Chapter I

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

A. Draft resolutions 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 the approval of the following draft resolutions for adoption by the General Assembly:

DRAFT RESOLUTION I

Action against corruption*

The Economic and Social Council,

Recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

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 between corruption and other forms of crime, particularly organized crime and economic crime, including money-laundering,

Convinced that, since corruption is a phenomenon that currently crosses national borders and affects all societies and economies, international cooperation to prevent and control it is essential,

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

Recalling the Inter-American Convention against Corruption, adopted by the Organization of American States at the special conference held at Caracas from 27 to 29 March 1996,

*For the discussion, see chapter II.

Recalling in particular its resolution 50/225 of 19 April 1996, adopted at its resumed session on public administration and development,

Recalling further Economic and Social Council resolution 1995/14 of 24 July 1995, on action against corruption,

Recalling also the work carried out by other international and regional organizations in this field, including the activities of the Council of Europe, the European Community, the Organisation for Economic Cooperation and Development and the Organization of American States,

1. Takes note of the report of the Secretary-General on action against corruption,\(^1\) submitted to the Commission on Crime Prevention and Criminal Justice at its fifth session;

2. Adopts the International Code of Conduct for Public Officials, contained in the annex to the present resolution, and recommends it to Member States as a tool to guide their efforts against corruption;

3. Requests the Secretary-General to distribute the International Code of Conduct to all States and to include it in the manual on practical measures against corruption, to be revised and expanded pursuant to Economic and Social Council resolution 1995/14, with a view to offering both those tools to States in the context of advisory services, training and other technical assistance activities;

4. Also requests the Secretary-General to continue collecting information and legislative and regulatory texts from States and relevant intergovernmental organizations, in the context of his continuing study of the problem of corruption;

5. Further requests the Secretary-General, in consultation with States, relevant intergovernmental and non-governmental organizations, as well as in cooperation with the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, to elaborate an implementation plan and to submit it to the Commission on Crime Prevention and Criminal Justice at its sixth session, in conjunction with his report to be submitted pursuant to Economic and Social Council resolution 1995/14;

6. Urges States, relevant intergovernmental and non-governmental organizations, as well as the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, to extend to the Secretary-General their full support in elaborating the implementation plan and in implementing paragraph 4 above;

7. Urges Member States carefully to consider the problems posed by the international aspects of corrupt practices, especially as regards international economic activities carried out by corporate entities, and to study appropriate legislative and regulatory measures to ensure the transparency and integrity of financial systems and transactions carried out by such corporate entities;

\(^1\)E/CN.15/1996/5.
8. Requests the Secretary-General to intensify his efforts to closely cooperate with other entities of the United Nations system and other relevant international organizations and to more effectively coordinate activities undertaken in this area;

9. Also requests the Secretary-General, subject to the availability of extrabudgetary resources, to provide increased advisory services and technical assistance to requesting Member States, particularly in the elaboration of national strategies, the elaboration or improvement of legislative and regulatory measures, the establishment or strengthening of national capacities to prevent and control corruption, as well as in training and upgrading skills of relevant personnel;

10. 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;

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

Annex

INTERNATIONAL CODE OF CONDUCT FOR PUBLIC OFFICIALS

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 ultimate loyalty of public officials shall be to the public interests of their country as expressed through the democratic institutions of government.

2. Public officials shall ensure that they perform their duties and functions efficiently and effectively, in accordance with laws or administrative policies, and with integrity. 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.

3. Public officials 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 or improperly discriminate against any group or individual, or otherwise abuse the power and authority vested in them.

II. Conflicts of interest and disqualification

4. Public officials shall not use their official authority for the improper 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. Public officials, to the extent required by the officials’ position, shall in accordance with laws or administrative policies, declare business, commercial and financial interests, or activities undertaken for financial gain that may raise a possible conflict of interest. In situations of possible or perceived conflict of interest between public officials’ duties and private interests they shall comply with the measures established to reduce or eliminate such conflict of interest.
6. Public officials shall at no time improperly use public moneys, property, services, or information which is acquired in the performance of, or as a result of, their official duties for activities not related to their official work.

7. Public officials shall comply with measures established by law or administrative policies in order that after leaving their official positions they will not take improper advantage of their previous office.

III. Disclosure of assets

8. Public officials shall, in accord with the officials' position, and as permitted or required by law and administrative polices, comply with requirements to declare or to disclose personal assets and liabilities, as well as, if possible, those of their spouses and/or dependants.

IV. Acceptance of gifts or other favours

9. Public officials shall not solicit or receive directly or indirectly any gift or other favours which may influence 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 officials shall be kept confidential unless national legislation, the performance of duty or the needs of justice strictly require otherwise. Such restrictions shall apply also after separation from service.

VI. Political activity

11. The political or other activity of public officials outside the scope of their office shall, in accordance with laws and administrative policies, not be such as to impair public confidence in the impartial performance of their functions and duties.

DRAFT RESOLUTION II

United Nations Declaration on Crime and Public Security*

The Economic and Social Council,

Recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Convinced that the adoption of a declaration on crime and public security will contribute to the enhancement of the struggle against serious transnational crime,

1. Approves the United Nations Declaration on Crime and Public Security, the text of which is annexed to the present resolution;

For the discussion, see chapter II.
2. Urges Member States, in accordance with the provisions of the Declaration, to take all appropriate measures at the national and international levels to combat serious transnational crime;

3. Invites the Secretary-General to inform all States and the relevant specialized agencies and organizations of the adoption of the Declaration;

4. Urges Member States to make every effort in order that the Declaration becomes generally known and is observed and implemented in full in accordance with their respective national legislation;

5. Invites Member States to promote public campaigns, including the use of mass media, that stimulate public awareness of and participation in the process of crime prevention and promotion of public security.

Annex

UNITED NATIONS DECLARATION ON CRIME AND PUBLIC SECURITY

The General Assembly,

Solemnly proclaims the following United Nations Declaration on Crime and Public Security:

Article 1

Member States shall seek to protect the security and well-being of their citizens and all persons within their jurisdictions by taking effective national measures to combat serious transnational crime, including organized crime, illicit drug and arms trafficking, smuggling of other illicit articles, organized trafficking in persons, terrorist crimes and the laundering of proceeds from serious crimes, and shall pledge their mutual cooperation in those efforts.

Article 2

Member States shall promote bilateral, regional, multilateral and global law enforcement cooperation and assistance, including, as appropriate, mutual legal assistance arrangements to facilitate the detection, apprehension and prosecution of those who commit or are otherwise responsible for serious transnational crimes and to ensure that law enforcement and other competent authorities can cooperate effectively on an international basis.

Article 3

Member States shall take measures to prevent support for and operations of criminal organizations in their national territories. Member States shall, to the fullest possible extent, provide for effective extradition or prosecution of those who engage in serious transnational crimes in order that they find no safe haven.

Article 4

Mutual cooperation and assistance in matters concerning serious transnational crime shall also include, as appropriate, the strengthening of systems for the sharing of information among Member States and the
provision of bilateral and multilateral technical assistance to Member States by utilizing training, exchange programmes and law enforcement training academies and criminal justice institutes at the international level.

Article 5

Member States that have not yet done so are urged to become parties as soon as possible to the principal existing international treaties relating to various aspects of the problem of international terrorism. States parties shall effectively implement their provisions in order to fight against terrorist crimes. Member States shall also take measures to implement General Assembly resolution 49/60 of 9 December 1994 on measures to eliminate international terrorism and its annex containing the Declaration on Measures to Eliminate International Terrorism.

Article 6

Member States that have not yet done so are urged to become parties to the international drug control conventions as soon as possible. States parties shall effectively implement the provisions of the Single Convention on Narcotic Drugs of 1961, the Convention as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961, the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. Member States specifically reaffirm that, on the basis of shared responsibility, they shall take all necessary preventive and enforcement measures to eliminate the illicit production of, trafficking in, and distribution and consumption of narcotic drugs and psychotropic substances, including measures to facilitate the fight against those criminals involved in this type of transnational organized crime.

Article 7

Member States shall take measures within their national jurisdictions to improve their ability to detect and interdict the movement across borders of those who engage in serious transnational crime, as well as the instrumentalities of such crime, and shall take effective specific measures to protect their territorial boundaries, such as:

(a) Adopting effective controls on explosives and against illicit trafficking by criminals in certain materials and their components that are specifically designed for use in manufacturing nuclear, biological or chemical weapons and, in order to lessen risks arising from such trafficking, by becoming party to and fully implementing all relevant international treaties relating to weapons of mass destruction;

(b) Strengthening supervision of passport issuance and enhancement of protection against tampering and counterfeiting;


Ibid., vol. 976, No. 14152.

Ibid., vol. 1019, No. 14956.

