

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

International cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

The General Assembly,

Recalling its resolution 55/25 of 15 November 2000, in which it adopted the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, and its resolution 55/255 of 31 May 2001, in which it adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts, Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,

Recalling also its resolution 56/120 of 19 December 2001, in which it requested the Secretary-General to provide the Centre for International Crime Prevention of the United Nations Office for Drug Control and Crime Prevention of the Secretariat with the resources necessary to enable it to promote, in an effective manner, the entry into force

and implementation of the Convention and the Protocols thereto, and encouraged Member States to make adequate voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, in accordance with article 30 of the Convention, for the provision of technical assistance to developing countries and countries with economies in transition for the implementation of those international legal instruments,

Reaffirming its deep concern over the impact of transnational organized crime on the political, social and economic stability and development of societies,

Reaffirming also that the adoption of the Convention and the Protocols thereto is a significant development in international criminal law and that they constitute important instruments for effective international cooperation against transnational organized crime,

1. *Takes note with appreciation* of the report of the Secretary-General on promoting the ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;¹

2. *Welcomes* the fact that a number of States have already ratified the United Nations Convention against Transnational Organized Crime² and the Protocols thereto,³ and reiterates the importance of ensuring the speedy entry into force of those instruments in accordance with its resolutions 55/25 and 55/255;

3. *Commends* the Centre for International Crime Prevention of the United Nations Office for Drug Control and Crime Prevention of the Secretariat for its work in promoting the ratification of the Convention and the Protocols thereto;

4. *Welcomes* the proposed action by the Centre for International Crime Prevention, described in the report of the Secretary-General,¹ to promote the early entry into force and implementation of the Convention and the Protocols thereto;

¹ E/CN.15/2002/10.

² General Assembly resolution 55/25, annex I.

³ General Assembly resolutions 55/25, annexes II and III, and 55/255, annex.

5. *Welcomes* the financial support provided by several donors to promote the entry into force and implementation of the Convention and the Protocols thereto, and further encourages Member States to make sufficient voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund for the provision of technical assistance to developing countries and countries with economies in transition for the implementation of those international legal instruments;

6. *Requests* the Secretary-General to continue to provide the Centre for International Crime Prevention with the resources necessary to enable it to promote, in an effective manner, the entry into force and implementation of the Convention and the Protocols thereto;

7. *Also requests* the Secretary-General to report on the implementation of the present resolution in his report on the work of the Centre for International Crime Prevention to be submitted to it at its fifty-eighth session.

Draft resolution II

High-level political conference for the purpose of signing the United Nations convention against corruption

The General Assembly,

Recalling its resolution 55/61 of 4 December 2000, in which it decided to establish an ad hoc committee for the negotiation of an international legal instrument against corruption,

Recalling also its resolution 56/260 of 31 January 2002 on the terms of reference for the negotiation of an international legal instrument against corruption, in which it decided that the ad hoc committee established pursuant to its resolution 55/61 should negotiate a broad and effective convention, which, subject to the final determination of its title, should be referred to as “the United Nations Convention against Corruption”, and requested the ad hoc committee to complete its work by the end of 2003,

Recalling its resolutions 55/188 of 20 December 2000 on preventing and combating corrupt practices and illegal transfer of funds and repatriation of such funds to the countries of origin and 56/186 of 21 December 2001 on preventing and combating

corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin,

Commending the United Nations efforts to address concerns about corruption in a global forum and the efforts of Member States to implement the various instruments and standards relating to corruption, including the United Nations Declaration against Corruption and Bribery in International Commercial Transactions⁴ and the International Code of Conduct for Public Officials,⁵

Mindful of the fact that negotiations on the draft United Nations Convention against Corruption are continuing in Vienna in accordance with General Assembly resolutions 40/243 of 18 December 1985, 55/61 and 56/260,

1. *Notes* the progress made to date by the Ad Hoc Committee for the Negotiation of a Convention against Corruption, and urges the Ad Hoc Committee to endeavour to complete its work by the end of 2003;

2. *Accepts with appreciation* the offer made by the Government of Mexico to host a high-level political conference for the purpose of signing the convention;

3. *Decides* to convene in Mexico the high-level political conference for the purpose of signing the convention by the end of 2003;

4. *Requests* the Secretary-General to schedule the high-level political conference for a period of three days before the end of 2003 and to organize it in accordance with General Assembly resolution 40/243;

5. *Requests* the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat to work with the Government of Mexico, in consultation with Member States, in formulating proposals on organizing the high-level political conference so that it will provide opportunities for high-level delegates to consider issues connected with the convention, in particular follow-up activities for its effective implementation and for future work in the area of fighting corruption;

6. *Invites* all States to arrange to be represented at the high-level political conference by persons at the highest possible level of government;

⁴ General Assembly resolution 51/191, annex.

⁵ General Assembly resolution 51/59, annex.

7. *Requests* the Secretary-General to provide the Centre for International Crime Prevention, which will act as secretariat for the high-level political conference, with all the resources necessary for organizing the conference in an effective and appropriate manner.

Draft resolution III

Follow-up to the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century

The General Assembly,

Recalling its resolution 55/59 of 4 December 2000, in which it endorsed the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling also its resolution 55/60 of 4 December 2000, in which it urged Governments, in their efforts to prevent and combat crime, especially transnational crime, and to maintain well-functioning criminal justice systems, to be guided by the results of the Tenth Congress,

Recalling further its resolution 56/261 of 31 January 2002, in which it took note with appreciation of the plans of action for the implementation of the Vienna Declaration and invited the Commission on Crime Prevention and Criminal Justice to follow up their implementation and to make any recommendations as appropriate,

Underlining the significance of the plans of action in providing guidance for the implementation of and follow-up to the commitments undertaken in the Vienna Declaration,

Having taken note of the fact that the plans of action for the implementation of the Vienna Declaration reflect a wide range of United Nations standards and norms in crime prevention and criminal justice,

Recognizing that effective follow-up to the plans of action could promote the use and application of those standards and norms while facilitating an effective long-term response to the challenges of the

twenty-first century in the field of crime prevention and criminal justice,

1. *Invites* Governments and relevant intergovernmental organizations and non-governmental organizations to consider carefully and use, as appropriate, the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century⁶ as guidance for the formulation of legislation, policies and programmes in the field of crime prevention and criminal justice at the national and international levels;

2. *Requests* the Secretariat to report to the Commission on Crime Prevention and Criminal Justice at its twelfth session on the outcome of its discussion with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network regarding their possible contribution to the implementation of the plans of action, pursuant to General Assembly resolution 56/261;

3. *Requests* the Executive Director of the Office for Drug Control and Crime Prevention of the Secretariat to keep the Commission on Crime Prevention and Criminal Justice informed of the progress made in the follow-up to the plans of action in his reports on the work of the Centre for International Crime Prevention;

4. *Invites* the Commission on Crime Prevention and Criminal Justice, while formulating recommendations regarding the Eleventh United Nations Congress on Crime Prevention and Criminal Justice pursuant to General Assembly resolution 56/119 of 19 December 2001, to take into account the progress made in the follow-up to the Vienna Declaration and the plans of action, as well as new developments that, in the meantime, have taken place in the areas covered by the Vienna Declaration.

Draft resolution IV

Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of

⁶ General Assembly resolution 56/261, annex.

the United Nations congresses on the prevention of crime and the treatment of offenders,

Considering that, pursuant to its resolutions 415 (V) of 1 December 1950 and 46/152 of 18 December 1991, the Eleventh United Nations Congress on Crime Prevention and Criminal Justice is to be held in the year 2005,

Bearing in mind the guidelines for and the new format of the United Nations congresses, as stipulated in paragraph 2 of General Assembly resolution 56/119, as well as paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, annexed to resolution 46/152 of 18 December 1991,

Recalling General Assembly resolution 56/119, in which the Assembly requested the Commission on Crime Prevention and Criminal Justice, as the preparatory body for the congresses, to formulate, at its eleventh session, recommendations regarding the Eleventh Congress, including recommendations on the main topic, the organization of round tables and workshops to be held by panels of experts and the venue and duration of the Eleventh Congress, and to submit those recommendations, through the Economic and Social Council, to the General Assembly at its fifty-seventh session,

Recognizing the significant contributions of the United Nations congresses in promoting the exchange of experiences in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations and individual experts representing various professions and disciplines,

1. *Takes note* of the report of the Commission on Crime Prevention and Criminal Justice on its eleventh session and of its discussion on the preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice;⁷

2. *Decides* that the main theme of the Eleventh Congress should be “Synergies and responses: strategic alliances in crime prevention and criminal justice”;

3. *Suggests* the following topics be included for discussion during the plenary session of the Eleventh Congress, and notes that Member States may refine these topics and propose additional topics at future intersessional meetings of the Commission for finalization at its twelfth session:

(a) Effective measures against transnational organized crime;

(b) Corruption: threats and trends in the twenty-first century;

(c) Economic and financial crimes: challenges to sustainable development;

(d) Making standards work: fifty years of standard-setting in crime prevention and criminal justice;

4. *Also suggests* that the following issues be considered by workshops within the framework of the Eleventh Congress and notes that Member States may refine these issues and propose additional workshop topics at future intersessional meetings of the Commission for finalization at its twelfth session:

(a) Measures against economic crime: the role of the private sector;

(b) Cross-border law enforcement cooperation;

(c) Human rights in criminal justice;

(d) Restorative justice: community involvement, diversion and other alternative measures;

(e) Links between transnational organized crime and terrorism;

(f) Measures against high-technology and computer-related crime;

(g) Measures against money-laundering;

(h) Combating corruption;

(i) Crime prevention strategies for youth at risk;

(j) Current practices in and ways of overcoming obstacles to extradition;

5. *Requests* the Secretary-General to facilitate the organization of regional preparatory meetings for the Eleventh Congress;

⁷ See *Official Records of the Economic and Social Council, 2002, Supplement No. 10 (E/2002/30/Rev.1)*, part one, chap. IV.

