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#### Use and application of United Nations standards and norms in crime prevention and criminal justice

### Use and application of United Nations standards and norms in crime prevention and criminal justice

#### Report of the Secretary-General

#### *Summary*

The present report provides information on the progress made in 2010 by the United Nations Office on Drugs and Crime in support of the use and application of the United Nations standards and norms in crime prevention and criminal justice. Developments of new standards and norms are outlined, and an overview of the Office's technical assistance efforts at the global, regional and country levels is provided. The report also provides a short description of partnerships formed to promote the work of the Office in these areas. It concludes with a set of recommendations for consideration by Member States and the Commission on Crime Prevention and Criminal Justice.

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## Contents

	<i>Page</i>
I. Introduction .....	3
II. Overview of the work of the United Nations Office on Drugs and Crime: major developments .....	4
III. Setting the standards .....	6
IV. Analysing trends and assessing needs .....	7
V. Developing tools and providing guidance .....	8
VI. Providing sustained technical assistance .....	10
A. Africa .....	10
B. Asia .....	12
C. Latin America and the Caribbean .....	12
D. Middle East and North Africa .....	15
E. South-Eastern Europe .....	16
VII. Working in partnership .....	16
VIII. Conclusion .....	18

## I. Introduction

1. Preventing crime and strengthening criminal justice systems lies at the heart of the work of the United Nations Office on Drugs and Crime (UNODC) and is a prerequisite for fighting transnational organized crime, drug trafficking, corruption and terrorism. Within current United Nations-wide efforts to meet the Millennium Development Goals,<sup>1</sup> there is an increased role for standards and norms in addressing security sector reform and good governance. UNODC is the guardian of the United Nations standards and norms in crime prevention and criminal justice.<sup>2</sup> The standards and norms represent what Member States have agreed over the past decades are benchmarks to be achieved in crime prevention and criminal justice policies and strategies. They also provide a solid basis for programming in these areas.

2. Despite their “soft-law” nature,<sup>3</sup> the United Nations standards and norms in crime prevention and criminal justice have helped to promote more effective crime prevention policies and strategies and more effective and fair criminal justice structures in three ways: first, they have been utilized at the national level by fostering in-depth assessments leading to the adoption of necessary crime prevention strategies and action plans, and criminal justice system reforms; secondly, they have helped countries to develop subregional and regional strategies; thirdly, at the international level, the standards and norms represent best practices that have been adapted by States to meet national needs.

3. The existing array of United Nations standards and norms in crime prevention and criminal justice are utilized by UNODC in assessing countries’ needs for technical assistance and in developing technical assistance programmes and projects. There is an essential link between the criminal justice system, human rights and the rule of law. The role of UNODC in promoting the standards and norms constitutes an essential component of the United Nations-wide effort to promote human rights globally.

4. Criminal justice systems are constantly evolving in response to national and international developments. During the reporting period, new international instruments were developed. The present report describes these new instruments, major developments achieved and some of the key activities taken up by the Office in support of the development, review, use and application of the United Nations standards and norms in crime prevention and criminal justice.

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<sup>1</sup> A/56/326, annex.

<sup>2</sup> UNODC, *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice* (New York, 2006).

<sup>3</sup> As noted by one speaker at the eighteenth session of the Commission on Crime Prevention and Criminal Justice, United Nations standards and norms, as “soft law” texts, combined the clarity of international legal instruments with the flexibility of non-binding instruments. They gave Member States clear guidance on what they needed to do to establish and strengthen the rule of law or implement critical criminal justice reforms. In addition, because they were not binding, the standards and norms gave each State the flexibility to adapt them to their own needs and individual legal and constitutional frameworks. Their non-binding nature also made them easier to develop and keep up-to-date than was the case with legally binding instruments.

## II. Overview of the work of the United Nations Office on Drugs and Crime: major developments

5. In order to increase the effectiveness of the Office in all areas of its work, normative and operational functions were merged in 2010. The regulatory framework, substantive knowledge tools and technical assistance portfolio were expanded to cover new areas and regions, thus strengthening the comparative advantage of the Office. Most regional programmes developed by the Office now include crime prevention and criminal justice subprogrammes.

6. In November 2010, the UNODC Executive Committee endorsed the thematic programme on crime prevention and criminal justice for the period 2010-2011. The main objective of the thematic programme is to provide Member States with a clear overview of the work carried out by UNODC in crime prevention and criminal justice in 2010 and 2011. It integrates the various components of the Office's expertise in the areas of advocacy, research, legislative and legal support, setting norms and technical assistance. The thematic programme includes an overview of the types of activities to be undertaken and outputs to be achieved in the period 2010-2011, together with an indication of the resources required and resources available.

7. The existing body of standards and norms, which currently includes more than 50 instruments, is grouped in four clusters:

(a) Persons in custody, non-custodial sanctions, juvenile justice and restorative justice;

(b) Legal, institutional and practical arrangements for international cooperation;

(c) Crime prevention and victim issues;

(d) Good governance, the independence of the judiciary and the integrity of criminal justice personnel.

8. Progress has been achieved by UNODC in all four clusters. Some of the major developments are summarized below, and a detailed description is provided under the relevant sections.

