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## Seventy-fifth session

Agenda item 111

### Crime prevention and criminal justice

#### Report of the Third Committee

*Rapporteur:* Ms. Myriam Oehri (Liechtenstein)

#### I. Introduction

1. At its 2nd plenary meeting, on 18 September 2020, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-fifth session the item entitled “Crime prevention and criminal justice” and to allocate it to the Third Committee.
2. The Committee considered proposals and took action on the item at its 10th, 11th and 13th meetings, on 17 and 18 November. An account of the Committee’s discussion is contained in the relevant summary records.<sup>1</sup> Attention is also drawn to the general debate held by the Committee at its 1st to 6th meetings, from 5 to 8 October.<sup>2</sup>
3. The Committee, pursuant to the organization of work adopted at its 1st meeting, held on 5 October, and taking into account the prevailing conditions relating to the coronavirus disease (COVID-19) on the working arrangements for its seventy-fifth session and the available technological and procedural solutions in the interim period, convened one virtual informal meeting to hear an introductory statement and hold an interactive dialogue on the item jointly with item 112, entitled “Countering the use of information and communications technologies for criminal purposes”, and item 113, entitled “International drug control”. The proceedings of the virtual informal meeting are reflected in the annex to the present document.
4. For its consideration of the item, the Committee had before it the following documents:

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<sup>1</sup> A/C.3/75/SR.10, A/C.3/75/SR.11 and A/C.3/75/SR.13.

<sup>2</sup> See A/C.3/75/SR.1, A/C.3/75/SR.2, A/C.3/75/SR.3, A/C.3/75/SR.4, A/C.3/75/SR.5 and A/C.3/75/SR.6. Pursuant to the organization of work adopted at the 1st meeting, on 5 October, official statements received by the Secretariat for posting on eStatements can be accessed at the following link: <https://journal.un.org/>.



- (a) Report of the Secretary-General on the technical assistance provided by the United Nations Office on Drugs and Crime related to counter-terrorism ([A/75/98](#));
- (b) Report of the Secretary-General on the United Nations African Institute for the Prevention of Crime and Treatment of Offenders ([A/75/111](#));
- (c) Report of the Secretary-General on strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs ([A/75/115](#));
- (d) Report of the Secretary-General on the follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice ([A/75/124](#));
- (e) Report of the Secretary-General on the implementation of the mandates of the United Nations crime prevention and criminal justice programme, with particular reference to the technical cooperation activities of the United Nations Office on Drugs and Crime ([A/75/125](#));
- (f) Note by the Secretary-General transmitting the report of the Conference of the States Parties to the United Nations Convention Against Corruption on its eighth session ([A/75/326](#)).

5. At the 7th meeting, on 13 November, the representative of the United States of America made a statement with regard to the draft resolutions before the Committee.<sup>3</sup>

## II. Consideration of proposals

### A. Draft resolution [A/C.3/75/L.4/Rev.1](#)

6. At its 10th meeting, on 17 November, the Committee had before it a revised draft resolution entitled “Preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning such assets to legitimate owners, in particular to countries of origin, in accordance with the United Nations Convention against Corruption” ([A/C.3/75/L.4/Rev.1](#)), which was submitted by Antigua and Barbuda, Argentina, Armenia, Austria, Bangladesh, Chile, Colombia, Costa Rica, Côte d’Ivoire, Ecuador, El Salvador, France, Honduras, Ireland, Italy, Japan, Kyrgyzstan, Malta, Mexico, Mongolia, Morocco, Pakistan, Panama, Paraguay, Peru, Portugal, the Russian Federation, Spain and the United States of America. Subsequently, Albania, Algeria, Belgium, Bosnia and Herzegovina, Botswana, Brazil, Croatia, Cyprus, the Democratic Republic of the Congo, Denmark, Egypt, Greece, Guatemala, Guinea, Hungary, India, Jamaica, Libya, Malawi, Mali, Montenegro, Nigeria, Norway, Palau, the Philippines, Poland, Rwanda, Saudi Arabia, Serbia, Switzerland, Thailand, Tunisia, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and Zambia joined in sponsoring the draft resolution.

7. At the same meeting, the representative of Colombia made a statement.

8. Also at the same meeting, the Committee adopted draft resolution [A/C.3/75/L.4/Rev.1](#) (see para. 20, draft resolution I).

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<sup>3</sup> See [A/C.3/75/SR.7](#).

## B. Draft resolution [A/C.3/75/L.5](#)

9. At its 11th meeting, on 17 November, the Committee had before it a draft resolution entitled “Strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs” ([A/C.3/75/L.5](#)), which was submitted by Austria, Ecuador, Guatemala and Spain. Subsequently, Albania, Algeria, Antigua and Barbuda, Armenia, Australia, Belarus, Belgium, Belize, Bulgaria, Canada, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czechia, Djibouti, El Salvador, Equatorial Guinea, Estonia, Finland, France, Georgia, Germany, Greece, Guinea, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Montenegro, Morocco, Nigeria, Norway, Palau, Panama, Paraguay, Peru, the Philippines, Poland, Portugal, Qatar, Romania, San Marino, Serbia, Slovakia, Slovenia, Sri Lanka, Switzerland, Thailand, Tunisia, Turkey, the United Kingdom of Great Britain and Northern Ireland and Uruguay joined in sponsoring the draft resolution.

10. At the same meeting, the representative of Guatemala, also on behalf of Spain, made a statement.

11. Also at the same meeting, the Committee adopted draft resolution [A/C.3/75/L.5](#) (see para. 20, draft resolution II).

12. After adoption of the draft resolution, a statement was made by the representative of the United States.

## C. Draft resolution [A/C.3/75/L.8/Rev.1](#)

13. At its 11th meeting, on 17 November, the Committee had before it a revised draft resolution entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity” ([A/C.3/75/L.8/Rev.1](#)), which was submitted by Albania, Angola, Antigua and Barbuda, Australia, Austria, Bulgaria, Canada, China, Colombia, Côte d’Ivoire, Croatia, Cyprus, Eritrea, Estonia, Germany, Greece, Honduras, Iceland, Ireland, Italy, Jamaica, Kenya, Luxembourg, Malawi, Malta, Mexico, Mongolia, Morocco, the Netherlands, Panama, Peru, Portugal, Qatar, the Republic of Moldova, the Russian Federation, Slovakia, Slovenia, Spain, Tajikistan, Turkey and Ukraine. Subsequently, Algeria, Andorra, Argentina, the Bahamas, Belarus, Belgium, Belize, Bosnia and Herzegovina, Botswana, Brazil, Chile, Costa Rica, Czechia, the Democratic Republic of the Congo, Denmark, the Dominican Republic, Egypt, El Salvador, Finland, France, Georgia, Ghana, Guatemala, Guinea, Hungary, India, Israel, Japan, Jordan, Kazakhstan, Latvia, Lebanon, Libya, Lithuania, Madagascar, Mali, Micronesia (Federated States of), Montenegro, North Macedonia, Norway, Pakistan, Palau, Papua New Guinea, Paraguay, the Philippines, Poland, the Republic of Korea, Romania, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Sweden, Switzerland, Thailand, Trinidad and Tobago, Tunisia, Uganda, the United Republic of Tanzania, the United States of America, Uruguay, Zambia and Zimbabwe joined in sponsoring the draft resolution.

14. At the same meeting, the representative of Italy made a statement.

15. Also at the same meeting, the Committee adopted draft resolution [A/C.3/75/L.8/Rev.1](#) (see para. 20, draft resolution III).

16. After adoption of the draft resolution, a statement was made by the representative of the United States.

**D. Draft resolution [A/C.3/75/L.11](#)**

17. At its 13th meeting, on 18 November, the Committee had before it a revised draft resolution entitled “United Nations African Institute for the Prevention of Crime and the Treatment of Offenders” ([A/C.3/75/L.11](#)), which was submitted by Uganda (on behalf of the States Members of the United Nations that are members of the Group of African States). Subsequently, Austria, France, Hungary, India, Italy, Pakistan and Venezuela (Bolivarian Republic of) joined in sponsoring the draft resolution.

18. At the same meeting, the representative of Uganda, on behalf of the Group of African States, made a statement.

19. Also at the same meeting, the Committee adopted draft resolution [A/C.3/75/L.11](#) (see para. 20, draft resolution IV).

### III. Recommendations of the Third Committee

20. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

#### **Draft resolution I**

#### **Preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning such assets to legitimate owners, in particular to countries of origin, in accordance with the United Nations Convention against Corruption**

*The General Assembly,*

*Recalling* its resolutions [54/205](#) of 22 December 1999, [55/61](#) of 4 December 2000, [55/188](#) of 20 December 2000, [56/186](#) of 21 December 2001 and [57/244](#) of 20 December 2002, and recalling also its resolutions [58/205](#) of 23 December 2003, [59/242](#) of 22 December 2004, [60/207](#) of 22 December 2005, [61/209](#) of 20 December 2006, [62/202](#) of 19 December 2007, [63/226](#) of 19 December 2008, [64/237](#) of 24 December 2009, [65/169](#) of 20 December 2010, [67/189](#) and [67/192](#) of 20 December 2012, [68/195](#) of 18 December 2013, [69/199](#) of 18 December 2014, [71/208](#) of 19 December 2016 and [73/190](#) of 17 December 2018 and all relevant Human Rights Council resolutions, including resolutions [23/9](#) of 13 June 2013,<sup>1</sup> [29/11](#) of 2 July 2015<sup>2</sup> and [35/25](#) of 23 June 2017,<sup>3</sup> as well as its resolution [74/276](#) of 1 June 2020 and its decision 74/568 of 31 August 2020,

*Welcoming* the entry into force on 14 December 2005 of the United Nations Convention against Corruption,<sup>4</sup> which is the most comprehensive and universal instrument on corruption, and recognizing the need to continue to promote its ratification or accession thereto and its full and effective implementation,

*Stressing* the need for States parties to the Convention to give full effect to the resolutions of the Conference of the States Parties to the United Nations Convention against Corruption,

*Bearing in mind* the need to promote and strengthen measures to prevent and combat corruption more efficiently and effectively, that the return of assets is one of the main objectives, an integral part and a fundamental principle of the Convention, and recalling article 51 of the Convention, under which States parties shall afford one another the widest measure of cooperation and assistance with regard to asset return,

*Recognizing* that fighting corruption at all levels and in all its forms is a priority and that corruption is a serious barrier to effective resource mobilization and allocation and diverts resources away from activities that are vital for poverty eradication and sustainable development,

*Reaffirming* its resolution [70/1](#) of 25 September 2015, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, in which it adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets, its commitment to working tirelessly for the full implementation of the Agenda by 2030, its recognition that eradicating

<sup>1</sup> See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53 (A/68/53)*, chap. V, sect. A.

<sup>2</sup> *Ibid.*, *Seventieth Session, Supplement No. 53 (A/70/53)*, chap. V, sect. A.

<sup>3</sup> *Ibid.*, *Seventy-second Session, Supplement No. 53 (A/72/53)*, chap. V, sect. A.

<sup>4</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, its commitment to achieving sustainable development in its three dimensions – economic, social and environmental – in a balanced and integrated manner and to building upon the achievements of the Millennium Development Goals and seeking to address their unfinished business,

*Reaffirming also* its resolution [69/313](#) of 27 July 2015 on the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, which is an integral part of the 2030 Agenda for Sustainable Development, supports and complements it, helps to contextualize its means of implementation targets with concrete policies and actions, and reaffirms the strong political commitment to address the challenge of financing and creating an enabling environment at all levels for sustainable development in the spirit of global partnership and solidarity,

*Welcoming*, as part of the 2030 Agenda for Sustainable Development, the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels,

*Reaffirming* its resolution [70/174](#) of 17 December 2015 on the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, and welcoming the adoption, at the high-level segment of the Thirteenth Congress, of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,<sup>5</sup> through which States committed to implement effective measures to detect, prevent and counter corruption, as well as the transfer abroad and laundering of assets derived from corruption, and to strengthen international cooperation and assistance to Member States in the identification, freezing or seizure of such assets, as well as in their recovery and return, in accordance with the Convention, in particular chapter V thereof, and in this regard to continue to discuss innovative modalities to improve mutual legal assistance in order to speed up asset recovery proceedings and render them more successful, while also drawing on the experience and knowledge built through the implementation of the Stolen Asset Recovery Initiative of the United Nations Office on Drugs and Crime and the World Bank,

*Recognizing* that education plays a fundamental role in the prevention of and fight against corruption, inasmuch as it makes corrupt behaviour socially unacceptable,

*Reaffirming* the importance of respect for human rights, the rule of law at the national and international levels, the proper management of public affairs and democracy in the fight against corruption,

*Acknowledging* that good governance, at the national and international levels, has a role in the prevention of and fight against corruption,

*Recognizing* that improvements in the promotion and protection of human rights at the domestic level have a role to play in the prevention of and the fight against corruption at all levels,

*Realizing* that the fight against corruption at all levels, including by facilitating international cooperation to achieve the purposes enshrined in the Convention, including on asset recovery and return, plays an important role in the promotion and

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<sup>5</sup> Resolution [70/174](#), annex.

protection of all human rights and in the process of creating an environment conducive to their full enjoyment and realization,

*Recognizing* that supportive national legal systems are essential in preventing and combating corrupt practices, facilitating asset recovery and returning the proceeds of corruption to legitimate owners,

*Recalling* that the purposes of the Convention, as set out in article 1, are to promote and strengthen measures to prevent and combat corruption more efficiently and effectively, to promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery, and to promote the integrity, accountability and proper management of public affairs and public property,

*Recalling also* article 43, paragraph 1, of the Convention, in which States parties are encouraged, where appropriate and consistent with their domestic legal systems, to consider assisting each other in investigations of and proceedings in civil and administrative matters relating to corruption,

*Welcoming* the commitment of States parties to the Convention, in particular their determination to give effect to the obligations set out in chapter V of the Convention in order to prevent, detect, deter and recover in a more effective manner the international transfer of proceeds of crime and to strengthen international cooperation in asset recovery,

*Recalling* the third preambular paragraph of the Convention, in which States parties expressed concern about cases of corruption that involve vast quantities of assets, which may constitute a substantial proportion of the resources of States, and that threaten the political stability and sustainable development of those States,

*Recognizing* that those who engage in corrupt acts, whether natural or legal persons, should be held accountable and prosecuted by their domestic authorities, consistent with domestic law and the requirements of the Convention, and that all appropriate efforts should be made to conduct a financial investigation into assets illegally acquired by them and to recover such assets through domestic confiscation proceedings, international cooperation for purposes of confiscation or appropriate direct recovery measures,

*Acknowledging* that the fight against all forms of corruption requires comprehensive anti-corruption frameworks and strong institutions at all levels, including at the local and international levels, able to undertake efficient preventive and law enforcement measures in accordance with the Convention, in particular chapters II and III, and recognizing the strategic role of a holistic approach to countering corruption, money-laundering and transnational organized crime,

*Welcoming* resolutions 7/8 of 10 November 2017<sup>6</sup> and 8/4 of 20 December 2019<sup>7</sup> of the Conference of the States Parties to the United Nations Convention against Corruption on corruption in sport, which, inter alia, noted with great concern the risk that corruption and economic crime, including money-laundering, pose to sport, as well as resolution 7/5 of 10 November 2017 of the Conference of the States Parties to the Convention on promoting preventive measures against corruption,<sup>8</sup> which called upon States parties to continue implementing and to reinforce the effective implementation of the preventive measures outlined in chapter II of the Convention and in the resolutions of the Conference of the States Parties,

<sup>6</sup> See [CAC/COSP/2017/14](#), sect. I.A.

