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Prevention and Criminal Justice**
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**Chair's summaries on the 2021 to 2024 thematic discussions
of the Commission on Crime Prevention and Criminal
Justice on the implementation of the Kyoto Declaration ***

This document contains the Chair's summaries on the four rounds of the Commission on Crime Prevention and Criminal Justice (CCPCJ) thematic discussions on the implementation of the Kyoto Declaration held in 2021, 2022, 2023 and 2024. The 2021 thematic discussions were chaired by H.E. Ambassador Alessandro Cortese (Italy), Chair of the CCPCJ at its thirtieth session, in 2022 by H.E. Ambassador Takeshi Hikihara (Japan), Chair of the CCPCJ at its thirty-first session, in 2023 by H.E. Ambassador Mary Mugwanja (Kenya) and in 2024 by H.E. Ambassador Ivo Sramek (Czechia). The summaries by the Chairs are not subject to negotiation.

* This document has not been edited.



I. Background

1. On 7 March 2021, the Congress adopted by consensus the **Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development**, calling (in operative para 96) upon the Commission to adopt the appropriate policy and operational measures for the follow-up to the declaration and to identify innovative ways to make use of information on progress made in the implementation of the declaration, and inviting the Commission to engage with other relevant stakeholders, including the institutes of the United Nations crime prevention and criminal justice programme network, in order to strengthen global partnership in advancing crime prevention, criminal justice and the rule of law towards the achievement of the 2030 Agenda.

2. In resolution [A/RES/76/181](#), the General Assembly endorsed the Kyoto Declaration and requested, inter alia, that the Commission on Crime Prevention and Criminal Justice hold intersessional thematic discussions to effectively follow up on the Kyoto Declaration through the sharing of information, good practices and lessons learned. In resolution [A/RES/77/231](#) and [A/RES/78/223](#), the General Assembly requested the Commission to continue implementing the appropriate policy and operational measures for the follow-up to the Kyoto Declaration, including through the holding of intersessional thematic discussions to facilitate the sharing of information, good practices and lessons learnt among Member States and relevant stakeholders.

3. During the summer of 2021, the Commission on Crime Prevention and Criminal Justice adopted a multi-year workplan for the thematic discussions. The workplan follows the four pillars of the Kyoto Declaration, with one pillar discussed each year. The [first round of thematic discussions](#) was held from 10 to 12 November 2021, focusing on **Pillar I: Advancing Crime Prevention**.¹ The [second round of Thematic Discussions](#) was held from 5 to 7 December 2022 with a focus on **Pillar II: Advancing Criminal Justice Systems**.² The [third round of Thematic Discussions](#) was held from 21 to 22 September 2023, focusing on **Pillar III: Promoting the Rule of Law**.³ The [fourth and last round of Thematic Discussions](#) was held from 2 to 4 December 2024, focusing on **Pillar IV: Promoting International Cooperation and Technical Assistance to Prevent and Address All Forms of Crime**.⁴

4. In 2021, the CCPCJ Thematic Discussions addressed the following topics contained in the Kyoto Declaration Pillar I, Advancing Crime Prevention, which were clustered in three thematic sessions:

- Thematic session 1: Addressing the causes, including the root causes of crime; Enhancing evidence-based crime prevention and promoting tailor-made crime prevention strategies;
- Thematic session 2: Addressing the economic dimension of crime;
- Thematic session 3: Mainstreaming a gender perspective into crime prevention; Addressing the needs and protect the rights of children and youth in crime prevention; and Empowering youth for crime prevention.

¹ The Chair's Summary of the 2021 CCPCJ Thematic Discussions on the Implementation of the Kyoto Declaration, with symbol E/CN/15/2022/CRP.1, can be found [here](#).

² The Chair's Summary of the 2022 CCPCJ Thematic Discussions on the Implementation of the Kyoto Declaration, with symbol E/CN/15/2023/CRP1, can be found [here](#).

³ The Chair's Summary of the 2023 CCPCJ Thematic Discussions on the Implementation of the Kyoto Declaration, with symbol E/CN/15/2024/CRP.2, can be found [here](#).

⁴ The Chair's Summary of the 2024 CCPCJ Thematic Discussions on the Implementation of the Kyoto Declaration, with symbol E/CN/15/2025/CRP.1, can be found [here](#).

5. In 2022, the CCPCJ Thematic Discussions addressed the following topics contained in the Kyoto Declaration Pillar II, Advancing Criminal Justice Systems, which were clustered in three thematic sessions:

- Thematic session 1: Safeguarding victims' rights and protecting witnesses and reporting persons; Improving criminal investigation processes;
- Thematic session 2: Improving prison conditions; Reducing reoffending through rehabilitation and reintegration;
- Thematic session 3: Mainstreaming a gender perspective into criminal justice systems; Addressing the vulnerabilities of children and youth in contact with the criminal justice system.

6. In 2023, the CCPCJ Thematic Discussions addressed the following topics contained in the Kyoto Declaration under Pillar III, Promoting the Rule of Law, which were clustered in two thematic sessions:

- Thematic session 1: Access to justice and equal treatment before the law; access to legal aid; national sentencing policies;
- Thematic session 2: Effective, accountable, impartial and inclusive institutions; effective anti-corruption efforts; social, educational and other measures.

7. In 2024, the CCPCJ Thematic Discussions addressed the following topics contained in the Kyoto Declaration under Pillar IV, Promoting International Cooperation and Technical Assistance to Prevent and Address All Forms of Crime, which were clustered in three thematic sessions:

- Thematic session 1: International cooperation, including through capacity-building and technical assistance; International cooperation to deprive criminals of their proceeds of crime;
- Thematic session 2: Terrorism in all its forms and manifestations;
- Thematic session 3: New, emerging and evolving forms of crime.

8. From 2021 to 2024, CCPCJ Thematic Discussions were held in English and in a hybrid format, with both in-person participation in Vienna and online participation on a conference platform. The discussions were also livestreamed to ensure that all interested stakeholders could follow the proceedings. The event brought together national practitioners and policymakers from Member States, United Nations entities and other intergovernmental and international organizations, and civil society organizations from around the world.

9. Each of the thematic sessions of all CCPCJ Thematic Discussions started with two introductory presentations by the United Nations Office on Drugs and Crime (UNODC), followed by panel presentations, an interactive debate with the panellists, and interventions from the floor. The panels included experts from Member States nominated through the regional groups, from the institutes of the United Nations crime prevention and criminal justice programme network (PNI) and civil society. Further expert presentations were held by United Nations entities as well as international and regional organizations. Each year, the civil society panellists and the civil society speakers from the floor were nominated through the UNODC Civil Society Unit in cooperation with the Vienna Alliance of NGOs on Crime Prevention and Criminal Justice.

10. Participants to the CCPCJ Thematic Discussions came from:

- In 2021: **Government panellists**, nominated by their respective regional groups, came from China, the Czech Republic, Nigeria, Italy, Japan, Mexico, the United States, the United Kingdom, and Venezuela (Bolivarian Republic of). **Representatives** of the Egmont Group of Financial Intelligence Units, the European Institute for Crime Prevention and Control (HEUNI), the Inter-American Development Bank (IADB), the International Criminal Police Organization (INTERPOL), the Organization for Security and Co-operation in

Europe (OSCE), the Organization of American States (OAS), the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-WOMEN), the United Nations Human Settlements Programme (UN-HABITAT), the United Nations Population Fund (UNFPA), the United Nations Special Rapporteur on Violence against Women, the Special Representative of the Secretary-General on Violence against Children, the World Bank and the World Health Organization (WHO) made presentations in their respective field of expertise. Additional presentations were made by experts from Argentina, Australia, Austria, Canada, Hungary, New Zealand and Spain. Observers from non-governmental organizations, including from Argentina, Belgium, Kenya, South Africa, Switzerland, the United Kingdom and the United States also made statements.

- In 2022: **Government panellists**, nominated by their respective regional groups, came from Brazil, Canada, Colombia, Czechia, Japan, Pakistan, Panama, Slovenia, South Africa, and the United States of America. Additional presentations were made by experts from Austria and Thailand. **Representatives** of the Basel Institute on Governance, the Conference of Ministers of Justice of the Ibero-American Countries, the Council of Europe (COE), the Counter-Terrorism Committee Executive Directorate (CTED), the Department of Peace Operations (DPO), the European Institute for Crime Prevention and Control (HEUNI), the Human Rights Committee (HRC), the Inter-American Drug Abuse Control Commission (CICAD-OAS), the International Committee of the Red Cross (ICRC), the International Organization for Migration (IOM), the International Sociological Association, the Office of the High Commissioner for Human Rights (OHCHR), the Office of the Special Representative of the Secretary-General on Violence Against Children (SRSG-VAC), the Organization for Security and Co-operation in Europe (OSCE), Penal Reform International (PRI), the SADC Parliamentary Forum, the Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Special Rapporteur on Trafficking in Persons, especially Women and Children, the Subcommittee on the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT), the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the United Nations Office for Project Services (UNOPS), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-WOMEN), Victim Support EU, and the World Health Organization (WHO) made presentations in their respective field of expertise. **Observers from non-governmental organizations**, including from Belgium, Cameroun, Germany, Ghana, Mexico, Pakistan, Nigeria, Uganda, the United Kingdom and the United States of America also made statements.
- In 2023: **Government panellists**, nominated by their respective regional groups, came from Australia, Brazil, Canada, Colombia, Czechia, India, Japan, Namibia, Peru, Romania, South Africa, Thailand, and the United States of America. Observers for the following **entities** also contributed to the discussions: Council of Europe, International Anti-Corruption Academy (IACA), Inter-American Development Bank (IADB), International Centre for Criminal Law Reform (ICCLR), Organization for Economic Co-operation and Development (OECD), the Organization for Security and Co-operation in Europe (OSCE), Thailand Institute of Justice (TIJ), the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Expert Mechanism on the Rights of Indigenous Peoples, the United Nations Working Group of

Experts on People of African Descent, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-WOMEN) and the World Bank, as well as the Alliance of NGOs on Crime Prevention and Criminal Justice and the International Legal Foundation. Further, **observers for non-governmental organizations** from a variety of countries, including Argentina, Bulgaria, Indonesia, Nigeria, Qatar, Switzerland, Tanzania, and the United States also contributed to the discussions, speaking on the various angles of the topic.

- In 2024: **Government panellists**, nominated by their respective regional groups, came from Canada, Colombia, Iran, Japan, Morocco, Sweden, Sudan, and the United States of America. Observers for the following **entities** also contributed to the discussions: Basel Institute for Governance, EUROPOL, International Centre for Criminal Law Reform (ICCLR), International Monetary Fund (IMF), INTERPOL, the Financial Organization Task Force (FATF), the Organization for Security and Co-operation in Europe (OSCE), the United Nations Counter-Terrorism Committee Executive Directorate (CTED), the United Nations Organization for Food and Agriculture (FAO), the United Nations African Institute for Prevention of Crime and the Treatment of Offenders (UNAFRI), the United Nations Environment Programme (UNEP), the United Nations Office of Counter-Terrorism (UNOCT), the United Nations Secretary-General's Special Advocate for Financial Health (UNSGSA) and the World Bank, as well as the Global Initiative to End Wildlife Crime, the Wildlife Conservation Society and Victim Support Europe. Further, observers for **non-governmental organizations** from a variety of countries also contributed to the discussions, speaking on the various angles of the topic.

11. In preparation for each of the 2021⁵, 2022⁶, 2023⁷ and 2024⁸ CCPCJ Thematic Discussions, a **background note** was prepared by the Secretariat and shared with Permanent Missions and relevant stakeholders, to provide information on the topics and to facilitate a substantive dialogue.

12. In line with the Commission's efforts to share information, good practices and lessons learned, statements and presentations made during the 2021⁹, 2022¹⁰, 2023¹¹ and 2024¹² CCPCJ Thematic Discussions were published on the Commission's dedicated Kyoto Declaration follow-up website.