9. In the area of prevention of crime and violence, the Office's technical assistance portfolio increased in 2010. Currently, projects are being implemented in Bolivia (Plurinational State of), Brazil, El Salvador and Honduras. The Office is also implementing components of conflict prevention projects funded by the Millennium Development Goals Achievement Fund in Bolivia (Plurinational State of), Brazil, Honduras, Mauritania, Mexico and Panama. A consultative process with civil society is under way in the Caribbean, which will lead to the approval of the Caribbean Community (CARICOM) crime prevention action plan. Local safety audits are being implemented in Colombia, and victimization surveys were implemented in seven countries in Africa in 2010. In the framework of the Armed Violence Prevention Programme, support was provided to the work that led to the endorsement of the Oslo Commitments on Armed Violence, and a needs-assessment mission was sent to Jamaica.

10. Projects for the prevention of violence against women are being implemented in the countries of the Southern Cone, Southern Africa and Viet Nam. In addition, the revised and updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice were adopted by the General Assembly in its resolution 65/229, and training sessions on the police response to violence against women were held for police of Southern African countries in 2010, on the basis of the *Handbook on Effective Police Responses to Violence against Women*<sup>4</sup> and training curriculum. The *Gender in the Criminal Justice System Assessment Tool* was also published in 2010.

11. Developments in the area of child justice reform, which includes both juvenile justice and child victims and witnesses, are described in detail in the report of the Secretary-General on national and international efforts for child justice reform, in particular through improved coordination in technical assistance (E/CN.15/2011/13).

12. Advances have been made in disseminating the United Nations standards on juvenile justice and child victims in various regional and national forums through the Interagency Panel on Juvenile Justice. In Europe, UNODC and other members of the Panel supported the Council of Europe in the development of the guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice<sup>5</sup> adopted on 17 November 2010. UNODC also contributed to the European Union project entitled “Children in the Union — Rights and Empowerment (CURE)”, focusing on child victims, which recommended that Member States promote the use of the Council of Europe guidelines on child-friendly justice.<sup>6</sup>

13. In the area of access to justice and legal aid, several new initiatives have emerged, while the implementation of a regional project to promote access to legal aid in Africa continued. In Afghanistan, a series of training sessions for defence lawyers was conducted, and in Mauritania, training of traditional justice leaders took place. Training of paralegals took place in Liberia, Sierra Leone and Southern Sudan. A successful training session for public defenders held in Liberia in 2009 will be repeated in 2011. With the foreseen adoption in late 2011 of a new instrument setting guidelines and principles on access to legal aid, it is expected that the technical assistance portfolio in this area will increase in the coming biennium.

14. Notable developments occurred in the areas of penal reform and alternatives to imprisonment. UNODC is implementing prison reform projects in nine countries, and prison assessments were conducted in 11 countries in 2010. The adoption of the new United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) by the General Assembly in its resolution 65/228 will assist in addressing a major gap in normative coverage and in the development of technical assistance programmes.

15. In 2010, the Office continued to deliver capacity-building through training in the area of international cooperation in criminal justice matters (including for cases of organized crime, trafficking in persons and smuggling of migrants) as follows: in

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<sup>4</sup> United Nations publication, Sales No. E.10.IV.3.

<sup>5</sup> Available from <https://wcd.coe.int>.

<sup>6</sup> Full report available from [www.brottsoffermyndigheten.se](http://www.brottsoffermyndigheten.se).

India, for countries in South Asia; in South Africa, for countries in Southern Africa; in Guatemala and Panama, for countries in Central America; in Brazil for Brazilian prosecutors; and in Kazakhstan, for Central Asian countries and Afghanistan, Iran (Islamic Republic of) and Pakistan.

16. In 2010, UNODC began work in several new and emerging areas, in particular the area of private civilian security services (see E/CN.15/2011/14).

### **III. Setting the standards**

17. During the reporting period, UNODC supported Member States in the review of existing standards and norms and the development of new ones in areas where gaps in coverage were identified. In 2010, two new instruments related to the treatment of women in the criminal justice system were endorsed by the General Assembly: the revised and updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 65/229, annex) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (Assembly resolution 65/228, annex).

18. The updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice provide a comprehensive framework to assist States in developing policies and carrying out actions to eliminate violence against women and to promote equality between men and women within the criminal justice system. They are organized around 11 themes: (a) guiding principles; (b) criminal law; (c) criminal procedure; (d) police, prosecutors and other criminal justice officials; (e) sentencing and corrections; (f) victim support and assistance; (g) health and social services; (h) training; (i) research and evaluation; (j) crime prevention measures; and (k) international cooperation.

19. The Bangkok Rules include a set of 70 rules addressing the specific needs of women offenders in the criminal justice system, including in prison settings. Issues covered include the implementation of gender-sensitive prisoner classification and security risk assessments, the provision of gender-specific health-care services, guidance on the treatment of children living with their mothers in prison, specific safety concerns of women prisoners and the development of gender-sensitive pre- and post-release programmes. They also cover non-custodial measures and sanctions, suitable to the needs of women offenders and which take into account the best interests of their children. These are considered issues that did not receive sufficient attention in the Standard Minimum Rules for the Treatment of Prisoners, adopted in 1955, and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), adopted in 1990.

20. Subject to the availability of resources, the Office intends to develop in 2011 programmatic activities to promote the national-level implementation of these new instruments.

21. The Economic and Social Council, in its resolution 2007/24, recognized that providing legal aid to suspects and prisoners may reduce the length of time suspects are held at police stations and detention centres, in addition to reducing the prison

population, prison overcrowding and congestion in the courts. In its resolution, the Council requested UNODC to consider developing an instrument such as a declaration of basic principles or a set of guidelines for improving access to legal aid in criminal justice systems. UNODC is currently developing a set of principles and guidelines on legal aid in criminal justice systems. A second meeting of experts will be held in early 2011 to review and revise the draft principles and guidelines, which were developed at the first meeting of experts, held in October 2009. The second meeting should finalize the principles and guidelines, which will subsequently be submitted to an intergovernmental expert group meeting to be held in the second half of 2011, subject to the availability of extrabudgetary resources.

