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 1

Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking

The General Assembly,

Recalling the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,1

Taking note of guideline 8, “Special measures for the protection and support of child victims of trafficking”, contained in the report of the United Nations High Commissioner for Human Rights,2

Recalling the Convention on the Rights of the Child,3 and noting the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,4

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

Recalling further paragraphs 25 and 27 of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,5


Condemning trafficking in persons as an abhorrent form of modern-day slavery and as an act that is contrary to universal human rights,

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1 General Assembly resolution 40/34, annex.
2 E/2002/68/Add.1.
3 General Assembly resolution 44/25, annex.
4 General Assembly resolution 54/263, annex II.
5 General Assembly resolution 55/59, annex.
6 General Assembly resolution 55/25, annex I.
7 General Assembly resolution 55/25, annex II.
Decrying the treatment of human beings as commodities bartered, bought or sold by traffickers, in particular exploiters,

Deeply concerned at the worldwide occurrence of trafficking in persons for the purpose of exploitation of all kinds by transnational organized criminal groups, many of which are also involved in other forms of illegal activity, including trafficking in firearms, money-laundering, drug trafficking and corruption,

Profoundly alarmed at the fact that trafficking in persons is a growing and profitable trade in most parts of the world and is aggravated by, inter alia, poverty, armed conflict, inadequate social and economic conditions and demand in the illicit labour and sex markets,

Expressing dismay at the ability of criminal networks to avoid punishment while preying on the vulnerabilities of their victims,


Convinced of the urgent need for broad and concerted international cooperation among all Member States, employing a multidisciplinary, balanced and global approach, including adequate technical assistance, in order to prevent and combat trafficking in persons,

Convinced also that civil society, including non-governmental organizations, can play a role in reducing existing and future opportunities for victimization in the field of trafficking and in assisting Governments in promoting protection of victims through comprehensive and non-stigmatizing social and appropriate economic assistance to victims, including in the areas of health, education, housing and employment,

Welcoming efforts of Member States, in particular countries of origin, transit and destination, to create awareness among civil society concerning the seriousness of the crime of trafficking and of its various forms, as well as the role of the public in preventing victimization and assisting victims of trafficking,

Noting the thematic discussion on trafficking in human beings, especially women and children, held by the Commission on Crime Prevention and Criminal Justice at its twelfth session,

1. Urges Member States to employ a comprehensive approach to combating trafficking in persons, incorporating law enforcement efforts and, where appropriate, the confiscation and seizure of the proceeds of trafficking, protection of victims and preventive measures, including measures against activities that draw profit from the exploitation of victims of trafficking;

2. Calls upon Member States to collaborate with a view to preventing trafficking in persons, especially for the purpose of sexual exploitation, through:

8 General Assembly resolution 55/25, annex III.
(a) Improved technical cooperation to strengthen local and national institutions aimed at preventing trafficking in persons, especially women and children, in countries of origin;

(b) Information campaigns on the techniques and methods of traffickers, programmes of education aimed at prospective targets, as well as vocational training in social skills and assistance in the re-integration of victims of trafficking into society;

(c) Focusing on post-conflict regions where patterns of human trafficking are emerging as a new phenomenon and incorporating anti-trafficking measures into early intervention;

3. Recognizes that broad international cooperation between Member States and relevant intergovernmental as well as non-governmental organizations is essential to counter effectively the threat of trafficking in persons;


(a) Criminalizing trafficking in persons;

(b) Promoting cooperation among law enforcement authorities in combating trafficking in persons;

(c) Establishing the offence of trafficking in persons as a predicate offence for money-laundering offences;

5. Invites Member States to adopt measures, in accordance with their domestic law and capacity, inter alia:

(a) To fight sexual exploitation with a view to abolishing it, by prosecuting and punishing those who engage in that activity;

(b) To raise awareness, especially through training, among criminal justice officials and others as appropriate of the needs of victims of trafficking and of the crucial role of victims in detecting and prosecuting this crime by, inter alia:

(i) Investigation of all cases reported by victims, prevention of further victimization and in general treatment of victims with respect;

(ii) Treatment of victims and witnesses with sensitivity throughout criminal judicial proceedings, in accordance with articles 24 and 25 of the United Nations Convention against Transnational Organized Crime and article 6, paragraph 2, of the Trafficking in Persons Protocol;

6. Also invites Member States to adopt measures, in accordance with their domestic law and capacity, inter alia:

(a) To provide assistance and protection to victims of trafficking in persons, including measures to permit victims of trafficking to remain in their territory temporarily or permanently, as appropriate;
(b) To promote the legislative and other measures necessary to establish a wide range of assistance, including legal, psychological, medical and social assistance and, if appropriate, compensation or restitution, to the actual victims of trafficking, subject to the determination of the existence of victimization;

(c) To provide humane treatment for all victims of trafficking, taking into account their age, gender and particular needs, in accordance with article 6, paragraphs 3 and 4, of the Trafficking in Persons Protocol;

(d) To assist in the re-integration of victims of trafficking into society;

7. Further invites Member States, as appropriate, to develop guidelines for the protection of victims of trafficking before, during and after criminal proceedings;

8. Urges Member States to ensure that measures taken against trafficking in persons, especially women and children, are consistent with internationally recognized principles of non-discrimination and that they respect the human rights and fundamental freedoms of victims;

9. Invites Member States to set up mechanisms for coordination and collaboration between governmental and non-governmental organizations with a view to responding to the immediate needs of victims of trafficking;

10. Also invites Member States to allocate appropriate resources for victim services, public awareness campaigns and law enforcement activities directed at eliminating trafficking and exploitation and to foster international cooperation, including adequate technical assistance and capacity-building programmes, to improve the ability of Member States to take effective measures against trafficking in persons;

11. Encourages Member States to examine the role of the exploitation of the prostitution of others in encouraging trafficking in persons;

12. Also encourages Member States to adopt legislative or other measures to reduce the demand that fosters all forms of trafficking in persons, including by cooperating with non-governmental organizations and civil society and by raising public awareness of how sexual and other forms of exploitation degrade their victims and of the related risks of trafficking in persons, especially women and children;

13. Further encourages Member States to take measures, including raising public awareness, to discourage, especially among men, the demand that fosters sexual exploitation, in accordance with article 9, paragraph 5, of the Trafficking in Persons Protocol;

14. Encourages Member States to target the link, where appropriate, between trafficking in persons for purposes of sexual and other forms of exploitation and further types of crime;

15. Encourages the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime of the Secretariat to continue its close cooperation and coordination with relevant international and regional organizations in this area;
16. Encourages Member States to make voluntary contributions to further strengthen and support the Centre and its Global Programme against Trafficking in Human Beings, in particular in the area of technical assistance activities;

17. 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.