<sup>7</sup> See [CAC/COSP/2019/17](#), sect. I.B.

<sup>8</sup> See [CAC/COSP/2017/14](#), sect. I.A.



*Noting* the efforts of Member States, relevant United Nations organizations and bodies, intergovernmental organizations and forums and sport-related organizations to strengthen cooperation and further coordinate efforts to effectively mitigate the risks of corruption in sport, highlighting also the key role of public-private partnerships and multi-stakeholder approaches,

*Recognizing* that the success of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption depends on the full commitment and constructive engagement of all States parties to the Convention in a progressive and comprehensive process, and recalling in that regard resolution 3/1 of 13 November 2009 of the Conference of the States Parties to the Convention,<sup>9</sup> including the terms of reference of the Mechanism contained in the annex to that resolution, Conference decision 5/1 of 29 November 2013,<sup>10</sup> Conference resolution 6/1 of 6 November 2015,<sup>11</sup> Conference resolution 8/2 of 20 December 2019<sup>12</sup> and Conference decision 8/1 of 20 December 2019,<sup>13</sup>

*Noting with appreciation* the commitment of States parties to the Convention to the Implementation Review Mechanism, both as countries under review and as reviewing States, and the support provided by the United Nations Office on Drugs and Crime in this regard,

*Bearing in mind* that the prevention and eradication of corruption is a responsibility of all States and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sector, such as civil society, non-governmental organizations, the private sector, academia and community-based organizations, if their efforts in this area are to be effective,

*Reaffirming* that strengthening international cooperation among law enforcement and other relevant agencies is a global imperative in order to effectively prevent and combat transnational corruption,

*Affirming* the importance of promoting dialogue among central authorities and practitioners prior to the submission of mutual legal assistance requests, which are particularly valuable in investigations of corruption, and coordination and cooperation on asset recovery through inter-agency networks, including regional networks, where appropriate,

*Reaffirming its concern* about the laundering and transfer of stolen assets and proceeds of corruption, and stressing the need to address this concern in accordance with the Convention,

*Expressing concern* over illicit financial flows, and related tax evasion, corruption and money-laundering, and their negative impact on the world economy, and inviting Member States to consider developing strategies or policies to combat those practices and to curb the harmful effects of jurisdictions and territories that are uncooperative in tax matters and to strive to eliminate safe havens that create incentives for the transfer abroad of stolen assets and for illicit financial flows,

*Noting* the efforts made by all States parties to the Convention in tracing, freezing and recovering their stolen assets, and underlining the need to redouble efforts to assist in the recovery of those assets in order to preserve stability and sustainable development,

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<sup>9</sup> See [CAC/COSP/2009/15](#), sect. I.A.

<sup>10</sup> See [CAC/COSP/2013/18](#), sect. I.B.

<sup>11</sup> See [CAC/COSP/2015/10](#), sect. I.

<sup>12</sup> See [CAC/COSP/2019/17](#), sect. I.B.

<sup>13</sup> *Ibid.*, sect. I.C.



*Recognizing* that States continue to face challenges in recovering assets owing to differences between legal systems, the complexity of multijurisdictional investigations and prosecutions, the limited implementation of effective domestic tools such as non-conviction-based forfeiture for asset recovery, as well as other administrative or civil procedures leading to confiscation, lack of familiarity with the mutual legal assistance procedures of other States and difficulties in identifying the flow of corruption proceeds, and noting the particular challenges posed in recovering the proceeds of corruption in cases involving individuals who are or have been entrusted with prominent public functions, as well as their family members and close associates,

*Concerned* about the difficulties, particularly the legal and practical difficulties, that both requested and requesting States face in asset recovery, taking into account the particular importance of the recovery of stolen assets for sustainable development and stability, and noting the difficulty of providing information establishing a link between proceeds of corruption in the requested State and the crime committed in the requesting State, which in many cases can be difficult to prove,

*Recognizing* the common difficulties experienced by States parties to the Convention in establishing a nexus between identified assets and the crime from which such assets are derived, and emphasizing the critical importance of effective domestic investigative efforts and international cooperation to overcome such difficulties,

*Recognizing also* the critical importance of effective international cooperation in efforts to combat corruption, particularly with respect to offences specified in the Convention with a transnational element, and encouraging continued cooperation by States parties, consistent with the requirements of the Convention, in all efforts to investigate and prosecute natural and legal persons, including the use of other legal mechanisms, where appropriate, for offences specified in the Convention and to recover assets related to such offences, consistent with chapter V of the Convention,

*Calling upon* all States parties to the Convention and, in particular, requested and requesting States, to cooperate to recover the proceeds of corruption and demonstrate strong commitment to ensure the return or disposal of such proceeds in accordance with article 57 of the Convention,

*Noting* the responsibility of requesting and requested States parties to cooperate to ensure that a greater proportion of the proceeds emanating from corruption are recovered, returned or otherwise disposed of in accordance with the provisions of the Convention,

*Concerned* that some persons accused of crimes of corruption have managed to escape justice and thus have eluded the legal consequences of their actions and have been successful in hiding their assets,

*Taking into account* the need to hold corrupt officials accountable by depriving them of the illicit profits and proceeds of their crimes,

*Acknowledging* the vital importance of ensuring the independence and effectiveness of authorities charged with investigating and prosecuting crimes of corruption and of recovering the proceeds of such crimes by several means, such as establishing the necessary legal framework and allocating the necessary resources,

*Acknowledging also* the fundamental principles of due process of law in criminal proceedings and in civil or administrative proceedings to adjudicate property rights,

*Reiterating its concern* about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and

the values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law, in particular when an inadequate national and international response leads to impunity,

*Concerned* about the negative impact of widespread corruption on the enjoyment of human rights, recognizing that corruption constitutes one of the obstacles to the effective promotion and protection of human rights, as well as to the achievement of the Sustainable Development Goals, and recognizing also that corruption may disproportionately affect the most disadvantaged individuals of society,

*Stressing* that preventive measures, as outlined in chapter II of the Convention, are one of the most effective means of countering corruption and avoiding its negative impact on the enjoyment of human rights, and underlining that prevention measures should be strengthened at all levels,

*Noting with appreciation* the ongoing efforts by regional organizations and forums to strengthen cooperation in combating corruption, which aim, inter alia, to ensure openness and transparency, combat domestic and foreign bribery, tackle corruption in high-risk sectors, strengthen international cooperation and promote public integrity and transparency in the fight against corruption, which fuels illicit trade and insecurity and is a tremendous barrier to economic growth and the safety of citizens,

*Noting with appreciation also* the efforts made by those States that have established national coordination mechanisms between, inter alia, the different levels of their Governments and other actors, such as civil society organizations, the private sector and academia, to prevent and combat corruption,

*Noting* the efforts of regional organizations and international forums to combat corruption, including the International Expert Meeting on Management and Disposal of Recovered and Returned Stolen Assets, including in Support of Sustainable Development, held in Addis Ababa from 14 to 16 February 2017, and the second International Expert Meeting on the Return of Stolen Assets, held in Addis Ababa from 7 to 9 May 2019, the Global Expert Group Meetings on Corruption involving Vast Quantities of Assets held in Lima from 3 to 5 December 2018 and in Oslo from 12 to 14 June 2019, the Asia-Pacific Economic Cooperation Course of Action on Fighting Corruption and Ensuring Transparency and the Santiago Commitment to Fight Corruption and Ensure Transparency, and the Group of 20 Anti-Corruption Action Plan, the Group of 20 Anti-Corruption Open Data Principles, the Saint Petersburg Development Strategy, the non-binding Guiding Principles on Enforcement of the Foreign Bribery Offence, the Guiding Principles to Combat Solicitation, the Asset Recovery Principles, the asset recovery country profiles and the Asset Recovery Guides,

*Noting also* the work of other initiatives in the field of asset recovery, such as the Arab Forum on Asset Recovery, and the Stolen Asset Recovery Initiative of the United Nations Office on Drugs and Crime and the World Bank, and welcoming their efforts to enhance cooperation between requesting and requested States,

*Noting with appreciation* the Lausanne process initiative, and welcoming the fulfilment of the mandate contained in resolutions 5/3 of 29 November 2013,<sup>14</sup> 6/2 and 6/3 of 6 November 2015<sup>15</sup> and 7/1 of 10 November 2017<sup>16</sup> of the Conference of the States Parties to the Convention to develop practical guidelines on and a step-by-

<sup>14</sup> See [CAC/COSP/2013/18](#), sect. I.A.

<sup>15</sup> See [CAC/COSP/2015/10](#), sect. I.

<sup>16</sup> See [CAC/COSP/2017/14](#), sect. I.A.

step guide for the efficient recovery of stolen assets, in close cooperation with the International Centre for Asset Recovery of the Basel Institute on Governance and with the support of the Stolen Asset Recovery Initiative of the United Nations Office on Drugs and Crime and the World Bank, that provides effective and coordinated approaches to asset recovery for practitioners from requesting and requested States,

*Recalling* resolution 6/2 on facilitating international cooperation in asset recovery and the return of proceeds of crime, resolution 6/3 on fostering effective asset recovery and resolution 6/4 of 6 November 2015 on enhancing the use of civil and administrative proceedings against corruption, including through international cooperation, in the framework of the United Nations Convention against Corruption,<sup>17</sup> adopted by the Conference of the States Parties to the Convention at its sixth session, held in Saint Petersburg, Russian Federation, from 2 to 6 November 2015, and resolution 7/1 on strengthening mutual legal assistance for international cooperation and asset recovery, as well as resolution 8/1 of 20 December 2019 on strengthening of international cooperation on asset recovery and of administration of frozen, seized and confiscated assets, resolution 8/6 of 20 December 2019 on implementation of international obligations to prevent and combat bribery as defined under the United Nations Convention against Corruption and resolution 8/9 of 20 December 2019 on strengthening asset recovery to support the 2030 Agenda for Sustainable Development,<sup>18</sup> adopted by the Conference of the States Parties to the Convention at its eighth session, held in Abu Dhabi from 16 to 20 December 2019,

1. *Welcomes* the holding of the eighth session of the Conference of the States Parties to the United Nations Convention against Corruption in Abu Dhabi from 16 to 20 December 2019, and also welcomes its report,<sup>19</sup> which reflects the outcomes and contributions of the Conference of the States Parties to promoting the implementation of the United Nations Convention against Corruption;

2. *Condemns* corruption at all levels and in all its forms, including bribery, as well as the laundering of proceeds of corruption and other forms of economic crime;

3. *Expresses concern* about the magnitude of corruption at all levels, including the scale of stolen assets and proceeds of corruption, and in this regard reiterates its commitment to preventing and combating corrupt practices at all levels, in accordance with the Convention;

4. *Welcomes* the fact that 187 States parties have already ratified or acceded to the Convention, thus making it an instrument enjoying a status very close to universal adherence, and in this regard urges all Member States and competent regional economic integration organizations, within the limits of their competence, that have not yet done so to consider ratifying or acceding to the Convention as a matter of priority, and urges all States parties to take appropriate measures to ensure its full and effective implementation;

5. *Encourages* States parties to the Convention to review its implementation and commit to making it an effective instrument to deter, detect, prevent and counter corruption and bribery, prosecute those involved in corrupt activities and encourage the international community to develop good practices on asset return, and, furthermore, to strive to eliminate safe havens that create incentives for transfer abroad of stolen assets and for illicit financial flows;

<sup>17</sup> See [CAC/COSP/2015/10](#), sect. I.

<sup>18</sup> See [CAC/COSP/2019/17](#), sect. I.B.

<sup>19</sup> [CAC/COSP/2019/17](#).

6. *Notes with appreciation* the organization of the special session of the General Assembly against corruption, to be held from 2 to 4 June 2021, and the ongoing preparatory process under the auspices of the Conference of the States Parties to the United Nations Convention against Corruption;

7. *Also notes with appreciation* the work carried out under the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and by the Implementation Review Group, and urges Member States to continue to support this work and make every possible effort to provide comprehensive information and adhere to the timelines for review, as contained in the guidelines for governmental experts and the secretariat in the conduct of country reviews;<sup>20</sup>

8. *Welcomes* the progress made in the first and second review cycles of the Mechanism and the efforts made by the United Nations Office on Drugs and Crime in support of the Mechanism, and encourages the use of the lessons learned in order to improve the efficiency and effectiveness of the Mechanism, as well as the implementation of the Convention;

9. *Strongly encourages* States parties to the Convention to continue to actively engage in the Implementation Review Mechanism on chapter II, Preventive measures and chapter V, Asset recovery of the Convention, and invites them to provide appropriate extrabudgetary resources to contribute to the financing of the Mechanism;

10. *Notes with appreciation* the work of the Open-ended Intergovernmental Working Groups on Asset Recovery, on the Prevention of Corruption and on Review of the Implementation of the United Nations Convention against Corruption and the open-ended intergovernmental expert meeting to enhance international cooperation under the United Nations Convention against Corruption, and encourages States parties to the Convention to support the work of all these subsidiary bodies of the Conference of the States Parties to the Convention;

11. *Calls upon* States parties to the Convention to continue and to reinforce the effective implementation of the preventive measures outlined in chapter II of the Convention and in the resolutions of the Conference of the States Parties to the Convention;

12. *Also calls upon* States parties to the Convention to fulfil their commitments, in accordance with its terms, to criminalize the bribery of foreign public officials and officials of public international organizations, and to strengthen their efforts to effectively enforce these laws;

13. *Encourages* all States parties to the Convention to strengthen their commitment to effective national action and international cooperation to give full effect to chapter V of the Convention and to contribute effectively to the recovery of the proceeds of corruption;

14. *Urges* Member States to combat and penalize corruption in all its forms, as well as the laundering of proceeds of corruption, to prevent the acquisition, transfer and laundering of proceeds of corruption and to work for the prompt recovery of such assets in accordance with the principles of the Convention, including chapter V;

15. *Calls upon* States parties to the Convention to make available online, including by considering the use of open data formats, as much government information as feasible, subject to relevant limitations in domestic law, in relation to

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<sup>20</sup> CAC/COSP/IRG/2010/7, annex I.

the implementation of the Convention, in order to enable greater transparency, accountability and efficiency;

16. *Welcomes* the decision of the Conference of the States Parties to the Convention to call upon States parties to give particular and timely consideration to the execution of international mutual legal assistance requests that need urgent action, and to ensure that the competent authorities of requested States have adequate resources to execute requests, taking into account the particular importance of the recovery of these assets for sustainable development and stability;<sup>21</sup>

17. *Urges* States parties that have yet to designate a central authority for international cooperation in accordance with the Convention to do so, and to appoint focal points for the purposes of international cooperation and mutual legal assistance in asset recovery, and where appropriate, encourages States parties, to make full use of the network of focal points of the Open-ended Intergovernmental Working Group on Asset Recovery to facilitate cooperation and the implementation of the Convention, as well as the Global Focal Point Network on Asset Recovery, supported by the United Nations Office on Drugs and Crime through the Stolen Asset Recovery Initiative and by the International Criminal Police Organization (INTERPOL);

