

3. The staff of the Institute shall be appointed by the Director under letters of appointment signed by him or her in the name of the Secretary-General and limited to service with the Institute. The staff shall be responsible to the Director in the exercise of their functions.

4. The terms and conditions of service of the Director and the staff shall be those provided in the Staff Regulations and Staff Rules of the United Nations, subject to such arrangements for special rules or terms of appointment as may be proposed by the Director and approved by the Secretary-General.

5. The Director and the staff of the Institute shall not seek or receive instructions from any Government or from any authority external to the United Nations. They shall refrain from any action that might reflect on their position as international officials responsible only to the Organization.

6. The Director and the staff of the Institute shall be officials of the United Nations and therefore shall be covered by Article 105 of the Charter of the United Nations, and by other international agreements and United Nations resolutions defining the status of such officials.

#### Article VI

##### FELLOWS AND CONSULTANTS

1. The Director may designate a limited number of well-qualified persons to serve as senior fellows of the Institute. Senior fellows shall be permitted to pursue their research at the Institute and shall be expected to provide advice and assistance in matters related to the work programme of the Institute.

2. The Director may also designate junior fellows as part of the training programme of the Institute. Junior fellows shall be expected to provide assistance in matters concerning the work programme of the Institute.

3. The Institute shall establish a restricted network of national fellows specialized in the field of criminological research to assist the activities of the Institute by advising on studies, research and training.

4. Fellows shall be designated in accordance with criteria established by the Board and procedures formulated by the Secretary-General and shall not be considered to be members of the staff of the Institute.

5. The Director may arrange for the services of consultants for special assignments in connection with the work programme of the Institute. Such consultants shall be engaged in accordance with policies established by the Secretary-General.

#### Article VII

##### FINANCIAL RESOURCES AND RULES GOVERNING THE FINANCIAL MANAGEMENT OF THE INSTITUTE

The activities of the Institute shall be funded by voluntary contributions from States. The Institute may derive further resources in cash or in kind from the United Nations, its specialized agencies, other intergovernmental and governmental organizations and institutions, and non-governmental organizations. Acceptance by the Institute of offers of such further assistance shall, in every case, be subject to the decision of the President of the Board, in consultation with the Director of the Institute, in accordance with the basic aims of the Institute and the relevant provisions of the rules governing the financial management of the Institute. The President of the Board shall report on the matter to the Board at its following session.

#### Article VIII

##### ADMINISTRATIVE AND OTHER SUPPORT

The Secretary-General of the United Nations shall provide the Institute with appropriate administrative and other support in accordance with the Financial Regulations and Rules of the United Nations. The Institute shall reimburse the United Nations the cost of such support, as determined by the Controller of the United Nations after consultation with the Director.

#### Annex I A

##### RELATIONS WITH THE CENTRE FOR SOCIAL DEVELOPMENT AND HUMANITARIAN AFFAIRS OF THE SECRETARIAT, AND OTHER UNITED NATIONS BODIES, SPECIALIZED AGENCIES AND INTERNATIONAL ORGANIZATIONS

1. The Institute shall establish and maintain a close consultative, co-operative and working relationship with the Centre for Social Development and Humanitarian Affairs of the Secretariat, including in particular the Crime Prevention and Criminal Justice Branch.

2. The Institute may also establish and maintain such relations as it considers appropriate with other United Nations bodies, specialized agencies and international organizations.

##### 1989/57. Implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power

###### *The Economic and Social Council,*

*Bearing in mind* that the General Assembly, in its resolution 40/34 of 29 November 1985, adopted the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, set forth in the annex to the resolution, which had been approved by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,<sup>92</sup>

*Recalling* the request made to Member States to take the necessary steps to give effect to the provisions of the Declaration so as to secure for victims of crime and abuse of power the rights due to them,

*Taking into account* section III of its resolution 1986/10 of 21 May 1986, in which it recommended that continued attention be given to the implementation of the Declaration with a view to developing the co-operation of Governments, intergovernmental and non-governmental organizations and the public in securing justice for victims and in promoting integrated action on behalf of victims at the national, regional and international levels,

*Noting* that the first report of the Secretary-General concerning measures taken to implement the Declaration indicates a number of areas which require further attention,<sup>93</sup>

*Noting with satisfaction* the adoption of the European Convention on the Compensation of Victims of Violent Crimes by the Council of Europe on 24 November 1983 and of the recommendation on assistance to victims and the prevention of victimization by the Council of Europe on 17 September 1987, as well as the creation by some Member States of national funds for the compensation of victims of intentional and non-intentional offences,

*Recognizing* that effective implementation of the provisions of the Declaration in respect of victims of abuse of power is sometimes hampered by problems of jurisdiction and by difficulties in identifying and halting such abuses, owing, *inter alia*, to the transnational nature of the victimization,

*Noting with appreciation* the significant efforts made since the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders to follow up and give effect to the Declaration, including the report prepared by an *ad hoc* committee of experts at the International Institute of Higher Studies in Criminal Sciences at Syracuse, Italy in May 1986, as revised at a colloquium of leading non-governmental organizations active in

<sup>92</sup>*Ibid.*, chap. I, Sect. C

<sup>93</sup>E/CN.4/1988/3

crime prevention, criminal justice and the treatment of offenders and victims, held at Milan, Italy, in November and December 1987.

