

Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

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

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly:

Draft resolution I

Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001, on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, in which it stipulated the guidelines in accordance with which, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme,¹ should be held,

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

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

Emphasizing the important role played by the United Nations congresses on crime prevention and criminal justice in recognizing that crime prevention and criminal justice, with due regard to the observance of human rights, is a direct contribution to the maintenance of peace and security,

Recognizing the significant contributions of the United Nations congresses on crime prevention and criminal justice 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

¹ General Assembly resolution 46/152, annex.

organizations and individual experts representing various professions and disciplines,

Recalling its resolution 57/270 B of 23 June 2003, on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields, in which it stressed that all countries should promote policies consistent and coherent with the commitments of the major United Nations conferences and summits, emphasized that the United Nations system had an important responsibility to assist Governments to stay fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits, and invited its intergovernmental bodies to further promote the implementation of the outcomes of the major United Nations conferences and summits,

Recalling also its resolution 62/173 of 18 December 2007, in which it endorsed the recommendations made by the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice at its meeting held in Bangkok from 15 to 18 August 2006,

Recalling further its resolution 65/230 of 21 December 2010, in which it endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,² adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, and welcomed with appreciation the offer of the Government of Qatar to act as host to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, in 2015,

Recalling its resolution 67/184 of 20 December 2012, in which it approved the main theme, the agenda items and the topics for the workshops of the Thirteenth Congress and decided that the duration of the Thirteenth Congress should not exceed eight days, including pre-Congress consultations,

Taking note of the development goals and national commitments contained in the United Nations Millennium Declaration,³

Recognizing the importance of the substantive contributions that the Thirteenth Congress can make to the United Nations post-2015 development agenda,

Re-emphasizing the importance of integrating crime prevention and criminal justice into the wider United Nations agenda to address, inter alia, social and economic challenges and to promote the rule of law at the national and international levels and public participation,

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

Having considered the report of the Secretary-General on the follow-up to the Twelfth Congress and preparations for the Thirteenth Congress,⁴

² General Assembly resolution 65/230, annex.

³ General Assembly resolution 55/2.

⁴ E/CN.15/2013/10.

1. *Reiterates* its invitation to Governments to take into consideration the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World² and the recommendations adopted by the Twelfth Congress when formulating legislation and policy directives and to make all efforts, where appropriate, to implement the principles contained therein, taking into account the economic, social, legal and cultural specificities of their respective States;
2. *Notes with appreciation* the progress made thus far in the preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice;
3. *Decides* to hold the Thirteenth Congress in Doha from 12 to 19 April 2015, with pre-Congress consultations to be held on 11 April 2015;
4. *Also decides* that the high-level segment of the Thirteenth Congress shall be held during the first two days of the Congress in order to allow Heads of State or Government and Government ministers to focus on the main theme of the Congress and to enhance the possibility of generating useful feedback;⁵
5. *Further decides* that, in accordance with its resolution 56/119 of 19 December 2001, the Thirteenth Congress shall adopt a single declaration, to be submitted to the Commission on Crime Prevention and Criminal Justice for its consideration, and that the declaration shall contain the major recommendations reflecting and emerging from the deliberations of the high-level segment, as well as the discussion of the agenda items and the workshops;
6. *Takes note with appreciation* of the draft discussion guide prepared by the Secretary-General, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, for the regional preparatory meetings and for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice;
7. *Requests* the Secretary-General to finalize the discussion guide in a timely manner, taking into account the recommendations of the Commission on Crime Prevention and Criminal Justice, as well as additional comments and feedback from Member States, in order to enable the regional preparatory meetings for the Thirteenth Congress to be held as early as possible in 2014;
8. *Reiterates its request* to the Secretary-General to proceed with the organization of the four regional preparatory meetings for the Thirteenth Congress and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Congress itself, in accordance with past practice, as well as making a special effort to organize the regional preparatory meeting for European and other States so as to benefit from their inputs;
9. *Urges* Governments to actively participate in the regional preparatory meetings, where appropriate, and invite their representatives to examine the substantive items on the agenda and the topics of the workshops of the Thirteenth Congress and to make action-oriented recommendations for consideration by the Thirteenth Congress;

⁵ See *Official Records of the Economic and Social Council, 2012, Supplement No. 10 (E/2012/30 and Corr.1 and 2)*, para. 84.

10. *Invites* Governments to undertake preparations for the Thirteenth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees;

11. *Reiterates its invitation* to Member States to be represented at the Thirteenth Congress at the highest possible level, for example, by Heads of State or Government, Government ministers or attorneys general, to make statements on the theme and topics of the Congress;

12. *Also reiterates its invitation* to Member States to play an active role in the Thirteenth Congress by sending legal and policy experts, including practitioners with special training and practical experience in crime prevention and criminal justice;

13. *Requests* the Secretary-General to encourage the participation of representatives from relevant entities of the United Nations system in the Thirteenth Congress, bearing in mind the main theme, agenda items and workshop topics of the Congress;

14. *Invites* donor countries to cooperate with developing countries to ensure their full participation in the workshops, and encourages States, the institutes of the United Nations crime prevention and criminal justice programme network, other entities concerned and the Secretary-General to work together in order to ensure that the workshops are well-focused and achieve practical results, leading to technical cooperation ideas, projects and documents for enhancing bilateral and multilateral technical assistance activities in crime prevention and criminal justice;

15. *Reiterates its request* to the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Thirteenth 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 Congress, and encourages Member States to actively participate in the above-mentioned meetings, as they provide an opportunity to develop and maintain a strong partnership with the private sector and civil society organizations;

16. *Requests* the Secretary-General to prepare a plan for the documentation for the Thirteenth Congress, in consultation with the extended bureau of the Commission;

17. *Again encourages* the relevant specialized agencies and programmes of the United Nations and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Thirteenth Congress;

18. *Requests* the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Thirteenth 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;

19. *Also requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with the necessary resources, from within the overall

appropriations of the programme budget for the biennium 2014-2015, to support the preparations for and holding of the Thirteenth Congress;

20. *Further requests* the Secretary-General to ensure, in collaboration with Member States, a wide and effective programme of public information relating to the preparations for the Thirteenth Congress, to the Congress itself and to the follow-up to and implementation of its recommendations;

21. *Requests* the Commission to accord sufficient time at its twenty-third session to reviewing the progress made in the preparations for the Thirteenth Congress, to finalize in a timely manner all outstanding organizational and substantive arrangements and to make its recommendations to the General Assembly through the Economic and Social Council;

22. *Requests* the Secretary-General to ensure proper follow-up to the present resolution and to report thereon to the General Assembly through the Commission at its twenty-third session.

Draft resolution II

Strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking

The General Assembly,

Reaffirming its resolution 66/180 of 19 December 2011, entitled “Strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking”,

Recalling the United Nations Convention against Transnational Organized Crime,⁶ adopted by the General Assembly in its resolution 55/25 of 15 November 2000, as well as the United Nations Convention against Corruption,⁷ adopted by the Assembly in its resolution 58/4 of 31 October 2003,

Recalling also the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,⁸ adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 November 1970, the Convention on Stolen or Illegally Exported Cultural Objects,⁹ adopted by the International Institute for the Unification of Private Law on 24 June 1995, and the Convention for the Protection of Cultural Property in the Event of Armed Conflict,¹⁰ adopted at The Hague on 14 May 1954, and the two Protocols thereto, adopted on 14 May 1954¹⁰ and 26 March 1999,¹¹ and other relevant conventions, and reaffirming the necessity for those States that have not done so to consider ratifying or acceding to and, as States parties, implementing those international instruments,

⁶ United Nations, *Treaty Series*, vol. 2225, No. 39574.

⁷ *Ibid.*, vol. 2349, No. 42146.

⁸ *Ibid.*, vol. 823, No. 11806.

⁹ *Ibid.*, vol. 2421, No. 43718.

¹⁰ *Ibid.*, vol. 249, No. 3511.

¹¹ *Ibid.*, vol. 2253, No. 3511.

Alarmed at the growing involvement of organized criminal groups in all forms and aspects of trafficking in cultural property and related offences, and observing that illicitly trafficked cultural property is increasingly being sold through markets, including in auctions, in particular over the Internet, and that such property is being unlawfully excavated and illicitly exported or imported, with the facilitation of modern and sophisticated technologies,

Reiterating the need for credible and comparable data on different aspects of trafficking in cultural property, including the links with transnational organized crime and the involvement of illicit proceeds, as well as good practices and challenges in this regard,

Recognizing the indispensable role of crime prevention and criminal justice responses in combating all forms and aspects of trafficking in cultural property and related offences in a comprehensive and effective manner,

Welcoming the recommendations of the joint discussion on trafficking in cultural property of the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation, held in Vienna on 18 October 2012, as endorsed by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in its resolution 6/1 of 19 October 2012,

Taking note of the report of the Secretariat on technical assistance provided to States in the application of the United Nations Convention against Transnational Organized Crime to new forms and dimensions of transnational organized crime,¹² including trafficking in cultural property, and the report of the Secretariat on the application of the United Nations Convention against Transnational Organized Crime by States parties with respect to criminal offences against cultural property,¹³

Taking note also of the publication of the *Digest of Organized Crime Cases: A Compilation of Cases with Commentaries and Lessons Learned*, aimed at providing policymakers and criminal justice practitioners with an analysis of concrete cases for the implementation of the United Nations Convention against Transnational Organized Crime, including with regard to trafficking in cultural property,

Taking note further of the report of the Secretary-General on strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking,¹⁴

Recalling that the theme of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Qatar in 2015, will be “Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation”, and considering that one of the workshops at the Congress will focus on comprehensive and balanced approaches to prevent and adequately respond to new and emerging forms of transnational crime, such as trafficking in cultural property,

¹² CTOC/COP/2012/7.

¹³ CTOC/COP/WG.2/2012/3-CTOC/COP/WG.3/2012/4.

¹⁴ E/CN.15/2013/14.

Taking note of the report of the Secretariat on the potential utility of and improvements to the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property,¹⁵

1. *Requests* Member States to continue their efforts to effectively strengthen crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking, including within the framework of the United Nations Convention against Transnational Organized Crime⁶ and the Commission on Crime Prevention and Criminal Justice;

2. *Recalls* its invitation to Member States, in its resolution 66/180 of 19 December 2011, to protect cultural property and prevent trafficking in such property by introducing appropriate legislation, including, in particular, procedures for its seizure, recovery and return, as well as by promoting education, launching awareness-raising campaigns, locating and inventorying such property, adopting adequate security measures, developing the capacities and human resources of monitoring institutions, such as the police and customs services, and of the tourism sector, involving the media and disseminating information on the theft and pillaging of cultural property;

3. *Invites* Member States to consider, as appropriate, reviewing their legal frameworks, with a view to providing the most extensive international cooperation possible to fully address the issue of trafficking in cultural property, and also invites Member States to make trafficking in cultural property, including stealing and looting at archaeological and other cultural sites, a serious crime, as defined in article 2 of the United Nations Convention against Transnational Organized Crime, with a view to fully utilizing that Convention for the purpose of extensive international cooperation in fighting all forms and aspects of trafficking in cultural property and related offences;

4. *Welcomes* the recommendations of the second meeting of the open-ended intergovernmental expert group on protection against trafficking in cultural property, held in Vienna from 27 to 29 June 2012;

5. *Requests* the United Nations Office on Drugs and Crime to solicit from Member States and relevant international organizations information and statistical data on trafficking in cultural property, in particular on trafficking that involves organized criminal groups; to analyse that information and report on the findings to the Commission on Crime Prevention and Criminal Justice at its twenty-third session; and to develop in coordination with Member States an appropriate research methodology to study trafficking in cultural property, in particular the participation of organized criminal groups;

6. *Invites* Member States that have not yet done so to consider designating contact points to facilitate international cooperation within the application of the Organized Crime Convention, for the purpose of preventing and combating trafficking in cultural property, and to report such information to the United Nations Office on Drugs and Crime, for inclusion in the directory of competent national authorities;

¹⁵ UNODC/CCPCJ/EG.1/2012/2 and Add.1.

7. *Requests* the United Nations Office on Drugs and Crime to continue providing technical assistance to Member States in the area of protection against trafficking in cultural property and related offences, upon request and in coordination with relevant international organizations, such as the United Nations Educational, Scientific and Cultural Organization and the International Criminal Police Organization (INTERPOL), including legislative drafting assistance in order to strengthen crime prevention and criminal justice responses in this field, and to develop practical assistance tools for that purpose;

8. *Also requests* the United Nations Office on Drugs and Crime, within its mandate and in close cooperation with relevant international organizations, such as the United Nations Educational, Scientific and Cultural Organization and INTERPOL, to raise awareness of the issue of trafficking in cultural property and related offences at the regional and international levels, including in the context of its public service announcement on organized crime and through workshops, seminars and similar events, promoting synergies with the relevant entities of the United Nations crime prevention and criminal justice network;

9. *Further requests* the United Nations Office on Drugs and Crime to create a portal on its website containing all documents, tools and relevant information regarding trafficking in cultural property produced by the Office, including a link to the Database of National Cultural Heritage Laws of the United Nations Educational, Scientific and Cultural Organization and the database on stolen works of art of INTERPOL;

10. *Welcomes* the progress made in exploring the development of guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property, and stresses the need for their expeditious finalization, bearing in mind the importance of the matter for all Member States;

11. *Requests* the United Nations Office on Drugs and Crime to reconvene the intergovernmental expert group on protection against trafficking in cultural property for Member States to review and revise the draft guidelines, taking into account an updated compendium from the Secretariat of comments made by Member States on the draft guidelines, with a view to finalizing and submitting the draft guidelines to the Commission on Crime Prevention and Criminal Justice at its twenty-third session;

12. *Requests* the Secretariat, pursuant to resolution 6/1 of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, entitled “Ensuring effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, to bring the guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property, after their adoption, to the attention of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;

13. *Requests* the United Nations Office on Drugs and Crime to continue its review of the model treaty for the prevention of crimes that infringe on the cultural

heritage of peoples in the form of movable property,¹⁶ taking into account the views and comments expressed by Member States,¹⁷ and requests Member States and relevant international organizations that have not yet done so to submit to the Secretariat their comments on the model treaty;

14. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

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

Draft resolution III

Technical assistance for implementing the international conventions and protocols related to counter-terrorism

The General Assembly,

Recalling all General Assembly and Security Council resolutions related to technical assistance in countering terrorism, and especially General Assembly resolutions 66/171 of 19 December 2011 on protection of human rights and fundamental freedoms while countering terrorism, 66/178 of 19 December 2011 on technical assistance for implementing the international conventions and protocols related to counter-terrorism, 67/99 of 14 December 2012 on measures to eliminate international terrorism and 67/189 of 20 December 2012 on strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity,

Stressing again the need to strengthen international, regional and subregional cooperation to effectively prevent and combat terrorism, in particular by enhancing the national capacity of States through the provision of technical assistance, based on the needs and priorities identified by requesting States,

Reiterating all aspects of the United Nations Global Counter-Terrorism Strategy and the need for States to continue to implement the Strategy,

Reiterating also that it is the primary responsibility of Member States to implement the United Nations Global Counter-Terrorism Strategy, and recognizing the need to enhance the important role that the United Nations plays, in coordination with other international, regional and subregional organizations, in facilitating coherence in the implementation of the Strategy at the national, regional and global levels and in providing assistance, especially in the area of capacity-building,

Recalling its resolution 66/282 of 29 June 2012 on the United Nations Global Counter-Terrorism Strategy review, in which it reaffirmed the United Nations Global Counter-Terrorism Strategy, noted with appreciation the activities

¹⁶ *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.1, annex.

