



Contribution by the Chair of the Commission on Crime Prevention and Criminal Justice to the High Level Political Forum on Sustainable Development

2019 Theme: “Empowering people and ensuring inclusiveness and equality”

I. Introduction

This contribution is submitted by **H.E. Ambassador Alena Kupchyna (Belarus) the Chair of the Commission on Crime Prevention and Criminal Justice (CCPCJ) at its 28th session**, in response to a letter from the President of the Economic and Social Council of 26 November 2018, inviting the Commission to provide an input to the 2019 High-level Political Forum on Sustainable Development, which will meet under the auspices of ECOSOC at the UN headquarters in New York from 9 to 18 July 2019, on the theme “Empowering people and ensuring inclusiveness and equality”. The Forum will also review the following sustainable development goals (SDGs): SDG 4 (Quality education), 8 (Decent work and economic growth), 10 (Reduced inequalities), 13 (Climate change), and 16 (Peaceful societies, justice and strong institutions) along with SDG 17 on Global Partnerships.

Sustainable Development Goal 16 on “Promoting peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels” is of particular relevance to the work of the CCPCJ. Most targets of the Goal are directly linked to topics under the purview of the Commission, from addressing violence against women and children, to the rule of law and justice for all, the reduction of illicit financial and arms flows, derived from criminal activity, fighting corruption and terrorism as well as supporting good governance.

The CCPCJ has in 2018 adopted a resolution on “Enhancing the role of the Commission on Crime Prevention and Criminal Justice in contributing to the implementation of the 2030 Agenda for Sustainable Development” (adopted by the General Assembly (GA) as A/RES/73/183) referencing the importance of SDG 16 to the work of the CCPCJ and outlining efforts to support its implementation by

Member States. It also prepared for the adoption of the General Assembly the resolution on “The rule of law, crime prevention and criminal justice in the context of the Sustainable Development Goals”, which the Assembly adopted as A/RES/73/185. Both resolutions contain elements of relevance to this year’s theme and the Goals under review. The GA also adopted a third resolutions negotiated by the CCPCJ, A/RES/73/184 on the “Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice”, with the next Congress having as the main theme “Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda”. Regional preparatory meetings, taking place between January and April 2019, examine the topics of the 14th Congress, from a regional perspective and make action-oriented recommendations on them for consideration by the Congress to be held in 2020.

The importance of strengthened international cooperation, based on the principles of shared responsibility and in accordance with international law, has been repeatedly highlighted in the context of the work of the Commission.

The Commission on Crime Prevention and Criminal Justice works on a large portfolio of issues. The ones addressed in this contribution do not reflect the work of the Commission in a comprehensive manner, but represent examples related to the 2019 theme and the SDGs under review.

II. Responses to Questions from the Economic and Social Council

(a) The identification of gaps, areas requiring urgent attention, risks and challenges in achieving the SDGs; and, or in relation to the theme within the area under the purview of your intergovernmental body and (b) Valuable successful experiences and lessons learned on empowering people and ensuring inclusiveness and equality

The situation and needs of migrants and victims of trafficking persons is a topic that was widely discussed publicly in 2018. The Commission on Crime Prevention and Criminal Justice addresses the topics from the angle of crime prevention and criminal justice.

In its resolution 27/4 of 2018 on “Strengthening measures against trafficking in persons” the Commission reiterated its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity, the physical integrity of persons, human rights and development, and which requires the implementation of a comprehensive approach that includes measures to prevent it, to prosecute and punish traffickers and to protect the victims, as well as a criminal justice response commensurate with the serious nature of the offence. In that resolution the Commission also recalled the links to the 2030 Agenda for Sustainable Development, and targets 5.2, 8.7 and 16.2

of the Sustainable Development Goals, which reaffirm the commitment of Member States to taking immediate and effective measures to eradicate forced labour and end modern slavery and trafficking in persons.

The Commission in resolution 27/4 welcomed “the ratification of or accession to, by 173 parties, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, which provides an effective global legal framework to promote international cooperation against trafficking in persons”.

