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Addendum

Strategic management and programme questions

1. At its 6th and 11th meetings, on 13 and 18 May, the Commission considered agenda item 9, entitled "Strategic management and programme questions". The Commission had before it the following documents:

(a) Report of the Secretary-General on the functioning of the Commission on Crime Prevention and Criminal Justice and the management of the United Nations Crime Prevention and Criminal Justice Fund (E/CN.15/2004/14 and Corr.1);

(b) Note by the Secretary-General on the proposed strategic framework for the joint programme on drugs and crime for the biennium 2006-2007 (E/CN.15/2004/13);

(c) Note by the Secretary-General on the nomination of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2004/15).

2. At the 6th meeting, following an introductory statement by the Director of the Division for Treaty Affairs of the United Nations Office on Drugs and Crime, statements were made by the representatives of Algeria (speaking on behalf of the Group of 77 and China) and Mexico. At the 11th meeting, statements were made by Angola (speaking on behalf of the Group of African States), Ireland (speaking on behalf of the European Union and its candidate and potential candidate States), Argentina, Austria, Brazil, Canada, Chile, Cuba, the Czech Republic, Finland, India, Japan, Mauritania, the Netherlands, Peru, Portugal, the Republic of Korea, the Russian Federation, the United Arab Emirates and the United States of America.



3. In his introductory statement, the Director of the Division for Treaty Affairs called the attention of the Commission to paragraph 46 of General Assembly resolution 57/270 B of 23 June 2003, in which the Assembly requested each functional commission to examine its methods of work in order to better pursue the implementation of the outcomes of the major United Nations conferences and summits, recognizing that there was no need for a uniform approach since each functional commission had its own specificity. The Commission was requested to report to the Economic and Social Council, no later than 2005, on the outcome of that examination. The Director noted that the role of the Commission as the preparatory body for the United Nations congresses on crime prevention and criminal justice was of particular relevance in that context. He also noted that the mandate under Council resolution 2003/31 of 22 July 2003, entitled "Functioning of the Commission on Crime Prevention and Criminal Justice", coincided with the request of the Assembly. The Commission had very successfully discharged its functions and had served as the central United Nations body providing policy and programme guidance in the field of crime prevention and criminal justice. That was exemplified by its role in the preparation and promotion of a large body of standards and norms, ongoing implementation of the United Nations crime programme and the consensus achieved in the negotiation and adoption of the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I) and its Protocols (General Assembly resolutions 55/25, annexes II and III and 55/255, annex) and the United Nations Convention against Corruption (General Assembly resolution 58/4, annex). The methods of work of the Commission had proved to be very effective, both for its sessions and during the intersessional period, in particular the thematic debates, intersessional meetings, consultations with permanent missions and the valuable intersessional work of the bureau, with the participation of the chairpersons of the regional groups, the Chairman of the Group of 77 and China and the representatives of the Presidency of the European Union. He noted that the report of the Secretary-General on the functioning of the Commission (E/CN.15/2004/14 and Corr.1) provided a succinct overview of its methods of work and suggestions for consideration by the Commission. It also provided detailed information regarding the United Nations Crime Prevention and Criminal Justice Fund. In thanking donor countries for the considerably increased contributions to the Fund, he emphasized the need to address the continued disparity between available resources and the significantly expanded mandates and resulting resource requirements.

4. The Director of the Division for Treaty Affairs briefed the Commission on the request by the General Assembly that the Secretary-General submit a strategic framework to replace the four-year medium-term plan. In soliciting the comments of the Commission on the proposed strategic framework for the biennium 2006-2007 for the consolidated programme on drugs and crime (E/CN.15/2004/13), he noted that the proposal reflected the integrated approach to issues relating to drugs and crime followed by the United Nations Office on Drugs and Crime and that that approach had been endorsed by the Member States in numerous consultations undertaken by the Executive Director. The same document had also been reviewed and commented on by the Commission on Narcotics Drugs at its forty-seventh session (E/2004/28, chap. VIII). The views and comments of the Commission on Crime Prevention and Criminal Justice would be submitted to the Committee for

Programme and Coordination at its forty-fourth session, together with the proposed strategic framework.