18. *Encourages* States parties to the Convention to use and promote informal channels of communication and the possibility of spontaneous exchange of information, as permitted by domestic law, in particular prior to making formal requests for mutual legal assistance, by, inter alia, designating officials or institutions, as appropriate, with technical expertise in international cooperation in asset recovery to assist their counterparts in effectively meeting requirements for mutual legal assistance;

19. *Urges* States parties to the Convention to remove barriers to asset recovery, including by simplifying their legal procedures and preventing abuse of those procedures, and also encourages States parties to limit, where appropriate, domestic legal immunities, in accordance with their legal systems and constitutional principles;

20. *Encourages* States parties to the Convention to give full effect to the resolutions, including those on asset recovery, of the Conference of the States Parties to the Convention;

21. *Urges* States parties to the Convention to afford one another the widest possible cooperation and assistance in the identification and recovery of stolen assets and proceeds of corruption and to give particular and timely consideration to the execution of requests for international mutual legal assistance, in accordance with the Convention, and to afford one another the widest possible cooperation and assistance in the extradition of individuals accused of the predicate offences, in accordance with their obligations under the Convention, including article 44;

22. *Also urges* States parties to the Convention to ensure that procedures for international cooperation allow for the seizure and/or restraint of assets for a time period sufficient to preserve those assets in full, pending confiscation proceedings in another State, to ensure that there are adequate mechanisms in place to manage and preserve the value and condition of assets pending the conclusion of confiscation proceedings in another State, and to allow or expand cooperation in the enforcement of foreign seizure and freezing orders and confiscation judgments, including through measures to permit recognition of non-conviction-based seizure and freezing orders and confiscation judgments, where possible;

23. *Further urges* States parties to the Convention to take a proactive approach to international cooperation in asset recovery by making full use of the mechanisms

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<sup>21</sup> CAC/COSP/2013/18, sect. I.A, resolution 5/3, para. 6.

provided for in chapter V of the Convention, including initiating requests for assistance, making spontaneous and prompt disclosures of information on proceeds of offences to other States parties and considering making requests for notifications, in accordance with article 52, paragraph 2 (b), of the Convention, and, where appropriate, implementing measures to permit the recognition of non-conviction-based forfeiture judgments;

24. *Urges* States parties to the Convention to ensure that reliable, accurate and updated beneficial ownership information on companies is accessible to law enforcement agencies and other relevant authorities, including, as appropriate, financial intelligence units and tax administrations, thus facilitating the investigation process and the execution of requests, and encourages States parties to the Convention to cooperate in order to implement the measures necessary to enable them to obtain reliable information on beneficial ownership of companies, legal structures or other complex legal mechanisms, including trusts and holdings, used to commit crimes of corruption or to hide and transfer proceeds;

25. *Urges* Member States, where appropriate and consistent with their national legal systems, to provide each other with the widest possible assistance in investigations of and proceedings in civil and administrative matters relating to corruption offences, committed by natural or legal persons, including, if appropriate, through mutual legal assistance, for the detection of corruption offences, the identification, freezing and confiscation of assets, and the other purposes established in article 46, paragraph 3, of the Convention;

26. *Calls upon* Member States to take the necessary measures, in accordance with their domestic law, to permit another Member State to initiate civil action in their courts to establish title to or ownership of property acquired through the commission of corruption offences by natural or legal persons, as well as to permit their courts to recognize a civil claim of another Member State for payment of compensation or damages caused by corruption offences and for ownership of confiscated property acquired through the commission of such offences;

27. *Urges* States parties to the Convention to prevent, investigate and prosecute corruption offences established in accordance with the Convention, including, among others, when they involve vast quantities of assets, to freeze, seize, confiscate and return proceeds of offences, in accordance with the Convention, and to consider measures criminalizing attempts to commit such offences, including when organized criminal groups are involved;

28. *Calls upon* States parties to the Convention to take measures to ensure that legal and natural persons are held accountable for corruption offences in accordance with its terms, including, among others, when they involve vast quantities of assets, and encourages States parties to the Convention to consider the legal aspects of asset recovery and to strengthen cooperation in criminal matters, in accordance with chapter IV of the Convention;

29. *Encourages* Member States to prevent and combat all forms of corruption by increasing transparency, integrity, accountability and efficiency in the public and private sectors, and recognizes in this regard the need to prevent impunity by prosecuting corrupt officials and those who corrupt them and to cooperate in their extradition, in accordance with the obligations under the Convention;

30. *Stresses* the need for transparency in financial institutions, invites Member States to work on the identification and tracking of financial flows linked to corruption, the freezing or seizing of assets derived from corruption and the return of such assets, in accordance with the Convention, and encourages the promotion of human and institutional capacity-building in that regard;

31. *Urges* States parties to the Convention to give timely consideration to mutual legal assistance requests relating to the identification, freezing, tracing and/or recovery of proceeds of corruption and to respond effectively to requests for exchange of information related to proceeds of crime, property, equipment or other instruments referred to in article 31 of the Convention situated in the territory of the requested State party, in accordance with the provisions of the Convention, including article 40;

32. *Urges* States, in accordance with the fundamental principles of their legal systems, to develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability, and in this respect encourages legal professionals and non-governmental organizations, where appropriate, to assist businesses, in particular small and medium-sized businesses, to develop codes of conduct and compliance programmes for preventing bribery and corruption and promoting integrity;

33. *Invites* States parties to the Convention to recognize the importance of the involvement of young people and children as key actors in strengthening ethical behaviour, beginning with the identification and adoption of values, principles and actions that make it possible to build a fair and corruption-free society, in accordance with the Convention;

34. *Urges* States parties to the Convention to effectively implement all resolutions and decisions of the Conference of the States Parties to the Convention, including resolutions 7/8 on corruption in sport and 8/4 on safeguarding sport from corruption, inter alia, through taking robust legislative and law enforcement measures, supporting technical assistance and promoting capacity-building initiatives, as appropriate, and promoting cooperation between law enforcement agencies and relevant sport-related organizations and stakeholders, as well as resolution 7/5 on promoting preventive measures against corruption;

35. *Welcomes* the efforts of Member States that have enacted laws and taken other positive measures in the fight against corruption in all its forms, and in this regard encourages Member States that have not yet done so to enact such laws and to implement effective measures at the national level, in accordance with the Convention;

36. *Notes* the establishment by States of financial intelligence units, and encourages States that have not yet done so to consider establishing such units in accordance with article 58 of the Convention;

37. *Reaffirms* the need for Member States to take measures to prevent the transfer abroad and laundering of assets derived from corruption, including to prevent the financial institutions in both countries of origin and countries of destination from being used to transfer or receive illicit funds, as well as to assist in their recovery and to return such assets to the requesting State, in accordance with the Convention;

38. *Calls upon* Member States to continue to work with all stakeholders in international and domestic financial markets to deny safe haven to assets acquired illicitly by individuals engaged in corruption, to deny entry and safe haven to corrupt officials and those who corrupt them and to enhance international collaboration in the investigation and prosecution of corruption offences, as well as in the recovery of proceeds of corruption;

39. *Urges* all Member States to abide by the principles of proper management of public affairs and public property, fairness, responsibility and equality before the law and the need to safeguard integrity and to foster a culture of transparency, accountability and rejection of corruption, in accordance with the Convention;



40. *Invites* Member States to make every effort to prevent and counter corruption and to implement measures aimed at enhancing transparency in public administration and promoting the integrity and accountability of their criminal justice systems, in accordance with the Convention;

41. *Calls for* further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent and combat corrupt practices and the transfer and laundering of proceeds of corruption, in accordance with the principles of the Convention, and in this regard encourages close and enhanced coordination, cooperation and synergies between anti-corruption agencies, law enforcement agencies and financial intelligence units;

42. *Also calls for* closer and active collaboration among interested States parties to the Convention, regional organizations and the United Nations system, including international financial institutions, in identifying commendable practices in effective and coordinated approaches to asset recovery consistent with chapter V of the Convention;

43. *Stresses* the need for further cooperation and coordination among the different international, regional and subregional organizations and initiatives mandated to prevent and combat corruption;

44. *Urges* Member States to take appropriate measures, within their means and in accordance with fundamental principles of their national law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, the private sector and academia, in the prevention of and fight against corruption and to raise public awareness, through, inter alia, media campaigns, regarding the existence, causes and gravity of and the threat posed by corruption;

45. *Recalls* article 63, paragraph 4 (c), of the Convention, in which it is stated, inter alia, that the Conference of the States Parties to the Convention shall agree upon activities, procedures and methods of work to achieve the objectives set forth in paragraph 1 of that article, including by cooperating with relevant international and regional organizations and mechanisms and non-governmental organizations, and in this regard invites the Conference of the States Parties to give due consideration to the implementation of the above-mentioned provision;

46. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention and to discharge its functions as the secretariat of the Conference of the States Parties to the Convention, and also requests the Secretary-General to ensure that the Mechanism for the Review of Implementation of the Convention is adequately funded, consistent with the resolution adopted by the Conference of the States Parties at its sixth session;<sup>22</sup>

47. *Reiterates its call upon* the private sector, at both the international and the national levels, including small and large companies and transnational corporations, to remain fully engaged in the fight against corruption, notes in this context the role that the United Nations Global Compact can play in fighting corruption and promoting transparency, emphasizes the need for all relevant stakeholders, including within the United Nations system, as appropriate, to continue to promote corporate responsibility and accountability, and in this regard welcomes the adoption on 29 November 2013 of resolution 5/6 on the private sector<sup>23</sup> and the adoption on 6 November 2015 of resolution 6/5, the Saint Petersburg statement on promoting

<sup>22</sup> See [CAC/COSP/2015/10](#).

<sup>23</sup> See [CAC/COSP/2013/18](#), sect. I.A.

public-private partnership in the prevention of and fight against corruption,<sup>24</sup> by the Conference of the States Parties to the Convention;

48. *Recognizes* the important role of business and public-private partnerships in promoting measures to fight corruption, especially measures that support the promotion of ethical business practices in interactions between government, business and other stakeholders;

49. *Encourages* Member States to implement and raise awareness regarding effective anti-corruption education programmes;

50. *Urges* the international community to provide, inter alia, technical assistance to support national efforts to strengthen human and institutional capacity aimed at preventing and combating corrupt practices and the transfer of proceeds of corruption and to facilitate asset recovery and the return and disposal of such proceeds in accordance with the Convention, and to support national efforts in formulating strategies for mainstreaming and promoting anti-corruption efforts, transparency and integrity in both the public and the private sectors;

51. *Urges* States parties and signatories to the Convention to strengthen the capacity of legislators, law enforcement officials, judges and prosecutors to combat corruption and to deal with matters relating to asset recovery, including in the areas of mutual legal assistance, confiscation, criminal confiscation and, where appropriate, non-conviction-based forfeiture, in accordance with national law and the Convention, and civil and administrative proceedings, and to give the highest consideration to providing technical assistance in those fields, upon request;

52. *Encourages* Member States to exchange and share with each other, including through regional and international organizations, as appropriate, information on lessons learned and good practices, as well as information related to technical assistance activities and initiatives in order to strengthen international efforts to prevent and combat corruption;

53. *Encourages* States parties to the Convention to provide regular updates and to expand, where appropriate, the information contained in the relevant databases of knowledge on asset recovery, such as Tools and Resources for Anti-Corruption Knowledge and Asset Recovery Watch, taking into consideration constraints on information-sharing based on confidentiality requirements;

54. *Encourages* the collection and systematization of good practices and tools in the cooperation for asset recovery, including the use and expansion of secure information-sharing tools, with a view to enhancing early and spontaneous information exchange insofar as possible and in accordance with the Convention;

55. *Also encourages* the collection of substantial information duly researched and regularly published by recognized organizations and representatives of civil society;

56. *Encourages* States parties to the Convention to make widely available information on their legal frameworks and procedures with regard to asset recovery under chapter V of the Convention, in practical asset recovery, mutual legal assistance and beneficial ownership guides or other formats designed to facilitate use by other States, and to consider, where advisable, the publication of that information in other languages;

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<sup>24</sup> See [CAC/COSP/2015/10](#), sect. I.

57. *Also encourages* States parties to the Convention to share approaches and practical experience for the return of assets, consistent with article 57 of the Convention, for further dissemination through the Secretariat;

58. *Encourages* requesting States to ensure that adequate national investigative procedures have been initiated and substantiated for the purpose of presenting mutual legal assistance requests, and in this context encourages requested States to provide, when appropriate, information on legal frameworks and procedures to the requesting State;

59. *Encourages* States parties to the Convention to compile and provide information in accordance with article 52 of the Convention and to take other actions that help to establish the linkage between assets and offences under the Convention;

60. *Notes with appreciation* the Stolen Asset Recovery Initiative of the United Nations Office on Drugs and Crime and the World Bank and its cooperation with relevant partners, including the International Centre for Asset Recovery, and INTERPOL, and encourages coordination among existing initiatives;

61. *Requests* the United Nations Office on Drugs and Crime to continue to provide, in collaboration with the World Bank through the Stolen Asset Recovery Initiative and in coordination with other relevant stakeholders, upon request, technical assistance for the implementation of chapter V of the Convention, including by providing direct expertise on policy or capacity-building through the Office's thematic programme on action against corruption, economic fraud and identity-related crime and, where appropriate, regional programmes, using its range of technical assistance tools;

62. *Encourages* Member States to implement effective measures to detect, prevent and counter corruption, as well as the transfer abroad and laundering of assets derived from corruption, and to strengthen international cooperation and assistance to Member States to assist in the identification, freezing or seizure of such assets, as well as in their recovery and return, in accordance with the Convention, in particular chapter V thereof, and in this regard to continue to discuss innovative modalities to improve mutual legal assistance in order to speed up asset recovery proceedings and render them more successful, while also drawing on the experience and knowledge built through the implementation of the Stolen Asset Recovery Initiative;

63. *Encourages* States parties to the Convention to consider, where appropriate, making use of the non-binding Lausanne Guidelines for the Efficient Recovery of Stolen Assets and the supporting step-by-step guide, available online, in their practice and to continue to exchange practical experiences, with a view to keeping the step-by-step guide up to date, as well as enhancing effective approaches to asset recovery based on lessons learned from past cases, being mindful that the Lausanne process can provide an important platform in this regard;

64. *Notes with appreciation* the work of other initiatives in the field of asset recovery, such as the Arab Forum on Asset Recovery, and welcomes their efforts to enhance cooperation between requesting and requested States;

65. *Welcomes* the work of the International Anti-Corruption Academy, a centre of excellence for education, training and academic research in the anti-corruption field, including in the area of asset recovery, and looks forward to its continued efforts in this regard to promote the goals and implementation of the Convention;

66. *Recognizes* the efforts of the Group of 20 in countering corruption at both the global and the national levels, takes note with appreciation of the anti-corruption initiatives outlined in the communiqué of the Summit of the Group of 20, held in Hamburg, Germany, on 7 and 8 July 2017, and urges the Group of 20 to continue to

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engage other States Members of the United Nations and the United Nations Office on Drugs and Crime in its work in an inclusive and transparent manner to ensure that initiatives of the Group of 20 complement or strengthen the work being undertaken by the United Nations system;

67. *Requests* the Secretary-General, within existing reporting obligations, to include in his report to the General Assembly at its seventy-seventh session under the item on crime prevention and criminal justice an analytical section entitled “Preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning such assets to legitimate owners, in particular to countries of origin, in accordance with the United Nations Convention against Corruption”, and also requests the Secretary-General to transmit to the Assembly the report of the Conference of the States Parties to the Convention on its ninth session.

