
The Economic and Social Council,

Recalling General Assembly resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme,


Acknowledging the new role of the United Nations congresses on the prevention of crime and the treatment of offenders as a consultative body of the programme, as stipulated in paragraph 29 of the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme, annexed to General Assembly resolution 46/152,

Emphasizing that fulfilment of that role requires that the debate and conclusions of the congresses be specifically focused, which can be achieved only through proper and timely preparations on the part of Member States, the Secretariat and other participants, for example through implementation, from the outset, of the new rules of procedure for the congresses, thus allowing Member States sufficient time in advance of the Congress to review draft resolutions in all six official languages of the United Nations,

Recalling that, in its resolution 1993/32, it endorsed the programme of work for the Ninth Congress, including the holding of six demonstration and research workshops, and invited Member States, non-governmental organizations and other relevant entities to support financially, organizationally and technically the preparations for the workshops,

Recognizing the important contribution made to the preparations for the Ninth Congress by the five regional preparatory meetings for the Ninth Congress, as reflected in the reports of those meetings,51

Taking note of the initial offer of the Islamic Republic of Iran to act as host for the Ninth Congress, which was later withdrawn in favour of an African country,

Welcoming the agreement reached between the Governments of Egypt and Tunisia with respect to the venue of the Congress,

ORGANIZATIONAL MATTERS

1. Accepts with gratitude the generous invitation of the Government of Tunisia to act as host for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held from 24 April to 5 May 1995, with pre-Congress consultations on 22 and 23 April 1995,51

2. Reaffirms the organizational arrangements stipulated in its resolutions 1992/24 and 1993/32;

3. Invites Member States to actively participate in the Ninth Congress, with a view to fully reflecting regional concerns, to start preparations for the finalization of national reports, and to include in their delegations senior officials, legislators, practitioners, policy-makers and experts from the various sectors of the criminal justice system, including persons with expertise and experience in the subject areas of the workshops, including development aid;

4. Takes note with appreciation of the reports of the five regional preparatory meetings for the Ninth Congress,55 and invites Member States and other entities involved, in their preparations for and their discussions at the Ninth Congress, to take into appropriate account the conclusions and recommendations contained in those reports;

5. Requests the Secretary-General to intensify public information activities relating to the Ninth Congress and the workshops;

6. Also requests the Secretary-General to facilitate the broader participation of developing countries, inter alia, by providing the necessary resources for the travel and per diem of delegations from the least developed countries in accordance with resolution 1993/32, within the limits of available resources, and by exploring the possibility of obtaining contributions for this purpose from all sources available, including governmental, intergovernmental and the relevant non-governmental donors;

7. Further requests the Secretary-General to continue cooperating with the relevant intergovernmental, non-governmental and professional organizations in the proper planning and conduct of ancillary meetings on relevant issues;

8. Requests the Secretary-General to appoint a Secretary-General of the Ninth Congress and an Executive Secretary of the Ninth Congress, in accordance with past practice, to perform their functions under the rules of procedure of the congresses;

9. Approves the documentation for the Ninth Congress, as proposed by the Secretary-General in his report on progress made in the preparations for the Congress,52 taking into account relevant recommendations made by the Council in the present resolution;

10. Requests the organizers of the workshops to seek to ensure that there is sufficient time for thorough and fruitful discussion, by fostering the exchange of information and experiences on closely specified issues of direct concern to policy-makers and practitioners, for example in the form of panel discussions of case-studies, in order to identify the priorities for action, to examine possible model projects, to

51 By decision 1994/305, the Economic and Social Council decided that the Congress would be held from 3 to 14 April 1995, with pre-Congress consultations to be held on 1 and 2 April 1995.

assess the factors behind the success or failure of such projects, to examine ways in which successful projects could be replicated and modified for implementation within the framework of other criminal justice systems, and to examine methods of ensuring proper follow-up to the workshops, including the organization of regional and interregional training courses on the workshop topics;

11. Requests the Secretary-General to invite Member States to consultations, at no cost to the United Nations, not later than at the beginning of the fourth quarter of 1994, on possible technical cooperation projects to be considered during the workshops, with a view to announcing their commitment to sponsoring such projects after the Ninth Congress, and invites relevant bodies to participate in those consultations;