Draft resolution II

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 also its resolution 55/255 of 31 May 2001, by 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,12

Recalling further its resolution 56/120 of 19 December 2001, on action against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the Convention and the Protocols thereto,

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

Reaffirming 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,


2. Welcomes the imminent entry into force of the United Nations Convention against Transnational Organized Crime,9 and notes the number of signatures and ratifications of the three Protocols to the Convention, which is likely

9 General Assembly resolution 55/25, annex I.
10 General Assembly resolution 55/25, annex II.
11 General Assembly resolution 55/25, annex III.
12 General Assembly resolution 55/255, annex.
13 E/CN.15/2003/5.
to lead to the expected entry into force at an early date of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,\(^\text{10}\) and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime;\(^\text{11}\)

3. *Commends* the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime of the Secretariat for its work in promoting the ratification of the Convention and the Protocols thereto, including, in particular, the preparation of legislative guides designed to facilitate the ratification and subsequent implementation of those instruments, and invites the Centre to finalize the legislative guides and to disseminate them as widely as possible;

4. *Welcomes* the organization by the Secretary-General, in cooperation with the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime and the Office of Legal Affairs of the Secretariat of the Treaty Event “Focus 2003: treaties against transnational organized crime and terrorism”, to be held during its fifty-eighth session in accordance with its resolution 57/173 of 18 December 2002, urges Member States to participate fully in that event, and also urges Member States that have not yet done so to deposit their instruments of ratification, approval or accession to the Convention and the Protocols thereto, in order to ensure the widest possible participation in those instruments and thus to maximize their effectiveness;

5. *Also welcomes* the financial support provided by several donors to promote the entry into force and implementation of the Convention and the Protocols thereto, and encourages Member States to make sufficient voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, as well as contributions in direct support of activities and projects of the Centre, including through contributions to the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, 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 Centre for International Crime Prevention, in its capacity as secretariat of the Conference of the Parties to the Convention and its Protocols, to undertake all activities necessary to ensure the efficient preparation of the inaugural session of that Conference, in 2004;

7. *Also requests* the Centre, within existing regular or extrabudgetary resources, in preparing to provide services to the Conference of the Parties as mandated, to develop a guide containing elements that would be useful to States parties in meeting their reporting requirements to the Conference of the Parties and to undertake a study on the functioning of extradition and mutual legal assistance through existing mechanisms, including bilateral, regional and multilateral agreements or arrangements;

8. *Requests* the Secretary-General to continue to provide the Centre with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention and the Protocols thereto and to discharge its functions as the secretariat of the Conference of the Parties in accordance with its mandate;
9. Also requests the Secretary-General to report on the implementation of the present resolution in his report on the work of the Centre to be submitted to the General Assembly at its fifty-ninth session.

Draft resolution III

Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the Centre for International Crime Prevention

The General Assembly,


Recalling also its resolutions 56/1 of 12 September 2001, in which it strongly condemned the heinous acts of terrorism of 11 September 2001, and 57/27 of 19 November 2002, in which it also condemned those in Bali and Moscow, and urgently called for international cooperation to prevent and eradicate acts of terrorism, as well as Security Council resolution 1465 (2003) of 13 February 2003, in which the Council condemned the bombing attack in Bogota on 7 February 2003,

Recalling further its resolution 57/173 of 18 December 2002, in which it affirmed the importance of the role of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime of the Secretariat in the fulfilment of its mandate, including to prevent and combat terrorism, and in particular in strengthening international cooperation and providing technical assistance, upon request, which complements the work of the Counter-Terrorism Committee of the Security Council,

Recalling its resolution 57/292 of 20 December 2002, in section IV of which it approved the strengthening of the Terrorism Prevention Branch of the Secretariat, given that terrorism was one of the priorities of the medium-term plan for the period 2002-2005,

Mindful of its resolution 56/261 of 31 January 2002, on the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, which includes a plan of action against terrorism,

Supporting the ongoing efforts of the Executive Director of the United Nations Office on Drugs and Crime to enhance an integrated approach to combating terrorism, drug trafficking, transnational organized crime and other related forms of criminal activity,

Stressing the need for close coordination and cooperation between States, international, regional and subregional organizations and the Counter-Terrorism Committee, as well as 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,

Convinced of the need, as asserted by the General Assembly and the Security Council in various resolutions, in particular Council resolution 1373 (2001), to
prevent and suppress acts of terrorism, and noting with deep concern the links between terrorism and transnational organized crime, drug trafficking, money-laundering and trafficking in arms, as well as illegal transfers of nuclear, chemical and biological materials,

Expressing its appreciation to the Government of Austria and the Centre for International Crime Prevention for the organization of the symposium on the theme “Combating international terrorism: the contribution of the United Nations”, held in Vienna on 3 and 4 June 2002, and taking note of the report of the Executive Director, 14

Recalling that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law and that such measures are adopted in accordance with international law, in particular international human rights, refugee and humanitarian law, as appropriate,

Noting with appreciation that the Ad Hoc Committee established by the General Assembly in its resolution 51/120 of 17 December 1996 is continuing the preparation of a draft comprehensive convention on international terrorism and of a draft international convention on the suppression of acts of nuclear terrorism,

1. Encourages the activities of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime of the Secretariat within its mandates in the area of preventing terrorism by providing Member States, upon request, with technical assistance, specifically to implement the universal conventions and protocols related to terrorism, thereby strengthening international cooperation in preventing and combating terrorism, working in close coordination with the Counter-Terrorism Committee established pursuant to Security Council resolution 1373 (2001) and the Office of Legal Affairs of the Secretariat, as well as with international, regional and subregional organizations;

2. Welcomes the establishment of the Global Programme against Terrorism, launched by the Centre for International Crime Prevention, which provides the appropriate framework for activities supporting Member States in their fight against terrorism, in particular through the implementation of the universal conventions and protocols related to terrorism;

3. Calls upon Member States that have not yet done so to become parties to and implement the universal conventions and protocols related to terrorism and, where appropriate, to request assistance to that end from the Centre for International Crime Prevention;

4. Notes the preparation of a United Nations legislative guide to the universal conventions and protocols related to terrorism, which was reviewed by an expert group hosted by the International Institute of Higher Studies in Criminal Sciences in Siracusa, Italy, from 3 to 5 December 2002, and invites States that have not yet ratified or acceded to the universal conventions and protocols related to terrorism to make use of the legislative guide in their efforts to incorporate the provisions of those instruments into their national legislation;

5. Urges Member States to continue working together, also on a regional and bilateral basis and in close cooperation with the United Nations, to prevent and

combat acts of terrorism by strengthening international cooperation and technical assistance within the framework of Security Council resolutions 1373 (2001), 1377 (2001) and 1456 (2003) and other relevant international instruments and in accordance with the Charter of the United Nations and international law;

6. Requests the Centre for International Crime Prevention, subject to the availability of regular or extrabudgetary resources, to prepare guidelines on technical assistance according to which the Centre, acting in areas within its competence and in coordination with the Counter-Terrorism Committee, will provide assistance, related to promoting the ratification of, accession to and implementation of the universal conventions and protocols related to terrorism and to identify concrete elements of such assistance with a view to facilitating cooperation among Member States in combating terrorism, and to submit those guidelines to Member States for their consideration;

7. Also requests the Centre, subject to the availability of extrabudgetary funds, to intensify its efforts to provide technical assistance, upon request, in preventing and combating terrorism through the implementation of the universal conventions and protocols related to terrorism, with particular emphasis on the need to coordinate its work with the Counter-Terrorism Committee and international, regional and subregional organizations;

8. Expresses its appreciation to donor countries that, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund or through direct contributions to the United Nations Crime Prevention and Criminal Justice Programme network, have supported the launching of the Global Programme against Terrorism, and invites all States to make adequate voluntary contributions to the Fund in order to strengthen the capacity of the Centre to provide technical assistance to requesting Member States, in particular for promoting the ratification of, accession to and implementation of the universal conventions and protocols related to terrorism;

9. Recommends that the Commission on Crime Prevention and Criminal Justice, in coordination with other United Nations entities, in particular the Counter-Terrorism Committee, keep under regular review the progress made by Member States in becoming parties to and implementing the universal conventions and protocols related to terrorism and the needs of Member States requesting technical assistance;