**Draft resolution II**  
**Strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs**

*The General Assembly,*

*Reaffirming* the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,<sup>1</sup>

*Recalling* the 2030 Agenda for Sustainable Development,<sup>2</sup> and recognizing its integrated and indivisible nature,

*Reaffirming* the commitments by Member States to take immediate and effective measures to eradicate all forms of trafficking in persons,

*Recalling* its resolutions 59/156 of 20 December 2004, entitled “Preventing, combating and punishing trafficking in human organs”, 73/189 of 17 December 2018, entitled “Strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs” and 74/176 of 18 December 2019, entitled “Improving the coordination of efforts against trafficking in persons”, as well as Commission on Crime Prevention and Criminal Justice resolutions 23/2 of 16 May 2014<sup>3</sup> and 25/1 of 27 May 2016<sup>4</sup> on preventing and combating trafficking in human organs and trafficking in persons for the purpose of organ removal,

*Reaffirming* the United Nations Convention against Transnational Organized Crime<sup>5</sup> and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,<sup>6</sup>

*Recalling* the adoption of the United Nations Global Plan of Action to Combat Trafficking in Persons by the General Assembly in its resolution 64/293 of 30 July 2010, and underlining the importance of its full implementation,

*Welcoming* the adoption of the political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons at the high-level meeting of the General Assembly held at United Nations Headquarters in New York on 27 and 28 September 2017,<sup>7</sup>

*Recognizing* the need for a multidisciplinary approach, based on respect for all human rights, to combating trafficking in human organs and trafficking in persons for the purpose of organ removal,

*Taking note with appreciation* of the World Health Organization guiding principles on human cell, tissue and organ transplantation, endorsed by the sixty-third World Health Assembly in its resolution 63.22 of 21 May 2010,<sup>8</sup>

<sup>1</sup> Resolution 217 A (III).

<sup>2</sup> Resolution 70/1.

<sup>3</sup> See *Official Records of the Economic and Social Council, 2014, Supplement No. 10 (E/2014/30)*, chap. I, sect. D.

<sup>4</sup> *Ibid.*, 2016, *Supplement No. 10 (E/2016/30)*, chap. I, sect. D.

<sup>5</sup> United Nations, *Treaty Series*, vol. 2225, No. 39574.

<sup>6</sup> *Ibid.*, vol. 2237, No. 39574.

<sup>7</sup> Resolution 72/1.

<sup>8</sup> See World Health Organization, document WHA63/2010/REC/1.

*Taking note* of the report of the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children, on the issue of trafficking in persons for the removal of organs submitted to the General Assembly at its sixty-eighth session,<sup>9</sup>

*Welcoming* the joint study by the United Nations and the Council of Europe, entitled “Trafficking in organs, tissues and cells and trafficking in human beings for the purpose of the removal of organs”, and the United Nations Office on Drugs and Crime assessment toolkit, entitled “Trafficking in persons for the purpose of organ removal”, and taking note of the study by the Office of the United Nations High Commissioner for Human Rights, entitled “Trafficking in persons for the removal of organs: advancing a human rights approach and engaging human rights mechanisms”, and the 2018 edition of the Declaration of Istanbul on Organ Trafficking and Transplant Tourism,

*Taking note* of the Council of Europe Convention against Trafficking in Human Organs as the first regional legally binding document that provides a list of activities that constitute trafficking in human organs and includes provisions to prevent and combat this crime, to protect its victims and to promote cooperation among parties in the fight against this crime, which usually has a transnational scope,

*Affirming* that trafficking in persons for the purpose of organ removal and trafficking in human organs constitute crimes that violate and impair the enjoyment of human rights and fundamental freedoms and have strong health implications, and stressing that it is essential to place the protection of all human rights at the centre of measures to prevent and end such trafficking,

*Recognizing* that, although differences exist between the crimes of trafficking in human organs and trafficking in persons for the purpose of organ removal, both crimes are related to the shortage of human organs available for transplantation and to social and economic difficulties that make people vulnerable, and that prevention of and response to both crimes must be undertaken in an effective and coordinated manner,

*Considering* that the whole process of donation and transplantation of human organs should be an established part of national health services provided to the public, that the process should take place under conditions aimed at the protection of the rights of donors and recipients of organs and that health-care systems should be instrumental in ensuring such conditions,

*Considering also* that the commercial trade in human organs is prohibited in almost all Member States and that both trafficking in persons for the purpose of organ removal and trafficking in human organs have a profound impact on the health both of those who sell their organs and of victims of trafficking in persons for the purpose of organ removal, as well as on recipients of organs obtained in such circumstances, and that both crimes might represent a threat to public health and may, in some cases, affect the integrity and the functioning of health-care systems,

*Alarmed* at the exploitation by criminal groups that take advantage of human needs, poverty and destitution and of other people in vulnerable situations for the purpose of trafficking in human organs, and trafficking in persons for the purpose of the removal of organs,

*Noting* the need to protect living donors and recipients, who are usually the most vulnerable members of society, from exploitation by traffickers in human organs, including by providing them with relevant information, as well as the need to

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<sup>9</sup> See [A/68/256](#).

investigate, prosecute and punish those traffickers and to provide assistance to victims,

*Emphasizing* the importance of respecting and protecting the rights of victims of trafficking in persons for the purpose of organ removal and, when recognized in national legislation, addressing the vulnerability of victims of trafficking in human organs, and providing assistance, as applicable,

*Convinced* of the need to strengthen local, regional and international cooperation for the effective prevention and combating of trafficking in persons for the purpose of organ removal and trafficking in human organs wherever they occur, and determined to prevent the provision of safe haven to those who participate in or profit from transnational organized crime and to prosecute such persons for the crimes that they commit,

1. *Urges* Member States to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs, in accordance with their obligations under international and national law, and to uphold accountability through measures that may include preventing and, in accordance with relevant national legislation, investigating, prosecuting and punishing trafficking in persons for the purpose of organ removal and trafficking in human organs;

2. *Urges* Member States that have not yet done so to ratify or accede to, as a matter of priority, the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, taking into consideration the central role of those instruments in the fight against trafficking in persons, and urges States parties to those instruments to implement them fully and effectively;

3. *Urges* Member States to consider adopting the following measures related to organ transplantation, in accordance with the fundamental principles of their domestic legal systems and national legislation and in line with the World Health Organization guiding principles on human cell, tissue and organ transplantation:<sup>10</sup>

(a) Strengthening legislative frameworks, including by reviewing, developing or amending them, as appropriate, to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs, including the criminalization of these practices and provisions to ensure the accountability of the perpetrators;

(b) Adopting appropriate legislative measures necessary to guarantee that the donation of organs is guided by clinical criteria and ethical norms, based on the donors' informed and voluntary consent, as an altruistic act, performed without any monetary payment or other reward of monetary value, for the living donor or the family of the deceased donor, or any other person or entity, which does not preclude reimbursing reasonable and verifiable expenses incurred by donors;

(c) Ensuring equitable access to human organ transplantation, on the basis of non-discrimination, and increasing public awareness and understanding of the benefits resulting from the voluntary non-remunerated provision of organs from deceased and living donors, and of the physical, psychological and social risks to individuals and communities caused by trafficking in human organs and trafficking in persons for the purpose of the removal of organs, as well as transplant tourism;

(d) Ensuring that the removal of human organs from both deceased and living persons, as well as the transplantation of human organs, exclusively take place in

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<sup>10</sup> World Health Organization, document WHA63/2010/REC/1, annex 8.



centres specifically authorized for such activities by the relevant national health authorities and are not performed outside the framework of domestic transplantation systems or in situations where the transplantation is performed in breach of the guiding principles or national transplantation laws or rules;

(e) Developing and strengthening regulatory oversight of the medical facilities and medical professionals involved in the recovery and transplantation of human organs, including through control measures, such as periodic audits;

(f) Setting specific processes and criteria for the authorization of every organ removal and transplantation procedure;

(g) Establishing and developing registries that include information regarding each organ recovery and transplantation procedure and outcomes for living donors and recipients of organs, as well as identification systems that facilitate tracing each organ from donor to recipient and vice versa, with the purpose of ensuring the transparency of practices and the quality and safety of human organs, with due regard to professional confidentiality and personal data protection;

(h) Promoting the voluntary contribution of periodic information to international registers for organ donation and transplantation activity, such as the Global Observatory on Donation and Transplantation developed in collaboration with the World Health Organization;

(i) Providing long-term medical and psychosocial care for both living donors and recipients;

4. *Encourages* Member States, international organizations and civil society to ensure sustained efforts in terms of information and awareness-raising activities aimed at fostering a positive attitude on the part of society regarding donation, including posthumous donation, as a gesture of altruism, solidarity and community participation, to warn of the risks of organ removal when performed in the context of trafficking, in particular among people in vulnerable situations at risk of becoming victims of this crime;

5. *Encourages* Member States to exchange experience in and information on preventing, prosecuting and punishing trafficking in human organs and trafficking in persons for the purpose of organ removal, to combat the illicit financial flows resulting from such trafficking, as well as on the protection of victims, as appropriate, and to strengthen international cooperation between all relevant actors;

6. *Also encourages* Member States to progress towards self-sufficiency in the transplantation of human organs by developing preventive strategies aimed at decreasing the incidence of diseases treatable through transplantation, and at ethically increasing the availability of human organs for transplantation purposes, with special attention to maximizing donations from deceased donors and to protecting the health and welfare of living donors;

7. *Further encourages* Member States to develop effective and properly resourced organ donation and transplantation systems and provide technical assistance for their implementation in requesting countries;

8. *Encourages* Member States to provide training and capacity-building for law enforcement and border control officials, as well as for health-care professionals, on identifying potential cases, including on the Internet, of trafficking in human organs and trafficking in persons for the purpose of organ removal and on the need to certify the origin of organs to be transplanted and to report suspected or confirmed illegal practices;

9. *Also encourages* Member States to strengthen international cooperation in responding to the crimes of trafficking in persons for the purpose of organ removal and trafficking in human organs, as provided for in relevant and applicable law, including domestic and international law;

10. *Urges* Member States to further develop, in their domestic legislation, ways of protecting victims of trafficking in persons for the purpose of organ removal and, as appropriate, ways of addressing the vulnerability of those individuals who sell their organs, including by considering the following measures:

(a) Adopting all necessary measures, including legal measures, to protect the rights and interests of victims in the course of all phases of criminal prosecution and judicial proceedings and to ensure accountability;

(b) Facilitating the access of victims of trafficking in persons for the purpose of organ removal and, as allowed by domestic law, of those individuals who sell their organs to appropriate relevant information related to their case, while respecting their anonymity, as well as to the necessary protection of their health and other rights that are at stake;

(c) Providing medical and psychosocial care to victims of trafficking in persons for the purpose of organ removal and individuals who sell their organs in the short, medium and long term;

(d) Ensuring that domestic legal systems contain measures that offer victims of trafficking in persons for the purpose of organ removal and individuals who sell their organs the possibility of obtaining effective compensation for the damage suffered;

(e) Promoting the creation of governmental mechanisms and providing support to specialized non-governmental organizations, as appropriate, to address the needs of groups at risk of trafficking in human organs and trafficking in persons for the purpose of organ removal in order to facilitate the provision of holistic and early care to potential or actual victims of those crimes, and ensuring that all support measures are non-discriminatory, gender-, age- and culturally sensitive and comply with their international human rights obligations and national legislation;

11. *Welcomes* the establishment of the World Health Organization Task Force on Donation and Transplantation of Human Organs and Tissues to advise and support the World Health Organization at all levels in disseminating and implementing guiding principles and capacity-building in order to ensure ethical practices in organ and tissue donation and transplantation worldwide;

12. *Requests* the World Health Organization, the United Nations Office on Drugs and Crime and the Office of the United Nations High Commissioner for Human Rights to continue to provide guidelines to Member States for developing orderly, ethical and acceptable programmes for the acquisition and transplantation of human organs for therapeutic purposes, and to intensify the coordination of efforts in combating organ trafficking and trafficking in persons for the purpose of organ removal, including the development of additional transplantation registries;

13. *Requests* the United Nations Office on Drugs and Crime to engage in a dialogue with members of the Inter-Agency Coordination Group against Trafficking in Persons and other relevant intergovernmental international organizations, in particular the World Health Organization, in close consultation with Member States, so as to enable the Office to improve data collection and analysis on instances of trafficking in persons for the purpose of organ removal and relevant prosecutions, and to promote research among diverse fields, such as the medical and health management fields, as well as on the part of the anti-trafficking community, while bearing in mind

that data on trafficking in persons for the purpose of organ removal are being gathered for the *Global Report on Trafficking in Persons*, in accordance with the provisions set out in General Assembly resolution 70/179 of 17 December 2015;

14. *Also requests* the United Nations Office on Drugs and Crime, in collaboration with other entities of the United Nations system, including the World Health Organization, to continue providing capacity-building and technical assistance to States, upon request, to assist them in strengthening national capacities to effectively prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs;

15. *Invites* Member States and other donors to provide extrabudgetary resources to the United Nations Office on Drugs and Crime for the purpose of implementing the present resolution and to the World Health Organization to disseminate and implement the principles endorsed by the World Health Assembly to address the ethical aspects of organ transplantation, such as voluntary and unpaid donation, universal access to transplant services, the availability, safety and quality of the procedures and national accountability through the development of sustainable transplant systems and the achievement of national self-sufficiency in order to stop organ trafficking and trafficking in persons for the purpose of organ removal, as well as transplant tourism;

16. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its seventy-seventh session, all costs associated with it to be covered by extrabudgetary resources;

17. *Decides* to continue its consideration of the question at its seventy-seventh session under the item entitled "Crime prevention and criminal justice".

### **Draft resolution III**

## **Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity**

*The General Assembly,*

*Reaffirming* its resolutions [46/152](#) of 18 December 1991, [60/1](#) of 16 September 2005, [67/1](#) of 19 September 2012, [69/193](#) and [69/196](#) of 18 December 2014, [70/178](#) and [70/182](#) of 17 December 2015, [71/209](#) of 19 December 2016, [72/196](#) of 19 December 2017, [73/186](#) of 17 December 2018 and [74/177](#) of 18 December 2019,

*Reaffirming also* its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,<sup>1</sup> the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,<sup>2</sup> the Convention on Psychotropic Substances of 1971,<sup>3</sup> the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>4</sup> the United Nations Convention against Corruption<sup>5</sup> and all the international conventions and protocols against terrorism,

*Recalling* the importance of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice,<sup>6</sup>

*Recalling also* its decision [74/550 B](#) of 12 August 2020, in which it decided to hold the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice in Kyoto, Japan, from 7 to 12 March 2021, with pre-Congress consultations to be held on 6 March 2021,

*Recalling further* its resolution [72/192](#) of 19 December 2017 on the follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, in which it decided that the theme of the Fourteenth Congress would be “Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda”,

*Underscoring* the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice, and reaffirming its resolution [73/183](#) of 17 December 2018 on enhancing the role of the Commission in contributing to the implementation of the 2030 Agenda for Sustainable Development, in which Member States were encouraged to raise awareness of the work of the Commission in the successful implementation of the 2030 Agenda,

*Reaffirming* its resolution [73/185](#) of 17 December 2018 on the rule of law, crime prevention and criminal justice in the context of the Sustainable Development Goals,

*Expressing its grave concern* about the negative effects of transnational organized crime on development, peace, stability and security and human rights,

<sup>1</sup> United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

<sup>2</sup> *Ibid.*, vol. 976, No. 14152.

