



Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

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Draft report

Rapporteur-General: Sintija Oskalne (Latvia)

Addendum

Successes and challenges in implementing comprehensive crime prevention and criminal justice policies and strategies to promote the rule of law at the national and international levels, and to support sustainable development

Proceedings

1. At its 7th plenary meeting, on 14 April 2015, and at its 8th meeting, on 15 April, the Congress considered agenda item 3, entitled “Successes and challenges in implementing comprehensive crime prevention and criminal justice policies and strategies to promote the rule of law at the national and international levels, and to support sustainable development”. For its consideration of the item, the Congress had before it the following documents:

(a) Report of the Secretary-General on the follow-up to the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World (A/CONF.222/3);

(b) Report of the Secretary-General on the state of crime and criminal justice worldwide (A/CONF.222/4);

(c) Report of the Executive Director on the contribution of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice to the discussions on the post-2015 development agenda (A/CONF.222/5);

(d) Working paper prepared by the Secretariat on successes and challenges in implementing comprehensive crime prevention and criminal justice policies and strategies to promote the rule of law at the national and international levels, and to support sustainable development (A/CONF.222/6);



(e) Report of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners (A/CONF.222/14);

(f) Discussion guide for the Thirteenth Congress on Crime Prevention and Criminal Justice (A/CONF.222/PM.1).

2. The 7th plenary meeting was chaired by Khaled Shamaa (Egypt), Vice-President of the Congress. Item 3 was introduced by representatives of the Secretariat, and a statement was made by the Assistant Secretary-General for Rule of Law and Security Institutions, of the Department of Peacekeeping Operations. Statements were also made by the representatives of Thailand, Algeria, Canada, Austria, China, Slovenia, Viet Nam, Mexico, Pakistan and Norway. A summary of proceedings was presented to the plenary meeting by the moderator of workshop 1, entitled "Role of the United Nations standards and norms in crime prevention and criminal justice in support of effective, fair, humane and accountable criminal justice systems: experiences and lessons learned in meeting the unique needs of women and children, in particular the treatment and social reintegration of offenders".

3. The 8th plenary meeting, on 15 April, was chaired by Khaled Shamaa (Egypt), Vice-President of the Congress. Statements were made by the representatives of the United States, Egypt, Germany, Switzerland, Morocco, Venezuela (Bolivarian Republic of), Indonesia, Iraq, Libya, Kuwait, the Sudan, Burundi, Iran (Islamic Republic of), Nicaragua and Kenya. Statements were also made by the observers for the International Drug Policy Consortium, the International Organization for Victim Assistance, and Amnesty International together with the Global Alliance against Traffic in Women.

General discussion

4. The moderator of workshop 1 presented a summary of the workshop's proceedings to the plenary meeting, focusing on the importance of the full implementation of existing standards and norms, in particular the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the recently adopted United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice (General Assembly resolution 69/194, annex). The workshop had concluded that while there had been constant progress in implementation, the standards needed to be further put into practice. The importance of gender mainstreaming was highlighted. Standards and programmes that addressed the special needs of women in criminal justice systems by providing special rehabilitation programmes for women prisoners and offenders had to be implemented. With regard to children, there was a need to improve the effectiveness of criminal justice systems in response to violence against children and a need for closer cooperation between child protection systems and criminal justice systems. Support had been expressed for the recommendations resulting from the fourth meeting of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners (see E/CN.15/2015/17). The Assistant Secretary-General for the Rule of Law and Security Institutions, of the Department of Peacekeeping Operations, addressed the meeting. He underlined that globally, only 50 per cent of all adults worldwide expressed confidence in their justice systems. He also explained that the criminal justice system should be a measure of last resort and that failures in the rule of law area translated into threats to international peace and

security. He called on the United Nations, Member States, regional organizations, researchers and civil society to take the opportunity to step up collective efforts to promote the rule of law, in particular in post-conflict and conflict settings. He mentioned the efforts made by United Nations agencies under the global focal point arrangement established to support the United Nations field presence. Those efforts included assisting in the prosecution of military officers accused of committing crimes against civilians; the implementation of rehabilitation ordered by courts and implemented in prisons; and the training of law enforcement officers.

