Vienna (Austria) – The third Thematic Discussions on the Implementation of the Kyoto Declaration, held on 21-22 September 2023, provided a forum for the sharing of information, good practices and lessons learned on pillar III of the Kyoto Declaration, “Promoting the Rule of Law”. The event brought together national practitioners and policymakers from over 80 United Nations Member States, 10 United Nations entities and other intergovernmental and international organizations, and 20 civil society organizations to exchange experiences and lesson learned on the following topics:

- Access to justice and equal treatment before the law, access to legal aid and national sentencing policies (21 September 2023)
- Effective, accountable, impartial and inclusive institutions, effective anti-corruption efforts and social, educational and other measures (22 September 2023)

"Promoting the rule of law is key in implementing the Sustainable Development Agenda as a whole. Working together in partnerships is a pre-condition in achieving the 2030 Agenda."

— H.E. Ambassador Mary MUGWANJA, Chair of the Commission on Crime Prevention and Criminal Justice at its 32nd session and Permanent Representative of Kenya to the United Nations in Vienna.
On 7 March 2021, the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice adopted by consensus the "Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development." In the Kyoto Declaration, Member States expressed their commitment to take actions that would 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 para. 96, they called upon the Commission on Crime Prevention and Criminal Justice (CCPCJ) to adopt the appropriate policy and operational measures for the follow-up to the Declaration.

In resolution A/RES/76/181, the General Assembly adopted this resolution, thereby endorsing the Kyoto Declaration and requesting, inter alia, that the CCPCJ hold inter-sessional thematic discussions to effectively follow up on the Kyoto Declaration through the sharing of information, good practices and lessons learned. That request was reiterated in resolution A/RES/77/231 and in the resolution entitled “Follow-up to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fifteenth Crime Congress”, negotiated by the Commission during its 32nd session.

During the summer of 2021, the CCPCJ adopted a multi-year workplan for the mentioned thematic discussions. The workplan follows the four pillars of the Kyoto Declaration, with one Thematic Discussions held each year. The first round of discussions was held on 10-12 November 2021, focusing on Pillar I "Advancing Crime Prevention". The second thematic discussion was held on 5-7 December 2022 and focused on Pillar II "Advancing the criminal justice system".

The third Thematic Discussions were held in a hybrid format, in Vienna and on an online customized platform, allowing participants from around the world to connect among themselves, interact during the sessions, and follow the discussions live. Government panelists participated from Australia, Brazil, Canada, Colombia, Czechia, India, Japan, Namibia, Peru, Romania, South Africa, Thailand, and the United States of America.

The following entities also contributed to the discussions: Alliance of NGOs on Crime Prevention and Criminal Justice, Council of Europe, International Anti-Corruption Academy (IACA), Inter-American Development Bank (ADB), International Centre for Criminal Law Reform (ICCLR), The International Legal Foundation, Organization for Economic Co-operation and Development (OECD), the Organization for Security and Co-operation in Europe (OSCE), Thailand institute of justice (TIJ), the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Expert Mechanism on the Rights of Indigenous Peoples, United Nations Working Group of Experts on People of African Descent, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the World Bank. Experts from UNODC made introductory remarks and presentations. Non-governmental organizations from a variety of countries, including Argentina, Bulgaria, Indonesia, Nigeria, Qatar, Switzerland, Tanzania, and the United States also contributed to the discussions, speaking on the various angles of the topic.
The Secretariat prepared a background note on the two topics discussed during the Thematic Discussions. The note reflects findings relating to Pillar III, “Promoting the Rule of Law”, as contained in relevant UNODC research publications as well as contributions provided by the UNODC substantive Branches and Sections.

“The new Secretary-General’s New Vision for the Rule of Law recognizes that individuals and groups facing systemic prejudice, bias and stereotypes must be afforded fair treatment in criminal and civil justice systems’. The Vision advocates for a people-centred approach to justice: ‘People-centredness means that laws and justice institutions are accessible to every person user-friendly, non-discriminatory, fair, and focused on solutions and remedies that address people’s needs and deliver better outcomes.’”

----Background Note “Pillar III—Promoting the Rule of Law”

Opening Session

The discussions were kicked off with an opening session, including the interventions by the Executive Director of the United Nations on Drugs and Crime (UNODC), Ms. Ghada Waly (delivered by John Brandolino, Director of the Division for Treaty Affairs), and the Chair of the Commission on the Status of Women, H.E. Antonio Manuel Revilla Lagdameo of the Philippines.

“The rule of law is an essential foundation for the achievement of SDGs, and younger generations have an important role to play”.

--- UNODC Executive Director Ms. Ghada WALY

“We must ensure that gender is mainstreamed across all aspects of crime prevention and criminal justice and make progress to achieve the goals of the 2030 Agenda.”