10. Requests the Secretary-General to organize a senior-level discussion during the thirteenth session of the Commission on Crime Prevention and Criminal Justice on progress made with regard to the criminal justice aspects of terrorism and international cooperation and to the universal conventions and protocols related to terrorism, and invites the Counter-Terrorism Committee and relevant international organizations to participate in that discussion;

11. Invites Member States to provide the Secretary-General with information on the nature of links between terrorism and other forms of crime in order to increase synergies in the delivery of technical assistance by the Centre for International Crime Prevention, and requests the Secretary-General to include an analysis of such information in his report on the implementation of the present resolution;
12. Requests the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

Draft resolution IV

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

The General Assembly,


Considering that, pursuant to its resolutions 415 (V) of 1 December 1950 and 46/152 of 18 December 1991, the Eleventh Congress is to be held in 2005,

Bearing in mind the guidelines for and the new format of the United Nations congresses, as stipulated in paragraph 2 of 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,

Recalling that, in its resolution 57/171, it requested the Commission on Crime Prevention and Criminal Justice, 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,

Recognizing the significant contributions of the United Nations congresses in promoting the exchange of experience 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,

Recalling that, in its resolution 57/171, it had decided that the main theme of the Eleventh Congress should be “Synergies and responses: strategic alliances in crime prevention and criminal justice”,

Recalling also its resolution 57/170 of 18 December 2002, on 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,

Stressing the importance of undertaking all the preparatory activities for the Eleventh Congress in a timely and concerted manner,

Having considered the report of the Secretary-General on preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice,15

1. Notes the progress made thus far in the preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice;

2. **Decides** to hold the Eleventh Congress from 18 to 25 April 2005, with pre-congress consultations to be held on 18 April 2005;

3. **Decides also** that the high-level segment of the Eleventh Congress shall be held during the last three days of the Congress in order to allow heads of State or Government or government ministers to focus on the main substantive agenda items of the Congress;

4. **Approves** the following provisional agenda for the Eleventh Congress, finalized by the Commission on Crime Prevention and Criminal Justice at its twelfth session:

   1. Opening of the Congress.
   2. Organizational matters.
   3. Effective measures to combat transnational organized crime.
   4. International cooperation against terrorism and links between terrorism and other criminal activities in the context of the work of the United Nations Office on Drugs and Crime.
   8. Adoption of the report of the Congress.

5. **Decides** that the following issues shall be considered by workshops within the framework of the Eleventh Congress:

   (a) Enhancing international law enforcement cooperation, including extradition measures;
   (b) Enhancing criminal justice reform, including restorative justice;
   (c) Strategies and best practices for crime prevention, in particular in relation to urban crime and youth at risk;
   (d) Measures to combat terrorism, with reference to the relevant international conventions and protocols;
   (e) Measures to combat economic crime, including money-laundering;
   (f) Measures to combat computer-related crime;

6. **Reiterates its request** to 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;

7. **Urges** the regional preparatory meetings to examine the substantive items on the agenda and the workshop topics of the Eleventh Congress and to make action-oriented recommendations to serve as a basis for the draft recommendations
and conclusions for consideration by the Eleventh Congress and the Commission on Crime Prevention and Criminal Justice at its fourteenth session;

8. **Emphasizes** the importance of the workshops, and invites Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime of the Secretariat and to the institutes of the United Nations Crime Prevention and Criminal Justice Programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

9. **Requests** the Secretary-General to include in the discussion guide for the workshops requested in paragraph 6 above consideration of technical cooperation ideas, projects and documents related to enhancing bilateral and multilateral efforts in technical assistance activities in crime prevention and criminal justice;

10. **Invites** donor countries to cooperate with developing countries to ensure their full participation in the workshops;

11. **Approves** the plan for documentation for the Eleventh Congress, as proposed by the Secretary-General in his report on preparations for the Congress,\(^\text{16}\) taking into account the recommendations of the Commission on Crime Prevention and Criminal Justice related thereto;

12. **Invites** Governments and relevant intergovernmental and non-governmental organizations to inform the Eleventh Congress about their activities with a view to the implementation 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 are contained in the annex to resolution 56/261, 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;

13. **Reiterates its request** to 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 at the Congress itself, in accordance with past practice;

14. **Encourages** Governments to undertake preparations for the Eleventh Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees, with a view to contributing to a focused and productive discussion on the topics and to participating actively in the organization of and follow-up to the workshops;

15. **Requests** the Secretary-General to provide resources, as required, in accordance with established United Nations budgetary practice and within the overall appropriations of the programme budget for the biennium 2004-2005, in order to ensure a wide and effective programme of public information relating to the preparations for the Eleventh Congress, to the Congress itself and to the follow-up to and implementation of its recommendations;

16. **Reiterates its invitation** to Member States to be represented at the Eleventh Congress at the highest possible level, for example, by heads of State or

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\(^{16}\) E/CN.15/2003/11 and Corr.1 and Add.1 and 2, para. 64.
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;

17. Requests the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Eleventh Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Eleventh Congress;

18. Again encourages the 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 in the preparations for the Eleventh Congress;

19. Requests the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Eleventh Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

20. Requests the Commission on Crime Prevention and Criminal Justice to accord sufficient time at its thirteenth session to reviewing the progress made in the preparations for the Congress, to finalize in good time all the necessary organizational and substantive arrangements and to make its recommendations, through the Economic and Social Council, to the General Assembly;

21. 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 thirteenth 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

Work of the Centre for International Crime Prevention, including the management of the United Nations Crime Prevention and Criminal Justice Fund

The Economic and Social Council,

Recalling General Assembly resolution 46/152 of 18 December 1991, in which the Assembly approved the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme,

Recalling also General Assembly resolutions 56/123 of 19 December 2001 and 57/173 of 18 December 2002 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Welcoming the increase in voluntary contributions made by donors to the United Nations Crime Prevention and Criminal Justice Fund, which enables the Centre for International Crime Prevention of the United Nations Office on Drugs
and Crime of the Secretariat to execute a larger number of technical assistance projects,

*Welcoming also* other contributions made by donors in direct support of activities and projects of the Centre, including through contributions made to institutes of the United Nations Crime Prevention and Criminal Justice Programme network,

*Recognizing* the importance of transparency and close communication between the Centre and Member States in order to raise the confidence of Member States in its work,

1. *Takes note with appreciation* of the report of the Executive Director of the United Nations Office on Drugs and Crime on the work of the Centre for International Crime Prevention;\(^{17}\)

2. *Invites* Member States to make appropriate voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund in order to strengthen the capacity of the Centre to provide technical assistance to requesting States;

3. *Encourages* Member States to continue to make contributions in direct support of activities and projects of the Centre, including through contributions to institutes of the United Nations Crime Prevention and Criminal Justice Programme network;

4. *Welcomes* the efforts being made by the United Nations Office on Drugs and Crime to ensure transparency in its work, as well as to maintain a continuous dialogue with Member States, including through appropriate informative documentation, with a view to enhancing its accountability to Member States and to improve the synergy between the activities of the Centre and those of the United Nations International Drug Control Programme;

5. *Encourages* the Centre for International Crime Prevention to provide Member States with more information on a regular basis on funding requirements for projects in order to increase voluntary contributions;

6. *Encourages* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary financial resources, to extend the Programme and Financial Information Management System to the activities funded by the United Nations Crime Prevention and Criminal Justice Fund, so that Member States are provided with up-to-date online financial information on those activities;

