

**NINTH  
UNITED NATIONS CONGRESS  
O N T H E  
PREVENTION OF CRIME  
AND THE  
TREATMENT OF OFFENDERS**

**Cairo, 29 April-8 May 1995**

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**UNITED NATIONS**

**NINTH  
UNITED NATIONS CONGRESS  
ON THE  
PREVENTION OF CRIME  
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TREATMENT OF OFFENDERS**

**Cairo, 29 April-8 May 1995**

*Report prepared by the Secretariat*



**UNITED NATIONS**

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## I. RESOLUTIONS ADOPTED BY THE CONGRESS

1. The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders **adopted** the following resolutions:

### **1. Recommendations on the four substantive topics of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders**

*The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,*

*Bearing in mind that* one of the purposes of the United Nations, as stated in the Preamble to the Charter of the United Nations, is to achieve **international** cooperation in solving international problems of an economic, social, cultural or humanitarian **character** and in promoting and encouraging **respect for human rights** and for fundamental freedoms for all,

*Bearing in mind also* 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 4 15 (**V**) of 1 December 1950,

*Bearing in mind further* General Assembly resolution **46/152** of 18 December **1991**, on the creation of an effective United Nations crime prevention and criminal justice programme,

*Recalling* Economic and Social Council resolutions **1992/24** of 30 July **1992**, **1993/32** of 27 July 1993 and **1994/19** of 25 July 1994, on preparations for the Ninth United Nations Congress on the Prevention of Crime and **the** Treatment of Offenders,

*Recalling also* Economic and Social Council resolution **1993/34** of 27 July 1993, on the implementation of General Assembly resolutions **46/152** and **47/91** and Economic and Social Council resolution **1992/22**, concerning crime prevention and criminal justice,

*Recalling further* Economic and Social Council resolution **1993/31** of 27 July 1993, on **the** strengthening of the United Nations crime prevention and criminal justice programme,

*Recalling* the Vienna Declaration and Programme of Action,<sup>1</sup> adopted by the World Conference on Human Rights, held at Vienna **from** 14 to 25 June 1993, and General Assembly **resolutions 48/132** of 20 December 1993 and **49/194** of 23 December 1994 in which the value of technical cooperation **programmes** aimed at strengthening democratic institutions, the **rule** of law and national human **rights infrastructure** was **repeatedly** underlined,

*Recalling* General Assembly resolution **48/137** of 20 **December** 1993, in **which** the **Assembly recognized** **the central** role of the administration of justice in **the** promotion and protection of **human rights**,

*Recalling* Commission on Human Rights resolution **1994/64** of 9 **March** 1994 and **General Assembly** resolution **49/147** of 23 **December** 1994, on measures to combat contemporary **forms** of racism, racial discrimination, xenophobia and **related** intolerance, and the relevant paragraphs of the Vienna **Declaration** and **Programme** of Action,<sup>2</sup>

*Concerned* about the economic situation in developing countries and its negative impact on social conditions, a situation that makes crime prevention strategies **difficult** to implement, as recalled by the Naples

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<sup>1</sup>Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. 111.

**Political Declaration** and Global Action Plan against Organized **Transnational** Crime, adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy; from 21 to 23 November 1994, and approved by the General Assembly in resolution **49/159** of 23 December 1994, in accordance with General Assembly resolution **48/103** of 20 December 1993,

*Convinced* of the importance of the work of the United Nations in providing a framework for the strengthening of international cooperation,

Convinced that the provision of **operational** activities, such as advisory services, training **programmes** and the dissemination and exchange of information, is one of the best means of intensifying **international cooperation**,

**Recognizing** the essential role of the United Nations and the important **functions** of **the** regional institutes for the **prevention** of crime and the treatment of offenders, **affiliated** with the United Nations, in the development of crime prevention and criminal justice strategies consistent with regional political, economic, social and cultural requirements,

*Convinced* that the United Nations has a significant role to play in enhancing multilateral cooperation aimed at combating crime and that the capacity of the United Nations to provide technical assistance to developing countries should be reinforced,

*Welcoming* the steps taken by the Commission on Crime Prevention and Criminal Justice to **render** the United Nations crime prevention and criminal justice programme more practical and operative,

*Deeply concerned* by the fact that the frequent requests by the United Nations policy-making bodies to have the Crime Prevention and Criminal Justice Branch of the Secretariat strengthened and upgraded into a division have not yet been implemented,

**Recalling** Economic and Social Council resolutions **1993/29** of 27 July 1993, on the World Ministerial Conference on Organized **Transnational** Crime, and **1993/30** of 27 July 1993, on the *control* of proceeds of **crime**,

**Aware** that crime has become a major problem, with national and international dimensions, hampering political, economic, social and cultural development, which may constitute a **threat** to the internal security and stability of sovereign States,

*Alarmed* by the threats posed by **transnational** organized crime, terrorist crimes and their links, violent activities in urban areas, illicit drug trafficking, illicit **arms trafficking**, international **trafficking** in minors, alien smuggling economic **crime, forgery** of *currency*, environmental crime, **corruption**, crime **against** cultural **property**, motor vehicle **theft**, computer and **telecommunications-related** crime, money-laundering and the infiltration of legitimate economies by organized criminal **groups**, and the effects of those activities **on** society,

Gravely *alarmed* by the rapid growth of and danger posed by terrorist crimes which in **many** cases may **threaten** the security of citizens and the security of their countries, international stability and the rule of law,

**Recognizing** the pressing need for more intensified international cooperation to combat **the** deleterious effects of **transnational** crime, particularly organized crime, including illicit **drug trafficking**, economic crime, **corruption**, the illegal transfer of **funds**, crime against the environment, and crime against cultural property,

*A ware* of the pressing need for increased international cooperation in order to prevent the transfer of the proceeds of illicit activities across national frontiers by criminal organizations taking advantage of gaps in international cooperation and thereby escaping detection,

**Aware** that the **full** enjoyment of human rights can **be** facilitated through concerted efforts by Member States to **prevent and control national and transnational crime**, taking into account **United Nations law enforcement and human rights standards**,

**Concerned** at the fact that criminal prosecution **and the** gathering of evidence are made **difficult** when **witnesses to the commission of a crime are absent from the State** in which **the** crime was committed,

Aware of the growing threat to society that crime against the environment represents, in particular with regard to the **mismanagement and illicit dumping of hazardous waste**,

**Alarmed** by the growth of urban criminality and the threat that it poses to **urban** and national development, in particular in the context of fragile economies and **rapid** social change,

Aware that the mass media, by focusing on violence in, *inter alia*, films and reports, often may have **negative consequences**, **but** also aware that the mass media can play a very positive role in crime prevention and **criminal** justice by explaining, *in fer alia*, complex factors that condition the various manifestations of delinquency,

**Recalling** Economic and Social Council resolutions **1992/23** of 30 July 1992, on organized **crime**, and **1993/27** of 27 July 1993, on proposed guidelines for the prevention of urban crime,

**According** central **importance** to matters of crime prevention and criminal justice,

**Expressing the** desire to pursue collectively intensive multilateral cooperation under the auspices of the United Nations,

**I. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme**

1. **Takes note** of the **important** processes of democratization, strengthening the **rule** of law and increasing **transparency** in **States, and** recommends that the **international** community should support such efforts as **part** of its contribution to sustainable development;
2. **Urges** Member States to **intensify** their efforts to strengthen the rule of law by **means of** international cooperation and practical technical assistance;
3. **Reaffirms the importance of the Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice<sup>2</sup>** in strengthening the **rule** of law at the national and regional levels;
4. **Invites Member States to improve policy development, increase the use of bilateral or multilateral** cooperation agreements and, **where** necessary, conduct more extensive **research** on **transnational organized** crime, terrorist crimes **and** their links, violent activities in urban areas, illicit drug **trafficking**, illicit arms **trafficking**, international **trafficking** in minors, alien smuggling, economic crime, forgery of currency, environmental crime, **corruption**, crime against cultural property, motor vehicle **theft**, computer and telecommunications-related crime, money-laundering and the infiltration of legitimate economies by **organized** criminal groups, and the effects of those activities on society;
5. **Calls on** Member States to intensify their efforts aimed at more consolidated cooperation and coordination in crime prevention and criminal justice, in order to establish integrated regional policies,

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<sup>2</sup>United Nations publication, Sales No. E.92.IV.1.

**programmes**, plans and mechanisms, having due regard to common social and religious traditions and values, taking into account United Nations norms and standards in crime prevention and criminal justice;

6. **Calls** on Member States to **intensify** subregional and regional **cooperation** in crime prevention and criminal justice within the framework of regional arrangements, **infrastructure** and mechanisms;

7. **Invites** Member States actively to support **the** United Nations crime prevention and criminal justice **programme** in organizing and **carrying** out operational activities by means of **extrabudgetary** contributions;

8. **Encourages** Member States to **organize** study tours and the exchange of criminal **justice officials**, with a view to promoting mutual understanding and to developing joint strategies to overcome **common** problems;

9. **Calls on Member States** to contribute to the United Nations Crime Prevention and Criminal Justice Fund, with a view to sustaining existing and providing for future technical assistance projects in the field of crime prevention and criminal justice;

10. **Invites** the Commission on Crime Prevention and Criminal Justice to call on the United Nations Development Programme, the World Bank and other international, regional and national **funding** agencies to support technical cooperation activities devoted to strengthening the rule of law and cooperation with the United Nations crime prevention and criminal justice **programme**, in order to ensure proper coordination;

11. **Notes**, especially in view of the increasing number of requests **from** Member States for technical assistance, General Assembly **resolutions 46/152** of 18 December 1991, **47/91** of 16 December 1992 and **48/103** of 20 December 1993 and Economic and Social Council resolutions **1992/22** of 30 July 1992 and **1993/34** of 27 July 1993 in which the **Secretary-General** is **requested** to provide the resources required to implement the United Nations crime **prevention** and criminal justice programme and to upgrade the Crime Prevention and Criminal Justice Branch of the **Secretariat** to a division headed by a director,

12. **Invites** the Commission on Crime Prevention and Criminal Justice to encourage the **Secretary-General**, as a way of strengthening the rule of law, to recommend, upon request, the inclusion of the re-establishment and reform of criminal justice systems in peace-keeping operations;

13. **Takes note with appreciation** of the project for the provision of practical assistance to Cambodia in the **re-establishment** of its criminal justice system, and of other operational activities in various States, proposed and undertaken by the Crime Prevention and Criminal Justice Branch of the Secretariat, with a view to improving criminal justice systems and strengthening the rule of law;

14. **Invites the** Commission on Crime Prevention and Criminal Justice to request the **Secretary-General** to **further** strengthen operational activities in developing countries and countries in transition, by **providing**, drawing upon **extrabudgetary** contributions, advisory **services** and training **programmes** and by carrying out field studies at the national level;

15. **Invites** the Commission on Crime Prevention and Criminal Justice to call on all **relevant** international, intergovernmental and non-governmental organizations to continue cooperating with the United Nations in developing manuals and training curricula and in organizing courses in the various areas of crime prevention and criminal justice.

## **II. Action against transnational and organized crime, and the role of criminal law in the protection of the environment: national experiences and international cooperation**

1. **Urges** Member States to consider the establishment and reinforcement of cooperation in the form of, *inter alia*, practicable arrangements for the **effective** prevention and control of transnational and **organized** crime, including the proceeds of such crime, with emphasis on extradition and mutual **assistance**, in order to avoid impunity of **offences** committed fully or partially in different countries;
2. **Urges** Member States to establish the principle of the broadest possible **cooperation** among States, with regard to the institution of extradition, taking into account the rights of the accused and also the interests of the victims;
3. **Urges Member** States that have not yet done so to update their domestic legislation, taking into account developments and trends identified by the United Nations Congresses on the Prevention of Crime and the Treatment of Offenders and United Nations standards and norms in the field of crime prevention and criminal justice;
4. **Calls** on Member States to promote further cooperation between their national crime prevention and criminal justice sectors in order to undertake international action against transnational organized crime, terrorist crimes and their links, violent activities in urban **areas**, illicit drug trafficking, illicit **arms trafficking**, international **trafficking** in minors, alien smuggling, economic crime, forgery of currency, **environmental** crime, corruption, crime against cultural property, motor vehicle theft, computer and telecommunications-related crime, money-laundering and the infiltration of legitimate economics by organized criminal groups, and the effects of those activities on society, and also to improve the exchange of information, in particular at the regional level;
5. **Calls** on Member States to facilitate transnational criminal investigations by extending legal assistance to **each** other, with a view to promoting effective international **cooperation**;
6. **Calls on** Member States to study ways of promoting prompt mutual assistance in criminal procedures, and adopting penalties related to the possession of the proceeds of economic crime;
7. **Recommends that** Member States should **consider establishing multidisciplinary units specialized** in the investigation of economic or financial crime and help to identify the major commercial networks influenced by the transnational criminal organizations in order to make the prevention and **monitoring** of such crime more **effective**;
8. **Urges** Member States to cooperate in **identifying** specific measures against **corruption**, bribery and the abuse of **power**;
9. **Also urges** Member States to cooperate in identifying and combating new **forms** of **transnational** organized crime, terrorist crimes and their links, and to provide **further** assistance at the international, regional and bilateral levels in order to prevent and combat such crime effectively, including the conclusion of relevant **mutual-assistance agreements**;
10. **Calls on** Member States to **strengthen** their cooperation in exchanging **information** on national **experiences** and practices regarding transnational organized crime, **terrorist** crimes and their links and to supply, on a regular basis, data and other information on such experiences and practices to the Crime Prevention and Criminal Justice Branch of the **Secretariat**;
11. **Calls** on Member States to enact legal provisions, where **necessary**, including the establishment of enforcement and monitoring mechanisms, concerning economic crime, such as **corruption**, **fraud**, embezzlement and money-laundering, each of which often constitutes a link in a larger chain of **offences** that have a tremendous **negative impact on the economic situation of regions**;

12. *Requests* Member States to consider developing appropriate legislation concerning the registration of **unregistered** imported motor vehicles and other appropriate measures, in order to promote international cooperation in **combating theft and illegal traffic** of motor vehicles;

13. *invites* the Commission on Crime **Prevention** and Criminal Justice to consider **effective measures** on the prevention and suppression of illegal **traffic** in motor vehicles;

14. *Calls on* Member States:

(a) To consider enacting environmental protection legislation reflecting the importance of a **healthy** environment, in order to **preserve** and protect the environment;

(b) To consider enacting penal provisions on the protection of the environment and to **consider** the protection of endangered species and cultural property under similar provisions;

(c) **To** consider the creation of special bodies in the protection of the environment, such as **special** prosecutors or specialized investigative bodies, bearing in mind the role such bodies can play in developing skills and raising public awareness;

(d) To consider encouraging the inclusion of the role of criminal **law** in the protection of the environment as a subject in curricula for the study of criminal law and the training of law enforcement and criminal justice personnel;

15. *Requests* the Commission on Crime Prevention and Criminal Justice, in its review of priority themes, to place special emphasis on the development of strategies for the effective prevention and control of transnational and organized crime and on the role of criminal law in the protection of the environment;

16. *Invites* the Commission on Crime Prevention and Criminal Justice to consider the feasibility of requesting the Secretary-General to establish an integrated system of periodic gathering and dissemination of **information** on national legislation in crime prevention and criminal justice and its implementation, and urges Member States to provide the **relevant** data to encourage progressive alignment **regarding, inter alia,** international cooperation, extradition and other bilateral and multilateral modalities of mutual assistance in criminal matters;

17. *Also invites* the Commission on Crime Prevention and Criminal Justice to request the **Secretary-General** to continue studying the actual situation of transnational and organized crime and effective measures for its control;

18. *Further invites* the Commission on Crime Prevention and Criminal Justice to request the **Secretary-General** to assist Member States, upon request, in adjusting their national legislation with a view to making the investigation, prosecution and adjudication of transnational crime more effective;

19. *Further invites* the Commission on Crime Prevention and Criminal Justice to request the Secretary-General to ensure close coordination between the Crime Prevention and Criminal Justice Branch of the Secretariat and other United Nations entities, in particular the United Nations International Drug Control **Programme** and the **Centre** for Human Rights, including the sponsorship of joint activities, and to encourage further cooperation with the international Criminal Police Organization and the other international and **intergovernmental** bodies concerned, through joint programmes and projects;

20. *Urges* Member States that have not yet ratified or acceded to the United Nations Convention against Illicit **Traffic** in Narcotic Drugs and Psychotropic Substances of 1988 to do so as soon as possible, since the Convention is **the most** important multilateral instrument **against drug-related** transnational organized crime.