6. *Also requests* the Secretary-General to prepare, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, a discussion guide for the regional preparatory meetings for the Eleventh Congress for the consideration of the Commission, and invites Member States to be actively involved in that process;

7. *Accepts with gratitude* the offer of the Government of Thailand to host the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, and requests the Secretary-General to initiate consultations with the Government of Thailand and to report to the Commission at its twelfth session;

8. *Decides* that the duration of the Eleventh Congress should not exceed eight days, including pre-Congress consultations;

9. *Invites* Member States to be represented at the Eleventh Congress at the highest possible level, for example by heads of State or Government or government ministers and attorneys-general, to make statements on the theme and topics of the Congress and to participate in thematic interactive round tables;

10. *Encourages* relevant specialized agencies, United Nations programmes and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat in the preparations for the Eleventh Congress;

11. *Reiterates* its request to the Secretary-General to provide the Centre for International Crime Prevention with the necessary resources, within the overall appropriations of the programme budget for the biennium 2002-2003, for the preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and to ensure that adequate resources are provided in the programme budget for the biennium 2004-2005 to support the holding of the Eleventh Congress;

12. *Requests* the Secretary-General to make available the necessary resources for the participation of the least developed countries in the regional preparatory meetings for the Eleventh Congress and in the Congress itself, in accordance with past practice;

13. *Requests* the Commission, at its twelfth session, to finalize the programme for the Eleventh Congress and to make its final recommendations, through the Economic and Social Council, to the General Assembly;

14. *Requests* the Secretary-General to ensure the proper follow-up to the present resolution and to report thereon to the General Assembly, through the Commission on Crime Prevention and Criminal Justice at its twelfth session.

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

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

Draft resolution I

Basic principles on the use of restorative justice programmes in criminal matters

The Economic and Social Council,

Recalling its resolution 1999/26 of 28 July 1999, entitled "Development and implementation of mediation and restorative justice measures in criminal justice", in which the Council requested the Commission on Crime Prevention and Criminal Justice to consider the desirability of formulating United Nations standards in the field of mediation and restorative justice,

Recalling also its resolution 2000/14 of 27 July 2000, entitled "Basic principles on the use of restorative programmes in criminal matters", in which the Council requested the Secretary-General to seek comments from Member States and relevant intergovernmental and non-governmental organizations, as well as institutes of the United Nations Crime Prevention and Criminal Justice Programme network, on the desirability and means of establishing common principles on the use of restorative justice programmes in criminal matters, including the advisability of developing a new instrument for that purpose,

Taking into account the existing international commitments with respect to victims, in particular the

United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,⁸

Noting the discussions on restorative justice during the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000, under the agenda item entitled “Offenders and victims: accountability and fairness in the justice process”,

Taking note of General Assembly resolution 56/261 of 31 January 2002, entitled “Revised draft plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century”, in particular the action on restorative justice in order to follow up the commitments undertaken in paragraph 28 of the Vienna Declaration,⁹

Noting with appreciation the work of the Group of Experts on Restorative Justice at their meeting held in Ottawa from 29 October to 1 November 2001,

Taking note of the report of the Secretary-General on restorative justice¹⁰ and the report of the Group of Experts on Restorative Justice,¹¹

1. *Takes note* of the basic principles on the use of restorative justice programmes in criminal matters annexed to the present resolution;

2. *Encourages* Member States to draw on the basic principles on the use of restorative justice programmes in criminal matters in the development and operation of restorative justice programmes;

3. *Requests* the Secretary-General to ensure the widest possible dissemination of the basic principles on restorative justice among Member States, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other international, regional and non-governmental organizations;

4. *Calls upon* Member States that have adopted restorative justice practices to make

information about those practices available to other States upon request;

5. *Also calls upon* Member States to assist one another in the development and implementation of research, training or other programmes, as well as activities to stimulate discussion and the exchange of experience on restorative justice;

6. *Further calls upon* Member States to consider, through voluntary contributions, the provision of technical assistance to developing countries and countries with economies in transition, on request, to assist them in the development of restorative justice programmes.

Annex

Basic principles on the use of restorative justice programmes in criminal matters

Preamble

Recalling that there has been, worldwide, a significant growth of restorative justice initiatives,

Recognizing that those initiatives often draw upon traditional and indigenous forms of justice which view crime as fundamentally harmful to people,

Emphasizing that restorative justice is an evolving response to crime that respects the dignity and equality of each person, builds understanding, and promotes social harmony through the healing of victims, offenders and communities,

Stressing that this approach enables those affected by crime to share openly their feelings and experiences, and aims at addressing their needs,

Aware that this approach provides an opportunity for victims to obtain reparation, feel safer and seek closure; allows offenders to gain insight into the causes and effects of their behaviour and to take responsibility in a meaningful way; and enables communities to understand the underlying causes of crime, to promote community well-being and to prevent crime,

Noting that restorative justice gives rise to a range of measures that are flexible in their adaptation to established criminal justice systems and that complement those systems, taking into account legal, social and cultural circumstances,

⁸ General Assembly resolution 40/34, annex.

⁹ See *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000*, chap. I (A/CONF.187/15).

¹⁰ E/CN.15/2002/5 and Corr.1.

¹¹ E/CN.15/2002/5/Add.1.

Recognizing that the use of restorative justice does not prejudice the right of States to prosecute alleged offenders,

I. Use of terms

1. “Restorative justice programme” means any programme that uses restorative processes and seeks to achieve restorative outcomes.

2. “Restorative process” means any process in which the victim and the offender, and, where appropriate, any other individuals or community members affected by a crime participate together actively in the resolution of matters arising from the crime, generally with the help of a facilitator. Restorative processes may include mediation, conciliation, conferencing and sentencing circles.

3. “Restorative outcome” means an agreement reached as a result of a restorative process. Restorative outcomes include responses and programmes such as reparation, restitution, and community service, aimed at meeting the individual and collective needs and responsibilities of the parties and achieving the reintegration of the victim and the offender.

4. “Parties” means the victim, the offender and any other individuals or community members affected by a crime who may be involved in a restorative process.

5. “Facilitator” means a person whose role is to facilitate, in a fair and impartial manner, the participation of the parties in a restorative process.

II. Use of restorative justice programmes

6. Restorative justice programmes may be used at any stage of the criminal justice system, subject to national law.

7. Restorative processes should be used only where there is sufficient evidence to charge the offender and with the free and voluntary consent of the victim and the offender. The victim and the offender should be able to withdraw such consent at any time during the process. Agreements should be arrived at voluntarily and contain only reasonable and proportionate obligations.

8. The victim and the offender should normally agree on the basic facts of a case as the basis for their participation in a restorative process.

Participation of the offender shall not be used as evidence of admission of guilt in subsequent legal proceedings.

9. Disparities leading to power imbalances, as well as cultural differences among the parties, should be taken into consideration in referring a case to, and in conducting, a restorative process.

10. The safety of the parties shall be considered in referring any case to, and in conducting, a restorative process.

11. Where restorative processes are not suitable or possible, the case should be referred to the criminal justice authorities and a decision should be taken as to how to proceed without delay. In such cases, criminal justice officials should endeavour to encourage the offender to take responsibility vis-à-vis the victim and affected communities, and support the reintegration of the victim and the offender into the community.