(c) Strengthening enforcement of regulations on illicit transnational trafficking in firearms, with a view to both suppressing the use of firearms in criminal activities and reducing the likelihood of fuelling deadly conflict;

(d) Coordinating measures and exchanging information to combat the organized criminal smuggling of persons across national borders.

Article 8

To combat further the transnational flow of the proceeds of crime, Member States agree to adopt measures, as appropriate, to combat the concealment or disguise of the true origin of proceeds of serious transnational crime and the intentional conversion or transfer of such proceeds for that purpose. Member States agree to require adequate record-keeping by financial and related institutions and, as appropriate, the reporting of suspicious transactions, and to ensure effective laws and procedures to permit the seizure and forfeiture of the proceeds of serious transnational crime. Member States recognize the need to limit the application of bank secrecy laws, if any, with respect to criminal operations, and to obtain the cooperation of the financial institutions in detecting these and any other operations which may be used for the purpose of money-laundering.

Article 9

Member States agree to take steps to strengthen the overall professionalism of their criminal justice, law enforcement and victim assistance systems, and relevant regulatory authorities, through measures such as training, resource allocation and arrangements for technical assistance with other States, and to promote the involvement of all elements of their societies in combating and preventing serious transnational crime.

Article 10

Member States agree to combat and prohibit corruption and bribery, which undermine the legal foundations of civil society, by enforcing applicable domestic laws against such activity. For this purpose, Member States also agree to consider developing concerted measures for international cooperation to curb corrupt practices, as well as developing technical expertise to prevent and control corruption.

Article 11

Actions taken in furtherance of this Declaration shall fully respect the national sovereignty and territorial jurisdiction of Member States as well as the rights and obligations of Member States under existing treaties and international law, and shall be consistent with human rights and fundamental freedoms as recognized by the United Nations.

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

2. The Commission recommends to the Economic and Social Council the adoption of the following draft resolutions:
DRAFT RESOLUTION I

The role of criminal law in the protection of the environment

The Economic and Social Council,

Recalling General Assembly resolution 45/121 of 14 December 1990, on the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in which the Assembly welcomed the instruments and resolutions adopted by the Eighth Congress, which included a resolution on the role of criminal law in the protection of nature and the environment.\(^6\)

Recalling also General Assembly resolution 46/152 of 18 December 1991, which called for strengthened international cooperation to combat transnational crime,

Recalling further its resolution 1992/22 of 30 July 1992, in section VI of which it determined that three priority themes should guide the work of the Commission on Crime Prevention and Criminal Justice, one of which included the role of criminal law in the protection of the environment, and in section III of which it invited Member States to establish reliable and effective channels of communication among themselves and with the United Nations Crime Prevention and Criminal Justice Programme, including the regional institutes affiliated with the United Nations,

Reaffirming the principles of the Rio Declaration on Environment and Development,\(^7\) of June 1992,

Bearing in mind the activities and deliberations on sustainable development relating to the transfer of environmentally sound technology and the relevant provisions of Agenda 21\(^8\) on the same subject,

Recognizing the importance of enhancing international cooperation in the enforcement of domestic and international environmental criminal laws, and of promoting operational activities in that area,

Considering that for several years legal experts have been discussing the need for the establishment of an international court for environmental matters,

Bearing in mind that a number of meetings of legal experts specializing in environmental and criminal matters have suggested to Governments to consider discussing, in the United Nations, the feasibility of establishing an international court for environmental matters,

\(^*\)For the discussion, see chapter II.


\(^8\)Ibid., annex II.
Aware that it is essential to protect the environment not only at the national level, but also at the international level, with due respect for the sovereignty of states, and that in this respect it may be appropriate to continue developing at the international level standards in criminal law for the protection of the environment,

Taking note with appreciation of the Monograph on Capacity Building in Criminal Enforcement of Environmental Law,9

Bearing in mind that a proposal regarding the possibility of establishing a court having environmental jurisdiction was made at the United Nations Conference on Environment and Development, held at Rio de Janeiro, Brazil, from 3 to 14 June 1992,

1. Appreciates the efforts of the Government of Costa Rica to continue discussions on the function of criminal law as regards protection of the environment; also appreciates its offer to host, in November 1996, an expert group meeting on that issue and invites the Secretary-General to provide the necessary collaboration in the organization of that meeting;

2. Requests the Secretary-General to seek the views of Member States in order to determine the feasibility of establishing appropriate machinery for applying criminal law for the protection of the environment;

3. Decides that the issue of criminal law for the protection of the environment should continue to be one of the priority issues of the Commission on Crime Prevention and Criminal Justice at its future sessions;

4. Requests the Secretary-General to establish and maintain close cooperation with Member States and intergovernmental, non-governmental and other organizations active in the field of environmental protection, particularly in the area of technical cooperation and assistance, including the formulation and implementation of joint projects on enforcement of environmental criminal law, and other relevant activities within the United Nations system concerned with legal matters;

5. Also requests the Secretary-General to maintain and expand the roster of experts in this field and to continue gathering information on national environmental criminal law and regional and multinational initiatives;

6. Calls upon Member States to cooperate with each other, as well as with international organizations, in their efforts to prevent crimes against the environment, and to include appropriate penal provisions in their laws and ensure their enforcement;

7. Recognizes the arrangements for preparing a manual for professionals responsible for enforcement of environmental criminal law, and recommends that this work should be carried out by an expert group meeting, subject to the availability of extrabudgetary funds;

8. Calls upon Member States to support technical cooperation activities in environmental matters by making contributions in kind or by contributing to the United Nations Crime Prevention and Criminal Justice Fund;

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9. 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.

DRAFT RESOLUTION II

International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of crime and criminal justice information†

The Economic and Social Council,

Recalling General Assembly resolution 46/152 of 18 December 1991, on the creation of an effective United Nations Crime Prevention and Criminal Justice Programme, in the annex of which it is stipulated that the general goals of the Programme should be to contribute to, inter alia, more efficient and effective administration of criminal justice, with due respect for the human rights of all those affected by crime and all those involved in the criminal justice system, and in paragraph 5 of which the Assembly decided that the United Nations Crime Prevention and Criminal Justice Programme should provide States with practical assistance in order to improve their response to crime,

Recalling also General Assembly resolution 45/109 of 14 December 1990 on the computerization of criminal justice, in which the Assembly requested the Secretary-General to establish, in cooperation with the network of institutes for the prevention of crime and the treatment of offenders, affiliated with the United Nations, a technical cooperation programme for the computerization of criminal justice information in order to offer training, assess needs and formulate and execute specific projects,

Recalling further its resolution 1992/22, section I, of 30 July 1992, in which it reaffirmed the request of the General Assembly to the Secretary-General to strengthen the Programme as a whole, so as to enable it to further develop clearing-house facilities in relation to crime prevention and criminal justice issues, including the capacity to match the needs for training with the opportunities available to meet them,

Takes note with appreciation of the report of the Secretary-General on the draft action plan on international cooperation and assistance with regard to statistical and computerized applications in the management of the criminal justice system,\(^\text{10}\)

Mindful that the development of a more structured framework is critical to the delivery of the activities described in the report of the Secretary-General and that an international technical cooperation infrastructure is important in facilitating the access of Member States to relevant resources and information regarding existing programmes and projects,

Emphasizing the common problems faced by all Member States in the administration and computerization of criminal justice,

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† For the discussion, see chapter II.

Emphasizing also that developing countries, countries with economies in transition and developed countries, by enhancing their capacity to exchange information at the international level, may benefit from international cooperation in the computerization of criminal justice information,


1. Urges Member States, governmental, intergovernmental and non-governmental organizations and the private sector to assist the Secretary-General, in cooperation with the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, in strengthening the technical cooperation capacity of the Programme network by:

(a) Establishing an advisory steering group, administered by the Secretary-General in close coordination with the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, including assistance from the administration of the United Nations Crime and Justice Information Network and the United Nations On-line Crime and Justice Clearing-house, drawing upon extrabudgetary resources, which would be responsible for:

(i) Reviewing and assessing, at the request of Member States, their national experiences in the computerization of criminal justice operations and criminal justice information systems;

(ii) Giving advice to the Secretary-General on the establishment of the technical cooperation programme;

(iii) Giving advice to the Secretary-General on the activities of the technical cooperation programme;

(iv) Informing Member States of funds and services that might be available from various donors in the governmental, intergovernmental, non-governmental and private sectors;

(v) Informing such donors of the needs of Member States for assistance;

(vi) Consulting with relevant experts in the field of criminal justice;

(vii) Assisting Member States, at their request, in developing criteria and mechanisms for the establishment of a platform for the exchange of information between distinct entities able to provide information and experience useful for the management of the criminal justice system;

(b) Identifying a standing pool of experts for the practical implementation of technical cooperation activities, in particular, for, *inter alia*:

(i) Assessing needs in both the computerization of criminal justice operations and the development of criminal justice information systems;