22. The Commission on Crime Prevention and Criminal Justice, in its resolution 18/2, entitled “Civilian private security services: their role, oversight and contribution to crime prevention and community safety”, decided to establish an ad hoc open-ended intergovernmental expert group to study the role of civilian private security services and the contribution of such services to crime prevention and community safety, and welcomed the offer of the Government of the United Arab Emirates to act as host to a meeting of the above-mentioned expert group. UNODC held a planning meeting in Abu Dhabi on 10 and 11 May 2010, to chart a road map for the implementation of the resolution. A number of informal recommendations were made during the meeting, among them, that Member States consider the viability of developing specific guidelines in the area of private civilian security, in the framework of the Commission and in cooperation with UNODC.

#### **IV. Analysing trends and assessing needs**

23. The United Nations standards and norms in crime prevention and criminal justice attach particular importance to the development of empirical evidence for use in effective crime prevention and the administration of justice. The UNODC thematic programme on trend monitoring and analysis contains a subprogramme on statistics and surveys. The subprogramme sets out UNODC priorities for the improvement of the quantity, quality and transparency of crime and criminal justice data through the provision of a core set of statistical indicators and data series on selected crime and criminal justice issues at the regional and international levels, and strengthened capacity at the national level for the production, dissemination and use of crime data.

24. With a view to providing knowledge on crime trends and increasing the availability of data at the regional and international levels, UNODC has promoted and strengthened its key data collection instrument, the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems. A streamlined and improved annual survey questionnaire was sent to Member States in October 2010, and UNODC is in the process of analysing and compiling the results. In addition to the core questionnaire, the survey contained modules on the criminal justice response to corruption and on victimization survey data collected by Member States. Results of the 2009 survey have been checked and published on a new statistics page available on the UNODC website in a format designed for annual updates as new data become available.

25. At the international level, the key crime indicator of “rate of intentional homicide” is gaining particular prominence. From a crime prevention perspective, data on intentional homicide can be indicative of the level of serious interpersonal violence in society. Globally, national homicide rates vary from under 1 violent death per 100,000 persons per year to more than 50 per 100,000 persons per year, suggesting a significant variation in levels of citizen safety and security. UNODC continues to be a leading source of such information and, early in 2011, published the latest update to its online international homicide statistics database. Using these data as a basis, research and drafting are under way for the publication of a UNODC report on global homicide levels and trends, to be published in 2011. During the reporting period, UNODC also worked in close cooperation with the Global Pulse initiative to investigate possible relationships between crime levels, including homicide rates, and underlying factors such as economic and social variables.

26. Because not all crimes come to the attention of the police, crime data recorded by the police alone often do not provide a complete picture of the nature and extent of crime. As a result, the conduct of population-based victimization surveys is a key component of generating knowledge for crime prevention. Early in 2011, UNODC published the results of a series of victimization surveys conducted by UNODC in a number of countries in Africa, including Cape Verde, Egypt, Ghana, Kenya, Rwanda, Uganda and the United Republic of Tanzania. The results highlighted the impact of crime on everyday life, as well as perceptions of law enforcement and criminal justice responses to crime. UNODC is continuing to develop a programme of support to national victimization surveys, with a number of surveys in the region of Asia planned for 2011. UNODC also supported capacity-building at the national level through training and workshops in 2010.

## V. Developing tools and providing guidance

27. During the reporting period, UNODC has developed several handbooks, training curricula and guidance notes, all aimed at facilitating the application of the standards and norms by Member States, and providing the Office’s network of field offices with practical tools in support of technical assistance.

28. In 2010, UNODC released the *Handbook on the Crime Prevention Guidelines: Making Them Work*.<sup>7</sup> The Handbook, based on the Guidelines for the Prevention of Crime, promotes the view that crime prevention is a multisectoral and integrated endeavour and not only a criminal justice issue and that it should be addressed by examining the causal factors and vectors of crime so as to identify appropriate measures.

29. UNODC also released the *Handbook on Effective Police Responses to Violence against Women*<sup>8</sup> and the related training curriculum,<sup>9</sup> and the *Handbook for Prison Leaders: A Basic Training Tool and Curriculum for Prison Managers Based on International Standards and Norms*.<sup>10</sup> Training sessions on the basis of these tools

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<sup>7</sup> United Nations publication, Sales No. E.10.IV.9.

<sup>8</sup> United Nations publication, Sales No. E.10.IV.3.

<sup>9</sup> *Training Curriculum on Effective Police Responses to Violence against Women* (United Nations publication, Sales No. E.10.IV.5).

<sup>10</sup> United Nations publication, Sales No. E.10.IV.4.



were successfully conducted in late 2010 in South Africa and Uganda, respectively. The Office also released the *Gender in the Criminal Justice System Assessment Tool*, which is part of the UNODC Criminal Justice Assessment Toolkit.

30. The following specialized tools will be released in 2011: an introductory handbook on policing urban space; a handbook on police accountability, oversight and integrity; a handbook on promising practices in providing access to legal aid in Africa; and a handbook on the international transfer of foreign prisoners. Also in 2011 and in association with the International Centre for the Prevention of Crime, UNODC will release the proceedings of the workshop on practical approaches to preventing urban crime held during the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil from 12 to 19 April 2010.