III. Operation of restorative justice programmes

12. Member States should consider establishing guidelines and standards, with legislative authority when necessary, that govern the use of restorative justice programmes. Such guidelines and standards should respect the basic principles set forth in the present instrument and should address, inter alia:

(a) The conditions for the referral of cases to restorative justice programmes;

(b) The handling of cases following a restorative process;

(c) The qualifications, training and assessment of facilitators;

(d) The administration of restorative justice programmes;

(e) Standards of competence and rules of conduct governing the operation of restorative justice programmes.

13. Fundamental procedural safeguards guaranteeing fairness to the offender and the victim should be applied to restorative justice programmes and in particular to restorative processes:

(a) Subject to national law, the victim and the offender should have the right to consult with legal counsel concerning the restorative process and, where

necessary, to translation and/or interpretation. Minors should, in addition, have the right to the assistance of a parent or guardian;

(b) Before agreeing to participate in restorative processes, the parties should be fully informed of their rights, the nature of the process and the possible consequences of their decision;

(c) Neither the victim nor the offender should be coerced, or induced by unfair means, to participate in restorative processes or to accept restorative outcomes.

14. Discussions in restorative processes that are not conducted in public should be confidential, and should not be disclosed subsequently, except with the agreement of the parties or as required by national law.

15. The results of agreements arising out of restorative justice programmes should, where appropriate, be judicially supervised or incorporated into judicial decisions or judgements. Where that occurs, the outcome should have the same status as any other judicial decision or judgement and should preclude prosecution in respect of the same facts.

16. Where no agreement is reached among the parties, the case should be referred back to the established criminal justice process and a decision as to how to proceed should be taken without delay. Failure to reach an agreement alone shall not be used in subsequent criminal justice proceedings.

17. Failure to implement an agreement made in the course of a restorative process should be referred back to the restorative programme or, where required by national law, to the established criminal justice process and a decision as to how to proceed should be taken without delay. Failure to implement an agreement, other than a judicial decision or judgement, should not be used as justification for a more severe sentence in subsequent criminal justice proceedings.

18. Facilitators should perform their duties in an impartial manner, with due respect to the dignity of the parties. In that capacity, facilitators should ensure that the parties act with respect towards each other and enable the parties to find a relevant solution among themselves.

19. Facilitators shall possess a good understanding of local cultures and communities and,

where appropriate, receive initial training before taking up facilitation duties.

IV. Continuing development of restorative justice programmes

20. Member States should consider the formulation of national strategies and policies aimed at the development of restorative justice and at the promotion of a culture favourable to the use of restorative justice among law enforcement, judicial and social authorities, as well as local communities.

21. There should be regular consultation between criminal justice authorities and administrators of restorative justice programmes to develop a common understanding and enhance the effectiveness of restorative processes and outcomes, to increase the extent to which restorative programmes are used, and to explore ways in which restorative approaches might be incorporated into criminal justice practices.

22. Member States, in cooperation with civil society where appropriate, should promote research on and evaluation of restorative justice programmes to assess the extent to which they result in restorative outcomes, serve as a complement or alternative to the criminal justice process and provide positive outcomes for all parties. Restorative justice processes may need to undergo change in concrete form over time. Member States should therefore encourage regular evaluation and modification of such programmes. The results of research and evaluation should guide further policy and programme development.

V. Saving clause

23. Nothing in these basic principles shall affect any rights of an offender or a victim which are established in national law or applicable international law.

Draft resolution II

Action to promote effective crime prevention

The Economic and Social Council,

Bearing in mind its resolution 1996/16 of 23 July 1996, in which the Economic and Social Council requested the Secretary-General to continue to promote the use and application of United Nations standards and norms in crime prevention and criminal justice matters,

Recalling the elements of responsible crime prevention: standards and norms annexed to its resolution 1997/33 of 21 July 1997, in particular those relating to community involvement in crime prevention contained in paragraphs 14 to 23 of that annex, as well as the revised draft elements of responsible crime prevention, prepared by the Expert Group Meeting on Elements of Responsible Crime Prevention: Addressing Traditional and Emerging Crime Problems, held in Buenos Aires from 8 to 10 September 1999,

Taking note of the international colloquium of crime prevention experts convened in Montreal, Canada, from 3 to 6 October 1999, by the Governments of France, the Netherlands and Canada, in collaboration with the International Centre for the Prevention of Crime in Montreal, as a preparatory meeting for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Noting that the draft elements of responsible crime prevention were considered at the workshop on community involvement in crime prevention, held at the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000,

Acknowledging the need to update and finalize the draft elements of responsible crime prevention,

Aware of the scope for significant reductions in crime and victimization through knowledge-based approaches, and of the contribution that effective crime prevention can make in terms of the safety and security of individuals and their property, as well as the quality of life in communities around the world,

Taking note of General Assembly resolution 56/261 of 31 January 2002, entitled "Revised draft plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century",¹² in particular the action on crime prevention in order to follow up the commitments undertaken in paragraphs 11, 13, 20, 21, 24 and 25 of the Vienna Declaration,

Convinced of the need to advance a collaborative agenda for action with respect to the commitments made in the Vienna Declaration,

Noting with appreciation the work of the Group of Experts on Crime Prevention at their meeting held in Vancouver, Canada, from 21 to 24 January 2002, and the work of the Secretary-General in preparing a report on the results of that interregional meeting, containing revised draft guidelines for crime prevention and proposed priority areas for international action,¹³

Recognizing that each Member State is unique in its governmental structure, social characteristics and economic capacity and that those factors will influence the scope and implementation of its crime prevention programmes,

Recognizing also that changing circumstances and evolving approaches to crime prevention may require further elaboration and adaptation of crime prevention guidelines,

1. *Accepts* the Guidelines for the Prevention of Crime, annexed to the present resolution, with a view to providing elements for effective crime prevention;

2. *Invites* Member States to draw upon the Guidelines for the Prevention of Crime, as appropriate, in the development or strengthening of their policies in the field of crime prevention and criminal justice;

3. *Requests* relevant United Nations bodies and other specialized organizations to strengthen inter-agency coordination and cooperation in crime prevention, as set out in the Guidelines, and, to that end, to disseminate the Guidelines widely within the United Nations system;

4. *Requests* the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat, in consultation with Member States, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other relevant entities in the United Nations system, to prepare a proposal for technical assistance in the area of crime prevention, in accordance with the guidelines of the Office for Drug Control and Crime Prevention;

5. *Requests* Member States to establish or strengthen international, regional and national crime prevention networks, with a view to developing knowledge-based strategies, exchanging proven and promising practices, identifying elements of their

¹² See *Report of the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000*, chap. I (A/CONF.187/15).

¹³ E/CN.15/2002/4.

transferability and making such knowledge available to communities throughout the world;

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

Annex

Guidelines for the Prevention of Crime

I. Introduction

1. There is clear evidence that well-planned crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to the sustainable development of countries. Effective, responsible crime prevention enhances the quality of life of all citizens. It has long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime. Crime prevention offers opportunities for a humane and more cost-effective approach to the problems of crime. The present Guidelines outline the necessary elements for effective crime prevention.

II. Conceptual frame of reference

2. It is the responsibility of all levels of government to create, maintain and promote a context within which relevant governmental institutions and all segments of civil society, including the corporate sector, can better play their part in preventing crime.

3. For the purposes of the present Guidelines, “crime prevention” comprises strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence their multiple causes. The enforcement of laws, sentences and corrections, while also performing preventive functions, falls outside the scope of the Guidelines, given the comprehensive coverage of the subject in other United Nations instruments.¹⁴

¹⁴ See *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice* (United Nations publication, Sales No. E.92.IV.1 and corrigendum).

4. The present Guidelines address crime and its effects on victims and society and take into account the growing internationalization of criminal activities.

5. Community involvement and cooperation/partnerships represent important elements of the concept of crime prevention set out herein. While the term “community” may be defined in different ways, its essence in this context is the involvement of civil society at the local level.

6. Crime prevention encompasses a wide range of approaches, including those which:

(a) Promote the well-being of people and encourage pro-social behaviour through social, economic, health and educational measures, with a particular emphasis on children and youth, and focus on the risk and protective factors associated with crime and victimization (prevention through social development or social crime prevention);

(b) Change the conditions in neighbourhoods that influence offending, victimization and the insecurity that results from crime by building on the initiatives, expertise and commitment of community members (locally based crime prevention);

(c) Prevent the occurrence of crimes by reducing opportunities, increasing risks of being apprehended and minimizing benefits, including through environmental design, and by providing assistance and information to potential and actual victims (situational crime prevention);

(d) Prevent recidivism by assisting in the social reintegration of offenders and other preventive mechanisms (reintegration programmes).

III. Basic principles

Government leadership

7. All levels of government should play a leadership role in developing effective and humane crime prevention strategies and in creating and maintaining institutional frameworks for their implementation and review.