II. 2021-2024 CCPCJ Thematic Discussions: Chair's summaries of the deliberations

1. 2021 Thematic Discussions – Pillar I: Advancing Crime prevention

(a) Opening session

13. In the opening session of the intersessional meeting, the UNODC Executive Director welcomed the commitment of the Commission to an effective follow-up to the Declaration and thanked the Commission for bringing together diverse stakeholders to benefit from their perspectives. She underlined that “the Declaration places a timely emphasis on advancing crime prevention, just as the COVID-19

⁵https://www.unodc.org/documents/commissions/CCPCJ/CCPCJ_Sessions/CCPCJ_30/Kyoto_Thematic/CCPCJ_Thematic_Discussions_KD_2021.pdf Background note, CCPCJ Thematic Discussions 2021.

⁶ Background note, CCPCJ Thematic Discussions 2022.

⁷ Background note, CCPCJ Thematic Discussions 2023.

⁸ Background note, CCPCJ Thematic Discussions 2024.

⁹ Statements and Presentations, CCPCJ Thematic Discussions 2021.

¹⁰ Statements and Presentations, CCPCJ Thematic Discussions 2022.

¹¹ Statements and Presentations, CCPCJ Thematic Discussions 2023.

¹² Statements and Presentations, CCPCJ Thematic Discussions 2024.

pandemic has made our world poorer and more unequal, leaving people more vulnerable to crime and violence.”

14. H.E. Mr. Takeshi Hikihara, First Vice-Chair of the Commission at its 30th session and Permanent Representative of Japan to the United Nations in Vienna, representing the Host Country of the 14th UN Crime Congress, expressed the hope that this first intersessional thematic discussion would achieve its purpose as a fruitful occasion for all participants to deepen their knowledge and to strengthen mutual understanding.

15. Ms. Tsenguunbileg Naranpurev had participated in the First Global Youth Forum for a Culture of Lawfulness, which was held on 9 and 10 October 2021 in Tokyo and was dedicated to the theme of “The role of youth in achieving a diverse and inclusive society”. She informed the Commission on the Youth Forum and symbolically handed over the recommendations made by the Youth Forum to the Commission.

(b) Addressing the causes, including the root causes, of crime - Evidence-based crime prevention - Tailor-made crime prevention strategies

16. On 10 November 2021, the Commission discussed how to address the causes, including the root causes of crime; enhance evidence-based crime prevention and promote tailor-made crime prevention strategies.

17. The thematic session was kicked off by an introductory presentation by the Chief of the Research and Trend Analysis Branch and the Chief of the Justice Section of UNODC. The expert panel included experts from Nigeria, China, Czech Republic, USA, UNAFEI, OSCE, WHO, INTERPOL, UN-HABITAT and the World Society of Victimology. Experts from Austria and Hungary also made presentations.

18. The Chief of the UNODC Research and Trend Analysis Branch emphasized the need for a better understanding of the root causes of crime and its links to developmental aspects such as education, environmental issues, inequality, and demographics, as well as the dynamics of illegal markets. The Chief of the Justice Section of UNODC highlighted the importance of conducting impact and cost-benefit studies for evidence-based crime prevention, even in situations in which data is scarce. She provided examples where young people had been successfully empowered and communities had been engaged in crime prevention, inter alia, through community-oriented policing.

19. Various speakers elaborated on root causes of violence and crime and measures that had been introduced to address these, including those focusing on strengthening youth resilience through education and skills training, drug use prevention, and reintegration and rehabilitation of offenders both in prison and in community settings. Poverty, discrimination, lack of appropriate housing and drug abuse were highlighted as root causes of violence and crime.

20. Data collection and analysis, including quantitative and qualitative data on crime, victimization and risk factors were underlined as an important basis for crime prevention. In this regard, the importance of comparability of data was stressed and the role of the ICCS not only as an international standard, but also as an analytical tool was highlighted. Further, forthcoming methodological tools to measure specific aspects such as illicit financial flows, progress against the Sustainable Development Goals and other topics were addressed, and the cooperation between the Commission and its sister Commission on Statistical Affairs was highlighted as a good example of cooperation between ECOSOC bodies.

21. Speakers presented innovative, multi-disciplinary and participatory approaches to data collection and analysis, and reported on examples where different stakeholders were involved in the production of meaningful data on local crime. The importance of availability of data in the shortest possible time was underlined, as it allowed policy makers to understand the conditions of vulnerability of spaces and transform them into safe public space. States were encouraged to share good practices in this regard.

Examples of collecting and visualizing geo-referenced data were shown, as were examples of creating safe public spaces.

22. A number of speakers highlighted the importance of measuring the impact of crime prevention strategies, thereby reducing risk factors effectively. The need for more international cooperation in this field was highlighted. One speaker reported on the design of a new set of standards for evidence-based prevention programmes that could support States in their prevention efforts. Further, the importance of high-quality evaluations and the need to exchange national experience in the evaluation of crime prevention strategies was highlighted.

23. Many speakers highlighted the need to engage communities in crime prevention. They underlined that combining focused deterrence with social service provision for at-risk youth showed positive results. Many speakers shared examples of participatory, inclusive crime prevention initiatives. Further, speakers shared examples of successful innovative case management and referral systems to therapeutic and educational institutions, as well as literacy and therapy programmes in prisons, and programmes for the rehabilitation of offenders.

24. The role of the police in prevention was considered important. Some speakers underlined that police best contributed to prevention by adopting an approach oriented at providing service to the community. Proactive and problem-oriented approaches were also highlighted. Speakers shared examples of police outreach activities through sports or culture that increased trust and therefore the willingness to report crime and cooperate with the police. Further, technological solutions that reduced reaction times of police agents to calls were presented, which contributed to a strengthened perception of security in the public. The link between first responders and intelligence units was highlighted, as well as the need for the police to be composed of diverse groups, thereby representing the whole of society.

25. The connection between safety and holistic crime prevention was highlighted by a number of speakers. They shared experience on different sectors of government, the private sector and civil society coming together in addressing risk factors at various levels. A number of speakers highlighted the need for a multi-institutional, multi-disciplinary approach to crime prevention. The links between crime prevention and criminal justice were highlighted. Impunity was mentioned as a factor that undermined trust and perception of security in the general public, and addressing impunity and asset recovery were therefore considered important also for preventive aspects. A number of speakers noted that a culture of integrity was important for crime prevention, while others underlined the role of schools, religious leaders and the civil society in establishing a culture of lawfulness. Further, the need to integrate crime prevention strategies and monitoring processes into urban development strategies was underlined.

26. Multi-sector prevention approaches also featured in the UNODC organized crime strategy toolkit, recognizing the need to address chronic vulnerabilities in societies and the importance of offering counter-narratives to address illicit flows and markets. UNODC initiatives to prevent trafficking in persons, illicit crops as well as maritime crime and related crimes were presented, as well as an initiative on addressing wild-life crime. Also, violence against women was mentioned as a grave concern in many communities and the prevention of this type of violence was highlighted by many speakers, some of which referred to non-state human rights violations against women and girls.

27. A number of speakers addressed the challenges imposed by the COVID-19 pandemic. Although statistical data was not available to fully assess the impact, some speakers expressed the concern that the COVID-19 crisis could lead to an increase of crimes, including various forms of trafficking as well as domestic violence.

(c) Addressing the economic dimension of crime

28. On 11 November 2021, the Commission discussed how to address the economic dimension of crime. Introductory presentations were delivered by the Chief of the Data Development and Dissemination Section of the UNODC Research and Analysis Branch and a representative of the UNODC Corruption and Economic Branch. The expert panel included experts from Italy, the Czech Republic, Mexico, HEUNI, Interpol, the World Bank, the Egmont Group, OAS, IADB and the Alliance of NGOs on Crime Prevention and Criminal Justice. Experts from New Zealand also made a presentation.

29. The Chief of the Data Development and Dissemination Section reported on the UNCTAD-UNODC Conceptual framework for the statistical measurement of illicit financial flows and the pilot measurements currently under development at the regional level. He underlined the role of measuring illicit financial flows in the context of the achievement of the Sustainable Development Goals and the importance of a common definition of illicit financial flows. The representative of the Corruption and Economic Crime Branch highlighted recent national experiences and best practices in the management and disposal of frozen, seized and confiscated assets. She touched on measures in the pre-confiscation phase such as pre-confiscation sale and disposal, different types of confiscation, and different options regarding institutional structures for asset management.

30. A number of speakers highlighted the importance of asset confiscation and recovery to address the economic consequences of crime and ensure that crime did not pay. They highlighted the need to strengthen inter-agency cooperation and collaboration at the national level, including with the private sector, as well as international cooperation in criminal matters. The importance of political will for the disruption of transnational crime networks was underlined. One speaker presented recent efforts to quantify the cost of crime under the categories of crime prevention costs, costs of crime occurrence and crime response costs.

31. The importance of both upstream investigations (starting with the trace of crime and then following the economic consequences), and downstream (“follow-the-money”) investigations, was discussed. Speakers called for national leadership towards enhancing financial investigations. They also recommended a comprehensive approach to criminal cases with a view to including financial investigations as an integral part of the case from the beginning, making reference to FATF recommendation 30 in this regard.¹³

32. Innovative international cooperation mechanisms for financial investigations, such as joint investigative teams, were highlighted. The role of informal law enforcement networks for information exchange was considered important, as well as the domestic cooperation between asset recovery offices and financial intelligence units. Some speakers reported challenges for financial investigations related to the use of cryptocurrency and blockchain technology.

33. Experts discussed the different possibilities for pre-confiscation sale and disposal with and without the owner’s consent. Some speakers stated that not all assets lent themselves to pre-confiscation sale, while others underlined the symbolic value of pre-confiscation sale, which could show the general public that assets were not left in the hands of supposed criminals. One speaker also suggested that the social re-use could be anticipated in cases in which pre-confiscation sale was not possible, for example by renting vehicles or planes to legal businesses. Suspending suspicious transactions was also considered a powerful tool to secure assets during the pre-confiscation stage.

¹³ 30. Responsibilities of law enforcement and investigative authorities. Countries should ensure that designated law enforcement authorities have responsibility for money laundering and terrorist financing investigations within the framework of national AML/CFT policies. At least in all cases related to major proceeds-generating offences, these designated law enforcement authorities should develop a pro-active parallel financial investigation when pursuing money laundering, associated predicate offences and terrorist financing. (...)

34. Speakers discussed the merits and limitations of different confiscation systems. A number of speakers highlighted the advantages of non-conviction-based forfeiture systems, among them, in many jurisdictions, a lower standard of proof. Some speakers underlined that legislation should provide for both object-based and value-based confiscation, as they both addressed different scenarios and criminals could otherwise use loopholes to secure their assets against confiscation. Further to confiscation, business bans were addressed as a useful tool in the fight against trafficking in persons for labour exploitation purposes.

35. A number of speakers recommended a strategic approach to the management of frozen, seized and confiscated assets. Regarding the institutional structure for asset management, it was highlighted that asset management offices should be specialized institutions with professional staff, and that a swift communication flow should be established between law enforcement and asset management institutions. The role of the private sector in asset management was also highlighted. Many speakers underlined the need of sharing experience and good practices. In this context, reference was made to the work of the Criminal Assets Management and Enforcement Regulators Association (CAMERA).

36. A number of speakers made reference to the social re-use of confiscated assets, which was considered to have both an economic and a symbolic value. At the economic level, proceeds of crime could be used to compensate victims or to invest in crime prevention or criminal justice responses. At the symbolic level, social re-use was considered to contribute to showing that crime did not pay, to strengthening the safety of local communities and to enhance social cohesion and trust in the authorities, as well as to involve civil society in establishing a culture of lawfulness.

