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### Commission on Crime Prevention and Criminal Justice

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

### **Use and application of United Nations standards and norms in crime prevention and criminal justice**

#### **Report of the Secretary-General**

#### *Summary*

The present report describes progress made in 2012 by the United Nations Office on Drugs and Crime in supporting the use and application of the United Nations standards and norms in crime prevention and criminal justice. It outlines the development of new standards and norms and the Office's efforts to collect and analyse data, develop implementation tools and provide technical assistance at the global, regional and country levels. It also describes partnerships the Office has been involved in to promote coherent intervention in crime prevention and criminal justice reform.

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\* E/CN.15/2013/1.



## **I. Introduction and overview of the work of the United Nations Office on Drugs and Crime in the area of crime prevention and criminal justice**

1. Strengthened crime prevention and fair, humane and effective criminal justice systems are prerequisites for fighting transnational organized crime, drug trafficking, corruption and terrorism. The development and promotion of the use and application of the United Nations standards and norms in crime prevention and criminal justice<sup>1</sup> thus lie at the heart of the work of the United Nations Office on Drugs and Crime (UNODC). The standards and norms are also central to the work of the United Nations in the area of the rule of law and human rights as they provide detailed guidance on various principles of human rights in the administration of justice. The standards and norms are a set of internationally recognized principles in the following areas: (a) principles relating to persons in custody, non-custodial sanctions, juvenile justice and restorative justice; (b) crime prevention and victim issues; and (c) good governance, the independence of the judiciary and the integrity of criminal justice personnel. Through the years, the standards and norms have helped to promote more effective and fair criminal justice structures worldwide. During the reporting period, significant progress has been made in their development and use and application at the normative, analytical and operational levels.

2. The UNODC thematic programme on crime prevention and criminal justice reform, which is one of the five thematic programmes of UNODC,<sup>2</sup> focuses particularly on assisting Member States in developing, using and applying the standards and norms. The thematic programme comprises the mandates of UNODC to assist countries in developing new instruments, strategies, policies and programmes for crime prevention and criminal justice reform and includes the tools and services that UNODC can provide to State and non-State actors, namely, advocacy, research, legislative and legal support, norm-setting and technical assistance. The thematic programme is currently implemented through a portfolio of 43 projects, with initiatives covering over 40 countries in all regions of the world. Most of these projects are part of UNODC regional and country programmes. The thematic programme is also implemented through a global project on crime prevention and criminal justice.<sup>3</sup> Both the thematic programme and the global project on crime prevention and criminal justice reform were revised substantially during the reporting period and cover the period 2012-2015, based on the strategy for the period 2012-2015 for UNODC and the United Nations strategic framework for the period 2012-2013.

3. The global project entitled “Support to crime prevention and criminal justice reform” is aimed at strengthening the capacity of States to improve crime prevention and criminal justice systems in line with the standards and norms and other relevant

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<sup>1</sup> The full set of standards and norms is compiled in the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice*. Available from [www.unodc.org/unodc/en/justice-and-prison-reform/compendium.html](http://www.unodc.org/unodc/en/justice-and-prison-reform/compendium.html).

<sup>2</sup> The four other thematic programmes of the United Nations Office on Drugs and Crime cover the following areas: prevention of drug abuse and health; organized crime and illicit trafficking; corruption and economic crime; and prevention of terrorism.

<sup>3</sup> Project GLOT63, entitled “Support to crime prevention and criminal justice reform”.

international instruments through the following three outcomes: (a) States develop and implement crime prevention and criminal justice policies and strategies based on UNODC assessments, advice and programme support; (b) States and the international community develop and implement crime prevention and criminal justice policies and strategies using UNODC tools and training; and (c) States develop or update standards and norms with UNODC support. The project is implemented with a strong focus on partnerships with other United Nations agencies and international non-governmental organizations (NGOs). During the reporting period, the global project broadened and increased its funding resources, as well as its geographic<sup>4</sup> and thematic<sup>5</sup> coverage.

## II. Setting the standards

4. During the reporting period, UNODC continued providing Member States with normative support in the areas of access to legal aid, treatment of prisoners, and civilian private security services.

5. In December 2012, the General Assembly, in its resolution 67/187, adopted the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems. The Principles and Guidelines draw on existing international instruments and best practices to identify the core principles that States should follow to provide broader and more effective access to legal aid in the criminal justice systems, particularly to individuals belonging to the most vulnerable groups. To ensure implementation of the Assembly resolution, UNODC developed detailed plans for the development of tools and delivery of technical assistance, subject to the availability of funds.

6. Pursuant to Economic and Social Council resolution 2012/13, the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners continued its work, within its mandate, with a view to reporting on its progress to the Commission on Crime Prevention and Criminal Justice at its twenty-second session. At the invitation of the Government of Argentina, the second meeting of the Expert Group was held in Buenos Aires from 11 to 13 December 2012. The Expert Group considered the nine preliminary areas identified during its first meeting and identified, for further consideration of the possible revision of the Standard Minimum Rules, a detailed set of provisions and rules. The report of the Secretariat on the work of the Expert Group is before the Commission (E/CN.15/2013/23).

7. Pursuant to Commission resolution 21/1, UNODC circulated the draft preliminary recommendations on the oversight and regulation of civilian private security services and on their contribution to crime prevention and community

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<sup>4</sup> Current contributions have enabled UNODC to provide direct technical assistance to Caribbean countries, as well as Bolivia (Plurinational State of), Colombia, Ecuador, El Salvador, Iraq, Jordan, Myanmar and Peru. They have also funded regional activities covering the regions of Southern Africa, South Asia and East Africa.

<sup>5</sup> Current contributions cover activities related to prisoners (treatment rules, prison reform, alternatives to imprisonment, female prisoners, social reintegration and recidivism prevention), restorative justice, civilian private security, crime prevention, youth gangs, community police, policing urban space, local safety audits, piracy, violence against women, juvenile justice and child and female refugees.

safety (“the Abu Dhabi draft preliminary recommendations”) to all Member States, requesting their response. A report summarizing those responses is before the Commission (E/CN.15/2013/20).