31. During the reporting period, possibilities to use new technologies and learning methods, such as e-learning, have also been explored. For example, on 8 December 2010 the Office aired an experimental e-lecture on sports, violence and crime prevention for participants in countries in the Greenwich Mean Time and Central European Time time zones. At present, the Office is finalizing jointly with the United Nations Children's Fund (UNICEF) an online training package for professionals dealing with child victims and witnesses of crime. This tool will be released in 2011.

32. In order to ensure wider dissemination of its tools, the Office continued translating them into the six official languages of the United Nations and other languages and continued to organize training seminars for policymakers and professionals. Regional and national workshops were organized jointly with UNICEF to train policymakers and practitioners on use of the *Manual for the Measurement of Juvenile Justice Indicators*. In 2010, regional trainings were held for countries in North Africa, West Africa and Central and Eastern Europe. Since 2008, a total of 243 participants from 35 countries have been trained. National workshops are planned for Algeria and the Russian Federation in 2011.

33. UNODC also assisted the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, located in Lund, Sweden, a member of the United Nations crime prevention and criminal justice programme network of institutes, in conducting its training for judicial academies of the Middle East and North Africa in Amman on 20 and 21 September 2010.

34. In order to strengthen its field capacities, the Office prepared a guidance note for UNODC field offices on prison reform and alternatives to imprisonment, and organized training for field and headquarters staff on crime prevention and criminal justice reform. A guidance note on human rights in the work of UNODC is also currently being developed.

35. In 2010, UNODC started work to revise a draft model law and related commentary on juvenile justice, which had been first developed in the 1990s. The draft will be reviewed by an expert group meeting bringing together experts from various regions and legal systems in March 2011.

## **VI. Providing sustained technical assistance**

36. In 2010, the UNODC crime prevention and criminal justice technical assistance portfolio continued to grow and now features 45 programmes in 36 countries, with a total pledged budget of \$96 million. Notable developments occurred in the areas of penal reform and alternatives to imprisonment in all regions, juvenile justice in the Middle East and North Africa, access to justice and legal aid in Africa, police reform in Eastern Africa and crime and violence prevention in Latin America and the Caribbean.

37. In the area of penal reform and alternatives to imprisonment, UNODC is implementing prison reform projects in Afghanistan, Guinea-Bissau, Kyrgyzstan, Lebanon, Nigeria, Panama, the Sudan and Uganda, as well as in the occupied Palestinian territories. In 2010, prison needs assessments were undertaken in Barbados, the Dominican Republic, the Libyan Arab Jamahiriya, Saint Vincent and the Grenadines, Saint Kitts and Nevis, Saint Lucia, Ghana, Nigeria, Pakistan and Uganda, as well as in the occupied Palestinian territories.

38. Selected technical assistance developments in crime prevention and criminal justice reform in 2010 are outlined below. The regional listing below reflects UNODC internal arrangements in terms of coverage of countries through the network of regional offices.

### **A. Africa**

39. In 2010, the regional programmes for Africa were at different stages of development, but all included a subprogramme on justice (i.e. crime prevention and criminal justice), with varying focuses, depending on the needs of the Member States in the different subregions. The subregional programme for East Africa was the first one to be adopted, in May 2010. In the area of justice, it includes activities in Mauritius, Kenya and Uganda, as well as regional activities in the area of penal reform.

40. In Kenya, a major police reform effort has begun, with the support of UNODC experts. In late 2010, a comprehensive national programme was developed, covering the judiciary, prosecution, police, prisons, juvenile justice and gender-based violence.

41. In Mauritius, UNODC, in close cooperation with the United Nations Development Programme (UNDP), continued implementing a two-year technical assistance project on police reform. The project assists the Mauritius Police in its transformation from the “Mauritius Police Force” into the “Mauritius Police Service”. In 2010, a national strategic framework was adopted, and UNODC provided training in different areas of policing, including community policing and strategic management.

42. In late 2010, the Office’s regional programme for West Africa, to support the Economic Community of West African States (ECOWAS) Political Declaration on the Prevention of Drug Abuse, Illicit Drug Trafficking and Organized Crime in West Africa, was approved. Crime prevention and strengthened criminal justice

responses to crime are central and included among the priority areas in the related ECOWAS action plan.

43. A workshop entitled “Workshop on juvenile justice indicators”, with the participation of UNICEF and UNODC staff, as well as government counterparts from Burkina Faso, Côte d'Ivoire, the Niger and Togo, was held in Benin from 30 November to 2 December 2010 to support the establishment and strengthening of national justice for children information collection systems.

44. In Mauritania, as part of a project funded from the Millennium Development Goals Achievement Fund, UNODC contributed to increasing access to justice by building the capacities of “mouslihs” (traditional mediators). The training is aimed at making use of Mauritania’s traditional dispute settlement mechanisms to make criminal justice available to the majority of citizens. The mouslihs welcomed the programme, which included building their skills as social mediators. In 2011, some 300 women paralegals will also benefit from project training activities.

45. During the reporting period, UNODC continued to implement a project on access to legal aid in Africa in partnership with the Paralegal Advisory Service Institute, funded by the United Nations Democracy Fund. A handbook on how to enhance access to and the provision of legal aid was developed in 2010 and will be released in 2011. Within the project framework, needs assessment missions to Liberia, Sierra Leone and Southern Sudan were conducted in early 2010, and concrete follow-up activities are being considered. In November 2010, training sessions on paralegal advisory services for legal aid professionals were conducted in the three above-mentioned countries.