<sup>3</sup> *Ibid.*, vol. 1019, No. 14956.

<sup>4</sup> *Ibid.*, vol. 1582, No. 27627.

<sup>5</sup> *Ibid.*, vol. 2349, No. 42146.

<sup>6</sup> Resolution [70/174](#), annex.

about the increasing vulnerability of States to such crime and about the growing degree of penetration of criminal organizations and their financial and economic resources into the economy,

*Expressing concern* at the involvement of organized criminal groups, as well as the substantial increase in the volume, rate of transnational occurrence and range of criminal offences related to trafficking in precious metals, stones and other minerals in some parts of the world, and the potential use of trafficking in precious metals, stones and other minerals as a source of funding for organized crime, other relevant criminal activities and terrorism,

*Deeply concerned* about the growing links, in some cases, between forms of transnational organized crime and terrorism, recognizing that countering transnational organized crime and terrorism is a common and shared responsibility, and in this respect recalling Economic and Social Council resolution 2019/21 of 23 July 2019 on technical assistance provided by the United Nations Office on Drugs and Crime related to counter-terrorism,

*Convinced* that the rule of law and development are strongly interrelated and mutually reinforcing and that the advancement of the rule of law at the national and international levels, including through crime prevention and criminal justice mechanisms, is essential for sustained and inclusive economic growth and sustainable development and the full realization of all human rights and fundamental freedoms, including the right to development, and in this respect reaffirming the 2030 Agenda for Sustainable Development,<sup>7</sup> which, inter alia, includes the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, and in this respect recalling its resolution 70/299 of 29 July 2016 on the follow-up and review of the 2030 Agenda at the global level,

*Expressing concern* about the unprecedented crisis caused by the coronavirus disease (COVID-19) pandemic, which is reversing hard-won sustainable development gains and may increase the risks of corruption, terrorism, transnational organized crime, fraud, financial crime, illegal trafficking, including trafficking in persons, and other criminal activities, and welcoming the contributions of the United Nations Office on Drugs and Crime and other relevant agencies to the sharing of good practices in crisis response and recovery in this context,

*Emphasizing* that transnational organized crime must be addressed with full respect for the principle of the sovereignty of States and in accordance with the rule of law as part of a comprehensive response to promote durable solutions through the promotion of human rights and more equitable socioeconomic conditions,

*Encouraging* Member States to develop and implement, as appropriate, comprehensive, evidence-based crime prevention policies, national and local strategies and action plans based on an understanding of the multiple factors that contribute to crime and to address such factors in a holistic manner, in close cooperation with all stakeholders, including civil society, and in this respect stressing that social development and the promotion of the rule of law, including the fostering of a culture of lawfulness while respecting cultural identities, in accordance with the Doha Declaration, should be integral elements of strategies to foster crime prevention and economic development in all States,

*Recalling* its resolution 74/172 of 18 December 2019 on Education for Justice and the rule of law in the context of sustainable development,

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<sup>7</sup> Resolution 70/1.

*Concerned* at the increasing rate of violence in urban areas, and recognizing the need for inclusive measures to address urban safety and the prevention of related crime and violence in an integrated, participatory and cross-sectoral manner,

*Reaffirming its commitment and strong political will* in support of effective, fair, humane and accountable criminal justice systems and the institutions comprising them, encouraging the effective participation and inclusion of all sectors of society, thus creating the conditions needed to advance the wider United Nations agenda, and recognizing the responsibility of Member States to uphold human dignity, all human rights and fundamental freedoms, in particular for those affected by crime and those who may be in contact with the criminal justice system, including vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and to prevent and counter hate crimes, as well as crimes motivated by intolerance or discrimination of any kind,

*Taking note* of Commission on Crime Prevention and Criminal Justice resolution 25/2 of 27 May 2016 on promoting legal aid, including through a network of legal aid providers,<sup>8</sup> in which the Commission encouraged Member States to adopt or strengthen legislative or other measures to ensure that effective legal aid, including for victims of crime, is provided consistent with their domestic legislation and in line with the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,<sup>9</sup> and which also contributes to the implementation of the 2030 Agenda for Sustainable Development,

*Welcoming* the efforts made by some Member States to establish a common documentation standard as a tool for facilitating both technical interoperability and accessibility of legal documentation,

*Deeply concerned* about the negative impact of corruption on development and on the enjoyment of human rights, and recognizing the universal importance of good governance, transparency, integrity and accountability, thus calling for a zero-tolerance approach to corruption and more effective measures to prevent and counter corruption in all its forms, including bribery, as well as measures to prevent the laundering of proceeds of corruption and other forms of crime,

*Bearing in mind* its resolution 73/190 of 17 December 2018 on preventing and combating corrupt practices and the transfer of proceeds of corruption, facilitating asset recovery and returning such assets to legitimate owners, in particular to countries of origin, in accordance with the United Nations Convention against Corruption,

*Welcoming* the progress made with regard to the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption, and stressing the importance of full participation by States parties in the Mechanism and the effective implementation of the Convention in all its aspects by all States parties, and further taking note with appreciation of the work carried out during the preparatory phase of the review process of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto by the open-ended intergovernmental expert group,

*Welcoming also* decision 8/1 of 20 December 2019 of the Conference of the States Parties to the United Nations Convention against Corruption to extend the

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<sup>8</sup> See *Official Records of the Economic and Social Council, 2016, Supplement No. 10 (E/2016/30)*, chap. I, sect. D.

<sup>9</sup> Resolution 67/187, annex.

duration of the second cycle of the Implementation Review Mechanism until June 2024,<sup>10</sup>

*Taking note* of the United Nations Office on Drugs and Crime and the United Nations Development Programme *Manual on Corruption Surveys* and the development of methodological tools, standards and guidelines that can support countries in producing comparable and up-to-date statistics on corruption, including in the context of Sustainable Development Goal implementation, and welcoming in this regard resolution 8/10 of 20 December 2019 of the Conference of the States Parties to the United Nations Convention against Corruption,<sup>11</sup>

*Bearing in mind* that, pursuant to chapter V of the United Nations Convention against Corruption, the return of assets is one of the main objectives, an integral part and a fundamental principle of the Convention and that the States parties to the Convention shall afford one another the widest measure of cooperation and assistance in that regard, and welcoming in this regard resolution 8/1 of 20 December 2019 of the Conference of the States Parties to the United Nations Convention against Corruption,<sup>12</sup>

*Recognizing* that, thanks to their nearly universal adherence and wide scope of application, the United Nations Convention against Transnational Organized Crime<sup>13</sup> and the United Nations Convention against Corruption offer fundamental legal bases for international cooperation to support the investigation and prosecution of crimes covered by those Conventions, including for extradition, mutual legal assistance and confiscation and asset recovery, and that they provide effective mechanisms that should be further implemented and utilized in practice,

*Reaffirming* its resolution 73/191 of 17 December 2018, in which it decided to convene in the first half of 2021 a special session of the General Assembly on challenges and measures to prevent and combat corruption and strengthen international cooperation, and to adopt a concise and action-oriented political declaration agreed upon in advance, by consensus, through intergovernmental negotiations under the auspices of the Conference of the States Parties to the United Nations Convention against Corruption, and invited the Conference of the States Parties to lead the preparatory process for the special session by addressing all organizational and substantive matters in an open-ended manner,

*Reaffirming also* its resolution 74/276 of 1 June 2020 on the special session of the General Assembly against corruption and its decision 74/568 of 31 August 2020, in which it decided to convene the special session of the General Assembly on challenges and measures to prevent and combat corruption and strengthen international cooperation from 2 to 4 June 2021,

*Recognizing* the efforts of the Group of 20 in countering corruption at both the global and the national levels, taking note with appreciation of the anti-corruption initiatives outlined in the communiqué of the Summit of the Group of 20, held in Osaka, Japan, on 28 and 29 June 2019, and urging the Group of 20 to continue to engage other States Members of the United Nations and the United Nations Office on Drugs and Crime in its work in an inclusive and transparent manner to ensure that initiatives of the Group of 20 complement or strengthen the work being undertaken by the United Nations system,

*Stressing* the importance of strengthened international cooperation, based on the principles of shared responsibility and in accordance with international law, to

<sup>10</sup> See [CAC/COSP/2019/17](#), sect. I.C.

<sup>11</sup> *Ibid.*, sect. I.B.

<sup>12</sup> *Ibid.*

<sup>13</sup> United Nations, *Treaty Series*, vol. 2225, No. 39574.



effectively address the world drug problem, dismantle illicit networks and counter transnational organized crime, including money-laundering, illicit financial flows, smuggling of migrants, trafficking in persons, trafficking in arms and other forms of organized crime, all of which threaten national security and undermine sustainable development and the rule of law, and stressing also in this respect the importance of law enforcement cooperation and exchange of information, as well as of designated central authorities and effective points of contact dedicated to facilitating the procedures related to international cooperation, including for extradition and mutual legal assistance requests, as well as the importance of the coordinating role of relevant regional networks,

*Welcoming* the high-level debate of the General Assembly held on 6 June 2019 on the theme “The role of regional organizations in strengthening and implementing crime prevention initiatives and criminal justice responses”, and taking note of the summary of the discussion prepared by the President of the General Assembly and transmitted to the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and to all Member States,

*Noting* the important contribution that public-private sector cooperation can make in efforts to prevent and combat criminal activities, such as transnational organized crime, corruption, cybercrime and terrorism, in particular in the tourism sector,

*Reaffirming* the commitments made by Member States in the United Nations Global Counter-Terrorism Strategy, adopted on 8 September 2006,<sup>14</sup> and its successive biennial reviews, in particular in its resolution [72/284](#) of 26 June 2018, in which it encouraged Member States and United Nations entities to strengthen and better coordinate their actions against terrorism and to prevent and combat violent extremism as and when conducive to terrorism, including through technical assistance provided to Member States upon their request, and highlighting in this respect the work of the Office of Counter-Terrorism, established through its resolution [71/291](#) of 15 June 2017, and that of the United Nations Global Counter-Terrorism Coordination Compact entities on strengthening the capability of the United Nations system to assist Member States in implementing the United Nations Global Counter-Terrorism Strategy,

*Highlighting* the importance of its resolutions on measures to eliminate international terrorism and on the protection of human rights and fundamental freedoms while countering terrorism adopted at its seventy-third and seventy-fourth sessions,

*Expressing concern* that terrorists may benefit from transnational organized crime in some regions, including from trafficking in arms, drugs and cultural property, as well as trafficking in persons and human organs, and from the illicit trade in natural resources, including oil, and in oil products, modular refineries and related material, precious metals, stones and other minerals, charcoal and wildlife, as well as from kidnapping for ransom and other crimes, including extortion, money-laundering and bank robbery, and condemning the destruction of cultural heritage perpetrated by terrorist groups in some countries,

*Recalling* its resolution [66/177](#) of 19 December 2011 on strengthening international cooperation in combating the harmful effects of illicit financial flows resulting from criminal activities, in which it urged States parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption to apply fully the

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<sup>14</sup> Resolution [60/288](#).

provisions of those Conventions, in particular measures to prevent and combat money-laundering, including by criminalizing the laundering of proceeds of transnational organized crime, as well as measures to enhance national confiscation regimes and international cooperation, including in asset recovery, and recalling also its resolution 73/222 of 20 December 2018, in which, inter alia, it reiterated its deep concern about the impact of illicit financial flows, in particular those caused by tax evasion, corruption and transnational organized crime, on the economic, social and political stability and development of societies, and especially on developing countries,

*Noting with concern* the misuse of virtual assets and related payment methods by criminal individuals and transnational organized crime groups to raise, move and store funds, including the proceeds of crime, as well as the potential use of emerging payment methods, such as prepaid cards and mobile payments or virtual assets, by terrorists and terrorist groups,

*Taking into consideration* all resolutions of the Commission on Crime Prevention and Criminal Justice and the relevant resolutions of the Economic and Social Council, in particular those relating to the strengthening of international cooperation, as well as to the technical assistance and advisory services of the United Nations crime prevention and criminal justice programme of the United Nations Office on Drugs and Crime in the fields of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance to Member States in improving systems for collecting and analysing data on crime prevention and criminal justice at all levels,

*Noting* the establishment by the Secretary-General of the United Nations system task force on transnational organized crime and drug trafficking for the purpose of developing an effective and comprehensive approach to those crimes within the United Nations system, and reaffirming the crucial role of Member States in this regard, as reflected in the Charter of the United Nations,

*Recognizing* the progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and technical assistance to requesting Member States in the areas of crime prevention and criminal justice reform, data and information analysis, preventing and countering organized crime, corruption, piracy and transnational organized crime committed at sea, illicit financial flows, money-laundering, economic and financial crimes, including fraud, as well as tax and corporate crimes, cybercrime, criminal misuse of the Internet and other information and communications technologies as well as such misuse for terrorist purposes, trafficking in endangered species of wild fauna and flora and other crimes that affect the environment, such as trafficking in timber, precious metals, stones and other minerals, direct and indirect trade in oil and refined oil products with organized criminal and terrorist groups, counterfeiting in trademark goods, match-fixing, trafficking in cultural property and artefacts, kidnapping, smuggling of migrants, organ trafficking, trafficking in persons, including the support and protection, as appropriate, of victims, their families and witnesses, illicit manufacturing of and trafficking in firearms, drug trafficking and trafficking in falsified medical products, as well as terrorism, including progress in tackling the phenomenon of foreign terrorist fighters, including those who are returning and relocating, and preventing chemical, biological, radiological and nuclear terrorism, as well as in the area of international cooperation, with special emphasis on extradition and mutual legal assistance and the international transfer of sentenced persons,

*Welcoming* the adoption by the United Nations Office on Drugs and Crime of a regional approach to programming, based on continuing consultations and

partnerships at the national and regional levels, particularly on its implementation, and focused on ensuring that the Office responds in a sustainable and coherent manner to the priorities of Member States,

*Reiterating its concern* regarding the overall financial situation of the United Nations Office on Drugs and Crime, and welcoming the extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the Office,

*Welcoming* Commission on Crime Prevention and Criminal Justice resolution 26/3 of 26 May 2017 on mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime,<sup>15</sup>

*Reiterating its condemnation* of all forms of violence against women and girls, noting with deep concern the increase in cases of violence against women and girls and in obstacles to their access to justice during the COVID-19 pandemic, and in this respect reaffirming its resolutions 71/170 of 19 December 2016, 72/149 of 19 December 2017 and 73/148 of 17 December 2018, recalling the resolutions of the Commission on Human Rights and the Human Rights Council addressing various aspects of violence against women and girls of all ages, and recalling also the agreed conclusions adopted by the Commission on the Status of Women at its fifty-seventh session, which addressed the elimination and prevention of all forms of violence against women and girls,<sup>16</sup>

*Expressing deep concern* about the gender-related killing of women and girls, recalling its relevant resolutions, recognizing the key role of law enforcement and the criminal justice system in preventing and responding to the gender-related killing of women and girls, including by ending impunity for such crimes, and recognizing the importance of collecting relevant data and developing preventive measures,

*Noting* the significance of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice<sup>17</sup> as a way to assist countries in strengthening their national crime prevention and criminal justice capacities to respond to all forms of violence against women and girls,

*Recalling* its resolution 69/194 of 18 December 2014, by which it adopted the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice, convinced of the importance of preventing youth crime, including through sports, supporting the rehabilitation of young offenders and their reintegration into society, protecting in particular child victims of all forms of violence, including those in contact with the law and witnesses, including efforts to prevent their revictimization, and addressing the needs of children of prisoners, stressing that such responses should take into account the human rights and best interests of children and young people, consistent with the obligations of the States parties under relevant international instruments, including the Convention on the Rights of the Child<sup>18</sup> and the Optional Protocols thereto,<sup>19</sup> and noting other relevant United Nations standards and norms in juvenile justice, where appropriate,

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<sup>15</sup> See *Official Records of the Economic and Social Council, 2017, Supplement No. 10 (E/2017/30)*, chap. I, sect. D.