¹⁷ See UNODC/CCPCJ/EG.1/2012/2 and Add.1.

undertaken in the area of capacity-building by United Nations entities to assist Members, upon their request, in implementing the Strategy, and underlined the importance of greater cooperation among United Nations entities and of the work of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system and the need to continue to promote transparency and to avoid duplication,

Recalling also that in its resolution 66/282, it recognized the role that victims of terrorism in all its forms and manifestations can play, including in countering the appeal of terrorism, and noting the ongoing efforts of the relevant United Nations entities and Member States to ensure that victims of terrorism are treated with dignity and that their rights are recognized and protected,

Recalling further that in its resolution 67/189, it expressed deep concern about the connections, that may exist in some cases, between some forms of transnational organized criminal and terrorist activities, and emphasized the need to enhance cooperation at the national, subregional, regional and international levels in order to strengthen responses to that evolving challenge,

Expressing concern at the increased use, in a globalized society, by terrorists of new information and communication technologies, in particular the use of the Internet for terrorist purposes, inter alia, recruitment and incitement, as well as for the financing, training, planning and preparation of their activities,

Taking note of the new technical assistance tools developed by the United Nations Office on Drugs and Crime, including, inter alia, *The Criminal Justice Response to Support Victims of Acts of Terrorism* and *The Use of the Internet for Terrorist Purposes*,

Reaffirming that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

1. *Urges* Member States that have not yet done so to consider becoming parties to the existing international conventions and protocols related to terrorism, and requests the United Nations Office on Drugs and Crime, within its mandate, in close coordination with the relevant entities of the Counter-Terrorism Implementation Task Force, to continue to provide technical assistance to Member States for the ratification and legislative incorporation of those international legal instruments;

2. *Urges* Member States to continue to strengthen international coordination and cooperation in order to prevent and combat terrorism in accordance with international law, including the Charter of the United Nations, and, when appropriate, by entering into bilateral, regional and multilateral treaties on extradition and mutual legal assistance, and to ensure adequate training of all relevant personnel in executing international cooperation activities, and requests the United Nations Office on Drugs and Crime, within its mandate, to provide technical assistance to Member States to that end, including by continuing and enhancing its assistance related to international legal cooperation pertaining to terrorism;

3. *Stresses* the importance of the development and maintenance of fair and effective criminal justice systems, in accordance with applicable international law, as a fundamental basis of any strategy to counter terrorism, and requests the United Nations Office on Drugs and Crime, whenever appropriate, to take into account in

its technical assistance to counter terrorism the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law;

4. *Requests* the United Nations Office on Drugs and Crime to continue to give high priority to the implementation of an integrated approach through the promotion of its regional and thematic programmes, including by assisting States, as requested, with the further elaboration and development of national, subregional and regional counter-terrorism strategies;

5. *Calls upon* the United Nations Office on Drugs and Crime to continue to strengthen the provision of technical assistance to Member States, upon request and within its mandate, on effective measures based on the rule of law for criminal justice responses addressing the prevention of terrorism;

6. *Also calls upon* the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, for building the capacity of Member States to become a party to and implement international conventions and protocols related to terrorism, including through targeted programmes and the training of relevant criminal justice officials, the development of and participation in relevant initiatives and the elaboration of technical tools and publications, in consultation with Member States;

7. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop specialized legal knowledge in the area of counter-terrorism and pertinent thematic areas of relevance to the mandate of the Office and to provide assistance to requesting Member States with regard to criminal justice responses to acts of terrorism as set out in the international legal instruments against terrorism and as detailed in relevant General Assembly resolutions;

8. *Also requests* the United Nations Office on Drugs and Crime, within its mandate and pursuant to General Assembly resolutions 65/221 of 21 December 2010 and 66/178 of 19 December 2011, to continue to enhance specialized legal knowledge through the preparation of best practices, in close coordination with Member States, on assistance to and support for victims of terrorism, including the role of victims within the criminal justice framework;

9. *Further requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop its specialized legal knowledge in close consultation with Member States and to continue to provide assistance to requesting Member States so as to counter the use of the Internet for terrorist purposes, to support those Member States in effectively criminalizing, investigating and prosecuting such cases in accordance with applicable international law on due process and fully respecting human rights and fundamental freedoms, and to encourage the use of the Internet as a tool for countering the spread of terrorism;

10. *Urges* the United Nations Office on Drugs and Crime to continue to strengthen its cooperation with international organizations and relevant entities of the United Nations system, as well as with international, regional and subregional organizations and arrangements, in the delivery of technical assistance, whenever appropriate;

11. *Takes note with appreciation* of the recent joint initiatives developed by the United Nations Office on Drugs and Crime and the Counter-Terrorism

Committee and its Executive Directorate, as well as by the United Nations Office on Drugs and Crime and the Counter-Terrorism Implementation Task Force;

12. *Encourages* Member States to cooperate and to address, as appropriate, including through the effective exchange of information and sharing of experiences and best practices, the links that, in some cases, may exist between transnational organized criminal and terrorist activities in order to enhance criminal justice responses to terrorism, and calls upon the United Nations Office on Drugs and Crime, within its relevant mandates, to support the efforts of Member States in this regard, upon request;

13. *Expresses its appreciation* to Member States that have supported the technical assistance activities of the United Nations Office on Drugs and Crime, including through financial contributions, and invites Member States to consider making additional sustainable voluntary financial contributions, as well as providing in-kind support, especially in view of the need for enhanced and effective delivery of technical assistance to assist Member States with the implementation of the relevant provisions of the United Nations Global Counter-Terrorism Strategy;

14. *Requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with sufficient resources to carry out activities, within its mandate, to assist Member States, upon request, in the implementation of the relevant elements of the United Nations Global Counter-Terrorism Strategy;

15. *Also requests* the Secretary-General to submit to the General Assembly, at its sixty-ninth session, a report on the implementation of the present resolution.

Draft resolution IV

The rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015

The General Assembly,

Reaffirming its commitment to the purposes and principles of the Charter of the United Nations and international law,

Reaffirming also its commitments contained in resolution 55/2 of 8 September 2000, entitled “United Nations Millennium Declaration”, and resolution 65/1 of 22 September 2010, entitled “Keeping the promise: united to achieve the Millennium Development Goals”,

Reaffirming further the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels,¹⁸

Noting the report on the General Assembly thematic debate on drugs and crime as a threat to development held in New York on 26 June 2012,

Taking note of the report of the Secretary-General entitled “Accelerating progress towards the Millennium Development Goals: options for sustained and inclusive growth and issues for advancing the United Nations development agenda

¹⁸ General Assembly resolution 67/1.

beyond 2015”,¹⁹ and the report of the United Nations system task team on the post-2015 United Nations development agenda entitled “Realizing the future we want for all”,

Reiterating that the advancement of the rule of law at the national and international levels is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental freedoms, including the right to development, all of which in turn reinforce the rule of law,

Reiterating also that transnational crime must be addressed in full respect for the principle of the sovereignty of States and in accordance with the rule of law as part of a comprehensive response to promote durable solutions through the promotion of human rights and more equitable socioeconomic conditions and, in that regard, stressing again the importance of encouraging Member States to develop, as appropriate, comprehensive crime prevention policies based on an understanding of the multiple factors that contribute to crime and to addressing such factors in a holistic manner, while emphasizing that crime prevention should be an integral element of strategies to foster social and economic development in all States,

Recalling its resolution 67/189 of 20 December 2012, entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, and its resolution 67/186 of 20 December 2012, entitled “Strengthening the rule of law and the reform of criminal justice institutions, particularly in the areas related to the United Nations system-wide approach to fighting transnational organized crime and drug trafficking”,

Recalling also the resolution of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the recommendations of the Congress on its four substantive topics, including the topic “International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme”,²⁰ as endorsed by the Assembly in its resolution 50/145 of 21 December 1995, as well as the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,²¹ adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in 2000, and endorsed by the Assembly in its resolution 55/59 of 4 December 2000, and the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,²² adopted by the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, in 2005, and endorsed by the Assembly in its resolution 60/177 of 16 December 2005,

Recalling further the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,²³ in which Member States, inter alia, recognized the centrality of crime prevention and the criminal justice system to the rule of law

¹⁹ A/67/257.

²⁰ See A/CONF.169/16/Rev.1, chap. I, resolution 1, sect. I.

²¹ General Assembly resolution 55/59, annex.

²² General Assembly resolution 60/177, annex.

²³ General Assembly resolution 65/230, annex.

and that long-term, sustainable economic and social development and the establishment of a functioning, efficient, effective and humane criminal justice system had a positive influence on each other,

Mindful of Economic and Social Council resolutions 2004/25 of 21 July 2004, 2005/21 of 22 July 2005 and 2006/25 of 27 July 2006 on strengthening the rule of law and the reform of criminal justice institutions, as well as the assistance activities of the United Nations crime prevention and criminal justice programme in that area, including in post-conflict reconstruction,

Acknowledging that the United Nations standards and norms in crime prevention and criminal justice are important tools for establishing fair and effective criminal justice systems that are enshrined in the rule of law and that their use and application in the provision of technical assistance should be enhanced, as appropriate,

Stressing the importance of a well-functioning, efficient, fair, effective and humane criminal justice system as the basis for a successful strategy against transnational organized crime, corruption, terrorism, drug trafficking and other forms of trafficking,

Bearing in mind that the rule of law includes fostering respect for a rule of law culture and the legislative, executive and judicial institutions needed to make and administer effective laws, and fostering trust and confidence that law-making will be responsive to the concerns and needs of the population and that the administration of law will be just, efficient and transparent,

Recognizing the importance of ensuring that women, on the basis of equality of men and women, fully enjoy the benefits of the rule of law and commit to using law to uphold their equal rights and ensure their full and equal participation,

Concerned by urban crime, acknowledging the need for stronger coordination between security and social policies, with a view to addressing the root causes of urban crime, and recognizing the direct relevance of urban safety as a prerequisite to sustainable urban development and the attainment of the Millennium Development Goals,

Acknowledging the call of mayors and other stakeholders at the sixth session of the World Urban Forum, held in Naples, Italy, in September 2012, as part of the Global Network on Safer Cities, for intensified efforts to strengthen the integrity of the safer cities approach by means of international cooperation and United Nations system-wide guidelines on safer cities and financing mechanisms for safer cities,

Taking note of the work of the High-level Panel of Eminent Persons on the Post-2015 Development Agenda, and in particular the importance given to the rule of law and access to justice, as well as the focus expressed during the meeting of the Panel in Bali, Indonesia, in March 2013 on data availability and better accountability in measuring progress,

Noting with appreciation the establishment by the Secretary-General of the United Nations system task force on transnational organized crime and drug trafficking as threats to security and stability for the purpose of developing within the United Nations system an effective and comprehensive approach to transnational

organized crime and drug trafficking, and reaffirming the crucial role of Member States as reflected in the Charter of the United Nations,

Noting the strategic priorities for the period 2013-2016 of the United Nations Development Group,

Stressing the importance of the rule of law, both nationally and internationally, as an essential element in addressing and preventing organized crime and corruption, and noting that the rule of law requires strong and efficient justice sector coordination, as well as coordination with other United Nations offices and activities,

Convinced that the rule of law and development are strongly interrelated and mutually reinforcing and that crime prevention and criminal justice elements that support the rule of law should therefore be considered in implementing the post-2015 international development agenda,

1. *Recognizes* the cross-cutting nature of the rule of law, crime prevention and criminal justice and development, and recommends that such linkages and interrelationships be properly addressed and further elaborated;

2. *Notes with appreciation* the decision to hold a special event at the sixty-eighth session of the General Assembly to follow up on efforts made towards achieving the Millennium Development Goals and to deliberate on the post-2015 development agenda;

3. *Underscores* that the post-2015 development agenda should be guided by respect for and promotion of the rule of law, and that crime prevention and criminal justice have an important role in that regard;

4. *Stresses* the need for a comprehensive approach and further involvement of the States members of the Commission on Crime Prevention and Criminal Justice in the discussion leading to the formation of the post-2015 United Nations development agenda, in close coordination with the Economic and Social Council and other United Nations bodies and entities, fully taking into account the focus areas of the Millennium Development Goals;

5. *Emphasizes* that special attention should be placed on channelling the work of the Commission, where appropriate, into the discussions on the post-2015 United Nations development agenda, in close consultation with other stakeholders;

6. *Notes* that the main theme of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Qatar in 2015, is “Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation”,²⁴ and looks forward to fruitful discussions at the regional preparatory meetings on that subject;

7. *Welcomes* the efforts of the United Nations Office on Drugs and Crime to assist Member States in improving systems for collecting and analysing data on crime prevention and criminal justice at all levels, where necessary, including gender-specific data, in order to promote the rule of law, crime prevention and criminal justice in the post-2015 development agenda;

²⁴ See General Assembly resolution 67/184.

8. *Also welcomes* the efforts of the Secretary-General towards stronger coordination and integration of rule of law assistance, through the specialized and relevant international organizations, in order to enhance predictability, coherence, accountability and effectiveness in delivery of the rule of law at the national and international levels, and encourages further participation by the United Nations Office on Drugs and Crime in such arrangements, in particular, with regard to police, justice and corrections;

9. *Urges* Member States providing development assistance, in particular to countries emerging from conflict, to increase their assistance in the areas of crime prevention and criminal justice, and recommends that such assistance could, upon request, include elements relating to strengthening the rule of law;

10. *Stresses* the importance of a comprehensive approach to transitional justice, incorporating the full range of judicial and non-judicial measures to ensure accountability and promote reconciliation while protecting the rights of victims of crime and of abuse of power, highlighting in particular the work of the United Nations Office on Drugs and Crime in supporting criminal justice reforms and strengthening the rule of law at the national and international levels in that context;

11. *Also stresses* that institutions of governance and the judicial system should be gender-sensitive and that the full participation of women needs to be promoted;

12. *Requests* the United Nations Office on Drugs and Crime to provide substantive contributions to the United Nations Human Settlements Programme with regard to efforts to complement the development of United Nations Guidelines on safer cities, taking into consideration the 1995 Guidelines for Cooperation and Technical Assistance in the Fields of Urban Crime Prevention²⁵ and the 2002 Guidelines for the Prevention of Crime,²⁶ and to regularly inform Member States of the progress made in that regard, with a view to receiving comments;

13. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to continue to include in their work programmes the issue of the rule of law, as well as to consider exploring the challenges posed to the rule of law and development and to develop appropriate training material;

14. *Invites* Member States and other donors to provide extrabudgetary resources for those purposes in accordance with the rules and procedures of the United Nations;

15. *Requests* the Secretary-General to submit to the General Assembly at its sixty-ninth session a report on the implementation of the present resolution.

²⁵ Economic and Social Council resolution 1995/9, annex.

²⁶ Economic and Social Council resolution 2002/13, annex.

Draft resolution V

Model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice

The General Assembly,

Recalling the Universal Declaration of Human Rights,²⁷ the International Covenant on Economic, Social and Cultural Rights,²⁸ the International Covenant on Civil and Political Rights,²⁸ the Convention on the Rights of the Child^{29,30} and all other relevant international treaties in this regard,

Recalling also the numerous international standards and norms in the field of crime prevention and criminal justice, in particular on juvenile justice, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),³¹ the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines),³² the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,³³ the Guidelines for Action on Children in the Criminal Justice System,³⁴ the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime,³⁵ the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),³⁶ the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice,³⁷ the guidelines for cooperation and technical assistance in the field of urban crime prevention,³⁸ the Guidelines for the Prevention of Crime³⁹ and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,⁴⁰

²⁷ General Assembly resolution 217 A (III).