46. UNODC is developing a project to strengthen rule of law in Liberia, to be funded by the Development Account. The objective of the project is to improve the availability and quality of justice for accused persons in Liberia by building the capacity and infrastructure of the defence bar and by enhancing coordination and synergy among the justice professionals that support and oversee the courts.

47. In Nigeria, UNODC is developing a comprehensive programme in support of the Government’s efforts to reform the criminal justice system. The programme will focus on the judiciary, corrections and the police. It will build on the achievements of the judicial component of the European Union-funded project, entitled “Support to the Economic and Financial Crimes Commission and Nigerian Judiciary”, completed in 2010. It is expected that the programme will be approved and implementation will start in 2011.

48. UNODC continued cooperating with UNDP and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, through the joint justice programme to support national authorities in building an effective criminal justice system and to combat corruption.

49. In Southern Africa, the Office’s regional programme is being developed. It is expected that it will include activities in the areas of crime prevention and criminal justice reform. In 2010, UNODC continued implementation of a regional project to improve police responses to violence against women, in close collaboration with the Southern African Development Community and the Southern African Regional Police Chiefs Cooperation Organisation. In 2010, the project conducted regional and national training for law enforcement officials on the basis the UNODC *Handbook*

on *Effective Police Responses to Violence against Women* and its training curriculum.

50. In South Africa, the Office is implementing several projects focusing on victim empowerment and prevention of violence against women. The Office has established six one-stop centres for victims of violence against women, three of which have already been handed over to the Government of South Africa (in the provinces of Eastern Cape, Northern Cape and Mpumalanga). The one-stop centres provide a range of services to victims of violence, such as medical and legal assistance, counselling and rehabilitation services. Some of the centres also offer rehabilitation programmes for perpetrators.

## **B. Asia**

51. In Afghanistan, the Office's criminal justice reform programme includes legislative assistance, capacity-building for lawyers and juvenile justice-related assistance. In 2010, three training sessions for the advocates (lawyers) defending juvenile cases were held using the manual on strategies and tactics for advocates defending juvenile cases. In total, some 60 advocates defending juvenile cases from Kabul, Kandahar, Jalalabad, Herat, Mazar-e-Sharif and Bamyan provinces have been trained. Also, a training manual for judges and prosecutors on justice for children in conflict with law has been developed. Training sessions for all judicial staff of Kandahar province and some staff from Kabul province are planned for 2011. Both above-mentioned manuals were developed by UNODC and translated into Dari and Pashto.

52. In Viet Nam, UNODC continued to implement a project on prevention of domestic violence. In 2010, the project supported activities to strengthen the capacity of the governmental legal aid system to provide legal assistance and legal support to victims of domestic violence. A handbook on legal knowledge was developed, and training sessions with legal aid experts were conducted at the provincial and local levels.

53. In Indonesia, UNODC is implementing the second phase of a project to strengthen judicial integrity and capacity in Indonesia. The project supports the legal reform efforts for professionalism in order to enhance the rule of law in the country.

54. In Cambodia, UNODC and UNICEF are jointly developing a new programme in the area of juvenile justice. The main objectives of the programme are (a) to empower children through crime prevention initiatives and the implementation of diversion mechanisms that enable the successful reintegration of child offenders in the community; and (b) to integrate child justice into broader justice reform to ensure a fair, transparent and child-sensitive justice system.

## **C. Latin America and the Caribbean**

55. In Latin America and the Caribbean, the Office continued its efforts to assist Member States in developing new crime prevention and criminal justice reform policies, strategies and programmes, and further strengthening existing ones.

56. Many countries in the region are confronted with high levels of violent crime. In some countries, violent youth gangs may be connected to organized criminal groups. This has been recognized in the various programmatic documents developed by the Office, in particular the Caribbean Community Action Plan for Social Development and Crime Prevention, the Santo Domingo Pact and the Managua Mechanism. All these documents contain programmatic elements addressing youth crime prevention and juvenile justice.

57. In 2010, the Office carried out assessments of juvenile justice and alternatives to imprisonment in Ecuador and Peru. In January 2011, the results of a study on recidivism among young adult offenders in Peru was launched jointly with the judicial authorities. The study was based on official statistics from 2003 to 2008 and showed risk factors associated with recidivism by young adults who had been detained. It is expected that the above-mentioned assessments will form the basis for programmes of technical assistance in Ecuador and Peru.

58. In the Caribbean region, building on previous cooperation with CARICOM, UNODC is currently implementing a consultation phase that will provide the basis for launching technical assistance activities to implement the CARICOM crime prevention and social development action plan.

59. In 2010, the Office conducted prison assessment missions in Barbados, the Dominican Republic, Saint Lucia, Saint Kitts and Nevis and Saint Vincent and the Grenadines. A comprehensive assessment was produced including recommendations. It is planned that the report will be presented to the competent authorities at a regional workshop in early 2011, following which a technical assistance programme to address the needs identified will be developed.

60. In El Salvador, a prison assessment mission was undertaken to further develop the prison component of the UNODC country programme, which was approved by the Government in early 2010. Also, inception activities were initiated for the implementation of the “youth creative stations” component of the country programme.

61. In Honduras, UNODC continued to implement a project that supports young people at risk of becoming perpetrators or victims of crime by providing training in professional skills for integration or reintegration in the labour market and training on human values. Since the project’s inception in Tegucigalpa in 2005 and in San Pedro Sula in 2009, hundreds of young people have benefited from the training received and have been incorporated in the labour market. Also in Honduras, UNODC is a partner in a project of the Millennium Development Goals Achievement Fund that was initiated in 2010. In the framework of the project, UNODC completed four case studies on specific groups of young people, including deported young men and women, in order to better understand the causes and impact of irregular migration. The results of the study will provide support for awareness-raising campaigns.