### III. Analysing trends

8. The standards and norms underline the importance of empirical evidence for effective crime prevention and justice administration. UNODC collects and analyses statistical data from Member States, develops statistical standards to improve data quality and provides technical support to enhance national capacities to produce and analyse data.

9. In 2012, UNODC continued to collect data on selected crimes through the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems. Following Economic and Social Council resolution 2012/18, entitled “Improving the quality and availability of statistics on crime and criminal justice for policy development”, the network of national focal points to coordinate national responses to the Survey was extended, with a positive impact on countries’ response rates. Data collected through the Survey are regularly published on the UNODC website to facilitate access for a broad range of users.<sup>6</sup> In June 2012, UNODC released an update of the data set on intentional homicide, with comprehensive homicide data from 207 countries and territories.<sup>7</sup>

10. Work to improve statistical standards on crime statistics concentrated on the international classification of crime for statistical purposes, a highly needed tool to improve consistency, relevance and international comparability of data on crime. After the endorsement of the principles and framework for an international classification of crimes for statistical purposes by the Conference of European Statisticians in June 2012, a consultation meeting was held in Mexico in October 2012, and a first draft of the international classification of crime for statistical purposes has been developed. To take this work forward, a road map to develop a full classification has been submitted to the United Nations Statistical Commission (see E/CN.3/2013/11).

11. UNODC continued its technical support to Member States for the development of crime and criminal justice statistics: in collaboration with the Centre of Excellence for Statistical Information on Governance, Victimization, Public Security and Justice established by UNODC and the National Institute of Statistics and Geography (INEGI) of Mexico, the first International Conference on Government, Public Safety, Victimization and Justice Statistics was held in Aguascalientes, Mexico, in May 2012. Other technical assistance activities included workshops on victimization surveys in Mexico (for countries of Central America and the Caribbean) and Thailand (for South-East Asia). UNODC also assisted national authorities in Afghanistan, the Philippines and the western Balkans in conducting corruption and victimization surveys.

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<sup>6</sup> Available from [www.unodc.org/unodc/en/data-and-analysis/statistics/crime.html](http://www.unodc.org/unodc/en/data-and-analysis/statistics/crime.html).

<sup>7</sup> Available from [www.unodc.org/unodc/en/data-and-analysis/homicide.html](http://www.unodc.org/unodc/en/data-and-analysis/homicide.html).

## IV. Developing tools and providing guidance

12. During the reporting period, UNODC continued developing handbooks, training curricula and guidance notes to support technical assistance in various areas of crime prevention and criminal justice.

13. In the area of crime prevention issues, the Office developed a guidance note on mainstreaming crime prevention in the work of UNODC for its staff in order to strengthen its field capacities. The note is based on Economic and Social Council resolutions 2005/22 and 2008/24, in which UNODC is requested to explicitly address the crime prevention component in its programme of work and to achieve a balanced approach between crime prevention and criminal justice responses. The note offers practical programmatic advice for the inclusion of crime prevention as a cross-cutting component of UNODC work in thematic, regional and country programmes, and technical assistance projects, given the note's firm basis in relevant conventions and standards and norms.

14. Also in the area of crime prevention, UNODC published the *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*.<sup>8</sup> The handbook describes promising practices for reducing criminal recidivism by addressing the challenges to social reintegration faced by offenders, in particular those who are or had been incarcerated. The tool can be used in a variety of contexts as part of technical assistance and capacity-building projects. It can be used by anyone involved in the criminal justice process or interested in crime prevention and the treatment of offenders, including policymakers, legislators, judges, law enforcement officials, prison managers and staff, probation and parole officers, service providers and members of NGOs.

15. On police reform, UNODC developed the *Training Manual on Policing Urban Space* to complement the *Introductory Handbook on Policing Urban Space*,<sup>9</sup> issued last year. The training manual seeks to provide operational capacity to front-line police officers, especially in low- and middle-income countries, through a basic conceptual grounding in policing strategies, and approaches and practices that enable cooperation between the police and communities for the prevention of crime. The tool includes an introduction to innovative communications technologies used by the police to raise awareness and prevent and reduce criminal activity.

16. With respect to prosecution services, the Office, jointly with the International Association of Prosecutors, is drafting a handbook to assist practitioners in implementing the 1990 Guidelines on the Role of Prosecutors and the International Association of Prosecutors 1999 Standards of Professional Responsibility and Statement of the Essential Duties and Rights of Prosecutors. The handbook's outline was discussed at the International Association of Prosecutors African and Indian Ocean Regional Conference in August 2012 and at the 17th Annual Conference of the International Association of Prosecutors from 28 October to 1 November 2012.

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<sup>8</sup> Available from [www.unodc.org/documents/justice-and-prison-reform/crimeprevention/Introductory\\_Handbook\\_on\\_the\\_Prevention\\_of\\_Recidivism\\_and\\_the\\_Social\\_Reintegration\\_of\\_Offenders.pdf](http://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/Introductory_Handbook_on_the_Prevention_of_Recidivism_and_the_Social_Reintegration_of_Offenders.pdf).

<sup>9</sup> Available from [www.unodc.org/documents/justice-and-prison-reform/crimeprevention/11-80387\\_ebook.pdf](http://www.unodc.org/documents/justice-and-prison-reform/crimeprevention/11-80387_ebook.pdf).

17. With respect to violence against women, UNODC and the Thailand Institute of Justice are developing a handbook for prosecutors dealing with cases of violence against women, pursuant to the invitation by the General Assembly for UNODC to ensure the widest possible use and dissemination of the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 65/228, annex), including through the development or revision of relevant tools, such as handbooks, training manuals, programmes and modules for each section of the updated Model Strategies and Practical Measures.

18. On access to legal aid, UNODC is developing an innovative tool on early access, jointly with the United Nations Development Programme (UNDP) and the Open Society Justice Initiative, entitled “Early access to legal aid in criminal investigations and proceedings: a handbook and training curriculum for policymakers and practitioners”. The tool will assist Member States in designing early access schemes and will include training curricula for legal aid providers and for law enforcement officers.

