienated youth through parent-teacher and similar councils, and an inter-ministerial committee incorporating national youth planning had been set up at the national level.

76. Many representatives suggested that young offenders should be treated in the community wherever possible and in institutions only as a last resort. One representative said that the institutions for young offenders in his country were superior to those for adults: a large proportion of the daily schedule in such institutions was taken up with education of various kinds, and home leave and visits from parents were allowed. Only recidivists among the young were sent to institutions requiring forced labour. The approach could be summarized as treating young offenders as parents treat children, doctors their patients or teachers their students.

77. Finally, the Meeting considered the proposed guidelines for the formulation of the standard minimum rules for juvenile justice administration prepared by UNAFEI. In its introduction, reference was made in particular to sections 4 (descretion), 5 (institutional confinement), 9 (protection and rehabilitation) and 32 (non-institutional treatment) as particularly related to the issues raised in the discussion guide. Participants were in general in agreement with the text; there was, however, an extended debate on section 7, (the role of mass media) as to whether it was constitutional or feasible that the media be "made" to observe silence on the identity of juvenile delinquents. It was agreed to substitute the term "persuaded" for "made". The participants praised the draft as being enlightened, progressive, well-worded and representing the best thinking on the processing of young offenders. The guidelines were endorsed by consensus and referred for consideration to the Committee on Crime Prevention and Control and the interregional meeting on that topic prior to being presented to the Seventh Congress as a contribution of the Asia and Pacific region.

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

78. The Executive Secretary of the Seventh Congress introduced the agenda item entitled "Formulation and application of United Nations standards and norms in criminal justice". That topic reflected the long-standing concern of the United Nations in humanizing criminal justice with the view to securing the protection and preserving the dignity of all those who came into contact with the criminal justice system. It derived directly from the recommendations of the Sixth Congress, in particular the resolutions on alternatives to imprisonment, the development of measures for the social resettlement of the imprisoned, the transfer of offenders, the Code of Conduct for Law Enforcement Officials and human rights instruments and their implementation for prisoners (the latter requested that a specific item concerning the implementation of human rights for prisoners be included in the agenda of the Seventh Congress). Accordingly, and on the basis of the recommendations made by the Committee on Crime Prevention and Control, the consideration of the item could be centered on the review of the existing standards and norms, the assessment of the impact achieved as well as the difficulties encountered and the need for the formulation of additional standards and norms, including the question of death penalties that do not meet the acknowledged minimum legal guarantees and safeguards.

79. The pioneering role of the United Nations in its efforts to provide universal principles, standards, norms and guidelines in the field of human rights and the administration of justice was acknowledged by all participants, as was the important role and function of those standards which had influenced legislation and practices all over the world. It was also stressed that many of the countries of the region had embodied those principles in their constitutions; had ratified, or acceded to, the existing United Nations covenants and conventions and were working towards the formulation of new ones. In fact, despite the differences based on political and economic conditions, cultural traditions and national characteristics that inevitably exist in the policies and practices of each country, the maintenance of peace, public safety and order, as well as the protection of human rights, were considered the main objectives of criminal justice. Therefore, general and fundamental principles applicable to any criminal justice system could be established and implemented. The efforts made by the United Nations in formulating standards and norms, and their impact on the systems and practices of various countries thus making a contribution to the welfare of all human beings, were commended.

80. In general, it was observed that the substance of the United Nations standards and norms, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (General Assembly resolution 2200A(XXI), annex) and the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 3452(XXX), annex), was embodied in the laws and followed in practice. Those standards and norms were sufficiently understood by officials concerned with criminal justice so as to bring about consistency in internal laws and practices and international standards. In turn, such an understanding by the concerned officials contributed to the promotion of desirable practices in criminal justice, directed towards further promoting human rights.