A. Functioning of the Commission on Crime Prevention and Criminal Justice

5. Appreciation was expressed for the valuable information and recommendations provided in the report of the Secretary-General on the functioning of the Commission (E/CN.15/2004/14 and Corr.1). Many speakers stressed the unique role of the Commission as the central policy-making body of the United Nations in the field of crime prevention and criminal justice. While fully recognizing the importance of and supporting efforts to achieve maximum synergy of efforts with the Commission on Narcotic Drugs and the need to avoid overlap in the work of the two Commissions, especially in areas such as management issues, they emphasized that both Commissions had distinctly different mandates. Therefore, notwithstanding the integrated implementation of the drugs and crime programme by the United Nations Office on Drugs and Crime, many speakers stated that they did not support the idea of merging the two Commissions. The view was also expressed that there would be no advantage in holding the meetings of the two Commissions consecutively, owing to the different nature of their subject matters as well as the expertise of their participants. However, one speaker pointed out that, following the integration of the work of the drugs and crime programmes by the Office it did not make sense to support the two Commissions separately and suggested that, in particular for management issues, the two Commissions should work together.

6. Speakers emphasized the importance of keeping the functioning of the Commission on Crime Prevention and Criminal Justice under constant review in order to ensure that it carried out its work in the most efficient and effective manner possible. Several speakers addressed the issue of the duration of the Commission's sessions, with their statements generally reflecting two main divergent views. Many speakers were of the opinion that the duration of the session should be determined on the basis of substantive contributions and the work to be accomplished. They stated that, hitherto, experience had shown that the Commission had a heavy volume of work that covered critically important priority issues; that sufficient time was necessary to allow for adequate policy debate; and that policy decisions, in terms of negotiating draft resolutions, could not be effectively undertaken in isolation from the policy debate, in particular as the Commission was called upon to react to emerging issues and formulate viable policy options. They considered that the Commission would not be able to accomplish its work programme effectively if its duration of eight working days was shortened. One speaker warned of the negative message that outsiders would draw from reducing the duration in terms of the priority that the international community assigned to crime issues. One speaker noted that shortened sessions would require the creation of subcommittees, which would in turn affect broad participation.

7. Several other speakers, however, were of the view that the duration of the sessions could be reduced without affecting the effectiveness of the Commission. That would be possible, in particular, by reducing and streamlining the items on the agenda and the number of draft resolutions to be considered, as well as their

submission in advance of the session. One speaker suggested that it would be a useful experiment to compress the work of the Commission into fewer days, as had been done for the Commission on Narcotic Drugs. In that regard, divergent opinions were expressed on the experience of the shortened session of the latter Commission. Many speakers also called for greater restraint by Member States in requesting reports from the Secretariat to the Commission on Crime Prevention and Criminal Justice.

8. Many speakers emphasized the importance of adhering to the Commission's earlier resolutions calling for the submission of proposals one month prior to the commencement of its sessions. That was necessary in particular to facilitate adequate expert consultations in capitals. Other speakers noted that, at the same time, it was also necessary to provide for adequate flexibility regarding deadlines for submission of proposals so as to allow the policy debate to be reflected in the draft resolutions. Some speakers noted that opportunities for further streamlining of the work of the Commission would arise when the Conference of the Parties to the Organized Crime Convention and the Conference of the States Parties to the United Nations Convention against Corruption commenced their work, which could also have an impact on the duration of the Commission's sessions.

9. Several speakers supported the holding of a shortened fourteenth session of the Commission immediately following the conclusion of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice in Bangkok, devoted to consideration of the outcome of the Congress. Several other speakers considered that it would be more effective to hold that session some time after the conclusion of the Congress, based on the experience of holding the ninth session of the Commission immediately following the Tenth Crime Congress.

10. Speakers emphasized the value of holding focused thematic discussions during the sessions of the Commission. Suggestions for themes included the following:

(a) Results of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice (at the fourteenth session of the Commission);

(b) Domestic violence and spousal abuse;

(c) Globalization and economic crime (pursuant to the related agenda item and workshop at the Eleventh Congress);

(d) Maximizing the effectiveness of technical assistance to Member States in crime prevention and criminal justice (at the fifteenth session of the Commission).

11. Many speakers supported the holding of expert panels, which they stated provided invaluable assistance to the Commission in identifying policy issues and options, as well as in reviewing successful national experience. Whereas the panels should reflect adequate geographical representation and different legal systems, the emphasis should be on quality and their selection would be best carried out by the Secretariat. Some speakers felt that excessive importance was being attached to expert discussions and that they tended to overshadow the policy role of the Commission. Some speakers expressed concern at the increasing number of expert group meetings mandated by the Commission and noted the need to establish priorities in that respect in order to avoid proliferation. Other speakers highlighted the value of expert group meetings when effectively conducted by the Secretariat, in particular to examine issues from the technical perspective, thereby preparing the

groundwork for policy decisions by the Commission. Several speakers also emphasized the importance of ensuring the timely availability of documents in all official languages of the United Nations.

12. In welcoming the increased transparency and dialogue with the Member States and expressing appreciation for the information provided in bilateral consultations, one speaker noted that the United Nations Office on Drugs and Crime needed to ensure that matters relating to the management and use of the United Nations Crime Prevention and Criminal Justice Fund were also transparent.

