



**Economic and Social
Council**

Distr.
LIMITED

E/CN.15/1998/L.1/Add.8
29 April 1998

ORIGINAL: ENGLISH

COMMISSION ON CRIME PREVENTION
AND CRIMINAL JUSTICE
Seventh session
Vienna, 21-30 April 1998
Agenda item 11

ADOPTION OF THE REPORT OF THE COMMISSION ON ITS SEVENTH SESSION

Chapter II

**TENTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME
AND THE TREATMENT OF OFFENDERS**

A. Structure of the debate

1. At its 6th _____ meetings, on 23 April 1998, the Commission on Crime Prevention and Criminal Justice considered agenda item 3, entitled “Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders”.
2. For its consideration of item 3, the Commission had before it the following documents:
 - (a) Report of the Secretary-General on progress made in the preparations for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (E/CN.15/1998/2);
 - (b) Draft discussion guide for the regional preparatory meetings for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (E/CN.15/1998/2/Add.1);
 - (c) Draft discussion guide on the workshops, ancillary meetings, symposia and exhibits to be held at the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (E/CN.5/1998/2/Add.2).
3. The Officer-in-Charge of the Centre for International Crime Prevention made an introductory statement at the 6th meeting, on 23 April 1998. The Commission heard statements by the representatives of France, Japan, China, Austria, Germany, Ecuador, United States, Argentina, Colombia and Tunisia. A statement was made by the observer for the United Kingdom (on behalf of the European Community). Statements were made by the observers for South Africa, Canada and Finland. The Commission heard statements by the observers for the Naif Arab Academy for

Security Sciences and the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders. The observers for Prison Fellowship International and the Asia Crime Prevention Foundation made statements. The Chairman established an informal working group to discuss some of the questions raised in connection with item 3. The Executive Director of the Office for Drug Control and Crime Prevention made a statement.

B. Deliberations

4. Planning for the Tenth Congress was well advanced. As both the ninth session of the Commission and the Tenth Congress would take place in close proximity early in the year 2000, duplication of efforts and repetition of discussions at those events should be avoided. In order to enable the Commission to consider the recommendations of the Tenth Congress for submission to the Economic and Social Council and the General Assembly, the duration of the ninth session of the Commission should be shortened. Draft resolutions for consideration by the Tenth Congress could be submitted to the regional preparatory meetings at an early stage.

5. Reference was made to the organizational arrangements recommended by the Commission at its sixth session. It was stressed that Member States should be represented at the Tenth Congress at a high political level, pursuant to General Assembly resolution 52/91. Some speakers expressed the view that the format of the Tenth Congress should be reviewed; others, however, emphasized that, as the General Assembly had already taken action on the organizational and substantive preparations for the Tenth Congress, there was not much leeway for changes. Concern was expressed about striking a balance between the preparations for the Tenth Congress and the implementation of the regular programme of the Centre, particularly regarding the provision of technical assistance and the elaboration and implementation of technical assistance projects. It was stated that, in view of the resource constraints of the Centre, it would be difficult to undertake such a task.

6. It was suggested that the theme of the Tenth Congress should reflect the thrust of the substantive topics. One possible theme would be "Meeting the challenge of crime and justice: no safe havens for international criminals".

7. The observer for South Africa informed the Commission that his Government had not been able to secure sufficient resources to confirm its offer to host the Tenth Congress. Consequently, the conditional offer of his Government would be withdrawn. The representative of Austria reaffirmed the offer of his Government to host the Tenth Congress at Vienna.

8. Some speakers, commenting on the various topics to be discussed at the Tenth Congress, stated that the discussion guides were quite comprehensive and dealt with many issues. It was recommended therefore, that under each substantive item of the agenda, a set number of subtopics should be discussed, taking into account the complexities of the issues involved and the limited time available to deal with them. One speaker recommended that the issue of the basic principles governing the use of mediation and other restorative processes in penal matters should be included in the discussion guide. That speaker urged the Commission to appoint an international group of experts to prepare draft basic principles on the use of mediation in penal matters, for consideration by the Tenth Congress. The observer for the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders informed the Commission of the activities of his Institute in preparation for the workshop on crimes related to the computer network. The observer for Finland noted that the European Institute for Crime Prevention and Control, affiliated with the United Nations, had offered to coordinate the preparations for the workshop on women in criminal justice, and informed the Commission that the Government of Finland intended to support the Institute in that endeavour.