--- Chair of the Commission on the Status of Women (CSW), H.E. Antonio Manuel REVILLA LAGDAMEO
Social media campaign

In preparation for the 2023 CCPCJ Thematic Discussions, the Secretariat launched a social media campaign on the Commission’s Twitter Account (@CCPCJ) focusing on the topics discussed during the third Thematic Discussions, including a video series. In the videos, UNODC experts raised awareness on the Thematic Discussions and the topics of promoting the rule of law.

Twitter Campaign

Access To Justice is not just a goal, it’s a catalyst for achieving Sustainable Development Goal 16: Peace, Justice, and Strong Institutions.

Join us in advocating for equal access to legal aid, thereby safeguarding the rights of those who are unable to advocate for themselves.

Education in law and policies is a fundamental commitment in combating crime effectively and fostering a culture of lawfulness.

To promote the reporting of corruption we need adequate protection for those who report acts of corruption in good faith and on reasonable grounds.

Education and youth empowerment are a key tool to prevent and fight crime locally, regionally and globally.

In-session tweets during the two-day thematic discussion, with highlights from the opening and expert contributions from different regions.
In line with the Commission’s efforts to share information, good practices and lessons learned, also the statements and presentations made during the two-day sessions were published, with the permission of speakers, on the Commission’s dedicated Kyoto Declaration follow-up website.

Photos and biographies of all the panelists and experts for the 2023 CCPCJ thematic discussions were posted on the Commission’s website.

Please click the photos below to watch the videos for the social media campaign of the 2023 CCPCJ Thematic Discussions.
Session 1: Access to justice and equal treatment before the law; access to legal aid; national sentencing policies

Access to justice and equal treatment before the law
- Ensure equal access to justice and application of the law to all, including vulnerable members of society, regardless of their status, including by taking appropriate measures to ensure treatment with respect and without discrimination or bias of any kind by criminal justice institutions; Encourage victims to report crime by providing them with adequate support, including in criminal proceedings, such as effective access to translation services;

Access to legal aid
- Take measures to ensure access to timely, effective, adequately resourced and affordable legal aid for those without sufficient means or when the interests of justice so require, and raise awareness of the availability of such aid, including by promoting the practical application of relevant provisions of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, United Nations Office on Drugs and Crime tools on ensuring the quality of legal aid services in criminal justice processes and other related tools, by encouraging the development of guidance tools, as well as the collection and sharing of data on access to legal aid, and by developing a specialized network of legal aid providers to exchange information and best practices and to assist each other in carrying out their work;

National sentencing policies
- Promote national sentencing policies, practices or guidelines for the treatment of offenders in which the severity of penalties for offenders is proportionate to the gravity of offences in accordance with national legislation;

On 21 September, the Thematic Discussions started with introductory remarks by UNODC to set the stage for the discussions on the first day. The topics “Access to justice and equal treatment before the law; access to legal aid; and national sentencing policies” were introduced by Fabrizio SARRICA, Team Leader for Research on Trafficking in Persons and Smuggling of Migrants, UNODC Research and Trend Analysis Branch, and Anna GIUDICE, Team Leader of the Access to Justice Team, UNODC Crime Prevention and Criminal Justice Section.
Panel and Thematic Debate

Mr. Brownell UIRAB, Deputy Chief, Legal Aid, Ministry of Justice, Namibia

Ms. Nareeluc PAIRCHAYAPOOM, Director of International Human Rights Division and Director of the Office of Prevention and Suppression of Torture and Enforced Disappearance, Rights and Liberties Protection Department, Ministry of Justice, Thailand

Mr. Zdenek MATULA, Prosecutor at the High Prosecutor’s Office in Prague, Department of Serious Economic and Financial Crime, Czechia

Ms. Nara DE SOUZA RIVITTI, Federal Public Defender, Brasil

Ms. Mythri JAYARAMAN, Legal Advocacy Advisor, of the International Legal Foundation

Ms. Erin MCKEY, General Counsel and Director of External Relations, Department of Justice, Canada

Ms. Anuwan VONGPICHET, Deputy Executive Director and Director, Office of Justice Innovation of the Thailand Institute of Justice

Ms. Lucía NUÑOVERO CISNEROS, Criminal Justice Policy Director at the Ministry of Justice of Peru

Ms. Mythe JAYARAMAN, Legal Advocacy Advisor, of the International Legal Foundation

Ms. Lucia NUÑOVERO CISNEROS, Criminal Justice Policy Director at the Ministry of Justice of Peru