Socio-economic development and inclusion

8. Crime prevention considerations should be integrated into all relevant social and economic policies and programmes, including those addressing

employment, education, health, housing and urban planning, poverty, social marginalization and exclusion. Particular emphasis should be placed on communities, families, children and youth at risk.

Cooperation/partnerships

9. Cooperation/partnerships should be an integral part of effective crime prevention, given the wide-ranging nature of the causes of crime and the skills and responsibilities required to address them. This includes partnerships working across ministries and between authorities, community organizations, non-governmental organizations, the business sector and private citizens.

Sustainability/accountability

10. Crime prevention requires adequate resources, including funding for structures and activities, in order to be sustained. There should be clear accountability for funding, implementation and evaluation and for the achievement of planned results.

Knowledge base

11. Crime prevention strategies, policies, programmes and actions should be based on a broad, multidisciplinary foundation of knowledge about crime problems, their multiple causes and promising and proven practices.

Human rights/rule of law/culture of lawfulness

12. The rule of law and those human rights which are recognized in international instruments to which Member States are parties must be respected in all aspects of crime prevention. A culture of lawfulness should be actively promoted in crime prevention.

Interdependency

13. National crime prevention diagnoses and strategies should, where appropriate, take account of links between local criminal problems and international organized crime.

Differentiation

14. Crime prevention strategies should, when appropriate, pay due regard to the different needs of men and women and consider the special needs of vulnerable members of society.

IV. Organization, methods and approaches

15. Recognizing that all States have unique governmental structures, this section sets out tools and methodologies that Governments and all segments of civil society should consider in developing strategies to prevent crime and reduce victimization. It draws on international good practice.

Community involvement

16. In some of the areas listed below, Governments bear the primary responsibility. However, the active participation of communities and other segments of civil society is an essential part of effective crime prevention. Communities, in particular, should play an important part in identifying crime prevention priorities, in implementation and evaluation, and in helping identify a sustainable resource base.

A. Organization

Government structures

17. Governments should include prevention as a permanent part of their structures and programmes for controlling crime, ensuring that clear responsibilities and goals exist within government for the organization of crime prevention, by, inter alia:

- (a) Establishing centres or focal points with expertise and resources;
- (b) Establishing a crime prevention plan with clear priorities and targets;
- (c) Establishing linkages and coordination between relevant government agencies or departments;
- (d) Fostering partnerships with non-governmental organizations, the business, private and professional sectors and the community;
- (e) Seeking the active participation of the public in crime prevention by informing it of the need for and means of action and its role.

Training and capacity-building

18. Governments should support the development of crime prevention skills by:

- (a) Providing professional development for senior officials in relevant agencies;

(b) Encouraging universities, colleges and other relevant educational agencies to offer basic and advanced courses, including in collaboration with practitioners;

(c) Working with the educational and professional sectors to develop certification and professional qualifications;

(d) Promoting the capacity of communities to develop and respond to their needs.

Supporting partnerships

19. Governments and all segments of civil society should support the principle of partnership, where appropriate, including:

(a) Advancing knowledge of the importance of this principle and the components of successful partnerships, including the need for all of the partners to have clear and transparent roles;

(b) Fostering their formation at different levels and across sectors;

(c) Facilitating their efficient operation.

Sustainability

20. Governments and other funding bodies should strive to achieve sustainability of demonstrably effective crime prevention programmes and initiatives through, inter alia:

(a) Reviewing resource allocation to establish and maintain an appropriate balance between crime prevention and the criminal justice and other systems, to be more effective in preventing crime and victimization;

(b) Establishing clear accountability for funding, programming and coordinating crime prevention initiatives;

(c) Encouraging community involvement in sustainability.

B. Methods

Knowledge base

21. As appropriate, Governments and/or civil society should facilitate knowledge-based crime prevention by, inter alia:

(a) Providing the information necessary for communities to address crime problems;

(b) Supporting the generation of useful and practically applicable knowledge that is scientifically reliable and valid;

(c) Supporting the organization and synthesis of knowledge and identifying and addressing gaps in the knowledge base;

(d) Sharing that knowledge, as appropriate, among, inter alia, researchers, policy makers, educators, practitioners from other relevant sectors and the wider community;

(e) Applying this knowledge in replicating successful interventions, developing new initiatives and anticipating new crime problems and prevention opportunities;

(f) Establishing data systems to help manage crime prevention more cost-effectively, including by conducting regular surveys of victimization and offending;

(g) Promoting the application of those data in order to reduce repeat victimization, persistent offending and areas with a high level of crime.

Planning interventions

22. Those planning interventions should promote a process that includes:

(a) A systematic analysis of crime problems, their causes, risk factors and consequences, in particular at the local level;

(b) A plan that draws on the most appropriate approach and adapts interventions to the specific local problem and context;

(c) An implementation plan to deliver appropriate interventions that are efficient, effective and sustainable;

(d) Mobilizing entities that are able to tackle causes;

(e) Monitoring and evaluation.

Support evaluation

23. Governments, other funding bodies and those involved in programme development and delivery should:

- (a) Undertake short- and longer-term evaluation to test rigorously what works, where and why;
- (b) Undertake cost-benefit analyses;
- (c) Assess the extent to which action results in a reduction in levels of crime and victimization, in the seriousness of crime and in fear of crime;
- (d) Systematically assess the outcomes and unintended consequences, both positive and negative, of action, such as a decrease in crime rates or the stigmatization of individuals and/or communities.

C. Approaches

24. This section expands upon the social developmental and situational crime prevention approaches. It also outlines approaches that Governments and civil society should endeavour to follow in order to prevent organized crime.

Social development

25. Governments should address the risk factors of crime and victimization by:

- (a) Promoting protective factors through comprehensive and non-stigmatizing social and economic development programmes, including health, education, housing and employment;
- (b) Promoting activities that redress marginalization and exclusion;
- (c) Promoting positive conflict resolution;
- (d) Using education and public awareness strategies to foster a culture of lawfulness and tolerance while respecting cultural identities.

Situational

26. Governments and civil society, including where appropriate the corporate sector, should support the development of situational crime prevention programmes by, inter alia:

- (a) Improved environmental design;

- (b) Appropriate methods of surveillance that are sensitive to the right to privacy;

- (c) Encouraging the design of consumer goods to make them more resistant to crime;

- (d) Target “hardening” without impinging upon the quality of the built environment or limiting free access to public space;

- (e) Implementing strategies to prevent repeat victimization.

Prevention of organized crime

27. Governments and civil society should endeavour to analyse and address the links between transnational organized crime and national and local crime problems by, inter alia:

- (a) Reducing existing and future opportunities for organized criminal groups to participate in lawful markets with the proceeds of crime, through appropriate legislative, administrative or other measures;

- (b) Developing measures to prevent the misuse by organized criminal groups of tender procedures conducted by public authorities and of subsidies and licences granted by public authorities for commercial activity;

- (c) Designing crime prevention strategies, where appropriate, to protect socially marginalized groups, especially women and children, who are vulnerable to the action of organized criminal groups, including trafficking in persons and smuggling of migrants.

V. International cooperation

Standards and norms

28. In promoting international action in crime prevention, Member States are invited to take into account the main international instruments related to human rights and crime prevention to which they are parties, such as the Convention on the Rights of the Child (General Assembly resolution 44/25, annex), the Declaration on the Elimination of Violence against Women (resolution 48/104), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) (resolution 45/112, annex), the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (resolution 40/34,

annex), the Guidelines for Cooperation and Technical Assistance in the Field of Urban Crime Prevention (Economic and Social Council resolution 1995/9, annex), as well as the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (General Assembly resolution 55/59, annex) and the United Nations Convention against Transnational Organized Crime and the Protocols thereto (resolutions 55/25, annexes I-III, and 55/255, annex).

Technical assistance

29. Member States and relevant international funding organizations should provide financial and technical assistance, including capacity-building and training, to developing countries and countries with economies in transition, communities and other relevant organizations for the implementation of effective crime prevention and community safety strategies at the regional, national and local levels. In that context, special attention should be given to research and action on crime prevention through social development.

Networking

30. Member States should strengthen or establish international, regional and national crime prevention networks with a view to exchanging proven and promising practices, identifying elements of their transferability and making such knowledge available to communities throughout the world.

Links between transnational and local crime

31. Member States should collaborate to analyse and address the links between transnational organized crime and national and local crime problems.

Prioritizing crime prevention

32. The Centre for International Crime Prevention, the United Nations Crime Prevention and Criminal Justice Programme network of affiliated and associated institutes and other relevant United Nations entities should include in their priorities crime prevention as set out in these Guidelines, set up a coordination mechanism and establish a roster of experts to undertake needs assessment and to provide technical advice.

Dissemination

33. Relevant United Nations bodies and other organizations should cooperate to produce crime prevention information in as many languages as possible, using both print and electronic media.

