Chapter I

MATTERS CALLING FOR ACTION BY THE ECONOMIC AND SOCIAL COUNCIL OR BROUGHT TO ITS ATTENTION

A. Draft resolution to be recommended by the Economic and Social Council for adoption by the General Assembly

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council, in accordance with General Assembly resolution 49/157 of 23 December 1994, the approval of the following draft resolution for adoption by the General Assembly:

DRAFT RESOLUTION

Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders*

The Economic and Social Council recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Emphasizing the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Acknowledging that the United Nations congresses on the prevention of crime and the treatment of offenders, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation in this field by facilitating the exchange of views and experiences, mobilizing public opinion and recommending policy options at the national, regional and international levels,

Recalling its resolution 46/152 of 18 December 1991, in the annex to which Member States affirmed that the United Nations congresses on the prevention of crime and the treatment of offenders should be held every five years and should provide a forum for, inter alia, the exchange of views between States, intergovernmental organizations, non-governmental organizations and individual experts representing various professions and disciplines, the exchange of experiences in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice,

Bearing in mind the theme for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which was "Less crime, more justice: security for all", and the importance of achieving this goal at the national and international levels,

Deeply concerned about the rising levels of crime in many parts of the world, particularly transnational organized crime and its negative effects on socio-economic development, political stability and the internal and external security of States, as well as on the well-being of people,

*For the discussion, see chap. II.

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Convinced that the United Nations crime prevention and criminal justice programme has a significant role to play in enhancing regional and interregional cooperation in crime prevention and criminal justice in order to achieve further progress in this area, including the mobilization and coordination of efforts by Member States to combat crime in all its forms and to ensure greater justice,

Recalling its resolution 49/157 of 23 December 1994, in which it requested the Commission on Crime Prevention and Criminal Justice to give priority attention at its fourth session to the conclusions and recommendations of the Ninth Congress, with a view to recommending appropriate follow-up, through the Economic and Social Council, by the General Assembly at its fiftieth session,

Having considered the report of the Ninth Congress¹ and the related recommendations made by the Commission on Crime Prevention and Criminal Justice at its fourth session,

1. Expresses its satisfaction with the results achieved by the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995;

2. Expresses its profound gratitude to the Government and people of Egypt for the generous hospitality extended to the participants of the Ninth Congress and for the efficient facilities, staff and services placed at the participants’ disposal;

3. Takes note with appreciation of the report of the Ninth Congress, which contains the results of the Ninth Congress, including the recommendations and suggestions made in the workshops, in the special plenary meeting on experiences in and practical measures aimed at combating corruption involving public officials and in the special plenary meeting on technical cooperation projects;

4. Endorses the resolutions adopted by the Ninth Congress, as approved by the Commission on Crime Prevention and Criminal Justice, and also endorses the recommendations made by the Commission, at its fourth session, and by the Economic and Social Council, at its substantive session of 1995, on the implementation of the resolutions and recommendations of the Ninth Congress, as contained in Economic and Social Council resolution ...;

5. Invites Governments to be guided by the results of the Ninth Congress in formulating legislation and policy directives and to make all efforts to implement the principles contained therein, in accordance with the economic, social, legal, cultural and political circumstances of each country;

6. Requests the Secretary-General to pay particular attention to the operational aspects of the follow-up to the Ninth Congress in order to assist interested States in strengthening the rule of law by reinforcing their national machinery, promoting human resource development, undertaking joint training activities and executing pilot and demonstration projects, and urges the Department for Development Support and Management Services of the Secretariat, the United Nations Development Programme, the World Bank, and other funding agencies to continue to provide financial support and assistance within the framework of their technical cooperation programmes;

7. Urges all entities of the United Nations system, including the regional commissions, and the regional institutes for the prevention of crime and the treatment of offenders and the relevant intergovernmental and non-governmental organizations to become actively involved in the implementation of the resolutions and recommendations of the Ninth Congress, paying particular attention to the needs and priorities identified by Member States;

¹A/CONF.169/16.
8. Expresses its appreciation to those Member States, institutes and intergovernmental and non-governmental organizations that have provided human and financial resources, particularly on the occasion of the Ninth Congress, and invites Governments to lend their support to the United Nations crime prevention and criminal justice programme and to increase their financial contributions to the United Nations Crime Prevention and Criminal Justice Fund;

9. Requests the Secretary-General to circulate the report of the Ninth Congress to Member States and intergovernmental and non-governmental organizations in order to ensure that it is disseminated as widely as possible and to conduct appropriate public information activities in this field;

10. Also requests the Secretary-General to submit to the General Assembly, at its fifty-first session, a report on the measures taken to implement the present resolution;

11. Decides to include in the provisional agenda for its fifty-first session an item entitled "Crime prevention and criminal justice".

B. Draft resolutions for adoption by the Economic and Social Council

2. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Implementation of the resolutions and recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders*

The Economic and Social Council,


Recalling also General Assembly resolution 49/157 of 23 December 1994, in which the Assembly requested the Commission on Crime Prevention and Criminal Justice to give priority attention at its fourth session to the conclusions and recommendations of the Ninth Congress, with a view to recommending appropriate follow-up, through the Economic and Social Council, by the General Assembly at its fiftieth session,

Determined to give effect to the resolutions and recommendations of the Ninth Congress, taking into account the guidance provided by the Commission on Crime Prevention and Criminal Justice at its fourth session,

Taking note of the report of the Ninth Congress,¹ considered by the Commission on Crime Prevention and Criminal Justice at its fourth session,

*For the discussion, see chap. II.
1. **Invites** Governments, in their efforts to combat crime and ensure justice, to draw on the resolutions and recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995;

2. **Approves** the follow-up of the resolutions and recommendations concerning the topics of the Ninth Congress, as contained in the present resolution, and requests the Secretary-General to implement them in accordance with work plans of implementation and with the rules and regulations of the United Nations, including financial and programme planning rules and regulations, in the context of the priority themes determined by the Council in its resolution 1992/22, section VI, of 30 July 1992.

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

1. **Calls upon** the United Nations Development Programme, the World Bank and other international, regional and national funding agencies to support technical cooperation activities devoted to strengthening the rule of law, in cooperation with the United Nations crime prevention and criminal justice programme, in order to ensure proper coordination; (and requests the Secretary-General to undertake rigorous fund-raising activities, also in accordance with Economic and Social Council resolution 1992/22);

2. **Encourages** the Secretary-General, as a way of strengthening the rule of law, to include upon request the re-establishment and reform of criminal justice systems in peace-keeping operations;

3. **Requests** the Secretary-General to further strengthen operational activities in developing countries and countries in transition, by providing advisory services and training programmes and by carrying out field studies at the national level, also drawing on extrabudgetary resources;

4. **Calls upon** all relevant international, intergovernmental and non-governmental organizations to continue cooperating with the United Nations in developing manuals and training curricula and in organizing courses in the various areas of crime prevention and criminal justice;

   A. **International cooperation in criminal matters, including extradition**

5. **Requests** the Secretary-General to convene, utilizing extrabudgetary funds already offered for this purpose, and in accordance with the principle of equitable geographical distribution, a meeting of an intergovernmental expert group to examine practical recommendations for the further development and promotion of mechanisms of international cooperation, including the United Nations model treaties on international cooperation in criminal matters, as well as for the development of model legislation on extradition and related forms of international cooperation in criminal matters;

6. **Recommends** that the expert group should, in the light of the discussion of the workshop at the Ninth Congress, explore ways and means of increasing the efficiency of extradition and related mechanisms of international cooperation in criminal matters, having due regard to the rule of law and the protection of human rights, including, where appropriate, such measures as:

   (a) The provision of technical assistance in the development of bilateral and multilateral agreements based on the United Nations model treaties and other sources;

   (b) The drafting of model legislation or agreements on international cooperation in criminal matters, alternative or complementary articles for existing model treaties, and articles for possible model multilateral instruments;
7. **Recommends** that a report on the implementation of paragraph 5 above should be submitted to the Commission on Crime Prevention and Criminal Justice at its fifth session;

B. **Establishment of a regional centre for training and research in crime prevention and criminal justice for the Mediterranean States**

8. **Decides** to establish an open-ended intergovernmental working group within the framework of the Commission on Crime Prevention and Criminal Justice which would meet during the first and second days of the fifth session of the Commission with the aim of studying, with the assistance of the Secretary-General, the proposal for the establishment of a regional centre, to be based at Cairo, for training and research in crime prevention and criminal justice for the Mediterranean States, taking into consideration, *inter alia*, Economic and Social Council resolution 1994/23 of 25 July 1994, entitled "Criteria and procedures for the affiliation with the United Nations of institutes or centres and the establishment of United Nations subregional institutes in the field of crime prevention and criminal justice", and that the working group should report to the Commission at its fifth session and that the working group can invite other relevant entities or seek views from them, as appropriate.