The CCPCJ is one of the governing bodies of the United Nations Office on Drugs and Crime, which in turn is the guardian of the United Nations Convention against Transnational Organized Crime and its protocols against the Trafficking in Persons and Smuggling of Migrants. In the framework of the Commission, two publications by UNODC were launched at CCPCJ special events: in June 2018 the launch of the Global Study on smuggling of migrants 2018 and in January 2019 the launch of the Global Report on Trafficking in Persons 2018:

- The first UNODC Global Study on Smuggling of Migrants shows that migrant smuggling routes affect every part of the world. The study is based on an extensive review of existing data and literature. It presents detailed information about key smuggling routes, such as the magnitude, the profiles of smugglers and smuggled migrants, the modus operandi of smugglers and the risks that smuggled migrants face. It shows that smugglers use land, air and sea routes - and combinations of those - in their quest to profit from people's desire to improve their lives. Smugglers also expose migrants to a range of risks; violence, theft, exploitation, sexual violence, kidnapping and even death along many routes¹.

- The UNODC Global Report on Trafficking in Persons² is mandated by the General Assembly through the 2010 United Nations Global Plan of Action to Combat Trafficking in Persons. The 2018 edition covers 142 countries and provides an overview of patterns and flows of trafficking in persons at global, regional and national levels, based primarily on trafficking cases detected between 2014 and 2016. The publication also presents the results of the implementation – in a few countries - of an innovative methodology to estimate the total number of trafficking in persons victims (those identified by the authorities and those not identified by the authorities), showing the great potential that this methodology can have in monitoring SDG 16.2, 5.2 and 8.7. The research presented in the two reports highlighted the links between SDG 16 targets related to trafficking in persons, organized crime, corruption and illicit financial flows and the achievement of other SDG targets related to poverty, migration, education, forced labour, women empowerment and gender equality, and violence against women and children.

In resolution E/RES/2017/18 on the “Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons”, negotiated within the CCPCJ, the ECOSOC recalled that “trafficking in persons impaired the enjoyment of human

¹ https://www.unodc.org/documents/data-and-analysis/glosom/GLOSOM_2018_web_small.pdf

² www.unodc.org/glotip

rights and fundamental freedoms, continues to pose a serious challenge to humanity and requires a concerted international assessment and response and genuine multilateral, regional and bilateral cooperation among countries of origin, transit and destination for its eradication”.

The 2019 ECOSOC theme “Empowering people and ensuring inclusiveness and equality” calls for expanding opportunities and addressing challenges in creating sustainable and inclusive societies. In the 2030 Agenda Member States recognized that combating inequality within and among countries and fostering social inclusion are crucial to sustainable development³. SDG 16 links inclusion, the promotion of peace and a reduction of violence and crime.

Addressing the specific needs of children and youth are crucial to success in this regard. One of the ways of achieving that is to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all (SDG 4) and to invest in the prevention of violence against children as a catalyst of many other goals as well as to strengthen crime prevention and criminal justice responses to violence against children (SDG 16.2).

With the aim to reduce violence and crime, the CCPCJ has drawn attention to the importance of mainstreaming crime prevention in social and economic policies and programmes, including those addressing education, as showcased for example in resolution E/RES/2016/18 on “Mainstreaming holistic approaches in youth crime prevention”.

In the outcome document of the Crime Congress in 2015, which was negotiated within the CCPCJ, Member States stressed the fundamental role of youth participation in crime prevention efforts as well as the need to foster social inclusion and employment opportunities to address (urban) crime. In the same Declaration, States emphasized that “education for all children and youth, including the eradication of illiteracy, is fundamental to the prevention of crime and corruption and to the pro-motion of a culture of lawfulness that supports the rule of law and human rights while respecting cultural identities”. In response, UNODC has stepped up its efforts to promote effective crime prevention, including through the use of sport-based life skills training to reach at-risk youth, as well as its Education for Justice (E4J) initiative. Speaking in New York at a special event marking the importance of education in this respect, UNODC Executive Director Yury Fedotov recalled the central nature of this topic as outlined in the Doha Declaration: "Member States agreed that education for all children and youth is fundamental to the prevention of crime and corruption, and to the promotion of a culture of lawfulness that supports the rule of law and human rights."

The topic of “Education and youth engagement as key to making societies resilient to crime” will be the topic of a workshop at the next Crime Congress in 2020 in Japan.

UNODC has also been actively engaged in the Global Partnership to End Violence against children, including through the implementation of a Global Programme on Violence Against Children to implement the UN Model Strategies and Practical

³ A/RES/70/1. Transforming our world: the 2030 Agenda for Sustainable Development, para 13

Measures on the elimination of violence against children in the field of crime prevention and criminal justice. An emerging issue in this work has been the recruitment and exploitation of children by terrorist and violent extremist groups as a serious form of violence against children.