62. In Panama, UNODC began implementation of a project in the framework of achieving the Millennium Development Goals; the project is aimed at improving citizen security. One of the project’s components is aimed at increasing access to justice and the use of alternatives to imprisonment. In 2010, in the context of the project, the Office undertook an assessment of juvenile justice legislation and social reintegration and rehabilitation policies and programmes. In late 2010, the Office

started implementation of a project in support of the Government's efforts to reform the prison system. An initial workshop identified the main challenges and priority issues to be addressed by the project. UNODC has also been implementing, in partnership with the Government of Panama, a project aimed at developing an overall prison reform strategy in the country. The project will address prison overcrowding, the large population of remand prisoners and the resulting human rights violations. The project adopts a two-phase, programmatic approach that will contribute to achieving the Government of Panama's goal of having a modern, effective and efficient prison service that meets international standards for health, safety and conduct.

63. In Mexico, the Office started implementation of a Millennium Development Goals-related project in the state of Chiapas. The three main areas of intervention are (a) promoting public policies for strengthening the rule of law and the Millennium Development Goals; (b) institutional development of the criminal justice and penal systems and general security, based on local analyses; and (c) strengthening local and state capacities for conflict prevention and the construction of a culture of peace.

64. In Brazil, the Office continued to work with other United Nations agencies in the implementation of a programme to achieve the Millennium Development Goals. The programme works in synergy with the local actions of the National Programme for Public Safety with Citizenship (PRONASCI). In 2010, the programme also supported the national campaign to combat sexual exploitation of children and adolescents in the Brazilian carnival period and organized a workshop with the Ministry of Justice to design instruments that assist and protect victims of trafficking.

65. Also in Brazil, a new, nationally funded programme was approved to support the Ministry of Justice in implementing decentralized and integrated public safety policies. A project entitled "Expressive youth: citizenship, access to justice and culture of peace" was also approved in 2010. The latter is the first crime prevention project implemented by UNODC with support from the private sector.

66. In Colombia, preparatory work for the first UNODC-supported local safety audit was carried out in Medellín in 2010. The competent authorities of the department of Antioquia are fully engaged in the process, and plans are under way to carry out local safety audits in other municipalities of Antioquia. It is expected that the results of the audits will serve as a basis to inform crime prevention policies, strategies and programmes.

67. In the Plurinational State of Bolivia, implementation of a Millennium Development Goals-related project, with the participation of UNODC, commenced in 2010. The project supported the dissemination of new legislation for national courts and the judiciary. In partnership with UNICEF, UNODC succeeded in integrating project activities into the work of a forum composed of Bolivian civil society and state organizations. The project also provided technical assistance to the Government department responsible for justice and fundamental rights. Also in 2010, UNODC started implementation of a project to support the development of skills and methods of drug abuse prevention and crime prevention in the department of Santa Cruz, in partnership with municipal governments, educational institutions and civil society organizations. The project will support the design and

implementation of preventive programmes, the promotion of healthy lifestyles and the strengthening of protective factors.

#### **D. Middle East and North Africa**

68. The Regional Programme on Drug Control, Crime Prevention and Criminal Justice Reform for the Arab States for the period 2010-2015, adopted in April 2010, contains a strong component on crime prevention and criminal justice, building on an ongoing portfolio in the area of criminal justice reform, penal reform and juvenile justice reform as well as preparatory programmes in the area of access to legal aid. This is also the case in the two integrated country programmes under development for Yemen and the occupied Palestinian territories.

69. While ongoing programmes continued in Egypt, new programmes were developed and funded and will begin to be implemented in the Libyan Arab Jamahiriya and Jordan in 2011. There are good prospects that funding will be received for programmes in the Syrian Arab Republic and Southern Sudan and that joint activities will be carried out with UNICEF in Algeria and Yemen.

70. In March 2009, the programme in Egypt underwent an external evaluation, which provided information on its impact and lessons learned. The project objective is to improve detention conditions of children and youth deprived of liberty at the institution for young male offenders in the Marg area of Cairo, which is the only separate juvenile justice institution for boys in the country. According to the feedback from children and youth, the detention conditions have improved in the last two years. Social workers reported that the implementation of a life skills programme improved the physiological environment, decreased violence and increased the self-confidence of the children and youth in detention. In the evaluation, it was recommended that the lessons learned and best practices of the project should be shared with similar projects in the Arab region. It was also recommended that UNODC should document and disseminate the rehabilitation model applied for replication by the Ministry of Social Solidarity in other closed and semi-open institutions. The evaluation highlighted that the low profile of the UNODC presence at the detention centre led to a smooth integration of UNODC staff.

71. The new programme in the Libyan Arab Jamahiriya, which is funded nationally and will be implemented over a period of four years (2010-2013), focuses on the juvenile justice system. The programme will support the development of legislation and practical measures for a well-functioning juvenile justice system that ensures the protection of children in conflict with the law, children at risk and child victims, in line with international instruments in the area of juvenile justice and child rights. It will also strengthen the capacities of juvenile detention centres and open institutions so that they are better adapted to receive children in conflict with the law and can better prepare their reintegration into society and raise awareness of juvenile justice issues.

72. In March 2010, UNODC, at the request of the United Nations country team in Jordan, conducted a needs assessment mission to Jordan with the aim of outlining the requirements and challenges in establishing a computerized system for coordinating and monitoring services provided for victims of family violence.