II. **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. **Requests** the Commission on Crime Prevention and Criminal Justice to consider measures on the prevention and suppression of illicit trafficking in motor vehicles and requests the Secretary-General to seek the views of Governments and relevant organizations on this matter and to report to the Commission at its sixth session;

2. **Also requests** the Commission on Crime Prevention and Criminal Justice, in its review of priority themes, to continue placing special emphasis on the development of strategies for the effective prevention and control of organized transnational crime;

3. **Calls upon** the Secretary-General, as well as the United Nations Interregional Crime and Justice Research Institute and the regional institutes for the prevention of crime and the treatment of offenders, to continue research, exchange of information, training and technical cooperation facilitating the development of preventive, regulatory and other strategies on the role of criminal law in the protection of the environment, with an emphasis on:

   (a) Needs assessment and advisory services;

   (b) Assistance in the review or redrafting of legislation and the development of effective infrastructure;

   (c) Training of criminal justice and regulatory agency personnel;

4. **Requests** the Secretary-General to consider the feasibility of establishing an integrated system for the periodic gathering and dissemination of information on national legislation in crime prevention and criminal justice and its implementation, taking into account the present and planned capabilities of the United Nations Crime and Justice Information Network and the activities of other United Nations entities and relevant intergovernmental organizations, invites Member States to cooperate in this regard, with a view to encouraging progressive alignment regarding, *inter alia*, international cooperation, extradition and other bilateral and multilateral modalities of mutual assistance in criminal matters, and requests the
Secretary-General to report thereon to the Commission on Crime Prevention and Criminal Justice at its fifth session;

5. Also requests the Secretary-General to continue studying the actual situation of organized transnational crime and effective measures for its control;

6. Further requests the Secretary-General to assist Member States, upon request, in adjusting their national legislation with a view to making the investigation, prosecution and adjudication of organized transnational crime more effective;

7. Further requests the Secretary-General to ensure close coordination between the Crime Prevention and Criminal Justice Branch of the Secretariat and other United Nations entities, in particular, inter alia, the United Nations International Drug Control Programme, the Centre for Human Rights of the Secretariat, the United Nations Environment Programme and the United Nations Development Programme, including the sponsorship of joint activities, and to encourage further cooperation with the International Criminal Police Organization and other international and intergovernmental bodies concerned, through joint programmes and projects;

Links between transnational organized crime and terrorist crimes

8. Calls upon institutes and centres for crime prevention and criminal justice to devote the required attention to studying the links between transnational organized crime and terrorist crimes, their effects and appropriate means for countering them;

9. Requests the competent United Nations bodies to collect information on the links between transnational organized crime and terrorist crimes, to coordinate their activities and to facilitate the access of States to such information;

10. Decides that an open-ended intergovernmental working group be established, within the framework of the Commission, to consider, at the fifth session of the Commission, the views of Member States to be sought by the Secretary-General in the implementation of Ninth Congress resolution 3, paragraph 1, and to consider measures for combating transnational organized crime, including the drafting of a code of conduct or other legal instrument, with due regard to the growing danger of links between organized crime and terrorist crimes, and that the working group should report to the Commission at its fifth session;

11. Recommends that the Commission should consider including on the agenda for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders an item entitled "The links between transnational organized crime and terrorist crimes".

III. 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. Requests the Secretary-General to promote technical cooperation projects on penal law reform and on the modernization of criminal justice administration, particularly in the fields of data collection and computerization, the training of law enforcement officials, the promotion of non-custodial measures and prisoners' welfare, taking into account United Nations standards and norms such as the United Nations
2. Also requests the Secretary-General to play an active role in urging developed countries to provide support by supplying and maintaining technical aid for law enforcement agencies in developing countries;

3. Further requests the Secretary-General to expedite the dissemination of the Commentary on the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules), which was published pursuant to General Assembly resolution 45/110 of 14 December 1990, and welcomes the support of the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the International Penal and Penitentiary Foundation and the Asia Crime Prevention Foundation in its preparation;

A. Prison conditions

4. Invites the Commission on Crime Prevention and Criminal Justice to keep the matter of prison conditions under regular review and, in particular, recommends that the open-ended in-sessional working group on United Nations standards and norms in crime prevention and criminal justice should discuss, at the fifth session of the Commission, the establishment of efficient information-gathering mechanisms to that end, taking into account the forthcoming results of the United Nations survey on the use and application of the Standard Minimum Rules for the Treatment of Prisoners, which were approved by the Economic and Social Council in its resolution 663 (XXIV) C of 31 July 1957.

5. Invites the Secretary-General, drawing upon extrabudgetary resources, to distribute the manual entitled Making Standards Work, prepared by Penal Reform International, among Member States for their use and consideration and to seek their advice with a view to preparing a subsequent version of the manual, for further consideration by the Commission;

B. Information network and databases

6. Requests the Commission on Crime Prevention and Criminal Justice to review the membership and databases of the United Nations Crime and Justice Information Network, with a view to increasing the participation in the Network of Member States, relevant intergovernmental and non-governmental organizations and academic and other research institutions;

7. Requests the Secretary-General to seek the contributions of Member States in order to prepare, in cooperation with the institutes comprising the United Nations crime prevention and criminal justice programme network, for the consideration of the Commission at its fifth session, a draft action plan on international cooperation and assistance with regard to statistical and computerized applications in the

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2General Assembly resolution 45/110, annex.

3General Assembly resolution 45/111, annex.

4WHO/GPA/DIR/93.3.

5ST/CSDHA/22.

management of the criminal justice system, commensurate with the priorities of the United Nations crime prevention and criminal justice programme;

8. Also requests the Secretary-General to include in the above-mentioned initiative recommendations for improving the management and information functions of the Crime Prevention and Criminal Justice Branch and other elements of institutes comprising the United Nations crime prevention and criminal justice programme network to reflect the resolve of the international community to pursue the programme priorities determined in accordance with the statement of principles and programme of action of the programme, annexed to General Assembly resolution 46/152 of 18 December 1991, and taking into account the proposals for improving the clearing-house capacity of the United Nations crime prevention and criminal justice programme, contained in the report of the Secretary-General;7

9. Requests the Commission on Crime Prevention and Criminal Justice to consider the utilization of experts of interested Member States to advise the Secretary-General on technical cooperation projects related to paragraph 7 above, including their funding by the public and private sectors;

10. Requests the Commission on Crime Prevention and Criminal Justice and the Secretary-General, when implementing the above-mentioned recommendations, to take account of work already being carried out in the United Nations and other international organizations, such as the Council of Europe, in comparing national crime and criminal justice databases.

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

1. Recommends that the Commission on Crime Prevention and Criminal Justice should consider the possible impact of migratory flows on urban criminality;

2. Urges Member States to give attention to public awareness and to promote the role of information in crime prevention and requests the Secretary-General, in collaboration with specialized research centres and experts, to prepare a manual for public awareness campaigns, to be used to guide States in formulating national public awareness programmes;

3. Approves the guidelines for cooperation and technical assistance in the field of urban crime prevention, which were finalized by the Commission on Crime Prevention and Criminal Justice at its fourth session;

4. Requests the Secretary-General, within existing resources:

   (a) To continue studying the effects of criminality in urban areas, the factors contributing to it and measures for its effective prevention, taking into consideration recent developments in, inter alia, sociology, child and adolescent psychology, health, criminology and technology, including environmentally sound planning, city planning and housing design;

   (b) To organize seminars and training programmes to search for ways and means to prevent crime in urban and other areas;

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7E/CN.15/1995/6/Add.1.
(c) To promote technical cooperation projects on the improvement of juvenile justice systems, taking into account the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.

5. Calls upon Member States, in cooperation with the institutes comprising the United Nations crime prevention and criminal justice programme network and other relevant bodies, to develop tried and tested crime prevention strategies that are capable of being adapted to local conditions, with particular reference to those presented at the workshops on urban policies and crime prevention, prevention of violent crime, and mass media and crime prevention held at the Ninth Congress;

A. Firearms regulation for purposes of crime prevention and public safety

6. Requests the Commission on Crime Prevention and Criminal Justice, at its fifth session, to consider, under a separate agenda item, the measures to regulate firearms commonly applicable in Member States, such as the prevention of transnational illicit trafficking in firearms, with a view to suppressing the use of firearms in criminal activities, taking into account the urgent need for effective strategies to ensure the proper regulation of firearms at both national and transnational levels;

7. Requests the Secretary-General to establish and maintain close cooperation with Member States and intergovernmental and other organizations, especially the International Criminal Police Organization, active in the field of firearms regulation, inter alia, by regularly exchanging data and other information, in accordance with specific circumstances of Member States, on, among other things, the following topics:

(a) Criminal cases, accidents and suicides in which firearms are involved, including the number of such cases and the number of victims involved, and the status of firearms regulation by the law enforcement authorities;

(b) The situation with regard to transnational illicit trafficking in firearms;

(c) National legislation and regulations relevant to firearms regulation;

(d) Relevant initiatives for firearms regulation at the regional and interregional levels;

8. Also requests the Secretary-General to initiate a study on, inter alia, the topics listed in paragraph 7 above, in order to provide the Commission on Crime Prevention and Criminal Justice at its fifth session with a basis for its consideration of measures to regulate firearms;

9. Endorses the work plan presented by the representative of the Secretary-General, as contained in paragraph 19, chap. II, of the report of the Commission on its fourth session, to implement Ninth Congress resolution 9;

10. Requests the Secretary-General to collect information and consult with Member States on the implementation of the national measures outlined in Ninth Congress resolution 9, paragraphs 7 to 10;

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8General Assembly resolution 40/33, annex.

9General Assembly resolution 45/112, annex.

10General Assembly resolution 45/113, annex.