Violence against women and girls generates widespread and high costs in the areas of justice, health, social services, education, business and employment as it hinders inclusiveness and equality and the full implementation of SDG 5 on gender equality.

“All forms of violence against women seriously violate and impair or nullify the enjoyment by women of all human rights and fundamental freedoms and have serious immediate and long-term implications for health [...] and public safety, and have a negative impact on the psychological, social and economic development of individuals, families, communities and States”.⁴

The Commission noted this linkage to the social fabric in the “Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice”⁵ annexed to the resolution it negotiated for adoption by the GA. Addressing this area can contribute to the transformation towards more inclusive and equal societies.

The Model Strategies exemplify the extensive work that the Commission undertakes to promote access to justice for women and girls in support of SDG5 to achieve gender equality and empower all women and girls. “Bearing in mind the need for vigilance with regard to the specific situation of women in the administration of justice, in particular while they are deprived of their liberty, as recommended in the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)”⁶, and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), to ensure that prisoners enjoy the same standards of health care as are available in the community, the CCPCJ in this regard adopted in 2017 resolution 26/2 on “Ensuring access to measures for the prevention of mother-to-child transmission of HIV in prisons”. The resolution encourages Member States, consistent with rule 32, subparagraphs 1 (b) and (c), of the Nelson Mandela Rules and rule 8 of the Bangkok Rules, to ensure that confidentiality and informed consent are respected with respect to HIV-related treatment of persons, especially women in prisons.

The Commission in recent years in a number of resolutions addressed the specific needs in crime prevention and criminal justice of women victims of gender-based violence, most recently in resolution 26/3 on “Mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime”, where the Commission for

⁴ A/RES/65/228. Strengthening crime prevention and criminal justice responses to violence against women.

⁵ A/RES/65/228. Strengthening crime prevention and criminal justice responses to violence against women. Annex.

⁶ See CCPCJ resolution 26/2. Ensuring access to measures for the prevention of mother-to-child transmission of HIV in prisons, preambular part.

example urged “Member States to enhance measures for protecting and empowering victims of violence against women in the criminal justice system⁷.”

The Doha Declaration, adopted at the 13th Crime Congress, also underlines the endeavour of Member States to mainstream a gender perspective into criminal justice systems by developing and implementing national strategies and plans, in order to promote the full protection of women and girls from all acts of violence, including gender-related killing of women and girls⁸.

The topic of inclusiveness and equality is also relevant to the treatment of prisoners. For example in General Assembly resolution A/RES/72/193, as negotiated within the CCPCJ for adoption by the Assembly, Member States recognized that “well-managed prisons and the treatment of prisoners consistent with international standards and norms for crime prevention and criminal justice can also contribute to the implementation by Member States of the 2030 Agenda for Sustainable Development and the achievement of Sustainable Development Goal 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels) Goal 3 (Ensure healthy lives and promote wellbeing for all at all ages) and Goal 5 (Achieve gender equality and empower all women and girls, in particular). In this regard, the “need for vigilance with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, as called for in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)” was recalled.

At the 13th United Nations Crime Congress in 2015, Member States committed to intensify their efforts to address the challenge of prison overcrowding through appropriate criminal justice reforms, which should include, where appropriate, a review of penal policies and practical measures to reduce pretrial detention, to enhance the use of non-custodial sanctions and to improve access to legal aid to the extent possible.⁹

Access to legal aid is a central element of ensuring equal access to justice for all, especially for the poorest and most vulnerable, whom, without access to legal aid, are at high risk of having their rights ignored or violated when they interact with a criminal justice system, including through arbitrary pre-trial detention, torture, or wrongful convictions. As emphasized by the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, developed under the

⁷ See CCPCJ resolution 26/3. Mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime, operative paragraph 8.

⁸ See A/RES/70/174. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, op. para. 5 (f)

⁹ See General Assembly resolution 70/174, Annex, operative paragraph 5 (k).

auspices of the CCPCJ and adopted by the Assembly as A/RES/67/187, legal aid is an essential aspect of a fair, humane, and efficient criminal justice system based on the rule of law.¹⁰ Welcoming the development of UNODC guidance and recalling what had been agreed in the abovementioned Doha Declaration, the CCPCJ in its resolution 25/2 encouraged Member States to continue to strengthen measures to ensure effective legal aid, emphasizing the needs of children and women in this regard.¹¹ The resolution encourages Member States “to facilitate the sharing of information and best practices among legal aid providers, making the best possible use of existing information and communication platforms, and to share expertise on the development of national-level indicators for target 16.3 of the Sustainable Development Goals”.¹² It furthermore invited Member States to participate in the second International Conference on Access to Legal Aid in Criminal Justice Systems, held in Buenos Aires in 2016.