73. Also in Jordan, the second phase of the project entitled “European Commission-UNODC support to the juvenile justice system in Jordan” is expected to start in the first quarter of 2011. Building on the results already achieved in the first phase (2005-2007) and as demonstrated by the evaluation of the first phase of the project, published in 2007,<sup>11</sup> the current project, which will be implemented over a two-year period, is aimed at strengthening the legislative and institutional capacity of the juvenile justice system in Jordan by enhancing the capacities of the judiciary to deal more effectively with cases of children in contact with the law, in line with international standards and norms.

74. In Southern Sudan, a two-phase programme to reform the juvenile justice system is planned, in coordination with the United Nations Mission in the Sudan and UNICEF. The programme will address legislation as well as national capacities.

### **E. South-Eastern Europe**

75. In South-Eastern Europe, activities in the area of penal reform and juvenile justice were undertaken in the framework of the regional programme. A regional situation analysis on the penitentiary systems in the subregion was developed, as well as a needs assessment, followed by a regional concept note on prison reform.

76. In June 2010, in partnership with EuropeAid of the European Commission, UNICEF and UNODC organized in Brussels two consecutive events that provided a forum for high-level government officials and professionals from States of South-Eastern Europe and European Union East European neighbourhood countries to meet with European Commission and United Nations staff and exchange knowledge and enhance capacities, cooperation and coherence in key aspects of juvenile justice reform in those subregions. Discussions focused on the establishment of juvenile justice information systems and juvenile justice reform assessments. In October 2010, a similar workshop was organized in Bulgaria for countries in South-Eastern Europe. A regional concept note for technical assistance was jointly developed with UNICEF, and discussions are under way with the Government of Bulgaria for the support of national efforts to promote juvenile justice reform.

## **VII. Working in partnership**

77. In 2010, the Office continued its cooperation and coordination of activities with the various relevant United Nations system-wide mechanisms. It also continued working in partnerships and developing joint tools and programmes with other United Nations departments and entities, including the Department of Political Affairs and the Department of Peacekeeping Operations of the Secretariat, the United Nations Human Settlements Programme, UNICEF and UNDP, regional organizations and non-governmental organizations at the country, regional and global levels. UNODC also started developing joint activities with the Office of the United Nations High Commissioner for Human Rights. A brief overview of selected partnerships is provided in the paragraphs below.

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<sup>11</sup> Available from [www.unodc.org/documents/evaluation/ProjEvals-2007/ProjEval-2007-8.pdf](http://www.unodc.org/documents/evaluation/ProjEvals-2007/ProjEval-2007-8.pdf).



78. One of the contributions of UNODC to the work of the United Nations in the area of prevention of crime and violence is through its participation as an active partner in the Armed Violence Prevention Programme. The Office's specific contributions are in the areas of crime data (victimization surveys) and crime prevention and criminal justice reform. Through the Armed Violence Prevention Programme and at the policy level, UNODC supports the work of the Geneva Declaration on Armed Violence and Development<sup>12</sup> and the work in the area of armed violence prevention carried out by the Development Cooperation Directorate of the Organization for Economic Cooperation and Development. More recently, the Office supported the work that led to the adoption of the Oslo Commitments on Armed Violence. At the operational level, UNODC actively participated in and contributed to Armed Violence Prevention Programme programming missions to Jamaica in 2010.

79. The Office is part of the United Nations Rule of Law Coordination and Resource Group, composed of 11 United Nations entities and agencies working on rule of law issues and tasked to assist in the development of overall strategies for rule of law assistance, ensure that the United Nations responds effectively to requests from States, and assist in the mobilization of resources. Within the Group, UNODC has contributed to the development of relevant policy guidance documents, such as the United Nations guidance note on rule of law at the international level, currently being finalized, and the development of joint programmatic activities in Liberia and Nepal. UNODC also contributes to the work of the core training group to develop unified rule of law training for United Nations field staff.

80. In 2010, the Office continued to collaborate with the Department of Peacekeeping Operations in matters related to criminal justice reform in post-conflict countries. In particular, UNODC contributed to the development of the Department's rule of law training programme for judicial affairs officers in United Nations peace operations and provided instruction in the training programmes organized by Department, and held in Accra and Cairo in July and October 2010, respectively.

81. UNODC has also joined the United Nations Action against Sexual Violence in Conflict, an initiative that unites the work of 14 entities with the goal of ending sexual violence during and in the wake of conflict. Endorsed by the Secretary-General's Policy Committee in 2007, the initiative represents a concerted effort by United Nations entities to work as one: amplifying advocacy, improving coordination and accountability and supporting country efforts to prevent conflict-related sexual violence and respond effectively to the needs of survivors. The Office was actively involved in the development of the initiative's strategic framework for the period 2011-2012 and will contribute to its implementation.

82. In June 2010, UNODC hosted the second meeting of the UNODC-UNDP working group to discuss ways and means to implement the memorandum of understanding between the two organizations. Currently, a joint project on police reform is being implemented in Mauritius, and cooperation in strengthening legal aid capacities in Liberia is being considered.

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<sup>12</sup> A/CONF.192/2006/RC/2, annex.

83. UNODC also participated in the practitioners' meeting on legal aid programming in Africa, organized jointly by UNDP and UNICEF and held in Senegal in June 2010. The workshop provided an opportunity for practitioners who are implementing legal aid programmes to share experiences and to probe practitioners for promising practices. It was the starting point for a strengthened collaboration among the participating United Nations agencies and other parties to consolidate best practices and improve the quality and relevance of the support provided to national counterparts. The meeting led to the establishment of a regional community of practice on legal aid and access to justice.

