Chair’s summary on the thematic discussions of the Commission on Crime Prevention and Criminal Justice on the implementation of the Kyoto Declaration (10–12 November 2021)

1. This document contains a Chair’s summary on the thematic discussions held during the third intersessional meeting of the Commission on Crime Prevention and Criminal Justice (CCPCJ) at its thirtieth session from 10–12 November 2021. The thematic discussions were chaired by H.E. Ambassador Alessandro Cortese (Italy), Chair of the CCPCJ at its thirtieth session. The summary by the Chair is not subject to negotiation.

I. Background

2. On 7 March 2021, the Congress adopted by consensus the Kyoto Declaration, in which Member States expressed their endeavour to take actions to advance crime prevention (pillar I, paras. 21–30), advance the criminal justice system (pillar II, paras. 31–47), promote the rule of law (pillar III, paras. 48–59) and promote international cooperation and technical assistance to prevent and address all forms of crime (pillar IV, paras. 60–95). In paragraph 96 of the Kyoto Declaration, Member States called upon the Commission on Crime Prevention and Criminal Justice to adopt the appropriate policy and operational measures for the follow-up to the declaration and to identify innovative ways to make use of information on progress made in the implementation of the declaration. The Commission was also invited to engage with other relevant stakeholders, including the institutes of the United Nations crime prevention and criminal justice programme network, in order to strengthen global partnership in advancing crime prevention, criminal justice and the rule of law towards the achievement of the 2030 Agenda.

* E/CN.15/2022/1.
3. During its thirtieth regular session in May 2021, the Commission on Crime Prevention and Criminal Justice negotiated a draft resolution entitled “Fourteenth United Nations Congress on Crime Prevention and Criminal Justice” for adoption by the General Assembly. The General Assembly adopted this draft resolution, thereby endorsing the Kyoto Declaration and requesting, inter alia, that the Commission on Crime Prevention and Criminal Justice, hold intersessional thematic discussions to effectively follow up on the Kyoto Declaration through the sharing of information, good practices and lessons learned. During the summer of 2021, the Commission on Crime Prevention and Criminal Justice adopted a multi-year workplan for the mentioned thematic discussions. The workplan follows the four pillars of the Kyoto Declaration.

4. According to the workplan, the Commission focused during the first round of CCPCJ Thematic Discussions on the following topics addressed in the Kyoto Declaration under Pillar I, Advancing Crime Prevention:
   - Addressing the causes, including the root causes of crime; enhancing evidence-based crime prevention and promoting tailor-made crime prevention strategies;
   - Addressing the economic dimension of crime; and
   - Mainstreaming a gender perspective into crime prevention; addressing the needs and protect the rights of children and youth in crime prevention; and empowering youth for crime prevention.

5. The 2021 CCPCJ Thematic Discussions were held in a hybrid format, with in-person and online participation, with a livestream to ensure that all interested stakeholders could follow the deliberations. The meeting brought together experts and policymakers from Member States, United Nations entities, intergovernmental and international organizations and civil society from around the world.

6. Each of the three thematic sessions started with two introductory presentations by the United Nations Office on Drugs and Crime (UNODC), followed by a panel discussion and an interactive debate. The panels included experts from Member States nominated through the Regional Groups, from the institutes of the United Nations crime prevention and criminal justice programme network, United Nations entities, international and regional organizations as well as civil society. Following past practice, civil society panellists and civil society speakers during the interactive debate were nominated through the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice in cooperation with the UNODC Civil Society Unit.