At the 26th session of the Commission, UNODC circulated a report¹³ on the proceedings and the resulting “Buenos Aires Declaration”, which focused on the need for technical assistance and exchange of information and best practices among legal aid providers, including on efforts regarding achieving the 2030 Agenda in terms of reducing excessive, arbitrary and unlawful pre-trial detention and enhancing access to justice. At the Conference, together with the United Nations Development Programme (UNDP), UNODC launched the Global Study on Legal Aid¹⁴ that presents data gathered from both Member States and independent national experts. This global effort coincided with the adoption of the 2030 Agenda, and its findings are highly relevant to inform efforts that address access to justice in countries at all levels of development, including: legislative reform; increasing nationwide access to reach those that live in rural communities; the importance of partnerships with civil society; sustainability of funding; enhancing the quality of services to ensure a truly equal access to justice; as well as supporting continued sharing of experiences; and data collection. The Study shows that collecting data globally to measure access to justice is possible, and data on access to legal aid can serve as a means to measure progress on achieving the 2030 Agenda, particularly target 16.3, as well as keep track of the level of implementation of the UN standards and norms that are an important tool for Member States in any effort to achieve the SDGs.

(c) Emerging issues likely to affect inclusiveness and equality at all levels and (d) An assessment of the situation regarding the principle of “ensuring that no one is left behind” at the global, regional and national levels

As the principal policymaking body of the United Nations in the field of crime prevention and criminal justice, the Commission supports Member States’ efforts

¹⁰ General Assembly resolution 67/187, Annex, paragraph 1.

¹¹ CCPCJ resolution 25/2. Promoting legal aid, including through a network of legal aid providers, operative paragraphs 2, 7 and 8.

¹² *Ibid*, operative paragraph 4.

¹³ E/CN.15/2017/CRP.2.

¹⁴ UNDP/UNODC, Global Study on Legal Aid – Global Report (2016). Available online at: https://www.unodc.org/documents/justice-and-prison-reform/LegalAid/Global_Study_on_Legal_Aid_-_FINAL.pdf

to implement of the 2030 Agenda on Sustainable Development, touching upon several specific goals and targets. The work of the CCPCJ is intertwined with a vast array of social and economic issues as increasingly being recognized by the international community. The CCPCJ works to strengthen the capacity of Member States and their legal systems to detect, prevent, prosecute and combat all types of transnational organized crime, to provide access to justice for all and build effective, accountable and inclusive institutions at all levels. It also plays a major role in strengthening international cooperation in addressing global challenges and threats.

The outcome document of the 13th Congress on Crime Prevention and Criminal Justice¹⁵, which was negotiated within the CCPCJ, highlights these important linkages and acknowledges that sustainable development and the rule of law are strongly interrelated and mutually reinforcing. The Commission draws on the Declaration in its work to address crime in a broader development context, ensuring that no one is left behind.

For the 14th United Nations Congress on Crime Prevention and Criminal Justice, to be held in Japan in 2020, to which the Commission acts as a preparatory body, the overall theme of “Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda” underlines the important role that the mandates of the Commission play in successfully achieving the goals of the 2030 Agenda. The 14th Congress presents the international community with a unique opportunity to undertake a comprehensive stocktaking exercise regarding the role that the criminal justice system and the institutions comprising it can play to support the achievement of the Sustainable Development Goals of the 2030 Agenda for Sustainable Development.¹⁶

The Commission has in numerous resolutions and guidelines highlighted the need for Member States to uphold human rights and fundamental freedoms for all, in particular for those affected by crime and those who may be in contact with the criminal justice system.

The work of the Commission supports the achievement of all targets under Sustainable Development Goal 16 on the promotion of peaceful and inclusive societies for sustainable development, the provision of access to justice for all and the building of effective, accountable and inclusive institutions at all levels. The CCPCJ works in support of Member States strengthening their public institutions to make them more resilient and to mitigate vulnerabilities. The agenda of the 14th Crime Congress features an item on the promotion of the rule of law and access to justice for all¹⁷.