19. On prison reform and alternatives to imprisonment, and in addition to the above-mentioned *Introductory Handbook on the Prevention of Recidivism and the Social Reintegration of Offenders*, UNODC published the *Handbook on the International Transfer of Sentenced Persons*.<sup>10</sup> The primary focus of the handbook is how arrangements can be made to transfer persons sentenced to terms of imprisonment in one country so that, in appropriate cases, they can serve their sentences in another country (most often their country of origin) in accordance with the law in the receiving State. A third tool in the area of prison reform, which UNODC is being finalized in cooperation with the International Committee of the Red Cross, is the handbook on strategies to reduce prison overcrowding. The publication reflects the growing recognition that the main obstacle to implementing the provisions of the Standard Minimum Rules for the Treatment of Prisoners is overcrowding in prisons. More specifically, the handbook provides an overview of key criminal justice centred aspects of overcrowding, including causes and consequences. This analysis is followed by a detailed and practice-oriented outline of promising approaches for reducing prison overcrowding, which also draws on a variety of international good practice examples.

20. On the specific issue of women prisoners and offenders, UNODC and the Thailand Institute of Justice are developing two training modules on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). In line with the structure of the Bangkok Rules, the first module will be primarily aimed at prison staff (treatment of women prisoners), whereas the target group of the second module will be prosecutors and judges (non-custodial measures for women offenders). Further, UNODC is exploring, on a regional basis, to engage in in-depth research activities related to women and the imprisonment and the treatment of women prisoners.

21. In the area of justice for children, the Office focused on the translation of existing tools. In particular, the tool *Criteria for the Design and Evaluation of Juvenile Justice Reform Programmes*, developed in partnership with the Interagency Panel on Juvenile Justice, is now available in English, French, Russian and Spanish.

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<sup>10</sup> Available from [www.unodc.org/documents/justice-and-prison-reform/11-88322\\_ebook.pdf](http://www.unodc.org/documents/justice-and-prison-reform/11-88322_ebook.pdf).

The Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime online training package for law enforcement professionals, social workers, prosecutors, judges, lawyers, health-care professionals and informal justice providers has been launched and is currently available in English and French.<sup>11</sup>

## V. Providing sustained technical assistance

### A. Africa

22. In East Africa, UNODC provided technical assistance in Kenya, Somalia,<sup>12</sup> Ethiopia, South Sudan as well as in Seychelles, Mauritius and the United Republic of Tanzania. In Kenya, UNODC and development partners confirmed their commitment to support long-term legislative, policy and institutional transformation of the police sector. UNODC supports the Government of Kenya in implementing the 2011-2013 police reform programme which seeks to transform the National Police Service into an effective, efficient, accountable and trusted institution for Kenyans. Also in 2012, UNODC carried out a study on alternatives to imprisonment and social reintegration of offenders; the study aims to assist Kenya in preventing criminal recidivism and reducing prison overcrowding. In Somalia, UNODC, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Political Office for Somalia (UNPOS) and the United Nations Children's Fund (UNICEF) carried out an assessment of the prison system in Mogadishu and south-central Somalia; the assessment report will form the basis of interventions in this area. UNODC presented its criminal justice programme to local authorities in Somaliland in April 2012. The programme is aimed at supporting the revision of the existing legislative framework of key statutory and procedural laws, facilitating the establishment and/or strengthening justice institutions, and enhancing access to justice through the provision of technical assistance and advisory services to police officers, prosecutors and judges. In Ethiopia, a full criminal justice assessment, carried out in 2011, led to the development and validation by national counterparts of a national integrated programme, with a subprogramme on criminal justice reform whose implementation will start in early 2013.

23. In South Sudan, the ongoing prison reform programme<sup>13</sup> that was launched in 2007 is helping improve the legal and policy framework, prison staff training, and health-care delivery in prisons; it is assisting in the establishment of a prison service training centre and a criminal justice linkage committee, to be convened bi-monthly and which will include representatives from prison authorities, the police, the judiciary, the Ministry of Legal Affairs and Constitutional Development, the Office of the Prosecutor and the Ministry of Gender, Child and Social Welfare. The reform programme is also contributing to the development of effective court liaison and probation functions. A broader programme to enhance the capacity of the prison service has been developed in order to effectively prepare the prison service to operate a training academy and in order to support the planned work for the

<sup>11</sup> Available from [www.unodc.org/justice-child-victims](http://www.unodc.org/justice-child-victims).

<sup>12</sup> Project XEAU78, entitled "Justice: regional programme for East Africa".

<sup>13</sup> Project SDNX06, entitled "Assisting the process of prison reform in southern Sudan (phase III)".

United Nations Mission in South Sudan (UNMISS) Corrections Advisory Section. In the area of juvenile justice, UNODC is currently developing a proposal on supporting national efforts in South Sudan aimed at building a functional juvenile justice system in line with international standards.

24. Also in East Africa, UNODC is conducting a series of crime prevention and criminal justice activities in the framework of projects to counter piracy.<sup>14</sup> The Nairobi-based counter-piracy programme<sup>15</sup> has supported the criminal justice systems of Kenya, Mauritius, Seychelles and the United Republic of Tanzania in order to build capacity to provide fair and efficient trials for piracy suspects handed over by international navies, as well as to ensure the secure and humane imprisonment of those suspects. Under the piracy prisoner transfer programme,<sup>16</sup> UNODC is currently implementing activities to build capacity for secure and humane imprisonment in line with international standards, in order to have Somalis convicted of piracy in other jurisdictions transferred back to Somalia to serve their sentences. These activities are complemented by a new, two-year UNODC project for the prevention of piracy focusing on Puntland and Galmudug that is aimed at raising public awareness of the negative effects of piracy and at promoting alternative livelihoods.<sup>17</sup> The project is carried out in partnership with Somali elders, government authorities, religious leaders, schools and the media and is considered a core component of the long-term strategy to combating piracy.