9. It was recalled that, since the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995, the status of the congresses had been changed to an advisory body of the United Nations Crime Prevention and Criminal Justice Programme. The fact remained, however, that the congresses represented a worldwide forum for the discussion of strategies and measures against crime. The

congresses, which were scientific in nature, had originated in the International Penal and Penitentiary Commission. The congresses had proved useful and relevant. The view was expressed that, as the Commission was an intergovernmental body providing guidance in the field of crime prevention and criminal justice, the functions of the congresses might be taken over by the Commission. It was stated that such a proposal deserved thorough examination. It was also suggested that the Commission should devote time and energy at its seventh session to discussing the role and functions of future congresses, including the possibility of updating the title of the congresses to reflect new developments in the field of crime prevention and criminal justice and of holding the congresses every six years, thus aligning them with the biennial cycle of the United Nations programme budget.

10. Reference was made to the statement by the Executive Director that the complex preparations for the Tenth Congress had posed a major burden on the Secretariat and on the institutes comprising the Programme network. Following the Tenth Congress, the frequency, purpose and impact of future congresses should be reviewed in the light of the experiences of the previous four decades. Institutional relations between the congresses, the Commission and other regional and multilateral forums should also be reviewed to ensure that such a major investment of time and resources was fully justified. That suggestion deserved the utmost attention of the Commission. It was therefore decided that an informal working group would be established to deal with that matter, with a view to recommending concrete action for consideration by the Commission.

11. At the end of the discussion on item 3, the Commission was addressed by the Executive Director, who provided a detailed account of his vision of the functions, role and periodicity of the congresses, with a view to considering the costs and benefits of the congresses, recommending viable modalities for the congresses and using existing resources in a more effective way.

12. A brief account of the results of the informal working group was provided by the representative of France.

13. The informal working group discussed the relationship between the Tenth Congress and the ninth session of the Commission, the draft discussion guide, the programme of the Tenth Congress and the draft resolution. The working group was of the view that the relationship between the Tenth Congress and the Commission should be seen in the context of General Assembly resolution 46/152, particularly paragraphs 25 and 29 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, annexed to that resolution, in which the role of the Congress as a consultative body to the Programme was emphasized. Consequently, the working group was of the view that the role of the Congress should be focused on the exchange of views on the precisely defined topics before it, as well as on practically oriented, technical workshops. The working group was also of the view that suggestions submitted to the Commission should be incorporated into a single declaration. Pursuant to paragraph 29 (d) of the statement of principles and programme of action, the Commission at its eighth session, as the preparatory body for the Tenth Congress, might wish to submit to the Tenth Congress the draft of such a declaration.

14. The working group reviewed the draft discussion guides with a view to ensuring that they focused on specific subtopics of direct interest to member States and on action-oriented questions.

15. The working group exchanged views on the programme of the Tenth Congress, including its duration. It was agreed that, in view of the ongoing work on the draft convention on transnational organized crime, the dates of availability of the facilities for the Tenth Congress at Vienna and the need to use the available resources most effectively, the duration of the Tenth Congress and of the ninth session of the Commission should be shortened. It was proposed that the Tenth Congress should be held from 10 to 17 April 2000, with pre-congress consultations to be held on 9 April 2000. It was further proposed that the shortened ninth session of the Commission, to be held from 18 to 20 April, would focus on the conclusions of the Tenth Congress.

16. Regarding the regional preparatory meetings for the Tenth Congress, the view was expressed that there was no need to organize such meetings. The resources allocated for them should be redeployed to the ongoing work on the draft convention. The view was also expressed, however, that the matter should be discussed in the plenary or by the Committee of the Whole, as the various geographical regions were not fully represented in the working group.

17. In respect of the rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders, the working group suggested that the Tenth Congress should ensure that the results of its discussions were embodied in a single declaration for submission to the Commission. Consequently, it was also suggested that rule 28 of the rules of procedure should be amended accordingly.