²⁸ Resolution 2200 A (XXI), annex.

²⁹ United Nations, *Treaty Series*, vol. 1577, No. 27531.

³⁰ A child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier, in accordance with the definition contained in article 1 of the Convention on the Rights of the Child (United Nations, *Treaty Series*, vol. 1577, No. 27531).

³¹ General Assembly resolution 40/33, annex.

³² General Assembly resolution 45/112, annex.

³³ General Assembly resolution 45/113, annex.

³⁴ Economic and Social Council resolution 1997/30, annex.

³⁵ Economic and Social Council resolution 2005/20, annex.

³⁶ General Assembly resolution 65/229, annex.

³⁷ General Assembly resolution 65/228, annex.

³⁸ Economic and Social Council resolution 1995/9, annex.

³⁹ Economic and Social Council resolution 2002/13, annex.

⁴⁰ General Assembly resolution 67/187, annex.

Taking note of relevant resolutions of the General Assembly, the Economic and Social Council and the Human Rights Council, as well as of the Commission on Human Rights,⁴¹

Recalling the invitation to the Commission on Crime Prevention and Criminal Justice to consider developing a set of model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice, in consultation with all Member States and in close collaboration with all relevant United Nations entities, in particular with the Special Representative of the Secretary-General on Violence against Children and the Office of the United Nations High Commissioner for Human Rights, as contained in General Assembly resolution 67/166 of 20 December 2012,

Noting with appreciation the important work on child rights in the context of crime prevention and criminal justice conducted by United Nations agencies, funds and programmes, including the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights and the United Nations Children's Fund, and the Special Representative of the Secretary-General on Violence against Children, and by relevant mandate holders,

Noting with satisfaction the work of the Interagency Panel on Juvenile Justice and its members, in particular their coordination in providing technical advice and assistance in juvenile justice, and the active participation of civil society in their respective work,

Mindful of the *Manual for the Measurement of Juvenile Justice Indicators*,⁴² prepared jointly by the United Nations Children's Fund and the United Nations Office on Drugs and Crime, and welcoming progress made on providing training in the use of the indicators contained therein,

Aware of the need for special vigilance with regard to the specific situation of children in the criminal justice system, in particular while they are deprived of their liberty and their vulnerability to various forms of violence, abuse, injustice and humiliation,

1. *Notes with appreciation* the joint report of the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system,⁴³ submitted to the Human Rights Council at its twenty-first session;

2. *Reaffirms* the importance of the full and effective implementation of all United Nations standards and norms in crime prevention and criminal justice;

⁴¹ Including, among recent resolutions, General Assembly resolutions 62/141 and 62/158 of 18 December 2007, 63/241 of 24 December 2008, 64/146 of 18 December 2009, 65/197 and 65/213 of 21 December 2010, 66/138 to 66/141 of 19 December 2011, 67/152 and 67/166 of 20 December 2012; Economic and Social Council resolutions 2007/23 of 26 July 2007 and 2009/26 of 30 July 2009; and Human Rights Council resolutions 7/29 of 28 March 2008, 10/2 of 25 March 2009, 18/12 of 29 September 2011, 19/37 of 23 March 2012 and 22/32 of 22 March 2013.

⁴² United Nations publication, Sales No. E.07.V.7.

⁴³ A/HRC/21/25.

3. *Urges* Member States to pay particular attention to the issue of child rights and the best interests of the child in the administration of justice and in accordance with applicable United Nations standards and norms for all children who come into contact with the criminal justice system as victims, witnesses or alleged offenders, in particular children deprived of liberty, taking into account the age, gender, social circumstances and development needs of such children;

4. *Also urges* Member States to take all necessary and effective measures, including legal reform, where appropriate, to prevent and respond to all forms of violence against children in contact with the criminal justice system as victims or witnesses or as children alleged as, accused of or recognized as having infringed the criminal law;

5. *Encourages* Member States to promote, inter alia, the use of alternative measures, such as diversion and restorative justice, to comply with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, and to avoid, wherever possible, the use of pretrial detention for children;

6. *Requests* the United Nations Office on Drugs and Crime to continue providing advisory services and technical assistance to Member States, upon request, to support the implementation of United Nations standards and norms relating to crime prevention and to child rights in the administration of criminal justice, with a view to promoting and protecting the rights of children alleged as, accused of or recognized as having infringed criminal law, as well as child victims and witnesses of crime;

7. *Invites* the Commission on Crime Prevention and Criminal Justice and the Human Rights Council, as well as the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights and the United Nations Children's Fund, to closely coordinate their activities relating to child rights in the administration of justice and the prevention of and responses to violence against children in the criminal justice system, in cooperation with the Committee on the Rights of the Child;

8. *Requests* the United Nations Office on Drugs and Crime to convene a meeting of an open-ended intergovernmental expert group, in collaboration with all relevant United Nations entities, in particular the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights and the Special Representative of the Secretary-General on Violence against Children, to develop a draft set of model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice, to be considered by the Commission on Crime Prevention and Criminal Justice at its session following the meeting of the open-ended intergovernmental expert group, and welcomes the offer of the Government of Thailand to act as host to that meeting of the open-ended intergovernmental expert group in 2013;

9. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to include in their work programmes the issue of violence against children, develop training materials and offer training and other capacity-building opportunities, in particular for practitioners working in the areas of crime prevention and criminal justice and providers of support services for the victims of violence against children and child witnesses within the criminal justice

system, and to make available and disseminate information on successful intervention models, preventive programmes and other practices;

10. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes in accordance with the rules and procedures of the United Nations;

11. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice, at its session following the meeting of the open-ended intergovernmental expert group, on the outcome of the meeting of that group, as well as to the General Assembly, as appropriate.

Draft resolution VI

Standard Minimum Rules for the Treatment of Prisoners

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and inspired by the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small,

Bearing in mind the long-standing concern of the United Nations for the humanization of criminal justice and the protection of human rights,

Reaffirming the importance of the United Nations standards and norms in crime prevention and criminal justice, and especially of promoting their implementation,

Re-emphasizing that in the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,⁴⁴ Member States recognized that an effective, fair and humane criminal justice system was based on the commitment to uphold the protection of human rights in the administration of justice and the prevention and control of crime and acknowledged the value and impact of the United Nations standards and norms in designing and implementing national crime prevention and criminal justice policies, laws, procedures and programmes,

Recalling its resolution 65/230 of 21 December 2010, entitled “Twelfth United Nations Congress on Crime Prevention and Criminal Justice”, in which it requested the Commission on Crime Prevention and Criminal Justice to establish an open-ended intergovernmental expert group to exchange information on best practices, as well as national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners so that they reflect recent advances in correctional science and best practices, with a view to making recommendations to the Commission on possible next steps, and requested the expert group to report to the Commission on progress in its work,

⁴⁴ General Assembly resolution 65/230, annex.

Recalling also its resolution 67/188 of 20 December 2012, in which it authorized the open-ended intergovernmental Expert Group on the Standard Minimum Rules for the Treatment of Prisoners to continue its work, within its mandate, with a view to reporting on its progress to the Commission on Crime Prevention and Criminal Justice at its twenty-second session,

Recognizing that the Standard Minimum Rules for the Treatment of Prisoners⁴⁵ remain the universally acknowledged minimum standards for the detention of prisoners,

Taking into account the progressive development of international instruments relevant to the treatment of prisoners since 1955, in particular the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment⁴⁶ and the Optional Protocol thereto,⁴⁷

Taking into account also the relevance of other United Nations standards and norms in crime prevention and criminal justice related to the treatment of prisoners, namely, the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners,⁴⁸ the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,⁴⁹ the Code of Conduct for Law Enforcement Officials,⁵⁰ the Basic Principles for the Treatment of Prisoners,⁵¹ the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),⁵² the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,⁵³ the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules),⁵⁴ the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)⁵⁵ and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,⁵⁶

Mindful of its resolution 67/166 of 20 December 2012, on human rights in the administration of justice, in which it recognized the importance of the principle that persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms, except for those lawful limitations that are demonstrably necessitated by the fact of incarceration,

Aware that, in its resolution 67/166, it took note of general comment No. 21, on the humane treatment of persons deprived of their liberty,⁵⁷ adopted by the Human Rights Committee and stated its awareness of the need for special vigilance

⁴⁵ *Human Rights: A Compilation of International Instruments*, Volume I (First Part), *Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

⁴⁶ United Nations, *Treaty Series*, vol. 1465, No. 24841.

⁴⁷ *Ibid.*, vol. 2375, No. 24841.

⁴⁸ Economic and Social Council resolution 1984/47, annex.

⁴⁹ General Assembly resolution 43/173, annex.

⁵⁰ General Assembly resolution 34/169, annex.

⁵¹ General Assembly resolution 45/111, annex.

⁵² General Assembly resolution 40/33, annex.

⁵³ General Assembly resolution 45/113, annex.

⁵⁴ General Assembly resolution 45/110, annex.

⁵⁵ General Assembly resolution 65/229, annex.

⁵⁶ General Assembly resolution 67/187, annex.

⁵⁷ *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 40 (A/47/40)*, annex VI.B.

with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, and their vulnerability to various forms of violence, abuse and humiliation,

Recalling that in its resolution 67/184 of 20 December 2012, on follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, it decided that one of the workshops to be held within the framework of the Thirteenth Congress would be devoted to the topic “Role of the United Nations standards and norms in crime prevention and criminal justice in support of effective, fair, humane and accountable criminal justice systems: experiences and lessons learned in meeting the unique needs of women and children, in particular the treatment and social reintegration of offenders”,

Taking note with appreciation of the work done by the open-ended intergovernmental Expert Group at its meetings held in Vienna⁵⁸ and in Buenos Aires,⁵⁹ and mindful of the progress achieved at those meetings,

1. *Expresses its gratitude* to the Government of Argentina for hosting the second meeting of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners, held in Buenos Aires from 11 to 13 December 2012, and expresses its appreciation for the work done and the progress made at that meeting;

2. *Takes note* of the working paper prepared by the Secretariat examining the preliminary areas for possible consideration, and recognizes that, to a large extent, the paper has captured issues and identified rules of the Standard Minimum Rules for the Treatment of Prisoners⁶⁰ to be considered for a comprehensive revision under each preliminary area;

3. *Expresses appreciation* for the submissions of Member States in response to the request to exchange information on best practices and on the revision of the existing Standard Minimum Rules for the Treatment of Prisoners;

4. *Recognizes* the need for the Expert Group to take into account the social, legal and cultural specificities of Member States;

5. *Takes into consideration* the recommendations of the Expert Group with regard to the issues and the rules of the Standard Minimum Rules on the Treatment of Prisoners identified for revision,⁶¹ in the following areas:

(a) Respect for prisoners’ inherent dignity and value as human beings (rules 6, para. 1; 57-59; and 60, para. 11);

(b) Medical and health services (rules 22-26; 52; 62; and 71, para. 2);

(c) Disciplinary action and punishment, including the role of medical staff, solitary confinement and reduction of diet (rules 27, 29, 31 and 32);

⁵⁸ See E/CN.15/2012/18.

⁵⁹ See E/CN.15/2013/23.

⁶⁰ *Human Rights: A Compilation of International Instruments*, Volume I (First Part), *Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

⁶¹ See E/CN.15/2013/23, paras. 15-24, and UNODC/CCPCJ/EG.6/2012/4, paras. 7-16.

(d) Investigations of all deaths in custody, as well as of any signs or allegations of torture or inhuman or degrading treatment or punishment of prisoners (rules 7, 44 bis and 54 bis);

(e) Protection and special needs of vulnerable groups deprived of their liberty, taking into consideration countries in difficult circumstances (rules 6 and 7);

(f) The right of access to legal representation (rules 30; 35, para. 1; 37; and 93);

(g) Complaints and independent inspection (rules 36 and 55);

(h) The replacement of outdated terminology (rules 22-26, 62, 82 and 83 and various others);

(i) Training of relevant staff to implement the Standard Minimum Rules (rule 47);

6. *Decides* to extend the mandate of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners, authorizing it to continue its work within its mandate with a view to reporting to the Commission on Crime Prevention and Criminal Justice at its twenty-third session, and requests the Secretary-General to ensure that the required services and support are provided for this purpose;

7. *Expresses its gratitude* to the Government of Brazil for its readiness to host a further meeting of the open-ended intergovernmental Expert Group to continue the revision process;

8. *Invites* Member States to continue to be engaged in the revision process by submitting to the Secretariat, by 30 September 2013, proposals for revision in the nine areas identified above and to participate actively in the next meeting of the Expert Group, and invites civil society and relevant United Nations bodies to contribute to the process;

9. *Requests* the Secretariat to prepare a working paper integrating all inputs received from Member States, pursuant to paragraph 8 above,⁶² for consideration at the next meeting of the open-ended intergovernmental Expert Group;

10. *Reiterates* that any changes to the Standard Minimum Rules for the Treatment of Prisoners should not lower any of the existing standards, but should improve them so that they reflect the recent advances in correctional sciences and good practices, so as to promote safety, security and humane conditions for prisoners;

11. *Takes note* of the contribution received from the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee against Torture and other submissions received for

⁶² Those inputs include the proposal by the Governments of Argentina, Brazil, South Africa, United States of America, Uruguay and Venezuela (Bolivarian Republic of), circulated in a conference room paper at the twenty-second session of the Commission on Crime Prevention and Criminal Justice.

consideration,⁶³ and underlines in this regard the valuable contribution of civil society in this process;

12. *Encourages* Member States to improve conditions in detention consistent with the principles of the Standard Minimum Rules for the Treatment of Prisoners, and all other relevant and applicable international standards and norms, to continue exchanging good practices, such as those regarding conflict resolution in detention facilities, including in the area of technical assistance, identify challenges faced in implementing the Standard Minimum Rules for the Treatment of Prisoners and share their experiences in dealing with those challenges, and provide relevant information in that regard to their experts participating in the Expert Group;

13. *Recommends* that Member States endeavour to reduce overcrowding and pretrial detention, where appropriate; promote increased access to justice and legal defence mechanisms; reinforce alternatives to imprisonment such as fines, community service, restorative justice and electronic monitoring; and support rehabilitation and reintegration programmes, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);⁶⁴

14. *Reiterates* its request to the Secretary-General to continue to promote the use and application of the United Nations standards and norms in crime prevention and criminal justice by, inter alia, providing advisory services and technical assistance to Member States on request, including assistance in criminal justice and law reform and in the organization of training for law enforcement and criminal justice personnel and support in the administration and management of penal and penitentiary systems, thus contributing to the upgrading of their efficiency and capabilities;

15. *Reaffirms* the important role of the United Nations crime prevention and criminal justice programme network, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council in contributing to the dissemination, promotion and practical application of the Standard Minimum Rules for the Treatment of Prisoners, in accordance with the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners;⁴⁸

16. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations.

⁶³ Including the summary of an expert meeting held at the University of Essex on 3 and 4 October 2012 on the review of the Standard Minimum Rules for the Treatment of Prisoners.

⁶⁴ General Assembly resolution 45/110, annex.