(d) Mainstreaming a gender perspective into crime prevention; addressing the needs and protect the rights of children and youth in crime prevention; and empowering youth for crime prevention

37. On 12 November, the Commission discussed how to mainstream a gender perspective into crime prevention; address the needs and protect the rights of children and youth in crime prevention; and empower youth for crime prevention. The topic was introduced by representatives of the UNODC Research and Trend Analysis Branch and the UNODC Justice Section. The expert panel included experts from Japan, the United Kingdom, Venezuela, Nigeria, UNAFRI, The United Nations Special Rapporteur on Violence against Women, Interpol, UNESCO, The Special Representative of the Secretary-General on Violence against Children, UN-WOMEN, UNFPA, UNICEF and the Alliance of NGOs on Crime Prevention and Criminal Justice. Experts from Australia, Spain, Canada and Argentina also made presentations.

38. The representative of the Research and Trend Analysis Branch presented recent research on gender roles in the commission of different types of crime, as well as statistics on child victimization. The representative of the Justice Section informed the audience that in 2019, eleven United Nations, bilateral and multilateral agencies joined forces to launch RESPECT, a framework to facilitate scaling up of 7 evidence-informed strategies to prevent violence against women. She also made reference to the joint United Nations Programme on Essential Services for Women and Girls subject to Violence, the Spotlight Initiative and the Global Programme to End Violence Against Children, through which UNODC was continuously working to assist Member States to adopt knowledge-based, comprehensive and multisectoral prevention strategies and policies.

Mainstreaming a gender perspective in crime prevention

39. Many speakers referred to data collection and analysis, including quantitative and qualitative data on crime, victimization, risk factors and root causes of crime as key components to ensure that a gender perspective was fully and effectively mainstreamed in crime prevention policies. Disaggregating data by specific criteria,

such as gender and age, was viewed as essential for developing crime prevention policies which were evidence-based, tailored, inclusive and able to capture the realities of different sectors of the population. The relevance of appropriate, disaggregated data was recognized by many speakers as particularly important in connection with the issue of gender-related killing of women and girls (or femicide).

40. The role of relevant criminal justice agencies, particularly police, in promoting a gender-responsive approach to crime prevention was stressed in several interventions. In this regard, reference was made in particular to the need for criminal justice agencies to challenge gender social norms and gender stereotyping, develop appropriate code of conducts, adopt a zero tolerance towards gender-based violence against women, provide continuous and mandatory training on human rights and gender equality, as well as increase the number of women in police forces and increase the number of women police officers involved in operational work.

41. Many speakers stressed the importance of adopting multi-sector approaches in the development of gender-responsive crime prevention strategies. Reference was made to international initiatives such the United Nations Women Safe City and Safe Public Spaces Programme, the United Nations Programme on Essential Services for Women and Girls Subject to Violence and the already mentioned United Nations RESPECT framework.

42. Reference was also made to addressing discrimination in legislation and institutions; the involvement of women and girls in relevant decision-making related to security and crime as well as the development and use of “gender equality markers” as key components of a gender-responsive crime prevention strategy.

43. The debate provided an insight on the need to mainstream a gender perspective in dealing with the prevention of specific crimes, including serious crimes, transnational organized crime and corruption. Speakers underlined how the root causes for the involvement of women in such crimes were of a different nature than those for men and how such crimes impacted women and girls differently than men. Concern was expressed by several speakers about the level and the impact of online violence which had profound and devastating consequences for the women and girls subject to it. It was recommended that this type of violence be defined internationally and that robust preventive measures be put in place.

44. Speakers recalled the impact of the COVID-19 pandemic on the levels of gender-based violence against women and emphasized the need to develop prevention strategies for this type of violence which took into account the implications of the COVID-19 pandemic related measures (such as lockdowns, reduction of dedicated law enforcement personnel etc.). It was noted that some of the measures taken by countries to limit the health impact of the pandemic were gender-blind.

Children and youth in crime prevention

45. Speakers highlighted that the key challenges faced by many countries in protecting children from crime and violence, including online violence and abuse, lied in factors such as the lack of capacity by criminal justice officials; inadequate legislation not suitable to deal with new, evolving forms of crime; lack of awareness among parents and children; and problems posed by developments in the social media industry. It was also underlined that violence against children was not only a crime problem but a developmental issue that required concerted and multidisciplinary efforts from different sectors.

46. Interventions highlighted that top-down and bottom-up approaches needed to be combined and that justice systems were not only essential for ending impunity and ensuring accountability but also instrumental in promoting preventive measures against violence aimed at children. The need to ensure that all preventive measures were integrated into broader developmental and rule of law reform efforts was underlined. Focus should be placed on ensuring better access to justice for children, reducing deprivation of liberty and promoting child-sensitive investigation and court

procedures, non-custodial sanctions, restorative justice and diversion, recovery and reintegration of children and prevention of abuse and exploitation. The need for this was particularly highlighted in view of challenges that had been exacerbated during the COVID-19 crisis, such as child online abuse and exploitation.

47. The recruitment and exploitation of children by criminal and armed groups, including those designated as terrorist groups was raised and discussed as an example of a worrying trend that could only be tackled through the intervention of effective justice systems in close cooperation with other systems such as the child protection, health and education sector.

48. Speakers also addressed the importance of proactive and sustainable action to understand the needs and risk factors that contribute to children vulnerability to crime and violence, including online and offline abuse and exploitation. As a key to prevention policies, it was highlighted that solutions should be multi-dimensional and address the interlinked root causes of the problem by actively enhancing protective factors of children, including through strengthening cross-sectorial services, empowering children and their caregivers legally, investing in early detection and prevention measures and multi-stakeholder partnerships. The challenges posed by end-to-end encryption when investigating online child sexual abuse and the dissemination of child exploitation material were also highlighted.

Youth empowerment for crime prevention

49. Speakers recognized the crucial role that youth could and should play in preventing crime and violence. Youth was considered an important stakeholder in achieving the Sustainable Development Goals and a formidable, positive agent for change in the communities. Speakers highlighted the importance for governments and the international community as a whole, including the United Nations, to listen and support youth voices and recommendations. Young people should be integrated in decision-making on crime prevention and be provided with platforms to discuss issues related to the rule of law and crime prevention. In this connection, reference was made to the First Global Youth Forum for a Culture of Lawfulness held in October 2021 in Tokyo.

50. Various speakers elaborated on the need to develop crime prevention programmes that focused on strengthening youth resilience through education, skills training, sport and drug use prevention, such as the music-education programmes, the UNODC-UNESCO Education for Justice (E4J) Programme and the UNODC work to empower youth through sport.

51. The discussion highlighted some key lessons from the implementation of these programmes and identified success factors for youth engagement in crime and violence prevention, such as: involving different sectors including the education and health agencies, and not only criminal justice agencies; empowering youth to know their rights; recognizing that education could transform societies; paying attention to the needs of girls; and providing opportunities for youth to be heard, particularly youth from vulnerable groups.

2. 2022 Thematic Discussions – Pillar II: Advancing Criminal justice Systems

(a) Opening session

52. In the opening session of the intersessional meeting, H.E. Lachezara Stoeva, President of the Economic and Social Council, underlined that the Commission's follow-up process to the implementation of the Kyoto Declaration made a central contribution to the mid-term review of the implementation of the 2030 Agenda, to take place at the SDG Summit planned for September 2023.

53. UNODC Executive Director Ms Ghada Waly welcomed the Thematic Discussions as an opportunity for Member States to come together with United

Nations partners, international organizations, civil society, and academia, to translate the commitments of the Kyoto Declaration into concrete measures. She underlined that “criminal justice institutions must find ways to break patterns of discrimination, and to ensure that justice is attainable for all.”

54. H.E. Ambassador Mathu Joyini, Chair of the Commission on the Status of Women at its sixty-seventh session, stressed the strong history of collaboration between both Commissions. She underlined that the commitment contained in the Kyoto Declaration “to achieve gender equality and remove impediments to the advancement of women in law enforcement and other criminal justice institutions” linked to the full, effective, and accelerated implementation of the Beijing Platform for Action.

55. H.E. Alya Ahmed Saif Al-Thani, Chair of the Commission for Social Development at its sixty-first session, welcomed the opportunity to further collaborate with the CCPCJ. She highlighted the role of productive and decent employment as a proven pathway to reduce inequality and prevent crime and conflict and underlined the role of sport in preventing violence and crime, especially among youth.

56. Ms. Heeyeon Cho had served as the Chair of the Second Global Youth Forum for a Culture of Lawfulness, held on 3 and 4 December 2022 in Japan on the theme “The role of youth in achieving a diverse and inclusive society”. She informed the Commission about the recommendations stemming from the Youth Forum on “Building a Society Free from Online Defamation and Cyberbullying”, and “Youth Involvement in and Disengagement from Organized Crime: The Role of Youth in Preventing Organized Crime”. The recommendations made by the Youth Forum were symbolically handed over to the Commission.

(b) Safeguarding victims’ rights and protecting witnesses and reporting persons; Improving criminal investigation processes

57. On 5 December 2022, the Commission discussed how to **safeguard victims’ rights, protect witnesses and reporting persons, and how to improve criminal investigation processes**.

58. The thematic session commenced with introductory presentations by UNODC, namely from a representative of the Research and Trend Analysis Branch and a representative of the Crime Prevention and Criminal Justice Section. The panel included experts from Czechia, Pakistan, Panama, the United States of America, the Basel Institute on Governance, and Victim Support EU. An expert from Austria also delivered a presentation, as well as experts from the IOM, OSCE, UNDP, WHO, the Special Rapporteur on Torture, the Special Rapporteur on Trafficking in Persons and the Chair of SPT.

59. The representative of the UNODC Research and Trend Analysis Branch presented **patterns and trends in victimization**, both for violent and non-violent crimes. He outlined the profile of victims and of perpetrators by gender (male/female) with regard to homicide, trafficking in persons and corruption. He highlighted as a key finding of victimization surveys the problem of **underreporting of crime**. The representative of the UNODC Crime Prevention and Criminal Justice Section presented trends, challenges, policy frameworks and good practices on victim and witness protection, and on improving criminal investigations. In particular, she stressed the **need to engage with victim/survivor organizations** and to provide **effective protection and assistance to victims**, also emphasizing the crucial role of witnesses for the effective functioning of criminal justice systems and the need for protection mechanisms. She underlined the effective results and higher human rights compliance yielded by **investigative interviewing methods** as compared to coercive interrogation techniques.

60. Many speakers underscored the importance of adopting **victim-centred approaches** to achieve effective and inclusive criminal justice systems. Key elements

of this approach included listening to victims, respecting their human dignity, and implementing wide-encompassing protection measures that include social, legal, psychological, financial and practical support through an approach that is trauma-informed. Some speakers provided insights on their work regarding **specific types of victims**, such as victims of human trafficking and the principle of non-punishment; victims of torture and the importance of independent police oversight and effective investigations of torture cases; the identification and legal standing of victims of corruption, as well as international cooperation regarding their compensation; and the reporting and adequate services to victims of sexual violence and exploitation, including online.

61. It was highlighted that a respectful, acknowledging and kind first contact of law enforcement with victims was not only an important element of a victim-centred approach but also increased **victims' readiness to provide information** in the course of the investigation. The problems of mandatory reporting of violence against children and the need for specific training for those who disclose violence were discussed. Also, it was highlighted that law enforcement personnel needed to be trained how to approach victims of trafficking in persons and smuggled migrants who may not consider themselves as victims and provide them with adequate information on possible protection actors.

62. The use of the terms "**victim**" and "**survivor**" was discussed by several speakers, with "victim" being most common in a criminal justice setting, and "survivor" mostly used in interactions with victim/survivor organizations, who found the term more empowering and denoting of agency.

63. Regarding **witness protection**, the risk assessment before the identification of adequate protection measures was discussed. Change of identity and relocation were regularly reserved for high-risk cases and as a matter of last resort. Tailoring witness protection programmes to the culture and diverse needs of countries was noted as a critical element. The challenges of witness protection in small communities were discussed. It was highlighted that witness protection should be implemented by specialized units that have a sufficient degree of **autonomy to guarantee confidentiality and effectiveness**. Further, the need for international cooperation in witness protection to allow for international relocation was highlighted.

