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CRIME PREVENTION AND CRIMINAL JUSTICE

Report of the Third Committee

Rapporteur: Mr. Carles CASAJUANA (Spain)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 23 September 1988, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Crime prevention and criminal justice" and to allocate it to the Third Committee.
2. The Third Committee considered the item jointly with items 89, 90, 92, 107 and 144 at its 15th to 22nd, 25th and 31st meetings, on 20, 21, 24 to 26 and 31 October and 3 November 1988. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/43/SR.15-22, 25 and 31).
3. The Committee had before it the following documentation:
 - (a) Report of the Economic and Social Council for the year 1988, chapter V, section C (A/43/3); 1/
 - (b) Report of the Secretary-General on crime prevention and criminal justice (A/43/572);
 - (c) Letter dated 9 May 1988 from the Permanent Representative of Albania to the United Nations addressed to the Secretary-General (A/43/354 and Corr.1);

1/ To be issued as Official Records of the General Assembly, Forty-second Session, Supplement No.3 (A/43/3).

(d) Letter dated 27 May 1988 from the Permanent Representative of Guatemala to the United Nations addressed to the Secretary-General (A/43/370).

4. At the 15th meeting, on 20 October 1988, the Director-General of the United Nations Office at Vienna, Head of the Centre for Social Development and Humanitarian Affairs, and the Director of the Social Development Division of the Centre made introductory statements (see A/C.3/43/SR.15).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/43/L.19

5. At the 25th meeting, on 31 October, the representative of Italy introduced a draft resolution (A/C.3/43/L.19), entitled "Crime prevention and criminal justice", sponsored by Argentina, Australia, Austria, Bolivia, Canada, Colombia, Costa Rica, Cuba, France, Greece, Italy, Senegal, Spain, the United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela and Yugoslavia, subsequently joined by Ghana, Norway, Samoa and the United States of America.

6. At its 31st meeting, on 3 November, the representative of Italy orally revised the draft resolution as follows:

(a) In the fifth preambular paragraph, after the word "justice," the phrase "the strengthening of international co-operation and the fight against transnational crime," was inserted; the rest of the sentence after the word "conduct," was deleted;

(b) In operative paragraph 4, after the word "justice", the words "as identified in the Milan Plan of Action" were inserted;

(c) In operative paragraph 9, the words "crime programme" were replaced by "United Nations crime prevention and criminal justice programme".

7. A statement by the Secretary-General on the programme budget implications of the draft resolution was before the Committee in document A/C.3/43/L.22.

8. At the same meeting, the Committee adopted the draft resolution as orally revised without a vote (see para. 9).

III. RECOMMENDATION OF THE THIRD COMMITTEE

9. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Crime prevention and criminal justice

The General Assembly,

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

Recalling also its resolution 42/59 of 30 November 1987 on crime prevention and criminal justice, by which Member States and the Secretary-General were urged, inter alia, to make every effort to translate into action, as appropriate, the respective recommendations, policies and conclusions stemming from the Milan Plan of Action and other relevant resolutions and recommendations adopted unanimously by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders ^{2/} and to accord priority attention to the forms of crime identified in the Milan Plan of Action by strengthening international co-operation in this field,

Recalling further that in the same resolution the General Assembly endorsed the recommendations related to the preparation of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in 1990, contained in Economic and Social Council resolution 1987/49 of 28 May 1987, and requested the Secretary-General to take immediate steps to ensure the successful and cost-effective preparation of the Eighth Congress,

Mindful that 1988 marks the fortieth anniversary of the establishment of the United Nations crime prevention and criminal justice programme and that the scope and extent of present-day criminality exceeds what could have been foreseen by Member States when they vested the United Nations with a leading role in this field,

Bearing in mind the objectives of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, the promotion of more efficient and effective administration of justice, the strengthening of international co-operation and the fight against transnational crime, the observance of human rights and the promotion of the highest standards of fairness, humanity and professional conduct,

Aware that the spread and ever-changing patterns and dynamics of crime in the contemporary world require a prompt and effective response appropriate to the particular cultural, political, economic and social circumstances and that modern technological advances facilitate crime prevention and control but also make possible the transnational expansion of organized criminality,

^{2/} See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1).