5. Speakers reaffirmed the linkages between the rule of law and sustainable development. It was noted that the rule of law was both an outcome of and an enabling condition for development. Speakers emphasized the crucial need to include the rule of law and the strengthening of justice systems in the post-2015 development agenda. In addition, speakers stated that crime prevention and criminal justice measures contributed to community safety, helped to ensure the stability and predictability of the legal system, fostered investment and economic development, and helped to ensure that the benefits of development were not diverted into criminal hands. Speakers took note of the report of the Open Working Group of the General Assembly on Sustainable Development Goals (A/68/970), in particular the proposed goals 5 and 16, and urged Member States not to re-open negotiations with regard to the agreed upon goals and targets as part of that intergovernmental process. One speaker mentioned that the rule of law should also be mainstreamed in the other sustainable development goals. Several speakers recommended adopting a people-centred approach to development that did not limit itself to improving legal and governance systems but enhanced the promotion and protection of human rights and the empowerment of all people and helped to ensure equality and non-discrimination, participation and accountability, while promoting respect for human rights.

6. Several speakers shared experiences in the implementation of the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World.

7. Speakers emphasized the importance of developing high-quality systems for data collection and analysis to enhance crime prevention and criminal justice programmes. Evidence-based policies were needed to use resources effectively and identify challenges. Data collection, at both the national and international levels, could provide a solid basis for identifying statistical indicators to monitor the implementation of the forthcoming sustainable development goals. It was highlighted that the experience of UNODC in collecting data on crime and criminal justice systems was an important asset to support the monitoring of sustainable development goals, particularly with regard to the proposed goal 16.

8. Several speakers highlighted the need to address, as a high priority, violence against women within the context of sustainable development and the rule of law by putting into practice the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice. Measures to address violence against women included, for instance, establishing a national hotline with service in several languages, as part of the obligations arising from the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Speakers also emphasized the importance of mainstreaming a gender perspective in the criminal

justice system and referred to measures taken to increase the percentage of women working in the police and the judiciary. One speaker highlighted the important role played by women in fighting corruption.

9. Many speakers emphasized the importance of addressing the needs of children in the criminal justice system, in particular by implementing the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice and supporting the joint UNODC/United Nations Children's Fund Global Programme on Violence against Children in the Field of Crime Prevention and Criminal Justice. Speakers explained efforts made in their countries to bring juvenile justice systems in line with international standards, through, inter alia, the use of diversion; prevention; and multidisciplinary interactions between the justice system, the child welfare system and health and school services; and social reintegration programmes.

10. Speakers outlined efforts to implement legal reform and comprehensive criminal justice reforms in their countries with a focus on the modernization of justice systems, ensuring the independence of the judiciary, strengthening capacities, providing victim support and implementing prison reform. In particular, measures had been taken to increase the use of alternatives to imprisonment, diversion, the social reintegration of offenders and the prevention of recidivism. Speakers also mentioned the importance of public defence services and access to justice to promote the rule of law and development, and the importance of steps taken to implement the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems.

11. Speakers also commented on the importance of strengthening crime prevention strategies, measures and programmes. Some speakers explained efforts carried out so far through the implementation of national strategies, programmes for life skills training and primary prevention and community security programmes, while paying special attention to groups at particular risk.

12. Speakers called on the international community to step up international cooperation in the area of combating organized crime, in particular through the adoption of a mechanism for the review of the implementation of the United Nations Convention against Transnational Organized Crime. Other speakers mentioned the importance of mutual legal assistance and extradition. One speaker requested the United Nations to develop a new legally binding instrument on extradition. Several speakers mentioned specific areas of focus at the domestic level, such as human trafficking, smuggling of migrants, demand and supply of illegal drugs and trafficking in cultural property.

13. Speakers noted that corruption was a strong impediment to development and the rule of law and highlighted national laws and programmes that their countries had adopted to facilitate the implementation of the United Nations Convention against Corruption.

14. Speakers expressed serious concern at the threat that terrorism posed to their countries and the international community, and several speakers outlined the crime prevention measures, to prevent the radicalization of youth, taken at all levels of society, including with the involvement of religious authorities.

15. One speaker highlighted the need to respect the principles of non-interference, full respect for territorial integrity and the sovereignty of States, all of which were a central component of effective crime prevention and criminal justice systems.

16. Several speakers welcomed the work carried out by UNODC in assisting Member States in the area of crime prevention and criminal justice. Speakers also commended the work of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners as an important step in improving the treatment of offenders. Support was also expressed for the Commission on Crime Prevention and Criminal Justice to transmit the revised Standard Minimum Rules, through the Economic and Social Council, to the General Assembly for adoption as the “United Nations Standard Minimum Rules for the Treatment of Prisoners”.