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11. Invites all United Nations organs, bodies and specialized agencies and intergovernmental and other organizations active in the field of firearms regulation to provide the Secretary-General with views and proposals on their possible contributions towards the full implementation of Ninth Congress resolution 9;

12. Requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice, at its fifth session, on the implementation of Ninth Congress resolution 9, as well as the paragraphs above, and to submit to it recommendations for further concerted action at the national and transnational levels, including the possibility of seeking views of Member States on the preparation of a declaration;

B. Children as victims and perpetrators of crime: effective application of United Nations standards and norms in juvenile justice

13. Decides that the elimination of violence against children should be considered within the priority theme "Crime prevention in urban areas, juvenile and violent criminality" of the United Nations crime prevention and criminal justice programme in the biennium 1996-1997;

14. Calls upon the regional commissions of the Economic and Social Council, the institutes comprising the United Nations crime prevention and criminal justice programme network and other relevant entities to cooperate closely with each other in planning and implementing joint activities in the area of juvenile justice;

15. Recommends that Strategies for Confronting Domestic Violence: a Resource Manual,11 which is based on a draft prepared by the Government of Canada, in cooperation with the Crime Prevention and Criminal Justice Branch and the European Institute for Crime Prevention and Control, affiliated with the United Nations, and currently available in English only, should be published in the other official languages of the United Nations, subject to the availability of regular budgetary or extrabudgetary funds;

16. Decides to integrate United Nations standards and norms in juvenile justice into the current process of information-gathering;

17. Requests the Secretary-General to initiate the process of requesting the views of Member States on the elaboration of an international convention on the illicit traffic in children, which may embody necessary elements to efficiently combat this form of transnational organized crime;

18. Also requests the Secretary-General, subject to the availability of extrabudgetary funding, to organize a meeting of an expert group on the prevention of the sexual exploitation of children for commercial purposes within the context of international travel (sex tourism);

19. Further requests the Secretary-General to enhance inter-agency cooperation within the United Nations system in connection with the elimination of violence against children and the administration of justice with regard to children by, inter alia, using existing meeting possibilities, both at headquarters and at the regional and national levels, including the Crime Prevention and Criminal Justice Branch, the Centre for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Children’s Fund, the United Nations Development Programme, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, as well as the Committee on the Rights of the Child and the Special Rapporteurs of the Commission on Human Rights concerned by this issue, with a view, in particular, to avoiding duplication and overlapping of activities;

20. Further requests the Secretary-General to continue including in the various advisory services and technical assistance programmes specific arrangements for technical assistance in the field of criminal justice

11ST/CSDHA/20.
and the administration of justice, with regard to children; such assistance may include technical advice in law
and criminal justice reform, including the promotion of alternative measures, such as alternatives to custody,
diversionary programmes, alternative dispute resolution, restitution, family conferences and community
services;

21. **Recommends** that technical cooperation programmes in the field of administration of justice with
regard to children should entail appropriate evaluation and follow-up procedures and that the United Nations
Children’s Fund, other relevant United Nations bodies, institutes comprising the United Nations crime
prevention and criminal justice programme network, national institutions and non-governmental organizations
should be involved as appropriate;

22. **Invites** the Committee on the Rights of the Child, as well as the Special Rapporteur on the sale of
children, child prostitution and child pornography and the Working Group on Arbitrary Detention of the
Commission on Human Rights to identify, in their reports, issues of particular concern with regard to the
protection of children and juveniles in detention for their consideration under programmes of technical
cooperation;

23. **Requests** the Secretary-General to include in his reports on technical assistance programmes and
advisory services in the field of criminal justice and the administration of justice the following aspects:

   (a) Existing possibilities for including specific needs of children and juveniles into concrete projects
       undertaken under those programmes;

   (b) Existing arrangements for the coordination of those programmes;

   (c) Current evaluation and follow-up procedures in that regard;

   (d) The scope for including projects for the promotion of alternative measures, such as alternatives to
       custody, diversionary programmes, alternative dispute resolution, restitution, family conferences and
       community services, under those programmes;

   (e) Possibilities for further strengthening United Nations action in this field through enhanced technical
       cooperation programmes;

24. **Invites** the Secretary-General, taking into account the conclusions of the report referred to in the
preceding paragraph, to consider ways of elaborating a programme of action aimed at promoting the effective
use and application of relevant United Nations human rights instruments in the administration of justice with
regard to children and of United Nations standards and norms in juvenile justice, giving due regard to the
work accomplished by the Commission on Human Rights and in cooperation with the Office of the United
Nations High Commissioner for Human Rights, the United Nations Children’s Fund and other agencies and
organizations concerned, within existing resources;

25. **Requests** the Secretary-General to submit a report on the implementation of these recommendations
to the Commission on Crime Prevention and Criminal Justice at its fifth session, including in particular that
contained in paragraph 24 above, and decides that the open-ended in-sessional working group of the
Commission, at its fifth session, should seek ways to develop and undertake practical activities, including
training, research and advisory services, to achieve the goal of preventing and eradicating violence against
children;
C. Elimination of violence against women

26. Requests the Secretary-General to forward Ninth Congress resolution 8, on the elimination of violence against women, to the Fourth World Conference on Women: Action for Equality Development and Peace, to be held at Beijing from 4 to 15 September 1995;

27. Urges the Commission on Crime Prevention and Criminal Justice to continue to consider the elimination of violence against women within its priority themes and within the training and technical assistance efforts of the United Nations crime prevention and criminal justice programme;

28. Requests the Secretary-General to seek the contributions of interested Member States, institutes comprising the United Nations crime prevention and criminal justice programme network, and intergovernmental and non-governmental organizations, in order to prepare a draft plan of action, in the context of crime prevention and criminal justice, on the elimination of violence against women that will provide practical and action-oriented suggestions on how to address this issue by means of, inter alia, legislative action, research and evaluation, technical cooperation, training and exchange of information;

29. Also requests the Secretary-General to seek the views of Member States, institutes comprising the United Nations crime prevention and criminal justice programme network, and intergovernmental and non-governmental organizations on the draft plan of action and, taking into account the views received and the outcome of the Fourth World Conference on Women, to submit the draft plan of action, as well as a report on the views received, to the Commission at its fifth session so that it may be discussed by the open-ended in-sessional working group of the Commission;

30. Urges the Commission on Crime Prevention and Criminal Justice to cooperate closely on the issue of the elimination of violence against women with other United Nations bodies, such as the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the Commission on Human Rights, including the Sub-committee on Prevention of Discrimination and Protection of Minorities and the Special Rapporteur on violence against women, its causes and its consequences, as well as with relevant experts and non-governmental organizations, as appropriate;

31. Invites the institutes in the United Nations crime prevention and criminal justice programme network to promote and undertake practical activities to eliminate violence against women, including the provision of training and advisory services, to develop proposals on other measures that could be taken in the field of crime prevention and criminal justice to eliminate violence against women and to submit a report on those issues to the Commission on Crime Prevention and Criminal Justice at its fifth session;

D. Victims of crime

32. Requests the Secretary-General to seek the views of Member States and relevant organizations on the advisability of preparing a manual on the use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.12

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12General Assembly resolution 40/34, annex.
DRAFT RESOLUTION II

Guidelines for the prevention of urban crime*

The Economic and Social Council.


Recalling also its resolutions 1992/22 of 30 July 1992 and 1993/34 of 27 July 1993,

Recalling further its resolution 1994/20 of 25 July 1994, as well as resolution 1, section IV, of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,¹¹ in which the Ninth Congress invited the Commission on Crime Prevention and Criminal Justice, at its fourth session, to finalize and adopt the proposed guidelines for cooperation and technical assistance in the field of urban crime prevention, contained in the annex to resolution 1994/20,


Aware of the universal character of urban crime,

Recognizing the usefulness of establishing guidelines to facilitate the prevention of urban crime,

Seeking to respond to the call by many States for technical cooperation programmes adapted to local conditions and needs,

1. Adopts the guidelines for cooperation and technical assistance in the field of urban crime prevention, annexed to the present resolution, which were considered by the Commission on Crime Prevention and Criminal Justice at its second, third and fourth sessions and by the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995, and which are designed to make urban crime prevention more effective;

*For the discussion, see chap. III.

¹¹A/CONF.169/16, chap. 1.


2. **Requests** the Commission on Crime Prevention and Criminal Justice to ensure the publication of the guidelines in the most appropriate form;

3. **Exhorts** Member States to report to the Secretary-General on their experiences in elaborating and evaluating projects dealing with urban crime prevention, taking into account the guidelines;

4. **Invites** the interregional, regional and affiliated institutes cooperating with the United Nations in the field of crime prevention and criminal justice and non-governmental organizations to share their experiences in urban crime prevention;

5. **Requests** the Secretary-General to transmit the guidelines to the United Nations Conference on Human Settlements (Habitat II), to be held at Istanbul from 3 to 14 June 1996;

6. **Requests** the Commission on Crime Prevention and Criminal Justice to consider practical ways of ensuring follow up on the use and application of the guidelines;

7. **Calls upon** the United Nations Development Programme, other relevant United Nations organizations and bodies, and international financial institutions to give appropriate consideration to the inclusion in their assistance programmes of projects dealing with urban crime prevention.

