



Economic and Social Council

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Commission on Crime Prevention and Criminal Justice

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Agenda item 5

Use and application of United Nations standards and norms in crime prevention and criminal justice

Ecuador, South Africa and Switzerland: draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolution:

Supporting national efforts for child justice reform, in particular through technical assistance and improved United Nations system-wide coordination

The Economic and Social Council,

Recalling the Universal Declaration of Human Rights,¹ which entitles children to special care and assistance,

Recalling the Convention on the Rights of the Child,² in particular articles 37 and 40 of the Convention, which, commit parties to the Convention to, inter alia, using the deprivation of liberty of persons under the age of eighteen only as a measure of last resort,

Recalling the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)³ and other relevant United Nations standards and norms,

Bearing in mind that the aims of a child justice system are to emphasize the well-being of the juvenile and to ensure that any reaction to children in conflict with

¹ General Assembly resolution 217 A (III).

² United Nations, *Treaty Series*, vol. 15777, No. 27531.

³ General Assembly resolution 40/33, annex.



the law is always in proportion to the circumstances of both the child and the offence,

Noting the high risk of violence and abuse against children in the criminal justice system, as highlighted in the note by the Secretary-General on the rights of the child, transmitting the report of the independent expert for the United Nations study on violence against children,⁴ submitted to the General Assembly pursuant to Assembly resolution 60/231 of 23 December 2005,

Alarmed by the finding of the independent expert, contained in his report,⁵ that a large proportion of children are held in pre-trial detention, including together with adults,

Recalling its resolution 1997/30 of 21 July 1997, in which it welcomed the Guidelines for Action on Children in the Criminal Justice System,⁶ and recommended the establishment of a coordination panel on technical advice and assistance in juvenile justice,

Welcoming the work of the Inter-Agency Coordination Panel on Juvenile Justice, in particular its various publications and its website, as well as the active participation of civil society, together with United Nations agencies, in the work of the Panel,

Noting the lessons learned from technical cooperation projects in the area of juvenile justice carried out, inter alia, by the United Nations Office on Drugs and Crime,

1. *Urges* Member States to pay particular attention to the issue of child justice and to take measures to ensure that the treatment of children in conflict with the law, particularly those deprived of their liberty, is in conformity with applicable United Nations standards and norms, taking into account also the gender, social circumstances and development needs of such children;

2. *Invites* Governments to adopt comprehensive national action plans on crime prevention and child justice reform containing, in particular, specific targets with regard to reducing the pre-trial detention and imprisonment of children, incorporating the use of diversion, restorative justice and alternatives to imprisonment and improving detention conditions;

3. *Invites* Member States and their relevant institutions to provide or offer specialized training to criminal justice officers involved in the administration of juvenile justice, including correctional police officers, prosecutors, judges and lawyers, as well as to social workers, in order to ensure their awareness of and their conformity with applicable international legal instruments and relevant standards and norms;

4. *Expresses its appreciation* for the publication of the *Manual for the Measurement of Juvenile Justice Indicators*, prepared jointly by the United Nations Office on Drugs and Crime and the United Nations Children's Fund, and takes note with appreciation of the publication of the Inter-Agency Coordination Panel on

⁴ A/61/299.

⁵ A/61/299, paras. 61-63.

⁶ Economic and Social Council resolution 1997/30, annex.

Juvenile Justice entitled *Protecting the rights of children in conflict with the law*, as well as the website of the Panel;

5. *Calls upon* Member States and international funding agencies to provide adequate resources to, inter alia, the United Nations Office on Drugs and Crime to enable it to carry out technical cooperation projects in the area of child justice;

6. *Requests* the United Nations Office on Drugs and Crime and the members of the Inter-Agency Coordination Panel on Juvenile Justice to continue providing assistance to Member States, upon request, in the area of child justice;

7. *Invites* Member States to make use of the technical assistance offered by the relevant programmes of the United Nations in order to strengthen national capacities and infrastructure in the area of child justice;

8. *Invites*, in particular, Member States to make use of available technical assistance in setting up national data collection and criminal justice information systems regarding children in conflict with the law, using the *Manual for the Measurement of Juvenile Justice Indicators*;

9. *Encourages* the members of the Inter-Agency Coordination Panel on Juvenile Justice to further increase their cooperation, to develop common indicators, tools and manuals, to share information and to pool their capacities and interests in order to increase the effectiveness of programme implementation;

10. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice, at its eighteenth session, on the implementation of the present resolution.