(ii) Designing and coordinating training programmes in both the computerization of criminal justice operations and the development of criminal justice information systems;
(iii) Assisting in the design, development and implementation of actual computerization projects;

(iv) Providing other needed expert advice as requested;


(i) Adopting the conceptual design of the United Nations On-line Crime and Justice Clearing-house, that builds upon the United Nations Crime and Justice Information Network, as a model for international sharing and dissemination of information and consulting with other participating Member States and United Nations bodies on the information exchange policies, procedures and standards;

(ii) Establishing national points of contact for electronic communications in relevant government agencies;


2. \textit{Requests} the Secretary-General, in concert with experts from interested States and the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, to conduct, using existing resources of the regular budget of the United Nations, a survey of national capacities for the collection of crime statistics, as a supplement to the Fifth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, using as a draft guide the form annexed to the present resolution;

3. \textit{Calls on} Member States to contribute to the survey of national capacities by providing the necessary information in a timely manner;

4. \textit{Requests} the Secretary-General to keep the Commission on Crime Prevention and Criminal Justice informed about the progress made;

5. \textit{Calls on} Member States to assist the Secretary-General in funding the establishment of the advisory steering group, identifying the standing pool of experts, and the activities called for in the present resolution.
Annex

FORM FOR THE SURVEY OF NATIONAL CAPACITIES FOR THE COLLECTION OF DATA ON CRIME PREVENTION AND CRIMINAL JUSTICE

COUNTRY .............................................................................................................................

AGENCY ..............................................................................................................................

STATISTICS PRODUCED

1. Does the country have statistics on crimes reported or detected by the law enforcement agencies?

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>For all crimes</td>
<td>.....</td>
<td>.....</td>
</tr>
<tr>
<td>For some crimes</td>
<td>.....</td>
<td>.....</td>
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</tbody>
</table>

(a) The statistics include:

<table>
<thead>
<tr>
<th></th>
<th>National data</th>
<th>Regional data</th>
<th>Provincial data</th>
</tr>
</thead>
<tbody>
<tr>
<td>From all regions</td>
<td>Yes No</td>
<td>From all provinces</td>
<td>Yes No</td>
</tr>
</tbody>
</table>

(b) The statistics include the following:

- Breakdown by legal property involved  Yes No
- Breakdown by crime  Yes No
- Breakdown by sex  Yes No
- Breakdown by age  Yes No
- Existence of a link between victim of violent crime and offender  Yes No
- Instances of violence against persons  Yes No
- Instances of violence against property  Yes No
- Use of firearms  Yes No
- Agency receiving the report  Yes No
(c) The statistics are generated:

Periodically Yes No

At the following intervals: Monthly .... Quarterly ....
Half-yearly .... Yearly ....

2. Does the country keep national statistics on crimes committed, including an estimate of the number of unreported crimes? If yes, give a brief description of the method used to calculate the number of unreported crimes.

DESCRIPTION OF THE AGENCY OR AGENCIES RESPONSIBLE FOR DATA COLLECTION

3. Does the country have any national public agency with the task of compiling and preparing statistics? Does it prepare and compile information relating exclusively to crime prevention and criminal justice?

   (a) Are the preparation and compilation of statistics on crime prevention and criminal justice the main task of this agency or does it carry out this task merely as a sideline to other, principal activities? If so, what is the principal activity of the agency?

   Note: If a number of agencies have this task, provide the information requested below only in respect of the agency whose main function is to compile and prepare statistics.

   (b) Does this agency prepare its own statistics or does it collect statistics prepared by other agencies?

   (i) If it prepares its own statistics:

   a. Does it do so for all crimes or only certain crimes? If so, for which crimes?

   b. Does it use the official figures produced by the same type of source for all its investigations or does it use different figures depending on the phenomenon to be investigated?

   c. It draws its information from:

      Judicial proceedings ....
      Police reports ....
      Other sources ....

   d. Is there a standard procedure for conducting these investigations or does it vary depending on the phenomenon to be investigated?

   e. When the scale of the investigation exceeds the agency’s operating capacity, does it enter into agreements with other agencies? If yes, does it use private or public agencies?

   f. Does it look at the level of unreported crimes as a matter of course? Indicate the procedure used.

   g. Are there any legal provisions governing the agency’s data collection activity?
(ii) If the agency compiles statistics produced by other agencies:

a. The data are supplied by:

   Regional agencies .......
   Provincial or State agencies .......
   Private agencies .......
   Public agencies .......

b. Does it obtain information from a single agency or a number of agencies?

c. Give a brief description of the data collection procedure used by the agency providing the information and of the centralization method developed by the agency dealing with that information.

d. Is the information received subject to any form of control? If so, please describe.

e. Are there any legal provisions that govern the data compilation activity of the centralizing agency? Describe the provisions.

INFRASTRUCTURE OF THE AGENCY

4. How many staff members does the agency permanently employ to compile and prepare crime prevention and criminal justice statistics?

   1-5 ..... 6-10 ..... 11-20 .....  
   21-30 ..... 31-40 ..... 41-50 ..... 
   More than 50 ..... 

5. Does it have dedicated data-processing equipment for the task? Give a brief description.

6. Does the agency publish the results of its work? How frequently?

   Name of the agency:  .................................................................
   Reporting to:  .................................................................
   Head of the agency:  .................................................................
   Address:  .................................................................
   Telephone:  .......................  Postal code:  .......................
7. If there are other agencies that are capable of providing statistical information in your country, please give the following details:

Name of the agency:  
Reporting to:  
Head of the agency:  
Address:  
Telephone:  Postal code:  

Name of the agency:  
Reporting to:  
Head of the agency:  
Address:  
Telephone:  Postal code:  

DRAFT RESOLUTION III

Elimination of violence against women*

*For the discussion, see chapter II.

Recognizing that violence against women both violates human rights and fundamental freedoms and impairs or nullifies the enjoyment by women of those rights and freedoms, and concerned about the longstanding failure to protect and promote those rights and freedoms,

Strongly condemning all forms of violence against women as set out in article 2 of the Declaration on the Elimination of Violence against Women,

Recognizing that the effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly in its resolution 34/180 of 18 December 1979, contributes to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women strengthens and complements that process,

Bearing in mind that as stated in article 4 of the Declaration on the Elimination of Violence against Women, States should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to the elimination of violence against women,

Recalling that the General Assembly, in its resolution 48/104, recognized that violence against women was a manifestation of historically unequal power relations between men and women, which had led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women was one of the crucial social mechanisms by which women were forced into a subordinate position compared with men,


Welcoming the adoption by the General Assembly of its resolution 50/166 of 22 December 1995, on the role of the United Nations Development Fund for Women in eliminating violence against women,

Recalling the appointment by the Commission on Human Rights of the Special Rapporteur on violence against women, its causes and consequences, and the conclusions and recommendations of the Special Rapporteur that States have an affirmative duty to promote and protect the human rights of women and must exercise due diligence to prevent violence against women, as outlined in Commission on Human Rights resolution 1996/49,

Also recalling the statement of the Special Rapporteur that pornography is perhaps the extreme manifestation of the media’s violence against women, 12

Commending the Crime Prevention and Criminal Justice Division of the Secretariat for its work on the elimination of violence against women and its ongoing cooperation with the Special Rapporteur,

Welcoming the Beijing Declaration and Platform for Action, 13 adopted by the Fourth World Conference on Women: Action for Equality, Development and Peace, held at Beijing from 4 to

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15 September 1995, and in particular, the determination of Governments to prevent and eliminate all forms of violence against women and girls, including in armed conflict,

Recognizing the need to implement the Beijing Declaration and Platform for Action in the field of crime prevention and criminal justice and to develop practical measures, strategies and activities in that field,

Reaffirming that rape in the conduct of armed conflict constitutes a war crime and that under certain circumstances it constitutes a crime against humanity and an act of genocide as defined in the Convention on the Prevention and Punishment of the Crime of Genocide, 14

Expressing deep concern about the high social, health and economic costs to the individual and society that are associated with violence against women,

Bearing in mind that criminal justice agencies should work closely with practitioners in other sectors, including health, social services and education, and with members of the community to address the problem of violence against women,

Recognizing that various groups of women, such as women belonging to minority groups, indigenous women, refugee women, women migrants, including women migrant workers, women in poverty living in rural or remote communities, destitute women, women in institutions or in detention, female children, women with disabilities, elderly women, displaced women, repatriated women, women living in poverty and women in situations of armed conflict and other situations of violence, foreign occupation, war of aggression, civil war and terrorism, including hostage-taking, are also particularly vulnerable to violence,

Welcoming the role of non-governmental organizations, women’s equality-seeking organizations and community agencies in addressing and working towards the elimination of violence against women, in particular in drawing attention to the nature, severity and magnitude of violence against women and in assisting women who are victims of violence,

1. Urges Member States to ensure that all forms of violence against women are, in the absence of existing laws, legislatively proscribed;