Draft resolution III

Promoting effective measures to deal with the issues of missing children and sexual abuse or exploitation of children

The Economic and Social Council,

Recalling the Convention on the Rights of the Child,¹⁵ the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and pornography,¹⁶ the United Nations Convention against Transnational Organized Crime¹⁷ and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,¹⁸

Recalling the Universal Declaration of Human Rights,¹⁹

Recalling General Assembly resolution 50/145, of 21 December 1995, on the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in which the Assembly endorsed the resolutions adopted by the Ninth Congress, including resolution 7 on children as victims and perpetrators of crime and the United Nations criminal justice programme,²⁰

Recalling the first World Congress against Commercial Sexual Exploitation of Children, held in Stockholm from 27 to 31 August 1996, and the declaration and programme of action adopted by the World Congress to promote the protection of the rights of the child and end the commercial sexual exploitation of children, in particular by applying the Convention

¹⁵ General Assembly resolution 44/25, annex.

¹⁶ General Assembly resolution 54/263, annex II.

¹⁷ General Assembly resolution 55/25, annex I.

¹⁸ General Assembly resolution 55/25.

¹⁹ General Assembly resolution 217 A (III).

²⁰ See *Report of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Cairo, 29 April-8 May 1995*, chap. I (A/CONF.169/16).

on the Rights of the Child and other relevant instruments,

Recalling the second World Congress against Commercial Sexual Exploitation of Children, held in Yokohama, Japan, from 17 to 20 December 2001, at which the participants adopted the Yokohama Global Commitment 2001, welcoming the enhancement by States of actions towards the elimination of child prostitution, child pornography and trafficking in children for sexual purposes,

Recalling International Labour Organization Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, of 17 June 1999, which prohibits forced or obligatory labour of all people under the age of eighteen,

I. Action to promote cooperation with civil society in dealing with the issues of missing children and sexual abuse or exploitation of children

Convinced that civil society can play a role in the fight against the disappearance of children and that organizations or a structured network of associations can be useful in finding missing children and in preventing and countering that problem,

Convinced that civil society can also play a role in the fight against sexual abuse or exploitation of children and that organizations or a structured network of associations can be useful in assisting sexually abused or exploited children and in preventing and countering that problem,

1. *Encourages* Member States to facilitate cooperation between the competent authorities and qualified organizations or associations of civil society involved in tracing missing children or in assisting sexually abused or exploited children;

2. *Emphasizes* that such cooperation does not prejudice the role of the competent authorities in conducting investigations and proceedings;

3. *Calls upon* Member States to examine the possibility, taking into account the resources available, of providing, inter alia, a toll-free hotline or other means of communication or encouraging arrangements, for instance through the use of the Internet, whereby the qualified organizations or associations referred to in paragraph 1 above could make a hotline available twenty-four hours a day;

4. *Calls upon* Member States to establish appropriate arrangements, to the extent necessary, in accordance with their legislation pertaining to investigations and proceedings, in order to facilitate the mutual exchange, between such organizations or associations and the competent authorities, of appropriate information concerning the tracing of missing or sexually abused or exploited children.

II. Measures against child prostitution

Recalling the Convention on the Rights of the Child, in article 34, paragraph (a), of which States parties are called upon to prevent the inducement or coercion of a child to engage in any unlawful sexual activity,¹⁵

Noting that in article 3, paragraph (b), of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and pornography,²¹ States parties are called upon to ensure that the act of offering, obtaining, procuring or providing a child for prostitution is fully covered under their criminal or penal law,

Considering that child prostitution is undeniably a traumatic experience for the children involved,

Reaffirming the need to make persons who procure or obtain the sexual services of children responsible for their action, which violates the rights and the dignity of the children involved,

Calls upon Member States to take immediate steps to provide for the effective and proportional punishment, under their domestic law, of persons who procure or obtain the sexual services of children.

III. Time limits for penal proceedings in cases involving the sexual abuse or exploitation of children

Emphasizing that sexual abuse or exploitation provokes traumas among children who are the victims of such abuse or exploitation and that that experience may affect them throughout their life,

Emphasizing that the perpetrators are often to be found within the family, among the acquaintances or friends of the family, or among other persons in the immediate environment of or holding a position of authority over the victims,

²¹ Resolution 54/263, annex II.

Considering that the victims of sexual abuse or exploitation generally need time to reach the level of maturity required to perceive the abusive nature of the events that they have experienced, to express their opinion about those events and to dare to denounce them,

Calls upon Member States to make every effort to ensure, in conformity with domestic legislation, that the time limit for bringing criminal proceedings in cases involving the sexual abuse or exploitation of a child does not obstruct the effective prosecution of the offender, for instance by considering the possibility of postponing the beginning of the time limit until the child has reached the age of civil majority.

Draft resolution IV

United Nations standards and norms in crime prevention and criminal justice

The Economic and Social Council,

Reaffirming the importance of United Nations standards and norms in crime prevention and criminal justice and the need to maintain a balance between the current main priority issue of combating transnational organized crime and the other priority issues of the United Nations Crime Prevention and Criminal Justice Programme,

Recalling General Assembly resolution 56/161 of 19 December 2001 on human rights in the administration of justice,

Recalling Commission on Human Rights resolution 2002/47 on human rights in the administration of justice, in particular juvenile justice,

Bearing in mind that the theme for the eleventh session of the Commission on Crime Prevention and Criminal Justice was “Reform of the criminal justice system: achieving effectiveness and equity”,

Recalling the relevant provisions of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, annexed to General Assembly resolution 55/59 of 4 December 2000,

Recalling the plans of action for the implementation of the Vienna Declaration on Crime and Justice, annexed to General Assembly resolution 56/261 of 31 January 2002, in particular the plans of action on crime prevention, on witnesses and

victims of crime, on prison overcrowding and alternatives to incarceration on juvenile justice, on the special needs of women in the criminal justice system and on standards and norms,²²

Mindful of the recommendation of the Office of Internal Oversight Services, submitted to the Committee for Programme and Coordination of the Economic and Social Council at its forty-first session, that the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat should propose to the Commission on Crime Prevention and Criminal Justice at its twelfth session a revised mechanism for reporting on the use and application of the United Nations standards and norms in crime prevention and criminal justice,²³

I. Use and application of United Nations standards and norms in crime prevention and criminal justice

Recalling its resolution 1993/34 of 27 July 1993, in section III of which it requested the Secretary-General to commence without delay a process of information-gathering to be undertaken by means of surveys,

Recalling also its resolution 1998/21 of 28 July 1998, in section I of which it requested the Secretary-General to continue the information-gathering,

1. *Takes note* of the report of the Secretary-General on “Reform of the criminal justice system: achieving effectiveness and equity” and the use and application of United Nations standards and norms, especially concerning juvenile justice and penal reform;²⁴

2. *Takes note* of the reports of the Secretary-General on the implementation of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions,²⁵ the report of the Secretary-General on the implementation of the United Nations Declaration on Crime and Public Security,²⁶ and the report of the Secretary-General on the implementation of the International Code of

²² General Assembly resolution 56/261, annex, sects. VIII-X and XII-XIV.

²³ E/AC.51/2001/5, para. 13.

²⁴ E/CN.15/2002/3.

²⁵ E/CN.15/2002/6 and Add.2.

²⁶ E/CN.15/2002/11.

Conduct for Public Officials²⁷ and considers the first cycle of gathering information on the use and application of the United Nations standards and norms in crime prevention and criminal justice to have been completed;

3. *Requests* the Secretary-General to convene a meeting of a group of experts, subject to the availability of extrabudgetary funds, to evaluate the results achieved and the progress made in the application of existing United Nations standards and norms in crime prevention and criminal justice, to review the present system of reporting, to assess the advantages to be expected in using a cross-sectoral approach and to make concrete proposals to be considered by the Commission on Crime Prevention and Criminal Justice at its twelfth session;

4. *Encourages* the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat to continue, subject to the availability of existing funds, to provide technical assistance and advisory services to Member States upon request in support of criminal justice reform, including in the framework of peacekeeping and post-conflict reconstruction, drawing on the United Nations standards and norms in crime prevention and criminal justice;

5. *Invites* Member States to make available voluntary funds for technical cooperation projects in the area of criminal justice reform;

6. *Invites* the Centre for International Crime Prevention to further increase cooperation and coordination with other relevant entities, in particular the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and the Office of the United Nations High Commissioner for Human Rights, in the use and application of the United Nations standards and norms in crime prevention and criminal justice, with the aim of enhancing complementarities and reinforcing the existing collaboration in the implementation of their respective programmes, and to strengthen collaborative ties with other United Nations entities and relevant intergovernmental and non-governmental organizations.