## VIII. Conclusion

84. While sound results were achieved in 2010 in the development, use and application of the United Nations standards and norms in crime prevention and criminal justice, much remains to be done in 2011 to achieve the wider dissemination and application of those standards and norms. In the light of the information provided in this report and with a view to strengthening the role and the function of the United Nations standards and norms in the development and implementation of national policies and strategies, the Commission on Crime Prevention and Criminal Justice may wish to consider the following:

(a) Continuing to accord high priority to the use and application of the United Nations standards and norms in crime prevention and criminal justice and encouraging the development of new standards and norms on emerging practices in crime prevention or criminal justice, as well as the development of practical guidelines for their use and application;

(b) Welcoming the adoption by the General Assembly of the revised and updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders;

(c) Welcoming also the establishment of the Justice Section of the Division for Operations of UNODC and expressing appreciation for its thematic programme on crime prevention and criminal justice for 2010-2011 and the inclusion of crime prevention and criminal justice in most UNODC regional programmes as a cornerstone in the advancement of the rule of law, human rights and development and a prerequisite for fighting all forms of crime;

(d) Supporting the development of professional tools and manuals based on the United Nations standards and norms in crime prevention and criminal justice and their translation into the six official languages of the United Nations and other languages;

85. The Commission may also wish to consider recommending that Member States:

(a) Adopt a comprehensive and integrated approach to crime prevention and criminal justice reform, based on baseline assessments and data collection, focusing on all sectors of the justice system as well as informal justice mechanisms, while

taking into account that the results and impact of such reform efforts will be visible only after several years of sustained efforts;

(b) Develop crime prevention policies, strategies and programmes that are based on an understanding of the root causes of crime, respond to the concern of citizens and build on the capacities and resources that are available, on the basis of a strategy that relies on various elements, including the criminal justice system, social development, health, education and other relevant sectors, civil society and the business sector, in line with United Nations guidelines;

(c) Build national and regional efforts in crime prevention and criminal justice reform on international standards, including human rights treaties and relevant United Nations standards and norms, and make use of tools and handbooks developed by UNODC for that purpose;

(d) Address the needs of children, youth, women and vulnerable and at-risk groups as a priority when developing or reviewing national policies, strategies and programmes in crime prevention and criminal justice;

(e) Continue their efforts to provide legal assistance for defendants and suspects in criminal cases and include such efforts in any criminal justice reform;

(f) Evaluate and review their legislation and legal principles, procedures, policies, programmes and practices relating to crime prevention and criminal justice, in a manner consistent with their legal systems and drawing upon the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice to determine whether they are adequate to prevent and eliminate violence against women or whether they have a negative impact on women and, in the case that they have a negative impact, to modify them in order to ensure that women enjoy fair and equal treatment;

(g) Evaluate and review their legislation and legal principles, procedures, policies, programmes and practices relating to the treatment of prisoners, in a manner consistent with their legal systems and drawing upon the United Nations standard minimum rules for the treatment of prisoners and to consider how these can be met. Such consideration should include measures to reduce levels of overcrowding, which constitute the single largest barrier to compliance with international standards. It should also involve reviews, where necessary, of the budgetary allocations required to develop rehabilitative regimes that prepare prisoners for release and provide post-release assistance for their successful reintegration into the community;

(h) Consider requesting UNODC policy, legal and technical assistance when embarking on national reform efforts in order to make use of the acquired expertise and good practices of UNODC and the United Nations crime prevention and criminal justice programme network of institutes;

(i) Consider requesting technical assistance from UNODC in reforming their police forces to enhance their integrity, capacity, accountability and respect for human rights;

(j) Incorporate crime prevention and criminal justice reform into national development agendas, including within the United Nations Development Assistance Framework process;

(k) Publish and disseminate, in their local languages, the United Nations standards and norms in crime prevention and criminal justice;

(l) Provide financial and technical support to UNODC activities for the implementation of the United Nations standards and norms and to continue to deliver, upon request, technical assistance in the areas of crime prevention and criminal justice, including technical assistance for police and prison reform;

(m) Invite national institutions and non-governmental organizations to fully integrate the United Nations standards and norms in their relevant training programmes;

(n) Support the work of UNODC in the area of crime prevention and criminal justice, as a cornerstone in the advancement of the rule of law and human rights, and a prerequisite for fighting organized crime, corruption and terrorism, with a particular focus on post-conflict and transitional countries.

86. The Commission may further wish to consider recommending that UNODC:

(a) Continue adopting a comprehensive and integrated approach to crime prevention and criminal justice, within the broader integrated approach to programming of UNODC;

(b) Continue acting as a centre of expertise in all areas of crime prevention and criminal justice within the UN system;

(c) Continue developing tools and handbooks as well as training curricula in the areas of crime prevention and criminal justice;

(d) Continue the development of principles and guidelines for improving access to legal aid in criminal justice systems;

(e) Strengthen its capacity to provide legal and technical assistance to Member States and regional entities, in crime prevention and criminal justice;

(f) Continue providing legal and technical assistance to Member States, upon request, in all areas of crime prevention and criminal justice, including in building and strengthening child justice systems and protecting child victims and witnesses;

(g) Review its crime prevention and criminal justice training projects to assess the viability of contributing to the mainstreaming of United Nations standards and norms into the United Nations-wide rule of law training, taking into account its operational outputs and tools, lessons learned and recommendations for future technical assistance training;

(h) Continue reporting to the Commission on Crime Prevention and Criminal Justice on progress made by UNODC in support of the use and application of the United Nations standards and norms in crime prevention and criminal justice.