

3. *Requests* all importing countries to voluntarily furnish to the International Narcotics Control Board, to the extent possible, estimates of annual medical and scientific requirements for secobarbital;

4. *Further requests* parties to the 1971 Convention to notify all the other parties, through the Secretary-General, as provided for in article 13 of the Convention, if they prohibit the import of one or more of the substances listed in Schedule III;

5. *Invites* Governments of exporting countries to consult the International Narcotics Control Board before authorizing shipments of secobarbital and other Schedule III substances whenever questions arise as to the authenticity of import requests or when the amounts in question appear excessive with respect to the legitimate medical requirements of the countries concerned;

6. *Requests* the International Narcotics Control Board to provide data, at the thirty-second session of the Commission on Narcotic Drugs, on the voluntary use of import and export authorizations, and on its success in obtaining national estimates of legitimate medical requirements for secobarbital.

*16th plenary meeting
21 May 1986*

1986/9. Demand for and supply of opiates for medical and scientific needs

The Economic and Social Council,

Recalling its resolutions 1979/8 of 9 May 1979, 1980/20 of 30 April 1980, 1981/8 of 6 May 1981, 1982/12 of 30 April 1982, 1983/3 of 24 May 1983, 1984/21 of 24 May 1984 and 1985/16 of 28 May 1985,

Recalling also the International Drug Abuse Control Strategy adopted by the General Assembly in its resolution 36/168 of 16 December 1981,

Bearing in mind that the treaties establishing drug control systems are based on the concept that the number of producers of opiate raw materials for export should be limited in order to facilitate effective control,

Taking into account the position of the International Narcotics Control Board that licit opiates are not ordinary commodities the production, manufacture and distribution of which can be regulated solely by normal economic considerations,

Bearing in mind that the maintenance of world-wide balance between the licit supply of opiates and the legitimate demand for those opiates for medical and scientific purposes constitutes an important aspect of the international strategy and policy on drug abuse control,

Bearing in mind also that all Governments have a collective responsibility and should show solidarity and that international co-operation is a fundamental pre-condition for all activities intended to achieve improved drug control,

Having considered the report of the International Narcotics Control Board for 1985 on demand and supply of opiates for medical and scientific needs,¹⁸

Concerned that large stocks of opiate raw materials held by the traditional supplier countries impose heavy financial and other burdens on them,

1. *Expresses its appreciation* to the countries that have taken measures towards implementation of the above-mentioned resolutions;

2. *Urges* the Governments of those countries that have not already done so to take urgent and effective steps to implement the above-mentioned resolutions;

3. *Urges* the Governments that have recently begun or expanded production of opiate raw materials for export of opiates to exercise restraint to the maximum extent possible;

4. *Calls upon* importing countries, in so far as their constitutional and legal systems permit, to obtain their licit requirements of opiate raw materials from traditional supplier countries;

5. *Requests* the International Narcotics Control Board to monitor the implementation of the present resolution and report thereon to the Economic and Social Council, through the Commission on Narcotic Drugs, in 1987;

6. *Requests* the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

*16th plenary meeting
21 May 1986*

1986/10. Implementation of the conclusions and recommendations of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders

The Economic and Social Council,

Recalling General Assembly resolution 40/32 of 29 November 1985, in which the Assembly, *inter alia*, endorsed the resolutions unanimously adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders¹⁹ and invited the Committee on Crime Prevention and Control to make specific recommendations on the implementation thereof in its report to the Economic and Social Council at its first regular session of 1986,

Recalling the Milan Plan of Action, in which the Seventh Congress emphasized its conclusion that, of all the actions proposed by the Congress, it was imperative that priority be given to combating the most serious forms of crime of international dimensions,

Recalling also General Assembly resolution 40/146 of 13 December 1985 on human rights in the administration of justice, in which the Assembly, *inter alia*, acknowledged the important work accomplished by the Seventh Congress, in particular in relation to the formulation and application of United Nations standards and norms in the administration of justice,

Recalling further General Assembly resolutions 40/33 of 29 November 1985, containing the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), 40/35 of 29 November 1985 on the development of standards for the prevention of juvenile delinquency and 40/36 of 29 November 1985 on domestic violence,

Bearing in mind General Assembly resolution 40/34 of 29 November 1985, containing the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,

Also bearing in mind General Assembly resolution 40/143 of 13 December 1985 on summary or arbitrary executions,

¹⁸E/INCB/1985/1/Supp. (United Nations publication, Sales No. E.85.XI.7).