II. Penal reform

Recalling its resolution 1999/27 of 21 July 1999 on penal reform,

Recognizing that acute prison overcrowding may result in the violation of basic human rights of prisoners and prison staff,

1. *Invites* Member States to undertake the necessary efforts to solve the problem of prison overcrowding, inter alia, by, if necessary, introducing or making appropriate use of alternatives to imprisonment;

2. *Invites* relevant bodies and specialized agencies of the United Nations system, subject to the availability of existing funds, as well as Member States, to continue to provide assistance in the form of advisory services, needs assessment, capacity-building, training or other assistance to States, upon request, in order to enable them to improve prison conditions, reduce prison overcrowding and increase reliance on alternatives to imprisonment.

III. Administration of juvenile justice

Recalling its resolution 1999/28 of 28 July 1999 on administration of juvenile justice,

1. *Requests* the Secretary-General to strengthen cooperation between the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat and other relevant partners, in particular the other members of the coordination panel on technical advice and assistance in juvenile justice, established in line with the Guidelines for Action on Children in the Criminal Justice System,²⁸ including follow-up to the recommendations of the Committee on the Rights of the Child on juvenile justice matters;

2. *Invites* the Centre for International Crime Prevention and Member States to continue, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other entities, subject to the availability of existing funds, to develop and carry out projects to prevent youth crime, to strengthen juvenile justice systems and to improve the rehabilitation and treatment of juvenile offenders, as well as to improve the protection of child victims.

²⁷ E/CN.15/2002/6/Add.1 and 3.

²⁸ Resolution 1997/30, annex.

Draft resolution V

International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance for the victims

The Economic and Social Council,

Convinced that the kidnapping of persons is a serious crime and a violation of the right to individual freedom, as well as other fundamental rights, including international humanitarian law applicable in situations of armed conflict,

Recalling General Assembly resolution 55/25 of 15 November 2000, in which the Assembly adopted the United Nations Convention against Transnational Organized Crime, an instrument forming part of the legal framework necessary for international cooperation in the fight against kidnapping, especially kidnapping committed for the purpose of extortion,

Noting the transnational nature of organized crime and the tendency of organized criminal groups to expand their illicit operations,

Concerned by the growing tendency of organized criminal groups to resort to kidnapping, especially kidnapping for the purpose of extortion, as a method of accumulating capital with a view to consolidating their criminal operations and carrying out other illegal activities, such as illicit trafficking in firearms, money-laundering, drug trafficking, illicit trafficking in human beings and crimes related to terrorism,

Convinced that the links between various illegal activities and organized criminal groups pose an additional threat to personal security and the quality of life, hindering economic and social development,

Also convinced that one of the most effective ways to combat organized crime is to trace, detect, freeze and confiscate the assets of criminal groups in order to undermine their structure,

Recalling the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,²⁹ which was convened with the intention of

adopting more effective concerted action, in a spirit of cooperation, to combat the world crime problem,

Recalling also the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, endorsed by the General Assembly in its resolution 55/59 of 4 December 2000, in which Member States participating in the Tenth Congress declared their intention to strengthen international cooperation in order to create a conducive environment for the fight against organized crime,³⁰

Concerned about the increase in kidnapping in various countries of the world and by the harmful effects of that crime on the victims and their families, and resolved to support the provision of assistance to them and measures to protect them and promote their recovery,

1. *Vigorously condemns and rejects* the worldwide practice of kidnapping, in any circumstance and for any purpose, which consists in unlawfully detaining a person or persons against their will for the purpose of demanding for their liberation an illicit gain or any other economic gain or other material benefit, or in order to oblige someone to do or not do something, and resolves to treat it henceforth as a serious crime, particularly when it is connected with the action of organized criminal groups or terrorist groups;

2. *Urges* Member States that have not already done so to adopt the legislative or other measures necessary to establish as a serious crime in their domestic legislation kidnapping in all its modalities, especially kidnapping committed for the purpose of extortion, in accordance with the United Nations Convention against Transnational Organized Crime;³¹

3. *Encourages* Member States to foster international cooperation, especially mutual legal assistance and collaboration between law enforcement authorities, through information exchange with a view to preventing, combating and eradicating kidnapping, in particular kidnapping committed for the purpose of extortion;

4. *Exhorts* Member States that have not already done so, in furtherance of the fight against kidnapping, to strengthen their measures against money-laundering and to provide international

²⁹ See *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publication, Sales No. E.00.IV.8).

³⁰ General Assembly resolution 55/59, annex, para. 10.

³¹ General Assembly resolution 55/25, annex I.

cooperation and mutual assistance through the tracing, detection, freezing and confiscation of proceeds of kidnapping, in order to undermine the structure of organized criminal groups;

5. *Invites* Member States to provide to the Secretary-General information on the practice of kidnapping and on relevant domestic measures that have been taken, including those related to support and assistance to the victims and their families;

6. *Requests* the Secretary-General, drawing upon extrabudgetary contributions or within existing resources, based on replies received from Member States and in coordination with competent entities of the United Nations system, to report to the Commission on Crime Prevention and Criminal Justice at its thirteenth session on the factual and legal situation of kidnapping throughout the world, including the situation of victims, and to submit a progress report on that subject to the Commission at its twelfth session.

Draft resolution VI

International cooperation, technical assistance and advisory services in crime prevention and criminal justice

The Economic and Social Council,

Recalling the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders³² and endorsed by the General Assembly in its resolution 55/59 of 4 December 2000,

Recalling also General Assembly resolution 56/123 of 19 December 2001 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Recalling further the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, annexed to General Assembly resolution 56/261 of 31 January 2002,

Recalling further its resolution 1998/24 of 28 July 1998 on technical cooperation and advisory services in crime prevention and criminal justice,

Stressing the direct relevance of crime prevention and criminal justice to sustained development, improved quality of life, democracy and human rights, which is increasingly being recognized by United Nations entities, specialized agencies of the United Nations system and other international organizations,

Aware of the continued increase in requests for technical assistance forwarded to the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat by least developed countries, developing countries, countries with economies in transition and countries emerging from conflict,

Appreciating the funding provided by certain Member States in 2001 that has permitted the Centre for International Crime Prevention to enhance its capacity to execute an increased number of projects,

1. *Takes note with appreciation* of the report of the Executive Director of the Office for Drug Control and Crime Prevention on the work of the Centre for International Crime Prevention,³³ in particular its technical cooperation activities focused on those areas specifically mandated by the Commission on Crime Prevention and Criminal Justice, especially the promotion of the ratification and implementation of the United Nations Convention against Transnational Organized Crime and its protocols;

2. *Expresses its gratitude* to the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat for assisting Member States in the improvement of their criminal justice systems by responding to the increasing requests for technical assistance, by implementing a number of important projects and by formulating new projects according to guidelines of the Office for Drug Control and Crime Prevention;

3. *Commends* the increased cooperation between the Centre for International Crime Prevention, the United Nations Development Programme and the United Nations Office for Project Services, and calls upon those entities, together with the World Bank and

³² See *Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Vienna, 10-17 April 2000: report prepared by the Secretariat* (United Nations publications, Sales No. E.00.IV.8).

³³ E/CN.15/2002/2 and Corr.1.

other international, regional and national funding agencies, to support the technical cooperation activities and interregional advisory services of the Centre;

4. *Invites* relevant entities of the United Nations system, including the United Nations International Drug Control Programme, the United Nations Development Programme and the World Bank, and other international funding agencies to increase their interaction with the Centre for International Crime Prevention, in order to ensure that, as appropriate, activities on crime prevention and criminal justice, including terrorism, kidnapping and corruption are considered in their sustainable development agenda, to ensure the full utilization of the expertise of the Centre in activities related to crime prevention and criminal justice and promotion of the rule of law and to avoid duplication of effort;

5. *Expresses its appreciation* to those Member States that contribute to the activities of the United Nations Crime Prevention and Criminal Justice Programme by providing funding and the services of associate experts, by developing training manuals, legislative guides and other material and by hosting action-oriented workshops and expert group meetings;

6. *Expresses the need* to have adequate resources in order to make progress in the further operationalization of the activities of the Centre for International Crime Prevention and in order to implement the projects carried out under the global programme against trafficking in human beings, the global programme against corruption and the global programme against organized crime;

7. *Invites* potential donors and relevant multi-lateral financial institutions to make significant and regular financial contributions, including, in particular, general-purpose funds, for the formulation, coordination and implementation of technical assistance projects developed within the framework of the United Nations Crime Prevention and Criminal Justice Programme and to strengthen the role of the Programme as facilitator of bilateral assistance in that area;

8. *Invites* developing countries and countries with economies in transition to include in their requests for assistance from the United Nations Development Programme, in particular as part of its country programme framework, projects and/or elements on crime prevention and criminal justice,

with a view to strengthening national institutional capacity, professional expertise and continuing education in that field;

9. *Requests* the Secretary-General to enhance further the resources available within the existing overall budgetary framework of the United Nations for the operational activities and, in particular, the interregional advisory services of the Centre for International Crime Prevention under section 21 of the regular budget of the United Nations;

10. *Also requests* the Secretary-General to make all possible efforts, including appeals to donors in the private sector, in increasing extrabudgetary resources, including general-purpose funds, and in the mobilization of resources and fund-raising.