Mr. Niraj KUMAR GAYAGI, Joint Secretary, Department of Justice, Ministry of Law and Justice, India

http://ccpcj.unodc.org/
Ms. Francesca MONTAGNA, Programme Manager in the Secretariat of the monitoring mechanism of the Council of Europe Convention on preventing and combating violence against women and domestic violence

Ms Tatyana TEPLOVA, Head of Division and Senior Counsellor of the Public Governance Directorate of OECD

Ms Valmaine TOKI, Vice-Chair of the United Nations Expert Mechanism on the rights of Indigenous Peoples

Ms Beatrice DUNCAN, Global Senior Policy Advisor, from UN-Women

Dominique DAY, member of the United Nations Working Group of Experts on People of African Descent

Lara DERAMAIX, Access to Justice Specialist in the Rule of Law, Security and Human Rights Team of the Crisis Bureau, at UNDP

Nathalie ALVARADO, Sector Technical Leader, Innovation in Citizen Services Division, Inter-American Development Bank

Erica BOSIO, Senior Public Sector Specialist at the World Bank
Session 2: Effective, accountable, impartial and inclusive institutions; Effective anti-corruption efforts; Social, educational and other measures

Effective, accountable, impartial and inclusive institution
- Ensure the integrity and impartiality of law enforcement and other institutions comprising the criminal justice system, as well as the independence of the judiciary, and ensure the fair, effective, accountable, transparent and appropriate administration and delivery of justice, while taking into consideration the documents noted by relevant General Assembly and Economic and Social Council resolutions;
- Take effective legislative, administrative, judicial or other relevant measures to prevent, investigate, prosecute and punish all forms of torture and end impunity in this regard, and to prevent other cruel, inhuman or degrading treatment or punishment;

Effective anti-corruption efforts
- Effectively avail ourselves of existing tools of the international anti-corruption architecture, particularly by implementing the Convention against Corruption and the Organized Crime Convention, and other relevant tools where applicable;
- Develop, adequately resource and implement effective policies and measures, including by, inter alia, enhancing the collection and assessment of data to analyse corruption and strengthening the integrity, transparency and accountability of public institutions, in order to prevent, detect, investigate, prosecute and adjudicate corruption in a holistic manner for ending impunity;
- Ensure the use of appropriate measures to effectively disrupt the existing links between organized criminal groups and corruption, including by preventing and combating bribery and the laundering of proceeds of crime into the legitimate economy, and thus develop strategies to prevent and combat illicit financial flows;
- Provide protection against any unjustified treatment for any persons who report acts of corruption in good faith and on reasonable grounds to the competent authorities, and thereby promote the reporting of corruption;
- Investigate, prosecute and punish threats and acts of violence, falling within their jurisdiction, committed against journalists and media workers, whose professional duties put them at specific risk of intimidation, harassment and violence through the conduct of impartial, efficient and effective investigations, in particular in the context of fighting corruption and organized criminal activities, including in conflict and postconflict situations, with a view to ending impunity for crimes committed against them, in accordance with national legislation and applicable international law;
- Increase public awareness of means for reporting instances of corruption, including by disseminating information regarding the responsibilities and rights of reporting persons, including available measures for their protection;

Social, educational and other measures
- Provide access to quality education and promote awareness-raising activities regarding law and policies, including public law-related education for all, to equip the public with the values, skills and knowledge necessary to foster among the general public a culture of lawfulness, cognizant of cultural diversity, based on respect for the rule of law;
The second day of discussions started with introductory remarks by UNODC to set the stage for the exchange on “Effective, accountable, impartial and inclusive institutions; effective anti-corruption efforts; social, educational and other measures”

Topics were introduced by Antoine VELLA, Research Officer, UNODC Research and Analysis Branch; Zorana MARKOVIC, UNODC Corruption and Economic Crime Branch; and Wendy O’BRIEN, UNODC Crime Prevention and Criminal Justice Section.
Excellencies, distinguished panelists and experts,

We would like to express our sincere appreciation to all of you, those who came in person and those participating online in the 2023 Thematic Discussions on the Implementation of the Kyoto Declaration that were held on 21-22 September 2023.

A special thanks to the experts who found time in their busy schedules to share their expertise with our Commission during the two days of the thematic discussions. The discussions saw an active debate and exchange of hands-on experience on how to advance the rule of law in contributing to the achievement of 2030 Agenda, particularly SDG 16 “Peace, justice and strong institutions”.

As stated by Secretary-General António Guterres at the 14th UN Crime Congress in Kyoto, “people need an inclusive justice system that works for all and is intolerant of discrimination.” We hope that the thematic discussions will kick-start new joint initiatives, and that we can welcome you soon again to the upcoming Commission’s meetings.

With many thanks and kind regards from Vienna,

Jo Dedeyne-Amann
Secretary of the Commission on Crime Prevention and Criminal Justice

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