¹⁹See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I.

Recognizing the need, in making specific recommendations on the implementation of the conclusions of the Seventh Congress, to take into account the capabilities of the United Nations and the financial implications,

I

SERIOUS FORMS OF CRIME

Urges the Secretary-General to accord priority to the development of specific proposals to co-ordinate concerted international action against the forms of crime identified in the Milan Plan of Action, and to submit such proposals to the Committee on Crime Prevention and Control at its tenth session;

II

JUVENILE JUSTICE AND THE PREVENTION OF JUVENILE DELINQUENCY

1. *Invites* Member States to inform the Secretary-General every five years, beginning in 1987, of the progress achieved in the application of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and requests the Secretary-General to report regularly thereon to the Committee on Crime Prevention and Control, beginning at its tenth session;

2. *Also invites* the United Nations regional and inter-regional institutes for the prevention of crime and the treatment of offenders to become actively involved in the application of the Beijing Rules and in the reporting process;

3. *Requests* the Secretary-General:

(a) To assist Governments, at their request, in adapting legislation, policies and practices to the Beijing Rules and in developing alternatives to institutionalization;

(b) With the assistance of the United Nations institutes for the prevention of crime and the treatment of offenders, regional commissions and specialized agencies, to develop standards for the prevention of juvenile delinquency; to formulate measures for the effective implementation of the Beijing Rules; and to formulate standard minimum rules for the treatment of juveniles deprived of their liberty;

(c) To submit to the Committee on Crime Prevention and Control at its tenth session a progress report on the implementation of General Assembly resolutions 40/33 and 40/35 and resolutions 19, 20 and 21 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,¹⁹ including draft standards for the prevention of juvenile delinquency;

4. *Urges* intergovernmental and non-governmental organizations and other entities concerned to become actively involved in this work and to report to the Secretary-General on steps taken in this regard;

5. *Decides* to include an item entitled "Juvenile justice and the prevention of juvenile delinquency, including the principles, guidelines and priorities with respect to research on youth crime" in the provisional agenda for the tenth session of the Committee;

6. *Requests* the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and the preparatory meetings for the Congress to consider these questions, in particular the draft standards for the prevention of juvenile delinquency and the draft standard minimum rules for the treatment of juveniles deprived of their liberty, with a view to their adoption;

III

BASIC PRINCIPLES OF JUSTICE FOR VICTIMS OF CRIME AND ABUSE OF POWER

1. *Recommends* that continued attention should be given to implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 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;

2. *Recommends* that the Secretary-General should seek the active involvement of United Nations regional and interregional institutes for the prevention of crime and the treatment of offenders and competent intergovernmental and non-governmental organizations, in consultation with interested Member States, in promoting the implementation of the Declaration;

3. *Requests* the Secretary-General to submit to the Committee on Crime Prevention and Control at its tenth session, and at its eleventh session if it occurs before the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, a report that includes a synthesis of reports received from Member States on measures taken to implement the Declaration, including progress achieved since the Seventh Congress;

IV

DOMESTIC VIOLENCE

1. *Urges* the Secretary-General:

(a) To convene, subject to the availability of extra-budgetary funds, a round-table meeting on domestic violence, with a view to the intensification of research and the formulation of action-oriented strategies, inviting the co-operation of the United Nations institutes for the prevention of crime and the treatment of offenders, specialized agencies and intergovernmental and non-governmental organizations, and to report the results of the meeting to the Committee on Crime Prevention and Control at its tenth session;

(b) To submit to the Committee at its tenth session a note on progress with respect to General Assembly resolution 40/36;

2. *Decides* to include an item entitled "Domestic violence" in the provisional agenda for the tenth session of the Committee;

3. *Invites* the preparatory meetings for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to consider the question, with a view to consideration and action by the Eighth Congress;

V

BASIC PRINCIPLES ON THE INDEPENDENCE OF THE JUDICIARY

1. *Invites* Member States to inform the Secretary-General every five years, beginning in 1988, of the progress achieved in the implementation of the Basic Principles on the Independence of the Judiciary,¹⁹ including their dissemination, their incorporation into national legislation, the problems faced in their implementation at the national level and assistance that might be needed from the international community, and requests the Secretary-