7. *Stresses* the importance of monitoring and evaluation of projects financed by the United Nations Crime Prevention and Criminal Justice Fund, and welcomes in that respect the recent decision to establish an independent evaluation function in the United Nations Office on Drugs and Crime;

8. *Welcomes* the recent delegation of authority from the Secretary-General of the United Nations to the Director-General of the United Nations Office at Vienna for the management of the United Nations Crime Prevention and Criminal Justice Fund, which should increase the efficiency of the Centre for International Crime Prevention in managing its financial resources and enhance its reporting to

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\(^{17}\) E/CN.15/2003/2.
the Commission on Crime Prevention and Criminal Justice on the financial status of the Fund;

9. *Encourages* the Executive Director of the United Nations Office on Drugs and Crime to use the experience of the Fund-Raising Unit of the United Nations International Drug Control Programme in areas such as broadening the donor base, cost-sharing, private sector funding and other innovative means to increase the resources of the Centre for International Crime Prevention;

10. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to include in his annual report to the Commission on Crime Prevention and Criminal Justice information on the financial status of the United Nations Crime Prevention and Criminal Justice Fund and the results of the evaluation of projects financed by the Fund;

11. *Also requests* the Executive Director of the United Nations Office on Drugs and Crime to provide Member States with relevant information on the United Nations Crime Prevention and Criminal Justice Fund when required.

Draft resolution II

**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 Offenders18 and endorsed by the General Assembly in its resolution 55/59 of 4 December 2000,

*Recalling also* General Assembly resolution 57/173 of 18 December 2002 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

*Recalling further* its resolutions 1998/24 of 28 July 1998, on technical cooperation and advisory services in crime prevention and criminal justice, and 2002/19 of 24 July 2002, on strengthening international cooperation and technical assistance within the framework of the activities of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime in preventing and combating terrorism,

*Emphasizing* the importance of enhancing international cooperation and coordination among Member States in the fields of crime prevention and criminal justice to the achievement of the objectives of the United Nations, including sustainable development, improved quality of life, democracy and human rights,

*Noting* the increasing number of requests for technical assistance received by the Centre for International Crime Prevention from least developed countries, developing countries, countries with economies in transition and countries emerging from conflict,

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Expressing its appreciation for funding provided by Member States in 2002, which has permitted the Centre to enhance its capacity to conduct an increasing number of technical assistance activities,

1. Takes note with appreciation of the reports of the Executive Director of the Office on Drugs and Crime on the work of the Centre for International Crime Prevention, in particular its technical cooperation activities, and on ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto and the report of the Secretary-General on strengthening international cooperation and technical assistance in preventing and combating terrorism;

2. Commends the Centre for assisting Member States in the improvement of their criminal justice systems by responding to an increasing number of requests for technical assistance in the implementation of projects;

3. Recognizes the expansion of technical assistance activities of the Centre and encourages international, regional and national funding agencies, as well as international financial institutions, to support the technical cooperation activities and interregional advisory services of the Centre;

4. Urges relevant entities of the United Nations system, including the United Nations Development Programme, the World Bank and the International Monetary Fund, as well as other international and regional organizations, to increase their interaction with the Centre in order to ensure that, as appropriate, activities in the fields of crime prevention and criminal justice, including activities to combat terrorism and corruption, are considered in their country and regional programmes and development frameworks, to ensure the full utilization of the expertise of the Centre in activities related to crime prevention and criminal justice and to promotion of the rule of law and to avoid duplication of effort;

5. Expresses its appreciation to Member States for supporting the technical assistance activities of the Centre by providing financial or in-kind contributions to the United Nations Crime Prevention and Criminal Justice Programme;

6. Expresses the need to have adequate resources available in order to make progress in the further operationalization of the activities of the Centre and in order to implement the projects carried out under its global programmes against trafficking in human beings, terrorism, corruption and organized crime;

7. Urges Member States to make or increase, as appropriate, voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, as well as to make or increase, as appropriate, contributions in direct support of activities and projects of the Centre, including through contributions to institutes of the United Nations Crime Prevention and Criminal Justice Programme network, in order to strengthen further the capacity of the Centre to provide technical assistance;

8. Encourages Member States, in particular, developing countries and countries with economies in transition, that are beneficiaries of technical assistance provided by the Centre and are in a position to do so to contribute to the activities of

19 E/CN.15/2003/2.
20 E/CN.15/2003/5.
the Centre through such means as the provision of necessary infrastructure or human resources or by allotting national funds to projects implemented in partnership with the Centre;

9. Encourages developing countries and countries with economies in transition to include in their requests for assistance from the United Nations Development Programme, in particular within its country programme framework, projects and/or elements on crime prevention and criminal justice;

10. 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 23, Regular programme of technical cooperation, of the regular budget of the United Nations;

11. Also requests the Secretary-General to make all possible efforts, including appeals to donors in the private sector, mobilization of resources and fund-raising, to increase extrabudgetary resources, including general-purpose funds, bearing in mind the need to safeguard the independence and international character of the Centre.

Draft resolution III
Prevention of urban crime

The Economic and Social Council,

Recalling General Assembly resolutions 55/59 of 4 December 2000, in which the Assembly 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, 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, annexed to resolution 56/261, including the plan of action on crime prevention,22 and 57/170 of 18 December 2002, in which the Assembly again invited Governments to use the plans of action as a guide in their efforts to formulate legislation, policies and programmes in the field of crime prevention and criminal justice,

Recalling also its resolution 1995/9 of 24 July 1995, in which it adopted guidelines for cooperation and technical assistance in the field of urban crime prevention,

Recalling further its resolution 2002/13 of 24 July 2002, on action to promote effective crime prevention, in which it accepted the Guidelines for the Prevention of Crime, annexed to the resolution,

Concerned at the continuing rise in urban crime of an increasingly serious nature in many parts of the world,

Mindful of the clear linkages between urban crime and drug trafficking, organized crime and the illegal possession and use of firearms,

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22 General Assembly resolution 56/261, annex, sect. VIII.
Recognizing that in many countries criminal activities have become a major threat to public safety in large urban areas,

Expressing particular concern for children at risk in large urban areas,

Recognizing that urban criminality in specific situations hampers economic growth and weakens state institutions, thereby undermining efforts to promote sustainable development and reduce poverty,

Recognizing also the need for a balanced, integrated approach to fighting urban crime, including activities addressing such root causes as poverty, social marginalization and exclusion and lack of opportunities for young people,

Recognizing further that crime prevention strategies and actions should be based on a broad, gender-sensitive, multidisciplinary foundation of knowledge about proven and promising practices,

Reiterating the need for more regional and international collaboration in the fight against urban crime,

1. Encourages Member States to draw upon the Guidelines for the Prevention of Crime, annexed to Economic and Social Council resolution 2002/13, when developing, implementing and evaluating urban crime prevention programmes and projects, and to share their experience gained in that regard, including in their inputs to the report of the Secretary-General requested in that resolution;

2. Also encourages Member States to establish effective policies and to pursue the implementation of such policies, where appropriate, to protect children at risk in urban areas;

3. Requests the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime, in consultation with Member States, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, the United Nations Human Settlements Programme and other relevant entities of the United Nations system, to continue to assist Member States, upon request, to prepare proposals for the provision of technical assistance in the area of crime prevention, in accordance with the Guidelines for the Prevention of Crime, including through capacity-building and training;

4. Also requests the Centre for International Crime Prevention, subject to the availability of extrabudgetary resources and with the assistance of Governments, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and relevant United Nations entities, to compile an overview of proven and promising practices in the area of urban crime prevention, including in criminal justice, to develop a practical manual on the use and application of the Guidelines for the Prevention of Crime and to convene for that purpose an expert group meeting, with participants to be selected on the basis of equitable geographical representation;

5. Again calls upon all relevant United Nations organizations and bodies and international financial institutions to give appropriate consideration to the inclusion of urban crime prevention and law enforcement projects in their assistance programmes;
6. **Recommends** that in the programme of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice due attention be given to the issue of urban crime;

7. **Welcomes** the inclusion of urban crime and youth at risk as one of the issues for the workshops to be held at the Eleventh Congress, which would permit an in-depth discussion of the subject at the regional preparatory meetings for the Congress.

