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## CRIME PREVENTION AND CRIMINAL JUSTICE

Report of the Secretary-General

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## I. INTRODUCTION

1. The General Assembly, in its resolution 43/99 of 8 December 1988, welcomed 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 United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 1/ and urged those Governments which had not yet done so to provide relevant information to the Secretary-General on their implementation. The Assembly also stressed the necessity for Member States to continue to strengthen international co-operation in crime prevention and criminal justice and to facilitate the adoption by the Eighth Congress of viable, action-oriented strategies against crime.

2. In the same resolution the General Assembly called upon all States to become actively involved in the preparations for the Eighth Congress, to participate in the regional preparatory meetings and to be represented at a high level at the Eighth Congress. It also encouraged the intergovernmental and non-governmental organizations concerned and the professional community to continue to collaborate in the preparatory activities for the Eighth Congress. Member States were further invited to contribute to the United Nations Trust Fund for Social Defence and to forward to the Secretary-General proposals for its revitalization. The Assembly also encouraged Member States and relevant organizations to support technical co-operation activities in crime prevention and criminal justice and to provide financial assistance to the regional institutes for the prevention of crime and the treatment of offenders.

3. In pursuance of paragraphs 3, 7 and 11 of resolution 43/99, the Secretary-General sent a note verbale to Member States on 30 January 1989 asking them to reply by 15 May. As at July 1989, only 14 Governments had replied, namely, those of Antigua and Barbuda, Argentina, Canada, Cuba, Denmark, Egypt, Germany, Federal Republic of, Japan, Oman, Philippines, Sweden, the Ukrainian Soviet Socialist Republic, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia.

## II. PROGRESS IN THE IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 43/99

### A. Economic and Social Council

4. The Council, at its first regular session of 1989, reviewed the report of the Committee on Crime Prevention and Control, at its tenth session (E/1988/20) and the report of the Secretary-General (E/1989/47). Many representatives expressed their appreciation of the work accomplished by the Committee and emphasized the importance of the draft resolutions submitted to the Council. They also praised the Secretariat for having satisfactorily completed the first phase of the preparations for the Eighth Congress and reiterated the vital importance of the United Nations Congresses on the prevention of crime and the treatment of offenders.

5. In pursuance of paragraph 2 of General Assembly resolution 43/99, the Council adopted resolution 1989/69, and also approved 13 other resolutions proposed by the Committee on Crime Prevention and Control relating to major aspects of the United Nations crime prevention and criminal justice programme.

6. Furthermore, the Council also adopted resolution 1989/91 inviting the Committee on Crime Prevention and Control to give special attention to promoting international co-operation in combating organized crime and, by decision 1989/134, accepted the offer of the Government of Cuba to act as host for the Eighth Congress in 1990.

## **B. Activities of Member States**

### **1. Implementation of the Milan Plan of Action**

7. Those Governments which replied to the Secretary-General's inquiry emphasized their efforts to strengthen international co-operation in crime prevention and criminal justice and to harmonize national policies, in line with the Milan Plan of Action and other recommendations of the Seventh Congress. They indicated that these provisions were either already fully implemented in national legislation and policies or that efforts were being made to do so. For example, Oman reported that the provisions contained in the Milan Plan of Action were being translated into national legislation. In the Philippines, the United Nations Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development and a New International Economic Order have been reflected in the new constitution. Other Governments mentioned the importance attached to the Eighth Congress, for which national contributions were being prepared. For example, at the European Regional Preparatory Meeting, the Federal Republic of Germany introduced a draft resolution entitled "The role of criminal law in the protection of nature and the environment".

8. Several Governments, such as those of Argentina, the Philippines and Yugoslavia, reported on their crime prevention activities, law reform projects and a number of other initiatives. With regard to the strengthening of national crime prevention mechanisms, Argentina reported on a new programme for urban security focusing on improved contacts between law enforcement officials and the urban community. This included intensified policing of streets by day and night, and toll-free telephone communications with police stations throughout the city. In addition, reforms in criminal law procedure were currently under way.

9. Egypt indicated that the Eighth Social Defence Conference, held at Cairo, discussed victims of crime and abuse of power, and made a number of proposals that were being implemented and/or studied by criminal justice agencies. A scientific symposium on the substantive topics of the Eighth Congress was organized at Cairo in January 1989. The results are being used in the position papers for the Congress. In addition, the recommendations contained in the United Nations draft rules for the protection of juveniles deprived of their liberty were reviewed by the Egyptian Supreme Consultative Committee for Social Defence, which concluded that most of them were already being applied. Steps were taken, through recommendations to criminal justice authorities or to other suitable organizations

dealing with juvenile matters, to ensure the implementation of the rest of the provisions.