The Commission has taken the lead in the development of a significant body of United Nations Standards and Norms¹⁸, covering a wide range of issues including

¹⁵ A/RES/70/174. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice.

¹⁶ See Discussion guide for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice (E/CN/15/2018/CRP.1)

¹⁷ A/RES/72/192. Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

¹⁸ See CCPCJ website <http://www.unodc.org/unodc/en/commissions/CCPCJ/ccpcj-standards-and-norms.html>

access to justice including through legal aid, treatment of offenders, justice for children, victim protection, and violence against women, to the benefit of the most vulnerable members of society. As an example, the CCPCJ developed the above-mentioned Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), that the General Assembly adopted in resolution 70/175 in 2015.

(e) Areas where political guidance by the high-level political forum is required

The High-level Political Forum can provide an opportunity to showcase the value and relevance of the work of the CCPCJ to the 2030 Agenda and the support that UNODC can provide to Member States in that regard, in close cooperation with all other relevant stakeholders.

The High-level Political Forum could also support the CCPCJ in increasing the visibility for the work the CCPCJ is undertaking. Support could also be provided by the HLPF to the CCPCJ, as the central policymaking body in the United Nations system for crime-prevention and criminal justice matters, in the efforts undertaken by the CCPCJ to strengthen its coordination with other relevant UN bodies and to further enhance the involvement of all interested stakeholders in the work of the Commission.

III. **Links between the work of the CCPCJ and the SDGs under in-depth review in 2019 (4, 8, 10, 13, 16) and 17 and (f) policy recommendations on ways to accelerate progress in empowering people, ensuring inclusiveness and equality, and achieving SDGs**

Sustainable Development Goal 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

The work of the Commission supports the achievement of SDG 4 and its targets.

For example in its resolution 27/6 of 2018 on “Strengthening measures against trafficking in persons”, the Commission encouraged “Member States, when facilitating restorative justice programmes, to consider providing, as one of their priorities, restorative justice services and programmes in juvenile justice, and to bear in mind relevant standards and norms in the area of juvenile justice, and, while recognizing that the education and rehabilitation of children in contact with the criminal justice system should be among their priorities, invites States parties to bear in mind their obligations under the Convention on the Rights of the Child”. In the same resolution the CCPCJ also called “upon Member States to protect the rights of children in contact with the criminal justice system and, where appropriate, to take into consideration the special circumstances and needs of children, and to endeavour to achieve the rehabilitation of such children by, inter alia, restricting the application of arrest and/or detention, applying conditional non-prosecution and/or alternative measures to imprisonment and strengthening education and supervision, while respecting the privacy of the children” and invited “Member States to consider, when developing restorative justice programmes, and where appropriate, issues such as access to justice and social reintegration of offenders, reducing recidivism, and access to health and education services for offenders”.

In the outcome document of the Crime Congress in 2015, negotiated within the CCPCJ, the “fundamental role of youth participation in crime prevention efforts” was stressed and countries committed to “integrate crime prevention, criminal justice and other rule-of-law aspects into our domestic educational systems”, as well as to “integrate crime prevention and criminal justice strategies into all relevant social and economic policies and programmes, in particular those affecting youth, with a special emphasis on programmes focused on increasing educational and employment opportunities for youth and young adults” and “to provide access to education for all, including technical and professional skills, as well as to promote lifelong learning skills for all”¹⁹.

Sustainable Development Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

Targets 8.7. and 8.8. of SDG8 on decent work and economic growth require that States “take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour”, and “protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment”²⁰ - the Commission’s work is in support of the realization of SDG 8.

In its resolution of 2018 on “Preventing and combating trafficking in persons facilitated by the criminal misuse of information and communications technologies” (27/2) the Commission called upon “Member States to take into consideration and adapt to technological advancements and new methods for the recruiting and advertising of victims of trafficking in persons, such as the criminal misuse of the Internet by perpetrators of trafficking in persons to recruit people, and to take measures to develop targeted awareness-raising campaigns, including for law enforcement agencies, front-line service providers and at-risk industries to identify the signs of trafficking in persons, and to develop specialized training for law enforcement officers and criminal justice practitioners”.