General to report thereon to the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

2. *Appeals* to all Governments to promote seminars and training courses at the national and regional levels on the role of the judiciary in society and the necessity for its independence;

3. *Requests* the Secretary-General:

(a) To provide Governments, at their request, with the services of experts and regional and interregional advisers to assist in implementing the Basic Principles and to report to the Eighth Congress on the technical assistance and training actually provided;

(b) To report to the Committee on Crime Prevention and Control at its tenth session on the steps taken to disseminate the Basic Principles;

(c) To include the Basic Principles in the United Nations publication entitled *Human Rights: A Compilation of International Instruments*;

4. *Encourages* the United Nations regional and interregional institutes for the prevention of crime and the treatment of offenders to assist in the implementation of the Basic Principles and to pay special attention to this question in their research and training programmes;

5. *Urges* intergovernmental and non-governmental organizations and other entities concerned to become actively involved in this process and to inform the Secretary-General of the efforts made to disseminate and implement the Basic Principles and the extent of their implementation, and requests the Secretary-General to include this information in his report to the Eighth Congress;

6. *Requests* the Committee to consider this question at its tenth session;

7. *Requests* the Eighth Congress and the preparatory meetings for the Congress to consider this question;

VII

EXTRA-LEGAL, ARBITRARY AND SUMMARY EXECUTIONS AND MEASURES FOR THEIR PREVENTION AND INVESTIGATION

1. *Requests* the Secretary-General to submit to the Committee on Crime Prevention and Control at its tenth session a report on extra-legal, arbitrary and summary executions, wherever and under whatever circumstances they may occur, prepared on the basis of information provided by Member States, competent United Nations offices, intergovernmental and non-governmental organizations and other sources, in the light of the guidance on the matter provided by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and taking into account work previously done;

2. *Requests* the Committee at its tenth session to consider the question of extra-legal, arbitrary and summary executions with a view to elaborating principles on the effective prevention and investigation of such practices;

3. *Requests* the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and the preparatory meetings for the Congress to consider this question;

VIII

TRANSFER OF CRIMINAL PROCEEDINGS

1. *Requests* the Committee on Crime Prevention and Control to formulate a model agreement on the transfer

of criminal proceedings for possible consideration by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, taking into account previous work done in this area;

2. *Requests* the Secretary-General, in co-operation with the United Nations regional and interregional institutes for the prevention of crime and the treatment of offenders, as well as intergovernmental and non-governmental organizations, to assist the Committee in its task by, *inter alia*, further studying the principles on which such a model agreement could be based and by preparing a preliminary report for consideration by the Committee at its tenth session;

VIII

TRANSFER OF SUPERVISION OF FOREIGN OFFENDERS WHO HAVE BEEN CONDITIONALLY SENTENCED OR CONDITIONALLY RELEASED

1. *Requests* the Committee on Crime Prevention and Control to formulate a model agreement on the transfer of supervision of foreign offenders who have been conditionally sentenced or conditionally released for possible consideration by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, taking into account work previously accomplished in this area;

2. *Requests* the Secretary-General, in co-operation with the United Nations regional and interregional institutes for the prevention of crime and the treatment of offenders, as well as intergovernmental and non-governmental organizations concerned, to assist the Committee in its task, *inter alia*, by studying the principles on which such a model agreement could be based and by preparing a preliminary report for consideration by the Committee at its tenth session;

IX

CODE OF CONDUCT FOR LAW ENFORCEMENT OFFICIALS

1. *Invites* Member States:

(a) To take into account and respect the Code of Conduct for Law Enforcement Officials²⁰ within the framework of their national legislation and practice and to bring it to the attention of all persons concerned, particularly law enforcement officials and correctional personnel;

(b) To pay particular attention, in informing the Secretary-General of the extent of the implementation and the progress made with regard to the application of the Code, to the use of force and firearms by law enforcement officials, and to provide the Secretary-General with copies of abstracts of laws, regulations and administrative measures concerning the application of the Code, as well as information on possible difficulties in its application;

2. *Requests* the Secretary-General:

(a) To prepare every five years, beginning in 1987, an independent report on progress made with respect to the implementation of the Code, on the basis of information received from Member States, and to submit the report to the Committee on Crime Prevention and Control at its tenth and subsequent sessions for consideration and further action, as required;

(b) To take into account, in preparing the above-mentioned report, information received from specialized