**Annex**

GUIDELINES FOR COOPERATION AND TECHNICAL ASSISTANCE IN THE FIELD OF URBAN CRIME PREVENTION

A. **Design and implementation of cooperation and assistance activities**:

1. Cooperation projects for urban crime prevention should take account of the principles set out below.

   1. **Local approach to problems**

2. Urban crime is characterized by a multiplicity of factors and forms. A multi-agency approach and a coordinated response at the local level, in accordance with an integrated crime prevention action plan, will often be helpful. This should involve:

   (a) A local diagnostic survey of crime phenomena, their characteristics, factors leading to them, the form they take and their extent;

   (b) The identification of all the relevant actors that could take part in compiling the above-mentioned diagnostic survey in crime prevention as well as in the fight against crime, for example public institutions (national or local), local elected officials, the private sector (associations, enterprises), the voluntary sector, community representatives etc.;

   (c) The establishment, wherever appropriate, of consultation mechanisms promoting closer liaison, the exchange of information, joint work and the design of a coherent strategy;

   (d) The elaboration of possible solutions to these problems in the local context.
2. Integrated crime prevention action plan

3. The authors of an integrated crime prevention action plan, in order for it to be comprehensive and efficient, should:

(a) Define:

(i) The nature and types of crime problems to be tackled, such as theft, robbery, burglary, racial attacks, drug-related crimes, juvenile delinquency and illegal possession of firearms, taking into account all the factors that may directly or indirectly cause such problems or contribute to them;

(ii) The objectives being pursued and the time by which they should be attained;

(iii) The action envisaged and the respective responsibilities of those involved *vis-à-vis* the implementation of the plan (for example, whether local or national resources are to be mobilized);

(b) Consider involving a range of actors representing in particular:

(i) Social workers, education, housing and health workers, in addition to the police, the courts, public prosecutors and probation services etc.;

(ii) The community: elected officials, associations, volunteers, parents, victims’ organizations etc.;

(iii) The economic sector: enterprises, banks, business, public transport etc.;

(iv) The media;

(c) Consider the relevance to the crime prevention action plan of such factors *is*:

(i) Relationships in the family, between generations or between social groups etc.;

(ii) Education, religious, moral and civic values, culture etc.;

(iii) Employment, training, measures for combating unemployment and poverty;

(iv) Housing and urbanism;

(v) Health, drug and alcohol abuse;

(vi) Government and community welfare aid for the least fortunate members of society;

(vii) Combating the culture of violence and intolerance;

(d) Consider providing for action at various levels:

(i) Primary prevention:

a. By promoting situational criminal prevention measures, such as target hardening and opportunity reduction;
b. By promoting welfare and health development and progress and by combating all forms of social deprivation;

c. By promoting communal values and respect for fundamental human rights;

d. By promoting civic responsibility and social mediation procedures;

e. By facilitating the adaptation of the working methods of the police and the courts;

(ii) Prevention of recidivism:

a. By facilitating the adaptation of methods of police intervention (rapid response, intervention within the local community etc.);

b. By facilitating the adaptation of methods of judicial intervention and implementation of alternative remedies:

   i. Diversification of methods of treatment and of measures taken according to the nature and seriousness of the cases (diversionary schemes, mediation, a special system for minors etc.);

   ii. Systematic research on the reintegration of offenders involved in urban crime through the implementation of non-custodial measures;

   iii. Socio-educational support within the framework of the sentence, in prison and as preparation for release from prison;

c. By giving an active role to the community in the rehabilitation of offenders;

(iii) After the sentence has been served: aid and socio-educational support, family support etc.;

(iv) Protection of victims by practical improvements in their treatment by means of the following:

a. Raising awareness of rights and how to exercise them effectively;

b. Reinforcing rights (in particular the right to compensation);

c. Introducing systems of victim assistance.

B. Implementation of the action plan

1. Central authorities

4. The central authorities, to the extent consistent with their competence, should

   (a) Provide active support, assistance and encouragement to local actors;

   (b) Coordinate national policy and strategies with local strategies and needs;

   (c) Organize consultation and cooperation mechanisms between the various administrations concerned at the central level.
2. **Authorities at all levels**

5. Competent authorities at all levels should:

   (a) Be constantly mindful of respect for the fundamental principles of human rights in promoting these activities;

   (b) Encourage and/or implement appropriate training and information to support all professionals involved in crime prevention;

   (c) Compare experiences and organize exchanges of know-how;

   (d) Provide a means of evaluating regularly the effectiveness of the strategy implemented and provide for the possibility of revising it.

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**DRAFT RESOLUTION III**

*Criminal justice action to combat the organized smuggling of illegal migrants across national boundaries*

The Economic and Social Council.

**Recalling** that the General Assembly, in its resolution 48/102 of 20 December 1993, requested the Commission on Crime Prevention and Criminal Justice at its third session to consider giving special attention to the question of the smuggling of migrants, in order to encourage international cooperation to address that problem within the framework of its mandate,

**Recalling also** its resolution 1994/14, adopted on the recommendation of the Commission on Crime Prevention and Criminal Justice at its third session, in which it, inter alia, condemned the practice of smuggling illegal migrants, recognized that such smuggling was a widespread criminal activity frequently involving highly organized international syndicates, acknowledged the substantial role played by organized transnational crime in such smuggling and called upon all States to take effective and expeditious measures, such as the enactment or amendment of domestic criminal law, providing appropriate penalties to combat all aspects of organized crime activities constituting such smuggling,

**Alarmed** by the significant increase in activities of transnational criminal organizations that profit illicitly by smuggling illegal migrants and threatening the lives and human rights of migrants.

**Concentrating its attention** on crime prevention and criminal justice, in particular the activities of those who organize and facilitate the smuggling of illegal migrants,

**Recognizing** that organized international criminal groups are becoming increasingly active and successful in smuggling individuals across national boundaries,

**Recognizing also** that by trafficking in illegal migrants such criminal groups often make enormous profits that are frequently used to finance numerous other criminal activities, thus bringing great harm to the States concerned,

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*For the discussion, see chap. III.*

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Concerned that such activities endanger the lives of the individual migrants involved and entail severe costs for the international community, including the costs of rescue, medical care, food, housing and transportation,

Acknowledging that socio-economic factors influence the problem of illegal migrant smuggling and also contribute to the complexity of present international migration,

Aware that smugglers, particularly in the State of destination of the illegal migrants being smuggled, often force migrants into forms of debt bondage or servitude, commonly involving criminal activities, in order to pay for their passage,

Convinced of the need for all States to provide humane treatment and to protect fully the human rights of migrants,

Recognizing that such illegal smuggling activity has high social and economic costs often contributing to official corruption, and burdens law enforcement agencies in all States where illegal migrants transit or are found,

Recalling the undertaking of States parties to the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, done at Geneva on 7 September 1956,\textsuperscript{16} to take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of the practice of debt bondage,

Reaffirming respect for the sovereignty and territorial integrity of all States, including their right to control immigration flows,

Concerned that the smuggling of illegal migrants undermines public confidence in policies and procedures for lawful immigration and for ensuring the protection of genuine refugees,

Noting that the smuggling of illegal migrants can involve criminal activities in many States, including the State where the smuggling scheme was planned, the State of nationality of the migrants, the State where the means of transport was prepared, the flag State of any vessels or aircraft that transport the migrants, States through which the migrants transit to their destination or in order to be repatriated and the State of destination,

Commending those States that have enacted effective domestic legislation permitting seizure and forfeiture of all property, both real and personal, that is knowingly used in organized criminal activities aimed at smuggling illegal migrants, as well as all property, both real and personal, that constitutes, or is derived from, the proceeds of the smuggling, illegal transport, or labour of illegal migrants,

Gravely concerned that a significant number of States have not yet enacted domestic criminal legislation to combat all aspects of the smuggling of illegal migrants,

1. Condemns once again the practice of smuggling illegal migrants in violation of international standards and national law, and without regard to the safety, well-being and human rights of the migrants;

2. Recognizes that the smuggling of illegal migrants continues to be a widespread international criminal activity frequently involving highly organized international syndicates that traffic in human cargo,

\textsuperscript{16}United Nations, Treaty Series, vol. 266, No. 3822, p. 3.
without regard for the dangerous and inhumane conditions to which illegal migrants are subjected, and in flagrant violation of domestic laws and international standards;

3. **Acknowledges** the substantial and harmful role played by organized transnational crime in illegal migrant smuggling activities in many parts of the world;

4. **Urges** States to share information, to coordinate law enforcement activities between national authorities in cooperation with the competent international bodies and carriers engaged in international transport, and to otherwise cooperate, if their law permits, in order to trace and arrest those who organize the smuggling of illegal migrants and to prevent the illegal transport by smugglers of third-country nationals through their territory;

5. **Calls upon** Member States and relevant specialized agencies and international organizations to take into account socio-economic factors and to cooperate at the bilateral and multilateral levels in addressing all aspects of the problem of organized smuggling of illegal migrants, including by promoting technical assistance in order to assist countries, at their request, in developing and implementing policies to prevent and criminalize clandestine traffic in illegal migrants and to punish those who engage in organizing such activity;

6. **Reaffirms** the need to observe fully international and national law in dealing with the smuggling of illegal migrants, including the provision of humane treatment and strict observance of all human rights of migrants;

7. **Reiterates** that international efforts to prevent the smuggling of illegal migrants should not inhibit legal migration or freedom of travel, or undercut the protection provided by international law to refugees;

8. **Encourages** States to take prompt and effective preventive measures, such as increasing vigilance at coastal ports, airports and land borders, as well as enhancing professional skills of relevant personnel, to frustrate the objectives and activities of those who organize the smuggling of illegal migrants, thus protecting would-be migrants from exploitation and loss of life;

9. **Calls upon** all States that have not yet done so to take effective and expeditious measures such as the enactment or amendment if necessary of domestic criminal law, with a range of enforcement measures, providing appropriate penalties to combat all aspects of organized criminal activities constituting the smuggling and transport of illegal migrants, such as the production or distribution of false travel documents, money-laundering, extortion and misuse of international commercial aviation and maritime transport in violation of international standards;

10. ** Welcomes** the report of the Secretary-General\(^\text{17}\) and the note by the Secretariat\(^\text{18}\) on measures taken by Member States and relevant specialized agencies and intergovernmental organizations to combat the smuggling of illegal migrants, which were prepared pursuant to General Assembly resolution 48/102;

11. **Requests** the Secretary-General to remind Member States that have not yet done so of the importance of responding to the notes verbales sent to all Member States on 10 February and 9 June 1994 concerning the criminal legislation that they have enacted and other measures that they have taken to combat the smuggling of illegal migrants and to submit to the Commission at its fifth session an updated report on

\(^{17}\text{A/49/350 and Add.1.}\)

\(^{18}\text{E/CN.15/1995/3.}\)
measures to combat such smuggling, containing a compilation and an analysis of the responses of Member States;

12. **Decides** that the ever-growing problem of organized smuggling of illegal migrants across national borders requires the continuing scrutiny of the international community in general and should be considered by the Commission on Crime Prevention and Criminal Justice at its fifth session in the context of the broader problem of organized transnational crime.