64. On the topic of reporting persons, speakers discussed the **concept of "whistleblower"** in domestic and international legislation and highlighted the wide range of protection measures foreseen in article 33 UNCAC. **Weak provisions to protect whistleblowers were still considered a challenge**, and it was highlighted that the **negative perceptions** prevalent in society towards whistleblowers could present an obstacle for persons to report. Speakers stressed the importance of improving public perceptions towards whistleblowers, including by public information campaigns, as well as of designing and implementing protective measures against retaliation and to ensure the physical and workplace protection of whistleblowers.

65. With regard to reporting of crime in general, it was considered important to **strengthen public trust in criminal justice systems**. This would include inclusive recruitment practices to increase demographic diversity in law enforcement, regular and quality training of staff in criminal justice institutions to better cater to the needs of victims, witnesses and reporting persons, and addressing impunity and corruption within criminal justice systems.

66. With regards to improving criminal justice investigation processes, speakers referred to the expert-led initiative to produce the **Mendez Principles on investigative interviewing** as an approach to enhance the quality of investigations, uphold human rights and avoid coercive measures in criminal investigations. Several speakers recognised the **factors that have an impact on testimony**, including trauma, and referred to measures that criminal justice actors can take to minimise the fear of contact with the criminal justice system – in the case of children, for instance, child-friendly police stations and the use of non-judicial attire in court proceedings.

The practical challenges of interviewing existing in many countries were also highlighted, such as long-distance travel and the lack of financial and communication resources.

67. Many speakers presented **legal frameworks and practical tools** developed at the national and international level on safeguarding the rights of victims, witnesses and reporting persons and improving criminal investigations. At the same time, many speakers also noted that legislation alone would not solve existing problems and that effective **operationalization of laws and policies required actions around staffing, training, funding, and changing mindsets**.

68. **Multidisciplinary, multisectoral, and coordinated approaches** were mentioned by many speakers as a necessary condition to advance criminal justice systems, including cooperation between victim protection actors and law enforcement to increase mutual understanding about the respective roles, responsibilities and operational realities; and between criminal justice institutions and health, social, educational and other sectors which were considered critical in ensuring comprehensive protection and support to victims and witnesses. The importance of **disaggregated data**, for example from victimization surveys, **for evidence-based protection policies** was also highlighted.

(c) **Improving prison conditions; Reducing reoffending through rehabilitation and reintegration**

69. On 6 December 2022, the Commission discussed how to **improve prison conditions and how to reduce reoffending through rehabilitation and reintegration**. Introductory presentations were delivered by a representative of the Research and Trend Analysis Branch and a representative of the Crime Prevention and Criminal Justice Section of UNODC. The expert panel included experts from South Africa, Japan, the United States of America, Brazil, UNAFEI, and Penal Reform International. An expert from Thailand also made a presentation, as well as experts from the HRC, the ICRC, the Council of Europe (PC-CP), the OSCE, DPO, UNDP, CTED, OAS-CICAD and UNOPS.

70. During the introductory presentations by UNODC, a representative from the Research and Trend Analysis Branch provided an overview of key **trends on the global prison population**, noting a faster rate of increase of female prisoners. She reconfirmed that despite regional variations, **prison overcrowding** remained a global challenge, while noting a lack of universal standards on the minimum space allocated per prisoner, which made comparisons difficult. Pilot initiatives relating to qualitative research on prisoner rehabilitation undertaken by UNODC were also presented. A representative from the Crime Prevention and Criminal Justice Section presented **long-standing and persisting prison challenges**, including overincarceration, overcrowding, as well as systemic neglect and vulnerability to threats. He noted the importance of an all-of-society approach to improving prison conditions and reducing reoffending. In terms of emerging trends and threats, he drew the Commission's attention to the negative impact of unequal COVID-19 recovery, armed conflict as well as climate disruptions on prison management and the treatment of prisoners. The continued relevance and unique standing of the **applicable United Nations standards and norms** on crime prevention and criminal justice was reiterated, **including the Nelson Mandela Rules¹⁴, the Bangkok Rules¹⁵ and the Tokyo Rules¹⁶**. Reference was also made to the United Nations Common Position on Incarceration (2021).

¹⁴ United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), General Assembly resolution 70/175, annex, Rule 3.

¹⁵ United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, General Assembly resolution 65/229, adopted in March 2011.

¹⁶ United Nations Standard Minimum Rules for Non-custodial Measures, General Assembly resolution 45/110, annex, adopted in December 1990.

71. Most speakers identified **prison overcrowding** as one of the biggest obstacles to a secure, safe, humane and human rights-compliant penitentiary system and stressed the need to focus efforts on addressing the root causes of overcrowding rather than merely its symptoms. At the same time, many speakers acknowledged that concrete strategies to address prison overcrowding had been identified and promoted by UNODC and other relevant stakeholders for many years. A common theme emanating from the discussions was the **urgent need to reduce the scope of imprisonment**. Many speakers noted that deprivation of liberty should be used as a measure of last resort, that the use of **pre-trial detention** should be minimized, and that the use of non-custodial measures and community-based corrections was important, not only from the perspective of reducing the prisoner population, but also in ensuring **individualized and proportionate responses to crime** and thereby reducing reoffending. Many speakers made reference to the importance of **access to legal aid** and the potential of **restorative justice**. A strategy to reduce overcrowding should also include elements of **strengthening public and political buy-in by means of tailored communication and outreach** to ensure evidence-based approaches, to engage civil society, and to promote sensitive reporting in the media.

72. Speakers also referred to the urgent need to **strengthen prison management and improve prison conditions**. Prison conditions were understood to encompass both the basic, material needs such access to adequate space, food, drinking water, sanitation and healthcare, but also decent, secure, safe, humane and rehabilitative prison environments at large. The protection of prisoners against natural disasters and other challenges exacerbated by climate change was mentioned as an important emerging challenge. In this context, several speakers referred to the **duty of care** that States have towards persons in detention. The importance of ensuring that **prison planning and architecture** met the needs of prisoners was also emphasized, including by providing adequate infrastructure arrangements for different types of visits, for rehabilitative activities such as work, education or vocational training, and for specific types of populations, including elderly prisoners. Many speakers also highlighted the **plight of women offenders**, who have specific needs when in conflict with the law and especially when incarcerated, and the need to adopt a gender-responsive approach to offender management in line with the **Bangkok Rules**, including by considering the situation of children of incarcerated parents.

73. Prison officers were considered to play a crucial role in prison management and improving prison conditions. The importance of investing in **professionalization and an increased recognition of the challenging and multi-faceted work of prison staff** was underlined by many speakers. The increased use of **information technology** in prison settings in the post-pandemic era was also noted, as was the need to consider more carefully respective opportunities and risks. Information about **tailored management approaches for high-risk prisoners**, including recommendations and experiences from the ongoing United Nations joint initiative on the management of **violent extremist prisoners** and the prevention of radicalization to violence in prisons, was also shared.

74. Many speakers underscored the importance of prioritizing rehabilitation and social reintegration of offenders. Critical to achieving this goal was understanding that the problem of reoffending could not be solved by the criminal justice system alone, and that breaking the cycle of reoffending required a **whole-of-government-and society approach**. Speakers underlined that efforts to promote the rehabilitation and social reintegration of offenders, such as employment support, education, access to health and other essential social services, must be made both while in custody and in the community after release. It was underlined that such efforts must include **partnerships with organizations and individuals in the community**, including through public-private partnerships, community-based organizations and volunteers. The importance of **countering stigmatization and punitive public attitudes**, for instance through awareness-raising campaigns and effective use of the media, was also mentioned. A number of speakers referred to the **ongoing work to develop Model Strategies on Reducing Reoffending**.

75. Several cross-cutting issues were highlighted throughout the discussions, such as the need to consider and meet the **specific needs of offenders who are exceptionally vulnerable** when in contact with the criminal justice system, including through specialized programmes, and in this regard employing an **individualized approach** to criminal justice interventions based on adequate information on the background of the offender and circumstances of the offence was considered crucial. The importance of **technical assistance**, as well as the international exchange of experiences and promising practices was reiterated.

(d) Mainstreaming a gender perspective into criminal justice systems; Addressing the vulnerabilities of children and youth in contact with the criminal justice system

76. On 7 December 2022, the Commission discussed how to **mainstream a gender perspective into criminal justice systems and how to address the vulnerabilities of children and youth in contact with the criminal justice system**. The topics were introduced by representatives of the UNODC Research and Trend Analysis Branch and the UNODC Crime Prevention and Criminal Justice Section. The expert panel included experts from South Africa, Slovenia, Canada, Colombia, HEUNI, and the International Sociological Association. Expert presentations were made by OHCHR, the SADC Parliamentary Forum, the Conference of Ministers of Justice of the Ibero-American Countries, the International Sociological Association, UN-WOMEN, UNDP, the SRSB-VAC, and UNICEF.

77. A representative from the Research and Trend Analysis Branch provided an overview of **trends on crime disaggregated by gender, and on the gender composition among judges, police and prison personnel**, with still low levels of women represented despite slow improvements. She referred to the new framework developed by UNODC and UN Women to measure the gender-related killing of girls. A representative from the Crime Prevention and Criminal Justice Section highlighted existing **gender discrimination in criminal justice systems**, exacerbated by COVID-19. With regards to children, understood as people below eighteen years of age as anchored in the Convention of the Rights of the Child, she stressed that preventing child involvement in crime and responding effectively required **addressing the root causes**, including understanding patterns of recruitment into organized criminal and armed groups, including those designated as terrorist groups, and providing child- and gender-sensitive services to help them recover from harm. Concerning **youth and child/juvenile justice**, she underlined the principle of proportionality, the importance to consider the developmental stages of maturity beyond 18, and the need to offer opportunities to reform and to focus on the social reintegration of children and youth in conflict with the law.

78. Several cross-cutting issues emerged from the discussions on all the topics covered during the third thematic session. One of them was the importance of a **coordinated, multi-sectoral and whole-of-society approach** towards ending gender-based discrimination and violence, violence against children and in the field of youth crime prevention, including but not limited to the criminal justice system. The importance of taking a **people-centred justice approach**, and of **awareness raising** among communities, was also stressed. **Data collection**, in particular the importance of taking into account COVID-19 and its impact on criminal justice systems, was mentioned by many speakers. Concern was expressed regarding the **negative impact of COVID-19** on levels of gender-based violence against women, violence against children and the capacity of the criminal justice system to provide adequate responses.

Mainstreaming a gender perspective in criminal justice systems

79. Many speakers welcomed UNODC's efforts to collect and analyse data to identify **trends on gendered aspects regarding crime and criminal justice institutions**, including persistently high levels of gender-related killing of women by their intimate partners or family members; an increasing share of women convicted

of trafficking in persons offences; the disproportionate increase in the female prison population in 2000-2020; the high number of women in pretrial detention, many of whom did not benefit from emergency releases at post-sentencing stage; as well as the low percentage of female personnel in the police and prison services around the world. Evidence on **cyber violence against women and girls** was flagged as an indicator of an emerging and growing concern in some regions.

80. Some speakers stressed the **importance of existing international legal instruments for mainstreaming a gender perspective** into the criminal justice system, including the Convention on the Elimination of Discrimination Against Women (CEDAW) and the General Comments of the CEDAW Committee on women's access to justice and gender-based violence against women, as well as the **Bangkok Rules and other United Nations standards and norms in crime prevention and criminal justice**, and called for enhanced efforts to raise awareness among criminal justice practitioners of these instruments. Tools such as the [Essential Services for Women and Girls Subject to Violence](#) developed by a group of United Nations entities were also mentioned.

81. Speakers underlined the importance of **addressing intersectional factors of discrimination that affect men and women in their diversity**, referring to the particular challenges facing specific groups of women in contact with the criminal justice system such as indigenous women, women with disabilities and women in rural areas, whether as victims, offenders or justice professionals.

82. Many speakers underlined the **need for gender-responsive non-custodial measures, access to legal aid and prison reform initiatives** in order to address the distinctive needs of women in conflict with the law or in prison, and to leave no one behind in promoting social reintegration. Concern was expressed over the fact that many women were in prison for administrative offenses rather than crimes.

83. The importance of **dismantling gender-based stereotypes, bias and discrimination** in the broader society and also within criminal justice institutions was also highlighted. Some speakers stated that structural discrimination against women could be addressed through promoting more female role models, an adequate use of the media, and the set up or strengthening of support networks, including professional legal networks for career advancement.

84. Many speakers highlighted **efforts and progress made at the national level in mainstreaming gender in the criminal justice system**, including to enhance the equal representation of women staff in the police and the judiciary, to address gender bias and secondary victimization in the criminal justice system or to enhance responses to gender-based violence at the legislative and policy level. Good practices mentioned included **one-stop centres for gender-based violence**, the use of **technology to testify virtually**, thereby facilitating contact with the criminal justice system and preventing secondary victimization, legislative reforms to **protect the identity and record of complainants of sexual violence**, and ways to connect women to services and **ensure access to justice in rural areas**, including through increased access to technology and through mobile justice units.

Addressing the vulnerabilities of children and youth in contact with the criminal justice system

85. With regards to children, many speakers underlined the need to **move away from criminalization and punitive approaches**, including the detention of children, and to focus instead on understanding offending behaviour and recognizing when it results from a crime committed against them, for instance through recruitment and exploitation of children by criminal and armed groups, including terrorist groups. Speakers called for a focus on **community-based reintegration and rehabilitation and child-sensitive justice** including diversion, non-custodial measures and restorative justice.

86. The need for **specialized professionals** and justice institutions focusing on child-sensitive justice approaches was highlighted, including through recognising the ongoing development of children and the resulting vulnerabilities with regards to criminal justice proceedings, from the investigation to the trial phase. It was considered key that all children in contact with the law, be it as offenders, witnesses or victims, benefit from **child-sensitive justice policies and treatment** and are guaranteed safeguards to avoid secondary victimization, trauma and violence. The **importance of prevention** of violence against children and child involvement in crime as well as their **participation in the responses** to these phenomena was stressed, with children and youth to be empowered to participate as agents of change in their own protection.

87. Speakers highlighted the existence of a **strong international legal framework for the protection of children** in the field of crime prevention and criminal justice in addition to UN norms and standards. This was not the case for youth, with notable **gaps identified, including in the United Nations youth agenda, and the lack of an international instrument on youth**. It was noted that the **Summit of the Future** must ensure justice systems do not forget future generations. Several speakers noted that **youth was not a clear category**, and that young people have developmental vulnerabilities that must be taken into consideration when investigating suspected offenses and during adjudication beyond the age of 18. Some speakers underlined that, anchored in neuroscience and brain development, which explains that full brain maturity is not reached until the age of 25, several international instruments, OHCHR and the World Congress on Justice With Children recommended an extension of the category of youth up to 25. It was reiterated that the **Beijing Rules** on the administration of juvenile justice also called for an **extension of the principles to young adult offenders**. It was noted that key principles for criminal justice systems when considering young people included being safe, respectful, valued, inclusive, voluntary, transparent, informative, accountable, supportive and advocative.

88. Speakers noted that there is **ample possibility to change the course for a young person** who is at risk of engaging in crime or becoming a victim. It was noted that, while adolescence was the most likely point when rules would be broken, even without interventions this tended to decline in later years, and therefore sometimes it was better for criminal justice institutions not to intervene. The importance of providing **psychosocial support and employment opportunities for young people in conflict with the law was stressed** in connection to multisectoral approaches to prevention of youth involvement in crime. Good practices mentioned included **one-stop centres** – child houses ensuring child-sensitive treatment for child victims, witnesses and child alleged offenders, and **restorative juvenile/child justice**. Many speakers underlined the importance of political will to reform juvenile justice systems and apply restorative justice approaches.

3. 2023 Thematic Discussions – Pillar III: Promoting the Rule of Law

(a) Opening session

89. In the opening of the intersessional meeting, **UNODC Executive Director Ms. Ghada Waly** underlined that the rule of law was an important foundation for human rights, justice, equality and prosperity, and that it empowered bold action that was needed to push for transformative change and accelerated the drive for the SDGs. She underlined that the “younger generations have an important role to play and an important message when it comes to upholding the rule of law, achieving justice, and rejecting corruption. They deserve to be heard, and we would do well to listen to them, to the benefit of everyone.”

90. H.E. **Antonio Manuel Revilla Lagdameo, Chair of the 68th session of the Commission on the Status of Women**, stressed the importance of upholding the commitment made in the Kyoto Declaration to mainstream a gender perspective into crime prevention and criminal justice to achieve sustainable development, and

commended that the Commission's work and its focus on women's access to justice and laws and policies related to the promotion of gender equality were essential for the achievement of the 2030 Agenda and the empowerment of all women and girls.

91. **Mr. Tomohito Yasui and Ms. Rethida Tek** represented the **participants in the ASEAN-Japan Special Youth Forum for Promoting the Rule of Law**, held in Tokyo on 5th and 6th July 2023, under the theme "Building Justice Literacy for Enhanced Access to Justice – the Key to the Rule of Law in the Digital Era". They highlighted the need to adapt justice systems to the development of technology, to engage youth in the development of law and to foster legal literacy among children by integrating legal education into the school curriculum. They informed the Commission about the recommendations of the Youth Forum and symbolically handed them over to the Commission.

(b) Access to justice and equal treatment before the law; access to legal aid; national sentencing policies

92. On 21 September 2023, the Commission discussed **access to justice and equal treatment before the law, access to legal aid, and national sentencing policies**.

93. The thematic session was initiated with **introductory presentations** by a representative of the Research and Trend Analysis Branch and a representative of the Crime Prevention and Criminal Justice Section of UNODC. The panel included experts from Brazil, Canada, Czechia, Namibia, Thailand, the Thailand Institute of Justice, and the International Legal Foundation. Experts from India and Peru also delivered presentations, as well as experts from the United Nations Expert Mechanism on the rights of Indigenous Peoples, the Council of Europe, the OECD, UN-WOMEN, the United Nations Working Group of Experts on People of African Descent, UNDP, IADB and the World Bank.

94. The representative of the UNODC Research and Trend Analysis Branch presented **research on the access to and reliance on the justice system** of victims of trafficking in persons and smuggled migrants. Trafficking victims, when seeking to exit exploitation, mainly relied on "self-rescue" (41%), rather than turning to law enforcement (28%) or other institutions. The detection of trafficking victims globally decreased during the pandemic. The representative of the UNODC Crime Prevention and Criminal Justice Section highlighted that access to justice had been high on Member States' political agenda throughout the year 2023 and outlined **key activities and initiatives by UNODC to support Member States** in their efforts to further equal access to justice for all, for example, in the areas of access to legal aid, human-rights based policing, oversight and accountability of the criminal justice system, victim-centred and trauma informed approaches, restorative justice, measures to address bias and discrimination in the criminal justice system and increasing access to justice for people facing marginalisation, as well victims of crimes motivated by bias and discrimination. She also stressed the importance of taking into account the background of individual potential offenders to avoid disproportionate sentencing.

95. Speakers underlined that **access to justice** was an individual target under SDG 16, and an enabler to achieve the entire 2030 Agenda. They urged all States to make enhanced efforts to achieve SDG 16 and to implement the Kyoto Declaration, a document that connected law, development, and human rights. Some speakers noted with satisfaction the adoption of resolution [A/78/227](#) on "Equal access to justice for all". The value of technical assistance, information sharing, and adhering to the United Nations standards and norms in crime prevention and criminal justice, such as the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) was emphasized as crucial for progress in the achievement of SDG 16, as was the important role of UNODC and its partners in supporting States in this regard.

96. Many speakers reported on **challenges** in ensuring people-centred and accessible justice. Although progress had been made, it was underlined that ensuring

tailored, sustainable, and well-funded justice services remained a challenge globally. Several speakers highlighted that increasing access to justice helped to enhance trust in the fairness of the justice system, and that it was a **multidisciplinary endeavour** that required the involvement of, inter alia, the education and health sectors. The need for partnerships, meaningful consultations and cooperation with communities and civil society organizations was underlined by many speakers. A number of speakers also highlighted the **need for disaggregated data and evidence-based approaches**. In this regard, a national justice needs survey in one country was presented, which made disaggregated data available and allowed, inter alia, to assess the needs of different gender and age groups in the justice system for future policy development.

97. Many speakers discussed the organization, funding and delivery of **legal aid in criminal justice systems as a means to enhance equal access to justice for all**. Many speakers reported on **practical measures** taken in their countries to improve access to legal aid. These included strengthening legal aid providers, including their accessibility throughout national territories, and the creation of a national justice fund to compensate complaints, lawyer fees, and victim protection services. Further, some speakers reported on hotline services and multilingual communication campaigns, contributing to improving access to justice especially in remote areas. It was noted that data indicated that increased access to legal aid contributed to reducing pre-trial detention. The importance of enabling access to legal aid from the first contact with the police was emphasized as a means to protect rights and prevent torture and corruption and ensure a victim-centred approach.

98. **Practical barriers that hindered the effective realization of the right to legal aid** included stigmatization of the poor and the need for simplified means tests to determine eligibility for free legal aid services. Institutional efforts to ensure access to legal aid included establishing legal aid centres and clinics offering free services. Some speakers also reported on their countries' efforts to tailor services to the languages and legal needs of foreigners, both as victims and offenders, demonstrating how inclusive legal reforms could benefit marginalized people, including "illegal migrants." Some speakers stated that legal aid services needed to be more tailored to the needs of and become more accessible for victims of crime. The importance of coordination between service providers and law enforcement was highlighted, particularly to ensure early access to services upon first contact with the police.

99. Some speakers highlighted the importance of **addressing access to justice and equal treatment before the law for diverse groups in society**, including, among others, women, children and youth, members of racial and minority groups, and persons with disabilities, and of including these groups to hear their experiences when tailoring approaches, while also promoting diversity within criminal justice professions. The disproportionate representation of specific groups in the criminal justice system was underlined, and a number of speakers shared examples of successful initiatives to address racial discrimination in the criminal justice system, including with regard to sentencing policies.

100. The importance of **mainstreaming gender** into promoting the access to justice, including the access to legal aid, was underlined by many speakers. The treatment of female victims was mentioned as an area of concern, and the need for gender-sensitive treatment throughout the justice process and for sensitization of criminal justice actors in that regard was highlighted. In particular in cases of gender-based violence, lack of gender-sensitive treatment could lead to re-victimization of women.

101. The potential of **new technologies to enhance access to justice** was recognized, with a strong emphasis on ensuring human rights compliance, due process safeguards and preventing digital disparities. The implementation of measures such as electronic case management systems, judicial processes automation, virtual hearings and video conferencing, as well as the use of technology to disseminate information about laws and judicial decisions was discussed. A number of speakers noted that the acceleration of technological transformation was notably catalysed by the challenges posed by the

pandemic, but that such technology had demonstrated its adaptability and potential in transforming the criminal justice landscape for the future.

102. As regards **national sentencing policies**, the importance of proportionality and of taking into account the background of each individual accused person was emphasized. An initiative on youth courts was shared, which showed how the elements of traditional justice practices could have a catalysing effect on the delivery of justice, rehabilitation of offenders, and the prevention of recidivism. Further, proportionality and equal treatment before the law were discussed in cases settled through plea-bargaining, and it was recommended that especially in countries in which this was a new mechanism, the legislator should establish clear policies and guidelines to ensure proportionate results.

(c) **Effective, accountable, impartial and inclusive institutions; Effective anti-corruption efforts; Social, educational and other measures**

103. On 22 September 2023, the Commission held discussions on **effective, accountable, impartial and inclusive institutions; effective anti-corruption efforts; and social, educational and other measures**.

104. **Introductory presentations** were delivered by representatives of the Research and Trend Analysis Branch, the Corruption and Economic Crime Branch and the Crime Prevention and Criminal Justice Section of UNODC. The expert panel included experts from Australia, Colombia, Japan, Romania, South Africa, ICCLR and the Alliance of NGOs on Crime Prevention and Criminal Justice (and UNCAC Coalition). Experts from Brazil, Thailand and the United States also made statements, as well as experts from the Council of Europe (Venice Commission, GRECO), IACA, OECD, OSCE, UNDP (Oslo Centre) and UNESCO.

105. The representative of the Research and Trend Analysis Branch provided an overview of **contemporary findings and progress in the measurement of bribery and other forms of corruption**, including the **Statistical Framework to Measure Corruption**, which was launched at the 10th session of the Conference of the States Parties to the United Nations Convention against Corruption (UNCAC) in December 2023.¹⁷ The representative from the Corruption and Economic Crime Branch highlighted that the **UNCAC** was the only legally binding international document addressing corruption and enjoyed nearly universal adherence. She informed the audience how UNODC as the guardian of UNCAC supported States parties in its implementation through gap analyses, the Implementation Review Mechanism, the development of knowledge and practical tools, capacity-building and thematic technical assistance on areas such as corruption in sports, the role of supreme audit institutions in preventing and countering corruption, and anti-corruption education. The representative of the Crime Prevention and Criminal Justice Section presented the Office's support to Member States in **strengthening their criminal justice institutions** to be human rights-based, evidence-based and informed by a principled use of technology.

106. A number of speakers referred to available data showing the **insufficient achievement at the global level of SDG 16**, in particular targets 16.4 (significantly reduce illicit financial flows) and 16.5 (substantially reduce corruption and bribery in all their forms). It was noted that, although in the last two decades many countries had enhanced efforts to quantify corruption and integrity, consistent and comparable data as well as evidence-based policy reforms were still limited. A number of speakers called upon States to strengthen their efforts to **improve data collection** on SDG 16. Several new tools were presented in this regard, including the Council of Europe's Rule of Law Checklist and a new generation of OECD Public Integrity Indicators.

107. It was noted that building **effective, accountable, impartial, and inclusive institutions** hinged on **promoting integrity** within government structures and judicial independence. Some speakers stressed the need for national anti-corruption

¹⁷ www.unodc.org/unodc/en/corruption/COSP/conference-of-the-states-parties.html.

strategies and strong, independent anti-corruption institutions with sufficient authority to collect evidence on corruption offences. A multi-sectoral center established to fast-track anti-corruption investigations in one country was presented. Many speakers underlined the need for **inter-agency cooperation** and **multi-disciplinary efforts** in addressing corruption. Further, a number of speakers called for a "**whole of society**" approach engaging different stakeholders such as businesses, civil society and faith-based organizations.

108. Several speakers called for **full implementation of UNCAC**. States were encouraged to publish their full implementation review reports and meaningful information on the follow-up to their country implementation reviews. Several speakers highlighted the importance of corruption prevention and secure environments and mechanisms for **reporting corruption**. A number of speakers encouraged a review of existing **whistleblower protection** legislation and measures to incentivize the reporting of corruption, in line with art. 33 UNCAC. A broad definition of whistleblower, as well as comprehensive protection measures both in the criminal process and in the professional and private lives of whistleblowers were recommended. It was noted that the establishment of trust and the provision of concrete, reliable assurances of protection were paramount for the willingness of whistleblowers to report corruption. Furthermore, the role of **investigative journalists** in exposing corruption and in following up on corruption investigations was underscored. The need to **strengthen public transparency laws** was also discussed, including the establishment of centralized public registries on beneficial ownership.

109. Many speakers underlined the **role of education** in the establishment of a **culture of legality, integrity, and resilience** within a society. Examples of anti-corruption education were shared and the importance of the institutionalisation of anti-corruption teaching was highlighted. Furthermore, many speakers emphasized that holistic, multi-disciplinary approaches for fighting crime and corruption were important. Approaches to improve **justice literacy**, aiming to develop a society well-versed in justice issues and empowered to collaboratively address challenges towards creating a more equitable environment, were shared. Some speakers showcased examples of the implementation of educational and cultural activities in prisons, such as providing vocational training, establishing prison libraries and furthering creative writing and artistic skill development, all of which contributed to reducing recidivism. Some speakers called upon States to address corruption in the education sector.

110. Recognizing young people as agents of change, a number of speakers also referred to the importance of investing in **youth education and engagement on crime and corruption prevention**. Some speakers referred to educational measures to equip young people with competencies, knowledge, skills and values to advocate for a culture of integrity and to prepare them to hold their governments accountable. A whole-of-society approach was highlighted as a key factor for success in addressing the challenges faced by youth and their communities, including through collaboration with civil society organizations, schools and other stakeholders.

111. Several speakers emphasized the importance of **international cooperation and asset recovery**, highlighting that corruption was not limited by national boundaries. Reference was made to cooperation forums and networks, such as the Global Operational Network of Anti-Corruption Law Enforcement Authorities (Globe Network), the joint UNODC-World Bank Stolen Asset Recovery (StAR) Initiative, the Africa Association of Anti-Corruption Authorities, the Commonwealth Anti-Corruption Training Centre, the G-7 meeting of Ministers of Justice and the G-7 anti-corruption task force for Ukraine, the Criminal Justice Forum of Criminal Justice Practitioners in Asia and the Pacific and the Council of Europe Venice Commission. Some speakers also shared information on the regional anti-corruption conventions and their respective implementation review mechanisms.

112. Referring to technical assistance in anti-corruption matters, a number of speakers underlined the importance of **multi-disciplinary and inter-agency**

approaches, for example, in addressing corruption as an enabler of organized crime. Some speakers also underlined the potential of cooperation of the Commission with other subsidiary bodies of ECOSOC such as the Statistical Commission, as well as the cooperation of UNODC with other international organizations such as the Financial Action Task Force and UNCTAD.

4. 2024 Thematic Discussions – Pillar IV: Promoting International Cooperation and Technical Assistance to Prevent and Address All Forms of Crimes

(a) Opening session

113. In the opening of the intersessional meeting, John Brandolino (Director of the Division for Treaty Affairs) delivered a statement on behalf of **UNODC Executive Director Ms Ghada Waly**. In that statement, the Executive Director stated that since the adoption of the Kyoto Declaration, new conflicts had emerged, along with new forms of organized crime and exploitation, the evolving threat of terrorism, cybercrime, and the need to pay greater attention to crimes that affect the environment and their role in exacerbating the triple planetary crisis of climate change, biodiversity loss and pollution. She also noted encouraging signs of progress, such as the new cybercrime text which was awaiting final adoption by the General Assembly, as well as updated standards and guidance on financial integrity, beneficial ownership and proceeds of crime, as well as new cooperation networks capacity-building tools. She also underlined that the thematic discussions had become an essential platform for dialogue and collaboration that continued to grow in relevance and provided opportunities to discuss new criminal trends that were not yet reflected in the Declaration but may need to be reflected in the outcome of the 15th Crime Congress.

(b) International cooperation, including through capacity-building and technical assistance; international cooperation to deprive criminals of their proceeds of crime

114. On 2 December 2024, the Commission discussed **international cooperation, including through capacity-building and technical assistance; and international cooperation to deprive criminals of their proceeds of crime**.

115. The thematic session was initiated with **introductory presentations** by a representative of the Organized Crime and Illicit Trafficking Branch and a representative of the Corruption and Economic Crime Branch of the Division for Treaty Affairs of UNODC. The panel included experts from Canada, Japan and Morocco, the Basel Institute on Governance and the Wildlife Conservation Society. Experts from OSCE, INTERPOL, the World Bank, FATF, the IMF and the United Nations Secretary-General's Special Advocate for Financial Health also delivered presentations.

116. The representative of the **UNODC Organized Crime and Illicit Trafficking Branch** made reference to the international instruments of which UNODC is the guardian, especially UNTOC and UNCAC, and their treaty bodies' work on international cooperation in criminal matters. He highlighted the role of UNTOC as a legal basis for international cooperation, also in combination with other existing regional and international instruments and underlined the importance of concluding and implementing agreements or arrangements to enhance international cooperation in criminal matters (paragraph 62 of the Kyoto Declaration). He also referred to the implementation of the international cooperation provisions of UNTOC, which would also be a substantial component of the work of the Implementation Review Mechanism of the Convention and its Protocols in the coming years. He further emphasized the strengthened recommendations by FATF for confiscation and recovery of stolen assets related to 21 categories of designated offences for money laundering and the financing of terrorism and enhanced standards related to beneficial ownership transparency.

117. The representative of the **UNODC Corruption and Economic Crime Branch** highlighted the need to identify internal and external gaps and threats and strengthen capacities of law enforcement and criminal justice authorities in the detection and disruption of criminal networks. He made reference to the GlobE network, a global community of practitioners from 215 institutions dedicated to countering corruption and facilitating transnational cooperation in corruption cases. Further, he underlined the problems caused by the use of cryptocurrency and artificial intelligence in investigating and countering crime, and called for a non-biased, evidence-based approach to international cooperation.

118. Many speakers reported on their extradition and mutual legal assistance **frameworks**, including multilateral and bilateral treaties, national legislation on international cooperation in criminal matters as well as national legal frameworks for the seizure, freezing, confiscation and final disposal of assets. Some referred to the **dual criminality** requirement and called for more flexibility in determining its fulfilment in conformity with a conduct-based assessment, beyond the legal denomination of the offences involved. The example of illicit enrichment, which was criminalized in a number of jurisdictions but not in others, was mentioned to highlight this challenge. Among the **measures taken to enhance international cooperation**, some speakers mentioned the placement of liaison officials and the establishment of joint investigative teams, as well as the need for training and standard operating procedures in this regard.

119. Three particular factors were mentioned as **catalysts for the efficient work of central authorities**: firstly, channels and established processes for effective communication and direct consultations among central and other competent authorities at different stages of international cooperation; secondly, a more strategic use of scarce resources available to central authorities; and thirdly, the need to constantly update guidance on how to seek assistance. Some speakers underlined that central authorities should use their expertise and experience, as well as their multiple roles and functions, to act as gatekeepers to guarantee the quality of outgoing requests.

120. A number of speakers encouraged the **prioritization of requests** by central authorities, as a way to rationally use resources and time needed to execute requests. It was mentioned that even in countries that applied the legality principle, the option to refrain from the execution of requests of de minimis nature could be used.

121. Some speakers called upon central authorities to use the **existing tools** prepared by UNODC **to ensure the quality of outgoing requests**, including the MLA Request Writer Tool, the revised Model Law on MLA (2022), the Manual on MLA and Extradition, the SHERLOC platform, the Electronic Evidence Hub, the Electronic Evidence Fiches and the Digest of cases of international cooperation involving UNTOC as a legal basis for such cooperation, as well as the StAR asset recovery guides. Further important sources of information included the country reports generated by the UNCAC Implementation Review Mechanisms and the FATF mutual evaluations.

122. Many speakers called for further **strengthening capacity-building initiatives for investigative bodies and central authorities**. It was mentioned that one priority for technical assistance in this area was to enhance not only the institutional capacities of relevant authorities, but also the personal skills of officers and practitioners involved in international cooperation. Therefore, as noted by a number of speakers, it was important to engage relevant experts in international meetings and facilitate contacts with practitioners from other jurisdictions. It was also recommended to include management and executive skills, beyond just technical expertise, in training curricula on international cooperation. The collective efforts by, and synergies between, the United Nations, the World Bank, the IMF and FATF on capacity-building were welcomed.

123. Many speakers recommended to use of **informal cooperation channels** before resorting to formal mutual legal assistance. They reported on their engagement in

different operational networks such as the South-East Asia Justice Network (SEAJust) and information-sharing platforms such as Criminal Justice Forum for Asia and the Pacific (Crim-AP). The multiple databases operated by INTERPOL were also mentioned as an important tool to search for operational information. Apart from the exchange of information on operational cases and case coordination and services such as translation and interpretation, cooperation networks had an important role in the sharing of knowledge and good practices in drafting mutual legal assistance requests and processing incoming requests. A number of forums for the exchange of information, trends and experience were also mentioned, including, among others, the OSCE Border Commanders Forum and the work of the Eurasian Group.

124. A number of speakers reported on specific **challenges in the field of asset recovery**, including the use of shell companies that create difficulties to connect illicit assets with suspects; the inability to link assets to crime, especially in cases of kleptocratic regimes involved; and the lack of parallel investigations. It was recommended that requesting States develop a comprehensive case strategy considering also civil, tax and administrative aspects; set up a dedicated agency to investigate and prosecute foreign corruption and identify assets; and establish a domestic task force to coordinate all parts of a given case. Some speakers called for more enhanced and specific regulation of the activities of trust and company service providers (TCSPs); an enhanced integration of the private sector into anti money-laundering efforts; as well as the alignment of goals between financial inclusion, financial health, and law enforcement communities to ensure inclusive financial systems that also strengthen AML efforts. One speaker informed the audience that the Interpol Silver Notice was about to be launched in 2025 as a new tool to improve international cooperation mechanisms on tracing and recovering criminal assets.

125. Some speakers stated that the **knowledge and experience gathered on asset recovery** under UNCAC could also be used for criminal assets derived from other offences. Some speakers praised the advantages of non-conviction-based confiscation and confiscation of equivalent value. Good practices for agreements on the return of criminal assets in cases of alternative legal mechanisms and non-trial resolution, including settlements, were also discussed. From an institutional perspective, a proposal suggested as a good practice was the setting-up of agencies within MoJ or police forces for investigation of foreign corruption cases and for identification of assets. With regard to agreements or mutually acceptable arrangements for the return and final disposal of assets under article 57 of UNCAC, it was highlighted that returned funds should serve as a catalyst of development, the principle of unconditional return must be upheld.

126. The importance of streamlining the topic of **electronic evidence** in the field of international cooperation was stressed by some speakers. They reported on the challenges encountered by central authorities due to the increasing number of requests involving electronic evidence and respective capacity building needs, as well as efforts by regional networks to address pertinent challenges.

127. A number of speakers referred to challenges in the investigation of cases involving **crypto assets**, including the lack of investigative capacity in national investigative authorities; complex challenges in tracking crypto assets including their transformation into real assets; or knowledge gaps on the volume and location of crypto assets. The need to avoid disruptions in the legal use of crypto assets was also underlined. It was mentioned that the Working Group on International Cooperation of the Conference of the Parties to UNTOC planned to discuss the freezing and seizure of crypto assets in 2025. Many speakers expressed the need for further technical assistance for central authorities in this regard and welcomed cooperation between different organizations on these issues.

128. Some speakers called for further research into the criminal use of **artificial intelligence**, and to the challenges in regulating it. The experimental use of artificial intelligence for the detection of criminal conducts, especially economic and financial crime, was also mentioned. Reference was also made to RES/A/78/265 entitled

“Seizing the opportunities of safe, secure and trustworthy artificial intelligence systems for sustainable development”.

129. The significance of law enforcement cooperation and border management to combat specific types of crimes that affect the environment was highlighted, and the importance of training was mentioned in this field.

(c) **Terrorism in all its forms and manifestations**

130. On 3 December 2024, the Commission held discussions on **Terrorism in all its forms and manifestations**.

131. **Introductory presentations** were delivered by the Chief of the Terrorism Prevention Branch and a representative of the Research and Analysis Branch/Regional Office for West and Central Africa of UNODC. The **panel** included experts from Morocco, Sweden, the ICCLR and Victim Support Europe. **Experts** from the World Bank, UNOCT, UNCTED and the United Nations Analytical Support and Sanctions Monitoring Team also made presentations.

132. The **Chief of the UNODC Terrorism Prevention Branch** stated that terrorist threats continued to grow and evolve in a climate of instability and conflict, with groups becoming more and more trans-national and interconnected. Terrorist groups increasingly mastered emerging technologies, including cryptocurrency for funding and artificial intelligence and virtual spaces for propaganda. Further, the convergence between terrorist and transnational criminal networks continued to evolve, creating complex hybrid threats particularly in the area of terrorism financing. To address these threats, he called for whole-of-society approaches, strengthened international cooperation and an increased focus on detecting and disrupting financing networks, while firmly grounding all responses in human rights. In the context of the broad range of technical assistance offered by UNODC, he mentioned that UNODC was launching a multi-year flagship project (CONNECT) to address the links between organized crime and terrorism in Western Africa and the Sahel.

133. The representative of the **UNODC Research and Analysis Branch/Regional Office for West and Central Africa** presented the results of the recent UNODC publication “Impact of Transnational Organized Crime on Stability and Development in the Sahel”, which contains six illicit market reports and a transversal report on the impact of organized crime in the Sahel on SDGs. He described how organized crime fuelled conflict and undermined State legitimacy, either by direct involvement of armed groups in organized crime or by competition among armed groups for trafficking routes. He called for increased support to be provided to Member States in the production, collection and analysis of reliable data on drugs and crime. Further, he cautioned against a sole focus on the nexus between organized crime and terrorism and instead advocated for stability efforts in the Sahel that would aim at combatting transnational organized crime in and for itself, including by addressing the demand and supply of criminal good and services. States were encouraged to strengthen their capacity to detect, investigate and prosecute large trafficking cases and strengthen police and judicial cooperation to effectively disrupt networks across borders.

134. Many speakers shared the observation that **ties between transnational organized criminal groups and armed terrorist organizations** were deepening, and that this created complex hybrid threats that blurred the lines between terrorism and organized crime. These alliances exploited established money-laundering and criminal financing networks, smuggling routes and trafficking operations, including for arms trafficking. The linkages did not only serve to finance terrorism, but also helped armed groups to position themselves as essential service providers.

135. Many speakers referred to recent trends in the **financing of terrorism**. It was emphasized that countries at the lower scale of terrorism risk could still present a high risk of terrorism financing, and that the understanding of such risks was key for efficiently addressing terrorism financing. A number of speakers called upon States to strengthen their regulatory frameworks, including for bringing them into

compliance with the FATF standards, while minimizing unintended consequences. Some speakers also called for increased data collection on the financing of terrorism. Increased cooperation between financial intelligence units and improved monitoring of virtual asset service providers, as well as partnerships with the private sector were also recommended.

136. The importance of **international cooperation** in criminal matters was highlighted by many speakers, as well as the informal exchange of information between law enforcement and financial intelligence units. The benefit of the adherence to and full implementation of the 19 international legal instruments against terrorism was underlined, including for expediting mutual legal assistance and for the flexible application of dual criminality requirements. The 19 international instruments were also highlighted with regard to cases addressing the cross-border movement of foreign terrorist fighters. Additionally, in light of the growing nexus between terrorism and organized crime and the variety and complexity of motivations for criminal conduct, it was also discussed how the application of UNTOC could be considered in appropriate cases.

137. Several speakers observed that terrorist groups were increasingly using **emerging technologies**. For example, cryptocurrencies were used for financing of terrorism; and social media, gaming platforms, and encrypted virtual spaces were exploited to spread disinformation, radicalize and recruit people, including children. Some speakers also referred to the misuse of artificial intelligence for terrorist purposes. Against this backdrop, many speakers encouraged new forms of disruption and called upon States to provide law enforcement with appropriate equipment and authorization to use a wide range of technological tools to address such trends. Further, a number of speakers called for measures such as enhanced international cooperation through cross-border sharing of digital evidence; the protection of strategic infrastructures from cyber-attacks; the targeted disruption of virtual communications used for radicalization; and the effective use of the new convention on cybercrime.

138. A number of speakers reported on **national efforts** undertaken in their countries to criminalize all acts of terrorism, strengthen legislation against money-laundering and the financing of terrorism as well as legislation on the seizure, freezing and confiscation of proceeds and instrumentalities of crime. They also described their efforts to strengthen domestic law enforcement and interagency cooperation and to conduct national risk assessments. Speakers highlighted the importance of **whole-of-society and whole-of-government approaches** to prevent and counter terrorism, including the active participation of civil society, women, youth, and local communities in creating solutions that address root causes of violent extremism.

139. Many speakers underlined that the respect for **human rights**, fundamental freedoms and the rule of law were complementary and mutually reinforcing with effective counter-terrorism measures. Some speakers also described their countries' efforts to provide **support for victims** of terrorism, with a view to providing them with respect and recognition as well as with protection, support, access to justice, compensation, and restoration.

140. A number of speakers called for increased tailor-made **technical assistance**, including for long-term capacity-building, and reported on projects in which their countries participated as technical assistance providers or recipients. Some speakers expressed appreciation for the work on terrorism prevention undertaken by UNODC. They expressed satisfaction with the synergies developed between different parts of UNODC and encouraged the Organization to further strengthen such synergies. Some speakers expressed support to the newly developed UNODC initiative CONNECT, in particular its base on evidence and data and the tailor-making of the initiative to specific regional and Member States' needs.

(d) New, emerging and evolving forms of crime

141. On 4 December 2024, the Commission held discussions on **new, emerging and evolving forms of crime**.

142. **Introductory presentations** were made by representatives of the Research and Analysis Branch and the Organized Crime and Illicit Trafficking Branch of UNODC. The **panel** included experts from Colombia, Iran, Sudan, the United States of America, UNAFRI and the Global Initiative to End Wildlife Crime. **Experts** from INTERPOL, EUROPOL, UNEP, FAO, OSCE, CTED and UNOCT also made presentations.

143. The representative of the **UNODC Research and Analysis Branch** presented recent research results from the Global Report on Trafficking in Persons, the Observatory on Smuggling of Migrants, the Global Analysis on Crimes that Affect the Environment (Part 1: The landscape of criminalization) and the World Wildlife Crime Reports. Such research presented, inter alia, information on difficulties in targeting high-level actors and financial flows in migrant smuggling cases, as well as on the drivers of smuggling of migrants (impunity, corruption, insecurity and the absence of legal migration alternatives). It also showed that behaviours that affected the environment such as illegal fishing or logging and water, soil and air pollution were in many countries not established as serious crimes, which hampered international cooperation. Research also suggested that multifaceted interventions targeting demand and supply and the illicit economies of broader sectors were generally more successful than efforts to protect specific species.

144. The representative of the **UNODC Organized Crime and Illicit Trafficking Branch** made reference to UNTOC/COP resolution 12/2, in which the Conference called on States parties to, inter alia, recognize fraud as a serious crime, collect data and evidence, and strengthen the cooperation across sectors, including with the private sector. In the recent issue paper on organized fraud, UNODC developed a typology of organized fraud, including fraud regarding consumer products and services, employment, consumer investment, impersonation of a trusted individual or organization, identity, relationship or trust as well as fraud against businesses or organizations. Strategic pillars in addressing organized fraud were (1) prevention, including the prevention of recruitment of persons for committing fraud; (2) pursuing organized criminal groups behind organized fraud, which required appropriate legislation and specialized capacity of law enforcement; (3) the protection of affected persons; and (4) partnerships and cooperation, including with the private sector.

145. Many speakers expressed concern about the rise of **crimes that affect the environment** and called for comprehensive measures, from prevention throughout the criminal process to the restoration of the affected nature. Some speakers expressed the expectation that crimes that affect the environment would be continuously discussed in the context of the Commission and the 15th United Nations Crime Congress. Many speakers mentioned the interface between international environmental and criminal law. Specific challenges in the field of maritime crime were also discussed, for example, in defining the jurisdiction in cases of maritime pollution, or in reconciling UNTOC criteria with UNCLOS, in particular art 73 entitled “Enforcement of laws and regulations of the coastal State”. Speakers also mentioned linkages between crime that affect the environment and trafficking in persons for purposes of forced labor. Some speakers particularly highlighted the impact of illicit trafficking in hazardous waste on developing countries.

146. A number of speakers noted gaps in the existing **legal framework or its enforcement on crimes that affect the environment**. Some speakers highlighted that crimes that affect the environment were in many States not criminalized as serious crimes, and mentioned CCPCJ resolution 31/1 and UNTOC/COP resolutions 10/6, 11/3 and 12/4 in this regard. It was noted that large-scale corruption and organized crime in relation to crimes that affected the environment should receive more attention in respective investigations. Some speakers also expressed the need for evidence-based strategies for the **prevention** of crimes that affect the environment, including through the collection and analysis of data on such crimes.

Partnerships with civil society, indigenous communities and the private sector were recommended, and the importance of protecting indigenous communities and environmental human rights defenders was also highlighted.

147. A number of speakers observed existing gaps in the current international framework on **wildlife trafficking**. Differences in legislative approaches and sanctioning led to obstacles with regard to international cooperation, including extradition and mutual legal assistance, in particular the dual criminality requirement. Increased consistency in national approaches, including through harmonization of penalties and sanctions, and the introduction of a common definition for wildlife trafficking offenses were mentioned as possible measures to address these challenges.

148. Some speakers pointed to the risk of **falsified medicines**, including those generated by artificial intelligence, and encouraged to strengthen international cooperation in this regard, including the existing cooperation between UNODC and WHO.

149. It was noted that in some States drug trafficking networks had diversified their operations and increasingly engaged in **smuggling of commercial goods**. It was reported that some police agencies had strengthened their cooperation with national customs authorities to address this crime and its intersections with other illicit activities, such as trade-based money laundering, arms trafficking, drug trafficking, and terrorism.

150. Some speakers expressed concern about an observed increase in **hate crime**, including online hate speech. Research undertaken by OCSE showed that violent attacks on people, threats, and attacks against property were reported in different prevalence depending on the bias motivation (racist and xenophobic, anti-semitic, anti-christian, anti-muslim, gender-based, disability, etc). Most offences were committed by perpetrators who acted alone, while organized hate groups existed but played a minor role. While in recent years attention to hate crime had grown, the respective criminal law provisions were still applied inconsistently. Some speakers mentioned that victim-based perception recording and training on bias indicators for law enforcement actors could help them in recording hate crime correctly.

151. Many speakers acknowledged that **fraud** constituted a growing and evolving form of crime, committed by organized crime groups against large numbers of victims and facilitated by the high digitalization of modern societies. Common forms of fraud included phishing, romance scams, business email compromise and investment fraud. It was emphasized that an important aspect of investigating organized fraud was the location, identification and deactivation of the respective IT infrastructure. The INTERPOL Global Rapid Intervention of Payments mechanism (I-GRIP) was presented, which allowed to revert fraudulent payments. A number of speakers reported on prevention measures against fraud, in particular message campaigns that aimed at raising the awareness of potential victims. Linkages between fraud and other forms of crime were mentioned by many panelists and speakers, including smuggling of commercial goods, trafficking in persons, cybercrime and money-laundering. Some speakers expressed the expectation that the new convention on cybercrime could also strengthen international cooperation in addressing online fraud.

152. Many speakers expressed appreciation for the recently negotiated **cybercrime convention**. While acknowledging that diverging views were held during the negotiations, many speakers called the outcome of the negotiations promising, highlighting that the Convention constituted a legal basis for international cooperation and in particular the sharing of electronic evidence. It was also underlined that the new Convention provided a framework for strengthened technical assistance and capacity-building.

153. In their statements on **crimes committed by means of information and communications technology systems**, many speakers emphasized the need for urgent action to criminalize, investigate and prosecute offences related to online child sexual abuse and child sexual exploitation material. Some speakers also mentioned

the surge of “cybercrime-as-a-service” and “phishing-as-a-service” actors that made the commission of fraud or other crimes more accessible for perpetrators without specialized expertise.

154. The use of **artificial intelligence** by criminals was addressed by many speakers. Among other examples, it was reported that artificial intelligence was used to generate counterfeit goods, fake trademarks or, as already mentioned, falsified medicines. Terrorist organizations and their supporters made use of large language models, generative AI programmes, and AI-driven chatbots to produce, translate, and disseminate terrorist propaganda, support terrorism training and attack planning, adapt and produce weapons, and raise funds.

155. Many speakers encouraged the **use of new technologies by law enforcement to counter crime and terrorism**. Some speakers highlighted that technological advancements did not only constitute an advantage but also a vulnerability of organized criminal groups, which could be better exploited by law enforcement. A number of speakers mentioned challenges for the use of new technologies by law enforcement, including a lack of legislation, resources and training. Many speakers also underlined the importance of digital forensics and the need to build capacity in this regard. The importance of human rights safeguards in the use of technology by law enforcement and of oversight and transparency mechanisms was also highlighted. Some speakers also reported on promising experiences with the use of artificial intelligence in the detection of intellectual property violations.

156. A number of cross-cutting issues on new, emerging and evolving crimes became evident during the discussion:

- Many speakers observed a trend to poly-criminality. For example, illegal fishing, illegal mining or organized fraud were facilitated by trafficking in persons for forced labor, trafficking in small arms and light weapons or other forms of organized crime.
- Many speakers mentioned combating financial crime as a key tool to combat all new, emerging and evolving forms of crime.
- Many speakers stated that the development of specialized capacities by law enforcement agencies would be required to successfully address new, emerging and evolving crime. Strengthened technical assistance and international cooperation in this regard were considered necessary.
- Many speakers called for strengthened international cooperation in criminal matters. Coming back to the discussion on prioritizing mutual legal assistance requests (see above thematic session 1), some speakers encouraged central authorities to prioritize requests relating to emerging crimes despite the sometimes small amounts involved in individual cases, as they could help in disrupting organized criminal groups. On the other hand, the sheer volume especially of fraud cases made mutual legal assistance challenging and called for a strengthening of informal cooperation mechanisms.
- A recurring theme was that new, emerging and evolving crimes were in many States not or not yet established as serious crimes as defined in UNTOC. Some speakers welcomed the flexibility provided by UNTOC and its definition of serious crime that could easily be applied to new and emerging crimes.
- Many speakers underlined the need to adopt whole of society approach to preventing and combating all new, emerging and evolving forms of crime. This included strengthened domestic collaboration between public entities but also strong public-private partnerships and cooperation with civil society, youth and communities.

III. Examples for innovative elements emerging from the thematic discussions

157. With the four thematic discussions of the Commission on Crime Prevention and Criminal Justice on the implementation of the Kyoto Declaration, held from 2021 to 2024, the Commission has concluded its workplan for the follow-up of the Kyoto Declaration. The thematic discussions have provided a valuable platform for Member States, international organizations, Programme Network Institutes and civil society to exchange perspectives, good practices and innovative approaches in advancing crime prevention and criminal justice systems, and in promoting the rule of law, international cooperation and technical assistance. They showed the comprehensive and action-oriented nature of the Kyoto Declaration. At the same time, they have been a forum for identifying emerging crime trends and new challenges, as well as innovative solutions.

158. The insights garnered from the CCPCJ thematic discussions also serve as a foundation for the preparatory processes of the upcoming 15th Crime Congress to be held in Abu Dhabi in 2026. By fostering inclusive and collaborative exchanges, the thematic discussions have enriched the global discourse, laying the groundwork for actionable strategies that address emerging and evolving crime trends while promoting sustainable development and the rule of law.

159. Member States may wish to consider on their path towards the Declaration of the 15th Congress in Abu Dhabi also those new trends and practices that had not yet been reflected in the Kyoto Declaration and have since then been reflected during the thematic discussions. The following is a non-exhaustive, illustrative list of examples of innovative and novel topics emerged from the Chairs' summaries of the thematic discussions.

160. With regard to agenda item 1 of the 15th Congress, “**Advancing innovative and evidence-based crime prevention strategies towards social, economic and environmental development**”, the thematic discussions showed, inter alia, the following trends:

- Progress has been made since 2021 in the development of methodological tools to measure specific aspects such as illicit financial flows, progress against the Sustainable Development Goals and other topics (2021).
- Innovative, multi-disciplinary and participatory approaches to data collection and analysis were presented, as well as techniques to collecting and visualizing geo-referenced data and examples of creating safe public spaces (2021).
- Participants in the thematic discussions discussed new insights into root causes and consequences of violence, including online or cyber violence, against women and girls (2021, 2022).
- Based on lessons learnt from crime prevention programmes, success factors were identified for youth engagement in crime and violence prevention, including multi-sector setups, attention to the needs of girls and opportunities for youth to be heard, particularly youth from vulnerable groups (2021).

161. Agenda item 2 of the 15th Congress reads “**Promoting people-centered, inclusive and responsive criminal justice systems in a world of continuous change**”. A number of novel aspects on enhancing criminal justice systems were raised during the thematic discussions:

- The protection of prisoners against natural disasters and other challenges exacerbated by climate change was mentioned as an important emerging challenge, and increased attention was placed on prison planning and architecture to ensure that they met the needs of prisoners including for visits, rehabilitative activities and specific types of populations including elderly prisoners (2022).
- The protection of children from recruitment and exploitation by criminal and armed groups, including terrorist groups, although already mentioned in the Kyoto Declaration, received increased attention during the thematic discussions,

including approaches for the reintegration, rehabilitation and child-sensitive justice in this regard (2021, 2022).

- Gaps were identified in the international legal framework on youth in United Nations standards and norms (2022). Youth empowerment, education and engagement in crime prevention and criminal justice issues were recurrent themes showing the increased attention on this topic (2021, 2022, 2023).

162. Item 3 of the 15th Congress, “**Addressing and countering crime - including organized crime and terrorism in all its forms and manifestations - in new, emerging and evolving forms**”, could benefit from the following new aspects underlined in the thematic discussions:

- Many speakers expressed concern about the rise of crimes that affect the environment and expressed the expectation that they would be continuously discussed in the context of the Commission and the 15th Crime Congress. They noted gaps in the relevant legal framework or its enforcement and expressed the need for evidence-based prevention strategies (2024).
- Many speakers acknowledged that fraud constituted a growing and evolving form of crime, committed by organized crime groups against large numbers of victims and facilitated by the high digitalization of modern societies. Fraud was considered to have linkages to other forms of crime including smuggling of commercial goods, trafficking in persons, cybercrime and money-laundering (2024).
- The challenges posed by the use of crypto currency and blockchain technology was mentioned in various thematic discussions, including the lack of investigative capacity in national investigative authorities, complex challenges in tracking crypto assets, and knowledge gaps on the volume and location of crypto assets (2021, 2024).
- Further research was recommended into the criminal use of artificial intelligence, and the challenges in regulating it. Examples included the use of large language models, generative AI programmes and AI-driven chatbots to produce, translate, and disseminate terrorist propaganda, support terrorism training and attack planning, adapt and produce weapons, and raise funds. AI is also used to generate counterfeit goods, fake trademarks and falsified medicines (2024).
- With a view to making the work of central authorities for international cooperation more efficient, the prioritization of requests as a way to rationally use resources and time needed to execute requests was discussed (2024). The pre-confiscation sale and disposal of seized assets with and without the owner’s consent as well as social re-use of confiscated assets were discussed (2021). In asset recovery cases, it was recommended that requesting States developed comprehensive case strategies considering civil, tax and administrative aspects (2024).

163. With a view to enriching discussions on agenda item 4, “**Working better together to elevate cooperation and partnerships, including technical and material assistance and training, - at the national, regional and international levels - in crime prevention and criminal justice**”, the following may be considered:

- A number of speakers referred to available data showing insufficient achievement at the global level of SDG 16, in particular targets 16.4 (significantly reduce illicit financial flows), and 16.5 (substantially reduce corruption and bribery in all their forms) (2023).
- Throughout the thematic discussions, speakers referred to a broad range of innovative forms of technical assistance, partnerships and international forums to further crime prevention and criminal justice (2021-2024).

- The importance of streamlining the topic of electronic evidence in the field of international cooperation was stressed (2024). Also, the potential of new technologies to enhance access to justice was recognized, with a strong emphasis on ensuring human rights compliance, due process safeguards and preventing digital disparities. The implementation of measures such as electronic case management systems, judicial processes automation, virtual hearings and video conferencing, as well as the use of technology to disseminate information about laws and judicial decisions was discussed (2023). The importance of digital forensics and the need to build capacity in this regard was also highlighted (2024).
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