²⁰General Assembly resolution 34/169, annex.

agencies and competent intergovernmental and non-governmental organizations in consultative status with the Economic and Social Council;

(c) To disseminate the Code and to ensure the widest possible reference to and use of the text of the Code by the United Nations in all its relevant programmes, including technical co-operation activities;

3. *Requests* the Committee at its tenth session to consider measures for the more effective implementation of the Code, in the light of the guidance on the matter provided by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

4. *Urges* the United Nations regional and inter-regional institutes for the prevention of crime and the treatment of offenders to organize seminars and training courses on the Code and to conduct research on the extent to which the Code is implemented and on the difficulties encountered in its implementation;

5. *Requests* the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and the preparatory meetings for the Congress to consider these questions;

X

SAFEGUARDS GUARANTEEING PROTECTION OF THE RIGHTS OF THOSE FACING THE DEATH PENALTY

1. *Urges* Member States that have not abolished the death penalty to adopt the safeguards guaranteeing protection of the rights of those facing the death penalty, approved by the Economic and Social Council in its resolution 1984/50 of 25 May 1984, and the measures for the implementation of the safeguards, approved by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders;¹⁹

2. *Requests* the Secretary-General to submit to the Committee on Crime Prevention and Control at its tenth session:

(a) A report on the implementation of the safeguards, drawing on information provided by Member States and competent United Nations offices and intergovernmental and non-governmental organizations;

(b) A study on the question of the death penalty and new contributions of the criminal sciences to the matter, subject to the availability of extrabudgetary funds;

XI

ALTERNATIVES TO IMPRISONMENT

1. *Requests* the Secretary-General:

(a) To prepare a report on alternatives to imprisonment and on the reduction of the prison population for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and to report to the Committee on Crime Prevention and Control at its tenth session on progress in this matter, including preparations for a global survey to be initiated in 1988;

(b) To study this question with a view to the formulation of basic principles in this area, as well as minimum safeguards for persons subject to alternatives to imprisonment, and to report thereon to the Committee at its tenth session;

2. *Invites* the United Nations regional and inter-regional institutes for the prevention of crime and the treatment of offenders to assist the Secretary-General in these tasks and to pay special attention to this question in their research and training programmes;

3. *Urges* intergovernmental and non-governmental organizations and other entities concerned to become actively involved in this process;

4. *Requests* the Committee to consider this question at its tenth session;

5. *Requests* the Eighth Congress and the preparatory meetings for the Congress to consider this question;

XII

ROLE OF LAWYERS

1. *Requests* the Committee on Crime Prevention and Control, in carrying out its mandate under resolution 18 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,¹⁹ to pay particular attention to the following:

(a) The need to provide for effective access to legal assistance for all groups within society;

(b) The need to ensure that all those charged with criminal offences have the right to communicate freely and confidentially with counsel of their own choosing; to defend themselves in person or through legal assistance of their own choosing; to be informed, if they do not have legal assistance, of these rights; and to have legal assistance assigned to them, in any case where the interest of justice so requires, without payment by them if they do not have sufficient means to pay for it;

(c) The need to educate the public on the important role lawyers play in protecting fundamental rights and liberties;

(d) The need to ensure that lawyers have appropriate training and qualifications; that they are individuals of integrity and ability; and that there is no discrimination with respect to entry into the legal profession on the grounds of race, colour, sex, religion, political or other opinion, national or social origin, property, birth or status;

(e) The role of Governments, bar associations and other professional associations of lawyers in ensuring that lawyers are entitled to give legal assistance and that they are able to perform effectively their proper role, in particular to counsel and represent their clients in accordance with the law, established professional standards and their judgement, without any undue interference from any quarter;

(f) The right of lawyers to undertake the representation of clients or causes without fear of repression or persecution and to carry out their functions to the best of their ability;

(g) The obligation of lawyers to keep communications with their clients confidential, including the right to refuse to give testimony on such matters;

2. *Requests* the Secretary-General to study these questions with a view to assisting the Committee in its task and to prepare a preliminary report for consideration and further action by the Committee at its tenth session;

3. *Invites* the United Nations regional and inter-regional institutes for the prevention of crime and the treatment of offenders to pay special attention to these questions in their research and training programmes;

4. *Urges* intergovernmental and non-governmental organizations and other entities concerned to become actively involved in this process;

5. *Requests* the Committee to consider these questions at its tenth session;

6. *Requests* the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

and the preparatory meetings for the Congress to consider these questions.