Draft resolution VII

Taking action against gender-related killing of women and girls

The General Assembly,

Deeply concerned that the global prevalence of different manifestations of the gender-related killing of women and girls⁶⁵ is reaching alarming proportions,

Concerned also about violent gender-related killing of women and girls, while recognizing efforts made to address that form of violence in different regions, including in countries where the concept of femicide or feminicide has been incorporated into national legislation,

Aware that the Universal Declaration of Human Rights⁶⁶ affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in the Declaration, especially to the right to life, liberty and security of person, without distinction of any kind, including distinction based on sex,

Emphasizing the importance of the Declaration on the Elimination of Violence against Women,⁶⁷ which defines violence against women as any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private spheres,

Conscious of the commitments undertaken by State parties through the adoption of the Convention on the Elimination of All Forms of Discrimination against Women,⁶⁸ which requires State parties to take all appropriate political, social, economic and cultural measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men, taking into account the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women,⁶⁹

Taking into consideration the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women,⁷⁰ which identifies violence against women as an obstacle to the achievement of the objectives of equality, development and peace, while emphasizing that such violence both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming that discrimination on the basis of sex is

⁶⁵ Gender-related killing of women and girls is criminalized in some countries as “femicide” or “feminicide” and has been incorporated as such into national legislation into those countries.

⁶⁶ General Assembly resolution 217 A (III).

⁶⁷ General Assembly resolution 48/104.

⁶⁸ United Nations, *Treaty Series*, vol. 1249, No. 20378.

⁶⁹ *Ibid.*, vol. 2131, No. 20378.

⁷⁰ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments and that the elimination of such discrimination is an integral part of efforts towards the elimination of all forms of violence against women,

Stressing that States have the obligation to promote and protect all human rights and fundamental freedoms for all, including women and girls, and must exercise due diligence to prevent and investigate acts of violence against women and girls and punish the perpetrators, eliminate impunity and provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment by victims of their human rights and fundamental freedoms,

Bearing in mind the actions and measures that Member States should take to meet their international obligations with respect to putting an end to violence against women and girls,

Recalling the relevant General Assembly resolutions addressing various aspects of violence against women and girls of all ages,

Stressing the significance of the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice⁷¹ as a way to assist countries in strengthening their national crime prevention and criminal justice capacities to respond to all forms of violence against women,

Taking note of the report of the Special Rapporteur on violence against women, its causes and consequences⁷² and Human Rights Council resolution 20/12 of 5 July 2012 on accelerating efforts to eliminate all forms of violence against women: remedies for women who have been subjected to violence,

Taking note with appreciation of the agreed conclusions of the fifty-seventh session of the Commission on the Status of Women of 15 March 2013, in which, inter alia, the Commission urged all Governments to strengthen national legislation, where appropriate, to punish violent gender-related killing of women and girls and integrate specific mechanisms or policies to prevent, investigate and eradicate such deplorable forms of gender-based violence,

Taking note with appreciation also of the various initiatives taken at the regional level to prevent and address violence against women, including, for example, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, the Association of Southeast Asian Nations Declaration on the Elimination of Violence against Women in the ASEAN Region, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence⁷³ and the Council of Europe Convention on Action against Trafficking in Human Beings,⁷⁴

⁷¹ General Assembly resolution 65/228, annex.

⁷² A/HRC/20/16.

⁷³ *Council of Europe Treaty Series*, No. 210.

⁷⁴ *Ibid.*, 197.

Expressing its appreciation for the work undertaken by the United Nations system in preventing and responding to all forms of violence against women and girls,

Viewing with appreciation the considerable input of many civil society organizations, as well as academia, in addressing the different forms of violence against women and girls, through research and direct action in their respective communities,

Alarmed by the fact that violence against women and girls is among the least punished crimes in the world,

Deeply concerned about the high level of impunity with regard to gender-related killing of women and girls, and recognizing the key role of the criminal justice system in preventing and responding to gender-related killing of women and girls, including in ending impunity for such crimes,

Reaffirming the commitment to working together to put an end to such crimes, in full compliance with international and national legal instruments,

1. *Urges* Member States to exercise due diligence to prevent, investigate, prosecute and punish acts of violence against women and girls, in accordance with national laws;

2. *Also urges* Member States to consider undertaking institutional initiatives, as appropriate, to improve the prevention of gender-related killing of women and girls and the provision of legal protection, including appropriate remedies, reparation and compensation, to the victims of such crimes, in accordance with applicable national and international law and taking into account, as appropriate, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power;⁷⁵

3. *Invites* Member States to adopt a variety of measures, including preventive measures and the enactment and implementation of legislation, that address gender-related killing of women and girls and to periodically review those measures with a view to improving them;

4. *Urges* Member States, acting at all levels, to end impunity by ensuring accountability and punishing perpetrators of those heinous crimes against women and girls;

5. *Also urges* Member States, as appropriate, to consider designing, implementing and evaluating comprehensive programmes aimed at preventing all forms of violence against women and girls and reducing related vulnerabilities of victims, as well as those risks unique to perpetrators of gender-related killing of women and girls, including by conducting research focused on public education and interventions that target those vulnerabilities and risks;

6. *Invites* Member States to strengthen the criminal justice response to gender-related killing of women and girls, in particular measures to support the capacity of Member States to investigate, prosecute and punish all forms of such crime and provide reparation and/or compensation to victims and their families or dependents, as appropriate, in accordance with national laws;

⁷⁵ General Assembly resolution 40/34, annex.

7. *Also invites* Member States to address the existing problems of underreporting by enhancing data collection and analysis, as well as sharing relevant data, in accordance with national laws, and related information on gender-related killing of women and girls, in order to inform the formulation, monitoring and evaluation of laws, policies and programmes;

8. *Calls upon* Member States to give due consideration to the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice⁷¹ in order to strengthen national responses to gender-related killing of women and girls;

9. *Encourages* relevant United Nations entities and agencies, in particular the United Nations Office on Drugs and Crime, the Commission on the Status of Women, the Office of the United Nations High Commissioner for Human Rights and the United Nations Entity for Gender Equality and the Empowerment of Women, to support Member States in developing and implementing strategies and policies, upon request, at the national, regional and international levels to address and prevent gender-related killing of women and girls;

10. *Encourages* the United Nations Office on Drugs and Crime and the institutes of the United Nations crime prevention and criminal justice programme network to facilitate the gathering and dissemination of relevant and reliable data and other related information to be provided by Member States on their efforts to implement the present resolution;

11. *Requests* the United Nations Office on Drugs and Crime and the institutes of the United Nations crime prevention and criminal justice programme network to continue conducting and coordinating relevant research on gender-related killing of women and girls, particularly in connection with the standardization of the collection and analysis of data;

12. *Encourages* relevant United Nations entities and agencies, including the United Nations Office on Drugs and Crime, the Commission on the Status of Women, the Office of the United Nations High Commissioner for Human Rights, the United Nations Entity for Gender Equality and the Empowerment of Women, and other specialized funds and programmes of the United Nations, to raise awareness among Member States regarding gender-related killing of women and girls;

13. *Invites* Member States to provide the United Nations Office on Drugs and Crime with information related to best practices and other relevant information related to the investigation and prosecution of these crimes, in accordance with national legislation, and in that regard encourages civil society organizations and academia to share relevant information with the United Nations Office on Drugs and Crime;

14. *Requests* the Secretary-General to convene an open-ended intergovernmental expert group meeting to discuss ways and means to more effectively prevent, investigate, prosecute and punish gender-related killing of women and girls, with a view to making practical recommendations, drawing also on current best practices, in consultation with relevant United Nations entities and human rights mechanisms, and welcomes the offer of the Government of Thailand to act as host to the open-ended intergovernmental expert group meeting;

15. *Invites* Member States to give due consideration to ending violence against women and girls, as well as the realization of gender equality and empowerment of women in the elaboration of the post-2015 development agenda;

16. *Invites* Member States and other donors to provide extrabudgetary contributions for these purposes in accordance with the rules and procedures of the United Nations;

17. *Requests* the Secretary-General to report to the General Assembly at its seventieth session on the implementation of the present resolution.

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

Improving the quality and availability of statistics on crime and criminal justice for policy development

The Economic and Social Council,

Recalling General Assembly resolution 65/232 of 21 December 2010, in which the United Nations Office on Drugs and Crime was requested, within its existing mandate, to strengthen the collection, analysis and dissemination of accurate, reliable and comparable data and information to enhance knowledge on crime trends and support Member States in designing appropriate responses in specific areas of crime, in particular in their transnational dimension, taking into account the need to make the best possible use of existing resources,

Recalling also the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010, and endorsed by the General Assembly in its resolution 65/230 of 21 December 2010, in which the Commission on Crime Prevention and Criminal Justice was invited to consider strengthening the capacity of the United Nations Office on Drugs and Crime to collect, analyse and disseminate accurate, reliable and comparable data on world crime and victimization trends and patterns and Member States were called upon to support the gathering and analysis of information and to consider designating focal points and provide information when requested to do so by the Commission,

Recalling further General Assembly resolution 67/189 of 20 December 2012, in which the United Nations Office on Drugs and Crime, within its existing mandate, was requested to continue strengthening the regular collection, analysis and dissemination of accurate, reliable and comparable data and information and Member States were strongly encouraged to share such data and information with the Office,

Recalling its resolutions 2009/25 of 30 July 2009 on improving the collection, reporting and analysis of data to enhance knowledge on trends in specific areas of crime, and 2012/18 of 26 July 2012 on improving the quality and availability of statistics on crime and criminal justice for policy development,

Recalling also Commission on Crime Prevention and Criminal Justice resolution 19/2 of 21 May 2010 on strengthening the collection, analysis and reporting of comparable crime-related data, in which Member States were invited to strengthen their efforts to review and improve data-collection tools in order to enhance knowledge on world crime trends and patterns,

Reaffirming that the Commission on Crime Prevention and Criminal Justice is the intergovernmental body mandated to address issues relating to crime prevention and criminal justice, while the Statistical Commission is responsible for promoting the development of national statistics and the improvement of their comparability, as well as the improvement of statistics and statistical methods generally, as reaffirmed by the Economic and Social Council in its resolution 1566 (L) of 3 May 1971,

Taking note of the report of the Statistical Commission on its forty-fourth session, held in New York from 26 February to 1 March 2013,⁷⁶ and of its decision to support the implementation of a road map to improve the quality and availability of crime statistics at the national and international levels,

Emphasizing that the Commission on Crime Prevention and Criminal Justice and the Statistical Commission can complement and support each other's efforts in the field of statistics on crime and criminal justice,

Recognizing the importance of information and statistics in developing and supporting public policies at the national, regional and global levels,

Reaffirming that the United Nations Office on Drugs and Crime is the focal point within the United Nations system for statistics on crime and criminal justice,

Acknowledging the need to ensure coordination in the collection and dissemination of statistics on crime and criminal justice among the various national institutions,

Bearing in mind the gaps still existing in statistical information on crime and criminal justice, particularly in relation to emerging forms of crime, and the challenges posed by the limited comparability of statistical data obtained in different countries,

Underscoring the importance of technical assistance and of building the capacity of Member States to collect, analyse and disseminate accurate and comparable statistics on crime and criminal justice,

1. *Takes note* of the report of the National Institute of Statistics and Geography of Mexico and the United Nations Office on Drugs and Crime on a road map to improve the quality and availability of crime statistics at the national and international levels, prepared pursuant to resolution 2012/18;⁷⁷

⁷⁶ *Official Records of the Economic and Social Council, 2013, Supplement No. 4 (E/2013/24).*

⁷⁷ E/CN.3/2013/11.

2. *Welcomes* the deliberations of the Statistical Commission at its forty-fourth session, held in New York from 26 February to 1 March 2013, including the consideration it gave to the report on a road map to improve the quality and availability of crime statistics at the national and international levels;

3. *Supports* the activities presented in the road map for improving crime statistics and requests the United Nations Office on Drugs and Crime to continue activities to improve statistical information on crime as per the road map and to report regularly on those activities to the Statistical Commission and to the Commission on Crime Prevention and Criminal Justice;

4. *Welcomes* the establishment of the group of experts from both the statistical and criminal justice fields to provide support for the implementation of the road map within the framework of the Statistical Commission and the Commission on Crime Prevention and Criminal Justice;

5. *Approves* the plan to finalize by 2015 the International Classification of Crime for Statistical Purposes, which will serve as a powerful methodological tool for harmonization and for the improvement of international and regional comparability;

6. *Invites* Member States to encourage productive dialogue among national authorities responsible for the collection, processing and dissemination of statistics on crime and criminal justice, including national statistical offices, so as to enhance coordination at the national level and to ensure the use of common standards;

7. *Also invites* Member States that have not yet done so to appoint a national focal point for the submission of data on crime and criminal justice to the United Nations Office on Drugs and Crime, through the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, in order to support the Office in ensuring that the national data disseminated are consistent over time and meet the highest standards of quality;

8. *Acknowledges* the positive contribution to the implementation of the activities established in the above-mentioned road map of the Centre of Excellence for Statistical Information on Governance, Victimization, Public Security and Justice, which was developed jointly by the United Nations Office on Drugs and Crime and the National Institute of Statistics and Geography of Mexico, and encourages the establishment of similar centres in other countries and regions in a concerted effort to improve crime statistics at the global level;

9. *Requests* the United Nations Office on Drugs and Crime to continue developing technical and methodological tools to assist countries in producing and disseminating accurate and comparable statistics on crime and criminal justice, and to continue providing technical assistance, upon request, to Member States in order to enhance their capacity to collect, analyse and report data on crime and criminal justice;

10. *Also requests* the United Nations Office on Drugs and Crime to continue its mandated activities to regularly collect and disseminate statistics on crime and criminal justice and to provide analyses and studies on trends and patterns on the basis of information produced by Member States or, alternatively and where possible and appropriate, by extracting data from existing official publications;

11. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes of this resolution in accordance with the rules and procedures of the United Nations;

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

Draft resolution II

Combating transnational organized crime and its possible links to illicit trafficking in precious metals

The Economic and Social Council,

Concerned at the growing involvement of organized criminal groups, as well as the substantial increase in the volume, rate of transnational occurrence and range of criminal offences related to illicit trafficking in precious metals⁷⁸ in some parts of the world,

Alarmed at the potential use of illicit trafficking in precious metals as a source for funding organized crime,

Noting that illicit trafficking in precious metals may represent a significant revenue base for organized criminal groups and thus has the potential to expand criminal enterprises, facilitate corruption and undermine the rule of law through the corruption of law enforcement and judicial officials,

Recalling General Assembly resolution 66/181 of 19 December 2011, entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, in which the Assembly reaffirmed the importance of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,⁷⁹

Stressing the need to promote universal adherence to and full implementation of the Organized Crime Convention and the Protocols thereto and relevant international instruments, as well as the importance of additional cooperation between Member States and private sector entities, as appropriate, to counter transnational organized crime, as identified in various reports of the United Nations Office on Drugs and Crime,

Underlining the need to develop comprehensive, multifaceted and coherent strategies and measures, including both reactive and preventive measures, to counter illicit trafficking in precious metals,

Emphasizing that all States have a shared responsibility to take steps to counter transnational organized crime, including through international cooperation and in cooperation with relevant entities such as the United Nations Office on Drugs and Crime,

⁷⁸ For the purpose of this resolution, without prejudice to other accepted definitions or work in this area, precious metals include gold, silver, platinum, iridium, palladium, rhodium, ruthenium and osmium.