81. The difficulties of international co-operation in that field, however, were also noted because - with the exception of international crimes such as terrorism and hijacking - the extent to which international standards and norms were implemented depended on national policies and practices and, above all, on the legal, political, social and economic conditions of each country. Therefore, the implementation of those norms to the fullest extent had to be compatible with the principle of national sovereignty.

82. With reference to existing standards, particular attention was given to the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (General Assembly resolution 3452 (XXX), annex), the Standard Minimum Rules for the Treatment of Prisoners (Economic and Social Council resolution 663 C (XXIV)) and the Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169, annex).

83. The impact of the Standard Minimum Rules for the Treatment of Prisoners on the regulations and management of correctional institutions was widely recognized, as was the role of previous Congresses in spreading the influence of the Rules throughout the region. In general, efforts had been made in the region to improve prison conditions, reduce the number of offenders sent to prison, ameliorate training programmes for prison staff, differentiate the institutional treatment, build open prisons and secure early release.

84. The importance of the Rules for persons held in preventive detention was also underlined. In fact, when it was considered necessary to hold persons in preventive detention for reasons connected with the security of the State, particularly during periods when a state of emergency was declared, those detained persons - as a category - were quite distinct from persons who were held as suspects prior to trial or as convicted prisoners in connection in criminal offences. Section E of the Rules, containing article 95, dealt with persons arrested or detained without charge and provided that such persons should enjoy all the general rights of prisoners, as well as the rights of persons under arrest or awaiting trial, i.e. the rights set out in part I and part II, section C of the Rules. In addition, relevant provisions of section A, i.e. those embodying the rights of prisoners under sentence, were also applicable when their application could be to the benefit of the special group of persons in custody. Article 95 also provided for the exclusion of measures that might be characterized as "re-education" or "rehabilitation". That implied that detainees without charge should enjoy the right to have at their own expense food of their choice from outside the prison, books, newspapers, writing material, medical treatment by a doctor or dentist of their choice, as well as reasonable facilities for communicating with and receiving visits from families and friends and legal advisers and the right to wear their own clothing.

85. With a view to removing the gap that might exist between the ideals of the Rules and the realities of prisons in the region that arose out of overcrowding, insufficient finances or a shortage of well-trained staff, and in order to consider the Rules in the light of contemporary developments in correctional theory and practices, the Meeting was informed of the significant contribution of UNAFEI in developing regional commentaries for the implementation of the Rules. The commentaries were to be submitted to the next session of the Committee on Crime Prevention and Control, following their endorsement by the Conference of Directors of Prison Administration of Asia and Pacific (the sixty-first UNAFEI Training Course was devoted to the consideration of the topic).

86. With reference to the Code of Conduct for Law Enforcement Officials, various possible developments were reported. In one country the code was transformed into a body of principles to be observed and applied by all police officers in the performance of their duties, in other countries its provisions were highlighted in the training courses for officials and in an other country a special committee on police ethics was using the Code as the main guideline.

87. It was also noted, however, that more could be done in accordance with the recommendations of the Sixth Congress, including the incorporation of the principles of the Code into national legislation and the translation of the text of the Code into the languages of the various countries in order to make it available to all law-enforcement officials. In addition, United Nations observers, experts and fact-finding missions could be of great use in visiting each of the countries of the region to assess the difficulties faced in implementing the Code and advise on how those difficulties could be overcome.

88. Several representatives reported on recent developments in the field, including the enactment of new codes of penal law and penal procedures. In one country the principle of presuming innocence had been clearly established and the maximum period of judicial custody reduced to three months; in another country the inquiries for indictable offences had to be completed in one month, while the period spent in remand would be taken into account at the determination of the sentence. Specific measures addressed to control arbitrary arrest and detention were also described.

89. Regarding the formulation of new standards and norms, particular emphasis was placed on need for a model agreement on the transfer of foreign prisoners, to be elaborated for consideration by the Seventh Congress (the first draft of which, elaborated by the Vienna Alliance of Non-Governmental Organizations under the sponsorship of the United Nations, was submitted to the Meeting), on the alternatives to imprisonment, on standards in the field of extra-legal executions and on restricting the use of, and eventually abolishing, capital punishment.