7. Expert panellists were nominated by their respective regional groups from China, Czechia, Nigeria, Italy, Japan, Mexico, the United States of America, the United Kingdom of Great Britain and Northern Ireland, and Venezuela (Bolivarian Republic of). Representatives of the Egmont Group of Financial Intelligence Units, the European Institute for Crime Prevention and Control (HEUNI), the Inter-American Development Bank (IADB), the International Criminal Police Organization (INTERPOL), the Organization for Security and Co-operation in Europe (OSCE), the Organization of American States (OAS), the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), the United Nations Children’s Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-WOMEN), the United Nations Human Settlements Programme (UN-HABITAT), the United Nations Population Fund (UNFPA), the United Nations Special Rapporteur on Violence against Women, the Special Representative of the Secretary-General on Violence against Children, the World Bank and the World Health Organization (WHO) made presentations in their respective field of expertise. Additional presentations were

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1 A/RES/76/181.
made by experts from Argentina, Australia, Austria, Canada, Hungary, New Zealand and Spain. Observers from non-governmental organizations, including from Argentina, Belgium, Kenya, South Africa, Switzerland, the United Kingdom and the United States also made statements.

8. In preparation for the 2021 CCPCJ Thematic Discussions, a background note was prepared by the Secretariat and shared with Permanent Missions to provide information on the topics and to facilitate the dialogue during the thematic debate.

9. In line with the Commission’s efforts to share information, good practices and lessons learned, statements and presentations made during the meeting were published on the Commission’s dedicated Kyoto Declaration follow-up website (www.unodc.org/unodc/en/commissions/CCPCJ/session/30_Session_2021/thematic-sessions-kyoto.html).

II. Chair’s summary of the deliberations

(a) Opening session

10. In the opening session of the intersessional meeting, the UNODC Executive Director welcomed the commitment of the Commission to an effective follow-up to the Declaration and thanked the Commission for bringing together diverse stakeholders to benefit from their perspectives. She underlined that “the Declaration places a timely emphasis on advancing crime prevention, just as the COVID-19 pandemic has made our world poorer and more unequal, leaving people more vulnerable to crime and violence.”

11. H.E. Mr. Takeshi Hikihara, First Vice-Chair of the Commission at its 30th session and Permanent Representative of Japan to the United Nations in Vienna, representing the Host Country of the 14th United Nations Crime Congress, expressed the hope that this first intersessional thematic discussion would achieve its purpose as a fruitful occasion for all participants to deepen their knowledge and to strengthen mutual understanding.

12. Ms. Tsenguunbileg Naranpurev had participated in the First Global Youth Forum for a Culture of Lawfulness, which was held on 9 and 10 October 2021 in Tokyo and was dedicated to the theme of “The role of youth in achieving a diverse and inclusive society”. She informed the Commission on the Youth Forum and symbolically handed over the recommendations made by the Youth Forum to the Commission.

(b) Addressing the causes, including the root causes, of crime – Evidence-based crime prevention – Tailor-made crime prevention strategies

13. On 10 November 2021, the Commission discussed how to address the causes, including the root causes of crime; enhance evidence-based crime prevention and promote tailor-made crime prevention strategies.

14. The thematic session was kicked off by an introductory presentation by the Chief of the Research and Trend Analysis Branch and the Chief of the Justice Section of UNODC. The expert panel included experts from Nigeria, China, Czechia, United States, UNAFEI, OSCE, WHO, INTERPOL, UN-HABITAT and the World Society of Victimology. Experts from Austria and Hungary also made presentations.

15. The Chief of the UNODC Research and Trend Analysis Branch emphasized the need for a better understanding of the root causes of crime and its links to developmental aspects such as education, environmental issues, inequality, and demographics, as well as the dynamics of illegal markets. The Chief of the Justice Section of UNODC highlighted the importance of conducting impact and cost-benefit studies for evidence-based crime prevention, even in situations in which data is

scarce. She provided examples where young people had been successfully empowered and communities had been engaged in crime prevention, inter alia, through community-oriented policing.

16. Various speakers elaborated on root causes of violence and crime and measures that had been introduced to address these, including those focusing on strengthening youth resilience through education and skills training, drug use prevention, and reintegration and rehabilitation of offenders both in prison and in community settings. Poverty, discrimination, lack of appropriate housing and drug abuse were highlighted as root causes of violence and crime.