Draft resolution VII

Illicit trafficking in protected species of wild flora and fauna

The Economic and Social Council,

Aware of the reported existence of organized criminal groups with transnational operations involving illicit trafficking in protected species of wild flora and fauna and, hence, of the link between transnational organized crime and that form of illicit trafficking,

Aware also of the adverse environmental, economic, social and scientific impact of transnational organized criminal activities related to illicit trafficking in protected species of wild flora and fauna and of the consequences of access to genetic resources on other than mutually agreed terms and, in accordance with relevant domestic law and, as appropriate, international agreements,

Convinced that both international cooperation and mutual legal assistance are essential to preventing, combating and eradicating illicit trafficking in protected species of wild flora and fauna,

Recalling the Convention on International Trade in Endangered Species of Wild Fauna and Flora,³⁴ the Convention on Biological Diversity³⁵ and action taken to implement those conventions,

³⁴ United Nations, *Treaty Series*, vol. 993, No. 14537.

³⁵ See United Nations Environment Programme, *Convention on Biological Diversity* (Environmental Law and Institution Programme Activity Centre), June 1992.

Recalling also its resolution 2001/12 of 24 July 2001, entitled “Illicit trafficking in protected species of wild flora and fauna”, in which it requested the Secretary-General to prepare, in coordination with other competent entities of the United Nations system, reports analysing domestic, bilateral, regional and multilateral legal provisions and other relevant documents, resolutions and recommendations dealing with the prevention, combating and eradication of illicit trafficking in protected species of wild flora and fauna by organized criminal groups and with illicit access to genetic resources and to present those reports to the Commission on Crime Prevention and Criminal Justice at its eleventh session,

1. *Takes note with appreciation* of the report of the Secretary-General on progress made in the implementation of Economic and Social Council resolution 2001/12 on illicit trafficking in protected species of wild flora and fauna;³⁶

2. *Urges* all Member States to cooperate with the Secretary-General and other competent entities of the United Nations system, in particular the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat, the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Secretariat of the Convention on Biological Diversity, including by submitting comments on the report of the Secretary-General on progress made in the implementation of Economic and Social Council resolution 2001/12 on illicit trafficking in protected species of wild flora and fauna,³⁶ information on relevant national legislation and practical experiences, relevant statistics on transnational organized crime and information on measures taken, legal proceedings instituted and penalties imposed against such trafficking, so that the report of the Secretary-General may be finalized;

3. *Encourages* all Member States to promote judicial cooperation and mutual technical assistance with a view to preventing, combating and eradicating illicit trafficking in protected species of wild flora and fauna;

4. *Invites* all Member States to further promote and organize regional networks for information exchange with a view to preventing, combating and

eradicating illicit trafficking in protected species of wild flora and fauna and to consider measures to regulate access to genetic resources on mutually agreed terms, in accordance with relevant domestic law and, as appropriate, relevant international agreements;

5. *Requests* the Secretary-General to finalize his report on the implementation of Economic and Social Council resolution 2001/12 and to submit it to the Commission on Crime Prevention and Criminal Justice at its twelfth session.

Draft resolution VIII

Strengthening international cooperation and technical assistance within the framework of the activities of the Centre for International Crime Prevention in preventing and combating terrorism

The Economic and Social Council,

Recalling General Assembly resolution 56/1 of 12 September 2001, in which it strongly condemned the heinous acts of terrorism of 11 September 2001, and urgently called for international cooperation to prevent and eradicate acts of terrorism,

Recalling also General Assembly resolution 56/123 of 19 December 2001, in which the Assembly invited the Secretary-General to consider, in consultation with Member States and the Commission on Crime Prevention and Criminal Justice, the ways in which the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat could contribute to the efforts of the United Nations system against terrorism, in accordance with relevant Assembly and Security Council resolutions,

Recalling further General Assembly resolution 56/253 of 24 December 2001, in paragraph 103 of which the Assembly requested the Secretary-General to make proposals to strengthen the Terrorism Prevention Branch at the United Nations Office at Vienna and to report thereon to the Assembly for its consideration,

Recalling further General Assembly resolution 56/261 of 31 January 2002, in which the Assembly took note with appreciation of the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, which included a plan of action against terrorism,

³⁶ E/CN.15/2002/7.

Recalling Security Council resolutions 1373 (2001) of 28 September 2001 and 1377 (2001) of 12 November 2001 and the relevant General Assembly resolutions relating to the prevention and suppression of terrorism,

Stressing the need for closer coordination and cooperation between States and the Centre for International Crime Prevention in preventing and combating terrorism and criminal activities carried out for the purpose of furthering terrorism in all its forms and manifestations,

Stressing also the importance of international cooperation and technical assistance in the activities of the Centre for International Crime Prevention in the area of preventing and combating terrorism,

Recognizing the role of the United Nations and its various entities, in particular the Terrorism Prevention Branch of the Centre for International Crime Prevention, as well as the possible contribution of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, in preventing and combating terrorism,

Stressing that the work of the Centre for International Crime Prevention aimed at preventing and combating terrorism, in particular strengthening international cooperation and technical assistance, should be conducted and coordinated in such a way as to complement the work of other United Nations entities, especially the Counter-Terrorism Committee and the Office of Legal Affairs of the Secretariat,

Taking into account the Charter of the United Nations and the relevant resolutions of the General Assembly and the Security Council, convinced of the need to prevent and combat acts of terrorism, and noting with deep concern the growing links between transnational organized crime and acts of terrorism,

1. *Takes note with appreciation* of the activities of the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat in the area of preventing terrorism, described in the report of the Executive Director on the work of the Centre;³⁷

2. *Reaffirms* the important role that the Centre for International Crime Prevention has to play in promoting effective action to strengthen international cooperation and in providing technical assistance, upon request, in preventing and combating terrorism, and reiterates its request to the Centre to promote effective measures to that end, in accordance with relevant General Assembly resolutions and in coordination with the Counter-Terrorism Committee and the Office of Legal Affairs of the Secretariat and other relevant United Nations entities and other international organizations;

3. *Stresses* in this context that the Centre for International Crime Prevention should, pursuant to General Assembly resolution 56/123 and under the guidance of Member States and the Commission on Crime Prevention and Criminal Justice, include in its activities the provision to States, upon request, of technical assistance for the signature, accession, ratification and effective implementation of the international conventions and protocols related to terrorism, taking into account the plan of action against terrorism contained in the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century³⁸ and the relevant General Assembly resolutions;

4. *Also stresses* that the Centre for International Crime Prevention should, pursuant to General Assembly resolution 56/123 and under the guidance of Member States and the Commission on Crime Prevention and Criminal Justice, include in its activities the taking of measures, in cooperation with Member States, to raise public awareness of the nature and scope of international terrorism and its relationship to crime, including organized crime, where appropriate, continuing to maintain databases on terrorism and offering analytical support to Member States by collecting and disseminating information on the relationship between terrorism and related criminal activities, including conducting research and analytical studies on the close connection between terrorist activities and other related crimes, such as drug trafficking and money-laundering;

³⁷ E/CN.15/2002/2 and Corr.1.

³⁸ General Assembly resolution 56/261, annex, sect. VII.