2. Also urges Member States to review or monitor legislation and legal principles, procedures, policies and practices relating to criminal matters, in a manner consistent with their legal systems, to determine if they have an adverse or negative impact on women and, if they have such an impact, to modify them in order to ensure that women are treated fairly by the criminal justice system;

3. Further urges Member States to undertake strategies, develop policies and disseminate materials to promote women’s safety in the home and in society at large, including specific crime prevention strategies that reflect the realities of women’s lives and address their distinct needs in areas such as social development, environmental design and educational prevention programmes;

4. Further urges Member States to promote an active and visible policy of ensuring that a gender perspective is brought to the development and application of all policies and programmes that address violence against women so that, before decisions are taken, an analysis may be made of their effects on women and men respectively;

14 General Assembly resolution 260 A (III), annex, of 9 December 1948.
5. **Further urges** Member States to adopt measures to ensure that acts of violence against women, whether in public or private, are recognized as criminal matters that are, as appropriate, open to public scrutiny and intervention;

6. **Further urges** Member States and international and regional organizations to take all measures required for the protection of women and children from rape, systematic rape, sexual slavery and forced pregnancy in the conduct of armed conflict and to strengthen mechanisms to investigate and punish all those responsible for the perpetration of those crimes and to bring the perpetrators to justice;

7. **Encourages** the Crime Prevention and Criminal Justice Division of the Secretariat and other crime prevention bodies and mechanisms to avail themselves of the information and materials on violence against women, including violence in the family, violence in the community and violence by the State, that are being gathered by Governments and United Nations treaty bodies, other special rapporteurs, specialized agencies, bodies and organs, and intergovernmental and non-governmental organizations, including women’s equality-seeking organizations;

8. **Calls upon** the Commission on Crime Prevention and Criminal Justice, through the Crime Prevention and Criminal Justice Division and the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, to cooperate and to coordinate with all relevant organs, bodies and other entities of the United Nations system their activities on issues relating to violence against women and to the removal of gender bias in the administration of criminal justice;

9. **Calls upon** the institutes comprising the Programme network to consolidate and disseminate information on successful intervention models and preventive programmes at the national level;

10. **Urges** United Nations entities and the institutes comprising the Programme network to continue and to improve training concerning the human rights of women and issues of gender bias and violence against women for all United Nations personnel and officials, especially those in human rights and humanitarian relief, peace-keeping and peacemaking activities, and to promote their understanding of the human rights of women so that they can recognize and deal with violations of the human rights of women and can fully take into account the gender aspect of their work;

11. **Requests** the Commission on Crime Prevention and Criminal Justice to ensure that *Strategies for Confronting Domestic Violence: A Resource Manual*,\(^\text{15}\) which has been published in English, is published in the other official languages of the United Nations, subject to the availability of regular budgetary or extrabudgetary funds;

12. **Calls upon** Governments, international organizations and non-governmental organizations, as appropriate, to translate *Strategies for Confronting Domestic Violence: A Resource Manual* and to ensure its wide dissemination for use in training and education programmes;

13. **Welcomes** the report of the Secretary-General on practical measures in the field of crime prevention and criminal justice to eliminate violence against women,\(^\text{16}\) commends the work of the institutes

\(^{15}\text{ST/CSDHA/20.}\)

\(^{16}\text{E/CN.15/1996/12 and Corr.1.}\)
comprising the United Nations Crime Prevention and Criminal Justice Programme network in undertaking practical measures to eliminate violence against women and urges them to continue their work on this issue;

14. *Welcomes* the report of the Secretary-General on the draft plan of action on the elimination of violence against women,⁷ and notes the revised document produced by the Commission on Crime Prevention and Criminal Justice at its fifth session, entitled “Practical measures, strategies and activities in the field of crime prevention and criminal justice for the elimination of violence against women”⁸;

15. *Requests* the Secretary-General to seek the views of Member States, institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, relevant United Nations entities and intergovernmental and non-governmental organizations on the draft practical measures, strategies and activities in the field of crime prevention and criminal justice for the elimination of violence against women and, taking into account the views received, to submit a report containing the text of the draft practical measures, strategies and activities, as well as a report on the views received, to the Commission on Crime Prevention and Criminal Justice at its sixth session so that it may be discussed by the open-ended in-sessional working group of the Commission;

16. *Calls upon* Member States, in providing the views as noted in paragraph 15 above, to include the multidisciplinary views of their ministries, departments and agencies that have responsibilities related to the elimination of violence against women;

17. *Decides* that the Commission on Crime Prevention and Criminal Justice should continue to consider the elimination of violence against women within its priority themes and that the Commission should consider, at its sixth session, the reports of the Secretary-General referred to in paragraph 15 above and the draft practical measures, strategies and activities in the field of crime prevention and criminal justice for the elimination of violence against women.

DRAFT RESOLUTION IV

**Measures to prevent illicit international trafficking in children and to establish penalties appropriate to such offences**

*The Economic and Social Council,*

*Considering* that illicit international trafficking in children is a criminal activity of increasing concern to the international community and a violation of the Convention on the Rights of the Child,⁹ article 35,

*Aware* that this activity is often conducted by criminal organizations with transnational links, principally in developing countries,

*For the discussion, see chapter II.*


⁹General Assembly resolution 44/25, annex, of 20 November 1989.
Taking note of resolution 3/2 of the Commission on Crime Prevention and Criminal Justice, in which the Commission decided that it should consider, at its fourth session, the question of illicit international traffic in children in the context of its discussion on organized transnational crime,

Recalling that 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, at which this subject received priority attention, adopted its resolution 7,\(^{20}\) in which it invited the Commission to initiate the process of requesting the views of States regarding the process of elaborating an international convention on the illicit traffic in children, which might embody necessary elements to efficiently combat that form of transnational organized crime,

Recalling also its resolution 1995/27, section IV, of 24 July 1995, in which it requested the Secretary-General to initiate the process of requesting the views of Member States on the elaboration of such an international convention,

Aware that it is necessary, in order to deal more rationally and effectively with the illicit international traffic in children and to effectively coordinate activities across the United Nations system and among other relevant international organizations, to establish a global framework for analysis of such transnational criminal activity and for coordinating appropriate measures to prevent this scourge and to punish the offenders,

Welcoming the initiative of States of Latin America and the Caribbean that took part in the Regional Ministerial Workshop on Follow-up to the Naples Political Declaration and Global Action Plan against Organized Transnational Crime, held at Buenos Aires from 27 to 30 November 1995, with regard to the illicit international traffic in children,

Welcoming also the initiative of convening the World Congress against Commercial Sexual Exploitation of Children, to be held at Stockholm from 26 to 31 August 1996, which has among its key themes the issue of illicit traffic in children,

Aware also that it is necessary to adopt practical measures to combat this form of organized transnational crime,

1. Takes note of the report of the Secretary-General on children as victims and perpetrators of crime, in particular, the views of Governments on the elaboration of an international convention on the illicit traffic in children and the proposals contained in that report;\(^{21}\)

2. Invites interested Governments fighting illicit trafficking in children to collect, wherever possible, data and other information on the problem in accordance with national legislation, and to furnish that information to the Commission on Crime Prevention and Criminal Justice;

3. Requests Member States to provide information on current legal provisions and administrative rules applicable to the prevention and punishment of illicit trafficking in children, and on the misuse of


\(^{21}\)E/CN.15/1996/10, paras. 10-26 and 46.
international adoption agencies by criminal organizations involved in illicit trafficking in children that may have been uncovered by the relevant authorities;

4.  *Invites* Governments to adopt the necessary measures in accordance with their legislation to ensure that all persons involved in illicit trafficking in children are subject to prosecution in a manner commensurate with the seriousness of the crime;

5.  *Invites* the Crime Prevention and Criminal Justice Division of the Secretariat to cooperate closely with the Centre for Human Rights of the Secretariat;

6.  *Invites* the Crime Prevention and Criminal Justice Division to work and cooperate closely with the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography, taking into account her role in the inter-sessional open-ended working group for the elaboration of a draft protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;

7.  *Decides* that the Commission on Crime Prevention and Criminal Justice should include in the provisional agenda for its sixth session an item on the possible elaboration of a legally binding international instrument or instruments on the illicit traffic in children;

8.  *Requests* the Secretary-General to continue to gather the opinions of Governments on the elaboration of an international convention or conventions on the illicit traffic in children, and their suggestions on possible elements to be included in the text of a future binding instrument or instruments on that subject;

9.  *Also requests* the Secretary-General to conduct a survey, on the basis of existing international conventions, analysing the extent to which children are protected from becoming victims of illicit international trafficking, taking into account both substantive and procedural aspects of providing such protection, and to compile and analyse the data collected;

10.  *Further requests* the Secretary-General to prepare a report on the results of the survey mentioned in paragraph 9 above, to be submitted to the Commission on Crime Prevention and Criminal Justice at its sixth session;