B. Programme questions: strategic framework

13. Many speakers welcomed the overall orientation, objectives and strategies set out in the proposed strategic framework for the consolidated programme on drugs and crime, which were in line with the integrated approach and the new organizational structure of the United Nations Office on Drugs and Crime. That should lead to better service delivery and management of resources. Appreciation was expressed for the integration of the relevant Millennium Declaration Goals in the proposed strategic framework, as well as for the emphasis on promoting human dignity and security, in particular through the promotion of the ratification and implementation of the conventions on drugs, crime and terrorism. The Office was commended for its unique role in supporting Governments in the field of treaty implementation and was called upon to continue to focus its work in that area of comparative advantage.

14. Some speakers noted that terrorism was omitted from subprogrammes 1 and 3 of the strategic framework. That needed to be remedied. It was also important to ensure adequate expertise in that area of work, especially as the Terrorism Prevention Branch of the Office had become a partner of the Counter-Terrorism Committee of the Security Council in providing technical assistance to Member States and promoting the implementation of the international instruments on terrorism. With the reorganization of the Counter-Terrorism Committee and with an increase in the number of ratifications of the conventions, the United Nations Office on Drugs and Crime would be called upon to provide assistance also in capacity-building, in close coordination with and to complement the work of the Committee. It was proposed to include in the strategic framework a fourth subprogramme, entitled "Counter-terrorism assistance", with specific objectives, strategies, expected accomplishments and indicators. That would also enable the Commission to monitor better the effectiveness of the work of the Office in counter-terrorism against specific and predetermined outcomes and indicators. A number of speakers expressed support for the proposal.

15. Several speakers noted that each of the subprogrammes of the strategic framework needed to be modified to include elements concerning criminal justice reform and technical assistance in relation to the use and application of United Nations standards and norms in crime prevention and criminal justice. The strategic framework, as proposed, presupposed increased national institutional capacities, which required the effective application of standards and norms. That needed to be supported through effective research, analysis and technical assistance. In that connection, some speakers expressed reservations on the proposed strategic

framework, noting that it lacked a balanced approach with respect to issues of immediate priority, such as transnational crime and corruption, and general criminal justice problems, such as crime prevention and implementation of standards and norms. Achieving justice and social peace was as important as fighting organized crime. Other speakers noted that, unlike the previous medium-term plans, the strategic framework did not provide a listing of relevant mandates. The relevance of submitting to the Commission on Crime Prevention and Criminal Justice items on drugs that did not fall within its mandate was also questioned.

16. Several speakers noted that, in some instances, the indicators of achievement could have been developed in a more specific manner. Some speakers called for greater emphasis on the specific contribution to be made by the United Nations Office on Drugs and Crime, both under the indicators and under the expected accomplishments. Several speakers made specific comments on a number of elements of the proposed strategic framework. They felt that the overall orientation should include a reference to the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, adopted by the Tenth United Nations Congress on Crime Prevention and Criminal Justice (General Assembly resolution 55/59, annex), as well as the related plans of action (General Assembly resolution 56/261, annex). Subprogramme 1 required greater coverage of crime and terrorism issues and should promote greater awareness of the related conventions and relevant United Nations standards and norms among policy makers and the public, especially by means of publications. Under subprogramme 2, the strategy should specify that training services were to be undertaken at the request of Member States. Two additional indicators of achievement were suggested under accomplishment (a): the percentage of reports made available to the Commission in all official languages within the specified time limits; and an increase in the number of intergovernmental meetings serviced by the Secretariat. One new indicator of achievement was suggested under accomplishment (c): increased judicial cooperation among States, in particular in extradition and mutual legal assistance, as evidenced through the number of States entering into related agreements. One speaker enquired about the methodology to be used in connection with indicator of achievement (a) (i) for subprogramme 2. For subprogramme 3, the objective should include a specific reference to crime in general, as included in the objective for subprogramme 1. Greater emphasis was necessary on evaluation and management issues under the indicators of achievement, instead of the proposed emphasis on an increase in the number of countries.

17. Some speakers expressed concern regarding the use of “human security” as a concept in the proposed strategic framework and about the establishment in the United Nations Office on Drugs and Crime of a Human Security Branch, as there was no consensus on the concept itself, which had not been endorsed by the General Assembly. In that connection, some other speakers pointed out that extensive consultations had been undertaken by the Office on its restructuring. The organizational chart, including the names of the divisions and branches, had been approved by Member States.

C. Election of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

18. At its 10th meeting, the Commission unanimously recommended for appointment to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute the following candidates: Ann-Marie Begler (Sweden) and Elizabeth G. Verville (United States of America).