⁷⁹ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

Convinced of the importance of partnerships and synergies between Member States, civil society and the private sector, in particular in developing their respective strategies and measures,

Recalling the role of the Commission on Crime Prevention and Criminal Justice in crime prevention and criminal justice responses to transnational organized crime and, in particular, illicit trafficking in precious metals, as well as the role of the United Nations Interregional Crime and Justice Research Institute,

Recalling Economic and Social Council resolution 2012/19 of 26 July 2012, entitled “Strengthening international cooperation in combating transnational organized crime in all its forms and manifestations”, and Commission on Crime Prevention and Criminal Justice resolution 19/1 of 21 May 2010, entitled “Strengthening public-private partnerships to counter crime in all its forms and manifestations”, in which the importance of further developing public-private partnerships was stressed, and taking into account the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,⁸⁰ in which Member States recognized the importance of strengthening public-private partnerships in preventing and countering crime in all its forms and manifestations,

Mindful of the need for further research into the links that may exist, in some cases, between illicit trafficking in precious metals and transnational organized crime, as well as ways and means of cooperation to address the issue,

1. *Encourages* Member States to take appropriate measures to prevent and combat illicit trafficking in precious metals by organized criminal groups, including, where appropriate, the adoption and effective implementation of the necessary legislation for the prevention, investigation and prosecution of illicit trafficking in precious metals;
2. *Invites* Member States to consider utilizing the United Nations Convention against Transnational Organized Crime⁸¹ in combating transnational organized crime and its possible links to illicit trafficking in precious metals;
3. *Calls upon* Member States that have not yet done so to consider becoming parties to the Convention;
4. *Requests* the United Nations Office on Drugs and Crime to invite Member States and interested international organizations, including regional organizations, to share their experiences with other Member States and the United Nations Office on Drugs and Crime on the possible gaps and vulnerabilities faced in tackling transnational organized crime and its possible links to illicit trafficking in precious metals;
5. *Invites* the United Nations Interregional Crime and Justice Research Institute, with the support of the United Nations Office on Drugs and Crime, to conduct a comprehensive study on the possible links between transnational organized crime, other criminal activities and illicit trafficking in precious metals;

⁸⁰ General Assembly resolution 65/230, annex.

⁸¹ United Nations, *Treaty Series*, vol. 2225, No. 39574.

6. *Invites* Member States and relevant institutions to provide the United Nations Interregional Crime and Justice Research Institute with examples of relevant national, regional and international laws, regulatory standards, best practices, case studies and other materials consistent with the study, such as on money-laundering and import/export controls, for its consideration;

7. *Invites* Member States and other donors to provide extrabudgetary resources for those purposes, in accordance with the rules and procedures of the United Nations;

8. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-fourth session on the implementation of the present resolution.

Draft resolution III

International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime

The Economic and Social Council,

Concerned about the emerging problem of large-scale transnational economic fraud and identity-related crime and increases in the volume, rate of transnational occurrence and range of offences of this nature,

Concerned also about the serious threats posed by economic fraud and identity-related crime and by other illicit activities that those forms of crime support,

Concerned further about the exploitation of new information, communication and commercial technologies by perpetrators of economic fraud and identity-related crime and about the threats that such exploitation poses to commerce and to those technologies and their users,

Convinced of the need to develop comprehensive, multifaceted and coherent strategies and measures, including both reactive and preventive measures, to counter such forms of crime,

Convinced also of the importance of partnerships and synergies between Member States, the private sector and civil society, in particular in developing their respective strategies and measures in addressing the problem of economic fraud and identity-related crime,

Recalling the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,⁸² in which serious concerns were expressed about the challenge posed by economic fraud and identity-related crime and their links to other criminal and, in some cases, terrorist activities, and in which Member States were invited to take appropriate legal measures to prevent, prosecute and punish economic fraud and identity-related crime and to continue to support the work of the

⁸² General Assembly resolution 65/230, annex.

United Nations Office on Drugs and Crime in that area and were encouraged to enhance international cooperation in that area, including through the exchange of relevant information and best practices, as well as through technical and legal assistance,

Acknowledging the efforts of the United Nations Office on Drugs and Crime to facilitate the work of the core group of experts on identity-related crime as a platform to bring together on a regular basis representatives from Governments, private sector entities, international and regional organizations and academia to pool experience, develop strategies, facilitate further research and agree on practical action against identity-related crime,

Noting the work of the core group of experts on identity-related crime at its five meetings held in Vienna from 2007 to 2010 and the outcomes of this work, such as the *Handbook on Identity-related Crime*, which included a practical guide to international cooperation to combat identity-related crime, as well as studies on legal and criminalization approaches, victim protection and partnerships between the public sector and the private sector,

Recalling its resolutions 2004/26 of 21 July 2004, 2007/20 of 26 July 2007, 2009/22 of 30 July 2009 and 2011/35 of 28 July 2011,

1. *Takes note* of the report of the sixth meeting of the core group of experts on identity-related crime;⁸³
2. *Also takes note* of the outline for model legislation on identity-related crime, as well as the checklist of strategic elements in developing national strategies for the prevention, investigation, prosecution and punishment of identity-related crime, both of which are contained as appendices in the above-mentioned report;
3. *Further takes note* of the document on the development of a framework containing the basic components of a national strategy on the prevention, investigation, prosecution and punishment of identity-related crime, as well as the document on successful cases of public-private partnerships to address identity-related crime;
4. *Notes* the activities of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime as established pursuant to General Assembly resolution 65/230, in those areas connected to identity-related crime;
5. *Encourages* Member States to consider adoption and implementation of national strategies on the prevention, investigation, prosecution and punishment of identity-related crime, including the use of public-private partnerships to address identity-related crime;
6. *Invites* Member States to provide information to the United Nations Office on Drugs and Crime on national efforts, if any, to develop strategies for the prevention, investigation, prosecution and punishment of identity-related crime;
7. *Requests* the United Nations Office on Drugs and Crime to continue its efforts, in consultation with the United Nations Commission on International Trade Law, to promote mutual understanding and the exchange of views and expertise

⁸³ E/CN.15/2013/25, annex.

between various stakeholders, in particular between public and private sector entities, on issues pertaining to identity-related crime through the future work of the core group of experts on identity-related crime, including draft model legislation on identity-related crime;

8. *Invites* the United Nations Office on Drugs and Crime to continue to cooperate with other international and intergovernmental organizations and academic institutions active in this field by enabling their participation and active involvement in the future work of the core group of experts on identity-related crime;

9. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

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

Draft resolution IV

Crime prevention and criminal justice responses to illicit trafficking in protected species of wild fauna and flora

The Economic and Social Council,

Recalling its resolutions 2001/12 of 24 July 2001 and 2003/27 of 22 July 2003 concerning illicit trafficking in protected species of wild flora and fauna,

Recognizing the role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora⁸⁴ as the principal international instrument on legal trade in wild fauna and flora, and efforts made by parties to that Convention to implement it,

Reaffirming Commission on Crime Prevention and Criminal Justice resolution 16/1 of 27 April 2007, on international cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, in which, inter alia, the Commission strongly encouraged Member States to cooperate at the bilateral, regional and international levels to prevent, combat and eradicate illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, where appropriate, through the use of international legal instruments such as the United Nations Convention against Transnational Organized Crime⁸⁵ and the United Nations Convention against Corruption,⁸⁶

Recalling General Assembly resolution 67/189 of 20 December 2012, in which the Assembly expressed deep concern about environmental crimes, including trafficking in endangered and, where applicable, protected species of wild fauna and flora, and emphasized the need to combat such crimes by strengthening international

⁸⁴ United Nations, *Treaty Series*, vol. 993, No. 14537.

⁸⁵ *Ibid.*, vol. 2225, No. 39574.

⁸⁶ *Ibid.*, vol. 2349, No. 42146.

cooperation, capacity-building, criminal justice responses and law enforcement efforts,

Recalling Economic and Social Council resolution 2008/25 of 24 July 2008, in which the Council encouraged Member States to continue to provide the United Nations Office on Drugs and Crime with information on measures taken pursuant to Commission on Crime Prevention and Criminal Justice resolution 16/1, which may include holistic and comprehensive national multisectoral approaches, as well as international coordination and cooperation in support of such approaches, including through technical assistance activities to build the capacity of relevant national officials and institutions,

Recalling also the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,⁸⁷ adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010, in which Member States acknowledged the challenge posed by emerging forms of crime that have a significant impact on the environment, encouraged Member States to strengthen their national crime prevention and criminal justice legislation, policies and practices in that area and invited them to enhance international cooperation, technical assistance and sharing of best practices in that area, and invited the Commission on Crime Prevention and Criminal Justice to study the nature of the challenge and ways to deal with it effectively,

Recalling further Economic and Social Council resolution 2011/36 of 28 July 2011, in which the Council invited Member States to consider making illicit trafficking in endangered species of wild fauna and flora a serious crime,

Emphasizing that, in its resolution 2011/36, the Economic and Social Council, concerned by the involvement of organized criminal groups in all aspects of illicit trafficking in endangered species of wild fauna and flora, strongly encouraged Member States to take appropriate measures to prevent and combat such illicit trafficking,

Recalling Economic and Social Council resolution 2012/19 of 26 July 2012, in which the Council urged Member States to consider, among other effective measures, in accordance with their national legal systems, addressing different forms and manifestations of transnational organized crime that have a significant impact on the environment, including trafficking in endangered species of wild fauna and flora,

Recalling decision 27/9 of the Governing Council of the United Nations Environment Programme of 22 February 2013, entitled “Advancing justice, governance and law for environmental sustainability”,

Recalling also Economic and Social Council resolution 2011/36 of 28 July 2011, in which the Council noted the importance of promoting public-private partnerships to address trafficking in endangered species of wild fauna and flora, especially as regards the adoption of preventive measures,

Conscious of the need to promote initiatives to stimulate legal trade,

⁸⁷ General Assembly resolution 65/230, annex.

Deeply concerned by the involvement of organized criminal groups in all aspects of illicit trafficking in protected species of wild fauna and flora, and underscoring in that regard the usefulness of the United Nations Convention against Transnational Organized Crime in reinforcing international cooperation in the fight against that crime,

Expressing concern that illicit trafficking in protected species of wild fauna and flora is an increasingly sophisticated form of transnational organized crime, and recalling Economic and Social Council resolution 2012/19 of 26 July 2012, in which the Council recognized that transnational organized crime had diversified and represented a threat to health and safety, security, good governance and the sustainable development of States,

Emphasizing that illicit trafficking in protected species of wild fauna and flora can have a destabilizing effect on national economies and local communities, including through the destruction of natural habitats and diminished revenues from ecotourism and legal trade in species, as well as the loss of human life,

Emphasizing also that illicit trafficking in protected species of wild fauna and flora poses a serious threat to a number of vulnerable and endangered wildlife species, increasing the risk of extinction of such species,

Emphasizing further that coordinated action is critical to reduce corruption and disrupt the illicit networks that drive and enable illicit trafficking in protected species of wild fauna and flora,

Emphasizing the importance of effective cooperation and coordination among international organizations to combat illicit trafficking in protected species of wild fauna and flora, and welcoming the establishment of the International Consortium on Combating Wildlife Crime and taking note of the Green Customs Initiative, as examples of such partnerships,

Acknowledging the crucial role played by all relevant stakeholders, including civil society, in combating illicit trafficking in protected species of wild fauna and flora,

1. *Strongly encourages* Member States to take appropriate measures to prevent and combat illicit trafficking in protected species of wild fauna and flora, including the adoption of the necessary legislation for the prevention, investigation and prosecution of such trafficking;

2. *Encourages* Member States to undertake and promote bilateral, subregional, regional and international cooperation, including cooperation between law enforcement agencies, through joint investigations, including joint cross-border investigations, and exchange of information, including information on legislation and law enforcement intelligence, with the support of regional wildlife enforcement networks aimed at more effectively countering illicit trafficking in protected species of wild fauna and flora, and, in particular, through encouraging and supporting cooperation with those States that contribute to the supply and demand for illicitly trafficked protected species of wild fauna and flora, as well as those States that serve as transit areas;

3. *Requests* Member States to fully utilize the United Nations Convention against Transnational Organized Crime⁸⁴ and the United Nations Convention against

Corruption⁸⁵ to prevent and combat illicit trafficking in protected species of wild fauna and flora, and in that regard calls on Member States that have not done so to consider becoming parties to those conventions and calls for their full and effective implementation by States parties;

4. *Encourages* Member States to make illicit trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime, as defined in article 2, paragraph (b), of the Organized Crime Convention, in order to ensure that adequate and effective means of international cooperation can be afforded under the Convention in the investigation and prosecution of those engaged in illicit trafficking in protected species of wild fauna and flora;

5. *Strongly encourages* Member States to strengthen, where necessary, their domestic legal and criminal regimes and law enforcement and judicial capacity, consistent with international legal obligations, to ensure that relevant criminal laws, including appropriate penalties and sanctions, are available to address illicit trafficking in protected species of wild fauna and flora;

6. *Urges* Member States to strengthen efforts to afford one another, in accordance with their international obligations and domestic legislation, the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings related to illicit trafficking in protected species of wild fauna and flora, including measures to identify, trace and freeze or seize illicit proceeds that are generated by or enable such conduct;

7. *Encourages* Member States to consider establishing a national inter-agency task force to coordinate actions of various agencies within the country in the area of wildlife crime enforcement, and assist the authorities concerned in other countries and international organizations, in order to facilitate coordination and concerted action in combating illicit trafficking in protected species of wild fauna and flora;

8. *Also encourages* Member States to promote efforts to prevent illicit trafficking in protected species of wild fauna and flora, inter alia, through public information and awareness-raising campaigns;

9. *Encourages* the United Nations Office on Drugs and Crime, in coordination with other members of the International Consortium on Combating Wildlife Crime, to continue its efforts to provide technical assistance and training to combat illicit trafficking in protected species of wild fauna and flora, as well as to develop tools, such as the *Wildlife and Forest Crime Analytic Toolkit*, in accordance with the rules and procedures of the United Nations;

10. *Requests* the United Nations Office on Drugs and Crime, in coordination with other members of the International Consortium on Combating Wildlife Crime, to support Member States in the implementation of the *Wildlife and Forest Crime Analytic Toolkit* to analyse the capacity of national wildlife and forest law enforcement authorities and the judiciary in investigating, prosecuting and adjudicating cases of wildlife and forest offences, with the aim of developing technical assistance and capacity-building activities and enhancing the capacity of Member States to address transnational organized wildlife and forest crimes;

11. *Commends* the efforts of the International Consortium on Combating Wildlife Crime and its members: the secretariat of the Convention on International

Trade in Endangered Species of Wild Fauna and Flora, the International Criminal Police Organization (INTERPOL), the United Nations Office on Drugs and Crime, the World Bank and the World Customs Organization;

12. *Takes note* of the launch of the *Wildlife and Forest Crime Analytic Toolkit* by the International Consortium on Combating Wildlife Crime, requests the United Nations Office on Drugs and Crime to disseminate that instrument to Member States, and invites Member States to consider applying and utilizing the *Toolkit*;

13. *Requests* the United Nations Office on Drugs and Crime, in consultation with Member States and in cooperation with other competent intergovernmental organizations, such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the World Customs Organization, INTERPOL, the World Bank and the United Nations Environment Programme, to undertake case studies that focus on organized crime networks involved in the illicit trafficking of specific protected species of wild fauna and flora, their parts and derivatives;

14. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

15. *Requests* the United Nations Office on Drugs and Crime to report on the implementation of the present resolution at the twenty-fourth session of the Commission on Crime Prevention and Criminal Justice.