11.  *Further requests* the Secretary-General to ensure that United Nations system-wide activity on this and related issues is effectively coordinated.
DRAFT RESOLUTION V

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 also its resolution 1995/11 of 24 July 1995, on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime,

Recalling further its resolution 1994/13 of 25 July 1994, on the control of the proceeds of crime,

Welcoming Commission on Narcotic Drugs resolution 5 (XXXIX),

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,

Aware that criminal organizations vary in size, scale, bonding mechanisms, their range of activities, their geographical scope, their relationship with power structures, their internal organizations and structures and the combination of instruments that they use both to promote their criminal enterprises and to protect themselves against law enforcement efforts,

Recalling that, while not constituting a legal or comprehensive definition of the phenomenon, organized transnational crime characteristically uses group organization to commit crime, has hierarchical links or personal relationships that permit leaders to control the group, uses violence, intimidation and corruption to earn profit or control territories or markets, launders illicit proceeds both to further criminal activity and to infiltrate the legitimate economy, has the potential to expand into new activities and beyond national borders and cooperates with other organized transnational criminal groups,

Convinced that a structured programme of activities is essential to the full implementation of the Naples Political Declaration and Global Action Plan,

1. Takes note of the report of the Secretary-General, submitted to the Commission on Crime Prevention and Criminal Justice at its fifth session, on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime;  

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*For the discussion, see chapter II.

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

22 E/CN.15/1996/2.

3. Takes note further of the report of the Secretary-General submitted to the Commission on Crime Prevention and Criminal Justice at its fifth session, on control of the proceeds of crime;25

4. Requests the Secretary-General, taking into account work done in other international forums, to assist in the implementation of the Naples Political Declaration and Global Action Plan to meet the needs of Member States for:

   (a) Increased knowledge on the structure and dynamics of organized transnational crime in all its forms, as well as trends in its development, areas of activity and diversification;

   (b) Reviewing existing international instruments and exploring the possibility of elaborating new ones to strengthen and improve international cooperation against organized transnational crime, taking into account the growing dangers of links between organized transnational crime and terrorist crimes;

   (c) Intensified technical assistance in the form of advisory services and training;

5. Requests the Secretary-General to continue collecting and analysing information on the structure, dynamics and other aspects of all forms of organized transnational crime throughout the world;

6. Also requests the Secretary-General, while avoiding duplication with the work of the United Nations International Drug Control Programme, to establish a central repository for:

   (a) National legislation, including regulatory measures, on organized transnational crime;

   (b) Information on organizational structures designed to combat organized transnational crime;

   (c) Instruments for international cooperation, including bilateral and multilateral treaties and legislation to ensure their implementation, with a view to making them available to requesting Member States;

7. Urges Member States, other entities of the United Nations system, as well as relevant intergovernmental and non-governmental organizations, to assist the Secretary-General in implementing the request contained in paragraphs 4, 5 and 6 above by providing and regularly updating relevant information and legislative and regulatory texts;

8. Requests the Secretary-General to continue his consultations with Governments on the possibility of elaborating a convention or conventions, including a code of conduct or other instrument, against organized transnational crime and on the elements that could be included therein;

9. Also requests the Secretary-General, drawing on the expertise of Governments:

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24E/CN.15/1996/2/Add.1, annex.

(a) To make a thorough analysis of the views of Governments on the possibility of elaborating a convention or conventions, including a code of conduct or other instrument, against organized transnational crime, taking into account, *inter alia*, the Buenos Aires Declaration on Prevention and Control of Organized Transnational Crime;

(b) To make proposals on the action that would be appropriate;

(c) To make proposals for the undertaking of practical activities by States to implement the Naples Political Declaration and Global Action Plan against Organized Transnational Crime;

(d) To report thereon to the Commission on Crime Prevention and Criminal Justice at its sixth session;

10. *Decides* to establish an in-sessional working group at its sixth session for the purpose of:

(a) Considering the report and proposals of the Secretary-General;

(b) Identifying practical activities for effectively implementing the Naples Political Declaration and Global Action Plan against Organized Transnational Crime;

(c) Considering the possibility of elaborating a convention or conventions against organized transnational crime and identifying elements that could be included therein;

11. *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 against Organized Transnational Crime;

12. *Further requests* the Secretary-General, for the purpose of providing the assistance referred to in paragraph 11 above, to develop training manuals for specialized law enforcement and investigative personnel on action against organized transnational crime, taking into account differences in legal systems;

13. *Stresses* the importance of the activities carried out by the United Nations to strengthen international efforts against money-laundering, including, where possible, money-laundering involving the proceeds of serious crimes other than drug-related crimes and, for this purpose, requests the Secretary-General to increase and intensify cooperation between the Crime Prevention and Criminal Justice Division of the Secretariat and the United Nations International Drug Control Programme and to continue to work with the Financial Action Task Force and other relevant multilateral and regional institutions against money-laundering;

14. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice on the implementation of the present resolution.
DRAFT RESOLUTION VI

Follow-up action on firearms regulation for the purpose
of crime prevention and public safety

The Economic and Social Council,

Recalling resolution 9 of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,\textsuperscript{26}

Recalling also its resolution 1995/27 of 24 July 1995,

Recalling further General Assembly resolution 50/145 of 21 December 1995,

Mindful of the need for effective implementation of those resolutions,

Taking note with satisfaction of the report of the Secretary-General on measures to regulate firearms,\textsuperscript{27}

1. \textit{Welcomes} the progress made by the Secretary-General in undertaking the study on regulating firearms in response to its resolution 1995/27, section IV.A, drawing upon the work of an advisory group;

2. \textit{Endorses} the questionnaire and guidelines\textsuperscript{28} for the preparation of the survey and country reports on firearms regulation issues presented by the Secretary-General;

3. \textit{Reiterates} its request for the Secretary-General to collect information and consult with Member States on the implementation of national measures to regulate firearms in accordance with its resolution 1995/27, section IV, paragraph 10;

4. \textit{Requests} the Secretary-General to collect information and consult with Member States, as appropriate, on the basis of the above-mentioned questionnaire and guidelines, and to analyse the information obtained in order to contribute to the preparation of additional survey and country reports as requested in paragraph 3 above;

\textsuperscript{*For the discussion, see chapter III.}


\textsuperscript{27}E/CN.15/1996/14.

\textsuperscript{28}E/CN.15/1996/CRP.5.
5. Approves the work plan established on the basis of the proposals presented by the representative of the Secretary-General to the Commission on Crime Prevention and Criminal Justice at its fifth session and requests the Secretary-General to pursue his study in accordance with the work plan; 29

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

7. Requests the Secretary-General to submit the report and the recommendations requested in its resolution 1995/27, section IV, paragraph 12, to the Commission on Crime Prevention and Criminal Justice at its sixth session;

8. Decides that the Commission on Crime Prevention and Criminal Justice should include in its agenda for its sixth session an item entitled “Measures to regulate firearms”.

DRAFT RESOLUTION VII

Administration of juvenile justice *

The Economic and Social Council,

Aware of the specific situation of children and juveniles, in particular when deprived of their liberty, and concerned at the severity with which they are used as instruments in criminal activities,

* Emphasizing the importance of coordinating the activities in the field of the administration of justice carried out under the responsibility of the Commission on Crime Prevention and Criminal Justice with those under the responsibility of the Commission on Human Rights,


Recalling also General Assembly resolution 50/181 of 22 December 1995, on human rights in the administration of justice,

Recalling further Commission on Human Rights resolution 1996/32 of 19 April 1996, on human rights in the administration of justice, in particular of children and juveniles in detention,

Noting that the Committee on the Rights of the Child attaches particular importance to the question of the administration of juvenile justice and that it includes in its conclusions on reports of States parties

* For the discussion, see chapter VI.

concrete recommendations concerning the provisions of advisory services and technical cooperation in this field,

**Having considered** the report of the Secretary-General on children as victims and perpetrators of crime,

1. **Welcomes** the progress made with regard to elaborating a programme of action to promote the effective use and application of international standards and norms in juvenile justice;

2. **Recognizes** the need to further strengthen international cooperation and practical technical assistance in the field of juvenile justice;

3. **Calls upon** Governments once again to make effective use and application of international standards in the administration of justice and, to that end, to provide for effective legislative and other mechanisms and procedures;

4. **Encourages** States to make use of technical assistance offered by the United Nations programmes of advisory services and technical assistance in order to strengthen national capacities and infrastructure in the field of the administration of justice;

5. **Calls upon** Governments to include in their national development plans the administration of justice as an integral part of the development process and, to that end, to allocate adequate resources for improving the administration of juvenile justice, as well as to make use of technical assistance offered, at their request, by the United Nations programmes of technical cooperation in this field;

6. **Requests** the United Nations High Commissioner for Human Rights, as well as relevant United Nations bodies and programmes, to consider favourably requests by States for assistance in the field of administration of justice;

7. **Invites** the Secretary-General, the United Nations Children’s Fund, the United Nations Development Programme and the World Bank, as well as other international and regional organizations and non-governmental organizations, to place emphasis on technical assistance projects in the field of juvenile justice;

8. **Invites** the Secretary-General to strengthen system-wide coordination of technical assistance projects in the field of juvenile delinquency prevention and the establishment or improvement of juvenile justice systems;

9. **Also requests** the United Nations High Commissioner for Human Rights to continue to pay special attention to the subject of juvenile justice and, in close cooperation with the Crime Prevention and Criminal Justice Division of the Secretariat, the United Nations Children’s Fund and the Committee on the Rights of the Child, to develop strategies to ensure effective coordination of technical cooperation programmes in the field of juvenile justice;

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10. *Requests* the Secretary-General to organize, in cooperation with the Austrian Government, a meeting of an expert group on the elaboration of a programme of action to promote the effective use and application of international standards and norms in juvenile justice, using extrabudgetary resources made available by the Government expressly for that purpose;

11. *Also 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;

12. *Decides* that the Commission on Crime Prevention and Criminal Justice as its sixth session should consider the draft programme of action on juvenile justice.