12. Invites Member States and all entities involved to prepare video programmes, documents and other presentations relevant to the subject areas of the workshops, in consultation with the organizers of the workshops, in order to increase the practical orientation of the discussions and to promote the exchange of experiences and information, and to consider, inter alia, holding various national competitions, to the extent that resources and other circumstances permit, as follows:

(a) An urban planning and architectural design competition, aimed at preventing crime and increasing safety;

(b) A competition on crime prevention programmes planned and implemented by youth;

(c) A mass media competition on crime prevention material, including films, advertisements, pamphlets and television and radio programmes, with the presentation of the winners or outstanding projects at the Ninth Congress at the appropriate workshops or at the national kiosks;

13. Calls upon Member States, government development agencies and all other entities involved to assist other States, upon request, in preparing their contributions to the workshops by cooperating in the preparation of needs-assessment statements on proposed technical assistance projects, and encourages regional and subregional initiatives for preparing contributions to the workshops, in order to present common problems and their solutions in a given geographical area, for example in cities of the same region or continent;

14. Invites Member States and all entities involved to consult together in order to designate a main counterpart for each workshop in order to coordinate the different contributions and to facilitate practical organization;

15. Invites Member States, intergovernmental and non-governmental organizations and all other entities involved to announce their contribution to the workshops not later than three months before the convening of the Ninth Congress, so that each workshop can be properly set up, both substantively and organizationally;

16. Recommends that, notwithstanding the focus of the workshops on model projects and the development of technical cooperation, a brief oral report on the discussion of each workshop be made before the committee of the whole to which that particular topic has been assigned;

17. Recommends also that an introductory session on technical cooperation projects be held at the Ninth Congress prior to the convening of the workshops;

18. Requests the Secretary-General to prepare, for submission to the General Assembly at its forty-ninth session, a statement of the financial implications of the preparations for and the holding of the workshops at the Ninth Congress.

II

TOPIC 1. INTERNATIONAL COOPERATION AND PRACTICAL TECHNICAL ASSISTANCE FOR STRENGTHENING THE RULE OF LAW: PROMOTING THE UNITED NATIONS CRIME PREVENTION AND CRIMINAL JUSTICE PROGRAMME

1. Invites the Ninth Congress to consider further ways of developing, promoting and refining forms of technical cooperation, the development of strategic alliances in the provision of advisory services and training and research programmes, the promotion of contributions in kind and the development of working manuals, by serving as a forum in which the need for technical assistance, especially in developing countries and in countries in transition, and the capacity of the donor community may meet, and by considering ways in which the United Nations Criminal Justice Information Network could be used in order to assist Member States in coordinating their bilateral and multilateral cooperation projects;

2. Also invites the Ninth Congress to play an active role in the identification and the development of effective common strategies for crime prevention and criminal justice;

3. Further invites the Ninth Congress to consider practical methods for promoting, where necessary, the exchange of experiences and information on international cooperation, including the establishment and development of depositories of information on national legislation, statistics and other data, examining the conditions that would facilitate the establishment of a mechanism to ensure coherence in international assistance efforts, both bilaterally and multilaterally;

4. Recommends that the workshop entitled “Extradition and international cooperation: exchange of national experiences and implementation of extradition principles in national legislation” consider specific problems in the practical implementation of extradition treaties and related forms of international cooperation, and methods of overcoming those problems, with due regard to the necessity of observing democratic structures and control, such as the expansion and updating of the network of bilateral and multilateral instruments, the opening of regional conventions to States outside the region, and the organization of training courses and international internships for the officials involved;

5. Also recommends that the workshop consider how, in practical terms, extradition and other international cooperation should function, general impediments to extradition, and how to balance extradition obligations against reasonable grounds for denial, including the removal of the political offence exception in the context of extradition and mutual assistance, and review existing bilateral and multilateral treaties involving extradition, including the
III