<sup>16</sup> *Ibid.*, 2013, *Supplement No. 7 (E/2013/27)*, chap. I, sect. A.

<sup>17</sup> Resolution 69/194, annex.

<sup>18</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>19</sup> *Ibid.*, vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

*Taking note with appreciation* of the partnership between the United Nations Educational, Scientific and Cultural Organization and the United Nations Office on Drugs and Crime in promoting the importance of education as an effective tool for the prevention of crime and terrorism, under the Education for Justice initiative, and in this respect taking note with appreciation also of the launch of the joint publication entitled *Strengthening the Rule of Law through Education: A Guide for Policymakers*,

*Emphasizing* the relevance of international instruments and United Nations standards and norms in crime prevention and criminal justice related to the treatment of prisoners, in particular women and juveniles,

*Recalling* its resolution [70/146](#) of 17 December 2015, in which it reaffirmed that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment,

*Stressing* the importance of the Code of Conduct for Law Enforcement Officials<sup>20</sup> and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,<sup>21</sup> which are voluntary guidelines that emphasize, inter alia, efficient and human rights-based policing,

*Recalling* its resolution [65/229](#) of 21 December 2010 on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and in this regard encouraging the efforts of Member States to implement the Bangkok Rules,

*Welcoming* the adoption, by its resolution [70/175](#) of 17 December 2015, of the revision to the Standard Minimum Rules for the Treatment of Prisoners, as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), and reaffirming its resolution [72/193](#) of 19 December 2017, in which, inter alia, Member States were encouraged to endeavour to improve conditions of imprisonment and to promote the practical application of the Nelson Mandela Rules as the universally acknowledged and updated minimum standards for the treatment of prisoners, to use the Rules as a guide in the development of prison laws, policies and practices, to continue exchanging good practices and identifying challenges faced in the practical application of the Rules and to share their experiences in dealing with those challenges,

*Welcoming also* Economic and Social Council resolution [2017/19](#) of 6 July 2017 on promoting and encouraging the implementation of alternatives to imprisonment as part of comprehensive crime prevention and criminal justice policies,

*Reiterating its strong condemnation* of trafficking in persons, which constitutes a serious crime and a grave offence to human dignity and physical integrity, a violation or abuse of human rights and a challenge to sustainable development and requires the implementation of a comprehensive approach that includes measures to prevent such trafficking, to punish the traffickers and to identify and protect the victims of such trafficking, and a robust criminal justice response, and recalling in this respect the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,<sup>22</sup> and its resolutions [71/167](#) of 19 December 2016, [72/195](#) of 19 December 2017 and [73/146](#) of 17 December 2018,

<sup>20</sup> Resolution [34/169](#), annex.

<sup>21</sup> See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August–7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

<sup>22</sup> United Nations, *Treaty Series*, vol. 2237, No. 39574.

*Bearing in mind* its resolution [73/189](#) of 17 December 2018 on strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs,

*Reaffirming* its resolution [72/1](#) of 27 September 2017, by which it adopted the political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons,

*Underlining* that Member States need to recognize that the crime of smuggling of migrants and the crime of trafficking in persons are distinct crimes and require separate and complementary legal, operational and policy responses, while recognizing that smuggled migrants might also become victims of trafficking in persons and therefore require appropriate protection and assistance, and recalling its resolutions [69/187](#) of 18 December 2014, [70/147](#) of 17 December 2015, [72/179](#) of 19 December 2017 and [74/148](#) of 18 December 2019, in which it called upon all Member States to protect and assist migrants, including migrant children and adolescents, and Economic and Social Council resolutions [2014/23](#) of 16 July 2014 and [2015/23](#) of 21 July 2015,

*Reaffirming* its resolution [70/1](#) of 25 September 2015, in which it, inter alia, committed to taking immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour,

*Recalling* its resolution [71/1](#) of 19 September 2016, by which it adopted the New York Declaration for Refugees and Migrants, which addresses the issue of large movements of refugees and migrants,

*Stressing* the importance for Member States to take legislative or other measures to prevent, combat and eradicate trafficking in persons in the context of international migration by strengthening capacities and international cooperation to investigate, prosecute and penalize trafficking in persons, discouraging demand that fosters exploitation leading to trafficking, and ending impunity of trafficking networks,

*Welcoming* the work of the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children, established in accordance with the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by its resolution [64/293](#) of 30 July 2010, as well as the important contribution of the Inter-Agency Coordination Group against Trafficking in Persons, within its mandate, to the implementation of the Global Plan of Action, and of the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children,

*Concerned* at the growing involvement of terrorist and organized criminal groups in all forms and aspects of trafficking in cultural property and related offences, and alarmed by the destruction of cultural heritage perpetrated recently by terrorist groups, which is linked to trafficking in cultural property in some countries and to financing of terrorist activities,

*Recognizing* the indispensable role of crime prevention and criminal justice responses in combating all forms and aspects of trafficking in cultural property and related offences in a comprehensive and effective manner, and underlining the importance of the technical assistance provided by the United Nations Office on Drugs and Crime aimed at supporting the implementation of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences<sup>23</sup> and at facilitating

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<sup>23</sup> Resolution [69/196](#), annex.

operational cooperation against all forms of trafficking in cultural property, including through the practical assistance tool developed to that end,

*Welcoming* resolution 27/5 of 18 May 2018 of the Commission on Crime Prevention and Criminal Justice,<sup>24</sup> which focused on the need to strengthen international cooperation to prevent and counter trafficking in cultural property, including through judicial cooperation and mutual legal assistance, and noting the efforts of Member States to implement General Assembly resolutions 68/186 of 18 December 2013, 69/196 of 18 December 2014, and 73/130 of 13 December 2018,

*Affirming* that the destruction of cultural heritage, which is representative of the diversity of human culture, erases the collective memories of a nation, destabilizes communities and threatens their cultural identity, and emphasizing the importance of cultural diversity and pluralism as well as freedom of religion and belief for achieving peace, stability, reconciliation and social cohesion, and recalling in this respect its resolution 73/130,

*Reaffirming* the intrinsic value of biological diversity and its various contributions to sustainable development and human well-being, and recognizing that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the Earth which must be protected for this generation and the generations to come,

*Emphasizing* that the protection of wildlife must be part of a comprehensive approach to achieving poverty eradication, food security, sustainable development, including the conservation and sustainable use of biological diversity, economic growth, social well-being and sustainable livelihoods,

*Expressing deep concern* about crimes that affect the environment, including illicit trafficking in endangered and, where applicable, protected species of wild fauna and flora, and in hazardous waste, and emphasizing the need to combat such crimes by strengthening coordinated action to eliminate, prevent and combat corruption and disrupt illicit networks and also by coordinating international cooperation, capacity-building, criminal justice responses and law enforcement efforts,

*Recognizing*, in this respect, the legal framework provided by and the important role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora<sup>25</sup> as the primary mechanism for regulating international trade in species of wild fauna and flora listed in its appendices,

*Recalling* the adoption of its resolutions 71/326 of 11 September 2017 and 73/343 of 16 September 2019 on tackling illicit trafficking in wildlife, and welcoming Commission on Crime Prevention and Criminal Justice resolution 28/3 of 24 May 2019,<sup>26</sup> and resolution 8/12 of 20 December 2019 of the Conference of the States Parties to the United Nations Convention against Corruption,<sup>27</sup>

*Concerned* at the growing trend of cybercrime and the misuse of information and communications technologies in multiple forms of crime, and recalling its resolutions 73/187 of 17 December 2018 and 74/247 of 27 December 2019, as well as Economic and Social Council resolutions 2019/19 and 2019/20 of 23 July 2019,

*Stressing* the need to enhance coordination and cooperation among Member States in combating cybercrime, including by providing technical assistance to

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<sup>24</sup> See *Official Records of the Economic and Social Council, 2018, Supplement No. 10 (E/2018/30)*, chap. I, sect. C.

<sup>25</sup> United Nations, *Treaty Series*, vol. 993, No. 14537.

<sup>26</sup> See *Official Records of the Economic and Social Council, 2019, Supplement No. 10 (E/2019/30)*, chap. I, sect. D.

<sup>27</sup> See *CAC/COSP/2019/17*, sect. I.B.



developing countries, upon request, to improve national legislation and enhance the capacity of national authorities to deal with cybercrime in all its forms, including its prevention, detection, investigation and prosecution, emphasizing in this context the role that the United Nations, in particular the Commission on Crime Prevention and Criminal Justice, plays, and reaffirming the importance of respect for human rights and fundamental freedoms in the use of information and communications technologies,

*Welcoming*, in this respect, Commission on Crime Prevention and Criminal Justice resolution 26/4 of 26 May 2017 on strengthening international cooperation to combat cybercrime, in which the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime was requested to continue its work and exchange of information on national legislation, best practices, technical assistance and international cooperation with a view to examining options to strengthen existing responses and propose new national and international legal or other responses to cybercrime, and was encouraged to develop possible conclusions and recommendations for submission to the Commission,

*Concerned* at the serious challenges and threats posed by illicit trafficking in firearms, their parts and components and ammunition, and about its links with other forms of transnational organized crime, including drug trafficking, as well as terrorism,

*Noting* international efforts to prevent, combat and eradicate the illicit trade in conventional arms, in particular in small arms and light weapons, as demonstrated by the adoption in 2001 of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,<sup>28</sup> the entry into force in 2005 of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,<sup>29</sup> and the entry into force in 2014 of the Arms Trade Treaty,<sup>30</sup>

*Welcoming* the 2019 Ministerial Declaration on Strengthening Our Actions at the National, Regional and International Levels to Accelerate the Implementation of Our Joint Commitments to Address and Counter the World Drug Problem,<sup>31</sup> adopted during the ministerial segment of the sixty-second session of the Commission on Narcotic Drugs, in which Member States committed to accelerating, based on the principle of common and shared responsibility, the full implementation of the 2009 Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,<sup>32</sup> the Joint Ministerial Statement of the 2014 high-level review by the Commission on Narcotic Drugs of the implementation by Member States of the Political Declaration and Plan of Action<sup>33</sup> and the outcome document of the special session of the General Assembly on the world drug problem held in 2016,<sup>34</sup> aimed at achieving all commitments, operational recommendations and aspirational goals set out therein,

<sup>28</sup> *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001 (A/CONF.192/15)*, chap. IV, para. 24.

<sup>29</sup> United Nations, *Treaty Series*, vol. 2326, No. 39574.

<sup>30</sup> See resolution 67/234 B.

<sup>31</sup> See *Official Records of the Economic and Social Council, 2019, Supplement No. 8 (E/2019/28)*, chap. I, sect. B.

<sup>32</sup> *Ibid.*, 2009, *Supplement No. 8 (E/2009/28)*, chap. I, sect. C.

<sup>33</sup> *Ibid.*, 2014, *Supplement No. 8 (E/2014/28)*, chap. I, sect. C.

<sup>34</sup> Resolution S-30/1, annex.

1. *Takes note with appreciation* of the report of the Secretary-General prepared pursuant to resolution [74/177](#);<sup>35</sup>
2. *Reaffirms* its resolution [70/1](#), entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, which, inter alia, includes the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels;
3. *Calls upon* all Member States, when appropriate, to take into consideration the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, adopted at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, when formulating legislation and policy directives, and to make every effort, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations, and requests the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, to Member States, including through its Global Programme for the Implementation of the Doha Declaration and the Education for Justice initiative;
4. *Encourages* Member States to promote the integrity, honesty and responsibility of criminal justice practitioners through specialized and appropriate training and the application of codes or standards of conduct, and in this context notes the work of the Global Judicial Integrity Network aimed at strengthening judicial integrity;
5. *Urges* Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Corruption and the international conventions and protocols related to terrorism, and urges States parties to those conventions and protocols to make efforts towards their effective implementation, particularly with regard to preventing and combating transnational organized crime, including cybercrime;
6. *Reaffirms* that the United Nations Convention against Transnational Organized Crime and the Protocols thereto represent the most important tools of the international community for fighting transnational organized crime, including cybercrime, and notes with appreciation that the number of States parties has reached 190, which is a significant indication of the commitment shown by the international community to combating transnational organized crime, and welcomes the twentieth anniversary of the adoption of the Convention by its resolution [55/25](#) of 15 November 2000 and of the opening of the Convention for signature by Member States at a high-level political conference convened for that purpose in Palermo, Italy, from 12 to 15 December 2000;
7. *Welcomes* the launch of the review process of the Mechanism for the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, at the tenth session of the Conference of the Parties to the United Nations Convention against Transnational

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<sup>35</sup> [A/75/125](#).