10. Antigua and Barbuda mentioned current efforts addressed at the reduction of the number of juveniles in detention, the early prevention of youth crime, increased use of bail and probation for the reduction of the prison population, and restriction of pre-trial custody. Cuba reported the adoption of a new criminal code decriminalizing 28 per cent of acts previously classified as criminal offences. Maximum sentences have been reduced and alternatives to imprisonment introduced. In the first year after the enactment of new legislation, 63 per cent of prison sentences had been suspended or replaced by other dispositions. At the same time, a system of applying administrative measures outside the penal code for misdemeanours had been established. All this had helped to reduce the number of persons imprisoned. Furthermore, the Government of Cuba indicated that, while recognizing the efficacy of multilateral agreements aimed at combating terrorism, it placed great importance on the bilateral approach to this problem. It further reported that airplanes landing in Cuba as a result of hijackings were unfailingly returned to their country of origin and that specific provisions against acts of terrorism had been included in its penal code.

11. Canada reported the development of a national crime prevention policy based on knowledge from existing community and police-based crime prevention initiatives and national social programmes. It has adopted several crime prevention measures: the National Native Alcohol and Drug Abuse Programme; the Family Violence and Child Sexual Abuse Programme (1988-1992); and the Healthy Communities Programme (started in 1988). Canada is also organizing the First European and North American Conference on Urban Safety and Crime Prevention, to be held at Montreal in October 1989. In connection with its national public education campaign to prevent and combat crime, the Government of Canada is engaged in a number of information activities, including the production of pamphlets and booklets, videotapes, exhibitions, conferences and workshops, and community-based programmes. In particular, every year a National Crime Prevention Week is organized to encourage community participation in crime prevention and focus public attention on the benefits to be derived from it.

12. In Denmark, the National Council for the Prevention of Crime is launching a three-year national programme, including a pilot project of schools for "endangered youth", with family and local community involvement, and the participation of planners, local police, sports organizers and community services.

13. The United Kingdom of Great Britain and Northern Ireland indicated that it had already enacted a major criminal justice bill covering, among other matters, extradition, compensation for victims, custodial sentences for young offenders and the confiscation of the proceeds of crime. In a discussion paper on punishment, custody and the community, proposals were made for reducing offending, especially by young people, and for decreased use of custody. While some proposals have already been put into effect, others are under consideration for new legislation. The involvement of the private sector in the remand system was being discussed, with the objective of improving conditions and reducing prison overcrowding. Recommendations for a fundamental review of the parole system were also being studied.

14. The Philippines indicated that the United Nations guidelines on due process, the human rights of offenders and victims, the independence of the judiciary and other standards had served as a blueprint for a number of legal reforms and for changes in the law enforcement and criminal justice administration. Within the national strategy to reduce crime in the 1980s, the National Crime Prevention Programme focuses on reforms aimed at ensuring due process, reducing judicial delay and safeguarding the human and civil rights for both victims and offenders.

15. The Ukrainian Soviet Socialist Republic reported that crime prevention policies were included in socio-economic development plans. Existing legislation was revised in order to provide reliable legal guarantees of constitutional rights and freedoms. Particular importance was given to training law enforcement personnel and upgrading professional skills and qualifications of staff. Science and technology had become more important in crime control efforts. Electronic data-processing systems and modern equipment had allowed for more effective crime prevention and investigation. Recent studies dealt with violent crimes, crimes against the elderly, murder and physical injury in family and community situations, and with drunkenness and drug addiction. Integrated local and regional crime prevention plans at different administrative levels and using various community organizations have been prepared. In line with the changing socio-economic conditions resulting from restructuring (perestroika) and the democratization of all aspects of public life, improved methods of crime prevention were being developed. Private groups, particularly voluntary people's militia, auxiliary police stations, peer tribunals and community organizations participate in crime prevention. In order to ensure maximum involvement of the public, governmental agencies promote greater openness (glasnost) in their work: state officials give accounts of their activities and conduct discussions on legal topics. The public's views regarding the work of the authorities are sought and will be used in devising improvements.

16. Yugoslavia indicated that crime control was accorded primary attention nationwide. Judicial authorities at all levels submitted annual reports containing crime statistics and analysis to communities to permit the identification of problems and adoption of preventive measures, from communes to the federal level. Special attention was given to the relationship between various forms of crime and development. In this regard, the Federal Executive Council and the United Nations Interregional Crime and Justice Research Institute have co-financed a project on this subject in all regions of Yugoslavia.

2. International co-operation in crime prevention and criminal justice

17. Several Governments reported on improved bilateral and multilateral co-operation as a crucial part of their crime prevention and criminal justice policies. Argentina concluded treaties on extradition and judicial co-operation with Australia, Italy and Spain. Canada completed, or was in the process of completing, a number of bilateral treaties on mutual legal assistance and extradition, and was also involved with other Commonwealth countries in the development of a mutual legal assistance scheme. Denmark and Sweden mentioned

their participation in international activities, particularly in co-operation with the United Nations and at the regional level through the Council of Europe. The United Kingdom had negotiated new bilateral agreements on extradition and the confiscation of assets and the proceeds of crime. New legislation on mutual legal assistance had also been prepared for Parliament.