**Draft resolution IV**

**Illicit trafficking in protected species of wild flora and fauna**

_The Economic and Social Council,_

**Aware** that the conservation of wild flora and fauna is essential for the maintenance of biological diversity, preservation of the environment and sustainable development,

**Recalling** the Convention on International Trade in Endangered Species of Wild Fauna and Flora,\(^ {23}\) and the Convention on Biological Diversity\(^ {24}\) and action taken to implement those conventions,

**Aware** of the existence of organized criminal groups operating transnationally that specialize in trafficking in protected species of wild flora and fauna, and concerned at the adverse environmental, economic and social repercussions of their activities,

**Convinced** that international cooperation and mutual legal assistance are both essential to prevent, combat and eradicate trafficking in protected species of wild flora and fauna,

**Recalling** its resolution 2001/12 of 24 July 2001, in which it urged States to adopt the legislative or other measures necessary for establishing trafficking in protected species of wild flora and fauna as a criminal offence in their domestic legislation,

**Recalling also** its resolution 2002/18 of 24 July 2002, in which it urged all Member States to cooperate with the Secretary-General and other competent entities of the United Nations system so that the report of the Secretary-General on progress made in the implementation of its resolution 2001/12 might be finalized,

**Taking note** of the replies received from Member States concerning their national legislation and practical experience in the area of trafficking in protected species of wild flora and fauna contained in the report of the Secretary-General,\(^ {25}\)

1. **Welcomes with satisfaction** the report of the Secretary-General on trafficking in protected species of wild flora and fauna and illicit access to genetic resources,\(^ {25}\)

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2. **Urges** all Member States to cooperate, as appropriate, with the Secretary-General and competent entities of the United Nations system, in particular the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime, 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, with a view to preventing, combating and eradicating trafficking in protected species of wild flora and fauna;

3. **Urges** Member States to adopt preventive measures, where necessary, as well as to review their criminal legislation with a view to ensuring that offences relating to trafficking in protected species of wild flora and fauna are punishable by appropriate penalties that take into account the serious nature of those offences;

4. **Encourages** Member States to undertake awareness-raising activities to improve understanding of the serious impact of trafficking in protected species of wild flora and fauna;

5. **Calls upon** Member States to promote international cooperation as well as the conclusion of mutual legal assistance agreements, as appropriate, with a view to preventing, combating and eradicating trafficking in protected species of wild flora and fauna;

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.

**Draft resolution V**

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

*The Economic and Social Council,*

*Concerned* at the practice of kidnapping in various countries of the world and at the harmful effects of that crime on victims and their families, and resolved to support measures to assist and protect them and to promote their recovery,

*Reiterating* that the kidnapping of persons under any circumstances and for any purpose constitutes a serious crime and a violation of individual freedom and undermines human rights,

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

*Concerned* at the growing tendency of organized criminal groups and terrorist groups to resort to kidnapping, especially for the purpose of extortion, as a method of accumulating capital with a view to consolidating their criminal operations and undertaking other illegal activities, such as trafficking in firearms, drugs and persons, money-laundering and crimes related to terrorism,

*Convinced* that the links between various illegal activities, including terrorism, and organized crime pose an additional threat to security and the quality of life, hindering economic and social development,
Convinced also that the United Nations Convention against Transnational Organized Crime provides the legal framework necessary for international cooperation in the fight against kidnapping,

Recalling its resolution 2002/16 of 24 July 2002, entitled “International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance for the victims”, in which it requested the Secretary-General, in coordination with competent entities of the United Nations system, to submit a progress report to the Commission on Crime Prevention and Criminal Justice at its twelfth session on the factual and legal situation of kidnapping throughout the world, including the situation of victims,

1. Vigorously condemns and rejects once again the practice of kidnapping, in any circumstances and for any purpose, including kidnapping by organized criminal groups and terrorist groups;

2. Stresses that organized criminal groups and terrorist groups as well as all perpetrators are responsible for any harm or death that results from a kidnapping committed by them and should be punished accordingly;

3. Takes note with appreciation of the progress report of the Secretary-General on international cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims, submitted pursuant to its resolution 2002/16;

4. Urges Member States that have taken new measures in the context of the present resolution to cooperate with the Secretary-General and competent entities of the United Nations system, in particular the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime, inter alia, by submitting comments on the progress report of the Secretary-General and by providing information on national legislation and on practical measures and experience at the domestic level in that connection;

5. Invites Member States that have not yet done so to provide to the Secretary-General information on the practice of kidnapping and on relevant domestic measures that have been adopted, including any related to support and assistance to the victims and their families;

6. Also invites Member States that have not yet done so to adopt the legislative or other measures necessary to establish kidnapping as a serious crime in their domestic legislation, in accordance with the definition of “serious crime” in the United Nations Convention against Transnational Organized Crime;

7. Encourages Member States to continue to foster international cooperation, especially extradition, mutual legal assistance, collaboration between law enforcement authorities and information exchange, with a view to preventing, combating and eradicating kidnapping;

8. Calls upon Member States that have not yet done so, in furtherance of the fight against kidnapping, to strengthen their measures against money-laundering and to engage in international cooperation and mutual assistance, inter alia, in the

26 General Assembly resolution 55/25, annex I.
27 E/CN.15/2003/7 and Add.1.
tracing, detection, freezing and confiscation of proceeds of kidnapping in order to combat organized criminal groups and terrorist groups;

9. Requests the Secretary-General, drawing on extrabudgetary funds or voluntary contributions, to provide technical assistance to States, upon request, to enable them to strengthen their capacity to combat kidnapping, including establishing, as appropriate, special law enforcement and prosecution units and mechanisms for cooperation with civil society and international cooperation;

10. Also requests the Secretary-General to complete his report on the implementation of Economic and Social Council resolution 2002/16, including in it 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, and to submit it to the Commission on Crime Prevention and Criminal Justice at its thirteenth session.