**DRAFT RESOLUTION IV**

**Implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime**

*The Economic and Social Council.*

Recalling General Assembly resolution 49/159 of 23 December 1994, in which the Assembly approved the Naples Political Declaration and Global Action Plan against Organized Transnational Crime and urged States to implement them as a matter of urgency.


Recalling further General Assembly resolution 46/152 of 18 December 1991, in which the Assembly approved the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme, contained in the annex to that resolution, Emphasizing the need for strengthened and improved international cooperation at all levels and for more effective technical cooperation to assist States in their fight against organized transnational crime,

1. Takes note of the report of the Secretary-General on proposals related to the programmatic aspects of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime;

2. Requests the Commission on Crime Prevention and Criminal Justice to ensure and monitor full implementation of the Naples Political Declaration and Global Action Plan;

3. Requests the Secretary-General to initiate the process of requesting the views of Governments on the opportunity and impact of international instruments such as a convention or conventions against organized transnational crime and on the issues and elements that could be covered therein, pursuant to the Naples Political Declaration and Global Action Plan;

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*For the discussion, see chap. Ill.

19 A/49/748, annex, chap. I, sect. A.

4. Also requests the Secretary-General, for the purpose of assisting the international community in increasing its knowledge of criminal organizations and their dynamics, to collect and analyse information on the structure and dynamics of organized transnational crime and on the responses of States to this problem, building on the experience and expertise of States and drawing on contributions from Governments, which could include teamwork by highly qualified experts, relevant organizations and individuals, taking into account work already done in this area;

5. Decides that an open-ended intergovernmental working group should be established, within the framework of the Commission, at its fifth session, to consider the results of the work described in paragraph 4 above, and the views of Governments requested in paragraph 3 above, and to propose further action on the implementation of the Naples Political Declaration and Global Action Plan;

6. Requests the Secretary-General to submit to Member States for their consideration at the fifth session of the Commission a proposal on the creation of a central repository for existing legislative and regulatory measures and information on organizational structures designed to combat organized transnational crime, taking into account the capabilities of the United Nations Crime and Justice Information Network and the activities of other United Nations and relevant intergovernmental bodies, with a view to making this information available to requesting Member States;

7. Urges Member States, entities of the United Nations system and relevant intergovernmental and non-governmental organizations to assist the Secretary-General in implementing the request contained in paragraph 6 above, also by providing relevant information and legislative and regulatory texts;

8. Requests the Secretary-General as necessary to submit concrete proposals to the Commission for approval, in order to develop, building on the experience and expertise of States and drawing on contributions from relevant organizations, practical models and guidelines for substantive and procedural legislation, in order to assist, in particular, developing countries and countries in transition, upon request, in reviewing and evaluating their legislation and in planning and undertaking reforms, taking into account existing practices and cultural, legal and social traditions;

9. Also requests the Secretary-General to provide advisory services and technical assistance to requesting Member States in needs assessment, capacity-building and training, as well as in the implementation of the Naples Political Declaration and Global Action Plan;

10. Further requests the Secretary-General to seek cooperation and to join efforts with other international, global and regional organizations and mechanisms that have played an active role in combating money-laundering in order to reinforce common regulatory and enforcement strategies in that area and to assist States, upon request, in assessing their needs in treaty development and the development of criminal justice infrastructure and human resources and to provide technical assistance and as necessary to compile, drawing upon the expertise of Member States, as well as of other relevant organizations appropriate manuals, taking into account differences in legal systems, using the expertise and cooperation of all the institutes and other relevant entities of the United Nations crime prevention and criminal justice programme, including the International Scientific and Professional Advisory Council;

11. Further requests the Secretary-General to avail himself of the assistance of experts with extensive experience in the field of prevention and control of organized crime indicated by Member States, who might be called upon in connection with technical cooperation activities;
12. Welcomes with appreciation the preliminary report\textsuperscript{21} of the meeting of the international task force to study the feasibility of establishing an international training centre for law enforcement and criminal justice personnel and encourages the Government of Italy and the Governments of the other States members of the international task force to continue and finalize its work, in accordance with the resolution\textsuperscript{22} adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994, with a view to informing the General Assembly at its fiftieth session;

13. Requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice on the implementation of the present resolution, including proposals for further action aimed at the full implementation of the Naples Political Declaration and Global Action Plan.

DRAFT RESOLUTION V

Establishment of a clearing-house for international projects
in the field of crime prevention and criminal justice\*  

The Economic and Social Council,

Recalling General Assembly resolution 46/152 of 18 December 1991, in which the Assembly decided that the United Nations crime prevention and criminal justice programme should be devoted to providing States with practical assistance to achieve the goals of preventing crime and improving the response to crime,

Recalling also its resolution 1994/22 of 25 July 1994, in which it requested the Secretary-General to establish a database on technical assistance, integrating needs of Member States, particularly developing countries, as well as on existing collaborative arrangements and funding, taking into account regional concerns,

Recognizing the need for maximum efficiency and effective utilization of increasingly scarce developmental assistance at a time of growing difficulties in the prevention and control of crime,

Recognizing also that improving the clearing-house capacity of the United Nations crime prevention and criminal justice programme requires a steady and concerted effort on the part of Member States and other entities including institutes cooperating within the programme to work more closely and effectively in advancing the electronic exchange of information, the computerization of the administration of criminal justice, and the collection and dissemination of crime and justice information,

Recognizing further that the improvement of the clearing-house capacity of the United Nations crime prevention and criminal justice programme requires continuous efforts to create and maintain databases on current crime and justice developments globally, regionally and subregionally, the information from which should be made available through the computerized United Nations Crime and Justice Information Network, as part of a broader clearing-house function carried out by that programme,

\textsuperscript{21}E/CN.15/1995/11.

\textsuperscript{22}A/49/748, annex, chap. I, sect. B.

\*For the discussion, see chap. IV.

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Conscious that the present capacity of the Crime Prevention and Criminal Justice Branch of the Secretariat lags behind the growing need to provide timely information at the request of Member States and other interested parties, and that the management of the databases listed in the programme budget for the Branch requires a coordinated effort on the part of those parties,

Having considered the report of the Secretary-General\(^2\) on proposals for improving the clearing-house capacity of the United Nations crime prevention and criminal justice programme, prepared in response to resolution 3/3 of the Commission on Crime Prevention and Criminal Justice,

Noting that, in recent years, many international projects on crime prevention and criminal justice have targeted States in central and eastern Europe,

Fully aware that international cooperation is essential to successful efforts against international criminal activity,

Recognizing that there is no existing central repository with information on planned, ongoing or projected training and other projects in the field of crime prevention and criminal justice,

Taking note of the report of the Secretary-General on proposals for improving the clearing-house capacity of the United Nations crime prevention and criminal justice programme, consolidating the approach to relevant crime and justice information activities which should further be intensified and be made operational,

Taking note also of the initiatives taken by the European Institute for Crime Prevention and Control, affiliated with the United Nations, in the areas of the present resolution,

1. Requests the Secretary-General, subject to the availability of extrabudgetary funds, to initiate a project to establish a regional database on international training and technical assistance projects in the field of crime prevention and criminal justice which, upon completion, would provide interested Governments, international organizations and other entities with information on concluded, ongoing or planned international projects in consultation and cooperation with the European Institute for Crime Prevention and Control, affiliated with the United Nations, which has offered to manage the database;

2. Invites all Member States, international organizations and other entities engaged in collaborative training and technical assistance projects in central and eastern Europe in the field of crime prevention and criminal justice to provide, to the extent of their ability, information to the Secretary-General for a regional clearing-house to facilitate the exchange of information to assist policy makers in all Member States in better allocating resources, identifying potential partners in cooperative projects and opportunities for collaborative action and improving support for an incremental approach to better prevent crime and ensure criminal justice, on the understanding that all information provided to the database may be restricted at the request of the provider;

3. Takes note of the form for providing information on technical assistance in the field of crime prevention and criminal justice, contained in annex II of the report of the Secretary-General\(^2\) on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme;


4. **Recommends** that the Secretary-General should view the project as a pilot project aimed at demonstrating the utility of a regional database on crime prevention and criminal justice, with a view to considering additional regional databases, or a global database;

5. **Requests** the Secretary-General to present the results of the pilot project to the Commission on Crime Prevention and Criminal Justice at its fifth session.

**DRAFT RESOLUTION VI**

*United Nations standards and norms in crime prevention and criminal justice*

*The Economic and Social Council.*

*Reaffirming* the importance of United Nations standards, norms and guidelines in crime prevention and criminal justice,

*Underlining* the need for further coordination and concerted action in translating those standards and norms into practice,

*Recalling* its resolution 1993/34 of 27 July 1993, in section III of which it requested the Secretary-General to commence without delay a process of information-gathering to be undertaken by means of surveys, such as reporting systems, and contributions from other sources,

*Recalling also* its resolution 1994/18 of 25 July 1994, in which it endorsed the questionnaires on the Standard Minimum Rules for the Treatment of Prisoners,\(^6\) the Code of Conduct for Law Enforcement Officials,\(^25\) including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,\(^26\) the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power\(^12\) and the Basic Principles on the Independence of the Judiciary\(^27\) and requested the Secretary-General to submit to the Commission at its fifth session a report on the replies to those questionnaires,

1. **Notes** that the Secretary-General has received a number of replies from Governments and other sources to the questionnaires on the use and application of United Nations standards and norms on crime prevention and criminal justice, pursuant to Economic and Social Council resolutions 1993/34, section III, and 1994/18;

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\(^{*}\)For the discussion, see chap. V.