17. Data collection and analysis, including quantitative and qualitative data on crime, victimization and risk factors were underlined as an important basis for crime prevention. In this regard, the importance of comparability of data was stressed and the role of the ICCS not only as an international standard, but also as an analytical tool was highlighted. Further, forthcoming methodological tools to measure specific aspects such as illicit financial flows, progress against the Sustainable Development Goals and other topics were addressed, and the cooperation between the Commission and its sister Commission on Statistical Affairs was highlighted as a good example of cooperation between ECOSOC bodies.

18. Speakers presented innovative, multi-disciplinary and participatory approaches to data collection and analysis, and reported on examples where different stakeholders were involved in the production of meaningful data on local crime. The importance of availability of data in the shortest possible time was underlined, as it allowed policymakers to understand the conditions of vulnerability of spaces and transform them into safe public spaces. States were encouraged to share good practices in this regard. Examples of collecting and visualizing geo-referenced data were shown, as were examples of creating safe public spaces.

19. A number of speakers highlighted the importance of measuring the impact of crime prevention strategies, thereby reducing risk factors effectively. The need for more international cooperation in this field was highlighted. One speaker reported on the design of a new set of standards for evidence-based prevention programmes that could support States in their prevention efforts. Further, the importance of high-quality evaluations and the need to exchange national experience in the evaluation of crime prevention strategies was highlighted.

20. Many speakers highlighted the need to engage communities in crime prevention. They underlined that combining focused deterrence with social service provision for at-risk youth showed positive results. Many speakers shared examples of participatory, inclusive crime prevention initiatives. Further, speakers shared examples of successful innovative case management and referral systems to therapeutic and educational institutions, as well as literacy and therapy programmes in prisons, and programmes for the rehabilitation of offenders.

21. The role of the police in prevention was considered important. Some speakers underlined that police best contributed to prevention by adopting an approach oriented at providing service to the community. Proactive and problem-oriented approaches were also highlighted. Speakers shared examples of police outreach activities through sports or culture that increased trust and therefore the willingness to report crime and cooperate with the police. Further, technological solutions that reduced reaction times of police agents to calls were presented, which contributed to a strengthened perception of security in the public. The link between first responders and intelligence units was highlighted, as well as the need for the police to be composed of diverse groups, thereby representing the whole of society.

22. The connection between safety and holistic crime prevention was highlighted by a number of speakers. They shared experience on different sectors of government, the private sector and civil society coming together in addressing risk factors at various levels. A number of speakers highlighted the need for a multi-institutional, multidisciplinary approach to crime prevention. The links between crime prevention
and criminal justice were highlighted. Impunity was mentioned as a factor that undermined trust and perception of security in the general public, and addressing impunity and asset recovery were therefore considered important also for preventive aspects. A number of speakers noted that a culture of integrity was important for crime prevention, while others underlined the role of schools, religious leaders and the civil society in establishing a culture of lawfulness. Further, the need to integrate crime prevention strategies and monitoring processes into urban development strategies was underlined.

23. Multi-sector prevention approaches also featured in the UNODC organized crime strategy toolkit, recognizing the need to address chronic vulnerabilities in societies and the importance of offering counter-narratives to address illicit flows and markets. UNODC initiatives to prevent trafficking in persons, illicit crops as well as maritime crime and related crimes were presented, as well as an initiative on addressing wild-life crime. Also, violence against women was mentioned as a grave concern in many communities and the prevention of this type of violence was highlighted by many speakers, some of which referred to non-State human rights violations against women and girls.

24. A number of speakers addressed the challenges imposed by the COVID-19 pandemic. Although statistical data was not available to fully assess the impact, some speakers expressed the concern that the COVID-19 crisis could lead to an increase of crimes, including various forms of trafficking as well as domestic violence.

(c) Addressing the economic dimension of crime

25. On 11 November 2021, the Commission discussed how to address the economic dimension of crime. Introductory presentations were delivered by the Chief of the Data Development and Dissemination Section of the UNODC Research and Analysis Branch and a representative of the UNODC Corruption and Economic Branch. The expert panel included experts from Italy, Czechia, Mexico, HEUNI, INTERPOL, the World Bank, the Egmont Group, OAS, IADB and the Alliance of NGOs on Crime Prevention and Criminal Justice. Experts from New Zealand also made a presentation.