Organized Crime, held in Vienna from 12 to 16 October 2020, and urges States parties to actively participate in and support the review process;

8. *Encourages* States parties to the United Nations Convention against Transnational Organized Crime to submit case law, legislation and other relevant responses to the knowledge management portal known as Sharing Electronic Resources and Laws on Crime;

9. *Welcomes* the decisions of the Conference of the Parties at its eighth and ninth sessions, held in Vienna from 17 to 21 October 2016 and from 15 to 19 October 2018, respectively, to promote greater use of the Convention by central authorities in extradition and mutual legal assistance and to enhance the effectiveness of these authorities and to strengthen, as appropriate, the implementation of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime;

10. *Urges* States parties to the United Nations Convention against Corruption to continue to provide full support to the review mechanism adopted by the Conference of the States Parties to the Convention, notes the progress made under the second cycle of the Mechanism for the Review of Implementation of the Convention, and further notes with appreciation that the number of States parties has reached 187, which is a significant indication of the commitment shown by the international community to combating corruption and related crimes;

11. *Also urges* States parties to the United Nations Convention against Corruption to increase their efforts and to take measures to prevent and counter corruption, with the necessary focus on, among others, acts of corruption that involve vast quantities of assets, without undermining their commitment to preventing and countering corruption at all levels and in all forms, and calls upon States parties to the Convention to take measures to ensure that legal and natural persons are held accountable for corruption offences, including when they involve bribery and vast quantities of assets, in accordance with the Convention;

12. *Welcomes* the progress achieved by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption in the implementation of their respective mandates, and calls upon States parties to give full effect to the resolutions adopted by those bodies, including providing information regarding compliance with the treaties;

13. *Encourages* Member States to strengthen the capacity of their respective criminal justice systems to investigate, prosecute and punish all forms of crime, while supporting an effective, fair, humane and accountable criminal justice system and protecting the human rights and fundamental freedoms of defendants, as well as the legitimate interests of victims and witnesses, and to adopt and reinforce measures to ensure access to effective legal aid in criminal justice systems, and in this context takes note of the establishment of the Global Judicial Integrity Network in April 2018;

14. *Requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, including, inter alia, in the field of international cooperation in criminal matters, to strengthen the rule of law, also taking into account the work undertaken by other United Nations entities, within existing mandates, as well as regional and bilateral efforts, and to continue to ensure coordination and coherence, including through the Rule of Law Coordination and Resource Group;

15. *Calls for* greater coordination and coherence among United Nations entities and with stakeholders, including donors, host countries and recipients of capacity-building, in countering transnational organized crime;

16. *Reiterates* the importance of providing the United Nations crime prevention and criminal justice programme with sufficient, stable and predictable funding for the full implementation of its mandates;

17. *Encourages* all States to have national and local action plans for crime prevention in order to take into account, in a comprehensive, integrated and participatory manner, inter alia, factors that place certain populations and places at higher risk of victimization and/or of offending, and to ensure that such plans are based on the best available evidence and good practices, and stresses that crime prevention should be considered an integral element of strategies to foster social and economic development in all States, in accordance with the commitments contained in General Assembly resolutions [70/1](#) and [70/299](#);

18. *Recommends* that Member States adopt multisectoral crime prevention policies and programmes for youth, including through sport and education, taking into consideration their varying needs, and safeguard their well-being, recognizing that youth may face specific challenges and risk factors that make them particularly vulnerable to crime, all forms of violence, terrorism and victimization, and in this respect recalls its resolution [74/170](#) of 18 December 2019, entitled “Integrating sport into youth crime prevention and criminal justice strategies”;

19. *Notes* the impossibility of holding the high-level debate on the theme “Urban safety, security and good governance: making crime prevention a priority for all” during the seventy-fourth session as a result of the COVID-19 pandemic, and invites the President of the General Assembly, in cooperation with the United Nations Office on Drugs and Crime and with the involvement of relevant stakeholders, to hold, within existing resources, the high-level debate during the seventy-fifth session and to prepare a summary of the discussion for transmission to the Commission on Crime Prevention and Criminal Justice and to all Member States;

20. *Urges* Member States, in cooperation with the United Nations crime prevention and criminal justice programme, to develop national, subregional, regional and international strategies, with the support of relevant international organizations, as appropriate, and other necessary measures, including the establishment, in accordance with domestic legislation, of designated central and competent authorities and effective points of contact dedicated to facilitating the procedures related to international cooperation, including for extradition and mutual legal assistance requests, in order to effectively address transnational organized crime; to strengthen all forms of cooperation to enable the return of illicitly acquired assets in accordance with the provisions of the United Nations Convention against Corruption for asset recovery, in particular chapter V, with the cooperation of the United Nations Office on Drugs and Crime, within its existing mandate; and to inform accordingly the Office about existing or updated contact details of such authorities and points of contact to facilitate international cooperation as appropriate;

21. *Encourages* Member States to study the implementation of a common documentation standard, including within the United Nations system and in cooperation with relevant international institutions;

22. *Reaffirms* the importance of the United Nations crime prevention and criminal justice programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request

and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices in respect of all forms of organized crime, including piracy and transnational organized crime committed at sea, cybercrime, criminal misuse of the Internet and other information and communications technologies as well as such misuse for terrorist purposes, the misuse of new information technologies to abuse and exploit children, trafficking in cultural property and artefacts, illicit financial flows, money-laundering, economic and financial crimes, including fraud, as well as tax and corporate crimes, match-fixing, counterfeiting in trademark goods, illicit trafficking in endangered species of wild fauna and flora and other crimes that affect the environment, such as trafficking in timber, precious metals, stones and other minerals, drug trafficking, kidnapping, trafficking in persons, including the support and protection, as appropriate, of victims, their families and witnesses, organ trafficking, smuggling of migrants and illicit manufacturing of and trafficking in firearms, direct and indirect trade in oil and refined oil products with organized criminal and terrorist groups, as well as corruption and terrorism;

23. *Encourages* Member States to collect relevant information and to further identify, analyse and counter any existing, growing or potential links, in some cases, between transnational organized crime, illicit drug-related activities, money-laundering and the financing of terrorism, in order to enhance criminal justice responses to those crimes, and calls upon the United Nations Office on Drugs and Crime, within its relevant mandates, to support, upon request, the efforts of Member States in that regard;

24. *Calls upon* Member States to strengthen cooperation at the international, regional, subregional and bilateral levels to counter the threat posed by foreign terrorist fighters, including those who are returning and relocating, including through enhanced operational and timely information-sharing, logistical support, as appropriate, and capacity-building activities, such as those provided by the United Nations Office on Drugs and Crime, to share and adopt best practices to identify foreign terrorist fighters, to prevent the travel of foreign terrorist fighters from, into or through Member States, to prevent the financing, mobilization, recruitment and organization of foreign terrorist fighters, to prevent and counter violent extremism as and when conducive to terrorism, to enhance efforts to implement prosecution, rehabilitation and reintegration strategies, taking into account gender and age dimensions, and to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in the supporting of terrorist acts is brought to justice, in compliance with obligations under international law, as well as applicable domestic law, and requests the Office to continue to provide technical assistance, upon request, in this regard in cooperation and coordination with the Office of Counter-Terrorism and the United Nations Global Counter-Terrorism Coordination Compact entities;

25. *Calls upon* the United Nations Office on Drugs and Crime to further enhance technical assistance, upon request, for building the capacity of Member States to become party to and implement the international conventions and protocols related to counter-terrorism, including through targeted programmes and the training of relevant criminal justice and law enforcement officials, upon request, and the development of technical tools and publications, within its mandate, and in this respect takes note with appreciation of the *Guidance Manual for Member States on Terrorist Financing Risk Assessments*, published by the Office;

26. *Calls upon* Member States to address the threat posed by radicalization to terrorism in prisons, and calls upon the United Nations, especially the United Nations Office on Drugs and Crime, to continue to support Member States in this regard in

cooperation and coordination with the Office of Counter-Terrorism and the United Nations Global Counter-Terrorism Coordination Compact entities;

27. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have transnational organized crime mandates, as appropriate, in order to share best practices, foster cooperation and take advantage of their unique and comparative advantage;

28. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its country and regional offices in building capacity at the local level in the field of crime prevention and criminal justice, and urges the Office to consider regional vulnerabilities, projects and impacts in the fight against transnational organized crime in all its forms, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in those areas;

29. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to support, in an effective manner, efforts towards the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the United Nations Convention against Corruption, and to discharge its functions as the secretariat of the conferences of the parties to the conventions, the Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs, as well as the United Nations congresses on crime prevention and criminal justice, in accordance with its mandate, and requests the Secretariat to continue to provide support to the Commissions within their respective mandates, enabling them to actively contribute, as appropriate, to the global follow-up and the thematic review of progress made by Member States in the achievement of the Sustainable Development Goals as set forth in resolutions [70/299](#), and [72/305](#) of 23 July 2018;

30. *Urges* all Member States to provide the fullest possible financial and political support to the United Nations Office on Drugs and Crime by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, so as to enable it to continue, expand, improve and strengthen, within its mandates, its research, operational and technical cooperation activities;

31. *Expresses concern* regarding the overall financial situation of the United Nations Office on Drugs and Crime, emphasizes the need to provide the Office with adequate, predictable and stable resources and to ensure their cost-effective utilization, and requests the Secretary-General, also considering the extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the Office, to continue to report, within existing reporting obligations, on the financial situation of the Office and to continue to ensure that the Office has sufficient resources to carry out its mandates fully and effectively;

32. *Invites* States and other interested parties to make further voluntary contributions to the United Nations voluntary trust fund for victims of trafficking in persons, especially women and children, and to the United Nations voluntary trust fund on contemporary forms of slavery;

33. *Calls upon* Member States to intensify national and international efforts to eliminate all forms of discrimination, including racism, religious intolerance, xenophobia and gender-related discrimination by, inter alia, raising awareness,

developing educational materials and programmes and considering, where appropriate, drafting and enforcing legislation against discrimination;

34. *Emphasizes* the importance of protecting vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and in that regard expresses its concern about the increase in the activities of transnational and national organized criminal groups and others who profit from crimes against migrants, especially women and children, without regard for dangerous and inhumane conditions and in flagrant violation of national laws and international law;

35. *Calls upon* Member States to implement, when appropriate, the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),<sup>36</sup> bearing in mind their spirit and purpose, and to intensify their efforts to address the challenge of prison overcrowding through appropriate criminal justice reforms, which should include, where appropriate, a review of penal policies and practical measures to reduce pretrial detention, to enhance the use of non-custodial sanctions and measures and to improve access to legal aid to the extent possible, and requests the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, in this respect;

36. *Invites* Member States to mainstream a gender perspective into their criminal justice systems, including by the use of non-custodial measures for women, when appropriate, and by improving the treatment of women prisoners, taking into consideration the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),<sup>37</sup> and by developing and implementing national strategies and plans to promote the full protection of women and girls from all acts of violence and to strengthen the crime prevention and criminal justice response to the gender-related killing of women and girls, in particular by taking measures to support the practical capacity of Member States to prevent, investigate, prosecute and punish all forms of such crime, and welcomes in this respect the practical tools recommended by the open-ended intergovernmental expert group on gender-related killing of women and girls at its meeting held in Bangkok from 11 to 13 November 2014;<sup>38</sup>

37. *Also invites* Member States to integrate child- and youth-related issues into their criminal justice reform efforts, recognizing the importance of protecting children from all forms of violence, exploitation and abuse, consistent with the obligations of parties under relevant international instruments, and to develop comprehensive child-sensitive justice policies focused on the best interests of the child, consistent with the principle that the deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time;

38. *Recognizes* the efforts made by the United Nations Office on Drugs and Crime to assist Member States in developing their abilities and strengthening their capacity to prevent and combat kidnapping, and requests the Office to continue to provide technical assistance, upon request, with a view to fostering international cooperation, in particular mutual legal assistance, aimed at countering effectively this growing serious crime;

39. *Calls upon* Member States to consider ratifying or acceding to, and for States parties to effectively implement, the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against

<sup>36</sup> Resolution 70/175, annex.

<sup>37</sup> Resolution 65/229, annex.

<sup>38</sup> See E/CN.15/2015/16.

Transnational Organized Crime,<sup>39</sup> to reinforce international cooperation for preventing and combating the smuggling of migrants and for the prosecution of smugglers, in accordance, as appropriate, with article 6 of the Protocol and with national laws and legislation, while effectively protecting the rights and respecting the dignity of smuggled migrants, consistent with the principles of non-discrimination and other applicable obligations under relevant international law, taking into account the special needs of women, children, especially when unaccompanied, and persons with disabilities and older persons, and in collaboration with international organizations, civil society and the private sector, and in this regard calls upon the United Nations Office on Drugs and Crime to continue its technical assistance to Member States in accordance with the Protocol;

40. *Takes note* of the launch of the first United Nations Office on Drugs and Crime *Global Study on Smuggling of Migrants*, encourages Member States to promote the reliable collection of relevant data and research, at the national and, as appropriate, the regional and international levels, and invites the Office to systematically collect data and information from Member States on migrant smuggling routes, the modus operandi of migrant smugglers and the role of transnational organized crime, and invites Member States and other donors to provide extrabudgetary resources for this purpose;

41. *Encourages* Member States to ensure that, in investigating and prosecuting trafficking in persons and the smuggling of migrants, the concurrent undertaking of financial investigations is a standard practice, with a view to tracing, freezing and confiscating proceeds acquired through those crimes, and to consider trafficking in persons and the smuggling of migrants to be predicate offences of money-laundering;

42. *Emphasizes* the importance of preventing and combating all forms of trafficking in persons, and in this regard expresses its concern about the activities of transnational and national organized criminal groups and others who profit from such crimes, including for the purpose of organ removal, and calls upon Member States to consider ratifying or acceding to, and for States parties, in accordance with their obligations, to fully and effectively implement the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, as well as to strengthen national efforts to combat all forms of trafficking in persons and to protect and assist the victims of trafficking in accordance with all relevant legal obligations and in collaboration with international organizations, civil society and the private sector, and in this regard calls upon the United Office on Drugs and Crime to continue its technical assistance to Member States in accordance with the Protocol;

43. *Requests* the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism, including the phenomenon of travelling, returning and relocating foreign terrorist fighters, especially with regard to extradition and mutual legal assistance, and its financial sources, through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation and cooperation with the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) and its Executive Directorate, as well as to contribute to the work of the Office of Counter-Terrorism, established in accordance with resolution 71/291, and of the United Nations Global Counter-Terrorism Coordination Compact entities, and invites Member States to provide the United Nations Office on Drugs and Crime with appropriate resources for its mandate;

<sup>39</sup> United Nations, *Treaty Series*, vol. 2241, No. 39574.

44. *Urges* the United Nations Office on Drugs and Crime to continue to provide, within its mandate, technical assistance to Member States, upon their request, to combat money-laundering and the financing of terrorism through the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism, in accordance with United Nations-related instruments and international standards, including, where applicable, standards and relevant initiatives of regional, interregional and multilateral organizations and intergovernmental bodies against money-laundering, inter alia and as appropriate, the Financial Action Task Force, in accordance with national legislation;

45. *Encourages* Member States to enhance the effectiveness of countering criminal threats to the tourism sector, including terrorist threats, through, when appropriate, the activities of the United Nations Office on Drugs and Crime and other relevant international organizations, in cooperation with the World Tourism Organization and the private sector;

46. *Affirms* that attacks intentionally directed against buildings dedicated to religion, education, art, science or charitable purposes, or historic monuments, or hospitals and places where the sick and wounded are collected, may amount to war crimes, stresses the importance of holding accountable perpetrators of attacks intentionally directed against the above-mentioned buildings, provided that they are not military objectives, and calls upon all States to take appropriate action to this end within their jurisdiction in accordance with applicable international law;

47. *Urges* States parties to make effective use of the United Nations Convention against Transnational Organized Crime for broad cooperation in preventing and combating all forms and aspects of trafficking in cultural property and related offences, including money-laundering and the financing of terrorism, especially in returning such confiscated proceeds of crime or property to their legitimate owners, in accordance with article 14, paragraph 2, of the Convention;

48. *Encourages* States parties to the United Nations Convention against Transnational Organized Crime to promptly notify countries of origin when objects that may be cultural property removed from their territory are identified, and to exchange information and statistical data on all forms and aspects of trafficking in cultural property and related offences, and reaffirms in this regard the importance of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, as adopted by the General Assembly in its resolution [69/196](#);

49. *Urges* Member States to introduce effective national and international measures to prevent and combat illicit trafficking in cultural property, including publicizing legislation, international guidelines and related technical background documents, and offering special training for police, customs and border services, and invites Member States to make trafficking in cultural property and related offences, including stealing from and looting of archaeological and other cultural sites, a serious crime, as defined in article 2 (b) of the United Nations Convention against Transnational Organized Crime;

50. *Also urges* Member States to take decisive steps at the national level to prevent, combat and eradicate the illegal trade in wildlife, on both the supply and demand sides, including by strengthening the legislation necessary for the prevention, investigation and prosecution of such illegal trade, as well as by strengthening enforcement and criminal justice responses, in accordance with national legislation and international law, acknowledging that the International Consortium on Combating Wildlife Crime can provide valuable technical assistance in this regard;