TOPIC 2. ACTION AGAINST NATIONAL AND TRANSNATIONAL ECONOMIC AND ORGANIZED CRIME AND THE ROLE OF CRIMINAL LAW IN THE PROTECTION OF THE ENVIRONMENT: NATIONAL EXPERIENCES AND INTERNATIONAL COOPERATION

1. Invites the Ninth Congress to seek to identify and address new forms of national and transnational economic and organized crime, including forms arising as a result of the use of new technology, particularly as related to economic crime, including computer-related crime, and including also the organization of illicit migration and international traffic in minors and the possible emergence in time of organized illicit traffic in human body parts;

2. Also invites the Ninth Congress to develop further measures for the prevention and control of the above-mentioned forms of crime, including the following:

(a) Consideration of the conclusions of the International Conference on Preventing and Controlling Money-Laundering and the Use of the Proceeds of Crime: A Global Approach, held at Courmayeur, Italy, from 18 to 20 June 1994;

(b) Consideration of the conclusions of the World Ministerial Conference on Organized Transnational Crime, to be held at Naples, Italy, later in 1994;

(c) Consideration of the report and conclusions of the Ad Hoc Expert Group on More Effective Forms of International Cooperation against Transnational Crime, including Environmental Crime, held at Vienna from 7 to 10 December 1993, and of the International Meeting of Experts on the Use of Criminal Sanctions in the Protection of the Environment, Internationally, Domestically and Regionally, held at Portland, Oregon, United States of America, from 19 to 23 March 1994;

(d) The strengthening and possible creation of special departments within police agencies, where necessary, to deal with organized crime and the establishment of relationships between special departments through an international communications network, including the use of liaison officers and contact officers;

(e) The establishment of mechanisms for the creation and further development, as necessary, of a standard framework for the international exchange of key information on organized crime, as well as the promotion of quick and flexible reactions to organized crime through concerted bilateral and multilateral police countermeasures based on international arrangements;

3. Further invites the Ninth Congress to consider in this connection crimes of terrorism, which constitute one of the most dangerous forms of crime, as well as their interrelationship with organized crime, and ways of enhancing regional and international cooperation for preventing and combating these crimes effectively;

4. Recommends, bearing in mind treaties in force, that the workshop entitled “Environmental protection at the national and international levels: potential and limits of criminal justice” consider the range of internationally recognized environmental offences, jurisdictional questions where environmental offences have transboundary effects, the development of a manual for practitioners, improved methods for exchanging evidence, and standardization of the methods of sampling and examination;

5. Invites the Ninth Congress to consider the preparation and enforcement of law in respect of criminal conduct relating to chemical precursors and other chemical substances used for the illicit production of drugs;

6. Recommends, bearing in mind treaties in force, that the workshop on environmental protection at the national and international levels consider the growing phenomenon of illicit dumping of waste and the international illicit traffic in plant and animal species and in hazardous radioactive materials; the improvement of options for prosecuting transboundary criminal offences against the environment; and a mechanism and forum for developing further appropriate instruments and methods for the protection of the environment through criminal law, in coordination with other intergovernmental organizations.

IV

TOPIC 3. CRIMINAL JUSTICE AND POLICE SYSTEMS: MANAGEMENT AND IMPROVEMENT OF POLICE AND OTHER LAW ENFORCEMENT AGENCIES, PROSECUTION, COURTS AND CORRECTIONS, AND THE ROLE OF LAWYERS

1. Invites the Ninth Congress to consider the potential of traditional and non-traditional mechanisms of justice and social control, such as processes of mediation, social reconciliation, restitution, compensation and non-custodial measures, in inspiring new strategies for preventing and controlling crime, reducing prison overcrowding and strengthening support for the criminal justice system;

2. Also invites the Ninth Congress to consider recent developments in the functioning of criminal justice and police systems, in particular the mobilization of law enforcement arrangements and new cooperative law enforcement arrangements, and to explore ways of improving the relationship between the police and the public, for example by ensuring an equal balance between the various sectors of the population in police forces and by developing community policing;

3. Further invites the Ninth Congress to consider such recent trends in criminal justice as the privatization of certain police and correctional functions, the excessive use of pre-trial custody, prison overcrowding, and the development of alternatives to incarceration;