26. The Chief of the Data Development and Dissemination Section reported on the UNCTAD-UNODC Conceptual framework for the statistical measurement of illicit financial flows and the pilot measurements currently under development at the regional level. He underlined the role of measuring illicit financial flows in the context of the achievement of the Sustainable Development Goals and the importance of a common definition of illicit financial flows. The representative of the Corruption and Economic Crime Branch highlighted recent national experiences and best practices in the management and disposal of frozen, seized and confiscated assets. She touched on measures in the pre-confiscation phase such as pre-confiscation sale and disposal, different types of confiscation, and different options regarding institutional structures for asset management.

27. A number of speakers highlighted the importance of asset confiscation and recovery to address the economic consequences of crime and ensure that crime did not pay. They highlighted the need to strengthen inter-agency cooperation and collaboration at the national level, including with the private sector, as well as international cooperation in criminal matters. The importance of political will for the disruption of transnational crime networks was underlined. One speaker presented recent efforts to quantify the cost of crime under the categories of crime prevention costs, costs of crime occurrence and crime response costs.

28. The importance of both upstream investigations (starting with the trace of crime and then following the economic consequences), and downstream (“follow-the-money”) investigations, was discussed. Speakers called for national leadership towards enhancing financial investigations. They also recommended a comprehensive approach to criminal cases with a view to including financial investigations as an
29. Innovative international cooperation mechanisms for financial investigations, such as joint investigative teams, were highlighted. The role of informal law enforcement networks for information exchange was considered important, as well as the domestic cooperation between asset recovery offices and financial intelligence units. Some speakers reported challenges for financial investigations related to the use of cryptocurrency and blockchain technology.

30. Experts discussed the different possibilities for pre-confiscation sale and disposal with and without the owner’s consent. Some speakers stated that not all assets lent themselves to pre-confiscation sale, while others underlined the symbolic value of pre-confiscation sale, which could show the general public that assets were not left in the hands of supposed criminals. One speaker also suggested that the social re-use could be anticipated in cases in which pre-confiscation sale was not possible, for example by renting vehicles or planes to legal businesses. Suspending suspicious transactions was also considered a powerful tool to secure assets during the pre-confiscation stage.

31. Speakers discussed the merits and limitations of different confiscation systems. A number of speakers highlighted the advantages of non-conviction-based forfeiture systems, among them, in many jurisdictions, a lower standard of proof. Some speakers underlined that legislation should provide for both object-based and value-based confiscation, as they both addressed different scenarios and criminals could otherwise use loopholes to secure their assets against confiscation. Further to confiscation, business bans were addressed as a useful tool in the fight against trafficking in persons for labour exploitation purposes.

32. A number of speakers recommended a strategic approach to the management of frozen, seized and confiscated assets. Regarding the institutional structure for asset management, it was highlighted that asset management offices should be specialized institutions with professional staff, and that a swift communication flow should be established between law enforcement and asset management institutions. The role of the private sector in asset management was also highlighted. Many speakers underlined the need of sharing experience and good practices. In this context, reference was made to the work of the Criminal Assets Management and Enforcement Regulators Association (CAMERA).

33. A number of speakers made reference to the social re-use of confiscated assets, which was considered to have both an economic and a symbolic value. At the economic level, proceeds of crime could be used to compensate victims or to invest in crime prevention or criminal justice responses. At the symbolic level, social re-use was considered to contribute to showing that crime did not pay, to strengthening the safety of local communities and to enhance social cohesion and trust in the authorities, as well as to involve civil society in establishing a culture of lawfulness.