**DRAFT RESOLUTION VIII**

**Use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power**

*The Economic and Social Council,*


*Recalling also* its resolution 1995/27, section IV, paragraph 32, of 24 July 1995, in which it requested 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,

*Noting with appreciation* the deliberations and work of the Expert Group Meeting on Victims of Crime and Abuse of Power in the International Setting, held at Vienna from 18 to 22 December 1995, and its recommendations,

*Noting* the usefulness of the manuals already published and disseminated by the United Nations Crime Prevention and Criminal Justice Programme,

1. *Recognizes* the desirability of preparing a draft manual or draft manuals on the use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power for submission to the Commission on Crime Prevention and Criminal Justice at its sixth session for consideration, on the understanding that the Secretary-General will seek the views of Member States on the draft manual or draft manuals and will report on those views to the Commission at its seventh session;

2. *Recommends* that this work should be undertaken, taking into account the different legal systems and practices of each State, by expert group meetings to be convened with extrabudgetary funds in cooperation with the institutes comprising the United Nations Crime Prevention and Criminal Justice

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*For the discussion, see chapter VI.

Programme network, the World Society of Victimology and other entities, and with the support of the Secretary-General;

3. *Welcomes* the offers by the Governments of the Netherlands and the United States of America to host the expert group meetings;

4. *Recommends* that the expert group meetings explore the feasibility of establishing a database on promising practices and legislation on victim-related issues, as a supplement to the manual or manuals;

5. *Decides* that the use and application of the Declaration should be considered by the Commission on Crime Prevention and Criminal Justice as a topic under an appropriate agenda item;

6. *Requests* the Secretary-General to bring to the attention of the Preparatory Committee for the Establishment of an International Criminal Court the potential applicability of the basic principles, contained in the Declaration.

DRAFT RESOLUTION IX

Safeguards guaranteeing protection of the rights of those facing the death penalty

*The Economic and Social Council,*


*Recalling also* article 6 of the International Covenant on Civil and Political Rights,

*Recalling further* the safeguards guaranteeing protection of the rights of those facing the death penalty, annexed to its resolution 1984/50 of 25 May 1984, and its resolution 1989/64 of 24 May 1989, on the implementation of the safeguards,

*Taking note* of the report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty,


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*For the discussion, see chapter VI.*

*32* General Assembly resolution 2200 A (XXI), annex, of 16 December 1966.

*33* E/CN.15/1996/19.
of the Special Rapporteur on extrajudicial, summary or arbitrary executions concerning the death penalty contained in his report\textsuperscript{34} to the Commission on Human Rights at its fifty-second session,

\textit{Taking note} of Security Council resolutions 827 (1993) of 25 May 1993, in which the Security Council decided to establish the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and to adopt the Statute of the International Tribunal annexed to the report of the Secretary-General\textsuperscript{35} pursuant to paragraph 2 of Security Council resolution 808 (1993),

\textit{Taking note also} of Security Council resolution 955 (1994) of 8 November 1994, in which the Security Council decided to establish the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and to adopt the Statute of the International Tribunal for Rwanda, annexed to that resolution,

1. \textit{Notes} that, during the period covered by the report of the Secretary-General on capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty, an increasing number of countries abolished the death penalty and others followed a policy of reducing the number of capital offences, declaring that they had not sentenced any offender to that penalty, while still others retained it and a few reintroduced it;

2. \textit{Calls upon} Member States in which the death penalty has not been abolished to effectively apply the safeguards guaranteeing protection of the rights of those facing the death penalty, in which it is stated that capital punishment may be imposed only for the most serious crimes, it being understood that their scope should not go beyond intentional crimes with lethal or other extremely grave consequences;

3. \textit{Encourages} Member States in which the death penalty has not been abolished to ensure that each defendant facing a possible death sentence is given all guarantees for a fair trial, as reflected in article 14 of the International Covenant on Civil and Political Rights,\textsuperscript{36} and bearing in mind the Basic Principles on the Independence of the Judiciary,\textsuperscript{37} Basic Principles on the Role of Lawyers,\textsuperscript{38} the Guidelines on the Role of

\textsuperscript{34}E/CN.4/1996/4.

\textsuperscript{35}S/25704.

\textsuperscript{36}General Assembly resolution 2200 A (XXI), annex, of 16 December 1966.


Prosecutors, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and the Standard Minimum Rules for the Treatment of Prisoners;

4. Also encourages Member States in which the death penalty has not been abolished to ensure that defendants who do not sufficiently understand the language used in court are fully informed, by way of interpretation or translation, of all the charges against them and the content of the relevant evidence deliberated in court;

5. Calls upon Member States in which the death penalty may be carried out to allow adequate time for the preparation of appeals to a court of higher jurisdiction and for the completion of appeal proceedings, as well as petitions for clemency, in order to effectively apply rules 5 and 8 of the safeguards guaranteeing protection of the rights of those facing the death penalty;

6. Also calls upon Member States in which the death penalty may be carried out to ensure that officials involved in decisions to carry out an execution are fully informed of the status of appeals and petitions for clemency of the prisoner in question;

7. Urges Member States in which the death penalty may be carried out to effectively apply the Standard Minimum Rules for the Treatment of Prisoners, in order to keep to a minimum the suffering of prisoners under sentence of death and to avoid any exacerbation of such suffering.

DRAFT RESOLUTION X
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 resolutions 1993/34, section III, of 27 July 1993, in which it requested the Secretary-General to commence a process of information-gathering to be undertaken by means of surveys, such as

*For the discussion, see chapter VI.


reporting systems, and contributions from other sources, including intergovernmental as well as non-
governmental organizations and institutes,

Recalling also its resolution 1994/18 of 25 July 1994,

Recalling further its resolution 1995/13 of 24 July 1995, in which it requested 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,
with a view to requesting the Secretary-General to submit a report on the replies to the Commission at a
subsequent session,

1. Invites Governments to ensure the promotion and widest possible dissemination of United Nations
   standards and norms in crime prevention and criminal justice and to publish the Compendium of United
   Nations Standards and Norms in Crime Prevention and Criminal Justice in the languages of their
countries;

2. Requests the Secretary-General, subject to the availability of extrabudgetary funds, to ensure the
   reprinting of the Compendium in sufficient numbers in all official languages of the United Nations;

3. Reaffirms the important role of the United Nations network of institutes and intergovernmental
   as well as non-governmental organizations in contributing to the effective use and application of United
   Nations standards and norms in crime prevention and criminal justice;

4. Requests the Secretary-General to widely disseminate, via the World Wide Web database facility
   of the United Nations Crime and Justice Information Network, the texts of the Standard Minimum Rules
   for the Treatment of Prisoners, the Code of Conduct for Law Enforcement Officials, together with the Basic
   Principles for the Use of Force and Firearms by Law Enforcement Officials, the Declaration of Basic

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42 General Assembly resolution 40/33, annex, of 29 November 1985.

43 General Assembly resolution 45/112, annex, of 14 December 1990.

44 General Assembly resolution 45/113, annex, of 14 December 1990.

45 United Nations publication, Sales No. E.92.IV.1 and corrigendum.

   22 August-3 September 1955: report prepared by the Secretariat (United Nations publication, Sales
   No. 1956.IV.4), annex I.A.