16th plenary meeting
21 May 1986

1986/11. Initial review of the functioning and programme of work of the United Nations in crime prevention and criminal justice

The Economic and Social Council,

Recalling the responsibility assumed by the United Nations in the field of crime prevention and criminal justice under Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950, in particular with regard to the convening of the quinquennial United Nations congresses,

Concerned at the escalation of crime and violence in many parts of the world, requiring the constant attention of the world community,

Bearing in mind the importance of the role of the United Nations in raising the awareness of the international community of crime problems and the urgent need for more effective policies and strategies in crime prevention and criminal justice,

Recalling General Assembly resolution 35/171 of 15 December 1980, in which the Assembly endorsed the Caracas Declaration and urged the Secretary-General to implement the conclusions concerning the new perspectives for international co-operation in respect of crime prevention adopted by the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Reiterating the necessity for the international community to make concerted and systematic efforts to strengthen technical and scientific co-operation in crime prevention and criminal justice and to formulate fair, humane and effective policies directed towards crime control in the context of different political and cultural systems and different stages of economic and social development,

Stressing the urgent need to improve regional, inter-regional and international co-operation and co-ordination and to make concerted efforts to combat crime in its multifaceted aspects,

Recalling Economic and Social Council resolution 1979/19 of 9 May 1979 on the functions and long-term programme of work of the Committee on Crime Prevention and Control,

Recognizing the important contributions of the Committee on Crime Prevention and Control in elaborating draft instruments, model agreements and guidelines in crime prevention and criminal justice,

Noting the continuing increase in the work-load of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the United Nations Secretariat, particularly in relation to the mandates approved by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

Recalling General Assembly resolution 40/32 of 29 November 1985, in which the Assembly requested the Secretary-General, in his report to the Committee on Crime Prevention and Control, to initiate a review, as a matter of urgency, of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice, including the United Nations

regional and interregional institutes, paying special attention to improving the co-ordination of relevant activities within the United Nations in all related areas,

1. *Takes note* of the report of the Secretary-General on the initial review of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice;²¹

2. *Reaffirms* the importance of the quinquennial United Nations congresses on the prevention of crime and the treatment of offenders, the productive results of which have been widely recognized and endorsed by Member States, intergovernmental and non-governmental organizations and the academic community;

3. *Requests* the Secretary-General to make the necessary arrangements to ensure the optimal functioning of the Committee on Crime Prevention and Control, including more active intersessional involvement of the Committee members at the national, regional and inter-regional levels in considering priority questions and preparing recommendations thereon, without additional cost to the United Nations;

4. *Urges* the Secretary-General to look critically at the existing structure and level of management of the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, with a view to strengthening its capacity and status commensurate with its responsibilities, including the possibility of providing additional expertise to enable the Branch to respond more effectively to mandates given by the legislative bodies concerning new programme areas, taking into account current budgetary constraints and the need to redeploy resources, as necessary;

5. *Endorses* the recommendations made by the Secretary-General in paragraph 82 of his report,²¹ urges the Secretary-General and the entities concerned to initiate the implementation of those recommendations and, in particular, invites the Secretary-General to make all efforts, within the existing resources allocated to the Branch and any extrabudgetary resources that may become available:

(a) To establish, in co-operation with the United Nations institutes and other entities concerned, a global crime and criminal justice information network, with the Crime Prevention and Criminal Justice Branch serving as a focal point, including a mechanism for the centralization of inputs from non-governmental organizations and scientific institutions;

(b) To strengthen the critically needed interregional advisory services in the field of crime prevention and criminal justice; to provide technical and regional advisers as well as additional interregional advisers as quickly as budgetary resources permit; and to strengthen the professional capacity of the Crime Prevention and Criminal Justice Branch to support, follow up and develop technical assistance projects and to co-ordinate the activities of the regional and interregional institutes in this regard;

(c) To ensure the full co-ordination of activities relating to crime prevention and criminal justice in the United Nations system, with a view to maximizing it and avoiding duplication, taking into account the pivotal role played by the Committee on Crime Prevention and Control in pursuance of Economic and Social Council resolution 1979/19;

(d) To strengthen public information activities to promote the dissemination of the Milan Plan of Action, the Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New

²¹ E/AC.57/1986/4.