Draft resolution VI
Prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property

The Economic and Social Council,

Aware of the serious harm done to States and to the objects themselves by the theft and illicit export of objects regarded as part of States’ cultural heritage, in particular as a result of the plundering of archaeological sites and of other sites of historical and cultural value,

Recognizing the importance for States of protecting and preserving their cultural heritage in accordance with the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted by the United Nations Educational, Scientific and Cultural Organization on 14 November 1970, the preamble to which refers, inter alia, to the duty of every State to protect the cultural property existing within its territory against the dangers of theft, clandestine excavation and illicit export, and also the commitment by States and relevant international organizations to combat such practices with all the means at their disposal, in particular with regard to international cooperation on the return of such property,

Wishing to promote mutual cooperation in preventing illegal acts against the historical and cultural legacy of peoples,

Aware of the urgent need to establish standards for the restitution and return of movable property forming part of the cultural heritage of peoples after it has been stolen or illicitly exported, and for its protection and preservation,

Recognizing that one of the main objectives of the United Nations in the field of crime prevention and criminal justice is the promotion and strengthening of international cooperation in the fight against transnational organized crime,

Recalling General Assembly resolution 45/121 of 14 December 1990 on the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana from 27 August to 7 September 1990,

Recalling also the Model Treaty for the Prevention of Crimes that Infringe on the Cultural Heritage of Peoples in the Form of Movable Property, adopted by the Eighth Congress,29

Welcoming the organization by the Andean Community of Nations and the Government of France of a regional workshop on theft and illicit trafficking of cultural property, held in Lima from 14 to 16 May 2003,

1. **Encourages** Member States to consider, where appropriate and in accordance with national law, when concluding relevant agreements with other States, the Model Treaty for the Prevention of Crimes that Infringe on the Cultural Heritage of Peoples in the Form of Movable Property, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Havana from 27 August to 7 September 1990;29

2. **Calls upon** all Member States to continue to strengthen international cooperation and mutual assistance in the prevention and prosecution of crimes against movable property that forms part of the cultural heritage of peoples;

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

**Draft resolution VII**

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

*The Economic and Social Council,*

Recalling its resolution 2002/15 of 24 July 2002, on United Nations standards and norms in crime prevention and criminal justice, in which it reaffirmed the importance of United Nations standards and norms in crime prevention and criminal justice, including in the framework of peacekeeping and post-conflict reconstruction, and requested the Secretary-General to convene a meeting of a group of experts, subject to the availability of extrabudgetary funds, to make concrete proposals on the application of United Nations standards and norms to be considered by the Commission on Crime Prevention and Criminal Justice at its twelfth session,

Recalling also its resolution 2002/17 of 24 July 2002, on international cooperation, technical assistance and advisory services in crime prevention and criminal justice, in which it invited potential donors to make significant and regular contributions, and requested the Secretary-General to enhance further the resources available for operational activities and interregional advisory services,

Recalling further its resolution 1993/34 of 27 July 1993, in particular section III, paragraph 7 (c), in which it requested the Secretary-General to commence without delay a process of information-gathering to be undertaken by means of surveys, such as reporting systems, and contributions from other sources,

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Welcoming the ongoing collaboration between the United Nations Office on Drugs and Crime and the Office of the United Nations High Commissioner for Human Rights in the areas of juvenile justice, human rights education, professional education for judges and lawyers, technical cooperation, counter-terrorism and human rights, trafficking in persons, the rights of victims, the independence of the judiciary and post-conflict reconstruction,

Desirous of reforming and streamlining the current process of information-gathering with respect to the application of United Nations standards and norms in crime prevention and criminal justice in order to make the process more efficient and cost-effective for all those concerned,

Aware of the resources past surveys have required from Member States and acknowledging the workload of the Centre for International Crime Prevention and Member States in relation to the present priorities set by the Commission on Crime Prevention and Criminal Justice,

1. Takes note with appreciation of the report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice;30

2. Expresses its appreciation for the work undertaken by the Meeting of Experts on the Application of United Nations Standards and Norms in Crime Prevention and Criminal Justice, held in Stadtschlaining, Austria, from 10 to 12 February 2003, takes note of the recommendations of the Meeting of Experts contained in the annex to the present resolution, and expresses its appreciation to the Governments of Austria, Canada and Germany for their financial support in the organization of the Meeting;

3. Decides to group United Nations standards and norms in crime prevention and criminal justice in the following categories for the purpose of targeted collection of information, in order to better identify the specific needs of Member States and to provide an analytical framework with a view to improving technical cooperation:

(a) Standards and norms related primarily to persons in custody, non-custodial sanctions and juvenile and restorative justice;

(b) Standards and norms related primarily to legal, institutional and practical arrangements for international cooperation;

(c) Standards and norms related primarily to crime prevention and victim issues;

(d) Standards and norms related primarily to good governance, the independence of the judiciary and the integrity of criminal justice personnel;

4. Calls upon Member States, intergovernmental and non-governmental organizations, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and United Nations entities, in responding to targeted inquiries on the application of United Nations standards and norms in crime prevention and criminal justice, to focus on identifying difficulties that have been encountered in their application, ways in which technical assistance to requesting

30 E/CN.15/2003/10 and Add.1 and 2.
States can overcome those difficulties and desirable practices in the prevention and control of crime;

5. Requests the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime, in collaboration with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network:

(a) To provide support to Member States, requesting assistance with specific issues in the use and application of United Nations standards and norms in crime prevention and criminal justice, including by developing resource materials and organizing training courses and workshops;

(b) To collaborate with other United Nations entities, intergovernmental and non-governmental organizations and national institutions to promote the widest possible dissemination of United Nations standards and norms in crime prevention and criminal justice and to identify experts in that field who may be available to assist requesting Member States;

(c) To provide advisory services in relation to United Nations standards and norms in crime prevention and criminal justice;

6. Requests the Secretary-General to convene, subject to the availability of extrabudgetary funds, an intergovernmental expert group meeting on the basis of adequate and equitable geographical representation to prepare proposals to be considered by the Commission on Crime Prevention and Criminal Justice at its thirteenth session in relation to:

(a) The design of information-gathering instruments that are short, simple, complete and understandable in relation to select groups of standards and norms referred to in paragraph 3 above and that are aimed at identifying and addressing specific problems in Member States requesting assistance and at providing an analytical framework with a view to improving technical cooperation;

(b) New ways and means for maximizing the effectiveness of technical assistance to Member States in specific areas of crime prevention and criminal justice, including in the context of the reconstruction of criminal justice institutions in peacekeeping and post-conflict situations, in particular as regards capacity-building and the promotion of the rule of law;

7. Also requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its fifteenth session on progress made in the first targeted collection of information on the group of standards and norms referred to in paragraph 3 (a) and (b) above, including how that collection of information relates to requests by Member States for technical assistance.

Annex


Recommendations to the Commission on Crime Prevention and Criminal Justice

1. The application and formulation of United Nations standards and norms in crime prevention and criminal justice should continue to be accorded high priority by the Commission on Crime Prevention and Criminal Justice. The standing agenda
2. Possible future United Nations standards and norms in crime prevention and criminal justice should focus on emerging practices in crime prevention or criminal justice, in order to facilitate the development of detailed practical guidelines for use by interested States in carrying out specific tasks.

3. The Commission should establish a mechanism, such as a group of experts and/or a special rapporteur, to supplement existing procedures for undertaking periodic reviews of the application of selected standards and norms in order to ensure their promotion, as well as to make appropriate recommendations to the Commission.

4. The focus in subsequent review cycles should be on identifying difficulties that have been encountered in the application of United Nations standards and norms, in crime prevention and criminal justice, ways in which technical assistance can be used to overcome those difficulties and desirable practices in crime prevention and control.

5. The resulting data and other information should be shared in order to enhance the level and impact of technical cooperation in the world, the overall objective being to promote criminal justice reform in line with applicable United Nations standards and norms in crime prevention and criminal justice.

6. The entire review process should be guided by the need to relate it to the main programme priorities of the United Nations, as noted in the United Nations Millennium Declaration\(^\text{31}\) and the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,\(^\text{32}\) including strengthening the rule of law, good governance, sustainable development and the alleviation of poverty.