18. The authorities of the Ukrainian Soviet Socialist Republic were co-operating with the law enforcement agencies of other countries, e.g. Czechoslovakia, Hungary and Poland, in the prevention of criminal attacks on railway cargoes, drug abuse control and the maintenance of law and order in border regions. Yugoslavia had concluded agreements on the transfer of sentenced persons with Austria, while similar treaties with Czechoslovakia, the German Democratic Republic, Hungary and Turkey were being negotiated. Yugoslavia was also co-operating with other countries within the framework of international legal assistance in criminal matters, particularly in the context of the United Nations draft model agreement on the transfer of proceedings in criminal matters. Several Governments mentioned the important role of the United Nations interregional and regional institutes in improving co-operation, and Cuba made special mention of the agreement for joint collaboration concluded with the United Nations Latin American Institute for the Prevention of Crime and Treatment of Offenders in May 1989.

### 3. Measures against the most serious forms of crime

19. Governments described their national strategies and, in particular, the role of the criminal justice system in coping with particular forms of crime. Organized crime and illicit drug trafficking were of great concern to many Member States. The high priority accorded to combating illicit drug trafficking was reflected, inter alia, in the large number of countries acceding to international conventions. Argentina, Canada and Denmark reported that they had signed the new United Nations Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances on 20 December 1988 and were preparing to ratify it. National legislation was already being, or would soon be, implemented. The Ukrainian Soviet Socialist Republic had introduced new legislation on the illicit use of drugs. Sweden had signed several multilateral agreements for combating terrorism, illicit drug trafficking and organized crime. Sweden was also actively participating in international efforts against money laundering.

20. Canada, which had been active in the development of the recent International Civil Aviation Organization and International Maritime Organization agreements, intended to ratify and implement those new international instruments quickly. Canada also recognized the need for further study of crime and criminality. Accordingly, data bases on crime and criminal justice were being developed. Research was being concluded on computer crimes, environmental offences and organized crime in order to formulate preventive strategies. In 1985 and 1988 respectively, new legislation on computer crime and the proceeds of crime had been adopted by the Canadian Parliament.

21. Egypt placed emphasis on prevention and treatment of drug abuse, as well as on sensitizing different social institutions, such as the family, school, religious

organizations and recreational services, to the need for preventive programmes and early detection of drug addiction. Crime prevention centres and clubs had been created to treat alcoholics and drug addicts. These centres provided social and psychological guidance to vulnerable individuals as well as after-treatment, social care and sustained follow-up to prevent recidivism. The First Arab Conference on the Problems of Addiction (Prevention - Treatment - Follow-up) was held at Cairo from 13 to 16 September 1988.

22. Cuba reported that, although drug abuse was not a major problem, its air space and territorial waters were exploited by drug traffickers. As a result of the considerable resources allocated to the control of these criminal acts, over 300 drug traffickers of 27 different nationalities had been arrested and punished, with large quantities of illicit substances being seized.

23. In the Ukrainian Soviet Socialist Republic efforts were being made to prevent illicit drug trafficking and drug abuse. New programmes for drug addicts had been introduced. Persons who interrupt ambulatory treatment may be remanded for treatment in a closed rehabilitation centre. Drug-addicted offenders have to undergo treatment at the places of their confinement. In view of the increasing activities of organized crime, special units had been set up and a comprehensive programme of action had been adopted. Investigations are being carried out to expose criminals who have infiltrated co-operatives for the purpose of laundering illegally acquired assets. Under a decree of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic of 6 March 1989, criminal sanctions for extortion (racketeering) have been increased or introduced for similar crimes when committed against co-operative workers.

#### 4. Human rights in the administration of justice

24. Argentina reported on a project to eliminate solitary confinement at the national level; in several provinces such punishment has already been stopped. In Canada, a recent revision of federal laws ensured their compliance with the human rights principles and guarantees stated in the Canadian Charter of Rights and Freedoms, which is part of the Constitution. In Yugoslavia, workshops on human rights were being organized by the Institute for Crime Research and Social Studies. The Yugoslav Criminal Law Association had devoted a special issue of its bulletin to human rights problems in relation to crime prevention and criminal justice, which explains in detail the basic United Nations documents and all relevant standards and guidelines. The Federal Republic of Germany made reference to the importance of the elaboration of a second optional protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

#### C. Co-operation with the relevant entities of the United Nations system

25. In pursuance of paragraph 6 of resolution 43/99, the Secretary-General of the Eighth Congress contacted the executive heads of the United Nations Development



Programme, the United Nations Children's Fund, the Department of Technical Co-operation for Development of the Secretariat, the United Nations University, the Office of the United Nations High Commissioner for Refugees, United Nations Centre for Human Settlements (Habitat), the Centre on Transnational Corporations of the Secretariat, the United Nations Disaster Relief Organization, the United Nations Conference on Trade and Development, the United Nations Industrial Development Organization, the United Nations Environment Programme, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the United Nations Fund for Drug Abuse Control, the International Atomic Energy Agency, the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations, the World Health Organization, the World Tourism Organization, the International Maritime Organization, the World Intellectual Property Organization and the World Bank proposing specific areas of collaboration.