47 General Assembly resolution 34/169, annex, of 17 December 1979.

48 Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana,
   27 August-7 September 1990: report prepared by the Secretariat (United Nations publication, Sales
Principles of Justice for Victims of Crime and Abuse of Power\textsuperscript{49} and the Basic Principles on the Independence of the Judiciary,\textsuperscript{50} as well as the reports of the Secretary-General on the use and application of those United Nations standards in crime prevention and criminal justice,\textsuperscript{51} and to make the information on which the reports are based available upon request;

5. **Urges** Governments that have not yet replied to the questionnaires on the four standards in crime prevention and criminal justice to submit their replies to the Secretary-General as soon as possible, with a view to enabling him to make the database more comprehensive;

6. **Requests** the Secretary-General to submit to the Commission on Crime Prevention and Criminal Justice at its seventh session a report on the use and application of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules),\textsuperscript{52} the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)\textsuperscript{43} and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty;\textsuperscript{44}

7. **Also requests** the Secretary-General to prepare a report, incorporating comments sought from Governments, on the desirability of establishing an inter-sessional working group to examine the reports on the use and application of United Nations standards and norms in crime prevention and criminal justice in more detail, as well as the information on which the reports were based, and to recommend to the Commission on Crime Prevention and Criminal Justice possible further action to assist Member States in translating those instruments into practice;

8. **Decides** that the Commission on Crime Prevention and Criminal Justice should consider the report of the Secretary-General on the desirability of establishing an inter-sessional working group at its sixth session;

9. **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 to Member States on request, including assistance to Member States in criminal justice and law reform, organization of training for law enforcement and criminal justice personnel and support to the administration and management of penal and penitentiary systems, thus contributing to the upgrading of their efficiency and capabilities;

10. **Also requests** the Secretary-General to continue to coordinate the activities related to the use and application of standards and norms between the Crime Prevention and Criminal Justice Division of the Secretariat and other relevant United Nations entities, such as the Office of the United Nations High Commissioner for Human Rights and the United Nations International Drug Control Programme, in order to heighten their efficacy and avoid overlapping in the implementation of their programmes.

\textsuperscript{49}General Assembly resolution 40/34, annex, of 29 November 1985.


\textsuperscript{51}E/CN.15/1996/16/Add.1-4.
C. Draft decisions for adoption by the Economic and Social Council

3. The Commission also recommended to the Economic and Social Council the adoption of the following draft decisions:

DRAFT DECISION I

Organization of work for the sixth 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 sixth session, in addition to plenary meetings, should be provided with full interpretation services for a total of 12 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 sixth 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.

DRAFT DECISION II

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

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

PROVISIONAL AGENDA AND DOCUMENTATION FOR THE SIXTH 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; and rules 5 and 7 of the rules of procedure of the functional commissions of the Economic and Social Council)

*For the discussion, see chapter IX.

Documentation


(Legislative authority: General Assembly resolutions 415 (V) and 46/152; and Commission resolution 5/1, para. 3)

4. Promotion and maintenance of the rule of law and good governance: action against corruption.

Documentation

Report of the Secretary-General on action against corruption

(Legislative authority: Economic and Social Council resolution 1995/14, para. 11; and draft resolution E/CN.15/1996/L.12/Rev.1, para. 5)

5. Criminal justice reform and strengthening of legal institutions:

(a) Measures to regulate firearms;

Documentation

Report of the Secretary-General on measures to regulate firearms

(Legislative authority: Economic and Social Council resolution 1995/27, section IV, para. 12; and draft resolution E/CN.15/1996/L.13, para. 7)

(b) International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of crime and criminal justice information.

Documentation

Note by the Secretariat on progress made in the survey of national capacities for the collection of crime statistics, as a supplement to the Fifth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems

(Legislative authority: draft resolution E/CN.15/1996/L.7, para. 4)

6. International cooperation in combating transnational crime:

(a) Implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime;
Documentation

Report of the Secretary-General on the implementation of the Naples Political Declaration and Global Action Plan against Organized Transnational Crime

(Legislative authority: draft resolution E/CN.15/1996/L.11, paras. 10 and 14)

(b) Extradition and international cooperation in criminal matters;

Documentation

Report of the Secretary-General on extradition and international cooperation in criminal matters

(Legislative authority: Economic and Social Council resolution 1995/27, section I, paras. 5-7)

(c) Smuggling of illegal migrants;

Documentation

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

(Legislative authority: General Assembly resolution 48/102; and Economic and Social Council resolutions 1994/14 and 1995/10)

(d) Illicit trafficking in motor vehicles;

Documentation

Report of the Secretary-General on the views of Governments and relevant organizations on measures for the prevention and suppression of illicit trafficking in motor vehicles

(Legislative authority: Economic and Social Council resolution 1995/27, section II, para.1)

(e) The role of criminal law in the protection of the environment.

Documentation

Report of the Secretary-General on the role of criminal law in the protection of the environment

(Legislative authority: draft resolution E/CN.15/1996/L.4, para. 9)

7. Strategies for crime prevention and control, particularly in urban areas and in the context of public security

(a) Elimination of violence against women;
Documentation

Report of the Secretary-General on the results of the multidisciplinary consultations and views received on the draft practical measures, strategies and activities in the field of crime prevention and criminal justice for the elimination of violence against women

(Legislative authority: draft resolution E/CN.15/1996/L.10, paras. 15 and 17)

Report of the Secretary-General on the proposed text of the draft practical measures, strategies and activities in the field of crime prevention and criminal justice for the elimination of violence against women

(Legislative authority: draft resolution E/CN.15/1996/L.10, paras. 7, 15 and 17)

(b) Measures to prevent illicit trafficking in children.

Documentation

Report of the Secretary-General on measures to prevent illicit trafficking in children

(Legislative authority: draft resolution E/CN.15/1996/L.8/Rev.1, para. 10)


Documentation

Report of the Secretary-General on the administration of juvenile justice

(Legislative authority: draft resolution E/CN.15/1996/L.9, para. 11)

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

(Legislative authority: draft resolution E/CN.15/1996/L.15/Rev.1, paras. 7 and 8)

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

(Legislative authority: Commission decision 5/101)

Report of the Secretary-General on the use and application of Basic Principles of Justice for Victims of Crime and Abuse of Power

(Legislative authority: draft resolution E/CN.15/1996/L.16/Rev.1, para. 1)

9. Technical cooperation, including resource mobilization, and coordination of activities:

(a) Technical cooperation;
Documentation

Report of the Secretary-General on technical cooperation and coordination of activities

(Legislative authority: Economic and Social Council resolution 1992/22, section VII, para. 2; and Commission resolution 5/2)

(b) Resource mobilization;

Documentation

Report of the Secretary-General on resource mobilization and funding of technical assistance in the field of crime prevention and criminal justice

(Legislative authority: Economic and Social Council resolution 1992/22, section VII, para. 2; and Commission resolution 5/2, para. 17)

(c) Cooperation with other United Nations bodies and other entities.

Documentation

Report of the Secretary-General 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)

10. Strategic management and programme questions:

(a) Strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations Crime Prevention and Criminal Justice Programme;

Documentation

Report of the Secretary-General on strategic management

(Legislative authority: Commission resolutions 4/3, para. 3, and 5/3)

(b) Programme questions.

Documentation

Note by the Secretary-General on the draft programme budget for the biennium 1998-1999

11. Provisional agenda for the seventh session of the Commission.

12. Adoption of the report of the Commission on its sixth session.
D. Matters brought to the attention of the Economic and Social Council

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


_The Commission on Crime Prevention and Criminal Justice,_

_Having considered_ the report of the Secretary-General on proposals for the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,*

_Expressing its appreciation_ to all States that have submitted their views on the theme of the Tenth Congress, its format, agenda items and workshop topics,

1. _Invites_ all States that have not yet done so to respond by 15 December 1996 to the Secretary-General’s request for their views on the theme, agenda items, workshop topics and possible venue of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

2. _Requests_ the Secretary-General to invite also the views of relevant agencies and programmes of the United Nations system and other relevant intergovernmental and non-governmental organizations;

3. _Also requests_ the Secretary-General to summarize the views received concerning the proposals for the theme, format, agenda items, workshop topics and possible venue of the Tenth Congress for consideration by the Commission on Crime Prevention and Criminal Justice at its sixth session.

*Resolution 5/2. Technical cooperation and interregional advisory services in crime prevention and criminal justice*

_The Commission on Crime Prevention and Criminal Justice,_

_Recalling_ Economic and Social Council resolution 1995/15 of 24 July 1995, on technical cooperation and interregional advisory services in crime prevention and criminal justice,

_Recalling also_ Economic and Social Council resolution 1995/27 of 24 July 1995, on the implementation of the resolutions and recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

_Recalling further_ General Assembly resolution 50/146 of 21 December 1995, on strengthening the United Nations Crime Prevention and Criminal Justice Programme, particularly its technical cooperation capacity,

*For the discussion, see chapter IV.