\(^{25}\)General Assembly resolution 34/169, annex.


2. ** Urges Governments that have not yet replied to the questionnaires to submit their replies in time to be included in the report of the Secretary-General on the use and application of the United Nations standards and norms, pursuant to Economic and Social Council resolution 1994/18; **

3. **Requests the Secretary-General to develop questionnaires on the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, to be considered by the Commission on Crime Prevention and Criminal Justice at its fifth session, taking into account the results of the above-mentioned surveys, with a view to requesting the Secretary-General to submit a report on the replies to the Commission at a subsequent session, in accordance with Economic and Social Council resolution 1993/34, section III, paragraph 7 (c); **

4. **Decides that the Commission at its sixth session will consider the following United Nations standards, norms and guidelines in crime prevention and criminal justice with a view to requesting the Secretary-General to develop appropriate measures:**

(a) **The United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules);**

(b) **The Guidelines on the Role of Prosecutors;**

(c) **The Basic Principles on the Role of Lawyers;**

5. **Requests the Secretary-General to ensure adequate time for consideration of the reports by the open-ended in-sessional working group of the Commission;**

6. **Invites the open-ended in-sessional working group of the Commission at its fifth session to undertake an overall review of the information-gathering system, pursuant to Economic and Social Council resolution 1993/34, section III, and to discuss ways of further improving that system;**

7. **Recognizes the importance of the publication of the English version of the Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice and expresses its gratitude to the Government of the United Kingdom of Great Britain and Northern Ireland for its valuable contribution to the reprinting of that publication;**

8. **Expresses its appreciation of the valuable contribution of the Governments of China, France and the Russian Federation to the translation of the Compendium into other official languages of the United Nations;**

9. **Welcomes the publication of the Compendium in Portuguese by the Government of Portugal and encourages other Governments to publish it in the languages of their countries;**

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29 Ibid., sect. B.3, annex.

30 United Nations publication, Sales No. E.92.IV.1.
10. Requests the Secretary-General to continue to promote the use and application of United Nations standards and norms in crime prevention and criminal justice, inter alia, by providing advisory services and technical cooperation, when requested by Member States, by providing assistance to Member States in criminal justice and law reform and organizing seminars for training law enforcement and criminal justice personnel;

11. Also requests the Secretary-General to seek the views of Member States and relevant organizations on the advisability of preparing a manual on the use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power;

12. Further requests the Secretary-General to encourage the coordination of activities related to the use and application of standards and norms between the Crime Prevention and Criminal Justice Branch of the Secretariat and other relevant United Nations entities, such as the United Nations International Drug Control Programme and the Office of the High Commissioner for Human Rights, so as to heighten their efficacy and avoid overlapping in the implementation of their programmes;


DRAFT RESOLUTION VII

Action against corruption*

The Economic and Social Council,

Concerned at the seriousness of problems posed by corruption, which may endanger the stability and security of societies, undermine the values of democracy and morality and jeopardize social, economic and political development,

Also concerned about the links of corruption with other forms of crime, particularly organized crime, economic crime and money-laundering,

Convinced that since corruption is a phenomenon that can cross national borders and affect all societies and economies, international cooperation to prevent and control it is essential,

Deeply concerned about the problems faced by States in this regard,

Convinced of the need to provide technical assistance to developing countries and countries in transition designed to improve public management systems and enhance accountability and transparency,


*For the discussion, see chap. V.


Welcoming the results of the plenary meeting on experiences in and practical measures aimed at combating corruption involving public officials, held at the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

1. Urges States, as necessary, to develop and implement specific and comprehensive anti-corruption strategies to enhance accountability, by adopting and enforcing civil, administrative, fiscal and criminal law measures, emphasizing, inter alia, transparency and fairness, including legislation to regulate and sanction corrupt forms of corporate behaviour and provide for the forfeiture and/or confiscation of proceeds derived from corrupt practices;

2. Also urges States to increase their capacity for the prevention, detection, investigation and prosecution of corrupt practices, by promoting public awareness, by appropriately strengthening their criminal justice systems and by establishing, as appropriate, independent bodies for the prevention and control of corruption;

3. Further urges States to increase and improve international cooperation for the prevention and control of corruption, including the use of arrangements for extradition, mutual legal assistance, the sharing of information and the collection of evidence;

4. Takes note of the draft international code of conduct for public office holders, in its revised form, contained in the annex to the present resolution, and of the work done to date in revising the text on the basis of comments received from Governments and requests the Secretary-General to continue his consultations with Governments to further revise the text and to present it to the Commission on Crime Prevention and Criminal Justice at its fifth session for consideration and action;

5. Urges States to provide their comments to the Secretary-General in order to facilitate the further revision of the draft international code of conduct for public office holders;

6. Requests the Secretary-General to review and expand the manual on practical measures against corruption, seeking contributions from other relevant international organizations, with a view to increasing its use, in advisory services, training and other technical assistance activities;

7. Requests the Secretary-General to cooperate and coordinate with other entities of the United Nations system and relevant international organizations, within their respective mandates, in undertaking joint activities in the field of the prevention and control of corruption and in maximizing the effect of such activities;

8. Calls upon States, relevant international organizations and financing institutions to extend to the Secretary-General their full support and assistance in the implementation of the present resolution;

9. Requests the Secretary-General, in cooperation with the interregional and regional institutes of the United Nations crime prevention and criminal justice programme network, to study the effects of anti-

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32International Review of Criminal Policy, Nos. 41 and 42 (United Nations publication, Sales No. E.93.IV.4).
corruption strategies in order to provide a comparative review of the most effective practices and to develop training and awareness curricula;

10. Requests the Commission on Crime Prevention and Criminal Justice to keep the issue of action against corruption under regular review;

11. Requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its sixth session on the implementation of the present resolution.

Annex

DRAFT INTERNATIONAL CODE OF CONDUCT FOR PUBLIC OFFICE HOLDERS

I. GENERAL PRINCIPLES

1. A public office, as defined by national law, is a position of trust, implying a duty to act in the public interest. Therefore, the primary loyalty of public office holders shall be to the public interests of their country as expressed through the democratic institutions of government, and not to persons, political parties or specific government departments or agencies.

2. Public office holders shall ensure that they perform their functions in an efficient and effective manner. They shall at all times seek to ensure that public resources for which they are responsible are administered in the most effective and efficient manner.34

[2 bis. Public office holders shall be responsible for the proper conduct of the functions assigned to them by their hierarchical superior. Public office holders shall be under the obligation not to obey orders which do not conform to law and to accordingly inform their hierarchical superior. If their hierarchical superior revises the order in writing, such order shall be executed. In this case, responsibility shall rest with the

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33The draft international code of conduct for public office holders was prepared by the Secretariat pursuant to resolution 7 of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. An earlier version of it was contained in annex II of the discussion guide on demonstration and research workshops (A/CONF.169/PM.1/Add.1). The Commission on Crime Prevention and Criminal Justice reviewed the draft and commented on it at its third session. Pursuant to Economic and Social Council resolution 1994/19, adopted on the recommendation of the Commission, the Director-General of the United Nations Office at Vienna sent the draft code to Member States seeking their comments. To date only two countries have provided comments and suggestions for amendments. The draft code in its present form was prepared by the Secretariat in the light of those comments and suggestions, the observations made during the third and fourth sessions of the Commission, and the input of the five regional preparatory meetings for the Ninth Congress. Revisions in the text are clearly marked for ease of reference.

The deletions mentioned in notes 34-41 below refer to words appearing in the version of the draft international code contained in the discussion guide (A/CONF.169/PM.1/Add.1, annex II) or in the background paper prepared by the Secretariat on international action against corruption (A/CONF.169/14, annex I).

34Former paragraph 2 deleted.

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hierarchical superior. The order whose objective constitutes a crime shall not be executed under any circumstances.]

3. Public office holders shall be attentive, fair and impartial in the performance of their functions and, in particular, in their relations with the public. They shall at no time afford any undue preferential treatment to any group or individual, discriminate against any group or individual, or otherwise abuse the power and authority vested in them. [This provision should not be interpreted as excluding any officially approved affirmative action policies to assist disadvantaged groups.]

II. CONFLICTS OF INTEREST AND DISQUALIFICATION

4. Public office holders shall never in any way use their official authority for the advancement of their own or their family’s personal or financial interest. They shall not engage in any transaction, acquire any position or function, or have any financial, commercial or other comparable interest that is incompatible with their office, functions and duties, or the discharge thereof.

5. All public office holders designated under national law shall, unless exempted, declare relevant business, commercial and financial interests, or activities undertaken for financial gain upon entering the service. This information shall be updated regularly. In situations of possible or perceived conflict of interest between public office holders’ public duties and private interests, they shall disqualify themselves from any decision-making process relating to such conflict of interest.

6. Public office holders shall at no time use public property, services, or information acquired in the performance of, or as a result of, their official duties for activities not related to their official work.

7. Within a stated period after separation from public service, public office holders holding managerial positions shall, within the framework of national law, obtain governmental permission prior to accepting employment or consultancy assignments from business or private concerns that are in financial relationship with the governmental department or agency in which such officials were employed. During the same period after separation, such permission shall also be required prior to engaging in any private or business activity related to, or dependent on, their previous position in public service.

