



## Economic and Social Council

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### **Commission on Crime Prevention and Criminal Justice**

Ninth session

Vienna, 18-20 April 2000

Items 3 (c), 4 and 5 of the provisional agenda\*

#### **Work of the Centre for International Crime Prevention: standards and norms**

**International cooperation in combating transnational crime:  
elaboration of an international convention against transnational  
organized crime and other possible international instruments**

**Consideration of the recommendations of the Tenth United Nations  
Congress on the Prevention of Crime and the Treatment of Offenders**

**Statement submitted by International Council of Women and  
Zonta International (non-governmental organizations in  
general consultative status with the Economic and Social  
Council); and International Council on Alcohol and  
Addictions, International Federation of University Women,  
International Society of Social Defence, Italian Centre of  
Solidarity, National Council of German Women's  
Organizations—Federal Union of Women's Organizations  
and Women's Groups of German Associations, E.V., and Pax  
Romana (International Catholic Movement for Intellectual  
and Cultural Affairs) (International Movement of Catholic  
Students) (non-governmental organizations in special  
consultative status with the Economic and Social Council)**

The Secretary-General has received the attached statement,\*\* which is circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31 of 25 July 1996.

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\* E/CN.15/2000/1.

\*\* This statement has not been formally edited.

## Victims

The above-mentioned non-governmental organizations in consultative status with the Economic and Social Council, members of the Vienna NGO—Alliance on Crime Prevention and Criminal Justice,

*Recalling* General Assembly resolution 40/34 of 29 November 1985 and its annex, entitled “Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power”, which called for measures to be taken at the national, regional and international levels to improve access to justice and fair treatment, restitution, compensation and social assistance for victims of crime, to prevent victimization linked to abuse of power and to provide remedies for the victims of such offences,

*Recalling* Economic and Social Council resolution 1989/57 of 24 May 1989, entitled “Implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power”,

*Referring* to the resolution of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders entitled “Protection of the human rights of victims of crime and abuse of power”,<sup>1</sup>

*Acknowledging* with appreciation the Vienna Declaration and Programme of Action (A/CONF.157/24 (Part I), chap. III), adopted by the World Conference on Human Rights on 25 June 1993, which, in paragraph 67, calls for special emphasis to be given to the human rights aspects of the rule of law and the administration of justice,

*Noting* Economic and Social Council resolution 1997/30 of 21 July 1997 and its annex, entitled “Guidelines for Action on Children in the Criminal Justice System”, in particular section III, entitled “Plans concerned with child victims and witnesses”,

*Bearing in mind* General Assembly resolution 52/86 of 12 December 1997 and its annex, entitled “Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice”, especially section V, entitled “Victim support and assistance”,

*Fully supporting* Economic and Social Council resolution 1998/21 of 28 July 1998, in which the Council in section III, entitled “Victims of crime and abuse of power”, welcomed the guide for policy makers on the implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the handbook on justice for victims concerning the use and application of the Declaration, and especially supporting the annex to that resolution, entitled “Plan of action for the implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power”,

*Taking note with appreciation* of Economic and Social Council resolution 1999/28 of 28 July 1999, entitled “Administration of juvenile justice”, whose draft had the highest number of co-sponsors at the eighth session of the Commission on Crime Prevention and Criminal Justice,

*Stressing the importance* of finalizing and adopting the preliminary draft of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (A/CONF.187/4, annex), especially paragraph 25, on victims of crime,

*Concerned* that the overwhelming majority of victims have to bear the harm caused by crime and to defray the damage inflicted without obtaining any restitution, compensation or support whatsoever,

*Gravely concerned* about the alarming situation of child victims who are seriously affected in their development and often badly hampered for the rest of their lives,

Urge Governments:

- (a) To adhere to already existing legally binding instruments;
- (b) To respect norms and standards in this field and to translate them into practice;
- (c) To make effective use of the above-mentioned guidelines, plans of action and the handbook in order to provide access to justice and fair treatment, reparation, restitution and compensation, as well as physical, psychological, medical and social assistance for the victim;
- (d) To ensure adequate training, gender sensitivity and education of police, criminal justice officials, practitioners and professionals involved in the criminal justice system regarding all relevant human rights instruments;
- (e) To include adequate provisions for victims in legally binding international instruments under negotiation to protect the rights of the victims;

Strongly appeal to Governments to cover the special needs of the child victim by specific gender- and age-sensitive measures, for example, by:

- (a) Providing the child victim with a person of his or her confidence from first contact with administration and police, during interrogation and investigation and throughout the entire court proceedings to ensure appropriate and legal assistance;
- (b) Developing specific methods to protect the child victim of sexual abuse and the child victim of trafficking from additional traumatization during criminal proceedings;
- (c) Avoiding any contact of the child victim and child witness with the offender, for example, by using where possible modern technology during court proceedings;
- (d) Preventing premature publication of evidence;
- (e) Protecting effectively the privacy of the child victim;
- (f) Suspending the statute of limitation concerning the crime of sexual abuse of children to at least five years after the child victim has reached his or her majority;
- (g) Promoting and providing aftercare and therapy for the child victim, financed by the offender, confiscated proceeds of crime and/or special funds established by Governments;
- (h) Offering care for the child victim of trafficking in a safe open institution or family environment;
- (i) Empowering children and youth through education and raising awareness of their human rights.

#### *Notes*

<sup>1</sup> *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. C.27.