7. In line with the programme priorities of the United Nations, the Commission, at each of its sessions, should seek to focus on the application of a cluster of United Nations standards and norms in crime prevention and criminal justice. The Commission may wish to consider the possibility of reviewing a presentation of a particular cluster of standards and norms and their application in specific countries. Such a presentation could be prepared in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network.

8. In redesigning the information-gathering mechanisms and within the limits of current programme budget resources, the Commission should examine and propose focusing the future review process on selected clusters of instruments with the most widespread potential and relevance for application in criminal justice reforms in the world, in the following order of priority, bearing in mind gender as a cross-cutting issue, and grouped into clusters as follows:

   (a) Juvenile justice and prison reform, including alternatives to imprisonment and restorative justice;

\(^{31}\) General Assembly resolution 55/2.
\(^{32}\) General Assembly resolution 55/59, annex.
(b) The conduct of law enforcement and criminal justice practitioners, including the integrity of the judiciary;

(c) Public security and crime prevention;

(d) The treatment of victims and witnesses;

(e) Legal, institutional and practical arrangements for international cooperation (model treaties).

9. The Commission should request donor States and relevant intergovernmental and non-governmental institutions to support criminal justice reforms, in accordance with United Nations standards and norms in crime prevention and criminal justice, in countries requesting assistance. The Commission could rely on a roster of national and regional experts who could, upon request, provide technical assistance and advice on the use and application of selected standards and norms.

10. The Commission should encourage donor countries to make financial contributions to the United Nations Crime Prevention and Criminal Justice Fund. Contributions should be directed towards technical cooperation projects for implementing and promoting United Nations standards and norms in crime prevention and criminal justice, as well as organizing meetings of experts to identify priority areas for the development of future standards and norms.

Recommendations to Member States and other entities

11. Each of the Member States should be encouraged to identify at least one contact person who could serve as a knowledgeable source for the analysis of the State’s response concerning the application of United Nations standards and norms in crime prevention and criminal justice.

12. Member States should establish mechanisms and provide resources at the national level for promoting and monitoring the application of United Nations standards and norms in crime prevention and criminal justice.

13. Focused efforts should be made to obtain the commitment of policy makers and criminal justice managers to the implementation of United Nations standards and norms in crime prevention and criminal justice.

14. Member States should publish and disseminate, in their local languages, the United Nations standards and norms in crime prevention and criminal justice.

15. United Nations standards and norms in crime prevention and criminal justice should be easily accessible and explained in understandable language.

16. Member States, financial institutions and development agencies should support projects for the implementation of United Nations standards and norms in crime prevention and criminal justice.

17. Member States, intergovernmental and non-governmental organizations and interregional, regional and national training and educational institutions should vigorously promote programmes and projects that advance the United Nations standards and norms in crime prevention and criminal justice.

18. National institutions and non-governmental organizations should integrate United Nations standards and norms fully into their relevant training programmes.
Recommendations to the United Nations Office on Drugs and Crime

19. The United Nations Office on Drugs and Crime should emphasize in its organizational structure and operations the essential role of United Nations standards and norms in crime prevention and criminal justice.

20. The United Nations Office on Drugs and Crime should assist Member States, upon request, in the application of United Nations standards and norms in crime prevention and criminal justice and in the development of projects.

21. The United Nations Office on Drugs and Crime should seek to ensure that the relevant entities within the Secretariat and in the field are fully aware of the importance of United Nations standards and norms in crime prevention and criminal justice for building and maintaining the rule of law.

22. Well-focused efforts should be undertaken to encourage officials in peacekeeping and peace-building operations and their counterparts to apply United Nations standards and norms in crime prevention and criminal justice.

23. The United Nations Office on Drugs and Crime should identify opportunities for sharing data and other information on United Nations standards and norms in crime prevention and criminal justice with Governments and with intergovernmental and non-governmental organizations.

24. The information provided by Member States on the application of United Nations standards and norms in crime prevention and criminal justice should be distributed by the United Nations Office on Drugs and Crime via the World Wide Web.

25. The United Nations Office on Drugs and Crime should encourage financial institutions, development agencies and non-governmental organizations to expand their technical assistance programmes for improving access to justice and the rule of law.

26. The information-gathering mechanisms used by the United Nations Office on Drugs and Crime should be reviewed in order to bring them in line with the overall programme priorities of the United Nations. The goal should be to redesign the mechanisms in a more comprehensive, consistent and operational manner, so that the collected data and other information are more relevant to those priorities. The goal should also be to enhance cooperation among respondents, both in the collection of data and in the execution of technical cooperation projects.

27. New information-gathering mechanisms should be focused on identifying difficulties encountered in application and desirable practices. The mechanisms should be based on the present United Nations priorities unless the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, to be held in 2005, identifies new priorities.

28. Bearing in mind the priorities, the new information-gathering mechanisms should be conceptualized and existing mechanisms reviewed along the following parameters:
   
   (a) Standards and norms related primarily to persons in custody, non-custodial sanctions and juvenile and restorative justice;
(b) Standards and norms related primarily to good governance, the independence of the judiciary and the integrity of criminal justice personnel;

(c) Standards and norms related primarily to crime prevention and victim issues;

(d) Standards and norms related primarily to legal, institutional and practical arrangements for international cooperation.

29. Reviews of United Nations standards and norms related primarily to capital punishment should be conducted pursuant to Economic and Social Council resolution 1995/57 of 28 July 1995, in which the Council recommended that the quinquennial reports of the Secretary-General should continue to cover the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty.

30. In gathering information on the above-mentioned priorities, the United Nations Office on Drugs and Crime should also focus its efforts on practical measures that make it possible to determine their operational usefulness in restoring or maintaining law and order, with particular reference to developing countries, countries with economies in transition and post-conflict situations.

31. The United Nations Office on Drugs and Crime should continue to explore the possibility of additional approaches and techniques in information-gathering in order to develop even more concise, simplified and cross-sectoral methods.

32. The survey instruments should be designed to be short, easy to complete and comprehensible.

33. The Secretary-General is requested to involve the regional institutes of the United Nations Crime Prevention and Criminal Justice Programme network in the review and design of the information-gathering instruments and the analysis of information collected.

34. Procedures should be developed according to which the Secretary-General, in reporting on the application of United Nations standards and norms in crime prevention and criminal justice, would be able to utilize not only other relevant information available within the United Nations, but also the expertise of specialized agencies, relevant intergovernmental and non-governmental organizations and academic institutions.

**Recommendations on training**

35. The United Nations Office on Drugs and Crime should continue to develop and produce manuals, modules and tools to be used in providing training on United Nations standards and norms in crime prevention and criminal justice, to carry out a limited number of such training courses and workshops and to coordinate such training with other United Nations entities.

36. A training unit should be created within the United Nations Office on Drugs and Crime and resources should be allocated for training and coordination functions.
37. To the maximum extent possible, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network should be utilized in the planning and conduct of such training activities.

38. In cooperation with the Department of Peacekeeping Operations and the Department of Political Affairs of the Secretariat, the United Nations Office on Drugs and Crime should develop basic training materials for peacekeeping and peace-building operations.

**Recommendations on technical cooperation**

39. The United Nations Office on Drugs and Crime should establish rosters of national and regional experts who would be able to provide, upon request, technical assistance and advice on the application of particular types of United Nations standards and norms in crime prevention and criminal justice. Such rosters should be developed in accordance with the different clusters of such standards and norms.

40. The advisory services of the United Nations Office on Drugs and Crime in relation to United Nations standards and norms in crime prevention and criminal justice should be enhanced. Projects should be evaluated in the light of the information gathered. The lessons learned should be incorporated into future planning so that the capacity to execute technical assistance projects can be improved.