25. In West Africa, UNODC conducts operations for crime prevention and criminal justice in Guinea-Bissau, Mauritania and Nigeria. In Guinea-Bissau, UNODC implements a project on prison reform to rehabilitate infrastructure and build prison staff capacity in compliance with international standards.<sup>18</sup> After the April 2012 coup d'état, UNODC, together with national and international partners, interviewed prison staff and prisoners to assess their needs; UNODC and UNDP also compiled and distributed applicable laws and the Standard Minimum Rules for the Treatment of Prisoners to prison guards. UNODC also implements another project on justice administration<sup>19</sup> whose activities include raising awareness among civil society and law enforcement agencies with respect to human rights and national strategies on public security, crime management and violence, with a special focus on gender-based violence, carried out in partnership with the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Volunteers programme (UNV) and UNDP.

26. In Cape Verde, UNODC provided policy advice to the Government and assisted in the development of a programme of intervention in the area of juvenile

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<sup>14</sup> Further information is contained in the report of the Executive Director on combating the problem of transnational organized crime committed at sea (E/CN.15/2013/17).

<sup>15</sup> Project XEAX20, entitled "Combating maritime piracy in the Horn of Africa, programme under the Trust Fund to support initiatives of States countering piracy off the coast of Somalia" and project XAMT72, entitled "Combating maritime piracy in the Horn of Africa and the Indian Ocean: increasing regional capacities to deter, detain and prosecute pirates".

<sup>16</sup> Project SOMX54, entitled "Programme for the transfer of piracy prisoners and improvements to associated Puntland and Somaliland criminal justice framework".

<sup>17</sup> Project SOMX61, entitled "Anti-piracy advocacy campaign and livelihoods".

<sup>18</sup> GNBT34, entitled "Rehabilitation of selected prisons and training of penitentiary staff".

<sup>19</sup> GNBU47, entitled "Strengthening administration of justice and rule of law in Guinea-Bissau".



justice based on the findings and recommendations of a technical assistance needs assessment conducted in 2011.

27. In Mauritania, UNODC is implementing a programme for building capacity in the areas of crime prevention and the rule of law, together with UNDP, the United Nations Population Fund (UNFPA) and UNICEF. The programme is aimed at preventing inter-community tensions. The participation of UNODC consists of establishing community justice mechanisms to promote mediation. That gives marginalized groups access to justice through the strengthened capacity among traditional mediators (“mousslihs”) in areas where there are no formal justice mechanisms and through the establishment of a network of female paralegals.<sup>20</sup>

28. In Nigeria, UNODC launched a comprehensive programme entitled “Support to the justice sector in Nigeria” for the period 2013-2016.<sup>21</sup> The project will support the Government’s efforts to improve justice delivery through (a) effective coordination and cooperation among justice sector institutions, with improved legal and policy frameworks; (b) enhanced operational structures and capabilities of officials in the sector; and (c) increased access to justice and respect for human rights and the rule of law, especially for disadvantaged and vulnerable groups, including women, children and persons with disability. It will improve mechanisms for accountability and the engagement of civil society with justice institutions, thereby enhancing respect for human rights and public trust in the justice system.

29. In Southern Africa, UNODC continued to implement projects in South Africa at the national level, and, at the regional level, within the Southern African Development Community. The projects cover victim protection and empowerment<sup>22</sup> and the prevention of violence against women and children,<sup>23</sup> including through the establishment of one-stop centres,<sup>24</sup> trainings, workshops, presentations and exhibitions. UNODC awards over \$4 million in grants to civil society organizations working directly with victims and implements a programme counselling perpetrators, victims and couples. The evaluation of the programme for the empowerment of victims highlighted a number of important lessons learned and best practices.<sup>25</sup> The regional project, which covers six countries, is aimed at enhancing the capacity of law enforcement officials to respond effectively to violence against women.

## B. Asia

30. In East Asia and the Pacific, UNODC conducts relevant activities for crime prevention and criminal justice, mostly in Viet Nam and Indonesia. In Viet Nam, UNODC continued to implement a project against domestic violence that

<sup>20</sup> Further information is available from [www.unodc.org/westandcentralafrica/en/wsmauritania1010.html](http://www.unodc.org/westandcentralafrica/en/wsmauritania1010.html).

<sup>21</sup> Project NGAV18.

<sup>22</sup> Project XAMT15, entitled “Support to South Africa’s victim empowerment programme”.

<sup>23</sup> Project XAST17, entitled “Development of effective law enforcement responses to violence against women in the Southern African region”.

<sup>24</sup> Project ZAFS15, entitled “Establishment of one-stop centers to counteract violence against women”.

<sup>25</sup> Available from [www.unodc.org/documents/evaluation/ProjEvals-2012/XAM\\_T15\\_Final\\_Report\\_24Sept2012.pdf](http://www.unodc.org/documents/evaluation/ProjEvals-2012/XAM_T15_Final_Report_24Sept2012.pdf).

focused on the training of police officers and legal aid officials.<sup>26</sup> Furthermore, in November 2012, UNODC and UN-Women conducted an assessment of the situation of women in the criminal justice system. The assessment focuses on victims of gender-based violence, women in conflict with the law and women as actors and professionals in criminal justice, as well as identifying concrete follow-up actions.

31. In Indonesia, UNODC is implementing the third phase of a project that strengthens judicial integrity and capacity.<sup>27</sup> Under the project, UNODC conducted an international workshop on judicial integrity-based reform and supported legal reform by providing technical assistance in developing the candidate judges education programme, which focuses on integrity, decision-making skills and the social impact of judicial decisions. The project also supports external oversight by working closely with the Judicial Commission and the judicial watch network, an NGO network that conducts anti-corruption campaigns in nine provinces of Indonesia and offers capacity-building in court monitoring for the general public.

32. In South Asia, UNODC developed its regional programme for the period 2013-2015, together with government counterparts from Bangladesh, Bhutan, India, Maldives, Nepal and Sri Lanka. It contains a subprogramme on promoting efficient, fair and humane criminal justice systems covering areas relating to crime prevention, treatment of prisoners, violence against women and child justice. Activities under the regional programme will be executed in close cooperation with other United Nations agencies through government and civil society partners of the region.