Recognizing that issues related to crime have intensified in complexity and gravity and that economic and financial crises in many developing countries have severely affected the functioning of crime prevention and the criminal justice system,

Reaffirming the crucial functions of the Committee on Crime Prevention and Control in developing practical crime prevention and criminal justice policies and strategies as a standing expert body of the Economic and Social Council and as the preparatory body for the quinquennial United Nations congresses on the prevention of crime and the treatment of offenders,

Noting with concern that the severe constraints on the human and financial resources available to the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat may jeopardize the success of the Eighth Congress and of the programme as a whole,

1. Takes note with appreciation of the report of the Secretary-General on the implementation of its resolution 42/59 3/ and of the relevant recommendations contained therein made by the Committee on Crime Prevention and Control at its tenth session, which, inter alia, reviewed the results of the interregional preparatory meetings for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and endorsed their recommendations;
2. Invites the Economic and Social Council, at its first regular session of 1989, to give priority attention to the recommendations of the Committee regarding, in particular, the implementation of the resolutions of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, the review of the functioning and programme of work in the field of crime prevention and criminal justice and the preparations for the Eighth Congress;
3. Welcomes the efforts made by Member States and the Secretary-General to translate into action the recommendations contained in the Milan Plan of Action, adopted by the Seventh Congress, and urges those Governments which have not yet done so to provide relevant information to the Secretary-General on the implementation of those recommendations;
4. Stresses the necessity for Member States to continue to make concerted and systematic efforts to strengthen international co-operation in crime prevention and criminal justice as identified in the Milan Plan of Action and to facilitate the adoption by the Eighth Congress of viable and constructive action-oriented strategies against crime;
5. Calls upon all States to become actively involved in the preparations for the Eighth Congress, to participate in the regional

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preparatory meetings to be held in 1989 and to be represented in the quinquennial congress at a high level, and encourages the intergovernmental and non-governmental organizations concerned and the professional community, whose substantive contributions to the congresses have always been of great value, to continue to collaborate in the research and other preparatory activities for the Eighth Congress;

6. Also calls upon the specialized agencies, in particular the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the World Health Organisation, the International Civil Aviation Organisation and the International Maritime Organisation, and other organizations of the United Nations system to give the necessary attention and priority to national, regional and international measures aimed at fighting crime and improving the quality of the administration of justice;

7. Invites Member States to contribute to the United Nations Trust Fund for Social Defence as a means of supporting the work of the United Nations in the field of crime prevention and criminal justice and to forward to the Secretary-General proposals for its revitalization;

8. Encourages Member States and relevant organizations, in particular the World Bank, the United Nations Development Programme, the Department of Technical Co-operation for Development of the Secretariat and the regional commissions, to support and complement the technical co-operation activities in the field of crime prevention and criminal justice, including the programmes of the United Nations for interregional and regional co-operation for crime prevention and to provide financial assistance to the regional institutes for the prevention of crime and the treatment of offenders;

9. Calls upon the Secretary-General to apply the priorities identified for the United Nations crime prevention and criminal justice programme to both the Eighth Congress and the United Nations work on criminal justice and crime prevention in general;

10. Requests the Secretary-General to provide the necessary resources for the preparation of the Eighth Congress, including its regional preparatory meetings, and to ensure that the allocation of manpower to the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs is sufficient to meet its responsibilities and necessary commitments;

11. Also requests the Secretary-General to report to the General Assembly at its forty-fourth session on the implementation of the present resolution, providing updated information on the preparations for the Eighth Congress;

12. Decides to consider this subject at its forty-fourth session under the item entitled "Crime prevention and criminal justice".