Resolution 27/3 on “Improving the protection of children against trafficking in persons, including by addressing the criminal misuse of information and communications technologies” calls on “Member States to implement comprehensive measures to prevent children from being exposed to the risk of trafficking in persons, including when facilitated by the criminal misuse of information and communications technologies, and to assist children who have been victims of trafficking in persons by providing them with information and protection, including effective reintegration programmes”.

In resolution 27/4 on “Strengthening measures against trafficking in persons” the Commission encourages “Member States, in accordance with their domestic laws,

¹⁹ See A/RES/70/174, Annex. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, op. para. 7 (b), (c), (d)

²⁰ A/RES/70/1. Transforming our world: the 2030 Agenda for Sustainable Development.

to cooperate with businesses to identify and address trafficking-related risks in their supply chains for goods and services and to make efforts to prevent and help combat trafficking in persons, including for the purposes of all forms of exploitation, as defined in the Trafficking in Persons Protocol”.

Sustainable Development Goal 10: Reduce inequality within and among countries

Target 10.7 of SDG 10 aims to “Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies” and the work of the Commission is related to the realization of that target.

Based on the work undertaken by the Commission, the General Assembly adopted resolution 72/195, entitled “Improving the coordination of efforts against trafficking in persons”, in which States declared that they would, with full respect for their obligations under international law, vigorously combat human trafficking and migrant smuggling with a view to their elimination, including through targeted measures to identify victims of human trafficking or those at risk of trafficking, provide support for the victims of human trafficking and work to prevent human trafficking among those affected by displacement”.

Upon the recommendation of the Commission, the Economic and Social Council adopted resolution 2014/23, entitled “Strengthening international cooperation in addressing the smuggling of migrants”, in which Member States highlighted the need to promote or strengthen, as appropriate, development programmes and cooperation at the national, regional and international levels, taking into account the socioeconomic realities of migration and paying special attention to economically and socially depressed areas, in order to combat the root socioeconomic causes of the smuggling of migrants, especially those related to poverty.

At the 13th UN Crime Congress in 2015, Member States committed “to implement effective measures to protect the human rights of smuggled migrants, particularly women and children, and unaccompanied migrant children²¹” and “to implement effective measures to eliminate violence against all migrants, migrant workers and their families, and to take all necessary legal and administrative steps to prevent and counter crimes involving violence against those group²²”.

Sustainable Development Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

The work of the Commission on Crime Prevention and Criminal Justice contributes significantly to SDG 16 and many of its targets as it provides normative guidance

²¹ A/RES/70/174. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, operative paragraph 5 (n)

²² Ibid, 5 (o)

to Member States for strengthening the effectiveness and accountability of their criminal justice institutions to tackle crime.

The CCPCJ in 2018 negotiated a resolution which the General Assembly adopted as A/RES/73/183 on “Enhancing the role of the Commission on Crime Prevention and Criminal Justice in contributing to the implementation of the 2030 Agenda for Sustainable Development”, in which it encouraged “Member States to consider including information on the implementation of Sustainable Development Goal 16, also in relation to the work of the Commission, in their voluntary national reviews for consideration by the high-level political forum on sustainable development during its meeting to be held in 2019, and sharing relevant information contained in those voluntary national reviews with the Commission during its twenty-eighth session, including in the context of the general debate” and invited “Member States and relevant United Nations entities, international and regional organizations, the institutes of the United Nations crime prevention and criminal justice programme network and other relevant stakeholders to provide the Commission, through its secretariat, for consideration during its twenty-eighth session, views on how the Commission can contribute to the review of the implementation of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 16, and requests the Secretariat to also bring that information to the attention of the high-level political forum at its meeting in 2019 and the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice”.

The Commission will follow-up on these provisions and share the results with the high-level political forum.

Respect for, and promotion of multilateralism is considered important to the realization of SDG 16 and its targets. .

Target 16.1: Significantly reduce all forms of violence and related death rates everywhere

The Commission at its 27th session in 2018 considered agenda item 8 on “World crime trends and emerging issues and responses in the field of crime prevention and criminal justice” and had before it, for its consideration, the Note by the Secretariat on the topic (E/CN.15/2018/10).

According to the report, between 5.2 and 6.7 persons per 100,000 population were victims of intentional homicide at the global level in 2015. While an overall decline in intentional homicide was observed over the last decade, the incidence of homicidal violence continues to vary greatly from region to region. In general, homicide rates decreased in developed countries overall, remained unchanged in developing countries that had high homicide levels, and increased in the least developed countries for which data were available. Intentional homicide rates decreased in most regions between 2009 and 2015.