33. In Central Asia, UNODC conducted activities through either its Regional Office for Central Asia or its country and programme offices in Afghanistan, Iran (Islamic Republic of), Kyrgyzstan, Pakistan and Uzbekistan.

34. In Afghanistan,<sup>28</sup> UNODC recently turned over the sixth and last Justice Support Centre to the Afghan Government. This last centre is located in Kandahar and will be used to support judicial officials in the province. In 2012, 93 judges and prosecutors were trained in three regions of the country on topics ranging from trafficking in persons to drug laws and terrorism prevention. UNODC continues to co-chair the Criminal Law Reform Working Group, which is the primary vehicle established by the Government to solicit input for revising criminal laws. The Working Group is currently revising and consolidating Afghanistan's Penal Code. In partnership with other international partners, UNODC continues to focus on reform of the prison law; enhance the capacity of the directorate of prisons and detention centres; promote and establish the social rehabilitation and reintegration of prisoners; and improve confinement conditions. In the area of justice for children, UNODC trained judges and prosecutors in better serving and protecting the rights of children in conflict with the law. UNODC also provided support to implement alternatives to imprisonment for juveniles in Kabul's Open Juvenile Rehabilitation Centre.

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<sup>26</sup> Project VNMT28, entitled "Strengthening capacity of law enforcement and justice sectors to prevent and respond to domestic violence in Viet Nam".

<sup>27</sup> Project IDNX27, entitled "Strengthening judicial integrity and capacity in Indonesia, phase III".

<sup>28</sup> Project AFGR87, entitled "Prison system reform in Afghanistan: extension to the provinces", and project AFGT03, entitled "Criminal justice capacity-building: extension to the provinces".

35. In Pakistan, UNODC is implementing activities across several criminal justice mandate areas within its national integrated programme.<sup>29</sup> A major analysis of the law enforcement system was completed and shared with the Government of Pakistan and provincial governments, and draft policing legislation was developed for the consideration of the Government of Pakistan and provincial governments. In addition, UNODC started an initiative to improve crime scene investigation and evidence collection capacity that will distribute specialized equipment and resource materials and train relevant staff in all police stations in Balochistan and Khyber Pakhtunkhwa provinces, as well as at police stations in Karachi and Lahore. A manual on police-prosecutor cooperation has been developed, and relevant staff from all provinces has been provided training with it. As part of its work on prison reform, UNODC, together with the Government of Pakistan and provincial governments, has developed international standard prison rules — which each province can adapt — for improving standards of prison regulation and management, and draft prison legislation. A Pakistan prison internal inspection manual, a Pakistan prison external inspection manual and a handbook on probation and parole have been developed and disseminated along with associated training. A significant expansion of activities in areas related to criminal justice will take place in 2013.

36. In the Islamic Republic of Iran, UNODC has provided technical assistance in the areas of national legislation reform based on United Nations standards, and awareness-raising and capacity-building with respect to crime prevention and criminal justice matters, in line with its country programme for the period 2011-2014. In that regard, UNODC has conducted a series of events on issues such as protection of witnesses and victims of crimes, and capital punishment for drug-related crimes.

37. In Kyrgyzstan, UNODC provides technical assistance to support prison reform.<sup>30</sup> The focus is on policy development and legislative reform; strengthening institutional capacity of the State Penitentiary Service (SPS); promoting social reintegration of offenders; and improving prison conditions. With UNODC support, the Government of Kyrgyzstan adopted a new national strategy for the development of the penitentiary system in the period 2012-2016. In 2012, legislative reform also continued with the adoption of an amended law, four new Government decrees and 53 revised internal instructions of State Penitentiary Service aimed at improving prison management and treatment of prisoners. UNODC organized a seminar on “Managing small-scale prison income generating activities/vocational training programmes”, a comprehensive training programme delivered to 280 prison staff. A manual to support implementation of the training curriculum staff of the State Penitentiary Service is being developed. Three new income-generating activities were launched in two prisons, employing 155 prisoners for the production of bread, soy milk and textiles. Refurbishment works was executed in four prisons to provide 2,777 prisoners with better sanitary conditions.

38. In Uzbekistan, UNODC and the National Human Rights Centre developed brochures on the rights of detainees and witnesses for distribution to police stations

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<sup>29</sup> Project PAKU84, entitled “Subprogramme 2 of the Pakistan country programme: criminal justice”.

<sup>30</sup> Project KGZT90, entitled “Support to prison reform in the Kyrgyz Republic”.

and places of pretrial detention. UNODC has also adapted the publication *Human Rights and Pretrial Detention: A Handbook of International Standards relating to Pretrial Detention*<sup>31</sup> for Uzbek judges, prosecutors and lawyers, with additional information specific to Uzbek pretrial detention legislation. UNODC, together with local and international partners, delivered training courses for trainers, judges and lawyers from various regions on habeas corpus and on prevention and suppression of torture and other cruel, inhuman or degrading treatment of suspects and the accused.

### C. Latin America and the Caribbean

39. In Colombia, UNODC is implementing a project that helps conduct local safety audits in Medellín and seven other municipalities of Antioquia, to collect accurate information on the local crime situation.<sup>32</sup> The studies identify links between illicit drugs production, trafficking organizations and violence. The municipalities and the Ministry of Justice and Law have high expectations and look forward to conducting similar studies in other regions. In another project, UNODC aims at protecting vulnerable groups of the municipality of Soacha, with a focus on women, internally displaced persons and children and youth, inter alia, through the design and implementation of public policies and the establishment of civil control groups and follow-up mechanisms.<sup>33</sup> In addition, UNODC, in partnership with Terres des Hommes fédération internationale, started implementing a capacity-building project in the area of juvenile justice targeting judges, prosecutors and law enforcement officers from Bogota, Cali and Medellín.

40. In Peru and Ecuador, UNODC is compiling juvenile justice jurisprudence. Compilations for both countries are scheduled to be issued in the course of 2013. Both compilations highlight cases in which the judge has provided a good analysis of the case's facts and applicable law and has, where possible, opted for an alternative to incarceration aimed at rehabilitating the juvenile justice offender.