(d) Mainstreaming a gender perspective into crime prevention; addressing the needs and protect the rights of children and youth in crime prevention; and empowering youth for crime prevention

34. On 12 November, the Commission discussed how to mainstream a gender perspective into crime prevention; address the needs and protect the rights of children and youth in crime prevention; and empower youth for crime prevention. The topic was introduced by representatives of the UNODC Research and Trend Analysis

4. Responsibilities of law enforcement and investigative authorities. Countries should ensure that designated law enforcement authorities have responsibility for money laundering and terrorist financing investigations within the framework of national AML/CFT policies. At least in all cases related to major proceeds-generating offences, these designated law enforcement authorities should develop a pro-active parallel financial investigation when pursuing money laundering, associated predicate offences and terrorist financing. (…)

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Branch and the UNODC Justice Section. The expert panel included experts from Japan, the United Kingdom, Venezuela, Nigeria, UNAFLI, The United Nations Special Rapporteur on Violence against Women, INTERPOL, UNESCO, The Special Representative of the Secretary-General on Violence against Children, UN-WOMEN, UNFPA, UNICEF and the Alliance of NGOs on Crime Prevention and Criminal Justice. Experts from Australia, Spain, Canada and Argentina also made presentations.

35. The representative of the Research and Trend Analysis Branch presented recent research on gender roles in the commission of different types of crime, as well as statistics on child victimization. The representative of the Justice Section informed the audience that in 2019, eleven United Nations, bilateral and multilateral agencies joined forces to launch RESPECT, a framework to facilitate scaling up of 7 evidence-informed strategies to prevent violence against women. She also made reference to the joint United Nations Programme on Essential Services for Women and Girls subject to Violence, the Spotlight Initiative and the Global Programme to End Violence Against Children, through which UNODC was continuously working to assist Member States to adopt knowledge-based, comprehensive and multisectoral prevention strategies and policies.

Mainstreaming a gender perspective in crime prevention

36. Many speakers referred to data collection and analysis, including quantitative and qualitative data on crime, victimization, risk factors and root causes of crime as key components to ensure that a gender perspective was fully and effectively mainstreamed in crime prevention policies. Disaggregating data by specific criteria, such as gender and age, was viewed as essential for developing crime prevention policies which were evidence-based, tailored, inclusive and able to capture the realities of different sectors of the population. The relevance of appropriate, disaggregated data was recognized by many speakers as particularly important in connection with the issue of gender-related killing of women and girls (or femicide).

37. The role of relevant criminal justice agencies, particularly police, in promoting a gender-responsive approach to crime prevention was stressed in several interventions. In this regard, reference was made in particular to the need for criminal justice agencies to challenge gender social norms and gender stereotyping, develop appropriate code of conducts, adopt a zero tolerance towards gender-based violence against women, provide continuous and mandatory training on human rights and gender equality, as well as increase the number of women in police forces and increase the number of women police officers involved in operational work.

38. Many speakers stressed the importance of adopting multi-sector approaches in the development of gender-responsive crime prevention strategies. Reference was made to international initiatives such as the United Nations Women Safe City and Safe Public Spaces Programme, the United Nations Programme on Essential Services for Women and Girls Subject to Violence and the already mentioned United Nations RESPECT framework.

39. Reference was also made to addressing discrimination in legislation and institutions; the involvement of women and girls in relevant decision-making related to security and crime as well as the development and use of “gender equality markers” as key components of a gender-responsive crime prevention strategy.

40. The debate provided an insight on the need to mainstream a gender perspective in dealing with the prevention of specific crimes, including serious crimes, transnational organized crime and corruption. Speakers underlined how the root causes for the involvement of women in such crimes were of a different nature than those for men and how such crimes impacted women and girls differently than men. Concern was expressed by several speakers about the level and the impact of online violence which had profound and devastating consequences for the women and girls subject to it. It was recommended that this type of violence be defined internationally and that robust preventive measures be put in place.
41. Speakers recalled the impact of the COVID-19 pandemic on the levels of gender-based violence against women and emphasized the need to develop prevention strategies for this type of violence which took into account the implications of the COVID-19 pandemic related measures (such as lockdowns, reduction of dedicated law enforcement personnel etc.). It was noted that some of the measures taken by countries to limit the health impact of the pandemic were gender-blind.