In the deliberations during the session of the CCPCJ in May 2018, a number of speakers highlighted the importance of collecting consistent and comparable data at the national, regional and global levels. Data collection was considered essential

to inform evidence-based policy development with a view to achieving sustainable development and building peaceful and just societies.

16.2: End abuse, exploitation, trafficking and all forms of violence against and torture of children

For example, in its resolution 27/4 of 2018, the Commission encouraged “Member States to consider or continue the development of bilateral, regional and multilateral groups or networks of national authorities to combat trafficking in persons and to consider measures to facilitate inter-institutional cooperation to fight and eradicate this crime and to assist and protect trafficking victims”. Furthermore, the CCPCJ in resolution 27/3 called upon “Calls upon Member States to strengthen their efforts to protect children from all forms of trafficking in persons, including when facilitated by the criminal misuse of information and communications technologies” and in resolution 27/2 underlined “the importance for Member States to develop effective cooperation between their law enforcement authorities and Internet service providers, including those that provide content and access within their jurisdictions, in order to prevent and combat trafficking in persons facilitated by the criminal misuse of information and communications technologies.” All three resolutions contain additional provisions supporting the achievement of the indicator.

Report E/CN.15/2018/10, considered by the CCPCJ during its 27th session in 2018, contained further information: while mentioning that overall insufficient data was available, it notes for example that during the period 2012–2015, some 59,000 victims of human trafficking from 160 different countries were detected and that detected trafficking flows had been increasing.

By Resolution 69/194 the General Assembly adopted the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice and requested UNODC to widely disseminate and provide assistance to Member States in this area. The Model Strategies provide detailed guidance to Member States on comprehensive responses to all forms of violence against children, including the use of children by organised crime and terrorist groups.

The Model Strategies have been widely disseminated and their content integrated into a number of global tools such as the WHO-led INSPIRE technical package²³ (including the INSPIRE Indicator Guidance and Results Framework²⁴ which allows to measure progress towards target 16.2) as well as a number of UNODC tools and programmes²⁵.

16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all

In 2018, the CCPCJ approved resolution “The rule of law, crime prevention and criminal justice in the context of the Sustainable Development Goals”, which was, through ECOSOC, adopted by the General Assembly (A/RES/73/185). The

²³ <http://www.unodc.org/unodc/en/justice-and-prison-reform/tools.html?ref=menuside>

²⁴ https://www.who.int/violence_injury_prevention/violence/inspire-package/inspire-indicator/en/

²⁵ http://www.unodc.org/documents/justice-and-prison-reform/14-08451_Strategy_eBook.pdf
http://www.unodc.org/documents/justice-and-prison-reform/14-08452_Ebook.pdf

Commission and the Assembly expressed “grave concern about the negative effects of all manifestations of transnational organized crime on development, peace, stability and security and human rights” and were convinced that “the rule of law and development are strongly interrelated and mutually reinforcing and that the advancement of the rule of law at the national and international levels, including through crime prevention and criminal justice mechanisms, is essential for sustained and inclusive economic growth and sustainable development and the full realization of all human rights and fundamental freedoms”. Member States were urged to “continue to recognize the cross-cutting nature of the rule of law, crime prevention and criminal justice and development”, and the Assembly recommended that “such linkages and interrelationships be properly addressed and further elaborated, while reiterating the commitments made with regard to the implementation of the 2030 Agenda for Sustainable Development, in particular in connection with the achievement of Sustainable Development Goal 16”. The resolution also urges “Member States to adopt integrated and comprehensive responses to violence against women in order to reduce risks of gender-related killing through early intervention and risk assessment, exercise due diligence to prevent, investigate, prosecute and punish gender-related killing of women and girls, ensure equal protection of women under the law and equal access to justice, consider adopting an integrated, multidisciplinary and gender-sensitive approach to the prevention, investigation, prosecution and punishment of gender-related killing of women and girls to minimize the risk of secondary victimization in the criminal justice system, develop appropriate mechanisms and enhance capacities for forensic investigations to identify human remains and missing persons and, to these ends, strive to achieve all relevant SDGs, including Goals 5 and 16”.

Regarding access to justice, the Commission furthermore invited “Member States to consider, when developing restorative justice programmes, and where appropriate, issues such as access to justice and social reintegration of offenders, reducing recidivism, and access to health and education services for offenders” (CCPCJ resolution 27/6).