41. In the Plurinational State of Bolivia, UNODC promotes the implementation of the new law on the judiciary, by supporting discussions and training judicial conciliators at the national level.<sup>34</sup> UNODC provides technical assistance on the reform of the Criminal Procedure Code and on the juvenile criminal justice bill. The Office conducts studies in the areas of restorative justice and the rehabilitation of offenders in order to help the Ministry of Justice strengthen its criminal policy. UNODC is currently conducting pilot projects on restorative justice for juveniles in conflict with the law, in order to improve access to justice and raise awareness about

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<sup>31</sup> *Human Rights and Pretrial Detention: A Handbook of International Standards relating to Pretrial Detention*, Professional Training Series No. 3 (United Nations publication, Sales No. E.94.XIV.6).

<sup>32</sup> Project COLU99, entitled "Strengthening public security policies in Colombia" and project GLOT63, entitled "Support to crime prevention and criminal justice reform".

<sup>33</sup> Project COLX18, entitled "Improvement of human security conditions for vulnerable groups in Soacha, Colombia through the development of participatory, integrated and sustainable social protection solutions".

<sup>34</sup> Project BOLX01, entitled "Support to the transitional process of the democratic model in Bolivia: promoting the change in peace" and project GLOT63, "Support to crime prevention and criminal justice reform".

restorative justice practices. UNODC is also supporting local authorities in conducting a study on best practices in community policing.

42. In Brazil, UNODC has continued to consolidate its crime prevention portfolio.<sup>35</sup> UNODC, together with five other United Nations entities, delivers coordinated crime prevention activities, including training and community mobilization. Additionally, the “Expressive youth” programme, the largest private sector-funded UNODC project, delivers workshops and promotes self-development opportunities to prevent local violence. UNODC, together with the Brazilian Government, has conducted training sessions for local authorities on drug abuse and violence prevention. UNODC also strengthened its partnership with the Duke of Edinburgh’s Award to deliver a programme on crime prevention and offender’s re-socialization.

43. In Mexico, in the area of crime prevention, UNODC is assisting the government of the State of Nuevo León to improve the capacity of its municipalities to implement local programmes to develop family skills that reduce risk factors such as drug abuse, domestic violence, violence against children and women, and crime.<sup>36</sup> In the area of police reform, UNODC conducted an assessment of the new Mexican Federal Police model at the request of the Mexican authorities.<sup>37</sup> The objective was to evaluate the Federal Police’s procedures and structures, such as its crime prevention capacity and its human resource management capability. The assessment helped bring about the implementation of a new security model and identify best practices. The project constitutes a starting point for future collaboration in analysis and information exchange. Regarding media protection and related crime prevention, UNODC, in partnership with the United Nations Educational, Scientific and Cultural Organization (UNESCO) and OHCHR, helped design a national strategy to strengthen security and justice for media in Mexico.<sup>38</sup> Results include the creation of a national mechanism to prevent crime against journalists, support victims, establish protocols and develop regulations for federal and state authorities. In Chiapas, UNODC continues to implement a project on conflict prevention and peacebuilding in communities with internally displaced persons, together with a number of other United Nations agencies.<sup>39</sup> The project promotes access to justice for displaced communities through awareness-raising, and training for judges, prosecutors and policymakers. It assists both the Office of the Attorney General and the Supreme Court of Justice of the Nation in the transition towards an adversarial system.

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<sup>35</sup> Project BRAT83, entitled “Security with citizenship: preventing violence and strengthening citizenship with a focus on children, adolescents and youths in vulnerable conditions in Brazilian communities”. BRAX16, entitled “Expressive youth: citizenship, access to justice and culture of peace”.

<sup>36</sup> MEXX13, entitled “Development of family skills to prevent high-risk behaviors among young people”.

<sup>37</sup> Project MEXX62, entitled “Assessment of the new Mexican Federal Police model”.

<sup>38</sup> Project MEXX05, entitled “State query to a national strategy on strengthening the security and justice for the media in Mexico”.

<sup>39</sup> Project MEXT99, entitled “Conflict prevention, consensus and peacebuilding in communities with people internally displaced in Chiapas, Mexico (2009-2012)”.

44. In Panama, UNODC continues to implement a prison reform project.<sup>40</sup> In 2012, UNODC completed the first phase of the project, which consisted of approving and implementing a penitentiary reform plan, strengthening staff capacity and identifying measures to reduce prison overcrowding. Areas of focus in the second phase, from August 2012 to December 2013, include supporting the Penitentiary Training Academy; improving prison conditions for female prisoners; and strengthening educational, labour and production programmes for detainees. Many activities in the second phase are conducted in coordination with the Latin American Institute for the Prevention of Crime and the Treatment of Offenders and the centre of excellence on prison reform and drug demand reduction based in the Dominican Republic.<sup>41</sup> Also in Panama, UNODC works with Government entities, including the National Police and the Ministry of Public Security to develop new initiatives for the prevention of violence and crime and related institutional capacities. Over the past three years, this project has helped build capacity for violence analysis and institutional capacities for gender- and human rights-based approaches to citizen security, and helped improve the juvenile justice system and prevent violence against women.

45. In El Salvador, UNODC conducted a second assessment of the country's prison system<sup>42</sup> under its integrated impact programme for El Salvador, entitled "Strengthening the rule of law and public security against crime", agreed by UNODC and the Government. While the first assessment, conducted in 2010, focused on security aspects, the second assessment focuses on pre- and post-release rehabilitation programmes and special categories of prisoners. UNODC will follow up with the Government of El Salvador to ensure that proper attention is paid to the assessment's recommendations.

46. In the Caribbean, UNODC organized a regional workshop in Saint Lucia on prison reform and alternatives to imprisonment to disseminate the findings and recommendations of its 2010 prison assessment in selected countries of the Organisation of Eastern Caribbean States (OECS) (Saint Lucia, St. Kitts and Nevis and Saint Vincent and the Grenadines), plus Barbados and the Dominican Republic.<sup>42</sup> This assessment covers the prison system, prison-related legislation, as well as laws and practices relating to alternatives to imprisonment. The recommendations served as a basis for a plan of action that workshop participants endorsed. They centred on how to improve prison management, treatment of prisoners and the implementation of alternatives to imprisonment, taking into account the high proportion of prisoners imprisoned for drug-related offences. Follow-up communications with OECS have highlighted the need to complete the assessment in other OECS countries (Antigua and Barbuda, Dominica, Grenada and Montserrat) to facilitate the adoption of a subregional approach to prison reform and to maximize the impact of any training and capacity-building activities in this field.