### 1. United Nations Centre for Human Rights

26. Co-operation with the Centre for Human Rights has been intensified in preparation for the Eighth Congress. The General Assembly, in its resolution 43/153 of 8 December 1988, requested the Secretary-General, inter alia, to develop further the recently created focal points within the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs, to monitor human rights aspects in the administration of justice and to provide advice on co-ordination. Similarly, the Commission on Human Rights, in its resolution 1989/24, welcomed the creation of these focal points and expressed the hope that co-operation would be strengthened. In accordance with paragraph 9 (c) of resolution 43/153, other avenues are being explored to ensure closer co-operation between the two Centres, also in order to maximize the effectiveness of technical co-operation provided to developing countries.

### 2. United Nations Centre for Human Settlements (Habitat)

27. The United Nations Centre for Human Settlements (Habitat) has indicated its concern about crime trends in large metropolitan areas and its interest in collaborating in a workshop on physical planning and crime prevention.

### 3. Food and Agriculture Organization of the United Nations

28. FAO has expressed interest in collaborating in an "agrarian justice" project to protect peasant farmers against exploitation and violence and has made available its studies on agrarian legislation protecting co-operatives and the land and water rights of farmers.

/...

#### 4. World Health Organization

29. Collaboration with the WHO Global Programme on AIDS on a project on AIDS in prisons is proceeding since late 1988. It will produce a report on the extent of HIV infection in prisons and a set of recommendations for the general management of prisons and individual treatment of specific HIV-infected prisoners. An early version of both documents will be made available to the eleventh session of the Committee on Crime Prevention and Control. It is hoped that the Eighth Congress will consider these recommendations as a basis for dealing more effectively and humanely with this grave threat to prison inmates and to society at large.

#### 5. United Nations Educational, Scientific and Cultural Organization

30. A draft model bilateral treaty for the prevention of crimes against the cultural heritage is being developed in co-operation with the United Nations Latin American Institute for the Prevention of Crime and Treatment of Offenders. A first draft is being reviewed for consideration by the Committee on Crime Prevention and Control.

#### 6. Ad Hoc inter-agency meetings on the follow-up of the Seventh Congress and the preparations for the Eighth Congress

31. The first ad hoc inter-agency meeting, held at Vienna on 1 and 2 September 1988, recommended, inter alia, that further inter-agency meetings of this kind should be convened, and that the participation of all relevant United Nations agencies and bodies should be solicited, as should their involvement in Congress-related activities.

32. The second inter-agency meeting is scheduled for February 1990, in conjunction with the eleventh session of the Committee on Crime Prevention and Control.

### III. CONTINUATION OF PREPARATIONS FOR THE EIGHTH CONGRESS

#### A. Regional preparatory meetings

33. In pursuance of Economic and Social Commission resolution 1987/49 of 28 May 1987, and General Assembly resolution 42/59 of 30 November 1987, five regional preparatory meetings for the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders were convened to discuss the substantive items before the Congress, in co-operation with the regional commissions and the United Nations crime prevention institutes. They were attended by over 600 participants, representing 129 Member States, a large number of intergovernmental and non-governmental organizations, relevant specialized agencies and United Nations bodies, the regional commissions and the United Nations crime prevention and criminal justice institutes. High-level delegations participated, including Ministers of Justice and of the Interior, prosecutors-general,

attorneys-general, members of parliaments and senior officials, as well as distinguished members of the academic community. This demonstrates, in accordance with paragraphs 5 and 6 of resolution 43/99, the interest and involvement of the international community.

34. The meetings reviewed the instruments to be submitted to the Eighth Congress, took note with appreciation of the reports of the interregional preparatory meetings (A/CONF.144/IPM.1-5) and of the Committee on Crime Prevention and Control on its tenth session (E/1988/20), and endorsed all the recommendations, subject to certain observations and comments. Comprehensive reports of each of the meetings are available (A/CONF.144/RPM.1-5).

### 1. Asia and the Pacific

35. The Asia and Pacific Regional Preparatory Meeting, held at Bangkok from 10 to 14 April 1989, was attended by 22 member States of the Economic and Social Commission for Asia and the Pacific (ESCAP).

36. The Meeting adopted a resolution on the United Nations crime prevention and criminal justice programme, reaffirming the common interest of countries of the region in its effective functioning. There was general agreement that sufficient resources, commensurate with the high priority given to the programme, should be allocated to it, thus strengthening the role of the secretariat in this field. The Meeting requested the Eighth Congress to review the present structure and functioning of this programme and to recommend action ensuring its full responsiveness to the priorities and needs of member States. Special emphasis was placed on the further promotion of technical co-operation programmes that would help stimulate the necessary legal and operational reforms. The Meeting further called for the designation, by the Committee on Crime Prevention and Control, of a pledging day for contributions to the United Nations Trust Fund for Social Defence, while Governments, funding agencies and organizations were encouraged to support and complement technical co-operation activities.