4. Invites the Ninth Congress to consider promotion of the international transfer of prisoners to their countries of origin and ways to speed up the corresponding procedures, with the consent of the offenders, in order to enable them to serve their sentences in circumstances that would promote their reintegration into their own societies;

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53 General Assembly resolution 45/116, annex.
5. Recommends that the workshop entitled “International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information” and the ancillary symposium on computerization evaluate progress in computerization and the policy and management use of information achieved since the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, seeking to identify information systems that have proved their effectiveness; discuss the process of needs assessment; consider the conditions of successful computerization; and discuss a mechanism for identifying needs for the creation of statistical infrastructures where these are essential to improving national statistical reporting systems;

6. Also recommends that the workshop consider such issues as the compatibility of criminal statistics, support systems, computers as an investigative tool, and cost-effective ways of promoting the availability of data, assessment analysis capabilities and the exchange of information; and consider controls and legal measures to safeguard respect for privacy and to prevent data from being used for purposes incompatible with the International Covenant on Civil and Political Rights,\(^5\) bearing in mind data protection principles relating to personal privacy.

V

TOPIC 4. CRIME PREVENTION STRATEGIES, IN PARTICULAR AS RELATED TO CRIME IN URBAN AREAS AND JUVENILE AND VIOLENT CRIMINALITY, INCLUDING THE QUESTION OF VICTIMS: ASSESSMENT AND NEW PERSPECTIVES

1. Invites the Ninth Congress to examine ways of promoting cooperation in crime prevention between criminal justice agencies, on the one hand, and, inter alia, other agencies, businesses, associations and the public, on the other hand, in order to develop successful crime prevention activities at the local, national and international levels, for example through the work of crime prevention councils;

2. Requests the Ninth Congress to consider violence against women and violence against children as separate questions under topic 4 and in the context of the workshop on the prevention of violent crime, and to propose recommendations on those questions to the Commission in respect of legislation, procedures, policies, practices, and technical cooperation and assistance, as well as of social services, education and the dissemination of information;

3. Invites the Ninth Congress to take into account the proposed guidelines for cooperation and technical assistance in the field of urban crime prevention annexed to its resolution 1994/20 of 25 July 1994;

4. Recommends that the workshop on the mass media and crime prevention focus on seeking to enlist the support of the media in crime prevention initiatives and on identifying model projects;

5. Invites the workshop on the mass media and crime prevention to seek methods of sensitizing representatives of the mass media to the criminogenic effects of graphic portrayals of violence and sensationalism in the media, particularly on the young, and to consider the possible effects of sensational news coverage on the fairness of criminal trials, with due regard to the need to maintain the freedom of the press;

6. Recommends that the workshop on urban policy and crime prevention seek to identify priorities for crime prevention in urban areas and seek methods of sensitizing the authorities responsible for the different aspects of urban policy, including education, employment, alcohol and drug abuse policy, social services and urban zoning, to the importance of taking crime prevention aspects into consideration;

7. Recommends that the workshop on the prevention of violent crime identify and assess factors that are conducive to violent crime, including the ready availability of firearms; consider xenophobic violence and violence against vulnerable groups and violence in connection with armed conflicts; and identify methods of developing appropriate measures, including mediation and conflict resolution.

VI

PLENARY DISCUSSION ON CORRUPTION

1. Recommends that the Ninth Congress, during the plenary discussion on corruption, consider effective ways of coordinating, at the international level, all efforts to tackle corruption and any other form of malfeasance by public officials, particularly the illegal appropriation of public resources, the embezzlement of funds and the bribery of public officials, especially by organized criminal groups, taking into account successful experiences with detection, prevention and control in this respect;

2. Welcomes in this connection the generous offer of the Government of Spain to sponsor an international meeting of experts on corruption;

3. Recommends that the Ninth Congress, during the plenary discussion on corruption, consider the desirability of a code of conduct for public officials\(^6\) and that the Secretary-General seek comments from Member States and relevant entities, in order to assist the Commission in its consideration of the matter at its fourth session.

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\(^{5}\) See General Assembly resolution 2200 A (XXI), annex.

43rd plenary meeting 25 July 1994