41. At the request of Member States, practical projects should be developed, in particular for victims’ support services and witness protection, prison reform and alternatives to imprisonment, juvenile justice and restorative justice.

**Draft resolution VIII**

**Functioning of the Commission on Crime Prevention and Criminal Justice**

*The Economic and Social Council,*

Mindful of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, annexed to General Assembly resolution 46/152 of 18 December 1991,

Recalling Commission on Crime Prevention and Criminal Justice resolutions 1/1, 4/3, 5/3 and 6/1, adopted under the agenda item “Strategic management and programme questions”;

Recalling in particular Commission resolution 5/3, in which it requested member States to submit to the bureau draft proposals, together with the information required in accordance with the annex to Commission resolution 4/3, one month prior to the commencement of the session of the Commission, in order to ensure the smooth and effective functioning of the Commission,

Recognizing the need for the bureau of the Commission to have adequate time to prepare for sessions of the Commission,

Recalling its resolution 1999/30 of 28 July 1999, in particular paragraph 3 of chapter I thereof regarding the method of election of the bureau of the Commission on Narcotic Drugs,

1. Encourages States members of the Commission on Crime Prevention and Criminal Justice to submit their draft proposals to it in accordance with its
resolution 5/3 and to include in such proposals the information required in accordance with the annex to Commission resolution 4/3, including on the proposed activity, the timetable and identification of the United Nations or other body that could carry out the activity, one month prior to the commencement of the session of the Commission;

2. **Endorses** the request of the Commission to its bureau to report on its intersessional work annually, including on its experience with regard to the adherence of Member States to the procedural requirements for the submission of draft proposals;

3. **Decides** that the Commission should examine during the intersessional period, with a view to taking a decision at its thirteenth session, the duration of the session of the Commission on the basis of the experience gained from its twelve sessions held so far and taking into account the requirements of the United Nations Crime Prevention and Criminal Justice Programme, the requirements of the work of the Commission, the judicious use of the resources allocated to the Commission and the experience to be gained from its intersessional meetings;

4. **Requests** the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime to submit to the Commission at its thirteenth session a report on the status of implementation of the mandates assigned to it by or through the recommendation of the Commission, including information on the requirements of such implementation;

5. **Decides** that, with effect from the year 2004, the Commission should, at the end of its session, elect its bureau for the subsequent session and encourage it to play an active role in the preparation of the regular as well as the informal intersessional meetings of the Commission, so as to enable the Commission to provide continuous and effective policy guidance to the United Nations Crime Prevention and Criminal Justice Programme, and also decides that the Chairman should, whenever appropriate, invite the chairmen of the five regional groups, the chairman of the Group of 77 and China and the Presidency of the European Union to participate in the meetings of the bureau.

### 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 twelfth session and provisional agenda and documentation for its thirteenth session*

*The Economic and Social Council:*

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its twelfth session;33

(b) Approves the provisional agenda and documentation for the thirteenth session set out below, on the understanding that intersessional meetings will be held in Vienna, at no additional cost, to finalize the items to be included in the provisional agenda and the documentation requirements for the thirteenth session.

Provisional agenda and documentation for the thirteenth session of the Commission on Crime Prevention and Criminal Justice

1. Election of officers.


2. Adoption of the agenda and organization of work.

Documentation

Provisional agenda, annotations and proposed organization of work

(Legislative authority: rules 5 and 7 of the rules of procedure of the functional commissions of the Economic and Social Council and Council resolution 1992/1 and decision 1997/232)

3. Thematic discussion on the rule of law and development: the contribution of operational activities in crime prevention and criminal justice.

Sub-themes to be identified by intersessional meetings

A workshop on the theme to be organized by the institutes of the United Nations Crime Prevention and Criminal Justice Programme network

Documentation

Report of the Secretary-General on the rule of law and development: the contribution of operational activities in crime prevention and criminal justice

(Legislative authority: Economic and Social Council resolution 1999/51 and decision 2002/238)


Documentation

Report of the Executive Director on the work of the Centre for International Crime Prevention


Report of the Secretary-General on the activities of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network

5. International cooperation against transnational crime:
   (a) United Nations Convention against Transnational Organized Crime and the Protocols thereto;
   
   **Documentation**
   Report of the Secretary-General
   (Legislative authority: General Assembly resolutions 57/168, 57/169 and 58/...[E/CN.15/2003/L.15])
   (b) United Nations Convention against Corruption;
   
   **Documentation**
   Report of the Secretary-General
   (Legislative authority: General Assembly resolutions 40/243, 55/61, 56/186, 56/260 and 57/169)
   (c) International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance for the victims.
   
   **Documentation**
   Report of the Secretary-General
   (Legislative authority: Economic and Social Council resolutions 2002/16 and 2003/...[E/CN.15/2003/L.13/Rev.1])

6. Strengthening international cooperation and technical assistance in preventing and combating terrorism.  

   **Documentation**
   Report of the Secretary-General
   (Legislative authority: General Assembly resolution 58/...[E/CN.15/2003/L.9/Rev.1])

7. Use and application of United Nations standards and norms in crime prevention and criminal justice:
   
   **Documentation**
   Report of the Secretary-General
   (Legislative authority: Economic and Social Council resolutions 1992/22 and 2003/...[E/CN.15/2003/L.17/Rev.1])
   (a) Guidelines for the Prevention of Crime;

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34 In accordance with General Assembly resolution 58/...[E/CN.15/2003/L.9/Rev.1], a senior-level discussion on progress made with regard to the criminal justice aspects of terrorism and international cooperation and to the universal conventions and protocols related to terrorism will be organized during the thirteenth session of the Commission. Details of the arrangements for the discussion will be prepared by the extended bureau of the Commission and submitted for consideration at intersessional meetings of the Commission.
Report of the meeting of experts on the development of a practical manual on the use and application of the Guidelines for the Prevention of Crime

(Legislative authority: Economic and Social Council resolution 2003/... [E/CN.15/2003/L.6/Rev.1])

(b) Prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property

Report of the Secretary-General

(Legislative authority: Economic and Social Council resolution 2003/... [E/CN.15/2003/L.12])


Report of the Secretary-General, including progress made in the follow-up to the Vienna Declaration and the plans of action, as well as new developments that have taken place in the areas covered by the Vienna Declaration.

(Legislative authority: General Assembly resolutions 56/119, 57/171, 57/170 and 58/... [E/CN.15/2003/L.8/Rev.1])


9. Strategic management and programme questions:

(a) Functioning of the Commission on Crime Prevention and Criminal Justice;

Report of the Secretary-General

(Legislative authority: Commission on Crime Prevention and Criminal Justice resolutions 1/1, 4/3, 5/3, 6/3 and 7/1 and Economic and Social Council resolution 2003/... [E/CN.15/2003/L.3/Rev.1])

(b) Programme questions;

Proposed medium-term plan for the period 2006-2009, programme (...), Crime prevention and criminal justice

(c) United Nations Interregional Crime and Justice Research Institute;
Documentation

Note by the Secretary-General on the nomination of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

10. Provisional agenda for the fourteenth session of the Commission.
   (Legislative authority: rule 9 of the rules of procedure of the functional commissions of the Economic and Social Council and Council decision 2002/238)

11. Adoption of the report of the Commission on its thirteenth 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 twelfth session, of Pedro David and Takayuki Shiibashi to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute.