



# General Assembly

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## Asia and Pacific Regional Preparatory Meeting for the Fifteenth United Nations Congress on Crime Prevention and Criminal Justice

Bangkok, 21–23 January 2025

### Draft report

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#### Addendum

## II. Recommendations (*continued*)

### B. Substantive items and workshops – Agenda item 5 (b)

1. An introductory presentation was delivered by a representative of the Secretariat. Statements were made by the representatives of Kazakhstan, Australia, Thailand, Indonesia, Russian Federation, Singapore and Japan. A statement was also made by the observers for the Global Alliance Against Traffic in Women (GAATW).
2. **Promoting people-centred, inclusive and responsive criminal justice systems in a world of continuous change (agenda item 4); and ensuring equal access to justice for all: towards safe and secure societies while respecting the rule of law (workshop 2)**

#### Summary of deliberations

2. Speakers emphasized the importance of a people-centred, inclusive, and responsive criminal justice system that ensures access to justice for all, particularly vulnerable groups, and marginalized communities, with specific mention of the importance of intersectional approaches to ensure access to justice for women, children, persons with disabilities, women migrants, and persons from diverse cultural backgrounds.
3. Access to justice and gender inclusivity for all was noted as an important component of the rule of law, and as part of a fair criminal justice system in which the rights of all speakers are respected.
4. The importance of partnerships, meaningful consultations and cooperation with communities and civil society organizations was highlighted, with discussion of the need for opportunities for the voices of individuals with lived experience of crime to be heard.



5. Some speakers shared practical strategies to promote access to justice for all, including aligning criminal justice policies at the national level with international legal instruments and emphasizing the language of the Kyoto Declaration.
6. Speakers emphasized the importance of ensuring strong, transparent, effective and accountable justice institutions. These discussions included attention to the importance of the independence of the judiciary, and the delineation of the separate criminal justice functions of policing and prosecution and the judiciary.
7. Many speakers highlighted efforts and progress made at the national level in strengthening the objectivity and fairness of criminal justice processes, including judicial rulings, with attention to non-discrimination and safeguards for procedural rights in adherence to principles such as the presumption of innocence, the right to defence and equality of arms.
8. Speakers discussed specific procedural safeguards to uphold children's rights criminal justice settings. Examples included video recording of interviews with children to prevent the need for duplicate statements.
9. Speakers identified the importance of the responsible use of technology in the criminal justice system for the purposes of modernizing criminal justice processes, reducing procedural delays, and ensuring efficiencies. Examples included the electronic submission of documents, the digitalization of case files (with appropriate data protection safeguards) and the use of remote hearings.
10. The digitalization of records was also discussed as a means of ensuring the auditability of criminal justice records, preventing falsification of documentation and providing a record for the purposes of accountability as part of an approach to eliminate corruption within the criminal justice sector.
11. It was noted that the timing of the regional preparatory discussions for the 15th Crime Congress coincide with the 15-year anniversary of the Bangkok Rules,<sup>1</sup> and the 10-year anniversary of the Nelson Mandela Rules,<sup>2</sup> and that these milestones highlight the importance of addressing discrimination and ensuring gender-responsive treatment in criminal justice systems. The continued relevance and unique standing of the applicable United Nations standards and norms on crime prevention and criminal justice was reiterated, and the current multilateral process for the development of the Model Strategies for Reducing Reoffending was noted.
12. The importance of technical assistance, as well as the international exchange of experiences and promising practices was reiterated, and support was expressed for the work of UNODC in support of police reform.
13. Many speakers underlined the need for initiatives in support of rehabilitation and reintegration of offenders.
14. Diversionary measures were also discussed, with several speakers highlighting the role for restorative justice for adults and children, underpinned by national guidelines, standard operating procedures, and training, to promote a harmonized approach and a shared understanding about the role of restorative justice as part of a people-centred justice approach.
15. Several speakers highlighted the importance of free legal aid as a mechanism for promoting access to justice for all. Some speakers spoke of national initiatives to strengthen legal aid, including the establishment of a strong partnership between government, the legal sector, and civil society, to deliver legal services to help ensure the effectiveness and sustainability of the access to justice ecosystem.
16. The importance of legal protection for victims and witnesses of crime was also discussed. Initiatives at the national level to advance access to justice for victims

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<sup>1</sup> 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.

<sup>2</sup> United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), General Assembly resolution 70/175, annex, Rule 3.

include the establishment of dedicated services for women and children within the police, enhanced procedural protections for victims of sexual offences and child sexual abuse offences, facilitating the involvement of victims in criminal trials and establishing mechanisms by which victims' voices may be heard, and implementing procedures to allow victims to be isolated from the defendant while attending court.

#### **Outcome of deliberations**

17. The following recommendations, which were not negotiated by the participants, were identified:

(a) Establish a specialized global programme within the United Nations framework, supported by a sustainable financial mechanism, to provide resources for implementing the Bangkok Rules at country level;

(b) Protect and advance the language on gender equality and the rights of women and girls, with consideration that the agreed language in the Kyoto Declaration be replicated in the Abu Dhabi Declaration;

(c) Enhance criminal justice processes by engaging and empowering persons with lived experience of crime, including trafficking in persons;

(d) Increase advocacy for the right to privacy for persons with disability and ensure their rights are upheld in the justice system;

(e) In the interests of promoting the rehabilitation and reintegration of accused persons, consider early release and lighter sentencing;

(f) To modernize, reduce costs, and promote reasonable time frames for legal proceedings, make wider use of information technologies in legal proceedings, and provide relevant parties with electronic access to case records, subject to appropriate data protection safeguards and electronic signatures;

(g) To ensure institutional effectiveness and promote constant review and improvements in the criminal justice system, establish mechanisms for the close monitoring of the effectiveness of criminal justice policies and measures in delivering access to justice for all;

(h) Develop guidelines to promote coordination and a harmonized understanding and implementation of restorative justice across institutions in support of the just adjudication of cases in accordance with restorative justice principles.

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