16.4 By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime

The Commission negotiated and approved the resolution on “Promotion of international cooperation to combat illicit financial flows in order to foster sustainable development”, adopted by the General Assembly (A/RES/72/207), in which, it reiterated “deep concern about the impact of illicit financial flows, in particular those caused by tax evasion, corruption and transnational organized crime, on the economic, social and political stability, and development of societies, and especially on developing countries”.

In resolution 72/196 on “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity” concern was expressed “at the serious challenges and threats posed by trafficking in firearms, their parts and components and ammunition, and about links with other forms of transnational organized crime, including drug trafficking, as well as terrorism”.

The Commission at its 27th session in 2018 considered the Report of the Secretary-General on “International cooperation in combating transnational organized crime and corruption”(E/CN.15/2018/4), containing information on the working group on firearms and efforts in combatting money laundering. Several speakers highlighted crimes of particular concern for which those instruments would provide a useful framework. Those crimes included cybercrime, trafficking in persons, including for organ removal, smuggling of migrants and trafficking in firearms.

16.5 Substantially reduce corruption and bribery in all their forms

Reference can be made to the resolution on “Preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning such assets to legitimate owners, in particular to countries of origin, in accordance with the United Nations Convention against Corruption”, adopted by the General Assembly (GA resolution 69/199) in which Member States are urged to “combat and penalize corruption in all its forms, as well as the laundering of proceeds of corruption, to prevent the acquisition, transfer and laundering of proceeds of corruption and to work for the prompt recovery of such assets in accordance with the principles of the Convention, including chapter V”.

The Commission discusses this subject during its standing agenda item on the ratification and implementation of the United Nations Convention Against Corruption.

16.6 Develop effective, accountable and transparent institutions at all levels

16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels

16.A Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime

Effective, accountable and transparent institutions at all levels are central to achieving Goal 16.

Member States expressed their commitment to “promote a culture of lawfulness based on the protection of human rights and the rule of law while respecting cultural identity, with particular emphasis on children and youth, seeking the support of civil society and intensifying prevention efforts and measures targeting the full potential of families, schools, religious and cultural institutions, community organizations and the private sector in order to address the social and economic root causes of crime”²⁶.

At the 14th UN Crime Congress, to be held in Kyoto in April 2020, Member States will consider an agenda item entitled the “Multidimensional approaches by Governments to promoting the rule of law by, inter alia, providing access to justice for all; building effective, accountable, impartial and inclusive institutions; and considering social, educational and other relevant measures, including fostering a culture of lawfulness while respecting cultural identities”.

²⁶ See A/RES/70/174, Annex. Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, op. para. 10 (c)

In resolution 27/5 the Commission stressed “that the development and maintenance of fair and effective criminal justice systems should be a part of any strategy to counter terrorism and transnational organized crime”. UNODC also works on supporting member states in implementing the UN Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms including by the development of a joint Resource Book with OHCHR.

The online access to all resolutions and decisions that have been adopted by the Commission on Crime Prevention and Criminal Justice is available at www.unodc.org/rddb/.

Sustainable Development Goal 17: Strengthen the means of implementation and revitalize the global partnership for sustainable development

Addressing crime in all its forms demands a comprehensive approach, and the CCPCJ highly values the contributions of all relevant stakeholders, including UN entities and specialized agencies, regional organizations, academia and civil society, thereby supporting [SDG 17](#).

The Commission, for example, closely works with the institutes of the UN Crime Prevention and Criminal Justice Programme Network (PNI)²⁷. The network was established to assist the international community in strengthening co-operation in the area of crime prevention and criminal justice.

The Commission also works closely with other functional Commissions of the Economic and Social Council: At the 27th session of the Commission in May 2018, the Chair of the Commission on the Status of Women addressed the Commission through video conference and the Chairperson of the United Nations Permanent Forum on Indigenous Issues also addressed the Commission with a video message.

More information on the work of the Commission on Crime Prevention and Criminal Justice can be found on the following website: <https://www.unodc.org/unodc/en/commissions/CCPCJ/>

More information on the contributions made by the Commission to the 2030 Agenda for Sustainable Development can be found on the following sub-page: <https://www.unodc.org/unodc/en/commissions/commissions-2030.html>

²⁷ <https://www.unodc.org/unodc/en/commissions/CCPCJ/PNI/institutes.html>