37. Finally, the Meeting stressed that priority attention should be given to the development of effective strategies for combating illicit drug abuse and trafficking, international terrorism, environmental offences, crimes against the cultural patrimony and other forms of transnational criminality with major transborder consequences, and to the elaboration of international guidelines on bank secrecy.

### 2. Europe and North America

38. The European Regional Preparatory Meeting was hosted by the Government of Finland. It was held from 24 to 28 April 1989 at Helsinki and attended by representatives of 29 member States.

39. In one resolution, the Meeting requested the Eighth Congress to recognize the need for protection of the natural environment and to call on member States to

adopt relevant domestic penal legislation and protective measures against the dumping of hazardous waste and other noxious materials.

40. In another resolution, the Meeting, bearing in mind the Final Act of the Conference on Security and Co-operation in Europe, signed at Helsinki on 1 August 1975, and the Concluding Document of the Follow-up Conference, adopted in January 1989 at Vienna, called for strengthened international co-operation in the areas of crime prevention, criminal justice and the observance of human rights. The Eighth Congress was requested to accord priority to effective measures to combat all serious international forms of criminality.

### 3. Latin America and the Caribbean

41. The Latin America and Caribbean Regional Preparatory Meeting was held at the headquarters of the United Nations Latin American Institute for the Prevention of Crime and Treatment of Offenders, San José, Costa Rica, from 8 to 12 May 1989, and was attended by representatives and experts from 24 member States.

42. In one resolution, the Meeting stressed the commitment of the region to the effective functioning of the United Nations crime prevention and criminal justice programme and to common action against crimes such as terrorism, illicit drug trafficking, smuggling and illegal transactions based on capital flight and bank secrecy. The Meeting also urged Governments and the relevant United Nations agencies to increase their support to the Institute.

43. The Meeting further recommended to the Eighth Congress the adoption of a resolution on basic principles for the treatment of prisoners, which would stress the dual responsibility of the State for the custody of inmates and for the protection of society against crime, to be discharged in keeping with other social objectives, such as the well-being and development of prisoners as members of society. Except for the necessary limitations on freedom of movement, all prisoners should retain the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights and other internationally accepted instruments.

### 4. Western Asia

44. The Western Asia Regional Preparatory Meeting was hosted by the Government of Egypt at Cairo from 27 to 31 May 1989, and was attended by representatives and experts from 13 States members of the Economic and Social Commission for Western Asia (ESCWA).

45. The Meeting adopted a resolution stressing that more co-operation among Governments was needed in combating transnational crime, in particular terrorism, organized crime, including illicit drug trafficking, economic and white-collar criminality, corruption, crimes against the environment and offences against the cultural patrimony. Major concern was expressed about the impact of the external debt crisis, which prevented many developing countries from effectively

counteracting the increasing menace posed by criminality. The Eighth Congress was urged to identify the main elements for a new convention on international co-operation in crime prevention and criminal justice matters. The resolution also called for an increased level of support for the United Nations crime prevention and criminal justice programme, commensurate both with the world-wide impact of crime problems and the need for intensified international collaboration.

46. In a second resolution, the Meeting, recognizing the importance of the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (resolution 40/34, annex), stressed the need to provide redress for victims: Governments should improve support services for victims and foster culturally appropriate programmes for their assistance, information and compensation. Governments were further invited to establish and contribute to an international compensation and assistance fund for victims of transnational crimes and abuse of power.

## **5. Africa**

47. The African Preparatory Meeting, held at the Economic Commission for Africa (ECA) headquarters at Addis Ababa from 5 to 9 June 1989, was attended by representatives of 41 member States.

48. In a resolution on international action against transnational crime, the Meeting emphasized the crucial importance of the proposed draft instruments, in particular, the draft model treaties on the transfer of criminal proceedings, extradition and mutual assistance in criminal matters, and called on the Governments of the region to include crime prevention and criminal justice policies in the planning process. Governments and relevant funding agencies and organizations were encouraged to provide financial support for technical co-operation projects, including advisory services, in order to assist African countries in their efforts to identify, analyse, monitor and evaluate crime trends, formulate effective crime prevention and control strategies, and implement humane criminal justice policies.

49. The Meeting also requested the Eighth Congress to identify priority areas for a new international convention on crime prevention and criminal justice co-operation, and to find ways and means to strengthen the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna as the focal point for a multilateral approach to co-operation in the fight against crime.

50. By a second resolution, the Meeting reaffirmed the vital role the United Nations African Regional Institute for the Prevention of Crime and the Treatment of Offenders was called upon to play in the African region; requested the Secretary-General and all organizations and agencies involved in its establishment to make every effort to assist the host country, Uganda, and invited the international community to support the functioning of the Institute.