III. DISCLOSURE OF ASSETS

8. Public office holders holding managerial or policy-making positions as designated by and pursuant to procedures established by national law, shall disclose all personal property, assets and liabilities, as well as those of their spouses and/or other dependants. Such office holders shall also provide detailed information on the source of any property or asset acquired after their appointment to a senior post. All information
provided shall be treated as confidential and may only be disclosed within the framework of special procedures.

IV. ACCEPTANCE OF GIFTS OR OTHER FAVOURS

9. Public office holders shall not place themselves in a position of being under the moral obligation to accord preferential treatment of special consideration to any person or entity, [for instance by accepting directly or indirectly any gift, gratuity, favour, entertainment, loan or anything of monetary value, above a certain limit to be defined by their employer].

[Alternative formulation: Public office holders must, as a matter of principle, refuse any gift which may have an influence on the exercise of their functions, performance of their duties or their judgement.]

V. CONFIDENTIAL INFORMATION

10. Matters of a confidential nature in the possession of public office holders shall be kept confidential, unless the performance of duty or the needs of justice strictly require otherwise.\(^{39}\) Such restrictions shall apply also after separation from service.

VI. POLITICAL ACTIVITY

11. The political activity of public office holders shall not be such as to impair public confidence in the impartial performance of their functions and duties.\(^{40}\)

VII. REPORTING, DISCIPLINARY ACTION AND IMPLEMENTATION

[12. Public officials should report violations of this Code to the appropriate authorities.\(^{41}\)]

[13. Public officials who knowingly and deliberately, or recklessly disregard the provisions of this Code shall be subject to the appropriate disciplinary and administrative measures.]

[14. Serious violations of the provisions of this Code may also be punishable by criminal sanctions, including forfeiture and confiscation of illicit proceeds with compensation to any injured party.]

[Alternative formulations for a single paragraph to replace paragraphs 13 and 14:

Alternative 1: Public office holders who violate the provisions of this Code shall be subject to the appropriate disciplinary, administrative or penal measures, as determined by national legal principles and procedures.

\(^{39}\)See the Code of Conduct for Law Enforcement Officials (General Assembly resolution 34/169, annex, article 4).

\(^{40}\)Former paragraph 13 deleted.

\(^{41}\)Deletion.

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Alternative 2: Public office holders who deliberately or negligently violate the provisions of this Code shall be subject to disciplinary measures. Serious violations may also be punishable by criminal sanctions, including forfeiture and confiscation of illicit proceeds with compensation to any injured party.]

DRAFT RESOLUTION VIII

Technical cooperation and interregional advisory services in crime prevention and criminal justice*

The Economic and Social Council,

Recalling its resolution 1994/22 of 25 July 1994, on technical cooperation in the field of crime prevention and criminal justice,

Recalling also its resolution 1994/16 of 25 July 1994, in which it requested the Secretary-General to provide adequate funds to build and maintain the institutional capacity of the United Nations crime prevention and criminal justice programme to respond to requests of Member States for assistance in the field of crime prevention and criminal justice, if necessary through the reallocation of resources,

Recalling further General Assembly resolution 49/158 of 23 December 1994, on strengthening the United Nations crime prevention and criminal justice programme, particularly its technical cooperation capacity,

Convinced that establishing the rule of law and maintaining efficient criminal justice systems is one of the essential elements of developmental efforts, and recognizing the direct relevance of crime prevention and criminal justice to sustained development, stability, security and improved quality of life,

Underlining the fact that one of the most effective ways to meet the needs of States in this area is through operational activities, such as advisory services, training programmes and the dissemination and exchange of information,

Recognizing the need, in making specific proposals on the resolutions of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders related to technical cooperation and advisory services, to take into account the capacity of the United Nations crime prevention and criminal justice programme and its future role in providing services in that field,

1. Takes note with appreciation of the report of the Secretary-General\textsuperscript{24} on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme;

2. Welcomes the call of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders\textsuperscript{42} for intensified efforts to strengthen the rule of law by means of international cooperation and practical technical assistance;

\textsuperscript{*}For the discussion, see chap. V.

\textsuperscript{42}A/CONF.169/16, chap. I, resolution 2.
3. **Reaffirms** the high priority attached to technical cooperation and advisory services as a means for the United Nations crime prevention and criminal justice programme to respond to the needs of the international community in the face of both national and transnational criminality and to assist Member States in achieving the goals of preventing crime within and among States and improving the response to crime, in accordance with General Assembly resolution 46/152 of 18 December 1991, on the creation of an effective United Nations crime prevention and criminal justice programme, and in line with the recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

4. **Stresses** the importance of continuing to improve the operational activities of the United Nations crime prevention and criminal justice programme, particularly in developing countries and countries in transition, in order to meet the needs of Member States, at their request, for support in crime prevention and criminal justice, by undertaking advisory services and training programmes and by carrying out field studies and action-oriented research at the regional, subregional, national and local levels, also drawing upon extrabudgetary contributions;

5. **Expresses its appreciation** to Member States and other entities supporting the United Nations crime prevention and criminal justice programme, through contributions to the United Nations Crime Prevention and Criminal Justice Fund or by other means, and invites them to continue their support;

6. **Invites** Member States to contribute to the activities of the United Nations crime prevention and criminal justice programme by other means, for example by providing the services of associate experts, by providing the services of consultants and experts for training purposes and advisory missions, by developing training manuals and other material, by offering fellowship opportunities and by hosting problem-oriented workshops and expert group meetings;

7. **Calls upon** the United Nations Development Programme, the World Bank and other international, regional and national funding agencies to support technical cooperation activities devoted to crime prevention and criminal justice and, in pursuance of their mandates, to include such activities in their programmes, utilizing the expertise of the United Nations crime prevention and criminal justice programme in such activities and cooperating closely on relevant technical assistance projects and advisory missions;

8. **Calls upon** all relevant international, intergovernmental and non-governmental organizations to continue cooperating with the United Nations crime prevention and criminal justice programme in support of its operational and technical activities;

9. **Requests** the Secretary-General to facilitate, as appropriate, joint initiatives and the joint formulation and implementation of technical assistance projects, involving interested donor countries, funding agencies and other relevant entities, and to organize meetings of interested donor and recipient countries;

10. **Takes note with appreciation** the contribution of the United Nations crime prevention and criminal justice programme to United Nations peace-keeping and special missions, as well as to its contribution to the follow-up to those missions, inter alia, through advisory services, and encourages the Secretary-General, as a way of strengthening the rule of law, to recommend the inclusion of the re-establishment and reform of criminal justice systems in peace-keeping operations;

11. **Takes note** of the work of the crime prevention and criminal justice programme on collecting and disseminating data and other information on technical cooperation projects and requests the Secretary-General to further strengthen the capacity of the Secretariat to establish and develop relevant databases, by cooperating in this endeavour with the United Nations Development Programme and the network of institutes cooperating with the United Nations crime prevention and criminal justice programme;

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12. Reiterates its appreciation for the provision of services of two interregional advisers for crime prevention and criminal justice and strongly recommends to the Secretary-General that those posts should be retained and that the interregional advisory services of the United Nations crime prevention and criminal justice programme should be further strengthened to support technical assistance activities, including short-term advisory services, needs assessment, feasibility studies, field projects, training and fellowships;

13. Requests the Secretary-General to provide, within the regular budget, appropriate resources for the United Nations crime prevention and criminal justice programme to provide better planning support and backstopping for the interregional advisory services, in accordance with General Assembly resolution 49/158 and Economic and Social Council resolutions 1994/16 and 1994/22.

C. Draft decisions for adoption by the Economic and Social Council

3. The Commission on Crime Prevention and Criminal Justice also recommends to the Economic and Social Council the adoption of the following draft decisions:

DRAFT DECISION I

Appointment of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute*

The Economic and Social Council decides to endorse the appointment by the Commission on Crime Prevention and Criminal Justice at its fourth session of Jan J. M. van Dijk (Netherlands), Károly Bárd (Hungary) and Adedokun A. Adeyemi (Nigeria) to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute.

DRAFT DECISION II

Organization of work for the fifth session of the Commission on Crime Prevention and Criminal Justice**

The Economic and Social Council decides that the Commission on Crime Prevention and Criminal Justice at its fifth session, addition to plenary meetings, should be provided with full interpretation services for a total of 14 meetings for informal consultations on draft proposals and for meetings of open-ended working groups, with the precise allocation of time for the different types of meetings to be determined by the Commission at its fifth session under its agenda item entitled "Adoption of the agenda and organization of work". This decision is taken on the understanding that no more than two meetings will be held concurrently, in order to ensure maximum participation of delegations.

*For the discussion, see chap. VI.

**For the discussion, see chap. VIII.

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DRAFT DECISION III

Report of the Commission on Crime Prevention and Criminal Justice on its fourth session and provisional agenda and documentation for the fifth session of the Commission*

The Economic and Social Council,

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its fourth session;

(b) Approves the provisional agenda and documentation for the fifth session of the Commission set out below.