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<sup>40</sup> Project PANX12, entitled "Supporting prison reform in the Republic of Panama (phases I and II)".

<sup>41</sup> Project DOMV07, entitled "Establishment of a centre of excellence on prison reform and drug demand reduction".

<sup>42</sup> Project GLOT63, entitled "Support to crime prevention and criminal justice reform".

## D. North Africa and the Middle East

47. In Egypt, UNODC has developed a project to enhance the Egyptian authorities' capacities on strategic planning in criminal justice and law enforcement, focusing on long-term police and corrections reform, including through consultations, meetings and exchange of best practices for key national stakeholders, including civil society.<sup>43</sup> To date, UNODC has organized two study tours to the United Kingdom of Great Britain and Northern Ireland, on oversight and accountability and on criminal investigation techniques. Under a separate project focusing on juvenile justice,<sup>44</sup> UNODC, the NGO New Horizons Association for Social Development and the Ministry of Social Solidarity work on reintegrating children and youth deprived of their liberty into society after they leave their detention centre. UNODC is currently developing the project's third and final phase, which will start in the second quarter of 2013. Also in 2012, UNODC and Terre des Hommes fédération internationale organized in Cairo the "Justice for children" round table, with governmental, non-governmental and development partners. The meeting was instrumental for identifying challenges and priority areas for the reform of the justice for children system in Egypt and for promoting coordination with national and international actors working in that area.

48. In Libya, UNODC has been implementing a project to support the process of criminal justice reform<sup>45</sup> since 2007. After the country's revolution in February 2011, the need for criminal justice reform was recognized by the new local authorities. Therefore, counterparts in Libya requested the resumption of the project, which is currently being revised and extended. The project has received new contributions, including from the Government of Libya itself, for activities related to legislative reviews, capacity-building programmes and forensic and criminal laboratories facilities.

49. In Lebanon, UNODC has been implementing a penal reform project that facilitates the transfer of the prison administration from the Ministry of the Interior and Municipalities to the Ministry of Justice.<sup>46</sup> Furthermore, all prisoners' files were automated, which significantly improved prison management, especially regarding prisoner identification and judiciary support. For the first time, national authorities have access to comprehensive prison population figures, which has enabled authorities to issue the first national report on the prison population, including recommendations for further improvement, in particular regarding alternatives to imprisonment and rehabilitation and reintegration policies. It has also enabled authorities to develop comprehensive reform strategies and provide more appropriate services targeting adult and juvenile prisoners.

50. In the State of Palestine, the Office maintained continued cooperation with the correctional and rehabilitation centre directorate to further strengthen its management capacity and to improve coordination between the directorate and other

<sup>43</sup> Project XAMV12, "Support project for the Regional Programme on Drug Control, Crime Prevention and Criminal Justice Reform in the Arab States, 2011-2015".

<sup>44</sup> Project EGYT47, entitled "Reintegration of released children and youth into Egyptian society".

<sup>45</sup> Project LBYS66, entitled "Support to the process of criminal justice reform in the Great Socialist People's Libyan Arab Jamahiriya".

<sup>46</sup> Project LBNT94, entitled "Reinforcing human rights and democracy in Lebanon: penal reform focusing prison reform".

ministries providing services in the reform and rehabilitation centres.<sup>47</sup> Assistance included staff training, the development of the directorate's internal training programme for each of the reform and rehabilitation centres and strengthening compliance with regulatory frameworks through the development of by-laws. Following the 2011 comprehensive assessment on rehabilitation programmes, the Office has established rehabilitation workshops in four reform and rehabilitation centres. The project continued to support the health-care service delivery and the capacity of the correction and rehabilitation centre directorate to address them. The project supplements many of the penal reform interventions undertaken by other international partners.

51. In Jordan, UNODC supported authorities, including local police units responsible for safety and security in the Za'atri camp where Syrian refugees are hosted, to strengthen their capacity to better prevent violence and crime and support victims, in particular women and children.<sup>48</sup> Under another project supporting the juvenile justice system,<sup>49</sup> UNODC is equipping several court rooms with a closed circuit television system and is training staff to use it properly; it supports, in coordination with the Judicial Training Institute, the development of a curriculum for training judges and prosecutors on justice for children. In addition, UNODC conducted a technical assistance needs assessment which led to the development of a project aimed at supporting the Juvenile Police Department in strengthening its capacity to better serve and protect children in conflict with the law.

## **E. South-Eastern Europe**

52. From 27 to 29 June 2012, in Vienna, UNODC and the UNICEF Regional Office for Central and Eastern Europe and the Commonwealth of Independent States held an instructional workshop on the online training package on the Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime, mentioned in paragraph 21 above.

## **VI. Partnerships**

53. As described above, UNODC has been developing several tools and delivering many technical assistance projects in partnership with a wide variety of international and local governmental and non-governmental organizations. The partnership activities described below do not refer to activities mentioned above.

54. UNODC is an active member of the Rule of Law Coordination and Resource Group of the Secretariat,<sup>50</sup> which aims at ensuring effective and coherent United

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<sup>47</sup> Project PSEX21, entitled "Strengthening the management of the Palestinian penitentiary system and the rehabilitation of inmates in civil prisons administered by the Palestinian Authority (phase II)".

<sup>48</sup> Project GLOT63, entitled "Support to crime prevention and criminal justice reform".

<sup>49</sup> Project JORT36, entitled "EC-UNODC support to the juvenile justice system in Jordan".