B. Other substantive preparations

51. The International Association of Penal Law, the International Society for Criminology, the International Society of Social Deference and the International Penal and Penitentiary Foundation held their Seventh Joint Colloquium on topic III of the Eighth Congress, "Effective national and international action against: (a) organized crime; b) terrorist criminal activities", at Bellagio, Italy, from 4 to 7 May 1989. The Colloquium, which was organized by the Centro Nazionale di Prevenzione e Difesa Sociale, Milan, submitted a statement to the Economic and Social Council, at its first regular session of 1989, inter alia, calling upon the United Nations to intensify its relations with non-governmental organizations, including the establishment of an advisory professional and scientific council, as called for in the Guiding Principles and other United Nations resolutions (E/1989/NGO/5).

52. A European Meeting for Heads of Penitentiary Administrations will be held at Messina and Rome, from 6 to 12 November 1989, organized jointly by the International Centre of Sociological, Penal and Penitentiary Research and Studies of the University of Messina and the Henry Dunant Institute of Geneva, in co-operation with the Helsinki European United Nations Institute, under the auspices of the Ministry of Justice of Italy, the United Nations and the International Committee of the Red Cross.

53. The United Nations Office at Vienna is collaborating with the European Co-ordination Centre for Research and Documentation in the Social Sciences, Vienna, on a project dealing with the role of criminal justice in the protection of the environment. With funding support from the Government of the Federal Republic of Germany, a conference is being convened at Hamburg from 14 to 17 September 1989.

54. A seminar on measures to prevent and control corruption in government service will be organized at The Hague in December 1989, in co-operation with the Netherlands Ministry of Foreign Affairs and the Development Administration Division of the Department of Technical Co-operation for Development of the United Nations Secretariat. The participants will exchange information on successful techniques used around the world to fight corruption, as input for a manual on the subject to be considered by the Eighth Congress.

55. A research workshop to evaluate recent developments in non-institutional options will be held at the Eighth Congress. The United Nations Interregional Crime and Justice Research Institute has undertaken to co-ordinate it in co-operation with the regional institutes.

56. A second demonstration workshop will be held at the Congress on the use of computer technology in the management of criminal justice. It will be co-ordinated by the Helsinki European United Nations Institute, as part of the Institute's contribution to the preparations for the Congress. The Government of Canada will host a meeting of experts to assist in organizing the workshop and preparing documentation for it.

### C. Committee on Crime Prevention and Control

57. The Committee on Crime Prevention and Control, at its eleventh session, will review all the recommendations and draft instruments to be revised on the basis of the reports of the regional meetings, and will finalize the substantive and organizational arrangements for the Congress, in accordance with the relevant resolutions of the General Assembly and the Economic and Social Council, which have repeatedly stressed its crucial functions in this respect.

## **IV. TECHNICAL CO-OPERATION IN CRIME PREVENTION AND CRIMINAL JUSTICE**

### A. Advisory services

58. In pursuance of paragraphs 8 and 9 of General Assembly resolution 43/99, the Secretariat has continued to accord priority to technical co-operation activities. In addition to those mentioned in the report to the Economic and Social Council at its first regular session of 1989 (E/1989/47), the following initiatives have been taken, as at March 1989:

(a) On the occasion of the regional preparatory meetings, information was provided to government officials on the services available through the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, Vienna, and on the modalities for requesting assistance from the United Nations Development Programme (UNDP). Discussions were held with individual delegations on the needs of their respective countries and the possibilities for technical co-operation. Projects were formulated in Thailand and Ethiopia, in co-operation with UNDP;

(b) During the visits to Vienna of the UNDP resident co-ordinators in Bolivia, Burundi, Colombia, India, the Niger, Pakistan and Paraguay, the United Nations crime prevention and criminal justice programme was described and possibilities for joint projects discussed.

59. The new importance attached to social issues, not only within the United Nations system but also in the technical assistance programmes of the World Bank and among bilateral donors, gives a new impetus to crime prevention and criminal justice initiatives of Member States.

60. The Interregional Adviser on Crime Prevention and Criminal Justice has scheduled, during the second half of 1989, missions to Argentina, Botswana, Brazil, Cyprus, Guinea-Bissau, Mauritius, Indonesia, Papua New Guinea, Paraguay and Sierra Leone. Project formulation missions are being arranged, in co-operation with the Department of Technical Co-operation for Development and the Statistical Office of the Secretariat, to Brazil, Cuba, Ethiopia, Nigeria, Paraguay and the Philippines, in order to provide technical assistance in the compilation of criminal justice statistics and record keeping.

61. Governments and development agencies accept that an effective and fair criminal justice system is a crucial prerequisite to a stable environment for

investment and socio-economic development. However, sustained action in this field requires additional work and continuous follow-up on the part of the Secretariat, whose already limited resources are fully engaged in the implementation of an increasing number of legislative mandates.