Draft resolution V

Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

The Economic and Social Council,

Reiterating its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity and physical integrity, human rights and development,

Expressing its serious concern that despite sustained measures taken at the international, regional and national levels, trafficking in persons remains one of the gravest crimes facing the international community and requires a more concerted collective and comprehensive international response,

Recognizing the significance of the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by the General Assembly in its resolution 64/293 of 30 July 2010, and underlining the importance of its full implementation,

Reaffirming Economic and Social Council resolution 2008/33 of 25 July 2008, entitled “Strengthening coordination of the United Nations and other efforts in fighting trafficking in persons”, and Commission on Crime Prevention and Criminal Justice resolution 20/3 of 15 April 2011, entitled “Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons”,

Welcoming the decision of the General Assembly in its resolution 67/190 of 20 December 2012 to convene a high-level meeting of the General Assembly at its sixty-seventh session to appraise the progress achieved in the implementation of the Global Plan of Action in order to assess achievements, gaps and challenges, including in the implementation of the relevant legal instruments,

Emphasizing the role of the United Nations Office on Drugs and Crime in the implementation of the United Nations Global Plan of Action, including as coordinator of the Inter-Agency Coordination Group against Trafficking in Persons,

Emphasizing also the central role of the work of the United Nations Office on Drugs and Crime in the global fight against trafficking in persons, particularly in providing technical assistance to implement the United Nations Convention against Transnational Organized Crime⁸⁸ and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,⁸⁹ by making use of existing capacity-building tools, lessons learned and expertise available in international organizations, including the international framework for action to implement the Trafficking in Persons Protocol,

Recognizing the important role of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established by the General Assembly in its resolution 64/293, in providing humanitarian, legal and financial aid to victims of trafficking in persons,

Noting that, in accordance with article 32 of the Organized Crime Convention, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime was established, inter alia, to improve the capacity of States parties to promote and review the implementation of the Convention, including the Trafficking in Persons Protocol, and, in that context, the outcomes of the sixth session of the Conference, held in Vienna from 15 to 19 October 2012,⁹⁰

Recalling the World Health Organization guiding principles on human cell, tissue and organ transplantation, endorsed by the sixty-third World Health Assembly in its resolution 63.22,

Expressing its serious concern at the number of reported incidents of trafficking in persons for the purpose of removal of organs, and the ongoing lack of reliable data in that regard,

Reaffirming the recommendations adopted by the Working Group on Trafficking in Persons at its meeting held from 10 to 12 October 2011⁹¹ on the issue of trafficking in persons for the purpose of removal of organs,

1. *Urges* Member States and other stakeholders mentioned in the United Nations Global Plan of Action to Combat Trafficking in Persons, and invites the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and other relevant international, regional and subregional organizations, within their respective mandates, to continue to contribute to the full

⁸⁸ United Nations, *Treaty Series*, vol. 2225, No. 39574.

⁸⁹ *Ibid.*, vol. 2237, No. 39574.

⁹⁰ See CTOC/COP/2012/15.

⁹¹ See CTOC/COP/WG.4/2011/8.

and effective implementation of the Global Plan of Action, including by means of strengthening cooperation and improving coordination among themselves in achieving that goal;

2. *Reaffirms* that the United Nations Global Plan of Action to Combat Trafficking in Persons was developed to:

(a) Promote universal ratification of the United Nations Convention against Transnational Organized Crime⁸⁸ and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime⁸⁹ as well as other relevant international instruments that address trafficking in persons, and reinforce the implementation of existing instruments against trafficking in persons;

(b) Help Member States to reinforce their political commitments and legal obligations to prevent and combat trafficking in persons;

(c) Promote comprehensive, coordinated and consistent responses at the national, regional and international levels to counter trafficking in persons;

(d) Promote a human rights-based and gender- and age-sensitive approach in addressing all factors that make people vulnerable to trafficking in persons and in strengthening the criminal justice response, which are necessary to prevent trafficking in persons, protect its victims and prosecute its perpetrators;

(e) Raise awareness within the United Nations system and also among States and other stakeholders, such as the private sector, civil society and the international and national mass media, and the public at large;

(f) Foster cooperation and coordination among all relevant stakeholders, including Member States, international organizations, civil society organizations and the private sector, and among the various entities of the United Nations system, taking into account existing best practices and lessons learned;

3. *Requests* the United Nations Office on Drugs and Crime to continue integrating the Global Plan of Action into its programmes and activities and continue providing, at the national and regional levels, technical assistance to countries, upon their request, aimed at strengthening their ability to ensure full and effective implementation of the Global Plan of Action;

4. *Invites* the United Nations Office on Drugs and Crime and other relevant agencies of the United Nations system, in coordination with the United Nations Office on Drugs and Crime in its capacity as coordinator of the Inter-Agency Coordination Group against Trafficking in Persons, to increase the Inter-Agency Coordination Group's activities related to the implementation of the Global Plan of Action;

5. *Requests* the United Nations Office on Drugs and Crime, in its capacity as fund manager of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, to continue to encourage contributions by States and all other relevant stakeholders to the Trust Fund;

6. *Encourages* Member States, international organizations, non-governmental organizations and other relevant bodies, where appropriate,

to share information, experiences and good practices on anti-trafficking activities, including on combating trafficking in persons for the purpose of removal of organs;

7. *Invites* the Conference of the Parties to request its Working Group on Trafficking in Persons to continue to discuss, at one of its upcoming meetings, the issue of trafficking in persons for the purpose of removal of organs;

8. *Welcomes* the publication by the United Nations Office on Drugs and Crime of the *Global Report on Trafficking in Persons 2012*,⁹² pursuant to the Global Plan of Action, and emphasizes the need to translate that publication, as well as future editions of the *Global Report* into the six official languages of the United Nations, in accordance with General Assembly resolution 64/293 of 30 July 2010,

9. *Requests* the United Nations Office on Drugs and Crime to gather evidence-based data on patterns, forms and flows of trafficking in persons for the purpose of removal of organs, and include those data in the future editions of the *Global Report on Trafficking in Persons*;

10. *Also requests* the United Nations Office on Drugs and Crime to include cases of trafficking in persons for the purpose of removal of organs in the human trafficking case law database;

11. *Encourages* Member States to provide to the United Nations Office on Drugs and Crime evidence-based data on patterns, forms and flows of trafficking in persons for the purpose of removal of organs and, where such evidence exists, of tissues and cells, as well as information about cases of trafficking in persons for the purpose of removal of organs and, if such information exists, of tissues and cells;

12. *Acknowledges* the important role of civil society organizations in providing assistance and empowerment to victims of trafficking in persons, helping them to seek redress and facilitating the care of and provision of appropriate services to victims, including close cooperation and coordination with law enforcement officials;

13. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

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

⁹² United Nations publication, Sales No. E.13.IV.1.

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

Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

The Economic and Social Council, recalling its decision 2011/258 of 28 July 2011, entitled “Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime”, in which it, inter alia, reaffirmed Commission on Narcotic Drugs resolution 52/13 of 20 March 2009 and Commission on Crime Prevention and Criminal Justice resolution 18/3 of 24 April 2009 and decided to renew the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime until the part of the sessions of the Commissions to be held in the first half of 2013, at which time the Commissions would carry out a thorough review of the functioning of the working group and consider the extension of its mandate:

(a) Reiterates its awareness of the importance of the role of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime in assisting the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice in effectively addressing financial and governance issues relevant to the work of the Office;

(b) Reaffirms the role of the Commission on Narcotic Drugs as the principal policymaking organ of the United Nations on matters of international drug control and as the governing body of the drug programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking organ of the United Nations on matters of crime prevention and criminal justice and as the governing body of the crime programme of the United Nations Office on Drugs and Crime;

(c) Reiterates its concern about the governance and financial situation of the United Nations Office on Drugs and Crime, and expresses its awareness of the urgent need to continue addressing those issues in a pragmatic, results-oriented, efficient and cooperative manner;

(d) Reaffirms Commission on Narcotic Drugs resolution 52/13 of 20 March 2009 and Commission on Crime Prevention and Criminal Justice resolution 18/3 of 24 April 2009, and decides to renew the mandate of the standing open-ended intergovernmental working group on improving the governance and financial

situation of the United Nations Office on Drugs and Crime until the part of the session of the Commission to be held in the first half of 2015, at which time the Commissions should carry out a thorough review of the functioning of the working group and consider the extension of its mandate;

(e) Decides that the working group shall hold formal and informal meetings in line with current practice;

(f) Requests that the relevant documentation be provided to the working group not later than 10 working days before a meeting;

(g) Reiterates the importance of the development of an indicative annual workplan by Member States, taking into account input from the Secretariat and providing, as appropriate, for review of the format and organization of work of the working group with a view to improving its effectiveness, and approves the provisional agenda of the working group as set out below:

1. Consolidated budget for the biennium 2014-2015 for the United Nations Office on Drugs and Crime.
2. Governance and financial situation of the United Nations Office on Drugs and Crime.
3. Evaluation and oversight.
4. Other matters.

Draft decision II

Report of the Commission on Crime Prevention and Criminal Justice on its twenty-second session and provisional agenda for its twenty-third session

The Economic and Social Council:

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

(b) Recalling its decision 2010/243 of 22 July 2010, decides that the prominent theme for the twenty-third session of the Commission will be "International cooperation in criminal matters";

(c) Recalling its decision 2012/238 of 26 July 2012, takes note of Commission decision 22/2,

(d) Approves the provisional agenda and documentation for the twenty-third session of the Commission set out below.

Provisional agenda and documentation for the twenty-third session of the Commission on Crime Prevention and Criminal Justice

1. Election of officers.
2. Adoption of the agenda and other organizational matters.

Documentation

Provisional agenda and annotations

3. Strategic management, budgetary and administrative questions:
 - (a) Work of the working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;
 - (b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme;
 - (c) Working methods of the Commission.

Documentation

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime

Other notes by the Secretariat and reports of the Secretary-General or Executive Director in accordance with mandates

4. Thematic discussion on international cooperation in criminal matters.

Documentation

Discussion guide

5. Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:
 - (a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;
 - (b) Ratification and implementation of the United Nations Convention against Corruption;
 - (c) Ratification and implementation of the international instruments to prevent and combat terrorism;
 - (d) Other crime prevention and criminal justice matters;
 - (e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies.

Documentation

Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption

Report of the Secretary-General on assistance in implementing the universal conventions and protocols related to terrorism

Report of the Secretary-General on the activities of the institutes of the United Nations crime prevention and criminal justice programme network

Other notes by the Secretariat and reports of the Secretary-General or Executive Director in accordance with mandates

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

Documentation

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

Other notes by the Secretariat and reports of the Secretary-General or Executive Director in accordance with mandates

7. World crime trends and emerging issues and responses in the field of crime prevention and criminal justice.

Documentation

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime

Other notes by the Secretariat and reports of the Secretary-General or Executive Director in accordance with mandates

8. Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice.

Documentation

Report of the Secretary-General on the follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

9. Provisional agenda for the twenty-fourth session of the Commission.
10. Other business.
11. Adoption of the report of the Commission on its twenty-third session.

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

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

Resolution 22/1

Implementation of the budget for the biennium 2012-2013 for the United Nations Crime Prevention and Criminal Justice Fund

The Commission on Crime Prevention and Criminal Justice,

Exercising the administrative and financial functions entrusted to it by the General Assembly in its resolution 61/252 of 22 December 2006,

Having considered the report of the Executive Director on the implementation of the consolidated budget for the biennium 2012-2013 for the United Nations Office on Drugs and Crime,⁹³

Recalling its resolution 20/8,

1. *Notes* that the report of the Executive Director on the implementation of the consolidated budget for the biennium 2012-2013 for the United Nations Office on Drugs and Crime⁹³ provides information on the adjustments to the consolidated budget;

2. *Also notes* the continued strong donor confidence in programme delivery by the United Nations Office on Drugs and Crime, as reflected by the increase in special-purpose contributions;

3. *Further notes* with concern the financial challenges facing the United Nations Office on Drugs and Crime as set out in the report of the Executive Director on the implementation of the consolidated budget for the biennium 2012-2013 for the United Nations Office on Drugs and Crime, in particular the shortfall in general-purpose funding;

4. *Notes* the cost-saving measures taken by the United Nations Office on Drugs and Crime to reduce general-purpose expenditure by 694,300 United States dollars, as reflected in the revised projections of 8,630,700 dollars;

5. *Approves* the revised projected use of general-purpose funds in the biennium 2012-2013, and invites Member States to provide contributions totalling at least 8,630,700 dollars;

⁹³ E/CN.7/2013/6-E/CN.15/2013/6.

6. *Endorses* the revised estimates for the programme support cost funds and special-purpose funds as indicated below:

Resource projections for the United Nations Crime Prevention and Criminal Justice Fund

	<i>Resources (thousands of United States dollars)</i>		<i>Posts</i>	
	<i>Approved budget, 2012-2013</i>	<i>Revised budget, 2012-2013</i>	<i>Approved budget, 2012-2013</i>	<i>Revised budget, 2012-2013</i>
General-purpose funds				
Post	8 153.7	8 338.0	24	24
Non-post	325.8	292.7	–	–
Subtotal	8 479.5	8 630.7	24	24
Programme support cost funds				
Post	15 579.5	16 396.9	76	76
Non-post	4 136.5	4 136.5	–	–
Subtotal	19 716.0	20 533.4	76	76
Special-purpose funds	204 095.5	230 395.9	–	–
Total	232 290.9	259 560.0	100	100

7. *Notes* that the estimated resource projections above are subject to the availability of funding.