90. It was suggested that, as an immediate interim measure, attention might usefully be focused on minimizing the use of death penalty. As an example, one country reported that the mandatory death penalty for certain crimes remained on the statutes. However, although prisoners continued to be sentenced to death, none had been executed during the last seven years, and, in fact, the number of those found guilty of murder (a crime for which the death sentence was mandatory) did not rise after the death sentence ceased to be inflicted. That seemed to confirm further that the death penalty, or the actual execution of capital punishment, was not in itself a deterrent to crime.

91. Extra-legal executions were, in general, condemned. It was proposed that priority should be given in this area to the question of deaths in the custody of or allegedly attributable to security and para-security forces and to the formulation of more rigorous inquest procedures in such cases.

92. The desirability of extending community-based correctional programmes was emphasized by several participants in view of the fact that imprisonment did not necessarily deter crime or reform offenders. In fact, in many countries of the region alternatives to imprisonment existed in various forms, such as settlement of minor criminal cases through traditional local organizations, suspended prosecution, suspended sentence or conditional discharge, fines, community service orders, probation and parole, conditional release, remission and reduction of sentence. For further elaboration of standards, several issues needed to be included and clarified, such as the nature and organization of the probation authorities, the framework of conditions to be observed by the offenders and such other matters as the suspension of prosecution or sentence.

93. With reference to the model agreement on the transfer of foreign prisoners, it was observed that the goal of rehabilitation made it highly desirable for foreign prisoners to be transferred to their home countries for the execution of a sentence, and, in that regard, several participants stressed the importance of current efforts in that direction, as well as of further elaborating standards on extradition. However, it was also observed that there were some difficulties to overcome, arising from the wide differences in the philosophies and approaches of individual countries. In particular, and on the basis of the experience of one country that had recently concluded agreements on extradition, it was mentioned that the transfer was granted for humanitarian considerations and for enhancing international co-operation. It was also stressed that it was of vital importance that the request be made by the State whose national was the offender (and not the prisoner directly), because of the necessity of ensuring that the sentence would be properly executed. Therefore, even if the agreement needed, and was based on, tripartite consent (the receiving State, the administering State and the prisoner), it was indispensable to have the request from the receiving State go through the official channels. In addition, certain conditions had to be met, such as: offences could not be against the State, the judgement had to be final and no further proceedings could be pending.

94. Finally, it was recommended that future standards and norms should be reasonably flexible and compatible with the different systems and circumstances prevailing in the various countries, with due consideration given to ensuring that standards and norms could be applied in actual practice and would be universal.

## II. REGIONAL CO-OPERATION

95. The Meeting discussed various modalities for regional co-operation. Subregional co-operation, such as through the Association of South-East Asian Nations (ASEAN), needed a wider scope, as it had been restricted so far to technical police matters, with the existing structure serving as a basis. It was noted that, despite the efforts of UNAFEI, no formal region-wide programme was in existence. Representatives felt that it would be appropriate for ESCAP to initiate such a programme in conjunction with UNAFEI. The multi-sectoral and multi-cultural structure of courses organized by UNAFEI was regarded as a great asset and a promising sign that inter-agency collaboration at the regional level could be of immense benefit if set up in a way appropriate to the United Nations structure and more general concerns.

96. In that regard, it was suggested by several representatives that collaboration at the regional and sub-regional levels should not be limited to specific or isolated cases but that Governments of the region should join their efforts, under the auspices of the United Nations, to develop data bases in respect to crime prevention and criminal justice which would be of assistance in their own planning and comparable enough to provide the substantive basis for exchange of information and experience between countries. Some representatives, however, while acknowledging that the United Nations could play an important role in the field of crime prevention through its socio-economic activities, expressed the opinion that United Nations bodies should not be entrusted with inappropriate functions in combatting crime and, in particular, the collection and compilation of statistical information in that field. Their position was that crime and the means of its eradication depended on the specific socio-economic and political conditions prevailing in each particular country; therefore, the specific forms of fighting crime were internal affairs of the States Members of the United Nations.

97. It was also recommended that regional and subregional co-operation should be strengthened, new modalities of technical co-operation among developing countries should be explored and programmes of technical assistance to countries should be reviewed with a view to initiating the effective implementation of integrated strategies, mechanisms and processes for the prevention of crime. In that connection, the role of regional organizations such as ESCAP and UNAFEI had to be enhanced, and arrangements for closer co-ordination had to be established.

98. On the basis of the discussion held on the five topics and at the conclusion of its deliberations, the Meeting unanimously adopted a draft resolution entitled "Regional co-operation in crime prevention and criminal justice", sponsored by the representatives of Indonesia, Japan, the Philippines and Thailand. The draft resolution, inter alia, called for the establishment of a crime prevention and criminal justice programme at the regional level, as a component of the activities to be carried by the ESCAP secretariat, and for intensified co-ordination between ESCAP and UNAFEI. The text of the draft resolution is given below.

Resolution on regional co-operation in crime prevention and criminal justice

The Asia and Pacific Regional Preparatory Meeting for the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling the Caracas Declaration adopted at the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and endorsed by the General Assembly in its resolution 35/171 of 15 December 1980, in which the need for an intensification of efforts at the regional level in crime prevention and criminal justice was emphasized,

Recalling also Economic and Social Council resolution 1979/20 of 9 May 1979 on technical co-operation in crime prevention and control, in which the Council stressed the importance of promoting further collaboration in the field of crime prevention and the treatment of offenders at the regional and interregional levels,

Concerned by the rising crime and violence in many countries of the region and by the new forms and ramifications of criminality,

Conscious of the high material, social and human cost that criminality exacts from the development process and of the need to adopt common strategies and programmes at the regional level to elaborate preventive measures as an integral part of national planning in the broader context of the new international economic order,

Recognizing that the Economic and Social Commission for Asia and the Pacific plays a central role in the implementation of programmes for economic and social development in the region, and that these programmes include elements bearing on the various socio-economic, cultural and political aspects influencing criminality,

Bearing in mind the activities carried out by the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders at Fuchu, Japan, which have contributed greatly to the training of crime prevention and criminal justice personnel, the dissemination of United Nations standards of crime prevention and criminal justice throughout the region and the pursuit of viable means of improving criminal justice administration in the region,

Aware of the fact that the Economic and Social Commission for Asia and the Pacific and the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, working in close co-ordination and with strong mutual support, could have a much greater impact both at the operational and policy-making levels,

1. Emphasizes the usefulness of regional co-operation in crime prevention and criminal justice, particularly of technical co-operation among developing countries and the important contributions of the Economic and Social Commission for Asia and the Pacific and the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders in this respect;



2. Calls 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 a component of the activities to be carried out by the secretariat of the Economic and Social Commission for Asia and the Pacific within the terms of its mandate and programme of work;

3. Urges the United Nations Development Programme, the Department of Technical Co-operation for Development and all relevant bodies and offices of the United Nations system to make available to the Economic and Social Commission for Asia and the Pacific sufficient resources to permit the development of a model programme of collaboration between the Commission, the Asia and Far East Institute and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, laying initial emphasis on practical problems now under study in the work programme of the United Nations, having specific relevance to the region;

4. Requests the Executive Secretary of the Economic and Social Commission for Asia and the Pacific, in consultation with relevant and interested international, regional and subregional organizations and institutions and in close co-operation with the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, to take the necessary steps to implement this proposal, also in the broader context of current activities of technical co-operation among developing countries, in accordance with the guidelines of the Buenos Aires Plan of Action (General Assembly resolution 33/134), and through training courses, action-oriented research and exchanges of experience and information;

5. Also requests the Executive Secretary of the Economic and Social Commission for Asia and the Pacific to bring this resolution to the attention of the Commission for its favourable consideration and action;

6. Further requests the Secretary-General of the United Nations to provide the Executive Secretary of the Commission with adequate material support and substantive support services;

7. Invites all Governments of the region to incorporate crime prevention elements in their national economic and social development planning; to include, whenever appropriate, projects in crime prevention and criminal justice in their United Nations Development Programme country programmes technical assistance requests, and to explore alternative ways and means of technical co-operation also at the subregional level;

8. Endorses in general the elaboration of new guiding principles in crime prevention and criminal justice in the context of development and the new international economic order, for consideration and adoption by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

9. Recommends that the Committee on Crime Prevention and Control and the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders should give high priority to the consideration of the issues related to the strengthening of regional co-operation, with the view of proposing more effective and viable avenues for the practical application of the regional approach to crime prevention and criminal justice.

III. ADOPTION OF THE REPORT AND CLOSING OF THE MEETING

99. The report was adopted unanimously at the final meeting on 8 July 1983. At the same meeting, Mr. Dhovee Choosup, Director General of the Department of Correction of the Thai Ministry of Interior and Chairman of the Meeting, and the Executive Secretary of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, made closing statements.

Annex I

LIST OF DOCUMENTS

A. Basic document

A/CONF.121/PM  
Discussion guide for the regional and interregional preparatory meetings for the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders

B. Background documents

A.35/289  
Implementation of the conclusions of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

A/36/442  
Crime prevention and criminal justice and development: report of the Secretary-General

A/CONF.87/5  
Juvenile justice: before and after the onset of delinquency - working paper prepared by the Secretariat

A/CONF.87/6  
Crime and the abuse of power: offences and offenders beyond the reach of the law: working paper prepared by the Secretariat

A/CONF.87/8  
United Nations norms and guidelines in criminal justice: from standard-setting to implementation - working paper prepared by the Secretariat

A/CONF.87/9  
Capital Punishment: working paper by the Secretariat

A/CONF.87/10 and Corr.1  
New perspectives in crime prevention and criminal justice and development: the role of international co-operation - working paper prepared by the Secretariat

A/CONF.87/11 and Add.1  
The implementation of the United Nations Standard Minimum Rules for the Treatment of Prisoners: working paper prepared by the Secretariat

A/CONF.87/14/Rev.1  
Report of the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

E/1980/9

Human rights questions: capital punishment -  
report of the Secretary General

E/AC/57/1982/4 and Corr.1  
and Add.1

Implementation of General Assembly resolution  
35/172 on arbitrary and summary executions:  
report of the Secretary General

E/CN.5/1983/2

Report of the Committee on Crime Prevention and  
Control on its seventh session

Annex II

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#### UNITED NATIONS SECRETARIAT

Centre for Social Development and Humanitarian Affairs  
Economic and Social Commission for Asia and the Pacific  
ESCAP/UNIDO Division of Industry

#### UNITED NATIONS COMMITTEE

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NON-GOVERNMENTAL ORGANIZATIONS IN CONSULTATIVE STATUS WITH  
THE ECONOMIC AND SOCIAL COUNCIL

Category I

World Federation of United Nations Associations (WFUNA) Widhya Bhoolsuwan, Secretary-General, of the United Nations Associations of Thailand, Bangkok

Swasdi Pinsuwan, Member of the Executive Committee of the United Nations Associations of Thailand, Bangkok

Category II

Amnesty International Desmond Fernando, Special Delegate, Amnesty International, Colombo

International Commission of Jurists (ICJ) Sarawut Pratoomraj, The International Commission of Jurists, c/o Co-ordinating Group for Religion in Society, Bangkok

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Roster

OISCA International (Organization for Industrial, Spiritual and Cultural Advancement International) Tadlashi Watanabe, Assistant Secretary-General, Tokyo

REGIONAL INSTITUTE

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