**B. United Nations institutes for the prevention of crime and the treatment of offenders**

62. The regional and interregional United Nations institutes have continued their wide-ranging activities. Increasingly, they are providing direct advisory assistance on criminal law reform, alternatives to imprisonment, the application of modern management techniques to the criminal justice system, juvenile justice and the implementation of human rights standards.

63. The Economic and Social Council, by its resolution 1989/56, adopted a new statute for the former United Nations Social Defence Research Institute, thereby transforming it into the United Nations Interregional Crime and Justice Research Institute. The Statute updates the Institute's terms of reference and its modus operandi and creates a Board of Trustees to take the place of the present Ad Hoc Advisory Group.

64. Upon the adoption of the statute of the United Nations African Regional Institute for the Prevention of Crime and the Treatment of Offenders by the Conference of African Ministers at its fourteenth meeting, held at Niamey from 14 to 18 April 1988, the Republic of Uganda, as host country of the Institute, was the first to sign its statute on 23 May 1988. Since then, 22 countries have signed the statute: Burundi, Congo, Egypt, Equatorial Guinea, Guinea, the Libyan Arab Jamahiriya, Morocco, Mozambique, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Tunisia, United Republic of Tanzania, Zaire, Zambia and Zimbabwe. The inaugural meeting of the Governing Board of the Institute was held at Kampala on 14 and 15 June 1989. The meeting, which was opened by the President of the Republic of Uganda, not only approved the programme of work and programme budget of the Institute for 1989-1993, but also considered various administrative and financial matters. The meeting also approved a project document for financing by UNDP, in accordance with the recommendations contained in Economic and Social Council resolution 1989/59. The agreement with the host country was signed on 15 June 1989.

65. The Institute will concentrate its activities on training, research and the collection and dissemination of information. On the basis of an assessment of the needs and priorities of the countries of the region, major emphasis will be placed on the study of juvenile delinquency, economic and commercial crimes, corruption and bribery, violence against persons and drug abuse and trafficking. Intensive training programmes are to be undertaken for criminal justice and related personnel at all levels, as well as comprehensive, systematic collection, processing and analysis of crime data and statistics. Technical co-operation among African countries will also be promoted. The Institute is expected to fill the existing lacunae in the region by actively encouraging member States to work out common strategies for mutual assistance in crime prevention and criminal justice matters.



C. United Nations crime prevention and criminal justice  
information network

66. The United Nations crime prevention and criminal justice information network is being developed in pursuance of paragraph 10 of Economic and Social Council resolution 1989/68. Its objectives are to facilitate information exchange and interlinkages among policy makers, planners, practitioners, scholars and other experts, as well as national correspondents and research institutions; to ensure a better use of the data base emanating from the world crime surveys; to provide a gateway function permitting the transfer of knowledge, including research results; to link criminal justice documentation centres and libraries around the world; and to support the establishment and expansion of computerized national and local criminal justice systems. Information will be provided on legislative reforms, research in progress and research findings, with their potential applicability; summaries of recent reports, monographs and other publications on different aspects of crime prevention and criminal justice; meetings held and to be held; organizations and institutions active in the field; and selected bibliographies.

67. Network users will be able to communicate using electronic mail, exchange documents and data, scan a calendar of relevant events around the world, search various data bases, have access to United Nations documents, obtain up-to-date information on selected issues, such as juvenile justice, contribute to an "open forum" bulletin and interface with other networks. A hard copy newsletter of the on-line information from the electronic bulletin board will be sent periodically to subscribers. It is hoped that many interested agencies and criminal justice institutions will soon join it.

68. While the start of the network was made possible through the co-operation of the School of Criminal Justice of New York State University at Albany, its continuing functioning requires the commitment of the United Nations to maintain it through a basic minimum investment and ongoing financial support. The returns on such a network will greatly offset the costs involved. It will not only facilitate the co-ordination of current research and technical co-operation efforts between the Secretariat and the United Nations institutes, but will also contribute to ensuring the necessary feedback and information flow between criminal justice agencies and the professional community in both developed and developing countries.

D. Revitalization of the United Nations Trust Fund  
for Social Defence

69. In paragraph 8 of its resolution 41/107 of 4 December 1987, the General Assembly invited Member States to contribute to the United Nations Trust Fund for Social Defence in order to facilitate the exchange of experience and information and the development of technical co-operation and in paragraph 10 of its resolution 42/59 of 30 November 1987 it requested the Secretary-General to revitalize the Fund. Similar appeals were contained in paragraph 7 of resolution 43/99, in which Member States were also requested to forward proposals for the revitalization of the Fund.

70. Contributions to the Fund are usually earmarked by the Scandinavian countries for the work of the Helsinki European United Nations Institute, while the Governments of Italy, Belgium, Switzerland and Yugoslavia earmark their contributions for the United Nations Interregional Crime and Justice Research Institute. For the latter, the contributions in 1988 amounted to \$US 1,211,988. New contributions have been received in 1989 in an amount of \$27,244 and pledges were announced in 1989 in an amount of \$1,245,000.