Resolution 22/2

Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

The Commission on Crime Prevention and Criminal Justice,

Recalling its resolution 18/3 of 24 April 2009, entitled “Improving the governance and financial situation of the United Nations Office on Drugs and Crime”, in which it decided to establish a standing open-ended intergovernmental working group on governance and finance, in order to achieve the common objective of strengthening the performance and effectiveness of the United Nations Office on Drugs and Crime,

Recalling also Economic and Social Council decision 2009/251 of 30 July 2009, entitled “Frequency and duration of the reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice”, in which the Council decided that, starting in 2010, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice would hold reconvened sessions on an annual basis in the second half of the year, in order to be able, pursuant to Commission on Narcotic Drugs resolution 52/13 and Commission on Crime Prevention and Criminal Justice

resolution 18/3, to consider the reports of and the recommendations proposed by the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,

Reaffirming the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking organ of the United Nations on matters of crime prevention and criminal justice and as the governing body of the crime programme of the United Nations Office on Drugs and Crime,

Reaffirming also its resolution 20/1 of 15 April 2011, entitled “Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime”,

Concerned about the governance and financial situation of the United Nations Office on Drugs and Crime, and aware of the urgent need to continue addressing that issue in a pragmatic, results-oriented, efficient and cooperative manner,

1. *Takes note* of the work of and the note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,⁹⁴ in accordance with Commission resolutions 18/3 and 20/1;

2. *Expresses its appreciation* to the co-chairs of the working group for their work and to the Secretariat for its assistance in facilitating the work of the working group, including by providing, inter alia, updates on the financial situation of the United Nations Office on Drugs and Crime and briefings and presentations on thematic and regional programmes to the working group, as well as on evaluation and oversight issues, and requests the Secretariat to continue providing such necessary assistance, bearing in mind the limited resources available to it;

3. *Welcomes* the established practice of having a clear schedule of meetings and programme of work for the working group, as well as other measures taken with a view to improving the functioning and efficiency of the working group, requests that a draft agenda for each meeting of the working group be distributed no later than 10 working days before the meeting, accompanied by all the relevant documents for such meetings, and reiterates the importance of developing an indicative annual workplan by Member States, taking into account inputs from the Secretariat and providing, as appropriate, for review of the format and organization of work of the group, with a view to improving its effectiveness;

Continuous support for promoting a culture of evaluation within the United Nations Office on Drugs and Crime at all stages of programme planning, development and implementation

4. *Recalls* that the working group has been provided with numerous presentations on evaluation findings, on which occasions participants have reiterated the importance of having a sustainable, effective and operationally independent corporate evaluation function at the United Nations Office on Drugs

⁹⁴ E/CN.7/2013/7-E/CN.15/2013/7 and Add.1.

and Crime, particularly one focused on the overall objectives, implementation, performance and impact of thematic and regional programmes;

5. *Requests* the working group to continue addressing evaluation-related matters, and invites the Independent Evaluation Unit to continue:

(a) Providing the working group with evaluation findings of the thematic and regional programmes of the United Nations Office on Drugs and Crime;

(b) Consulting with the working group on a road map of current and future activities and results;

(c) Promoting a culture of evaluation throughout the Office at all stages of programme planning, development and implementation;

(d) Working with the Office in monitoring the implementation of recommendations made by relevant oversight bodies;

Continuous support for promoting an integrated programme approach

6. *Recalls* that the working group has been provided with the initial evaluation findings of the integrated programme approach, which show that the approach can help the Office to acquire an integrated regional and thematic perspective and achieve benefits in terms of improved linkages and synergies between policy, strategic planning, programmatic work, mobilization of resources and partnerships with all relevant stakeholders;

7. *Emphasizes* that the working group, in its formal and informal meetings, has provided a constructive forum for dialogue among Member States and between Member States and the Secretariat on the development of the programmes of the Office, and recommends strengthening such dialogue;

8. *Requests* the working group to:

(a) Continue consulting and supporting the development of the integrated programme approach of the Office, inter alia, where appropriate, by moving from a project-based to a programme-based approach;

(b) Continue discussing the integrated programme approach and improving its organization-wide implementation by the Office and its governing bodies at all stages of the programme cycles;

(c) Draw on the evaluation findings and lessons learned from experiences with the approach, including, as appropriate, when discussing fundraising matters;

Continuous support for strengthening the financial situation of the United Nations Office on Drugs and Crime

9. *Recalls* General Assembly resolution 67/193 of 20 December 2012, in which the Assembly urged all Governments to provide the fullest possible financial and political support to the Office by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, so as to enable it to continue, expand, improve and strengthen, within its mandates, its operational and technical cooperation activities, expressed concern regarding the overall financial situation of the Office, emphasized the need to improve the cost-effective utilization of resources by the Office and requested the Secretary-General to submit

proposals in his proposed programme budget for the biennium 2014-2015 to ensure that the Office had sufficient resources to carry out its mandates;

10. *Also recalls* that the working group has on several occasions discussed fundraising issues and ways to achieve a sustainable and balanced funding structure for the Office so as to ensure delivery capacity and the sustainability of thematic and regional programmes;

11. *Requests* the working group to give appropriate attention to the issue of supporting the funding situation and financial management of the Office and assist the Commission in becoming more actively engaged, with further transparency, in the biennial consolidated budget process, including its special-purpose funding part, inter alia, by:

(a) Receiving reports on and concrete examples of activities funded through full cost recovery, and facilitating the optimization of the resource mobilization process, in order to help to transparently and holistically promote integrated regional and thematic programmes along with their resource requirements, to enhance funding predictability and contribute to the coherence of the programmatic activities of the Office with the overall priorities and objectives within its mandate;

(b) Examining ways to promote the financial sustainability of the Office, including through the elaboration, on the basis of a suggestion from the Office, of a system that encourages the sustainability of contributions in order to ensure delivery capacity, improve administrative efficiency and provide increased incentives for soft earmarking at the programme level and multi-year funding;

(c) Providing continued support for streamlined and results-based programmatic and financial reporting at the outcome level, including by adopting at its first informal meeting following the sessions of the two Commissions held in the first half of 2013, on the basis of a proposal of the co-chairs of the working group, with the support of the Secretariat, and on the basis of requests by Member States, a cycle aimed at promoting transparency and encouraging involvement among relevant stakeholders, as well as dialogue between Member States and the Secretariat, through which the working group can receive and discuss:

(i) Results-based reports on individual programmes, as well as a summary overview of programmes of the United Nations Office on Drugs and Crime, including priorities, results and implementation, in particular the funding situation and funding gaps and their impact on the delivery capacity of the Office;

(ii) Presentations by the Secretariat on the strategic framework for the period 2012-2013, the strategy for the period 2012-2015 and any updates on their implementation, as well as the strategic framework for the period 2014-2015;

(d) Continuing to provide a platform for Member States to, inter alia, exchange views on the existing challenges to the financial and administrative sustainability of the Office and its activities, with a view to shaping consensually acceptable approaches to properly address these challenges in a cooperative manner, including by means of preparing recommendations to the Commission in order to facilitate further decision-making by the latter;

Continuing support to the Commission in monitoring the implementation of resolutions and decisions adopted by the Commission

12. *Also requests* the working group to continue discussing progress made with regard to the implementation of resolutions and decisions adopted by the Commission;

13. *Requests* the Secretariat to submit a short and concise report on the implementation of resolutions adopted since 2012 to the Commission at its twenty-fourth session, in 2015, for its consideration, through the working group, as appropriate.

Resolution 22/3

Renewed efforts to ensure the effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto on the tenth anniversary of the entry into force of the Convention

The Commission on Crime Prevention and Criminal Justice,

Recalling General Assembly resolution 54/126 of 17 December 1999, entitled “Draft United Nations Convention against Transnational Organized Crime and the draft Protocols thereto”, General Assembly resolution 55/25 of 15 November 2000, by which the Assembly adopted the United Nations Convention against Transnational Organized Crime,⁹⁵ the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,⁹⁶ and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,⁹⁷ and Assembly resolution 55/255 of 31 May 2001, by which the Assembly adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,⁹⁸

Reaffirming the crucial importance of the United Nations Convention against Transnational Organized Crime and the three Protocols thereto as the main tools available to the international community to fight transnational organized crime,

Mindful that 29 September 2013 will mark the tenth anniversary of the entry into force of the Organized Crime Convention,

Aware of the importance of promoting universal adherence to and full implementation of the Convention and the Protocols thereto, acknowledging the efforts made by States parties in implementing the Convention and the Protocols thereto, and recognizing that more efforts are necessary to make full and effective use of those instruments,

⁹⁵ United Nations, *Treaty Series*, vol. 2225, No. 39574.

⁹⁶ *Ibid.*, vol. 2237, No. 39574.

⁹⁷ *Ibid.*, vol. 2241, No. 39574.

⁹⁸ *Ibid.*, vol. 2326, No. 39574.

Recalling resolution 5/5 of 22 October 2010 of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, entitled “Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, Conference resolution 6/1 of 19 October 2012, entitled “Ensuring effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, and General Assembly resolution 67/189 of 20 December 2012, entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, in which, inter alia, the need for the urgent adoption of the mechanism to review the implementation of the Convention and the Protocols thereto was underlined,

Noting with appreciation the establishment by the Secretary-General of the United Nations system task force on transnational organized crime and drug trafficking as threats to security and stability, for the purpose of developing within the United Nations system an effective and comprehensive approach to transnational organized crime and drug trafficking, and reaffirming the crucial role of Member States as reflected in the Charter of the United Nations,

Acknowledging the relevance of the implementation of the Convention and the Protocols thereto in the framework of United Nations rule of law activities, also bearing in mind the elaboration of the post-2015 United Nations development agenda,

Greatly concerned by the negative impact of organized crime on human rights, the rule of law, security and development, as well as by the sophistication, diversity and transnational aspects of organized crime and its links with other criminal and, in some cases, terrorist activities,

Underscoring the growing involvement of organized criminal groups at all stages of both licit and illicit activities that can generate huge profits, including through money-laundering,

Noting with concern the emergence of new forms and dimensions of transnational organized crime and reaffirming that the Convention, as a global instrument with wide adherence, offers a unique basis for international cooperation to address existing and emerging forms of transnational organized crime and has, in that regard, a potential that is yet to be fully exploited,

Aware that technical assistance is fundamental to ensuring the effective implementation of the provisions of the Convention and the Protocols thereto, and welcoming the development by the United Nations Office on Drugs and Crime of new tools for criminal justice practitioners, such as the digest of organized crime cases, the practical guide to facilitate the drafting, transmission and execution of requests for extradition and mutual legal assistance, and the practical guide to facilitate international and interregional cooperation for the purposes of confiscation in the framework of the fight against transnational organized crime,

Mindful of the need for complementary and effective implementation of the Convention and the Protocols thereto, as well as of the United Nations Convention against Corruption,⁹⁹

⁹⁹ Ibid., vol. 2349, No. 42146.

Taking into account the experiences of States parties participating in the Mechanism for the Review of Implementation of the United Nations Convention against Corruption,

Mindful of the need to use resources in the most effective and efficient manner, and taking into account the fiscal climate faced by Member States globally,

Acknowledging the mandate of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime to improve the capacity of States parties to combat transnational organized crime, including by periodically reviewing the implementation of the Convention, pursuant to its article 32,

Taking note with appreciation of the results of the pilot programme to review implementation of the Convention, which involved a group of volunteer States parties from different regional groups, of the evaluation of that exercise and of the completion of the comprehensive self-assessment checklist (“omnibus tool”),

Convinced of the need to continue discussing the establishment of a mechanism for the review of the implementation of the Convention and the Protocols thereto, and acknowledging the work accomplished towards this endeavour by the open-ended intergovernmental working group on the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto¹⁰⁰ and in the context of the relevant informal consultations,

1. *Notes with appreciation* the increasing level of adherence to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,¹⁰¹ which, six months before the tenth anniversary of the entry into force of the Convention, had reached 175 States parties to the Convention, followed by 154 States parties to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 135 States parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, and 97 States parties to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime;

2. *Reiterates* its call on Member States that have not yet done so to consider ratifying or acceding to the Convention and the Protocols thereto, and urges States parties to fully implement those instruments;

3. *Requests* the United Nations Office on Drugs and Crime to keep raising awareness of the crucial relevance of the implementation of the Convention and the Protocols thereto in countering organized crime, in the light of the achievements made during the first decade since the entry into force of the Convention, through advocacy campaigns, as well as outreach to and partnerships with civil society and the private sector;

4. *Also requests* the United Nations Office on Drugs and Crime to continue providing legislative and technical assistance in order to promote universal

¹⁰⁰ CTOC/COP/2012/15.

¹⁰¹ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

adherence to and implementation of the Convention and the Protocols thereto, supporting and complementing national, regional and thematic programmes and activities based on the needs and priorities of Member States with regard to combating transnational organized crime;

5. *Encourages* the United Nations Office on Drugs and Crime to widely disseminate the technical assistance tools that have been developed, with a view to further improving the capacity of States to implement the Convention and the Protocols thereto, while promoting the exchange of experiences and good practices among practitioners in countering effectively transnational organized crime and in implementing the Convention and the Protocols thereto;

6. *Reiterates* the need for the establishment of, inter alia, a transparent, efficient, non-intrusive, inclusive and impartial mechanism for the review of the implementation of the Convention and the Protocols thereto, aimed at assisting States parties in the full and effective application of those instruments, and, bearing in mind the urgent need to improve the implementation of the Convention and the Protocols thereto, invites Member States to continue the dialogue regarding the establishment of such a mechanism, particularly in view of the holding of the seventh session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in 2014;

7. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

8. *Requests* the United Nations Office on Drugs and Crime to report on the implementation of the present resolution to the Commission at its twenty-third session.

Resolution 22/4

Enhancing the effectiveness of countering criminal threats to the tourism sector, including terrorist threats, in particular, by means of international cooperation and public-private partnerships

The Commission on Crime Prevention and Criminal Justice,

Aware of the threat that crime and terrorism represent to the tourism sector,

Recalling its resolution 19/1 of 21 May 2010, entitled “Strengthening public-private partnerships to counter crime in all its forms and manifestations”,

Recalling also Economic and Social Council resolution 2012/19 of 26 July 2012, entitled “Strengthening international cooperation in combating transnational organized crime in all its forms and manifestations”, in which the importance of further developing public-private partnerships was stressed,

Taking into account the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and their Development in a Changing World,¹⁰² in which Member States recognized the

¹⁰² General Assembly resolution 65/230, annex.

importance of strengthening public-private partnerships in preventing and countering crime in all its forms and manifestations,

Noting the important contribution that public-private sector cooperation can make in efforts to prevent criminal activities, including terrorism, in the tourism sector,

Taking into account the memorandum of understanding between the United Nations Office on Drugs and Crime and the World Tourism Organization signed in 2012,

1. *Takes note with appreciation* of the report of the Secretariat on ways and means of enhancing the effectiveness of international cooperation in countering criminal and terrorist threats and challenges to the tourism sector, including by means of public-private partnerships;¹⁰³

2. *Acknowledges* the conclusions and recommendations contained in the above-mentioned report on how to enhance the effectiveness of international cooperation in combating criminal and terrorist threats to the tourism sector;

3. *Encourages* Member States to continue the work on this topic through, when appropriate, the United Nations Office on Drugs and Crime and other relevant international organizations, in cooperation with the World Tourism Organization and the private sector;

4. *Requests* the United Nations Office on Drugs and Crime to convene an expert group, including representatives of Member States and other relevant experts, taking into account the information contained in the above-mentioned report, to share experiences and best practices concerning public-private partnerships and international cooperation and to explore ways and means to respond to criminal threats against the tourism sector, including terrorist threats;

5. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes in accordance with the rules and procedures of the United Nations;

6. *Requests* the United Nations Office on Drugs and Crime to submit a report on best practices based on proposals of the expert group to the Commission on Crime Prevention and Criminal Justice at the earliest possible occasion.

Resolution 22/5

Strengthening of international cooperation to promote the analysis of trends in transnational organized crime

The Commission on Crime Prevention and Criminal Justice,

Recognizing that the United Nations Convention against Transnational Organized Crime and the Protocols thereto¹⁰⁴ offer an important basis for international cooperation against transnational organized crime in all its forms and manifestations,

¹⁰³ E/CN.15/2013/19.

¹⁰⁴ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

Expressing concern with the negative impact of organized criminal activities on human rights, the rule of law, security and social economic development, and convinced of the urgent need to strengthen cooperation to prevent and combat such activities more effectively at the national, regional and international levels,

Recalling its resolution 21/3, entitled “Strengthening international cooperation to address the links that in some cases may exist between transnational organized criminal activities and terrorist activities”, in which the Commission expressed its concern with respect to this issue,

Mindful of the provisions of article 28, paragraphs 1 and 2, of the Organized Crime Convention, relating to the collection, exchange and analysis of information on the nature of organized crime,

Taking note of Economic and Social Council resolution 2009/25 of 30 July 2009 on improving the collection, reporting and analysis of data to enhance knowledge on trends in specific areas of crime,

Recognizing the need for accurate information on global crime trends and patterns, including on new and emerging forms of transnational organized crime, and the need to improve the quality, scope and completeness of data relating to transnational organized crime,

Reiterating its request to the United Nations Office on Drugs and Crime to strengthen, within its existing mandate and in consultation with Member States, the collection, analysis and reporting of accurate, reliable and comparable data on crime trends and patterns and its invitation to Member States to strengthen their efforts to review and improve data-collection tools in order to enhance knowledge on those trends and patterns,

1. *Reaffirms* the need to prevent and combat transnational organized crime in all its forms and manifestations and to fully utilize the United Nations Convention against Transnational Organized Crime and the Protocols thereto¹⁰⁴ and other relevant instruments;

2. *Encourages* Member States to strengthen international cooperation in order to enhance and promote the analysis of trends in transnational organized crime, including, inter alia, the links that in some cases may exist between transnational organized criminal activities and terrorist activities;

3. *Reiterates* the request made by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in its resolution 5/1 of 22 October 2010 on ensuring effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, for the United Nations Office on Drugs and Crime, in consultation with Member States and in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, to strengthen the collection, analysis and reporting of accurate, reliable and comparable data on organized crime trends and patterns, in accordance with article 28 of the United Nations Convention against Transnational Organized Crime, which could assist Member States in the analysis of trends on transnational organized crime, including, inter alia, the links that in some cases may exist between transnational organized criminal activities and terrorist activities.