**For the discussion, see chapter V.

52E/CN.15/1996/15.
Recognizing the direct relevance of crime prevention and criminal justice to sustained development, stability, security, improved quality of life, democracy and human rights,

Bearing in mind the pressing need to increase technical cooperation activities to assist countries, particularly least developed countries, developing countries and countries with economies in transition, in their efforts to translate United Nations policy guidelines into practice, including training and upgrading of national capacities,

Emphasizing the relevance of technical assistance in the field of crime prevention and criminal justice to countries undergoing reconstruction after a situation of armed conflict or internal disturbance, with the consent of the Government concerned,

Convinced of the need for the Crime Prevention and Criminal Justice Division of the Secretariat to assume the functions of a focal point and clearing-house for inter-agency coordination in crime prevention and criminal justice with other entities of the United Nations system,

Noting the continued increase in the requests for technical assistance forwarded to the Crime Prevention and Criminal Justice Division,

Emphasizing the importance of coordinating the activities in the field of technical cooperation carried out under its responsibility with those under the responsibility of the Commission on Narcotic Drugs, particularly as related to problems faced by States most affected by drug-related crimes, as well as those under the responsibility of the Commission on Human Rights,

1. Takes note with appreciation of the report of the Secretary-General on technical cooperation and advisory services of the United Nations Crime Prevention and Criminal Justice Programme;\(^{53}\)

2. 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 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;

3. Reaffirms also the importance of continuing to improve and strengthen the operational activities of the United Nations Crime Prevention and Criminal Justice Programme, particularly in developing countries and countries with economies in transition, in order to meet the needs of Member States by undertaking advisory services and training programmes, by carrying out field studies at the regional, subregional, national and local levels, also drawing upon extrabudgetary contributions, by developing comprehensive strategic plans for technical cooperation and by preparing model assistance projects;

4. Commends the contribution of the United Nations Crime Prevention and Criminal Justice Programme to United Nations peace-keeping and special missions, as well as its contribution to the follow-up to those missions, and requests the Secretary-General, subject to the availability of extrabudgetary resources, to develop further training material for peace-keeping police, pursuant to Economic and Social Council resolution 1993/34, section II, of 27 July 1993;

5. *Invites* developing countries and countries with economies in transition to include in their requests to the United Nations Development Programme for assistance, also as part of the country programme framework of the United Nations Development Programme, projects and/or elements on crime prevention and criminal justice, with a view to upgrading national institutional capacity and professional expertise in that field;

6. *Calls upon* the Department for Development Support and Management Services of the Secretariat, the Centre for Human Rights of the Secretariat, 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, also as part of current programmes in the field of good governance and institution-building, utilizing the expertise of the United Nations Crime Prevention and Criminal Justice Programme and taking advantage of the coordinating role of the Commission on Crime Prevention and Criminal Justice;

7. *Requests* the Secretary-General to continue to strengthen the cooperation between the Crime Prevention and Criminal Justice Division of the Secretariat and the United Nations International Drug Control Programme, including the undertaking of joint initiatives, particularly the formulation and implementation of technical assistance projects, as well as to consider the establishment of a joint unit for providing technical assistance regarding the control of proceeds of crime, including the prevention of money-laundering, in a manner so as not to duplicate efforts in other international forums;

8. *Invites* 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. *Calls upon* Member States to strengthen technical assistance and cooperation at the regional level, also by making use of the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, and to further increase their role and capacity;

10. *Requests* the Secretary-General to make increased use of the United Nations Crime and Justice Information Network as a tool for technical cooperation, particularly as related to the dissemination of crime statistics, United Nations standards and norms in criminal justice, and the establishment of discussion forums on relevant items;

11. *Welcomes* General Assembly resolution 50/214 of 23 December 1995, in which the Assembly approved the proposed programme budget for the biennium 1996-1997, providing in section 20 funds for maintaining two posts of interregional advisers for crime prevention and criminal justice, and recommends that the Secretary-General should further strengthen the interregional advisory services to support technical assistance activities, including short-term advisory services, needs assessment, feasibility studies, field projects, training and fellowships;

12. *Calls upon* Member States to provide both general-purpose and earmarked contributions to the United Nations Crime Prevention and Criminal Justice Fund;

13. *Expresses its appreciation* to those Member States that contribute to the activities of the United Nations Crime Prevention and Criminal Justice Programme by providing the services of associate experts, of consultants and of experts for training purposes, advisory missions and the implementation of technical assistance projects, by developing training manuals and other material, by offering fellowship opportunities
and by hosting action-oriented workshops and expert group meetings and urges other States to do so to the extent possible;

14. _Invites_ Member States to take into consideration the project proposals for technical assistance elaborated by the Crime Prevention and Criminal Justice Division for possible funding;

15. _Requests_ the Secretary-General to explore with Member States the establishment of a mechanism for resource mobilization and coordination of activities in the area of technical assistance;

16. _Decides_ to include under the relevant item of the agenda for its sixth session a separate topic on funding of international technical assistance in crime prevention and criminal justice and invites Member States to consider including officials of development funding departments and agencies of their Governments in their delegations for the Commission on Crime Prevention and Criminal Justice at its sixth session;

17. _Requests_ the Secretary-General to report to it at its sixth session on the implementation of the present resolution.


_The Commission on Crime Prevention and Criminal Justice,_


_Recalling_ Economic and Social Council resolution 1992/22 of 30 July 1992,

_Reaffirming_ its resolutions 1/1 and 4/3,

1. _Takes note with appreciation_ of the report of the Secretary-General on strategic management of the United Nations Crime Prevention and Criminal Justice Programme;

2. _Notes_ the reaffirmation of the fundamental role of the medium-term plan and the regular budget of the United Nations as the framework for exercising the functions of the Commission on Crime Prevention and Criminal Justice related to the strategic management of the United Nations Crime Prevention and Criminal Justice Programme;

3. _Takes note_ of the draft medium-term plan for the period 1998-2001;

4. _Recognizes_ the importance of the contribution that its bureau can make in advancing the work of the United Nations Crime Prevention and Criminal Justice Programme, particularly by strengthening its strategic management, both during its sessions and in the inter-sessional periods;

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*For the discussion, see chapter VIII.

*E/CN.15/1996/22.*
5. *Requests* Member States to submit to the bureau the draft proposals, together with the information required in accordance with Commission resolution 4/3, annex, one month prior to the commencement of the session of the Commission;

6. *Requests* the bureau to submit a report on its inter-sessional work, wherein it should present its views on whether the procedural requirements for the submission of draft proposals have been met by those who make such proposals;

7. *Stresses* the importance for effective strategic management of the strict adherence to the six weeks’ rule on documentation and urges Member States, as well as the Secretary-General, to cooperate fully in its implementation;

8. *Recommends* that the regional groups should, whenever possible, strive for continuity in the composition of its bureau, in particular by electing at least one of the retiring officers of the previous bureau of each session to serve in the next bureau;

9. *Decides* that its bureau should endeavour to hold inter-sessional meetings with the bureau of the Commission on Narcotic Drugs in order to improve coordination of work of the two commissions;

10. *Also decides* to exercise more vigorously its mandated functions of resource mobilization and, for this purpose, to establish an informal consultative group, which will be composed of the bureau of each session and those Member States that in the preceding biennium already contributed to the United Nations Crime Prevention and Criminal Justice Fund or in other concrete ways to the United Nations Crime Prevention and Criminal Justice Programme and which will report annually on activities undertaken and results achieved;

11. *Further decides* to curtail and streamline its reporting requirements by normally not requesting more than one report per item of its agenda and one report per priority theme and by considering certain topics on a biennial basis;

12. *Requests* the Secretary-General to elaborate concrete proposals for the measurement of the impact of the activities of the United Nations Crime Prevention and Criminal Justice Programme and to report thereon to the Commission on Crime Prevention and Criminal Justice at its sixth session;

13. *Also requests* the Secretary-General to elaborate concrete proposals on maximizing the existing resource potential of the United Nations Crime Prevention and Criminal Justice Programme and to report thereon to the Commission on Crime Prevention and Criminal Justice at its sixth session.
5. The attention of the Council is drawn to the following decision adopted by the Commission:

*Decision 5/101. Development of United Nations minimum rules for the administration of criminal justice*

At its 16th meeting, on 31 May 1996, the Commission on Crime Prevention and Criminal Justice decided to request the Secretary-General:

(a) To continue to solicit those Member States that had not yet replied to the notes of the Secretary-General\(^{55}\) regarding the advisability and specific content of the draft minimum rules for the administration of criminal justice and to evaluate those replies;

(b) To seek the views of all Member States, including those that had replied to the above notes, on the basis of their review of the report of the Secretary-General,\(^{56}\) regarding:

(i) The utility of promulgating the draft minimum rules for the administration of criminal justice;

(ii) The utility of convening an expert group to review the draft rules;

(iii) Specific areas in which an expert group, should it be convened, should consider making changes to the draft rules;

(c) To report to the Commission at its sixth session concerning the replies received from Member States and to include in the report a table summarizing the position of Member States with respect to the three issues set out in subparagraph (b) above.


\(^{56}\)E/CN.15/1996/18.