71. As noted by Japan, Member States' support also includes in-kind contributions to the regional institutes. Compared to 1985, when the Milan Plan of Action was adopted, the annual financial support provided by the Government of Japan for the United Nations Asia and Far East Institute for the Prevention of Crime and Treatment of Offenders has grown by more than 20 per cent. This has permitted the strengthening of the Institute's training activities as well as an increased contribution to the United Nations crime prevention and criminal justice programme. The Institute has also carried out joint activities with the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders. Since 1986, the Government of Japan has loaned an official as a regional adviser to ESCAP. Japan has also supported the United Nations Interregional Crime and Justice Research Institute through the services of a professional officer.

72. The Government of Italy is to contribute an initial amount of \$620,000 in extrabudgetary funds to the United Nations Secretariat for the implementation of a project aimed at strengthening co-operation with non-governmental organizations active in the crime field, through the establishment of an international advisory council. The project will be executed jointly with the Centro Nazionale di Prevenzione e Difesa Sociale, in pursuance of paragraph 23 of Economic and Social Council resolution 1989/69. In addition, the Government of Italy is providing a junior professional officer to help with preparations for the Eighth Congress. Other Governments have expressed their readiness to co-operate with the Secretariat in ad hoc assignments and specific projects.

73. Finally, it should be noted that the Asia and Pacific as well as the Latin American and Caribbean regional preparatory meetings recommended that Member States could use the occasion of the Eighth Congress to announce contributions to the United Nations Trust Fund for Social Defence during a pledging day to be designated by the Committee on Crime Prevention and Control.

74. The United Nations Trust Fund for Social Defence represents a valuable, yet still insufficiently utilized mechanism for channelling Member States' contributions. It is essential that significant additional contributions be made to the Trust Fund in order to realize its technical co-operation potential.

## V. CONCLUSIONS

75. The impressive world-wide participation in the preparatory work for the Eighth Congress reflects the commitment of the international community to the strengthening of co-operation in crime prevention and criminal justice.

International collaboration is particularly vital with respect to transborder criminality, including illicit drug trafficking, and other forms of organized crime, terrorism, economic and white-collar crime, and corruption, as well as offences against the environment and against the cultural patrimony. The Congress will serve as a forum to review the initiatives taken by Member States at the national and international levels and for a valuable multilateral exchange of experience.

76. To facilitate the work of the Congress, the Secretariat has prepared, with the assistance of Member States, the regional crime prevention institutes, intergovernmental and non-governmental organizations, and individual experts, a number of draft instruments designed to strengthen international co-operation in crime prevention and criminal justice. They include, inter alia, the draft model agreement on the transfer of proceedings in criminal matters, the draft model treaty on extradition and the draft model treaty on mutual assistance in criminal matters.

77. Other preparations for the Eighth Congress have also been successfully carried out. The regional preparatory meetings, attended by a record number of Member States and other participants, were completed as scheduled in the first half of 1989. They reviewed in detail the various recommendations adopted by the interregional preparatory meetings, so that the Committee on Crime Prevention and Control, at its eleventh session, in early 1990, should be able to endorse the various draft instruments for submission to the Congress. The increased number of requests for technical co-operation activities and advisory services should further enrich the initiatives and proposals to be examined by the Congress.

78. All this has been accomplished within an extremely tight timetable and under severe resource constraints. In fact, the serious limitation of resources remains a primary problem, which could jeopardize the success of the Congress. In its resolution 43/99, the General Assembly noted with concern the severe shortage of human and financial resources available to the United Nations Secretariat, and invited the Economic and Social Council to give priority attention to this question. The Council, in its resolution 1989/68, expressed alarm at the situation and called for remedial measures. These, however, could not be effected under the regular budget because of current constraints and the competing demands on the Organization's resources.

79. The key importance of the Congress derives from the fact that transnational criminality has become one of the most pressing problems confronting contemporary societies. It is thriving at unprecedented levels and in ways previously unheard of. It threatens the lives, security and property of individuals and communities, and has profound political implications. Violence within nations and across national boundaries puts a strain on public institutions because of the social and political upheaval it causes, most brutally epitomized in terrorism. World-wide trafficking in drugs and other forms of organized crime are especially serious manifestations of this phenomenon. Criminality, once traditionally regarded as being of purely domestic concern, can no longer be tackled by Governments individually. Its political, economic, social, cultural and human costs can only be substantially reduced by nations acting in concert, in accordance with

Articles 55 and 56 of the Charter, which provide the basis for the work of the United Nations in the economic and social sphere.

80. The impact of the growing internationalization of criminality underlines the urgent need for innovative policies and strategies that take into account prevailing conditions and emerging requirements, both nationally and multilaterally. The theme of the Eighth Congress, "International co-operation in crime prevention and criminal justice for the twenty-first century", is a reminder that the Congress will have to recommend bold global initiatives to cope with the challenge of crime and lawlessness, in full respect of human rights standards and norms.

#### Notes

1/ 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).

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