Resolution 22/6

Promoting international cooperation and strengthening capacity to combat the problem of transnational organized crime committed at sea

The Commission on Crime Prevention and Criminal Justice,

Recalling the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988¹⁰⁵ and the United Nations Convention against Transnational Organized Crime and the Protocols thereto,¹⁰⁶ which, inter alia, contain provisions regarding cooperation in combating illicit trafficking activities at sea, and other relevant international conventions,

Recalling also that all actions taken by States to combat unlawful conduct at sea must be in accordance with their rights and applicable obligations under international law, including the United Nations Convention on the Law of the Sea,¹⁰⁷

Convinced that transnational organized crime at sea is a global problem that may threaten security, stability and the rule of law, undermines economic prosperity and sustainable development and may threaten the environment, making international cooperation to prevent and control it essential,

Emphasizing that all States, in particular States parties to the various relevant conventions, have a shared responsibility to take steps to counter the threat of transnational organized crime committed at sea, and the importance of enhancing international cooperation at all levels to fight all forms of transnational organized crime at sea that fall within the scope of the Organized Crime Convention and the Protocols thereto,

Noting with concern the continuing problem of transnational organized crime committed at sea, including illicit traffic in narcotic drugs and psychotropic substances, smuggling of migrants and trafficking in persons, and threats to maritime safety and security, including piracy, armed robbery at sea, smuggling and terrorist acts against shipping, offshore installations and other maritime interests, and noting the deplorable loss of life and adverse impact on international trade, energy security and the global economy resulting from such activities,

Noting also with concern that the problem of transnational organized crime committed at sea has a significant impact on the environment,

Recognizing the need to provide sustained capacity-building assistance, including on financial and technical aspects, by relevant international organizations and donors to Member States, upon request, with a view to further strengthening their capacity to take effective measures against the multiple facets of international criminal activities at sea, in line with the relevant international instruments, including the Organized Crime Convention and the Protocols thereto,

¹⁰⁵ Ibid., vol. 1582, No. 27627.

¹⁰⁶ Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

¹⁰⁷ Ibid., vol. 1833, No. 31363.

Gravely concerned about the continuing threat posed by piracy and armed robbery at sea targeting vessels, including traditional fishing boats,

Emphasizing the need to address the plight of the seafarers and crews victimized by acts of piracy,

Welcoming the technical assistance provided by the United Nations Office on Drugs and Crime, within its mandate and upon request, to States, with a view to preventing, combating and eradicating transnational organized crime at sea, in accordance with relevant international instruments, including the Organized Crime Convention and its Protocols, and welcoming the cooperation of the United Nations Office on Drugs and Crime with relevant United Nations bodies, international organizations and other bodies,

Welcoming also the support provided by the United Nations Office on Drugs and Crime to States parties, including relevant technical assistance in the application of the Organized Crime Convention to new forms and dimensions of transnational organized crime committed at sea,

Welcoming further the work carried out jointly by the United Nations Office on Drugs and Crime and the World Customs Organization under the Container Control Programme and the impact of the Programme on maritime safety and security in the container trade supply chain,

Welcoming the work that has been conducted by the United Nations Office on Drugs and Crime on the issue of trafficking in persons on fishing vessels,

Welcoming also the work carried out, inter alia, through the United Nations Office on Drugs and Crime counter-piracy programme, and encouraging its further effective implementation to achieve fair and efficient trials and the humane and secure detention of suspected and convicted pirates in Somalia and other regional States,

Taking note of the report of the Executive Director on combating the problem of transnational organized crime committed at sea,¹⁰⁸

1. *Urges* States that have not yet done so to consider becoming parties to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,¹⁰⁶ the United Nations Convention against Corruption¹⁰⁹ and other relevant conventions and to take appropriate measures to ensure their effective implementation;

2. *Requests* the United Nations Office on Drugs and Crime to continue providing technical assistance to Member States, upon request, to facilitate the full implementation of the Organized Crime Convention and the Protocols thereto, in order to more effectively combat transnational organized crime committed at sea;

3. *Encourages* the United Nations Office on Drugs and Crime to continue to provide Member States with technical assistance, upon request, in the areas of capacity-building in the criminal justice sector and the implementation of the conventions relevant to combating transnational organized crime committed at sea, as well as maritime piracy, in particular maritime piracy off the coast of Somalia

¹⁰⁸ E/CN.15/2013/17.

¹⁰⁹ United Nations, *Treaty Series*, vol. 2349, No. 42146.

and in the Gulf of Guinea, and requests the Office to continue to brief Member States on a regular basis on the implementation of its relevant programmes, including its counter-piracy programme;

4. *Requests* the United Nations Office on Drugs and Crime, within its existing mandate, to cooperate with relevant United Nations agencies and regional and international organizations; multilateral initiatives, including the Contact Group on Piracy off the Coast of Somalia; and individual Member States engaged in combating maritime piracy;

5. *Urges* Member States to strengthen international cooperation at all levels to combat transnational organized crime committed at sea;

6. *Encourages* Member States to continue cooperating with each other in the use of relevant and applicable regional and international mechanisms for law enforcement cooperation;

7. *Also encourages* Member States to take appropriate measures, consistent with their domestic legislation and legal frameworks and in accordance with their rights and obligations under applicable international law, including the United Nations Convention on the Law of the Sea,¹⁰⁷ to strengthen law enforcement with a view to preventing, combating and eradicating transnational organized crime committed at sea;

8. *Encourages* the United Nations Office on Drugs and Crime, within its mandate, to cooperate with Member States, relevant United Nations bodies, international organizations and other bodies and mechanisms, where appropriate, with regard to the sharing of information on its technical assistance activities related to transnational organized crime, in particular those related to tackling the challenges posed by transnational organized crime committed at sea;

9. *Invites* Member States to consider all research conducted by the United Nations Office on Drugs and Crime that relates to transnational organized crime committed at sea;

10. *Also invites* Member States to share their experiences and concerns with other Member States and the United Nations Office on Drugs and Crime on the possible gaps and vulnerabilities in tackling transnational organized crime committed at sea;

11. *Requests* the United Nations Office on Drugs and Crime to reconvene a meeting of the expert group, as was defined in Commission resolution 20/5, to continue work, in close consultation with Member States, on the recommendations contained in the report of the Executive Director on combating the problem of transnational organized crime committed at sea¹¹⁰ and, for this purpose, to request Member States, through the chairs of the regional groups, to nominate experts;

12. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes in accordance with the rules and procedures of the United Nations;

¹¹⁰ E/CN.15/2013/17.

13. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-fifth session on the implementation of the present resolution.

Resolution 22/7

Strengthening international cooperation to combat cybercrime

The Commission on Crime Prevention and Criminal Justice,

Recalling General Assembly resolution 65/230 of 21 December 2010, in which the Assembly endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World and requested the Commission on Crime Prevention and Criminal Justice to establish, in line with paragraph 42 of the Salvador Declaration, an open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, including the exchange of information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing and to propose new national and international legal or other responses to cybercrime,

Recalling also General Assembly resolution 67/189 of 20 December 2012, in which the Assembly noted with appreciation the work of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and encouraged it to enhance its efforts to complete its work and to present the outcome of the study to the Commission on Crime Prevention and Criminal Justice in due course,

Bearing in mind that in the Salvador Declaration, Member States noted that the development of information and communications technologies and the increasing use of the Internet created new opportunities for offenders and facilitated the growth of crime,

Underlining the need for enhanced coordination and cooperation among States in combating cybercrime, and, in that context, stressing the role that can be played by the United Nations, in particular the Commission on Crime Prevention and Criminal Justice,

Recognizing with appreciation the work conducted in the area of combating cybercrime by the Commission on Crime Prevention and Criminal Justice, under whose aegis the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime was established,

1. *Takes note* of the comprehensive study on cybercrime prepared by the United Nations Office on Drugs and Crime under the auspices of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime and the discussion on its content at the Expert Group's second meeting of the group, held in Vienna from 25 to 28 February 2013, at which diverse views were expressed regarding the content, findings and options presented in the study;

2. *Expresses its appreciation* for the work done thus far by the open-ended intergovernmental Expert Group;

3. *Invites* Member States to continue to consider the problem of cybercrime under the aegis of the Commission on Crime Prevention and Criminal Justice, building, inter alia, on the work of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime established by the Commission;¹¹¹

4. *Requests* the Secretariat to translate the comprehensive study on cybercrime into all six official languages of the United Nations and to disseminate it in due time to Member States, for their comments, in order to assist the open-ended intergovernmental Expert Group in the performance of its mandate;

5. *Requests* the open-ended intergovernmental Expert Group, with the assistance of the Secretariat, as appropriate, to continue its work towards fulfilling its mandate;¹¹²

6. *Invites* the open-ended intergovernmental Expert Group to finalize summary reports of the deliberations of its first and second meetings and requests the Secretariat to disseminate those reports to Member States in all six official languages of the United Nations, for adoption by the Group;

7. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes of facilitating the work of the open-ended intergovernmental Expert Group, in accordance with the rules and procedures of the United Nations;

8. *Requests* the open-ended intergovernmental Expert Group to report to the Commission on Crime Prevention and Criminal Justice on progress in its work.

Resolution 22/8

Promoting technical assistance and capacity-building to strengthen national measures and international cooperation against cybercrime

The Commission on Crime Prevention and Criminal Justice,

Recalling General Assembly resolutions 55/59 of 4 December 2000, 55/63 of 4 December 2000, 56/121 of 19 December 2001, 63/195 of 18 December 2008, 64/179 of 18 December 2009, 65/232 of 21 December 2010, 66/179 of 19 December 2011, 66/181 of 19 December 2011, 67/184 of 20 December 2012 and 67/189 of 20 December 2012,

Recalling also Economic and Social Council resolutions 2011/33 of 28 July 2011 on prevention, protection and international cooperation against the use of new information technologies to abuse and/or exploit children, and 2012/19 of 27 December 2012 on strengthening international cooperation in combating transnational organized crime in all its forms and manifestations,

¹¹¹ See UNODC/CCPCJ/EG.4/2011/3 and UNODC/CCPCJ/EG.4/2013/3.

¹¹² General Assembly resolution 65/230, annex, para. 42.

Welcoming General Assembly resolution 65/230 of 21 December 2010, on the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, and noting that in the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, Member States recommended that the United Nations Office on Drugs and Crime should, upon request, provide, in cooperation with Member States, relevant international organizations and the private sector, technical assistance and training to States to improve national legislation and build the capacity of national authorities in order to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime in all its forms, and to enhance the security of computer networks,

Taking note of Economic and Social Council resolution 2005/15 of 22 July 2005, in which the Council endorsed the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,¹¹³ adopted at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, whereby Member States reaffirmed the fundamental importance of implementation of existing instruments and the further development of national measures and international cooperation in criminal matters, including cybercrime, and invited the Commission on Crime Prevention and Criminal Justice to examine the feasibility of providing further assistance in that area under the aegis of the United Nations in partnership with other similarly focused organizations,

Highlighting the utility of the United Nations Convention against Transnational Organized Crime¹¹⁴ in strengthening international cooperation for the prevention, investigation and prosecution of cybercrime in cases where the offence is transnational in nature and involves an organized criminal group,

Conscious of the challenges faced by States in combating cybercrime, and emphasizing the need to reinforce technical assistance and capacity-building activities, based on national needs, for the prevention, prosecution and punishment of the use of information technologies for criminal purposes,

Welcoming the effort of the United Nations Office on Drugs and Crime in preparing the newly finalized Global Programme on Cybercrime for the purpose of fulfilling its mandate to provide technical assistance and capacity-building on cybercrime,

Taking into account that technical assistance aimed at the strengthening of crime prevention and criminal justice capacities to counter cybercrime will have a direct benefit and impact and will address the needs of practitioners,

Recalling, therefore, in particular its resolution 20/7 of 15 April 2011 on the promotion of activities relating to combating cybercrime, including technical assistance and capacity-building,

1. *Takes note* of the outcome of the second meeting of the Expert Group to Conduct a Comprehensive Study on Cybercrime, held in Vienna from 25 to 28 February 2013, in particular that in discussions concerning the study it was noted

¹¹³ General Assembly resolution 60/177, annex.

¹¹⁴ United Nations, *Treaty Series*, vol. 2225, No. 39574.

that there was broad support for capacity-building and technical assistance and for the role of the United Nations Office on Drugs and Crime in that regard;

2. *Invites* the United Nations Office on Drugs and Crime, in close cooperation with Member States, to advance the implementation of the Global Programme on Cybercrime;

3. *Requests* the United Nations Office on Drugs and Crime to present, in due course, the Global Programme on Cybercrime to the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

4. *Also requests* the United Nations Office on Drugs and Crime, on the basis of the needs of requesting States, to strengthen partnerships for technical assistance and capacity-building to counter cybercrime with Member States, relevant organizations, the private sector and civil society;

5. *Further requests* the United Nations Office on Drugs and Crime to serve as a central data repository of cybercrime laws and lessons learned with a view to facilitating the continued assessment of needs and criminal justice capabilities and the delivery and coordination of technical assistance;

6. *Invites* Member States and other donors to provide extrabudgetary resources, where necessary and in accordance with the rules and procedures of the United Nations, for the implementation of the present resolution;

7. *Requests* the Executive Director to submit a report to the Commission at its twenty-third session on the implementation of the present resolution and the work of the Global Programme on Cybercrime.

Decision 22/1

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

At its 2nd meeting, on 23 April 2013, the Commission on Crime Prevention and Criminal Justice decided to transmit the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute¹¹⁵ to the Economic and Social Council, in accordance with article IV, paragraph 3 (e), of the statute of the Institute, annexed to Economic and Social Council resolution 1989/56.

¹¹⁵ See E/CN.15/2013/21.

Decision 22/2

Organization of work for the future sessions of the Commission on Crime Prevention and Criminal Justice

At its 9th meeting, on 26 April 2013, the Commission on Crime Prevention and Criminal Justice, bearing in mind the discussions of the Commission at its twenty-second session on how to improve its methods of work, decide to:

(a) Reaffirm its decision 21/1 of 27 April 2012, in particular subparagraph (b) thereof;

(b) Take note of the report of the Secretariat entitled “Documentation prepared for the Commission on Crime Prevention and Criminal Justice”¹¹⁶ and to request the Secretariat to seek the views of Member States on that document and related documentation as well as on its methods of work in general and to report on the views received at its next session for appropriate follow-up under agenda item 3.

¹¹⁶ E/CN.15/2013/13.