<sup>50</sup> Members of the Group are the principals of the Department of Political Affairs, the Department of Peacekeeping Operations, the Office of the United Nations High Commissioner for Human Rights, the Office of Legal Affairs, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the



Nations rule of law efforts in line with the aspirations of national and international partners. UNODC contributed to the substantive preparation of the first high-level meeting of the General Assembly on the rule of law at the national and international levels, held on 24 September 2012. Furthermore, UNODC continued to work with the core training development group of the Rule of Law Coordination and Resource Group to develop and implement a unified rule of law training programme for United Nations field staff. UNODC also contributed to the revision of the training development group's training manual and to the delivery of the United Nations unified rule of law training session in May/June 2012 by providing two UNODC facilitators.

55. UNODC is also part of United Nations coordination mechanisms aimed at improving the effectiveness of the system-wide response to violence against women, such as the United Nations Action against Sexual Violence in Conflict and the Inter-Agency Network on Women and Gender Equality. As part of its membership in the United Nations Action against Sexual Violence in Conflict, UNODC joined the World Health Organization (WHO) in the implementation of a project to develop medical/legal guidelines for victims of sexual violence in conflict. UNODC also contributed to a survey on women's access to justice and is exploring further areas of intervention, in particular prevention.

56. UNODC also participates actively in the Global Forum on Law, Justice and Development, in particular in its Thematic Working Group on Justice and Rule of Law Reform. The Global Forum seeks to promote a better understanding of the role of law and justice and to strengthen and better integrate legal and judicial institutions in the development process, through selected capacity-building initiatives and an open repository of knowledge.

57. With respect to post-conflict and other crisis situations, UNODC closely liaises and coordinates with the global focal point for police, justice and corrections, an arrangement recently established by UNDP and the Department of Peacekeeping Operations.

58. In the area of urban crime and violence prevention, UNODC cooperated with the United Nations Human Settlements Programme (UN-Habitat) and WHO, including on developing guidelines, respectively, guidelines for safer cities and the youth violence prevention guidelines.

59. On access to justice and legal aid, UNODC participated in a UNDP regional meeting in Dar es Salaam, United Republic of Tanzania, in May 2012 on "Taking forward legal aid programming in Africa: experiences and lessons in policy and programming" and contributed to the development of a tool entitled "Legal aid service provision: a how-to guide on legal aid programming in Africa". In July 2012, UNDP and UNODC, together with the Governments of South Africa and Germany, organized a joint event for Member States on "Increasing legal aid: a matter of justice and development". In November 2012, UNODC attended an international conference on access to justice organized by UNDP and the Ministry of Justice of India and contributed to the programme entitled "Equitable access to justice: legal empowerment, legal aid and how to make it work for the poor and

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United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the United Nations Office on Drugs and Crime.

marginalized”. UNODC and UNDP developed a joint proposal for a global study on legal aid delivery and are now seeking resources for that study. UNODC is also partnering with UNDP and the Open Society Justice Initiative to develop a new tool on early access to legal aid, as mentioned in paragraph 18 above.

60. In the area of justice for children, UNODC is an active member of the Interagency Panel on Juvenile Justice and continued to enhance cooperation with NGOs and United Nations entities, in particular UNICEF and OHCHR. UNODC also strengthened its cooperation with the European Union in this area, for example by contributing, as a member of its Steering Committee, to the European Union study to collect data on children’s involvement in administrative, civil and criminal judicial proceedings in the 27 States members of the European Union and Croatia. In the area of violence against children, UNODC has increased collaboration with OHCHR and the Special Representative of the Secretary-General on violence against children. The first initiative was an expert consultation, held in Vienna on 23 and 24 January 2012, which resulted in the elaboration of a joint report on prevention of and responses to violence against children within the juvenile justice system that was submitted to the Human Rights Council in September 2012 pursuant to Human Rights Council resolution 18/12 (A/HRC/21/25), and led to a high-level panel discussion held on the margins of the sixty-seventh session of the General Assembly. The recommendations of the joint report led to a number of follow-up initiatives. At the international level, these include the General Assembly’s invitation to the Commission to consider developing a set of model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice (Assembly resolution 67/166). At the regional level, these include activities such as the Latin American congress on violence against children within the juvenile justice system, organized by Defence for Children International in Paraguay from 5 to 7 December 2012, with the support of UNODC, in order to identify regional challenges and effective responses.

## **VII. Conclusions and recommendations**

61. During the reporting period, UNODC supported important normative developments in the areas of crime prevention and criminal justice reform: the adoption of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems; the revision of the Standard Minimum Rules for the Treatment of Prisoners; and the development of guidelines on the oversight and regulation of civilian private security services. In parallel, UNODC also strengthened its promotion of the use and application of the standards and norms as it continued its work on data collection and analysis; tool development; and the provision of technical assistance, with an increasing number of field initiatives.

62. Given the central role of the standards and norms in guiding the efforts of countries and the United Nations in developing and implementing crime prevention and criminal justice policies and programmes, the Commission may wish to:

(a) Welcome the launch of the UNODC thematic programme on crime prevention and criminal justice for the period 2012-2015 and the strengthening and expansion of the UNODC portfolio of projects under the thematic programme in recent years;

(b) Recommend that Member States:

- (i) Adopt and implement coherent crime prevention and criminal justice reform initiatives based on the standards and norms and other international standards;
- (ii) Use and apply relevant UNODC tools, such as handbooks, training materials and model laws, when developing and implementing crime prevention and criminal justice reform strategies, policies and programmes;
- (iii) Consider requesting the assistance of UNODC when embarking on the development of crime prevention and criminal justice reform strategies, policies and programmes;
- (iv) Provide financial and technical support to UNODC activities for the implementation of the standards and norms in crime prevention and criminal justice, as well as for their further development or revision, in order to reflect new advances in crime prevention and criminal justice practices;

(c) Recommend that UNODC:

- (i) Continue to act as a centre of expertise on crime prevention and criminal justice issues in the United Nations system;
  - (ii) In its responses to counter illicit drugs and crime, make full use of and promote the implementation of the standards and norms in crime prevention and criminal justice;
  - (iii) Continue to develop guidance and technical assistance instruments, including learning tools such as e-learning tools, and strengthen its capacity to provide legal and technical assistance to Member States and regional entities in crime prevention and criminal justice matters.
-