5. *Urges* States to continue working together, also on a regional and bilateral basis, to prevent and combat acts of terrorism by strengthening international cooperation and technical assistance within the framework of the international conventions and protocols related to terrorism;

6. *Requests* the Centre for International Crime Prevention, within the framework of its technical assistance activities related to countering terrorism, to take measures to draw the relevant international conventions and protocols relating to various aspects of international terrorism to the attention of those States which are not yet parties to them, with a view to assisting them, upon request, to become parties thereto;

7. *Requests* the Secretary-General to offer, on a regular basis, to the Counter-Terrorism Committee information on the activities of the Centre for International Crime Prevention relevant to preventing and combating terrorism with the aim of strengthening a permanent dialogue between the two entities;

8. *Takes note* of General Assembly resolution 56/253, requesting the Secretary-General to make proposals to strengthen the human and financial capacity of the Terrorism Prevention Branch of the Centre for International Crime Prevention to enable it to carry out its mandate in the area of preventing and combating terrorism;

9. *Welcomes* the voluntary contributions already made to the United Nations Crime Prevention and Criminal Justice Fund, and calls upon States, as well as multilateral financial institutions and regional development banks, to support, through voluntary contributions, both new and additional, to the United Nations Crime Prevention and Criminal Justice Fund and through other means, such as the provision of services of experts and consultants, the efforts of the Centre for International Crime Prevention to facilitate the provision of and to provide cooperation and technical assistance in the area of preventing and combating terrorism;

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

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

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

Draft decision I

Report of the Commission on Crime Prevention and Criminal Justice on its eleventh session, provisional agenda and documentation for its twelfth session, and organization of work and themes for its future sessions

The Economic and Social Council,

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

(b) Decides that the prominent theme for the twelfth and thirteenth sessions of the Commission should be as follows:

(i) For the twelfth session, in 2003: "Trafficking in human beings, especially women and children";

(ii) For the thirteenth session, in 2004: "The rule of law and development: contributions of the operational activities in crime prevention and criminal justice";

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

Provisional agenda and documentation for the twelfth 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 decision 1/101 of the Commission on Crime Prevention and Criminal Justice)

2. Adoption of the agenda and organization of work.
- Documentation*
- Provisional agenda, annotations and proposed organization of work
- (Legislative authority: Council resolution 1992/1 and decision 1997/232 and rules 5 and 7 of the rules of procedure of the functional commissions of the Council)
3. Thematic discussion: “Trafficking in human beings, especially women and children”.
- Sub-themes:
- (a) Trends in trafficking in human beings
 - (b) Investigating and prosecuting cases on trafficking in human beings: national and international law enforcement cooperation and assistance
 - (c) Awareness-raising and social intervention: victim support and the role of civil society
- Documentation*
- Report of the Secretary-General on trafficking in human beings
- (Legislative authority: Council resolution 1999/51)
4. Work of the Centre for International Crime Prevention.
- Documentation*
- Report of the Executive Director on the work of the Centre for International Crime Prevention (containing information on progress made on, inter alia, technical cooperation, global programmes, resource mobilization and cooperation with United Nations and other entities)
- (Legislative authority: General Assembly resolution 55/64 and Council resolutions 1992/22 and 1999/23)
- Report of the Secretary-General on activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network
- (Legislative authority: Council resolutions 1992/22, 1994/21 and 1999/23)
5. International cooperation in combating transnational crime:
- (a) Convention against Transnational Organized Crime and the Protocols thereto;
- Documentation*
- Report of the Secretary-General on the United Nations Convention against Transnational Organized Crime
- (Legislative authority: Assembly resolution 56/120)
- (b) Negotiation of an international convention against corruption;
- Documentation*
- Report of the Secretary-General on the work of the Ad Hoc Committee for the Negotiation of a Convention against Corruption
- (Legislative authority: Assembly resolution 57/... [E/CN.15/2002/L.9])
- (c) Preventing and combating kidnapping;
- Documentation*
- Report of the Secretary-General on measures to strengthen international cooperation in the prevention, combating and elimination of kidnapping and in providing assistance for the victims
- (Legislative authority: Council resolution 2002/... [E/CN.15/2002/L.11, operative paragraph 6])
- (d) Illicit trafficking in protected species of wild flora and fauna.
- Documentation*
- Report of the Secretary-General on illicit trafficking in protected species of wild flora and fauna
- (Legislative authority: Council resolution 2002/... [E/CN.15/2002/L.14, operative paragraph 6])
6. Strengthening international cooperation and technical assistance in preventing and combating terrorism.
- Documentation*
- Report of the Secretary-General on strengthening international cooperation and technical assistance in preventing and combating terrorism

(Legislative authority: Council resolution 2002/... [E/CN.15/2002/L.16, operative paragraph 13])

7. Use and application of United Nations standards and norms in crime prevention and criminal justice.

Documentation

Report of the Secretary-General on standards and norms in crime prevention and criminal justice

(Legislative authority: Council resolution 2002/... [E/CN.15/2002/L.10/Rev.1, section I, operative paragraph 3])

8. Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice.

Documentation

Report of the Secretary-General on progress made in the preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

(Legislative authority: Assembly resolutions 56/119 and 57/... [E/CN.15/2002/L.4/ Rev.1, operative paragraph 14])

Draft discussion guide for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, prepared by the Secretariat

(Legislative authority: Assembly resolutions 56/119 and 57/... [E/CN.15/2002/L.4/Rev.1, operative paragraph 4])

9. Strategic management and programme questions.

(Legislative authority: Commission resolution 7/1)

10. Provisional agenda for the thirteenth session of the Commission.

(Legislative authority: rule 9 of the rules of procedure of the functional commissions of the Council and Council decision 1997/232)

11. Adoption of the report of the Commission on its twelfth session.

Draft decision II

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

The Economic and Social Council decides to endorse the appointment, by the Commission on Crime Prevention and Criminal Justice at its eleventh session, of Iskander Ghattas and Željko Horvatić to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute.

D. Matters brought to the attention of the Economic and Social Council

4. The following resolution adopted by the Commission on Crime Prevention and Criminal Justice is brought to the attention of the Economic and Social Council:

Resolution 11/1

Symposium entitled “Combating international terrorism: the contribution of the United Nations”

The Commission on Crime Prevention and Criminal Justice,

Reaffirming the important role of the United Nations in the fight against terrorism,

Recalling relevant Security Council resolutions, in particular resolution 1373 (2001) of 28 September 2001, in which the Council noted the close connection between international terrorism and transnational organized crime, illicit drugs, money-laundering, illegal arms trafficking and illegal movement of nuclear, chemical, biological and other potentially deadly materials and, in that regard, emphasized the need to enhance coordination of efforts on national, subregional, regional and international levels in order to strengthen a global response to that serious challenge and threat to international security,

Recalling General Assembly resolution 56/88 of 12 December 2001, in which the Assembly urged all States and the Secretary-General, in their efforts to prevent international terrorism, to make best use of the existing institutions of the United Nations,

Recalling also General Assembly resolution 56/123 of 19 December 2001, in which the Assembly invited the Secretary-General to consider, in consultation with Member States and the Commission on Crime Prevention and Criminal Justice, the ways in which the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention could contribute to the efforts of the United Nations system against terrorism, in accordance with relevant Assembly and Security Council resolutions, and reaffirmed the role of the Centre in providing to Member States, upon request, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the areas of prevention and control of transnational organized crime and terrorism,

Recalling further General Assembly resolution 56/253 of 24 December 2001, in which the Assembly requested the Secretary-General to make proposals to strengthen the Terrorism Prevention Branch at the United Nations Office at Vienna to enable it to carry out its mandate as approved by the Assembly and to report thereon to the Assembly for its consideration,

Recalling that section VII of the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, annexed to General Assembly resolution 56/261 of 31 January 2002, call for, inter alia, the Centre for International Crime Prevention to encourage States to sign and ratify international instruments dealing with terrorism, to provide assistance in implementing such instruments to States upon request and to take measures, in cooperation with Member States, to raise public awareness of the nature and scope of international terrorism and its relationship to crime, including organized crime,

Emphasizing that it is necessary for the relevant United Nations bodies to coordinate action against terrorism and that the work of the Centre for International Crime Prevention should be complementary to and supportive of the activities of the Counter-Terrorism Committee,

Noting that a draft comprehensive convention against international terrorism is under the active consideration of the General Assembly,

1. *Welcomes* the offer made at its tenth session by the Government of Austria to host a symposium entitled “Combating international terrorism: the contribution of the United Nations”;

2. *Requests* the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention to prepare, in consultation with Member States, the programme of the symposium entitled “Combating international terrorism: the contribution of the United Nations”, to be held in Vienna on 3 and 4 June 2002;

3. *Supports* the convening of the symposium, and notes its purposes and goals within the framework of the efforts of the United Nations against terrorism;

4. *Strongly encourages* Member States to participate in the preparations for the symposium and in the symposium itself;

5. *Requests* the Executive Director of the Office for Drug Control and Crime Prevention to report the proceedings of the symposium and the views of the Commission on Crime Prevention and Criminal Justice thereon to the Secretary-General for his consideration in finalizing his report on the implementation of General Assembly resolution 56/123.

Chapter II

Thematic discussion on reform of the criminal justice system: achieving effectiveness and equity

A. Structure of the debate

5. At its 2nd and 3rd meetings, on 16 and 17 April 2002, the Commission on Crime Prevention and Criminal Justice considered item 3 of its agenda. In line with the consultations held during the intersessional meetings of the Commission, three sub-themes had been selected for the thematic discussion: (a) reforming juvenile justice; (b) integrated criminal justice reforms, with particular emphasis on prosecutors, courts and prisons; and (c) strengthening international criminal justice cooperation. Following past practice, the thematic discussion was structured to facilitate an interactive dialogue among Member States. The discussion drew on the experience of