1. *Recommends* that the Secretary-General consider, subject to the provision of extrabudgetary funds and consideration by the Committee on Crime Prevention and Control, the preparation, publication and dissemination of a guide for criminal justice practitioners and others engaged in similar activities, taking into account the work already done on the subject;

2. *Also recommends* that Member States take the necessary steps to give effect to the provisions contained in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, through:

(a) The adoption and implementation of the provisions contained in the Declaration in their national justice systems in accordance with their constitutional process and domestic practice;

(b) The introduction of legislation to simplify access by victims to the justice system in order to obtain compensation and restitution;

(c) The examination of methods of assisting victims, including adequate redress for the actual harm or damage inflicted, identifying limitations and exploring ways by which these may be overcome, to ensure that they meet effectively the needs of victims;

(d) The establishment of measures to protect victims from abuse, calumny or intimidation in the course or as a result of any criminal or other proceedings related to the crime, including effective remedies, should such abuses occur;

3. *Further recommends* that Member States, in collaboration with relevant services, agencies and organizations, endeavour:

(a) To encourage the provision of assistance and support services to victims of crime, with due regard to different social, cultural and legal systems, taking into account the experience of different models and methods of service delivery and the current state of knowledge concerning victimization, including its emotional impact, and the consequent need for service organizations to extend offers of assistance to victims;

(b) To develop suitable training for all who provide services to victims to enable them to develop the skills and understanding needed to help victims cope with the emotional impact of crime and overcome bias, where it may exist, and to provide factual information;

(c) To establish effective channels of communication between all those who are involved with victims, organize courses and meetings and disseminate information to enable them to prevent further victimization as a result of the workings of the system;

(d) To ensure that victims are kept informed of their rights and opportunities with respect to redress from the offender, from third parties or from the State, as well as of the progress of the relevant criminal proceedings and of any opportunities that may be involved;

(e) Where informal mechanisms for the resolution of disputes exist, or have been newly introduced, to ensure, if possible and with due consideration to established legal principles, that the wishes and sensibilities of victims are fully taken into consideration and that the outcome is at least as beneficial for

the victims as would have been the case if the formal system had been used;

(f) To establish a monitoring and research programme to keep the needs of victims and the effectiveness of services provided to them under constant review; such a programme might include the organization of regular meetings and conferences of representatives of relevant sectors of the criminal justice system and other bodies concerned with the needs of victims, in order to examine the extent to which existing law, practice and victim services are responsive to the needs of victims;

(g) To undertake studies to identify the needs of victims in cases of unreported crime and make the appropriate services available to them;

4. *Recommends* that, at the national, regional and international levels, all appropriate steps be taken to develop international co-operation in criminal matters, *inter alia*, to ensure that those who suffer victimization in another State receive effective help, both immediately following the crime and on their return to their own country of residence or nationality, in protecting their interests and obtaining adequate restitution or compensation and support services, as necessary;

5. *Recognizes* the need to work out in greater detail part B of the Declaration and to develop international means for preventing the abuse of power and for providing redress for victims of such abuse where national channels may be insufficient, and recommends that appropriate steps be taken to this effect;

6. *Requests* the Secretary-General to organize, subject to the availability of extrabudgetary funds, a meeting of experts to formulate specific proposals for the implementation of General Assembly resolution 40/34 and the Declaration of Basic Principles of Justice for Victims of Crime and the Abuse of Power, in so far as those documents apply to the abuse of power, in time for the proposals to be submitted to the Committee on Crime Prevention and Control at its eleventh session and for consideration by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

*15th plenary meeting  
24 May 1989*

#### **1989/58. United Nations network of government-appointed national correspondents in the field of crime prevention and control**

*The Economic and Social Council.*

*Reaffirming* General Assembly resolution 415 (V) of 1 December 1950, by which the Assembly established a system of national correspondents appointed by Governments to co-operate with the Secretariat in all matters concerning crime prevention and control,

*Reaffirming also* its resolution 357 (XII) of 13 March 1951, in which it emphasized that the appointment of national correspondents should be made on the basis of their expert qualifications or experience, professional or scientific, in the field of crime prevention and control,

*Recognizing* the important role of national correspondents, the valuable contributions they have made and the work they have accomplished in the promotion and implementation of the United Nations programme of work in the field of crime prevention and control, including that of the United