*Children and youth in crime prevention*

42. Speakers highlighted that the key challenges faced by many countries in protecting children from crime and violence, including online violence and abuse, lied in factors such as the lack of capacity by criminal justice officials; inadequate legislation not suitable to deal with new, evolving forms of crime; lack of awareness among parents and children; and problems posed by developments in the social media industry. It was also underlined that violence against children was not only a crime problem but a developmental issue that required concerted and multidisciplinary efforts from different sectors.

43. Interventions highlighted that top-down and bottom-up approaches needed to be combined and that justice systems were not only essential for ending impunity and ensuring accountability but also instrumental in promoting preventive measures against violence aimed at children. The need to ensure that all preventive measures were integrated into broader developmental and rule of law reform efforts was underlined. Focus should be placed on ensuring better access to justice for children, reducing deprivation of liberty and promoting child-sensitive investigation and court procedures, non-custodial sanctions, restorative justice and diversion, recovery and reintegration of children and prevention of abuse and exploitation. The need for this was particularly highlighted in view of challenges that had been exacerbated during the COVID-19 crisis, such as child online abuse and exploitation.

44. The recruitment and exploitation of children by criminal and armed groups, including those designated as terrorist groups was raised and discussed as an example of a worrying trend that could only be tackled through the intervention of effective justice systems in close cooperation with other systems such as the child protection, health and education sector.

45. Speakers also addressed the importance of proactive and sustainable action to understand the needs and risk factors that contribute to children vulnerability to crime and violence, including online and offline abuse and exploitation. As a key to prevention policies, it was highlighted that solutions should be multi-dimensional and address the interlinked root causes of the problem by actively enhancing protective factors of children, including through strengthening cross-sectorial services, empowering children and their caregivers legally, investing in early detection and prevention measures and multi-stakeholder partnerships. The challenges posed by end-to-end encryption when investigating online child sexual abuse and the dissemination of child exploitation material were also highlighted.

*Youth empowerment for crime prevention*

46. Speakers recognized the crucial role that youth could and should play in preventing crime and violence. Youth was considered an important stakeholder in achieving the Sustainable Development Goals and a formidable, positive agent for change in the communities. Speakers highlighted the importance for governments and the international community as a whole, including the United Nations, to listen and support youth voices and recommendations. Young people should be integrated in decision-making on crime prevention and be provided with platforms to discuss issues related to the rule of law and crime prevention. In this connection, reference was made to the First Global Youth Forum for a Culture of Lawfulness held in October 2021 in Tokyo.

47. Various speakers elaborated on the need to develop crime prevention programmes that focused on strengthening youth resilience through education, skills
training, sport and drug use prevention, such as the music-education programmes, the UNODC-UNESCO Education for Justice (E4J) Programme and the UNODC work to empower youth through sport.

48. The discussion highlighted some key lessons from the implementation of these programmes and identified success factors for youth engagement in crime and violence prevention, such as: involving different sectors including the education and health agencies, and not only criminal justice agencies; empowering youth to know their rights; recognizing that education could transform societies; paying attention to the needs of girls; and providing opportunities for youth to be heard, particularly youth from vulnerable groups.

III. Way forward

49. As part of the Commission’s efforts to enhance the implementation of the Kyoto Declaration, the next thematic discussion is scheduled to be held during the 31st session of the CCPCJ in 2022. In line with the multi-year workplan, the Commission will focus on Pillar II of the Kyoto Declaration, Advancing the criminal justice system. This will include safeguarding victims’ rights and protecting witnesses and reporting persons, improving prison conditions, reducing reoffending through rehabilitation and reintegration, mainstreaming a gender perspective into criminal justice systems, addressing the vulnerabilities of children and youth in contact with the criminal justice system, and improving criminal investigation processes.

50. Member States, and interested stakeholders are encouraged to initiate timely preparations for the 2022 thematic sessions, to facilitate the participation of relevant experts, with a view to sharing good practices and to discussing how to successfully implement pillar II of the Kyoto Declaration.