51. *Calls upon* Member States to make illicit trafficking in protected species of wild fauna and flora and other crimes that affect the environment, such as trafficking in timber, precious metals, stones and other minerals, involving organized criminal groups a serious crime in accordance with their national legislation and with article 2 (b) of the United Nations Convention against Transnational Organized Crime;

52. *Also calls upon* Member States to take appropriate and effective measures to prevent and combat trafficking in precious metals, stones and other minerals by organized criminal groups, including, where appropriate, the adoption and effective implementation of the necessary legislation for the prevention, investigation and prosecution of illicit trafficking in precious metals, stones and other minerals;

53. *Encourages* Member States to continue to support the United Nations Office on Drugs and Crime in providing targeted technical assistance, within its existing mandate, to enhance the capacity of affected States, upon their request, to combat piracy and other forms of crime committed at sea, including by assisting Member States in creating an effective law enforcement response and strengthening their judicial capacity;

54. *Notes with appreciation* the holding of the sixth meeting of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime and the responses to cybercrime by Member States, the international community and the private sector, and calls upon Member States to support the workplan of the Expert Group and to explore specific measures and develop possible conclusions and recommendations designed to create a secure and resilient cyberenvironment, to prevent and counter effectively criminal activities carried out over the Internet, paying particular attention to identity fraud-related offences, recruitment for the purpose of trafficking in persons and protecting children from online exploitation and abuse, to strengthen law enforcement cooperation at the national and international levels, including with the aim of identifying and protecting victims by, inter alia, removing child pornography and other child sexual abuse material from the Internet, to enhance the security of computer networks and protect the integrity of relevant infrastructure, and to endeavour to provide long-term technical assistance and capacity-building to strengthen the ability of national authorities to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime in all its forms;

55. *Encourages* Member States to strengthen their efforts in combating cybercrime and all forms of criminal misuse of information and communications technologies and to enhance international cooperation involving electronic evidence in this regard;

56. *Requests* the United Nations Office on Drugs and Crime to continue to assist Member States, upon request, in combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and to support them in their efforts to address the links with other forms of transnational organized crime, through, inter alia, legislative assistance, technical support, improved data collection and analysis and strengthened national statistical systems, and in this respect invites Member States to provide the Office with relevant information and suitably disaggregated data through the regular data collection instrument on firearms trafficking;

57. *Urges* Member States to exchange good practices and experiences of practitioners who are involved in combating illicit trafficking in firearms and to consider the use of available tools, including marking and record-keeping technologies, to facilitate the tracing of firearms and, where possible, their parts and



components and ammunition, in order to enhance criminal investigations into illicit trafficking in firearms;

58. *Urges* States parties to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition that import and export parts and components of firearms to reinforce their control measures in line with the Protocol and other relevant international legal instruments to which they are party, with a view to preventing and reducing the risks of their diversion, illicit manufacturing and trafficking, and takes note of the first United Nations Office on Drugs and Crime *Global Study on Firearms Trafficking*;

59. *Welcomes* the results of the seventh meeting of the Working Group on Firearms, held in Vienna from 16 to 17 July 2020, and invites States parties to take measures, as appropriate and consistent with their domestic laws, to implement the recommendations and discussion points resulting from the Working Group meetings, in order to contribute to strengthening international cooperation against firearms-related crimes;

60. *Calls upon* Member States to intensify all efforts to address the world drug problem, based upon the principle of common and shared responsibility and through a comprehensive and balanced approach, including through more effective bilateral, regional and international cooperation among judicial and law enforcement authorities, to counter the involvement of organized criminal groups in illicit drug production and trafficking and related criminal activities and to take steps to reduce the violence that accompanies drug trafficking;

61. *Recommends* that Member States, as appropriate to their national contexts, adopt a comprehensive and integrated approach to crime prevention and criminal justice reform, based on baseline assessments, regular data collection and analysis, and focusing on all sectors of the justice system, and develop crime prevention policies, strategies and programmes, including ones that focus on early prevention by using multidisciplinary and participatory approaches, in close cooperation with all stakeholders, including civil society, and requests the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, to Member States for this purpose;

62. *Reiterates its invitation* to Member States to gradually adopt the International Classification of Crime for Statistical Purposes and to strengthen national statistical systems of criminal justice, requests the United Nations Office on Drugs and Crime, within its existing mandate, to continue to strengthen the regular collection, analysis and dissemination of accurate, reliable, timely and comparable data and information, including, as appropriate, data disaggregated by sex, age and other relevant criteria, and strongly encourages Member States to share such data and information with the Office;

63. *Takes note* of the global studies on the smuggling of migrants, trafficking in persons, trafficking in firearms and intentional homicide, including on the gender-related killing of women and girls, that have been produced by the United Nations Office on Drugs and Crime and thus provide data-driven analyses in support of policy development at the national and international levels, and requests the United Nations Office on Drugs and Crime to continue to develop, in close cooperation with Member States, technical and methodological tools and trend analyses and studies to enhance knowledge of crime trends and support Member States in designing appropriate responses in specific areas of crime, in particular in their transnational dimension and in relation to the Sustainable Development Goals, taking into account the need to make the best possible use of existing resources;

64. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals, handbooks and capacity-building material developed and published by the United Nations Office on Drugs and Crime;

65. *Requests* the United Nations Office on Drugs and Crime, in collaboration and close consultation with Member States and within existing resources, to continue to support the enhancement of capacity and skills in the field of forensic sciences, including the setting of standards, and the development of technical assistance material for training, such as manuals, compilations of useful practices and guidelines and scientific and forensic reference material, for law enforcement officials and prosecution authorities, and to promote and facilitate the establishment and sustainability of regional networks of forensic science providers in order to enhance their expertise and capacity to prevent and combat transnational organized crime;

66. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-sixth session on the implementation of the mandates of the United Nations crime prevention and criminal justice programme, reflecting also emerging policy issues and possible responses.

## **Draft resolution IV**

### **United Nations African Institute for the Prevention of Crime and the Treatment of Offenders**

*The General Assembly,*

*Recalling* its resolution [73/188](#) of 17 December 2018 and all other relevant resolutions,

*Taking note* of the report of the Secretary-General,<sup>1</sup>

*Bearing in mind* that weaknesses in crime prevention lead to subsequent difficulties at the level of crime control mechanisms, and bearing in mind also the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

*Aware* of the devastating impact of new and more dynamic crime trends on the national economies of African States, such as the high levels of transnational organized crime, including the utilization of digital technology to commit all types of cybercrime, and aware also of illicit trafficking in cultural property, drugs, precious metals, rhinoceros horns and ivory, of piracy and money-laundering and of the fact that crime is a major obstacle to harmonious and sustainable development in Africa,

*Deeply concerned* about the growing links, in some cases, between some forms of transnational organized crime and terrorism, and recognizing that countering transnational organized crime and terrorism is a common and shared responsibility, and that criminal justice procedures will have to be more cost-conscious, timely and expeditious and sensitive to public responses to minimize or eliminate any suspicion of compromise,

*Emphasizing* that combating crime is a collective endeavour to meet the global challenge of organized crime and that investment of necessary resources in crime prevention is important to that aim and contributes to sustainable development,

*Noting with concern* that in most African countries the existing criminal justice system does not have sufficiently skilled personnel and adequate infrastructure and is therefore ill-equipped to manage the emergence of new crime trends, and acknowledging the challenges that Africa faces in litigation processes and the management of correctional institutions,

*Recognizing* that the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders is a focal point for professional efforts aimed at promoting the active cooperation and collaboration of Governments, academics, institutions and scientific and professional organizations and experts in crime prevention and criminal justice,

*Bearing in mind* the African Union Plan of Action on Drug Control and Crime Prevention (2019–2023), aimed at encouraging Member States to participate in and own the regional initiatives for effective crime prevention and good governance and strengthened justice administration,

*Recognizing* the importance of promoting sustainable development as a complement to crime prevention strategies,

*Emphasizing* the need to create necessary coalitions with all partners in order to achieve effective crime prevention policies,

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<sup>1</sup> [A/75/111](#).

*Recalling* the undertaking and conclusion of a preliminary diagnostic study by a consultant of the Economic Commission for Africa prior to the commencement of a full system-wide review process, including the significance of the Institute as a viable mechanism for promoting cooperation among the relevant entities to respond to the crime problem afflicting Africa,

*Expressing concern* over the continued absence of a director of the Institute, and noting the important role of such senior management positions in ensuring the normal functioning of the Institute,

*Noting with concern* that the financial situation of the Institute has greatly affected its capacity to deliver services to African Member States in an effective and comprehensive manner, and noting that one of the findings of the preliminary diagnostic study is that the Institute urgently needs to increase its income,

*Recognizing* the ongoing efforts by the Governing Board of the Institute to mobilize States members of the Institute, with a view to obtaining and reaffirming their financial commitment to the Institute, in line with the decision of the Board, taken in Addis Ababa on 18 February 2020, to address the decline in financial support for the programmes of the Institute,

*Recalling* the detailed description provided in the report of the Secretary-General<sup>2</sup> of funding deficiencies that have severely undermined the capacity of the Institute to serve the needs of the region, and recognizing that crime results in the expenditure of a significant amount of resources,

*Bearing in mind* that the Institute is an important component of the United Nations crime prevention and criminal justice network and that, without the necessary funds, the Institute will fail to accomplish its vital goals of combating drug trafficking, cybercrime and environmental crimes, among other challenges, as well as its goals of reforming the crucial deficiencies in the region's prosecution system and building effective and strong alliances among law enforcement personnel, professional bodies, academic institutions, individual communities, experts and traditional and civil authorities in order to proactively prevent crime,

*Acknowledging* the Member States and organizations that have maintained their commitment to the fulfilment of their financial obligations,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote, coordinate and carry out more activities within its core mandate, including regional technical cooperation related to crime prevention and criminal justice systems in Africa, despite the resource constraints under which it is operating;

2. *Recalls* the decision of the Governing Board of the Institute to adopt the strategic plan for the period 2017–2021 to address crime in an integrated manner by strengthening national capacities for crime prevention and criminal justice, and calls upon Member States, including those members of the Institute, all relevant entities of the United Nations and non-governmental organizations to give the support necessary for its full implementation;

3. *Acknowledges* the progress made by African States in the implementation of the African Union Plan of Action on Drug Control and Crime Prevention (2019–2023) and the mechanism for its implementation, follow-up and evaluation;

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<sup>2</sup> A/73/133.

4. *Encourages* Member States to raise awareness of the work of the Institute and its relevance to the successful implementation of the 2030 Agenda for Sustainable Development;<sup>3</sup>

5. *Reaffirms* the need to further strengthen the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

6. *Also reaffirms* the benefits, in some cases, of the utilization of alternative remedial measures, where appropriate, applying standards of ethical conduct and using local traditions, counselling and other emerging correctional rehabilitation measures, consistent with the obligations of States under international law;

7. *Notes* the efforts of the Institute to establish contacts with organizations in those countries that are promoting crime prevention programmes and its maintenance of close links with regional and subregional political entities, such as the African Union Commission, the East African Community, the Commission of the Economic Community of West African States, the Intergovernmental Authority on Development and the Southern African Development Community;

8. *Encourages* the Institute, in cooperation with relevant United Nations agencies, to take into account the various planning authorities in the region that focus attention on the coordination of activities that promote development based on sustainable agricultural production and preservation of the environment in developing its crime prevention strategies;

9. *Urges* States members of the Institute that have failed to meet their annual assessed financial contributions to the Institute to pay all or part of their outstanding arrears, taking into consideration that member States are to fund 80 per cent of the approved budget, and in this regard encourages all member States and organizations to fully honour their financial obligations;

10. *Recalls* the introduction by the Institute of a cost-sharing initiative in its execution of various programmes with Member States, partners and United Nations entities;

11. *Urges* all Member States and non-governmental organizations and the international community to continue to adopt concrete practical measures to support the Institute in the development of the requisite capacity and in the implementation of its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

12. *Urges* all States that have not already done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,<sup>4</sup> as well as the United Nations Convention against Corruption,<sup>5</sup> and encourages States parties that have not yet implemented the conventions to inform the United Nations Office on Drugs and Crime of any impediments that they encounter and of their need for technical assistance to overcome those impediments;

13. *Encourages* African States that are not yet members of the Institute to consider becoming member States in order to enhance its collaborative efforts and enlarge its support base and thereby strengthen the fight against crime and terrorism, which hamper individual and collective development efforts on the continent;

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<sup>3</sup> Resolution 70/1.

<sup>4</sup> United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

<sup>5</sup> *Ibid.*, vol. 2349, No. 42146.

14. *Commends* the continued support provided by the Government of Uganda as host country, including resolving the issue of the ownership of the land on which the Institute is located and facilitating the collaboration of the Institute with other stakeholders within Uganda and the region and with international partners;

15. *Also commends* the efforts of the Institute in implementing several programmes in the region, which have contributed, inter alia, to a growing set of coordinated remedial responses to crime on the basis of technical support in facilitating mutual assistance by law enforcement agencies and the emergence of regional jurisdictions;

16. *Recalls* the initiative of the Institute to collaborate with relevant universities to operationalize the link between criminal justice authorities and sources of traditional justice approaches so as to harmonize the use of restorative practices, where appropriate;

17. *Also recalls* the initiatives of the Institute to work with specific academic and specialized human rights institutions that are connected to other professional networks in the region to promote curricula that have a strong crime prevention and criminal justice component;

18. *Encourages* the Institute to consider focusing on specific and general vulnerabilities of each programme country, with an emphasis on tailoring practitioner training and development efforts to address identified vulnerabilities, and to maximize the use of available initiatives to address crime problems with existing funds, as well as available capacity, by creating useful coalitions with regional and local institutions;

19. *Requests* the United Nations Office on Drugs and Crime to continue to work closely with the Institute, and requests the Institute to provide the annual report on its activities to the Office and to the Economic Commission for Africa Conference of African Ministers of Finance, Planning and Economic Development;

20. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

21. *Reiterates its request*, made to the Secretary-General in its resolution [73/188](#), taking into consideration the strategic plan of the Institute for the period 2017–2021, to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core Professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

22. *Also reiterates its request*, made to the Secretary-General in its resolution [73/188](#), to intensify efforts to mobilize all relevant entities of the United Nations system to provide the financial and technical support necessary to the Institute to enable it to fulfil its mandate, bearing in mind that the precarious financial situation of the Institute greatly undermines its capacity to respond positively and effectively to the growing need in the prevention of crime and the treatment of offenders;

23. *Invites* Member States and other partners to consider providing extrabudgetary resources to enable the Institute to effectively implement its mandate;

24. *Requests* the Secretary-General to submit to the General Assembly at its seventy-seventh session a report on the implementation of the present resolution, including recommendations on further strengthening the capacity of the Institute.

**Annex**

**Virtual informal meeting to hear introductory statements and hold interactive dialogues on agenda items 111, 112 and 113**

At the virtual informal meeting of the Committee in the morning of 8 October 2020, the Executive Director of the United Nations Office on Drugs and Crime made an introductory statement and responded to questions posed and comments made by the representatives of Italy, the Russian Federation, Belarus, Austria, Egypt, Colombia, Indonesia, the European Union, Mexico, Japan, Czechia, the United Kingdom of Great Britain and Northern Ireland and the Islamic Republic of Iran.

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