PROVISIONAL AGENDA AND DOCUMENTATION FOR THE FIFTH SESSION OF THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE

1. Election of officers.

(Legislative authority: rule 15 of the rules of procedure of the functional commissions of the Economic and Social Council and Commission decision 1/101)

2. Adoption of the agenda and organization of work.

(Legislative authority: Economic and Social Council resolution 1992/1; rules 5 and 7 of the rules of procedure of the functional commissions of the Economic and Social Council)


Documentation

Report of the Secretary-General on international, regional and other initiatives for the prevention and control of the laundering of the proceeds of crime and the control of such proceeds

(Legislative authority: Economic and Social Council resolution 1994/13, para. 10)

Report of the Secretary-General on measures to combat the smuggling of illegal migrants

(Legislative authority: draft resolution III, para. 11)

Report of the Secretary-General on the open-ended intergovernmental working group on the establishment of a regional centre for training and research on crime prevention and criminal justice for the Mediterranean States

(Legislative authority: draft resolution I, section I, para. 8)

*For the discussion, see chap. VIII.
Report of the Secretary-General on the feasibility of establishing an integrated system for the periodic gathering and dissemination of information on national legislation on crime prevention and criminal justice, and its implementation

(Legislative authority: draft resolution I, section II, para. 4)

Note of the Secretary-General on the draft international code of conduct for public office holders

(Legislative authority: draft resolution VII, para. 4)

Report of the intergovernmental group of experts on mechanisms of international cooperation, including the United Nations model treaties on international cooperation in criminal matters, and the development of model legislation on extradition and related forms of international cooperation

(Legislative authority: draft resolution I, section I, para. 7)

Report of the Secretary-General on the views of Member States on measures for combating transnational organized crime, including the drafting of a code of conduct or other legal instrument, with due regard to the growing danger of links between organized crime and terrorist crimes

(Legislative authority: draft resolution I, section II, para. 10)

Report of the Secretary-General on proposals for the creation of a central repository of existing legislative and regulatory measures and information organizational structures designed to combat transnational organized crime

(Legislative authority: draft resolution IV, para. 6)

Report of the Secretary-General on the implementation of the recommendations on children as victims and perpetrators of crime

(Legislative authority: Commission decision 3/1; draft resolution I, section IV, para. 25)

Report of the Secretary-General on the implementation of [draft resolution IV], including proposals for further action aimed at the full implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime

(Legislative authority: draft resolution IV, para. 13)

Report of the Secretary-General containing the text of and the views received on a draft plan of action on the elimination of violence against women

(Legislative authority: draft resolution I, section IV, paras. 28 and 29)

Report on practical measures to be taken in the field of crime prevention and criminal justice to eliminate violence against women

(Legislative authority: Commission decision 3/1; draft resolution I, section IV, para. 31)

Report of the Secretary-General on a draft action plan on international cooperation and assistance in regard to statistical and computerized applications in the management of the criminal justice system
4. Measures to regulate firearms.

Documentation

Report of the Secretary-General on the implementation of resolution 9 of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, on firearms regulation for purposes of crime prevention and public safety, including a progress report on the study on the use of firearms in criminal cases, accidents and suicides, transnational illicit trafficking in firearms, national legislation and regulations relevant to firearms regulation and recommendations for further concerted action at the regional and interregional levels.

(Legislative authority: draft resolution I, section IV, paras. 8 and 12)


Documentation

Report of the Secretary-General on proposals for the substantive topics of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, including observations on the new structure and format of the United Nations congresses.

(Legislative authority: General Assembly resolutions 415 (V) and 46/152)


Documentation

Report of the Secretary-General on technical cooperation and advisory services of the United Nations crime prevention and criminal justice programme.

(Legislative authority: Economic and Social Council resolution 1992/22, section VII, para. 2; Commission resolution 4/1, para. 4; draft resolution I, section IV, para. 23; and draft resolution VIII)


Documentation

Report of the Secretary-General on United Nations standards and norms in the field of crime prevention and criminal justice.

(Legislative authority: Economic and Social Council resolution 1992/22; draft resolution VI, section VI, para. 3)

Reports of the Secretary-General on the use and application of selected United Nations standards and norms

(Legislative authority: Economic and Social Council resolutions 1993/34 III, para. 7 (c) and 1994/18, para. 15; draft resolution VI, para. 2)
Note by the Secretary-General on questionnaires on selected United Nations standards

(Legislative authority: draft resolution VI, para. 3)

Report of the Secretary-General on the development of minimum rules for the administration of criminal justice

(Legislative authority: Commission resolution 4/2)

8. Cooperation and coordination of activities with other United Nations bodies and other entities.

Documentation

Report of the Secretary-General on cooperation and coordination of activities in crime prevention and criminal justice, including the United Nations International Drug Control Programme

(Legislative authority: Commission resolution 3/5, para. 7)

Report on the activities of the institutes comprising the United Nations crime prevention and criminal justice programme network

(Legislative authority: Economic and Social Council resolution 1992/22, section IV, para. 2)


(Legislative authority: Commission resolutions 1/1 and 4/3, para. 4)

I. Programme questions.

II. Provisional agenda for the sixth session of the Commission.

III. Adoption of the report of the Commission on its fifth session.

D. Matters brought to the attention of the Council

4. The attention of the Council is also drawn to the following resolutions adopted by the Commission.

Resolution 4/1. Succession of States in respect of international treaties on combating various manifestations of crime*

The Commission on Crime Prevention and Criminal Justice,

Recalling its resolution 3/4 of 5 May 1994,

Recalling also relevant resolutions of the Commission on Human Rights in which the Commission, inter alia, encouraged successor States to confirm to appropriate depositories that they would continue to be bound by obligations under international human rights treaties.

*For the discussion, see chap. IV.
Considering that the widest possible adherence to international treaties, in particular those on combating such serious crimes as illicit drug trafficking, the taking of hostages and hijacking, is one of the conditions for effective international cooperation in this field,

Emphasizing the special importance of the consistent and effective implementation of international instruments on combating crime,

Recognizing the need to intensify and coordinate efforts against the most dangerous manifestations of crime in order to ensure concerted global action,

Noting that the confirmation by successor States to appropriate depositories that they will continue to fulfil obligations of their predecessor States under international treaties on combating various manifestations of crime is important for successful action by the international community against the evils of crime,

Noting the progress made in the confirmation by some successor States of their obligations under international treaties on combating crime,

1. Reiterates its call to successor States that have not yet done so to confirm to appropriate depositories that they will continue to be bound by obligations under relevant international treaties on combating various manifestations of crime, to which their predecessor States were parties;

2. Urges the successor States that have not yet done so to consider becoming parties to the international treaties on combating crime, to which their predecessor States were not parties;

3. Requests the Secretary-General to continue to render advisory services, upon request, with regard to the legal aspects of succeeding to or becoming party to international treaties on combating crime to successor States that are Members of the United Nations;

4. Also requests the Secretary-General to include, in his report on technical cooperation to be submitted to the Commission on Crime Prevention and Criminal Justice at its fifth session, information received from Member States on the progress achieved in that area.

Resolution 4/2. Proposal for the development of minimum rules for the administration of criminal justice*

The Commission on Crime Prevention and Criminal Justice.

Taking note of the report of the Secretary-General43 on the development of United Nations minimum rules for the administration of criminal justice, prepared in pursuance of Economic and Social Council resolution 1994/17 of 25 July 1994,

Welcoming the replies received from States and institutions to a request from the Secretary-General for comments on the desirability of preparing and adopting minimum rules for the administration of criminal justice,

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*For the discussion, see chap. V.

43E/CN.15/1995/7/Add.1.

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Considering that it requires further comments on the subject in order to facilitate its consideration of the matter,

Requests the Secretary-General to seek more comments from States on the advisability and on the specific content of the draft minimum rules for the administration of criminal justice in order for him to submit an analytical report, including options on how to proceed in this matter, to be considered by the Commission on Crime Prevention and Criminal Justice at its fifth session.

Resolution 4/3. Provision of information in accordance with the plan for strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations crime prevention and criminal justice programme *

The Commission on Crime Prevention and Criminal Justice.

Recognizing that in the statement of principles and programmes of action of the United Nations crime prevention and criminal justice programme, paragraphs 21 and 22, annexed to General Assembly resolution 46/152 of 18 December 1991, criteria for determining the priorities and supervision of the programme were set out,

Recalling that in its resolution 1/1, annex, it adopted a plan for strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations crime preventor and criminal justice programme in order to carry out those criteria,

Believing that the provision of information on proposed activities would assist it and Member States in implementing its resolution 1/1,

1. **Decides** that in implementing its resolution 1/1 at its fifth and subsequent sessions, the type of information set out in the annex to the present resolution would be useful in its consideration of draft resolutions;

2. **Also decides** that it should examine the information provided through the use of the annex to the present resolution prior to taking action on a proposed activity;

3. **Further decides** that if a proposed activity is subsequently implemented, the Secretariat should report annually on the progress made in implementing that activity under the relevant item of the agenda of the Commission on Crime Prevention and Criminal Justice;

4. **Further decides** that, commencing with its fifth session, a standing item should be included in its agenda so that it may review the extent to which activities have been successfully implemented in accordance with its resolution 1/1 and the information provided in accordance with the annex to the present resolution;

5. **Requests** the Secretary-General to provide Member States with the necessary assistance to implement the present resolution, including the provision of information on the availability of resources and, when a proponent of a proposed activity cannot provide information of the type set out in the annex to the present resolution, the Secretariat can be requested to assist.

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*For the discussion, see chap. VII.
Annex

INFORMATION TO BE PROVIDED IN ACCORDANCE WITH THE PLAN FOR STRATEGIC MANAGEMENT BY THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE OF THE UNITED NATIONS CRIME PREVENTION AND CRIMINAL JUSTICE PROGRAMME

The statement of information should contain, to the extent possible, the following information:

(a) The proposed activity and its scope, including a clear delineation of the specific tasks to be carried out;

(b) A proposed timetable for carrying out the proposed activity;

(c) Identification of the United Nations or other body that could carry out the activity or any portion of it;

(d) A description of the extent to which the proposed activity has already been carried out by any United Nations or other body;

(e) Identification of resources available to any United Nations body to carry out the proposed activity;

(f) Where applicable, identification of any potential commitment of regular and extrabudgetary resources for the proposed activity made by the United Nations and any entity other than the United Nations;

(g) The outcome anticipated by the undertaking of the activity.