### III. Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution courts and corrections; and the role of lawyers

1. **Urges** Member States to monitor training and development of law enforcement and criminal justice personnel and to promote operational research aimed at designing, on a **more** scientific basis, plans to curb crime and upgrade the skills of law enforcement and criminal justice personnel;
2. **Calls upon** Member States to **ensure** the independence and impartiality of the judiciary and the proper functioning of **prosecutorial** and legal services, taking into account the Basic Principles on the independence of the **Judiciary**,<sup>3</sup> adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of **Offenders**, and the Guidelines on the Role of **Prosecutors**<sup>4</sup> and the Basic Principles on the Role of **Lawyers**,<sup>5</sup> adopted by the Eighth United Nations **Congress** on the **Prevention** of Crime and the Treatment of Offenders;
3. **Urges** Member States where appropriate to increase the use of non-custodial measures, to **reduce** both the use of detention and the prison population, taking into account the United Nations Standard Minimum Rules for Non-custodial Measures (Tokyo Rules): in order to improve the administration of justice;
4. **Urges** Member States to **ensure** the most basic needs and rights of detainees and encourages the mobilization of donor countries and international funding agencies to support developing countries in their efforts to improve prison conditions;
5. **Calls** on Member States to take **effective** measures against the spread of the human immunodeficiency **virus/acquired** immunodeficiency syndrome (**HIV/AIDS**) and other diseases among the prison population;
6. **Affirms** that it is essential for law enforcement and criminal justice personnel to respect human rights and, in so doing, contribute to the effectiveness of criminal justice and law **enforcement** systems and the acceptance of those **systems** by the local community,
7. **Calls** on Member States:
  - (a) To consider adopting the community policing approach as a method of delivering police **services** with a view to reducing the **social** distance between law **enforcement officials** and the public they **serve**, and to enhance police visibility and public confidence;
  - (b) To promote cooperation and forge appropriate partnerships with local communities and the **private** sector when undertaking crime prevention activities;
8. **Recommends** that Member States should consider strengthening the **role of the office of the public prosecutor**, in particular strengthening its autonomy, bearing in mind the Guidelines on the Role of

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<sup>3</sup>See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985* (United Nations publication, Sales No. **E.86.IV.1**), chap. I, sect. **D.2**.

<sup>4</sup>See *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990* (United Nations publication, Sales No. **E.91.IV.2**), chap. I, sect. **C.26**.

<sup>5</sup>Ibid, sect. 8.3.

<sup>6</sup>General Assembly resolution 45/110, annex, of 14 December 1990.

Prosecutors, and facilitating the international exchange of teaching staff of schools for training in the respective disciplines;

9. **Also recommends** that Member States should adopt measures to enhance the professional **calibre** of **staff in all sectors concerned** with crime prevention and criminal justice, bearing in mind United Nations resolutions, guidelines and standards in that **field**;

10. Urges Member States to consider reviewing the penitentiary system, including **legislation to ensure** its smooth operation within the framework of the broader criminal justice system, and therefore recommends:

(a) **The enhancement** of coordination between the prison **system** and **the** broader criminal justice system and closer involvement in research in policy development and **the** drafting of legislation;

(b) The improvement of schools for the training of prison **officers** and personnel as an essential priority in **the modernization** of the system, **the** organization of regular **training programmes**, and the exchange of information and **personnel** between **the** prison administration and the academic/university community;

(c) Continued and enhanced exchange of information and technical cooperation at the international, regional and national levels, in order to **further the** training of correctional personnel;

(d) Use of alternatives to imprisonment for offenders, when appropriate;

(e) Preserving **the** dignity and rights of inmates by reviewing and changing, as necessary, the regulations that govern prison systems;

11. **Invites** the Commission on Crime Prevention and Criminal Justice to request the **Secretary-General** to promote technical cooperation projects on penal law reform and on the modernization of criminal justice administration, particularly in **the** fields of data collection and computerization, **the** training of law enforcement **officials**, the promotion of non-custodial measures and prisoners' welfare, taking into account United Nations standards and norms such as the United Nations **Standard** Minimum Rules for Non-custodial Measures (Tokyo Rules), the Basic Principles for the Treatment of Prisoners' and the World Health Organization Guidelines on HIV Infection and AIDS in Prison;

12. **Also invites** the Commission on Crime Prevention and Criminal Justice to request the Secretary-General to play an active role in urging developed countries to provide support by supplying and maintaining technical aid for law enforcement agencies in developing countries;

13. **Further invites** the Commission on Crime Prevention and Criminal Justice to request the **Secretary-General** to expedite **the** dissemination of *the Commentary on the United Nations Standard Minimum Rules for Non-custodial Measures (Tokyo Rules)*,<sup>1</sup> which was published pursuant to **General** Assembly resolution **45/1** 10 of 14 December 1990, and welcomes **the** support of **the** Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, the International Penal and Penitentiary Foundation, and the Asia Crime Prevention Foundation in its preparation.

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<sup>1</sup>General Assembly resolution **45/1** 11, annex, of 14 December 1990.

<sup>2</sup>WHO/GPA/DIR/93.3.

<sup>3</sup>ST/CSDHA/22.

**IV. Crime prevention strategies, in particular as related to crime in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives**

1. **Invites** Member States to develop effective strategies and **programmes** for the prevention and control of urban crime, juvenile delinquency and violent crime, including domestic violence, and for the **reduction** of the levels of victimization, having due regard **to the role** of the **family**, the school, religion and **the community and taking into account existing** economic and social needs and conditions at the level of the whole of society;
2. **Urges** Member States, in tackling the problem of urban criminality, to develop projects **related** to juvenile delinquency and on the prevention and control of crimes committed against children and young persons, with special emphasis on the problem of street children and their exploitation for criminal purposes;
3. **Invites** Member States to pay special attention to the provision of crime prevention activities aimed at young children, with a view to studying the factors associated with criminality and establishing appropriate prevention mechanisms, including **counselling** services;
4. **Expresses its concern about the plight** of victims of crime and **urges the full** use and application of the United Nations Declaration of Basic Principles of Justice for Victims of **Crime** and Abuse of Power and intensified action for the protection of and assistance to victims at the national and international levels, including training, action-oriented research and on-going information exchange and other means of cooperation in this field;
5. **Recommends** that the Commission on Crime Prevention and Criminal Justice consider the possible impact of migratory flows on urban criminality;
6. Also **invites** Member States to consider the problems arising **from** migratory flows, particularly with regard to the integration of migrants **within various social and cultural contexts and the risks that they run** of being victims of, or becoming involved in, criminal activities, and urges Member States to take such concerns **fully** into account when drawing **up strategies for crime** prevention in urban areas;
7. **Urges Member** States to adopt, as appropriate, **short-term** and medium-term preventive measures in such fields as urban planning, housing, education and vocational training, as well as **recreational** and sports facilities, in high-risk areas;
8. **Calls upon** Member States to make every effort to adopt **effective measures to** combat racism, racial discrimination, xenophobia and related intolerance in all their forms;
9. **Calls** on Member States to promote **the adequate regulation of firearms and other high-risk** weapons by means of both regulations and law enforcement with a view to diminishing violent **criminality**;
10. **Invites** Member States to continue actively to support **the organization of workshops** and training programmes on the subject of urban criminality, paying specific attention to the interrelationship between urban criminality and social development;
11. **Welcomes** with satisfaction the proposed guidelines for cooperation and technical assistance in the field of urban **crime**, annexed to Economic and Social Council resolution **1994/20**, and invites the Commission on Crime Prevention and Criminal Justice, at its fourth session, to finalize and adopt them;
12. **Urges Member States to develop educational, social and other programmes based on mutual respect and tolerance in order** to lower the level of violence in society, with special emphasis on the importance of **conflict-prevention and conflict-management mechanisms, alternative dispute resolution mechanisms and**

other resolution mechanisms, and on the primordial **importance** of education, at all levels and for all sectors of society;

13. **Also urges** Member States to give attention to public awareness and to promote the **role of** information in crime prevention, and invites the Commission on Crime Prevention and Criminal **Justice** to consider requesting the Secretary-General, in collaboration with specialized **research centres** and experts, to prepare a manual for public awareness campaigns, to be used to guide States in formulating national public awareness **programmes**;

14. **Recommends** that Member States examine the cost-effectiveness of crime prevention measures and custodial and non-custodial sanctions;

15. **Further urges Member** States to adopt policies on the prevention of juvenile delinquency and to **enact**, where necessary, appropriate legislation on juvenile justice, taking into account the United Nations **Standard** Minimum Rules for the Administration of Juvenile Justice (Beijing **Rules**),<sup>10</sup> the United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines)” and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,” which are effective instruments for addressing juvenile delinquency and promoting juvenile justice;

16. Invites the Commission on Crime Prevention and Criminal Justice to call on the regional commissions of the Economic and Social Council, the institutes comprising the United Nations crime prevention and criminal justice programme network and other relevant entities to cooperate closely with each other in planning and implementing joint activities in the area of juvenile justice;

17. **Recommends** that Member States should establish where **necessary** local, regional and national bodies for crime prevention and criminal **justice**, with the active participation of the community, recognizing that the problem of urban violence and crime in all its forms and **manifestations** gravely impinges on community life;

18. **Calls on** Member States to consider allocating **necessary** resources or reallocating existing resources to facilitate the development., if necessary, of **local**, regional and national bodies to implement crime prevention measures;

19. **Recommends** that the fundamental rights of children and young persons in relation *to crime* prevention and criminal justice should be **reaffirmed**;

20. **Invites** the Commission on Crime Prevention and Criminal Justice to request the **Secretary-General**, within existing resources:

(a) To continue studying the effects of criminality in urban areas, the factors contributing to it and measures for its effective prevention, taking into consideration recent developments in **inter alia** sociology, child and adolescent psychology, health, criminology and technology, including environmentally sound planning, city planning and housing design;

(b) To organize seminars and training programmes to search for ways and means to prevent crime in urban and other areas;

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<sup>10</sup>**General** Assembly resolution **40/33**, annex, of 29 November 1985.

“General Assembly resolution **45/112**, annex, of **14** December 1990.

“General Assembly resolution **45/1** 13, annex, of 14 December 1990.

(c) To promote technical **cooperation projects** on the improvement of juvenile justice **systems, taking into account the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty.**<sup>13</sup>

## **2. International cooperation and practical assistance for strengthening the rule of law: development of United Nations model instruments**

*The **Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,***

*Recalling* that the General Assembly, in the statement of principles and **programme of action of the United Nations crime prevention and criminal justice programme, annexed** to its resolution **46/152** of 18 December 1991, established among *the goals of the programme, infer alia, the strengthening of regional and international cooperation in criminal justice, more efficient* and effective administration of justice, with **due** respect for human rights, and the promotion of the highest standards of **fairness, humanity, justice and professional conduct,**

*Calling attention* to the discussions at the Ninth United Nations Congress on the Prevention of Crime and the Treatment of **Offenders** on international cooperation and practical **technical** assistance for **strengthening** the rule of law, and in particular the discussions in the workshop on extradition and international cooperation, on specific problems in extradition and related forms of international cooperation and on methods of overcoming those problems, as well as on how extradition and other international cooperation should function, on general impediments to extradition and on how to balance extradition obligations against reasonable grounds for denial.

*Noting* that the United Nations model treaties on international cooperation in criminal matters provide an important tool for the development of international cooperation,

*Noting also* the important contribution of **intergovernmental and non-governmental organizations** to the promotion of bilateral and multilateral agreements on such international cooperation, including the recommendations adopted **by** the International Law Association at its sixty-sixth **conference,** held at Buenos **Aires, from** 14 to 20 August 1994, on extradition and human rights, by the **International Association of Penal Law** at its **fifteenth** congress, held at Rio de Janeiro, **Brazil, from** 4 to 10 September 1994, on the **regionalization** of international criminal law and the **protection** of human rights in international **cooperation** in criminal proceedings, and by the Ad Hoc Expert Group on Implementing Legislation to Foster Reliance on **Model Treaties,** which met **from** 18 to 21 **October** 1993 at Vienna,

*Noting further* the discussion of the workshop on the topic “Extradition and international cooperation: exchange of international experiences and implementation of relevant principles in national legislation”, organized within the framework of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of **Offenders,**

1. *Urges* the Commission on Crime Prevention and Criminal Justice to consider, subject to the availability of extrabudgetary **funds,** the convening of a meeting of an **intergovernmental** expert group to **examine practical recommendations for the further development and promotion** of mechanisms of international cooperation, including the United Nations model treaties on international cooperation in criminal matters as well as for the development of model legislation on extradition and related forms of international cooperation in criminal matters;

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“Ibid.

2. **Recommends** that the expert group should, in the light of the discussion of the workshop at the Ninth United Nations Congress, explore ways and means of increasing the **efficiency** of extradition and **related** mechanisms of **international cooperation in criminal matters**, having due regard to the **rule** of law and the protection of human rights, including, where appropriate, such **measures** as:

(a) **The provision** of technical assistance in the development of bilateral and multilateral agreements based on the United Nations model treaties and other sources; and

(b) **The drafting** of model legislation or **agreements** on international cooperation in criminal matters, alternative or complementary articles for existing model treaties, and articles for possible model multilateral **instruments**;

3. *Recommends* that a report on the implementation of the present resolution should be submitted to the Commission on Crime Prevention and Criminal Justice at its fifth session.

### **3. International instruments, such as a convention or conventions against organized transnational crime**

#### *The United Nations Ninth Congress on the Prevention of Crime and the Treatment of Offenders,*

*Recalling* General Assembly resolution **46/152** of 18 December **1991**, in which the Assembly approved the statement of principles and programme of action of the United Nations crime prevention and criminal justice **programme**, annexed to that resolution,

*Acknowledging with appreciation the* work of the World **Ministerial Conference on Organized Transnational Crime**, held at Naples **from 21** to 23 November 1994, in particular the debates *on* items **8 and 9** of its agenda, as well as its recommendations on the feasibility of international instruments, including conventions, against **organized transnational crime**,

*Also acknowledging with appreciation* the work of the International **Conference on Preventing and Controlling Money-Laundering and the Use of the Proceeds of Crime**, held at **Courmayeur**, Italy, **from 18** to 20 June **1994**, organized **by** the International Scientific and Professional Advisory **Council** of the United Nations Crime Prevention and Criminal Justice Programme **and** the Government of Italy, under the auspices of the Crime Prevention and Criminal Justice Branch of the United Nations **Office** at **Vienna**,

*Noting* regional initiatives in this field, such as those that have been conducted for many years and are being conducted by the Council of Europe, the European Union, the Financial Action Task Force, and the **Organization** of American States,

*Recognizing* the value of States developing regional instruments to strengthen cooperation among countries in their fight against money-laundering, taking into account the specific **features** of the phenomenon in the region **and** the **obstacles** that make a coordinated answer at the regional level **difficult**,

*Recognizing also* that it is highly desirable for all States to agree on ways to **maximize their cooperation** against organized crime so as to ensure greater **effectiveness** and flexibility **and to incorporate innovative modalities**, both substantive **and** procedural, in their **legislation**,

*Further recognizing* that elaborating international **instruments**, such as a convention or conventions, **could** make it possible for activities aimed at organized crime to be coordinated, resulting in **considerable** opportunities for successful action,

*Conscious* that such instruments could provide mutual benefits for all States,

1. **Invites** the Commission on Crime Prevention and Criminal Justice to give **priority** to initiating the **process called** for by the World Ministerial Conference on Organized Transnational Crime, Naples Political Declaration and Global Action Plan against **Organized** Transnational Crime,<sup>14</sup> by **requesting** the **views** of Governments on the opportunity of elaborating **new** international instruments such as a convention or conventions and on the issues and elements that could be covered therein. The Commission is also **requested** to consider whether it would **be** helpful to propose to Governments a list of issues or elements which might **be** dealt **with** in such instruments; possible examples for the Commission to consider **are** given in the annex to the **present** resolution;

2. **Requests** the Commission to ask the **Secretary-General** to give the necessary assistance to ensure the implementation **of** the present resolution.

#### *Annex*

### **MATTERS ON WHICH VIEWS MIGHT BE SOUGHT FOR CONSIDERATION AND POSSIBLE INCLUSION IN INTERNATIONAL INSTRUMENTS, SUCH AS A CONVENTION OR CONVENTIONS, AGAINST ORGANIZED TRANSNATIONAL CRIME**

If the responses of Member States and the decision of the Commission on Crime Prevention and Criminal Justice were to be favourable to elaboration of new international instruments, such as a convention or conventions, the following matters are examples which might be considered for inclusion **in such an** instrument or instruments, as well as **others** which might be suggested by **Governments, to the extent that they would not interfere** with the effectiveness of existing **arrangements**:

- (a) Problems and dangers posed by organized crime;
- (b) National legislation dealing with organized crime and guidelines for legislative and other measures;
- (c) International **cooperation at the investigative, prosecutorial and judicial levels**;
- (d) Modalities and guidelines for international cooperation at the regional and international levels;
- (e) **Feasibility of various types of international instruments, including conventions, against organized transnational crime**;
- (f) Prevention and control of money-laundering and control of the proceeds of crime;
- (g) Follow-up and implementation mechanisms.

#### **4. Links between terrorist crimes and transnational organized crime**

*The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,*

Aware of the increasing danger of links between terrorist **crimes** and **organized** crime as these phenomena continue to expand rapidly throughout the world and to assume new forms and dimensions, at the national and international levels,

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<sup>14</sup>A/49/748, chap. I. A, para. 34.

**Recognizing** that there are similarities between **organized** crime and terrorist **crimes as reflected** in their transnational nature and illicit methods, with their use of physical force, plundering of property, extortion, kidnapping, forgery and falsification, illicit trafficking in **arms** and in drugs, illicit transactions and **money-laundering**,

*Deeply concerned* by the threats posed by such crimes to national and international security and **stability**, democracy, the rule of law, the enjoyment of human rights and economic and social development,

**Confirming** the recommendations embodied in the Milan Plan of **Action**,<sup>15</sup> adopted by **the** Seventh United Nations Congress on the Prevention of Crime and the Treatment of **Offenders**, on giving priority to the **fight** against terrorism in all its forms and on launching major efforts to control and **eventually** eradicate **the phenomenon** of organized crime,

*Taking into consideration* the resolution on organized **crime**<sup>16</sup> adopted by the Eighth United Nations **Congress** on the Prevention of Crime and the Treatment of **Offenders**, in which the Eighth Congress expressed its concern at the alarming **threat** and acknowledged gravity of the **offences** committed **by** organized crime, especially terrorism, drug **trafficking**, traffic in **arms** and persons, and **offences** against **ecosystems and** cultural **property**,

**Recalling** General Assembly resolutions **48/122** of 20 December 1993 and **49/185** of 23 December 1994,

**Recalling** also the Vienna Declaration and Programme of Action adopted by the World **Conference** on Human Rights, held at Vienna **from** 14 to 25 June 1993,

**Taking** into consideration that the Economic and Social Council, in section III of **its** resolution 1994/19 of 25 July 1994, invited the Ninth Congress to consider **terrorist** crimes,

*Referring* to the Naples Political Declaration and Global Action Plan against **Organized Transnational Crime**," in which the World Ministerial Conference on Organized **Transnational** Crime, held at Naples, Italy, from 21 to 23 November 1994, expressed its determination to join forces against the expansion and diversification of organized transnational crime, noting **with** grave concern links between organized transnational crime and terrorist crimes, and to direct particular efforts to counter the **ability** of criminal organizations to use violence and terror,

*Taking into consideration* **the** Declaration on Measures to Eliminate International Terrorism adopted by the General **Assembly** in its resolution **49/60** of 9 December 1994, according to which the States **Members** of the United Nations **solemnly reaffirmed** their unequivocal condemnation of all acts, methods and practices of terrorism, as criminal and unjustifiable **whenever** and **by** whomever committed,

*Recognizing* the seriousness of the links between transnational organized crime **and** terrorist crimes, **which** necessitates preventive and effective measures, in conformity with the principles of **international law**,

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<sup>15</sup>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**), chap. 1, sect. A.

<sup>16</sup>See *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. 1, sect. **C.15**.

<sup>17</sup>**A/49/748**, annex, chap. 1, sect. A.

1. ***Unequivocally condemns*** organized crime and terrorist crimes, as well as their various **forms**, aspects and practices, wherever they are committed and whoever their perpetrators may be, and **considers them to be crimes which may aim at the destruction of** human rights, fundamental freedoms and democracy, **threaten the territorial integrity and** security of States, destabilize legally constituted Governments, undermine **pluralist civil society and have adverse consequences on** the economic and social development of States;

2. ***Calls upon States*** to take effective national measures, as **required**, in accordance with the principles of international law in the areas of legislation, investigation and law enforcement, in order to ensure the prevention and suppression of terrorist crimes and transnational organized crime;

3. ***Urges*** States to enhance international cooperation, taking into account the various legal systems, in accordance with universally recognized human rights standards and the principles of **international** law, for the sake of combating terrorist crimes **and** transnational organized crime and their **links**;

4. ***Calls upon*** States to cooperate, to exchange technical information and to share experiences in **combating the** use of the proceeds of crime, in particular organized crime, for financing **terrorist** crimes and to cooperate in the legal and judicial fields, particularly with **regard** to the extradition of offenders, by means of bilateral, regional or international conventions or other arrangements between States concerned;

5. ***Invites*** the Commission on Crime Prevention and Criminal Justice to call upon institutes **and centres** for crime prevention and criminal justice to devote the **required** attention to studying the links between **transnational organized crime** and terrorist crimes, their effects, and appropriate means for countering them;

6. ***Invites*** the Commission to request the competent United Nations bodies to collect information on the **links** between transnational organized crime and terrorist crimes and to coordinate their activities and to facilitate the access of States to such information;

7. ***Invites*** the Commission to establish an open-ended intergovernmental working group, within its Framework, to consider measures for combating transnational organized crime, with due regard to the growing danger of links with terrorist crimes, with the aim of drafting a code of conduct or other legal instrument; such a working group would report to the Commission on its work;

8. ***Recommends*** that the Commission include on the agenda of the Tenth United Nations **Congress** on the Prevention of Crime and the **Treatment** of Offenders an item entitled "The links between transnational organized crime and terrorist crimes".

## 5. Practical implementation of the Standard Minimum Rules for **the** Treatment of Prisoners

### *The Ninth United Nations Congress on the Prevention of Crime and the Treatment of **Offenders**,*

***Bearing in mind*** the long-standing concern of the United Nations for the humanization of criminal justice systems in general and prison systems in particular,

***Recognizing*** that the Standard Minimum Rules for the Treatment of Prisoners," adopted by the **First** United Nations Congress on the Prevention of Crime and the Treatment of **Offenders**, are an important guideline to the development of penal policies and practices,

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<sup>18</sup>See *Human Rights: A Compilation of International Instruments* (United Nations publication, Sales No. E.88.XIV.1), sect. G.

*Considering* the concern of previous United Nations **congresses** on the prevention of crime and **the** treatment of offenders regarding the various obstacles that prevent due implementation of the **Standard Minimum Rules**,

*Recalling* the resolutions of previous congresses **on** the position of prisoners, in particular **the** resolution on the status of prisoners<sup>19</sup> and the resolution on human rights for **prisoners**,<sup>20</sup> adopted by the **Seventh** United Nations **Congress** on **the** Prevention of Crime and the Treatment of Offenders, and **General Assembly resolution 45/111** of 14 **December** 1990, on the Basic Principles for the Treatment of Prisoners, adopted on the recommendation of the Eighth United Nations Congress on the Prevention of Crime and the Treatment of **Offenders**,

*Recalling Economic and Social Council resolution 1994/18 of 25 July 1994, on United Nations standards* and norms in crime prevention and criminal justice, adopted on the **recommendation** of the Commission on Crime Prevention and Criminal Justice, in which the Council endorsed the questionnaire on the Standard Minimum Rules for the Treatment of Prisoners,

*Stressing the importance* of **the** international exchange and dissemination of information and views on the practical operation of prison systems, not only among Governments but also among **professional** organizations, scientific institutions, non-governmental organizations and the public at large,

*Being aware* of the need to make prison administrations respond to forms of governmental, judicial or other supervision,

*Believing that* due implementation of the Standard Minimum Rules for the Treatment of Prisoners would be **further facilitated** by making widely available to the prison administrations of Member States a practical manual on the interpretation and application of the Standard Minimum Rules,

*Taking note with appreciation* of the work that has been carried out by Penal Reform International to that end in preparing a manual entitled **Making Standards Work**,

1. **Invites** Member States:

(a) To respond, if they have not yet done so, as a matter of urgency to the questionnaire on the Standard Minimum Rules for the Treatment of Prisoners;

(b) To exchange views on improving prison conditions and to strengthen their cooperation in that **area**;

(c) To share **information**, in accordance with national legislation, regarding practical conditions in penal institutions with the public at large, **professional** organizations, scientific institutions, and relevant non-governmental organizations;

(d) To stimulate and support studies of prison systems undertaken by the academic world and non-governmental organizations;

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<sup>19</sup>See *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-4 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. **E.86.IV. I**), chap. I, sect. E. 10.

<sup>20</sup>*Ibid.*, sect. E. 17.

(e) To enhance **transparency in prison** systems and their functioning by providing ways and means of monitoring *them* by **independent national bodies**, such as judicial supervision or parliamentary **control**, duly authorized independent complaint commissions or an ombudsmen;

2. **Invites** the Commission on Crime Prevention and Criminal Justice to keep the matter of **prison conditions** under **regular** review and, in particular, recommends that the open-ended in-session working group on **United Nations** standards and norms in crime prevention and criminal justice should discuss, at the fourth session of the **Commission**, the establishment of efficient information-gathering mechanisms to that end, **taking into account** the forthcoming results of the United Nations survey on the use and application of the Standard Minimum Rules for the Treatment of Prisoners;

3. **Invites** the Commission on Crime Prevention and Criminal Justice to consider distributing the manual prepared by Penal **Reform** International among Member States of the **United Nations** for their use and consideration and to **seek** their advice with a view to the preparation of a subsequent version of the manual, to be considered by the Commission.

## 6. Criminal justice management in the context of accountability of public administration and sustainable development

### *The Ninth United Nations Congress on **the Prevention of Crime and the Treatment of Offenders**,*

*Bearing in mind* that criminal justice administrators should be answerable for their **performance** in the criminal justice system and **that** all administrators are responsible for humane and efficient criminal justice operations,

*Bearing in mind also* that criminal justice management is a part of public administration accountable to the public at large,

*Emphasizing* that criminal justice operations should be part of a policy of sustainable development of resources that includes ensuring justice and the **safety** of citizens,

*Recalling* the statement of principles and programme of action of the United Nations crime prevention and criminal **justice programme**, annexed to General Assembly resolution **46/152** of 18 December 1991, which stipulates that in determining areas of priority of the **programme**, consideration should be given to, *inter alia*, empirical evidence, including research **findings** and other information on the nature and extent of crime and on **trends** in crime,

*Recalling* General Assembly resolution **45/109** of 14 December 1990, on **computerization** of criminal justice, in which the Assembly requested the **Secretary-General** to establish an **international group** of experts that would, *inter alia*, review and assess national experiences in the computerization of criminal justice,

*Recalling* the resolution entitled "Management of criminal justice and development of sentencing policies" adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of **Offenders**,<sup>21</sup>

*Considering* the importance of the clearing-house functions of the Crime Prevention and Criminal Justice Branch of the **Secretariat**, as emphasized by the Economic and Social Council in its resolutions 1992/122,

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<sup>21</sup>See *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.19.

section I, of 30 July 1992 and **1993/34**, section IV, of 27 July 1993 and by the Commission on Crime Prevention and Criminal Justice in its resolution **3/3** of **5 May 1994**,

**Conscious** of the ever-changing nature of criminal activities, including new ways and means of committing and concealing criminal acts, and of the difficulties encountered by criminal justice systems in dealing with those activities, particularly in detecting and preventing **such acts, in the context of** rapidly developing **information** technology, including computerized international networking and data handling, which provide opportunities for the abuse of privacy,

**Recognizing** that modern types and forms of criminality present **a challenge** to the traditional legislative and administrative, including statistical, framework of criminal justice operations and call for modern data automation projects that **facilitate** system-wide administration,

**Aware** that the present legislative and operational capabilities of the United Nations crime prevention and criminal justice programme lag behind the challenges **posed** by the ever-growing sophistication, organization and internationalization of crime,

**Alarmed** by the fact that the various new **forms** of crime that have spread throughout Europe are not limited by borders of States or continents,

**Convinced** that global economic, political and legal transformations call for new modalities for the exchange of experiences and information in criminal justice management with a view to providing a basis for sustainable development,

**Realizing** that the openness of criminal justice administrators to managerial innovations in other States, with due regard to the legal, social and cultural specificity of each jurisdiction, may help to alleviate the common problem of dealing with new forms of crime resulting from a more dynamic movement of peoples and ideas, regionally and interregionally,

**Mindful** of the role of the United Nations Crime and Justice Information Network as a viable tool for the exchange of information in the context of changing **patterns** and forms of crime, criminal justice operations and crime **prevention** strategies,

1. **Calls upon** Member States to intensify their efforts to exchange experiences and innovations in criminal justice operations by bringing to the attention of **top-level** and middle-level decision makers the benefits of cross-national analyses of developments in crime and justice at the global, regional and national levels in a practical manner,

2. **Encourages Member** States, intergovernmental organizations and non-governmental **professional** organizations to include in their **programmes** of work developmental projects that deal with criminal justice management issues in a more comprehensive manner, taking into consideration accountability and sustainability;

3. **Welcomes** in this context projects dealing with global trends in conventional and **transnational** crime and justice issues, including the development of the United Nations Crime and Justice **Information** Network, which are being implemented pursuant to the Economic and Social Council resolution **1992/22**, section I;

4. **Invites** Member States and intergovernmental and non-governmental organizations to contribute to the further development of the United Nations Crime and Justice Information Network, that being one of the ways to promote a more dynamic and **efficient** exchange of criminal justice information within the international community;

5. **Urges** Member States, relevant intergovernmental and non-governmental organizations to become active members of the United Nations Crime and Justice Information Network by mobilizing **expertise**, material and other resources in order to make its services more responsive to evolving information **needs**;

6. **Requests** the Commission on Crime Prevention and Criminal Justice, to review the **membership** and databases of the United Nations Crime and Justice Information Network, with a view to **increasing the** participation in the Network of **Member** States, relevant intergovernmental and **non-governmental** organizations, and academic and other **research** institutions;

7. **Requests the** Commission on Crime Prevention and Criminal Justice, when taking **forward the** present resolution, to take account of work already being **carried** out in the United Nations and other **international** organizations, such as the Council of Europe, in comparing national crime and criminal **justice** **databases**.

8. **Requests** developed countries to promote the broader participation of developing countries and countries **in** transition in the United Nations Crime and Justice Information Network by **offering** them assistance in:

(a) Reviewing data and other information needs in their criminal justice operations with a view to making those operations a more accountable part of public administration;

(b) Financing the training of criminal justice and technical **staff** involved **in** collecting, providing and disseminating data and other information to be included in national criminal justice statistical databases and in the United Nations Crime and Justice Information Network, and

(c) Organizing study tours, donating computer equipment and programs, and covering telecommunication expenses;

9. **Requests** the . Commission on Crime Prevention and Criminal **Justice** to consider the establishment of an ad hoc expert group on statistical and computerized criminal justice applications to advise the Commission, through the **Secretary-General**, on related technical cooperation projects, including their funding by the public and private sectors;

10. **Requests** the Commission on Crime Prevention and Criminal Justice to consider improving the management and information functions of the Crime Prevention and Criminal Justice Branch of the Secretariat and other elements of the United Nations crime **prevention** and criminal justice programme to reflect the resolve of the international community to pursue the programme priorities determined in **accordance with the** statement of principles and programme of action of the **programme**, annexed to General Assembly resolution **46/1** 52;

11. **Requests** the Commission on Crime Prevention and Criminal Justice to consider asking the Secretary-General to prepare for the consideration of the Commission a model plan on criminal justice management, commensurate with the priorities of the United Nations crime prevention and criminal justice programme, and to report to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the implementation of that action plan.

## **7. Children as victims and perpetrators of crime and the United Nations criminal justice programme: from standard setting towards implementation and action**

*The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,*

*Bearing in mind* the Convention on the Rights of the Child,” the Declaration on the Rights of the Child,<sup>23</sup> the United Nations Standard Minimum Rules for the Administration of Juvenile Justice,<sup>24</sup> the United Nations Guidelines for the Prevention of Juvenile Delinquency,” and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,<sup>26</sup>

*Recognizing that children* should enjoy the guarantees, protection and benefit of all human rights recognized in various United Nations instruments, including the Universal Declaration of Human Rights,<sup>27</sup> the International Covenant on Economic, Social and Cultural Rights,” the International Covenant on Civil and Political Rights,<sup>28</sup> the Convention on the Elimination of All Forms of Discrimination against Women, the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child,

*Noting* that the Convention on the Rights of the Child had been ratified by 174 States as of 21 April 1995,

*Also noting the* recommendations of the expert group meeting on children and juveniles in detention: application of human rights standards, pursuant to Commission on Human Rights resolution 1993/80, held at Vienna from 30 October to 4 November 1994.

*Strongly condemning* all forms of violence against children and all other violations of their human rights,

*Emphasizing that* the protection of human rights is a significant consideration within the criminal justice system as a whole, and particularly with regard to children,

*Welcoming* the role of specialized agencies, non-governmental organizations and the community at large in promoting greater public awareness and more effective action aimed at preventing violence against children, *infer alia*, by drawing attention to the nature, severity and magnitude of violence against children and by assisting children who are victims of violence,

*Recognizing* the need for a continuing exchange of information between the various bodies entrusted with the tasks of preventing and combating violence against children,

*Convinced that* strengthened cooperation at the local, national, regional and international levels is needed to protect children, particularly from becoming victims of crime,

1. *Reaffirms* the importance of the full implementation of all relevant United Nations human rights instruments in the administration of justice, in particular with regard to children, and the effective use and application of United Nations juvenile justice standards and norms;

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“General Assembly resolution, 44/25, annex, of 20 November 1989.

<sup>23</sup>General Assembly resolution 1386(XIV) of 20 November 1959.

“General Assembly resolution 40/33, annex, of 29 November 1985.

<sup>25</sup>General Assembly resolution 45/1 12, annex, of 14 December 1990.

“General Assembly resolution 45/1 13, annex, of 14 December 1990.

“General Assembly resolution 217 A(III) of 10 December 1948.

“General Assembly resolution 2200 A(XX1) of 16 December 1966.

2. Recommends that the Commission on Crime Prevention and Criminal Justice invite the Secretary-General to consider ways of elaborating a programme of action aimed at promoting the effective use and application of those instruments, standards and norms, giving due regard to the work accomplished within the Commission on Human Rights, and in cooperation with the United Nations High Commissioner for Human Rights, the United Nations Children's Fund and other agencies and organizations concerned, within existing resources;
3. **Calls upon** States to support the United Nations crime prevention and criminal justice programme in developing initiatives, approved by the Commission on Crime Prevention and Criminal Justice, to promote universal recognition and effective use and application of these instruments, standards and norms in the administration of justice, in particular with regard to children;
4. **Also calls upon States** to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources, to ensure the effective use and application of those instruments, standards and norms at the national level;
5. **Calls upon** all States to give due regard to the special situation of children in order to render measures for crime prevention effective;
6. **Recommends** that the Commission on Crime Prevention and Criminal Justice consider integrating United Nations standards and norms on juvenile justice into the current process of information-gathering;
7. **Urges** States that are not yet parties to the Convention on the Rights of the Child to become parties to it and urges States that are parties to it to consider withdrawing those reservations that are incompatible with the object and purpose of the convention on the Rights of the Child and particularly those relevant to the issue of violence against children. Countries which are parties are urged to submit their reports to the Committee on the Rights of the Child in a timely manner;
8. **Recommends** that States, in a manner consistent with the procedural rules of national law and the administration of justice, with regard to children, should enable children to participate, as appropriate, in criminal justice proceedings, including the investigative stage and throughout the trial and post-trial process period, to be heard and given information about their status and any proceedings that might subsequently take place;
9. **Requests** the Commission on Crime Prevention and Criminal Justice to invite the Secretary-General to continue including in the various advisory services and technical assistance programmes specific arrangements for technical assistance in the field of criminal justice and the administration of justice, with regard to children. Such assistance may include technical advice in law and criminal justice reform, including the promotion of alternative measures, such as alternatives to custody, diversionary programmes, alternative dispute resolution, restitution, family conferences and community services;
10. **Recommends** to the Commission that technical cooperation programmes in the field of administration of justice with regard to children should entail appropriate evaluation and follow-up procedures and that United Nations regional institutes, the United Nations Children's Fund, other relevant United Nations bodies, national institutions and non-governmental organizations should be involved as appropriate;
11. **Invites** States, in cooperation with the relevant United Nations bodies and institutions, to develop multidisciplinary training, taking into account national and international instruments, standards and norms with respect to juvenile justice and human rights for law enforcement personnel and other professionals concerned with children. Training should further include information on child development, improving communication with children, increasing knowledge on available facilities for their treatment and rehabilitation of child victims and offenders;

12. *Recommends* that States ensure that all **structures, procedures** and **programmes** in the **administration of justice with regard to child offenders should promote** assistance to allow children to take **responsibility for their actions and to encourage, *inter alia***, reparation, mediation and restitution, especially for the direct victims of the crime;

13. *Calls upon* States to explore measures to ensure compliance with the principle **that the deprivation of liberty should only be used as a measure of last resort and for the shortest appropriate period of time, both before trial and after conviction, bearing in mind the high rate of children on remand and the considerable amount of time they must often spend in custody;**

14. *Recommends* that States, together with national and international organizations, explore means **to foster the independent monitoring** of juvenile detention and other custodial facilities, specifically the **conditions under which children** are deprived of their liberty, focusing on, *inter alia*, access of relatives, public **institutions, other** duly **authorized** persons and organizations, including non-governmental organizations, to such facilities, the problem of overcrowding, educational and vocational training, the amount of physical exercise and other activities and the **frequency** and seriousness of physical and sexual assault and self-inflicted injuries and suicide;

15. *Calls upon* all States, as well as intergovernmental bodies and non-governmental organizations, in accordance with the Convention on the Rights of the Child and taking into consideration the United Nations Guidelines for the Prevention of Juvenile Delinquency, to take all possible steps to eliminate violence against children, including in the family, whether such violence is perpetrated or condoned by the State or by individuals;

16. *Urges* States and relevant international bodies to promote research, **collect** data and compile statistics relating to the extent and incidence of different **forms** of violence against children, including the phenomenon of their exploitation and of their use as instruments in criminal activities, and to encourage research on their causes, nature, seriousness and consequences and on the effectiveness of measures implemented to prevent and redress such violence;

17. *Also urges* States to study and exchange information on the extent to which the experiences of violence **suffered** by children contribute to their subsequent criminal or deviant behaviour and/or mental health problems;

18. *Urges* States to develop and implement prevention and early intervention and treatment **programmes** for perpetrators and victims to treat all effects of violence, in order to seek to put an end to the cycle in which abusive behaviour is transmitted from generation to generation;

19. *Further urges* States, in order to eliminate all **forms** of violence against **children**, to adopt, in the absence of existing laws, initiatives including:

- (a) Legislation to impose **effective** sanctions on **perpetrators** of acts of violence against children;
- (b) Measures to reduce the wrong suffered by children who are subjected to violence;
- (c) Measures to facilitate the in-court proceedings of child victims of violence and provisions for assistance services for child witnesses and victims;
- (d) Measures to investigate properly acts of violence against children;
- (e) Measures to prohibit the sexual abuse and exploitation of children, including the exploitation of **children for the purpose of prostitution;**

(f) Measures to prohibit traditional practices prejudicial to the health of children, including **female genital mutilation**;

(g) Measures to prohibit, in accordance with national legal **systems**, the production, **possession**, distribution and import of pornographic material involving children;

(h) Intervention programmes and treatment services **to modify**, always taking **into consideration their** human rights, the behaviour of **offenders** and at the same time ensuring the safety of **children** subjected to violence;

(i) Legislation to regulate the acquisition (with emphasis on safeguards concerning **the furnishing** by adults of **firearms** to children), **the** storage in the home and use of **firearms**;

(j) **Measures** to facilitate education in positive and non-violent child-rearing practices.

20. Further urges States to ensure that **children** subjected to violence have access to assistance that meets their needs, such as, *inter alia*, access to support **services**, including legal assistance, to economic assistance, to **counselling** and to health and social **services** in order to promote their **safety** and physical and psychological recovery and social reintegration;

21. **Further urges** States to develop programmes in schools that promote non-violence, mutual **respect** and tolerance and programmes that enhance students' self-confidence and **self-esteem** and that teach students how to resolve their conflicts in a peaceful **manner**;

22. **Requests** States to promote and support public education and information activities to heighten public awareness of violence against children and of its criminal nature;

23. **Urges** States to invite, while respecting the **freedom** of the media, the media, media associations, media self-regulatory bodies, schools and other relevant partners to consider developing appropriate measures and mechanisms such as public education about the media, public awareness campaigns, codes of **ethics** and self-regulatory **measures** on media violence to contribute to **the** eradication of violence against children and to **enhance** respect for their dignity, by discouraging the **perpetuation** of pro-violence values;

24. **Requests** States to cooperate at the international level, through the **use** of bilateral, regional or **multilateral** mechanisms, in enforcing legislation on violence against children;

25. **Invites** States to examine **ways**, consistent with their national legal systems, of ensuring that prosecution of **illicit traffic** in children and other violent acts against them, including sexual exploitation of children for commercial purposes, committed abroad by one of their nationals, is not prevented by gaps in international cooperation and that **these** acts are **effectively** sanctioned;

26. **Invites the** Commission to initiate the **process** of requesting the views of States regarding the process of elaborating an international convention on the illicit **traffic** in children, which may embody **necessary** elements to **efficiently** combat this form of **transnational** organized crime;

27. Urges States to take effective action to **protect** children from violence in situations of armed conflict, including such forms of violence as murder, torture, rape, sexual slavery and forced pregnancy, by making every effort, *inter alia*:

(a) To ensure respect for international humanitarian law, as well as international human rights instruments; and

(b) To ensure that children subjected to violence in situations of armed conflict **have** safe and timely access to **assistance** by **humanitarian organizations**;

28. **Requests** the Commission on Crime Prevention and Criminal Justice to invite the Secretary-General to consider publishing and widely distributing the draft United Nations manual on juvenile justice, when it has been finalized, by the United Nations Crime Prevention and Criminal Justice Branch of the Secretariat, in cooperation with the Centre for Human Rights, the United Nations Educational, Scientific and Cultural Organization, the Committee on the Rights of the Child and the United Nations Children's Fund;

29. **Also requests** the Commission to ensure that Strategies for Confronting Domestic Violence: a Resource Manual, which is based on a draft prepared by the Government of Canada, in cooperation with the Crime Prevention and Criminal Justice Branch of the Secretariat and the European Institute of Crime Prevention and Control affiliated with the United Nations, and currently available in English only, is published in the other official languages of the United Nations, subject to the availability of regular budgetary or extrabudgetary funds;

30. **Further requests** the Commission to invite the Secretary-General to enhance inter-agency cooperation within the United Nations system in the field of the administration of justice with regard to children by, *inter alia*, ensuring regular meetings, both at United Nations Headquarters and at the regional and national levels, including the United Nations Children's Fund, the United Nations Development Programme, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the Office of the United Nations High Commissioner for Refugees, the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch, as well as the Committee on the Rights of the Child and the special rapporteurs concerned;

31. **Recommends** that the in-session working group of the Commission, at its fourth session, should seek ways to develop and undertake practical activities, including training, research and advisory services, to achieve the goal of preventing and eradicating violence against children;

32. **Recommends** that the Commission consider making the elimination of violence against children one of the priorities to guide the work of the United Nations crime prevention and criminal justice programme in the biennium 1996-1997 and recommends that the work in that area should be undertaken in close collaboration, *inter alia*, with the United Nations Children's Fund, the Commission on Human Rights, the Committee on the Rights of the Child, the United Nations Educational, Scientific and Cultural Organization and the Office of the United Nations High Commissioner for Refugees;

33. **Also recommends** that the Commission request the Secretary-General to submit a report on the implementation of the present resolution to it at its sixth session.

## 8. Elimination of violence against women

*The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,*

**Welcoming** the proclamation by the General Assembly, in its resolution 48/104 of 20 December 1993, of the Declaration on the Elimination of Violence against Women,

**Recognizing** that women are entitled to guarantees, safeguards and benefits of all human rights affirmed in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Declaration on the Elimination of Violence against Women and other international human rights standards,

**Also recognizing that violence** against women both violates human rights and fundamental freedoms and impairs or nullifies the enjoyment by women of these rights and freedoms, and concerned about the long-standing failure to protect and promote those rights and **freedoms**,

**Also recognizing** that the effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly in its resolution **34/180** of **18** December 1979, contributes to the elimination of violence against women and that the **Declaration on the Elimination of Violence against Women** strengthens and complements **this** process,

**Strongly condemning** all forms of violence against women as **set** out in the Declaration on the Elimination of Violence against Women,

**Bearing in mind** that article 4 of the Declaration on the Elimination of Violence Against Women states that customary, traditional and religious considerations should not be invoked by States to avoid their obligations with respect to the elimination of violence against women,

**Recalling** that the World Health Assembly, in its resolution WHA **47/10** of 10 May 1994, entitled "Maternal and child health and family planning: Traditional practices **harmful** to the health of women and children", urged all Member States to establish national policies and programmes that would effectively, and with legal **instruments**, abolish female genital mutilation, child-bearing before biological and social maturity, and other **harmful** practices affecting the health of women and children,

**Looking forward** to the Fourth United Nations World Conference on Women: Action for Equality, Development and Peace, to be held at Beijing from 4 to **15** September 1995,

**Concerned that** violence against women remains an obstacle to the achievement of equality, **development** and peace, as recognized in the Nairobi Forward-looking Strategies for the Advancement of **Women**,<sup>29</sup> and to the full implementation of the Convention on the Elimination of All Forms of Discrimination **against** Women,

**Noting with appreciation** the Vienna Declaration and Programme of Action, **adopted by the World Conference** on Human Rights, held at Vienna from 14 to 25 June 1993, **and its confirmation that women's** rights are an inalienable, integral and indivisible part of human rights, as well as **its affirmation** that **gender-based** violence and all forms of sexual harassment and exploitation are incompatible with the dignity and **worth** of the human person, and must be eliminated,

**Recalling** the adoption by the Seventh and Eighth United Nations Congresses on the Prevention of Crime and **the** Treatment of Offenders of resolutions on domestic violence and their subsequent **adoption by the** General Assembly in its resolutions **40/36** of 29 November 1985 and **45/14** of 14 December 1990,

**Recalling** Commission on Human Rights resolution **1995/85** of 8 March 1995, **concerning** the elimination of violence against women, in which the Commission, *inter alia*, **condemned all acts of** gender-based violence against women,

**Welcoming the** appointment by the Commission on Human Rights, in its **resolution 1994/45**, of the Special **Rapporteur on Violence** against Women,

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<sup>29</sup>**Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26** July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

*Recalling Economic and Social Council resolution 1993/26 of 27 July 1993*, on violence against women in all its forms,

*Recalling also* Commission on Crime Prevention and Criminal Justice resolution 3/1, on violence against women and **children**, which was adopted at its third session, in 1994,

*Noting with appreciation* the **Programme** of Action of the United Nations International Conference on Population and Development, held at Cairo from 5 to 13 September 1994,

*Believing* it is important that crime prevention measures be instituted and that effective measures be imposed upon, and treatment be provided, where appropriate, to **perpetrators** of violence against women,

*Alarmed* by acts of sexual violence directed notably against women during periods of armed **conflict**, as stated in the declaration of the International Conference for the Protection of War Victims, held at Geneva from 30 August to 1 September 1993, and reiterating the concerns expressed in the declaration that such acts constitute grave breaches of international humanitarian law,

*Welcoming* the role of non-governmental organizations, women's **groups** and community agencies in addressing and working towards the elimination of violence against women, in particular in drawing attention to the nature, **severity** and magnitude of violence against women and in assisting women who are victims of **violence**,

*Expressing deep concern* about the high social, health and economic costs to the individual and society that are associated with violence against women,

*Emphasizing that* the protection of human rights is a significant consideration within the criminal justice system as a whole,

*Concerned about* the particular vulnerability of women accused of criminal activities to human rights violations following their arrest and during their detention,

*Bearing in mind* that, although violence against women occurs in all parts of society, some groups of women **are** particularly vulnerable to violence,

*Strongly condemning* all violations of the human rights of women,

1. *Urges* Member States, in order to eliminate all forms of violence against women, to adopt, **in** the absence of existing laws, initiatives including:

(a) Laws to prohibit and respond to acts of violence against the person, particularly **those** in which women may be victims;

(b) Laws, enforcement practices and policies that take into account the diverse realities of women, in order to prevent victimization of women; to ensure their safety and fair treatment, if they are **victimized**; and to encourage the voluntary reporting by women of acts of violence against them to the appropriate authorities;

(c) Measures to prevent, prohibit, eliminate and impose effective sanctions against rape or sexual assault, sexual abuse and **all** practices harmful to women and girl children, including female genital mutilation;

(d) Legal and administrative measures to prohibit or restrain persons **from** harassing, intimidating, damaging the property of or threatening women or their families or using any method that harms or endangers their lives or integrity;

(e) Legislation to regulate the acquisition, storage in the home and use of firearms;

2. *Invites* Member States to examine ways consistent with their domestic law and national **legal** systems of ensuring that the prosecution of illegal acts concerning **traffic** in human beings and exploitation of the prostitution of others, committed abroad by one of their **own** nationals, is not hindered by gaps in international law **or** cooperation and that those acts are effectively sanctioned;

3. *Also* urges Member States to enforce their laws relating to violence against women, in particular to apply them with due diligence to prevent and investigate acts of violence against women, whether those acts are **perpetrated** by the State or by private persons;

4. *Further urges* Member States to take appropriate measures to eliminate violence against women in detention;

5. *Further urges* Member States to promote the access by women subjected to violence to assistance that meets their needs - inter *alia*, access to the mechanisms of justice, restitution, reparations or other just and effective remedies, to adequate and safe housing and shelters for women and children, to support services, to assistance in child care, to economic assistance, to **counselling**, and to health and social **services**, in order to promote their **safety** and physical and psychological healing;

6. *Further urges* Member States to consider developing consultation mechanisms to promote the involvement and the possibility of participation of women, in particular of women's quality-seeking organizations, in decision-making processes concerning crime prevention and criminal justice;

7. *Further* urges Member States to consider developing specific measures, including **programmes** and services, to permit the views of women who are victims of violence and, **where** permitted by domestic law, their quality-seeking organizations to be taken into account during pre-trial and criminal trial proceedings;

8. *Further* urges Member States to develop intervention **programmes** and treatment services, in accordance with human rights and fundamental **freedoms**, in order to **modify** the attitudes and behaviour of **perpetrators** while ensuring the **safety** of women subjected to or in danger of being subjected to violence;

9. *Further urges* Member States to promote multidisciplinary training and educational and information-sharing activities to sensitize law **enforcement officials**, judges, **prosecutors**, lawyers, **correction officers** and other justice personnel as well as those in other relevant professions, such as health care and education, to problems related to violence against women;

10. *Further* urges Member States to promote and support public education and information activities to ensure gender equality, heighten public awareness of violence against women and of its criminal nature and to assist in preventing all forms of violence against women;

11. *Further urges* Member States to study and exchange information on how the experiences of **persons** subjected or exposed to violence against women may be related to subsequent violent **behaviour**;

12. *Further* urges Member States to promote research, **collect** data and compile statistics on a gender **disaggregated** basis on the various forms of violence against women and to **encourage research** on the causes, nature and **seriousness and** consequences of violence against women, including **the** possible connection between acts of violence against women and pornography, and on the effectiveness of measures implemented to prevent and redress such violence;

13. *Requests* Member States to cooperate at the international level, by using bilateral, regional or multilateral mechanisms, including extradition and mutual assistance in criminal matters, that will support their efforts to enforce their legislation addressing violence against women;

14. **Urges** Member States, while respecting the freedom of the media, to invite the media, media associations, media self-regulatory bodies, schools and other relevant partners to consider developing appropriate measures and mechanisms such as public education about the media, public awareness campaigns, codes of ethics and self-regulatory measures on media violence to contribute to the eradication of violence against women and to enhance respect for their dignity by discouraging the perpetuation of pro-violence values and the stereotyping of women;

15. **Also urges** Member States to take special account of women's vulnerability to violence in situations of armed conflict, including murder, torture, rape and systematic rape, sexual slavery and forced pregnancy, by, *inter alia*:

(a) Observing international humanitarian law and the minimum standards for human rights set forth in international human rights instruments;

(b) Ensuring that women subjected to violence during, or when escaping **from**, armed conflict have **safe** and timely access to assistance by humanitarian organizations;

(c) Imposing stringent sanctions on the perpetrators of such violence;

16. **Requests the** Commission on Crime Prevention and Criminal Justice to **ensure** that *Strategies for Confronting Domestic Violence: a Resource Manual*, which is based on a draft **prepared** by the Government of Canada, in cooperation with the Crime Prevention and Criminal Justice Branch of the Secretariat and with the European Institute for Crime Prevention and Control, **affiliated** with the United Nations, and currently available in English only, is published in the other official languages of the United Nations, subject to the availability of regular budgetary or **extrabudgetary** funds;

17. **Urges** Member States to study and consider disseminating and encouraging the **full** utilization of the publication entitled *Strategies for Confronting Domestic Violence: a Resource Manual*, as it becomes available in each of the official languages of the United Nations;

18. **Recommends** that the in-session working group of the Commission on Crime Prevention and Criminal Justice, at its fourth session, should seek ways in which practical activities could be developed in the field of crime prevention and criminal justice, including training, research and advisory **services**, to achieve the goal of preventing and eradicating violence against women, and in doing so, to have regard to the relevant **recommendations** and proposals of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

19. **Urges** the Commission on Crime Prevention and Criminal Justice to consider the issue of violence against women as a priority theme and particularly as a priority in its **programme's** training and technical assistance efforts and to cooperate closely with the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the Special **Rapporteur** on Violence against Women, the Commission on Human Rights, including the Subcommission on Prevention of Discrimination and Protection of Minorities, the World Health Organization, and with relevant experts and non-governmental organizations, as appropriate;

20. **Invites** the institutes in the United Nations crime **prevention** and criminal justice **programme** network to undertake practical activities to combat violence against women, including the provision of training and advisory services, end to develop proposals on other measures that could be taken in the field of crime prevention and criminal justice to combat violence against women.

9. Firearms regulation for **purposes** of crime  
**prevention** and public safety

*The **Ninth** United Nations Congress on the Prevention of **Crime** and the Treatment of **Offenders**,*

*Bearing in mind* that one of the purposes of the United Nations, as stated in Article 1 of the Charter of the United Nations, is to achieve international cooperation in solving international problems of an **economic**, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all,

**Recalling** General Assembly resolution **46/152** of **18** December 1991, on the **creation** of an effective United Nations crime prevention and criminal justice programme,

**Also recalling** Economic and Social Council resolution 1994/19 of 25 July 1994, on preparations for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,

*Having considered* ways and means of promoting international cooperation in the **field** of crime prevention and criminal justice and of establishing, *inter alia*, **effective crime prevention strategies**,

*Welcoming with appreciation* the conclusions and recommendations of the five regional preparatory meetings for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,“ in particular the resolution of the Asia and Pacific Regional Preparatory Meeting,” held at Bangkok **from** 17 to 21 January 1994, and the resolution of the Western Asia Regional Preparatory Meeting,” held at Amman **to** 24 March 1994, in which **Member** States were called upon to promote **the** adequate control of firearms and other high-risk weapons by means of both regulations and law **enforcement** with a view to diminishing violent criminality,

*Bearing in mind* Commission on Narcotic Drugs resolution 9 (**XXXVI**) of 7 April 1993, on the relationship between the illicit **traffic** in arms and explosives and illicit drug **trafficking**, in which the Commission recommended **that** States should consider establishing or improving appropriate controls on transfers of explosives, munitions and armaments,

**Acknowledging that the General Assembly**, in its resolution **49/159** of 23 December 1994, took note with appreciation of the conclusions and recommendations of the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,”

*Deeply concerned over* the grave suffering in the international community caused by the high incidence of violent crimes, accidents and suicides involving the use of firearms,

**Concerned that the high incidence of crimes, accidents and suicides involving the use of firearms is** closely related to the abundance of firearms in society without appropriate regulation of **their** possession and storage or training in their *use* and, *inter alia*, to the fact that the persons who are most likely to use them for criminal activities have easy access to them,

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<sup>30</sup>A/CONF.169/RPM.1/Rev.1 and Corr.1, A/CONF.169/RPM.2, A/CONF.169/RPM.3 and Corr.1, AKONF. 169/RPM.4, and AKONF. 169/RPM.5.

<sup>31</sup>A/CONF.169/RPM.1/Rev.1 and Corr.1.

<sup>32</sup>A/CONF.169/RPM.5.

“A/49/748, annex.

*Recognizing* that, owing to the incidence of use of **firearms** by minors, the conditions under which minors acquire and possess firearms require high vigilance,

*Affirming* that, for purposes of crime prevention and public **safety**, the eradication of crimes, accidents and suicides involving the use of firearms is a goal that the international community should pursue,

*Deferminded* to expand the scope of international cooperation in the field of **firearms regulation**, for purposes of crime prevention and public safety,

*Recognizing* that criminal activities in which firearms are used have been **increasing**, in part because of an increase in illicit trafficking in firearms at both the national and transnational levels,

*Also recognizing* that, with the increasing dimensions and scale of international transport and the increasing sophistication of transnational illicit **trafficking**, no State is immune from the **effects** of inadequate legislative or administrative regulation of firearms in other States,

1. Declares that, for purposes of crime prevention and public safety, there is **currently** urgent need for effective strategies to ensure the proper regulation of **firearms at** both the national and transnational levels;

2. *Requests the* Commission on Crime Prevention and Criminal Justice urgently to consider the measures to regulate firearms commonly applicable in Member States, such as the prevention of transnational illicit trafficking in firearms, with a view to suppressing the use of **firearms** in criminal activities;

3. *Recommends* that the Commission on Crime Prevention and Criminal Justice request the **Secretary-General** to establish and maintain close cooperation with Member States and **intergovernmental** and other organizations, especially **ICPO-Interpol**, active in the field of firearms regulation, *infern alia*, by the regular exchange of data and other information on, among other things, the following topics:

(a) Criminal cases, accidents and suicides in which firearms are involved, including the number of such cases and the number of victims involved, and the status of firearms regulation by the law enforcement authorities;

(b) The situation with regard to transnational illicit **trafficking in firearms**;

(c) National legislation and regulations relevant to **firearms** regulation;

(d) Relevant initiatives for **firearms** regulation at the regional and interregional levels;

4. *Also recommends* that the Commission on Crime Prevention and Criminal Justice request the **Secretary-General** to initiate a study on, *inter alia*, the topics listed in paragraph 3 above, in **order** to provide the Commission on Crime Prevention and Criminal Justice at its fifth session with a basis for its consideration of **measures** to regulate **firearms**, and for this **purpose** examine the availability of resources which would be **required** in order to undertake the study;

5. *Reiterates* the need for allocating **sufficient** resources, both financial and human, to the Crime Prevention and Criminal Justice Branch of the **Secretariat**, in order to facilitate the activities of the United Nations in the field of firearms regulation;

6. *Calls* upon Member States and **intergovernmental** and other organizations active in the field of firearms regulation to extend their full support to the United Nations crime prevention and criminal justice programme and its activities in that field;

7. **Further calls upon Member States** to promote the adequate regulation of firearms by means of **both regulations and law enforcement, with a view to protecting public health and safety and to diminishing violent criminality;**

8. **Invites Member States** to take effective action against illicit trafficking in **firearms**, through **mutual cooperation, the exchange of information and the coordination of law enforcement activities, considering that illicit trafficking in firearms is a widespread transnational criminal activity that frequently involves transnational criminal syndicates;**

9. Also **invites** Member States to examine the link between the use of firearms and **accidents and suicides committed with firearms, and the effect of regulation on reducing their incidence;**

10. **Further invites** Member States to give due attention to promoting public awareness **campaigns** on firearms regulation, since the achievement of **firearms** regulation depends to a large extent on the confidence of the population, with the understanding and support of the general public;

11. **Urges** all United Nations organs, bodies **and** specialized agencies to take up more seriously the issue of firearms regulation, within **the** framework of their mandates;

12. **Encourages interested** intergovernmental and non-governmental organizations to contribute actively, in accordance with their areas of competence, to promoting **firearms** regulation;

13. **Recommend that** the Commission on Crime Prevention and Criminal Justice request the **Secretary-General** to report to it, at its **fifth** session, on the implementation of the present resolution and submit to it recommendations for **further** concerted action at the national and transnational levels, including the possibility of seeking views of Member States on the preparation of a declaration.

## **10. Expression of thanks to the people and Government of Egypt**

**The Ninth United Nations Congress on the Prevention of Crime and the Treatment of offenders,**

**Having met** in Cairo, **from** 29 April to 8 May 1995, at the invitation of the Government of Egypt,

### **I. Expression of thanks**

**Expresses its profound gratitude** to the people and Government of Egypt, as well as to all its authorities, for their warm and generous hospitality and for the excellent facilities provided.

### **II. Establishment of a regional centre for training and research in crime prevention and criminal justice for the Mediterranean States**

1. **Welcomes** the Government of Egypt's proposal to establish a regional **centre** for training and **research** on crime prevention and criminal justice for the Mediterranean States, to be based in Cairo;

2. **Welcomes the** offer of Egypt to provide the **centre** with facilities and administrative **staff** and expresses its thanks for that;

3. **Invites** the Commission on Crime Prevention and Criminal Justice at its forthcoming session to establish an **open-ended** intergovernmental working group within its framework with the aim of studying this proposal.

## 11. Credentials of representatives to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

*The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders,*

*Having examined* the report of the Credentials Committee,

*Approves* the report of **the** Credentials Committee.

### II. ORIGINS OF AND PREPARATIONS FOR THE CONGRESS

2. The Ninth United Nations Congress on the Prevention of Crime and the **Treatment of Offenders** was convened in **accordance** with **paragraph** (d) of the annex to General Assembly resolution 415 (**V**) of 1 December 1950, which provided for the convening **every** five years of an international congress in this field," as well as in pursuance of General Assembly resolutions **46/152**, annex, and **49/157**.

3. On the recommendation of the Commission on Crime Prevention and Criminal Justice the **preparatory** body of the Congress, the Economic and Social Council, in its resolution **1992/24** of 30 July 1992, decided that action-oriented research and demonstration workshops related to **the** topics of the Congress, should be held **as** part of the programme of the Ninth Congress. In its resolution **1993/32** of 27 July 1993, the Council requested the Secretary-General to undertake the necessary logistical steps to mobilize the participation of relevant parties in the preparations for all six workshops and to provide the resources necessary for the organization of five regional preparatory meetings for the Ninth Congress.

4. Regional preparatory meetings were held in **1994** at Bangkok **from** 17 to 21 January, in cooperation with the Economic and Social Commission for Asia and the Pacific (**ESCAP**), at Kampala **from** 14 to 18 February, at the invitation of the Government of Uganda and in cooperation with the African Institute for the Prevention of Crime and the Treatment of Offenders (**UNAFRI**), at Vienna from 28 February to 4 March at the United Nations **Office** at Vienna, at San **José** from 7 to 11 March at the invitation of the Government of Costa Rica and in cooperation with the **Latin** American institute for the Prevention of Crime **and** the **Treatment** of Offenders (**ILANUD**), and at Amman **from** 20 to 24 **March** under the patronage of His Royal **Highness** Crown Prince **Hassan** of Jordan, in cooperation with the Economic and Social Commission for Western **Asia**." In addition, a number of preparatory activities related to the organization of the workshops were also undertaken.

5. **In** its resolution **1994/19** of 25 July 1994, the **Council requested** the Secretary-General to invite Member States to consultations on possible technical cooperation **projects** to be considered during the workshops, with **a view** to announcing their commitment to sponsoring such projects **after** the Ninth Congress and to invite relevant bodies to participate in those consultations. In accordance with that request the Crime **Prevention** and Criminal Justice Branch of the United Nations **Office** at Vienna organized the consultations, which were held on 19 January **1995** at Vienna.

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<sup>34</sup>The first eight congresses were held at Geneva in **1955**, at London in 1960, at Stockholm in 1965, at Kyoto in 1970, at Geneva in 1975, at Caracas in 1980, at Milan in 1985, and at Havana in 1990. The reports of those **congresses were** issued as United Nations publications, Sales Nos. E.56.1V.4, E.61 **.IV.3**, **E.67.IV.1**, E.71.1V.8, E.76.1V.2 and corrigendum, E.81.1V.4, E.86.1V.1 and E.91.1V.2 respectively.

<sup>35</sup>For the reports of the regional preparatory meetings, **see** **A/CONF.169/RPM.1/Rev.1**, **AKONF.169/RPM.2**, **A/CONF.169/RPM.3**, **A/CONF.169/RPM.4** and **A/CONF.169/RPM.5**.

### III. ATTENDANCE AND ORGANIZATION OF WORK

#### A. Date and venue of the Congress

6. **The** Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was held at Cairo from 29 April to 8 May 1995, in conformity with the Economic and Social Council resolution **1994/19**, by which the Council **reaffirmed** the organizational arrangements for the **Congress** as stipulated in its **resolutions 1992/24** and 1993132. In its **resolution 49/157**, the General Assembly approved the recommendations contained in Council resolution **1994/19** and **accepted** the invitation of Egypt to host the Congress.

#### B. Pre-Congress consultations

7. In conformity with the practice followed at United Nations **special conferences** and with Economic and Social Council decision **1995/211**, informal **pre-Congress** consultations **were** held on 28 April 1995. Participation in the consultations was open to representatives of **all** States invited to the Congress. A number of recommendations on the organization of **work** of the Congress were agreed upon in the course of the consultations (see **A/CONF. 169/L. 1**).

#### C. Attendance

8. The following States were represented at the Congress: Afghanistan, Albania, Algeria, Angola, Argentina, **Armenia**, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, **Belarus**, Belgium, Benin, Bolivia, Botswana, Brazil, Brunei **Darussalam**, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central **African** Republic, Chad, Chile, **China**, Colombia, **Comoros**, Costa Rica, **Côte d'Ivoire**, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of **Korea**, Denmark, Djibouti, Ecuador, **Egypt**, Equatorial Guinea, **Eritrea**, Estonia, Ethiopia, Finland, France, Gabon, Gambia, Germany, Greece, Guinea, Guinea-Bissau, Holy Sa, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, **Italy**, Japan, Jordan, **Kazakstan**, Kenya, **Kiribati**, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab **Jamahiriya**, Malawi, Malaysia, **Maldives**, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, **Myanmar**, Nepal, Netherlands, New **Zealand**, Niger, Nigeria, Norway, Oman, **Pakistan**, Panama, **Paraguay**, Peru, Philippines, Poland, **Portugal**, **Qatar**, Republic of **Korea**, Romania, Russian **Federation**, Rwanda, Samoa, Sao Tome and **Principe**, Saudi Arabia, Senegal, Sierra **Leone**, Slovakia, **Slovenia**, South **Africa**, Spain, Sri Lanka, Sudan, Swaziland, **Sweden**, Switzerland, Syrian Arab Republic, Thailand, The **Former** Y ugoslav Republic of Macedonia, Togo, **Tunisia**, **Turkey**, Uganda, Ukraine, United Arab Emirates, United **Kingdom** of Great Britain and **Northern** Ireland, United Republic of Tanzania, United States of **America**, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zaire, Zambia and Zimbabwe.

9. **Palestine** was also represented by an observer.

10. The following United Nations **offices** and organs were **represented** by **observers**: United Nations Headquarters, United Nations **Office** at Vienna, United Nations **Office** at Geneva (Special **Rapporteur** on **Torture**, Commission on Human Rights), United Nations Children's **Fund**, United Nations Development Programme, Economic Commission for **Africa**, Economic and Social Commission for Western Asia, United Nations Centre for Human Settlements, **Office** of the United **Nations** High Commissioner for Refugees, **United Nations** International Drug **Control Programme**, Department for Development Support and Management Services, United Nations **Office** of the Special Coordinator in the Occupied Territories, United Nations **Interregional** Crime and Justice Research Institute. The following **affiliated** regional institutes and associate institutes were also represented by observers: Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, European Institute for Crime Prevention and Control, **affiliated** with the United Nations, **African** Institute for the Prevention of Crime and the **Treatment** of **Offenders**, Arab Security Studies and Training **Centre**, International Scientific and **Professional** Advisory Council, International Institute

**of Higher Studies** in Criminal Sciences, and **International Centre for Criminal Law Reform and Criminal Justice Policy**.

11. The following **specialized agencies** were represented by **observers**: United Nations Educational, Scientific and Cultural Organization and Universal Postal Union.

12. The following **intergovernmental** organizations were represented by **observers**: Agency for Cultural and Technical Cooperation, Asian-African **Legal Consultative Committee**, **Commonwealth of Independent States**, Commonwealth **Secretariat**, Council of Arab Ministers of the Interior, Council of Europe, European Commission, International Committee of the Red **Cross**, **International Criminal Police Organization**, International Organization for **Migration**. League of Arab **States**, Organization for Economic Cooperation and Development, Organization of African Unity, Organization of American States and World Customs Organization.

13. The following non-governmental organizations were represented by **observers**: Alliance of **Non-Governmental Organizations on Crime Prevention and Criminal Justice**, American Correctional **Association**, Amnesty International, Arab Lawyers Union, Arab Organization for Human Rights, Asia Crime **Prevention Foundation**, Association for the Protection of the Families of Prisoners, Association of Chief **Officers** of Probation, Cairo Institute for Human Rights Studies, **Canadian Association of Sexual Assault Centres**, **CARITAS (Egypt)**, Central Narcotics Control Society, **Centro Nazionale di Prevenzione e Difesa Sociale**, Christian Children's Fund, Civil Liberties Organization, Crime Concern, **Defence for Children International**, **Ecole Nationale de la Magistrature**, Egyptian Association for the **Protection of Women and Children**, Egyptian Organization for Human Rights, Egyptian Social Studies Society, Egyptian Society for Promoting Family Awareness for Protection **from** Addiction, EUROFEDOP-INFEDOP, European Forum for Urban Safety, Federation of Associations for the Prisoners' **Welfare**, **Fondazione Giovanni e Francesca Falcone**, Friends World Committee for Consultation, General Egyptian Society for Social **Defence**, **Gruppo Plural Pro-Victimias A.C.**, Howard League for Penal Reform, International **Association** of Airport and Seaport Police, International Association of Judges, International Association of Juvenile and Family Court **Magistrates**, International Association of Penal Law, International Bar Association, International Catholic Child Bureau, International **Centre** for the Prevention of Crime (Montreal), International Commission of Jurists, International Council of Psychologists, International Council on Alcohol and Addictions, **International** Fellowship of Reconciliation, International Institute of Humanitarian Law, International League for Human Rights, International Penal and Penitentiary Foundation, International Prisoners Aid Association, **International Society for Traumatic Stress Studies**, International Society of Social **Defence**, Inter-Parliamentary Union, Italian **Centre of Solidarity**, Japan Federation of Bar Associations, John Howard Society of Canada, **Juventudes de la ONU**, Lutheran World Federation, Muslim World League, Narcotics Control Association, National Associations Active in Criminal Justice, National Crime Prevention Council (USA), National Criminal **Justice Commission**, **Office** of International Criminal Justice, Organization of Islamic Capitals and Cities, Palestinian Lawyers for Human Rights, PAX **ROMANA (International Catholic Movement for Intellectual and Cultural Affairs)**, Penal Reform International, Prison Fellowship International, Salvation Army, Save the Children Society, Seeds Of **Peace**, Social Reform Association, Society for the Reform of Criminal Law, **Society of Human Rights Supporters**, World Federation for Mental Health, World Federation of United Nations **Associations** and World Society of Victimology.

14. Over 190 individual experts participated in the **Congress** as observers.

#### **D. Opening of the Congress**

15. The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders was officially opened, on behalf of the **Secretary-General** of the United Nations, by the **Secretary-General** of the Ninth Congress, Mr. Giorgio Giacomelli, **Under-Secretary-General and Director-General of the United Nations Office** at Vienna.

16. **The Secretary-General** of the Congress **read** a message addressed by the **Secretary-General** of the United Nations to the participants. The Secretary-General emphasized that this was the first United Nations Congress on the Prevention of Crime and the Treatment of Offenders held on the African continent and in the Arab world. Thanks and appreciation were due to the Government and people of Egypt for hosting the Congress and for its most generous hospitality, support, and assistance. This was also **the** first Congress held following a review of the crime prevention and criminal justice programme by an **Intergovernmental Ministerial Summit** held in 1991 at Versailles. The Economic and Social Council then had established the Commission on Crime Prevention and Criminal Justice as a new functional body to mobilize the international community through a **revitalized** United Nations crime prevention and criminal justice **programme**.

17. Over the **40** years since **its** inception, the United Nations crime prevention and criminal justice **programme** had developed and promoted standards, norms and guidelines as a crucial means of **strengthening** the rule of law. It had promoted international cooperation in the field of crime prevention and criminal **justice**, and providing **assistance** to countries with problems of national and transnational crime. The Congress provided a unique global framework within which to work towards common goals, meeting the needs of both developed and developing countries.

18. The Secretary-General noted that new and rapacious **forms of** criminality had **been** taking advantage of the very **trends** that had brought so many benefits: improvements in information and transportation technologies, relaxation of border controls, and internationalization of world markets. For **example**, contemporary **transnational** criminals **were** not only engaged in **trafficking**, including in human beings, arms and hazardous materials, but **left** a trail of **corruption**, crime, human misery and environmental damage. Every country had a duty to do whatever is possible to protect its children and future generations from the scourge of crime, which in some countries had reached the point of challenging legitimate Governments, jeopardizing their economic and social **fabric**.

19. The time had come to move beyond declarations and statements of principle to action. Rising crime was impairing the process of development and the general well-being of humanity. Furthermore, all over the world, there were flashpoints of conflict, whether ethnic, social or political in origin, **often** resulting in the erosion of the institutions of **government** and administration. Sometimes the rule of law had **collapsed** completely. It was vitally important that the **international** community **render assistance** in such **cases**. **Technical** cooperation became an instrument for protecting **fundamental** human rights and stabilizing democratic institutions. He emphasized that the United Nations would provide the best **framework** for a truly multilateral effort as it was uniquely **placed** to undertake needs assessment, as well as to coordinate joint action for those **countries** most in need.

20. Crime in its various dimensions and forms was a problem requiring coordinated, **international** action with close cooperation among States. At the Congress, participants would be using **strategies** that had been successful in different national and regional contexts, for practical measures **against** crime.

21. In this respect, the United Nations provided a unique forum for **Governments** to discuss national experiences and benefit from the participation of the various intergovernmental and non-governmental organizations and individual experts present. Given the globalization of society, and of crime itself, the measures the Congress would embark upon for promoting international cooperation would be necessary for the success of all common **endeavours**.

22. Following his election as President of the **Congress**, His Excellency Farouk Seif **El-Nasr**, Minister of Justice of Egypt, **noted** that the decision to select Egypt as the site of the Ninth United Nations Congress, and of the International Conference on Population and Development, was greatly appreciated by the **Arab** and **African** peoples. Those decisions also **reaffirmed** the importance of a continuing dialogue between North and South.

23. The **Congress** would take an objective and scientific attitude, without prejudice, he said. Nations must reject fanaticism and extremism, and let prudence and moderation be their guide. He would conduct the **Congress with the “conscience and impartiality of a judge”** so that the “voice of truth” could ring out. The **Congress would seek compromises and** avoid divisions by national **interests. Its** aim was to add new **policy** guidance for the international community and to **reaffirm** the values of criminal justice.
24. The Congress would face up to the dangers of terrorism that affected both rich and poor nations. The **international community must combine** its efforts to “pull out the roots and eliminate this evil”. **The** shadows of **fear** would then disappear. **Terrorist** crimes **perpetrated** on a **local** level had now assumed **universal** proportions.
25. **His Excellency, Mr. Mohamed Hosni Mubarak**, President of Egypt, welcomed the participants to **Cairo**, “the citadel of justice and the rule of law”. Changes on the **international** and regional scene had made **it** possible for all countries to work together for the establishment of the **rule** of law. Respect for the **spiritual** values, and strength of the family as the basic unit for the transmission of **values**, was also critical for the **rule** of law and the development of all individuals in society.
26. A democratic State, in which an individual enjoyed fundamental rights while respecting those of others, was the ideal matrix for the development of the rule of law. Material elements alone were no longer the yardstick by which the success and stability of a society were judged; rather, the stability and development of each individual in **society were** important for its viability. Truth and justice should be the pillars on which criminal justice is built.
27. Governments would **remain** the **primary** authority in establishing priorities for crime **prevention** and implementing preventing strategies and law enforcement measures to ensure the **safety** of their citizens. International cooperation in the area of crime prevention and criminal justice should **conform** to the laws and cultural specificities of the **country** concerned.
28. Developing countries and **those** with **economies** in transition should provide for appropriate legislative development to take due account of the changing circumstances. There, again, the State was the primary authority for establishing the requisite legal **infrastructure**.
29. Tackling organized economic and other crime, and modernizing judicial and **enforcement** systems, required international cooperation. Resolute steps should be taken at all levels to oppose such crimes while **fully** respecting human rights.
30. **Terrorism** in the **present era** had become one of the most dangerous crimes, **threatening** the individual and society, undermining the establishment of peace and security, dissipating progress and prosperity, and transforming society into a **jungle** with no regulations or laws. Egypt had witnessed recently aspects of this vicious crime: terrorism, and had been keen on intercepting it within the constitutional legitimacy and the **full respect** for the principles of human rights. Egypt was also keen on bringing about unified action by the **international** community for **confronting** this regrettable phenomenon.
31. The President concluded by wishing the participants God’s help in their **endeavours** for man’s **welfare** and happiness, and in the promotion of cooperation among countries and peoples through supporting right justice, the sovereignty of law and respect for legitimacy. Security through adequate crime control and effective justice had become a priority on both the national and international agendas. Its neglect **could** have serious **consequences**, thwarting the cause of sustainable democracy and democratic institutions.

### E. **Election** of the **President** and of other **officers**

32. At its **1st** plenary meeting, on 29 April 1995, the **Congress** elected, by acclamation, His Excellency Mr. **Farouk Seif** El-Nasr, Minister of Justice of the Arab Republic of Egypt and **head** of the delegation of the host country, President of the Congress.

33. At the same meeting, the **Congress** also elected by acclamation Mr. **Atilio Alvarez** (Argentina) as **Rapporteur-General**, Mr. Luigi **Augusto Lauriola** (Italy) as Chairman of Committee I, Mr. **Masaharu Hino** (Japan) as Chairman of Committee II, and Mr. **Alexander M. Ischenko** (Ukraine) as First Vice-President, and the following States as Vice-Presidents: Algeria, Australia, **Austria**, Bolivia, **Brazil**, Canada, Cameroon, **Chile**, **China**, **Cuba**, France, Guinea, **Kuwait**, Malaysia, Nepal, Romania, Republic of Korea, Russian Federation, South **Africa**, Swaziland, Tunisia, Uganda, **United States of America** and **Venezuela**. Those **officers**, together with the **President**, constituted the General Committee.

34. At its **1st** meeting, on 29 April, Committee I elected by acclamation Mr. Emmanuel Jean **Leung** Shing (Mauritius) as Rapporteur.

35. At its 3rd meeting, on 29 April, Committee I elected by acclamation Mr. David **Ntshangase** (South **Africa**) as Vice-Chairman.

36. At its 2nd meeting, on 30 April, Committee II elected by acclamation Mr. Bo **Svensson** (Sweden) as Vice-Chairman and Ms. **Amena Lazoughli** (Tunisia) as **Rapporteur**.

### F. **Adoption** of the rules of procedure

37. At its 1st plenary meeting, on 29 April 1995, the **Congress** adopted its rules of procedure by consensus (**A/CONF.169/2**).

### G. **Adoption** of the agenda

38. At its **1st plenary** meeting, on 29 April 1995, the **Congress** adopted as its agenda the provisional agenda (**A/CONF.169/1**) as approved by the Economic and Social Council in its resolutions **1993/32** and **1994/9**. The agenda was as follows:

1. **Opening of the Congress.**
2. Organizational matters:
  - (a) **Election of the President and of other officers;**
  - (b) Adoption of the rules of procedure;
  - (c) **Adoption of the agenda;**
  - (d) Organization of work,
  - (e) **Credentials** of representatives to **the Congress;**
    - (i) Appointment of members of the **Credentials** Committee;
    - (ii) Report of the **Credentials** Committee.

3. **International** cooperation and **practical** technical assistance for **strengthening the rule of law: promoting the United Nations** crime prevention and criminal justice programme.
4. **Action** against national and **transnational** economic and organized crime, and the role of criminal law in the protection of the environment: national experiences and international **cooperation**.
5. **Criminal justice** and police systems: management and improvement of **police** and **other law enforcement** agencies, prosecution, courts and corrections, and the role of lawyers.
6. Crime prevention **strategies, in particular** as related to crime **in urban areas** and **juvenile and violent** criminality, including the question of victims: assessment and new **perspectives**.
7. Adoption of the **report** of the Congress.

#### **H. Organization of work**

39. At its 1st plenary meeting, on 29 April, in **accordance** with the recommendations of the **pre-Congress consultations** (see **A/CONF.169/L. I**), the Congress approved its organization of work (**A/CONF.169/3**, annex), on the understanding that any adjustments that might be required would be made during the course of the Congress. Accordingly, agenda items **1, 2, 3, 4 and 7** as well as the topic on corruption would be **considered** directly in plenary meetings, agenda item S would be allocated to Committee I and agenda item 6 to **Committee II**. In addition Committee I would deal with workshops **(f)** and (e) and Committee II with **workshops (a), (b), (c) and (d)**.

40. The Congress also approved a number of recommendations with regard to its organization of work and the report of the Congress.

#### **L Credentials of representatives to the Congress: appointment of members of the Credentials Committee**

41. At the same **meeting**, in accordance with rule 4 of the **rules** of procedure (**A/CONF.169/2**) and on the **proposal** of its President, the Congress decided that the following States should be appointed members of the Credentials Committee: China, Honduras, Lesotho, Portugal, Russian Federation, Suriname, Togo, United States of America and Viet Nam.

#### **J. Implications of Congress resolutions for the programme budget of the United Nations**

42. At the 16th plenary meeting, on 7 May 1995, the **Executive Secretary of the Congress stated** that any **provisions of the draft resolutions before** the Congress that had implications for the **programme** budget of the **United Nations would be brought** to the attention of the General Assembly, through the Commission on Crime Prevention and Criminal Justice and the Economic and Social Council, at the time of the consideration of the **report** of the Congress.

## IV. CONSIDERATION OF **AGENDA** ITEMS IN PLENARY MEETINGS AND BY THE SESSIONAL BODIES AND ACTION TAKEN THEREON BY THE CONGRESS

### A. **Consideration** of agenda item 3 in plenary meetings

#### **International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme**

##### Introduction

43. At its **1st** plenary meeting, on 29 April, the Congress allocated to the plenary, in accordance with Economic and Social Council resolution 1994/19 of 25 July 1994, agenda **item 3**, entitled "**International cooperation and practical technical assistance for strengthening the role of law: promoting the United Nations crime prevention and criminal justice programme**" (topic **1**).

44. For its consideration of the item, the Congress had before it the following documents:

(a) Working paper prepared by the Secretariat on international cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme (**A/CONF. 169/4**);

(b) Background paper for the workshop on extradition and international cooperation: exchange of national experiences and implementation of extradition principles in national legislation (**A/CONF. 169/8**);

(c) Interim report **prepared** by the Secretariat on the **results** of the supplement to the Fourth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, on **Transnational Crime** (**A/CONF.169/15/Add.1**).

##### Proceedings

45. At the 2nd to 6th meetings, from 29 April to 2 May 1995, the plenary held general discussions on the item. At the 2nd meeting, the **Secretary-General** of the Congress made an introductory statement. A statement was also made by the Speaker of the Egyptian People's Assembly.

46. Also at the 2nd meeting on 29 April 1995, statements **were** made by the representatives of Belgium, China, France (on behalf of the European Union), Germany, Italy, Romania, Russian Federation, Saudi Arabia, **South** Africa, The former Yugoslav Republic of Macedonia and United States of America.

47. At the 3rd meeting on 30 April 1995, statements were made by **the representatives** of Bahrain, Brazil, Canada, Czech Republic, Indonesia, Kuwait, Malta, Oman, Republic of Korea, **Slovenia**, Sweden and United Kingdom of Great Britain and Northern Ireland. The observer for the Commonwealth of Independent States, an intergovernmental organization, also made a statement. The representative of Iraq made a statement in right of reply.

48. At the 4th meeting on 30 April 1995, statements were made by the **representatives** of Algeria, Chile, Iran (Islamic Republic of), Israel, Libyan Arab **Jamahiriya**, Philippines, Spain and Thailand. The **observers** for the International **Centre** for Criminal Law Reform and Criminal Justice Policy and for the **Asian-African** Legal Consultative Committee, an intergovernmental organization, made statements. The Director of the United Nations **Interregional** Crime and Justice Research Institute made a statement.

49. At the 5th meeting on 1 May 1995, statements were made by the representatives of Argentina, Bulgaria, Holy See, Japan, Netherlands, Swaziland, Syrian Arab Republic, Turkey, **Viet** Nam and Zambia. The observers

for the Arab **Security Studies and Training Centre**, an intergovernmental organization, and for the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders also made statements.

**50.** At the 6th meeting on 1 May 1995, statements **were** made by the representatives of Angola, **Azerbaijan, Jordan, Nepal, Peru and Switzerland**. The observers for Palestine **and** for the Asia Crime Prevention Foundation, a non-governmental organization, also made statements.

**51.** At the 7th meeting on 2 May 1995, statements were made by the representatives of Austria, Cuba, **Guinea-Bissau, Mexico, Morocco**, Pakistan, Poland, Rwanda, Sri Lanka and Ukraine. **The** observers for the International Committee of the Red Cross, an intergovernmental organization, for the UNESCO Institute for Education, the African Institute for the Prevention of Crime and **the Treatment of Offenders, and the** Defense for Children International Movement, a non-governmental organization, also made statements. The **representative of Finland** made a statement introducing a draft resolution entitled "International **cooperation and practical assistance for strengthening the rule of law: development of United Nations model agreements**" (**A/CONF.169/L.6**).

### General discussion

**52.** In introducing the item, the **Secretary-General** of the Congress stated that, following the **recommendations of the Ministerial Meeting** on the Creation of an **Effective** United Nations crime prevention and **criminal justice programme** held in Paris in November 1991, a new United Nations crime prevention and criminal justice programme had been **created**. The programme was oriented towards technical and advisory services, particularly in respect of the planning, implementation and evaluation of crime prevention **and** criminal justice **programmes**. The new Commission on Crime Prevention and Criminal Justice, comprised of 40 States, made technical assistance a standing item on its agenda and gave the **Secretariat** the mandate to **carry** out more operational activities. Accordingly, the provision of technical assistance in support of Member States became one of the main functions of the Secretariat. Efforts were made to devise innovative approaches, including needs assessment missions, deliver advisory services, formulate and implement projects, **develop** training curricula and organize training courses and seminars.

**53.** The **Secretary-General** noted that crime had become one of the major problems **in the world**, jeopardizing development and the security of nations. **International** agreements, while respecting the legitimate concerns of States about national sovereignty and the supremacy of national legislation, had **to** recognize that criminals operated on the international level and viewed borders not as obstacles but **as** business opportunities. The United Nations could **play** a greater role globally in carrying out comparative **research** and disseminating its **results**, and in disseminating other data and information, **also** through the **more** extensive **use** of databases and electronic information networks. **The** crime prevention **programme** was at a crossroads: in **order** to **meet** the expectations raised by its new orientation, it was crucial that it be provided with the necessary resources for the implementation of **its mandates**. **The** political will of States to tackle both the national and **transnational** aspects of crime would be an important determinant of its success. With their active support, the **programme** could improve its delivery of technical assistance.

**54.** **The plenary meeting** was addressed by Dr. **Fathi Sorour**, the Speaker of the Egyptian People's Assembly, who emphasized the need for more effective international cooperation. The role of the United Nations had expanded beyond the maintenance of international **peace and security** to **deal with pressing issues of** sustainable development, the protection of human rights, and internal conflicts. The United Nations should continue promoting the culture of **peace** and security. New forms of crime **affected** the implementation of development plans and **the** quality of life. Crimes such as **fraud**, embezzlement, the squandering of public money, drug trafficking and terrorism were influencing development and world **peace**. The modern nature of criminality required countries to harmonize their national strategies. He stated that the United Nations should address the **roots of such crimes rather than limiting** itself to **humanitarian aid**. **To avoid the recurrence** of tragedies, crime **prevention** should become a priority. **Egypt, for instance, had had to tackle the violence of terrorism within a** legitimate **framework**. Crimes against humanity were a challenge to international **criminal law, since such**

crimes **were** not confined to any one country. He concluded by stressing the need for involving the parliaments of the **world** in the fight against **crime**, in view of their ability to mobilize public opinion;

55. Much of the discussion dealt with the challenge of growing criminality, both national and transnational. It was noted that, in most countries, crime had increased significantly, both quantitatively and qualitatively. In some countries, however, **there** was a relatively stable situation and even a decline in crime, as a result of clear and strong crime prevention policies. Delegations were unanimous in emphasizing that effective, efficient and **fair** criminal justice systems, based upon the **rule** of law, **were** essential to the establishment and maintenance of conditions of peace and social stability. The link between crime and development was also **stressed**, and **the** international community was urged to provide resources in order to enable developing countries to strengthen their criminal **justice** systems and to provide **the** legal **framework necessary** for development. Technical assistance and **cooperation** should not be considered merely a humanitarian gesture but **rather** as an investment in development. The preventive **aspects** of crime **control** **were** emphasized, and it was recommended that crime prevention be part of development **plans** and strategies. At **the** same time, the success of technical assistance rested mainly on the political will of the receiving **country** to translate legal reforms into practice. International cooperation was necessary for the development of long-term national strategies to promote development, **respect** for the **rule** of law and, ultimately, better governance and increased national stability. Although many countries reported having rendered or received technical assistance at the bilateral level, the limitations of such assistance **were stressed**. *That was due, inter alia, to differences* in legal systems, possible political implications of bilateral cooperation, and the multiplication of uncoordinated activities, entailing excessive expenses. Increased cooperation through the United Nations crime prevention and criminal justice **programme** was **considered** a viable alternative.

56. **Speakers** underlined that, as part of its contribution to sustainable development, the **international** community should support the process of democratization, strengthening the rule of law and **increasing** transparency. They stressed the need to enhance policy planning through bilateral and multilateral agreements by conducting more intensive cooperation and research on crime.

57. In respect of countries afflicted by civil war, ethnic conflict and massive violations of fundamental rights, long-term development cooperation should concentrate on rebuilding and strengthening basic institutions, including the criminal justice system. A well-functioning criminal justice system, with its three main elements — **court**, law enforcement and corrections — was cited as a crucial mechanism of conflict resolution and the maintenance of social peace.

58. It was noted **that**, although all countries were vulnerable to economic and organized crime, the newly emerging democracies were most susceptible to it, since they lacked the stable financial systems and **effective** criminal justice administrations to defend themselves against national and international crime. Multilateral and bilateral cooperation and technical assistance were critical for those countries. **They** could involve mutual legal **assistance, agreements to combat** money-laundering and **drug-trafficking** and **police cooperation arrangements**. The appropriate multilateral conventions should also be accepted and rigorously enforced. International assistance was especially significant in reforming the legal and judicial systems of **those countries**. Model legislation and agreements should be developed by the United Nations to facilitate **such** work.

59. Delegates pointed out that, with advances in **technology** and telecommunications and modern means of transportation, transnational crime, in its new forms and dimensions, had become a major problem which could not be adequately dealt with by national action alone. Many **speakers referred** to the increasingly sophisticated forms of criminality, involving large amounts of money, the growing number of violent crimes and **the** serious **consequences** of environmental **offences**, which deserved special attention from the international community. Great **concern** was expressed about arms-smuggling, **drug-trafficking**, the illicit **flight** of capital, **money-laundering**, the smuggling of aliens, computer crime and **the** infiltration of legitimate economies by organized criminal groups. The current state of the environment was very precarious and called for efficient countermeasures throughout the world. The growth of **terrorism** and its links to organized crime **were** strongly emphasized. The negative effects of terrorism **were** being felt throughout the world. Terrorists and **big narco-**

**trafficking cartels were not** after State power; they wanted to become “a State within a State”. There was **increasing awareness** of the need to **combat** terrorism. Governments, regardless of their political stance, **should** cooperate to curb the scourge. Policy measures had, accordingly, to be adapted, even if that **meant breaking with existing legal** traditions. Therefore, some delegations pointed out that the proposal made at the World Ministerial Conference on Organized Transnational Crime, held in 1994, to draw up a United Nations **convention** aimed at combating organized crime should **seriously** be **considered**.<sup>36</sup>

60. It **was noted that racism** was on the increase and had **taken** new **forms**, a **widespread** form of which was the hatted directed at migrant workers. Xenophobia, like **other** crimes, threatened **democratic structures and fundamental values**. The proliferation of firearms had **shifted** from mainly members of criminal gangs and posed a lethal **hazard** to ordinary citizens. Global action was required to **control** such weapons.

61. **Economic** crime, **urban** crime, **trafficking** in and violence against women and children, **and** juvenile **delinquency were** identified among the priorities requiring international attention. Certain countries expressed concern **about organized** motor vehicle theft, the circulation of counterfeit currency and the smuggling of ivory and endangered species. The need for innovative and practical cooperation, in order to combat criminal networks that did not recognize international borders and that exploited the legislative and administrative **differences** between **countries** to **further** their criminal activities, was emphasized. Some delegates highlighted the advisory role of the United Nations crime prevention and criminal justice programme in promoting consistency in national laws **and** eliminating existing gaps. Assistance in harmonizing national legislation and sharing technological capabilities to avoid “**safe havens**” for criminals and curtail the operations of **organized** crime networks was thus called for. Speaker after speaker **concurred** that the consolidation of the rule of law was a responsibility that the international community should discharge, particularly in the face of contemporary problems and the **growing** interdependence of States. **International** cooperation against crime, largely through the United Nations, was essential **and** should be pursued vigorously. The modalities of such **cooperation** had to be reviewed in the light of the latest developments and **needs** of the international community. In the era of globalization, cultural and ideological relations should not be seen as a constraint on cooperation but should rather promote joint action among States. It was stated that in the fight against international crime, it was not enough for individual States to ratify conventions but rather, and more important, that those conventions be put into practice.

62. Several speakers urged intensified subregional and regional cooperation within the framework of regional arrangements, infrastructure and mechanisms, with due regard to common social and **religious** traditions and values. The importance of such collaboration was underlined; the European Union was an **example**. Police cooperation between Member States of the European Union covered a whole range of **areas, from anti-terrorism** to combating drug-related crimes. The European Union shared information with developing **countries** and assisted Central and Eastern European countries with the new problems they faced. The **establishment** of **permanent** global and regional forums for strategic planning aimed at crime prevention was **proposed**. Regional teams **could** also be deployed to **analyse** potential threats, **identify** their sources and liaise with other **regional** planning groups.

63. Several intergovernmental and non-governmental organizations **reported** on their activities, particularly in developing manuals and training curricula and in organizing **courses** in the various areas of crime prevention and criminal justice. Their continued cooperation with the United Nations was invited. The network, comprising the United Nations **Interregional** Crime and Justice Research Institute, regional institutes **and centres, affiliated** or associated with the United Nations, facilitated international cooperation and technical **assistance**. Some of the representatives of the institutes stated that the serious financial situation facing many of them **could jeopardize** the execution of their programmes. As for bilateral cooperation, various Member **States** reported having entered into agreements with neighbouring countries to improve cooperation in judicial matters.

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<sup>36</sup>See E/CONF.88/4, sect. IV.

64. **The** existing United Nations instruments **were** held in high regard. They were considered **useful** tools for effective international cooperation, and, for that reason, their application and use by Member States should be encouraged and promoted. Pursuant to the restructuring of the programme, emphasis was placed on **their application** and use, 'with enhanced clearing-house functions that would enable the international community to keep abreast of crime trends to guide efforts aimed **at** preventing and controlling crime and formulating appropriate policies and strategies. Delegations stressed the need for coordination of bilateral assistance programmes **with** those carried out at the multilateral level. The exchange of information on programmes and **activities, being** carried out or planned, would facilitate the most efficient use of limited **resources**, avoiding **duplication** and unnecessary overlapping. In an effort to support the activities of the United Nations Criminal Justice Information Network (UNCJTN), one member State offered to host an **interregional** training course on the computerization of crime and justice networks.

65. Many delegations stressed the indispensability of adequate resources for technical cooperation. A larger share of funds for development cooperation should be invested in crime prevention and criminal justice. However, at a time of economic **recession**, the provision of additional **funds** was **difficult**. Developed countries were urged to display greater commitment to making contributions which would enhance the technical assistance capacity of the United Nations crime prevention and criminal justice programme. Delegations expressed their serious concern about the disparity between technical assistance needs and the resources available for the programme. They referred to **the** multiple resolutions in which the General Assembly and Economic and Social Council requested the **Secretary-General** to strengthen the **Crime Prevention** and Criminal Justice Branch, providing it with the resources **required** for the full implementation of its mandates. Many speakers drew the attention of the Congress to the Crime Prevention and Criminal Justice Fund, which could receive both earmarked and general financial donations and donations in kind, to carry out projects, establish posts, and recruit staff and/or consultants to undertake certain programme activities. It was noted that only a small number of Member States had contributed to the Fund. It was stressed that more substantial contributions of the **programme**, including the institutes, to the reinforcement of good governance and **strengthening the rule** of law would **not** be feasible without adequate resources.

66. The activities undertaken and **the** impediments to more intensive technical assistance were highlighted. There was agreement that broader assistance should be given in the form of expert advice on the development and reform of crime prevention and criminal justice **infrastructures**. It was proposed that the United Nations crime prevention and criminal justice programme should organize **further** needs **assessment missions** to various countries to discuss new approaches with the relevant authorities and suggest ways in which they could be implemented. Field projects were considered to be one of the main **forms** of technical assistance. They might originate either in a response to specific governmental requests or in proposals formulated by the programme. They could profitably be pilot projects of an innovative nature, the results of which could be given wider application. In view of their potential -model value, **the** close monitoring of such projects was particularly important. Numerous **Member** States indicated their needs for the training of criminal justice personnel, including law enforcement officials and **correctional staff**.

67. The **usefulness** of the United Nations model treaties was emphasized, particularly those on the transfer of foreign prisoners, extradition and mutual assistance in criminal matters. **The** United Nations could **offer** appropriate support in the implementation of such model treaties **through** the organization of training programmes, provision of training materials and advisory services. It could also **identify** issues that needed **further** regulation by means of such agreements, urge wider accession to and ratification of existing agreements, as well as accession by successor States, and help to determine the impediments to the fuller implementation of the existing agreements.

68. Many speakers underlined the importance of the Ninth Congress, the first to be held **after** the restructuring of the **programme**, in 1991. Its new format was welcomed, particularly the workshops which made **the conference** a cost-effective occasion for the exchange of experiences, **knowledge** and technology. Such exchanges would lead inevitably to follow-up activities and identify areas where work could be done bilaterally, regionally or **multilaterally**. **The** practical orientation of the Congress, designed to initiate

exchanges and **encourage** future cooperation between States, **was** a guarantee that it **would** have a **multiplier effect** and spread the lessons of the workshops and other initiatives beyond their immediate audience.

## B. Consideration of agenda item 4 in plenary meetings

### Action against national and transnational economic and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation

#### Introduction

69. At its 1st plenary meeting, on 29 April, the Congress allocated to the **plenary** agenda **item** 4 entitled “Action against national and transnational economic and **organized** crime and the role of criminal law in the protection of the environment: national **experiences** and international cooperation”. **The** Congress considered agenda item 4 at its 8th to 11th meetings, from 2 to 4 May. For its consideration of the item, the Congress had before it the following documents:

(a) Working paper prepared by the Secretariat on action against national and transnational **economic** and organized crime and the role of criminal law in the protection of the environment: national experiences and international cooperation (**A/CONF.169/5**);

(b) Background paper prepared by the **Secretariat** on international action against corruption (**A/CONF.169/14**);

(c) Results of the supplement to the Fourth United Nations Survey on Crime **Trends** and Operations of Criminal Justice Systems, on transnational crime: interim report prepared by the Secretariat (**A/CONF.169/15/Add.1**);

(d) Report of the World Ministerial Conference on Organized **Transnational** Crime (A/49/748, **annex**);

(e) Background paper for the workshop on environmental protection at **the** national and international **levels**: potential and limits of **criminal** justice (**A/CONF.169/12**).

#### Proceedings

70. At the 8th **to** the 11th meetings, **from** 2 to 4 May 1995, the Congress held a general debate on **this item**. At the 8th meeting, the Executive Secretary of the **Congress** made an introductory statement. Statements were also made by the representatives of France (on behalf of the European Union), Colombia, the Republic of Korea, France, Canada, the Russian Federation, **the** Former Yugoslav Republic of Macedonia, **Germany, Belarus,** Malawi, the United Kingdom of Great Britain and Northern Ireland and Spain. **The observer** for the **European** Union, an intergovernmental organization, made a statement.

71. At the 9th meeting on 3 May 1995, statements were made by the **representatives** of Egypt, Burundi, Tunisia, **Paraguay,** China, Thailand, **Myanmar,** Ukraine, the Sudan, Romania and Panama. A statement was also made by an individual expert **from** the Islamic Republic of Iran.

72. At **the 10th** meeting on 3 May 1995, statements were made by the representatives of South **Africa,** Hungary, Algeria, **Slovenia,** the Philippines, Uzbekistan, Yemen and Switzerland. Statements were also made by an individual expert **from** Italy on behalf of the Giovanni **Falcone** Foundation, as well as observers **from** **the Arab Security** Studies and Training **Centre** and the **European** Federation of Employees in Public Services, intergovernmental **organizations,** **the Asia Crime Prevention Foundation,** **the International Society for**

Traumatic **Stress** Studies and the International **Fellowship of Reconciliation. non-governmental organizations.** At the same meeting, the representative of Argentina made a statement in which he introduced draft **resolution A/CONF/169/L.2/Rev. I.**

73. At the **11 th** meeting on 4 May 1995, **statements were** made by the representatives of Norway, Barbados, Zambia, Slovakia, Uganda, **Iraq**, Israel, Venezuela, Ecuador, Central **African** Republic, Nepal, **Portugal** and **Armenia**, as well as by an individual expert. The **representative** of Egypt made a statement in which he introduced draft **resolution A/CONF. 169/L. 12.**

### General discussion

74. The Executive **Secretary** of the **Congress** introduced agenda item 4 and underlined that the priority attached to that theme by the Economic and Social Council and the Commission on Crime Prevention and Criminal Justice demonstrated the importance **accorded by the international** community to increased and strengthened international cooperation to prevent and control these forms of crime. Pursuant to Economic and Social Council resolutions **1993/29** and **1994/12**, adopted **on the recommendation of** the Commission at its second and third sessions respectively, the World Ministerial **Conference** on Organized Transnational Crime **was held in** November 1994. The Conference adopted the Naples Political Declaration and Global Action Plan against Organized Transnational Crime (A/49/748, Annex, **sect. I.A**) which was **approved** by the General Assembly in its resolution **49/1 59** of 23 December 1994. The recommendations were before the Congress for further follow-up action by the Commission at its fourth session.

75. The Executive Secretary then highlighted the main issues to be addressed in economic crime as well **as** in the context of the role of criminal law in the protection of the environment. Recent developments had vividly demonstrated that in today's interdependent world the international community had to take joint action in order to meet the challenge of those growing forms of transnational criminality. Technical cooperation was essential not only for the transfer of knowledge and expertise, but also to enable law enforcement and regulatory agencies, as well as the criminal justice system, to detect, prosecute and adjudicate those forms of crime. **The** United Nations, in cooperation with relevant international organizations, funding agencies and non-governmental organizations, and with the help both of **Governments** and of the private sector, could assist States to strengthen their capacities to **cooperate** more effectively at the international level in the fight against transnational crime.

76. Central issues of the discussion were the expansion of **organized** crime and the dangers posed by its transnational dimensions. All speakers expressed their **alarm** over the threat that organized and economic crime posed to society, democracy, security, stability and development. No country could consider itself either immune **from** the phenomenon or entirely **self-sufficient** to prevent and control its multiple manifestations and aspects. Organized crime was engaged in a variety of activities, increasingly diversifying its operations and becoming more and more sophisticated. In the past **organized** and economic crime were viewed as **largely** a law and order problem, mainly at the local or national level. **The** traditional responses, which had been largely domestic, had yielded poor results. As criminal networks operated globally, the response by **Governments** also had to be a global one.

77. It was **reported** that organized crime was diversifying its operations and engaging in a broad range of activities, which included, in addition to illicit **drug** trafficking, smuggling of illegal migrants, **arms trafficking**, automobile theft and **trafficking**, and smuggling of strategic material and resources. In addition, there was an increase in the economic crimes committed by organized criminal groups that included credit **card** fraud and counterfeiting, as **well** as increased involvement in the banking and financial sectors. It was also reported that, according to rough estimates, the global **profits realized** by organized crime amounted to hundreds of billions of United States dollars, a **figure** that was much higher than the individual budgets of many developed countries. As a result of those illicit proceeds, organized crime threatened the political and economic structures of many States, which **were** in danger of becoming dependent on organized crime. International trade and

financial transactions were adversely affected by economic crime as well as by money laundering and the re-investment of the proceeds of crime in legal business.

78. Many delegations highlighted the **difficulties** encountered by developing countries and countries in transition. Owing to political and economic change, but also **because of the** tendency of organized crime to expand its operations in those countries for **the** opportunities they presented, crimes committed by a growing **number** of organized criminal groups had risen up to **15** times. The **threat** to institutions in those countries, and also to their efforts towards liberalization of their **economies** in accordance with free-market principles and towards development and growth, **were** grave. Organized crime benefited from the fact that institutions were in the process of establishment and, **therefore**, lacked **the** strength and **experience to detect, prevent** and control that **form** of criminal activity. The danger in which the **very** essence and democratic **future** of developing countries and countries in **transition were** placed by organized and economic crime was recognized and **stressed** even by those countries in which these **forms** of crime **were** not deeply rooted.

79. In order to **recognize** and **efficiently** prevent and control organized and economic crime, it was considered important for the international community to increase its overall knowledge of the phenomenon. National capacities to deal with organized and economic crime needed to be enhanced to facilitate the **full** assessment of the **characteristics** and effects of those **forms** of crime on institutions, national economies and international financial and economic activity. **Only** informed decision- and policy-making in this area could **lead** to the appropriate legislative and regulatory measures. Such measures would be necessary in view of current circumstances and exigencies and **of the** contemporary characteristics of organized **and** economic crime. In the case of economic crime, it was also pointed out that knowledge and expertise were essential in order to strike the crucial **balance** between, on the one hand, effective **prevention** and control of economic criminal activity and, on the other, legislative and regulatory mechanisms that would not suffocate modern markets, **free** competition and the **drive** towards development, growth and **liberalized** trade. Closely related to this issue was the capacity of States to collect, **analyse** and disseminate reliable information and intelligence on **organized** and economic crime. National efforts to that end should be intensified and **supported** through the provision of technical assistance and expertise.

80. The Commission on Crime Prevention and Criminal Justice was playing a **central** role in strengthening international cooperation against serious **transnational** crime. Appropriate measures should be taken to ensure that its work continued to be carried out even **more** efficiently, despite the financial constraints that the United Nations faced. **The Naples Political Declaration and Global Action Plan** against Organized **Transnational** Crime were considered a milestone on the way towards achieving effective international cooperation, embodying the political **commitment** and determination of States to join **forces** in fighting organized crime in **all its forms**. It was now time **for** the international community to concentrate on how to implement its provisions **and on the** steps that needed to be taken to **further** its achievements. The role of the Commission at its fourth session in this direction was highlighted.

81. **Many speakers** emphasized the **need** for the international community to arrive at a common concept of **organized** crime as a **basis** for concerted action at the national and international levels and more **effective** international cooperation. In **this connection**, it was deemed **necessary** for the Commission to **begin** the process of arriving at a definition of **organized** crime, as this would enhance the ability of the international community to take a **structured** approach and would remove obstacles in all types of international cooperation. Some delegations offered their suggestions as to what elements such a definition would include.

82. The need to move towards more harmonization of legislative and other measures against organized and economic crime was also considered to be of particular importance for **more** meaningful and less **cumbersome** procedures of international cooperation. Among **measures** highlighted during the discussion, efforts to enlist the support of the public were prominent. **Organized** and economic crime had a particularly noxious effect on the social fabric, and such support was central to national and international efforts against these **forms** of crime. **Programmes** geared towards education and information, also through the active involvement and **help of the** mass media **and the private sector**, were necessary in obtaining and maintaining such support.

83. In order to render international **cooperation more effective**, the **international** community should **strengthen** and improve existing instruments and methods. Bilateral and multilateral cooperation at all **levels** needed to **be strengthened and improved**, adapting to **the structural** characteristics and the new **activities** of **organized** and **economic** crime. The United Nations **Model** Treaties on Extradition, Mutual **Assistance** in Criminal Matters and Transfer of Proceedings **were** considered **very useful instruments** and increased **reliance** on them was suggested. **The** new faces of organized and economic crime, however, required new forms of **international** cooperation. In this connection, some delegations **expressed the hope** that the work which **the** Commission has **been** mandated to perform in connection with seeking the views of Governments on **the** impact of a convention or conventions against organized **transnational** crime and on the issues to **be covered therein** would be crowned with success.

84. Operational activities **were** considered essential to breathe life into the Naples Political **Declaration** and Global **Action** Plan against Organized **Transnational** Crime. **Projects** to be formulated and **implemented** by the crime prevention and criminal justice **programme** should **focus** on the provision of assistance to requesting **Member** States in the **fields** of legislation, special investigation techniques and training to **upgrade** the skills of law enforcement and criminal justice personnel. Advisory **services** in the elaboration or amendment of legislation **were required** to assist States in adopting laws that would introduce **measures** against **organized** crime and improve the control of the proceeds of crime. Assistance in the **form** of advisory **services and training were required for** law enforcement agencies and **prosecutorial** authorities in order to improve **their** capacity to investigate and prosecute complex **cases** involving also financial **offences**, as well as to collect, **analyse**, preserve and evaluate evidence. Several delegations, in underlining the importance of the United Nations Convention against Illicit **Traffic** in Narcotic Drugs and Psychotropic Substances of 1988 (**E/CONF.82/15** and **Corr.2**), as well as the **need** to ensure **its** implementation through putting in place the necessary legislation, reported on joint initiatives and collaborative projects.

85. Terrorism was an issue stressed by many delegations. It was emphasized that terrorist groups **were** modifying their methods and becoming an even greater threat to society, democracy and stability. Terrorist groups **were** using the same channels as organized crime to obtain the resources or skills needed to **carry out** their activities.

86. The **international** community should demonstrate solidarity against terrorist crimes, no **matter** what its motivation. Terrorists should not be accorded any special privileges because their **crimes** might **be** committed for motives other than material gain. Such crimes should **be** treated like any others, to be dealt with effectively by the criminal justice system, without disregarding the plight of victims or the paramount principles of justice and the protection of fundamental rights.

87. **In** an increasing number of cases evidence had been discovered showing that terrorist groups and organized criminal groups **were working** in cooperation. Several delegations expressed the view that **terrorist crimes were** a form of organized crime. These possible links should be accorded appropriate attention by the international community. Other delegations, however, **stressed** that **excessive concentration** on such links might **result** in losing insights and opportunities for **even** more **effective international** cooperation. Still other delegations noted the distinction between terrorist **crimes** and the **legitimate** struggle of national liberation **movements** against foreign occupation.

88. **There** was a growing **concern** about environmental protection, reflecting increasing public awareness of the threat posed to the quality of life by environmental damage. However, much national legislation remained piecemeal. In the absence of international guidelines, many countries had not yet introduced penal legislation to protect the environment. Several countries considered that **offences** against the environment should **be penalized** as strictly as other, more traditional, **forms** of criminality, and that, in general, **current** national and international measures **were** inadequate. Many States expressed their wish to reinforce their cooperation in the face of the growing menace posed by environmental **offences**, although it was recognized that **the concept** of the role of **the** criminal law in protecting the environment needed **further** refinement.

89. Many States supported the **introduction of corporate** criminal liability, where this was **not already in force, in order to prevent abuses both by enterprises and municipal authorities against the environment. Examples of activities carried out by such entities included contracting for public works, waste disposal, the construction of installations, and water treatment facilities. The penalties that might apply to corporate offences included substantial fines, the dissolution or closure of the entity involved, its expulsion from public markets, placing it under judicial supervision, restricting its activities, confiscation of the product or instrument used in the offence, and the publication of the judicial decision against the entity. However, criminal liability of corporate entities should not exonerate culpable individuals.**

90. Regional cooperation was becoming increasingly important given the **transboundary** nature of environmental damage. In this regard, treaties on extradition and mutual assistance in criminal matters, based on **the United Nations** model treaties, would be a **useful** basis for cooperation. **A number of countries urged that national legislation be reviewed with a view to making laws more compatible. Elaboration of United Nations guidelines on the enforcement of environmental protection through the criminal law would also be useful.**

91. **International cooperation in the area** of environmental protection through the use of the criminal law would include the further examination of the issue by **expert** working groups and increased exchanges of information concerning legislation and protection measures. Better exchange of evidence and simplification of investigation **methods** should also be pursued. Specific training **programmes**, meetings and exchanges of trainees at the regional and **international** levels should be supported in this connection.

92. Other possible initiatives **for** environmental protection would be the establishment of an international tribunal for the prosecution and trial of **transnational** environmental crimes **and the setting up of a central body to collect, analyse and distribute relevant information and to coordinate all relevant technical operational activities through an agreed channel, such as the United Nations.**

93. It was suggested that the Commission should give consideration to the desirability of the introduction by countries of a general environmental **offence** into their legislation in order to close legal loopholes **currently** existing in many jurisdictions. It should also study problems of jurisdictional competence in respect of **transboundary offences**, as **well** as the question of which entities should have the right to bring **an** action before a court or tribunal.

### **C. Consideration of agenda item 5 in Committee I**

#### **Criminal justice and police systems; management and improvement of police and other law enforcement agencies, prosecution, courts and corrections, and the role of lawyers (topic iii)**

##### **Introduction**

94. **At its 1st plenary meeting, on 29 April 1995, the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders decided to allocate to Committee I agenda item 5, entitled "Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections, and the role of lawyers" (topic III).**

95. For its consideration of the **item**, the Committee **had before** it the following documents:

**(a) Working paper prepared by the Secretariat on criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and corrections and the role of lawyers (A/CONF.169/6);**

(b) **Background** paper for the workshop on international cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the **development, analysis and policy use of criminal justice information (A/CONF.169/13)**;

(c) **Progress** report prepared by the **Secretariat** on the United Nations Crime and Justice **Information Network: present and future dimensions**; towards the establishment of a United Nations crime and **justice clearing-house (A/CONF.169/13/Add.1)**;

(d) Interim report prepared by the Secretariat on the **results** of the Fourth United Nations Survey of Crime Trends and **Operations of Criminal Justice Systems (A/CONF.169/15)**;

(e) Report of the Asia and Pacific Regional Preparatory Meeting for the Ninth United Nations Congress on the Prevention of Crime and the **Treatment of Offenders (A/CONF.169/RPM.1/Rev.1 and Rev.1/Corr.1)**;

(f) Report of the African Regional Preparatory Meeting for the Ninth United Nations **Congress on the Prevention of Crime and the Treatment of Offenders (A/CONF.169/RPM.2)**;

(g) Report of the European Regional Preparatory Meeting for the **Ninth** United Nations Congress on **the** Prevention of Crime and **the** Treatment of Offenders **(A/CONF.169/RPM.3 and Corr.1)**;

(h) Report of the Latin American and Caribbean Regional Preparatory Meeting for the Ninth United Nations Congress on **the** Prevention of Crime and the Treatment of Offenders **(A/CONF.169/RPM.4)**;

(i) Report of the Western Asia Regional Preparatory Meeting for **the** Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders **(A/CONF.169/RPM.5)**;

(j) Documentation list of United Nations surveys of crime trends and operations of criminal justice systems (1970-1995) **(A/CONF.169/CRP.2)**;

(k) Statistical tables **(A/CONF.169/CRP.3)**.

### **Proceedings**

96. At its **1st** to 5th meetings, from 29 April to 1 May 1995, **the** Committee held **a** general discussion on the **item**. At its **1st** meeting, the representative of the Crime Prevention and Criminal Justice Branch of the United Nations **Office** at Vienna made an introductory statement.

97. **Also** at the **1st** meeting, on 29 April, statements **were** made by the representatives of France (on behalf of **the** European Union), the United Kingdom of Great Britain and Northern Ireland, Germany, China, Algeria and Cuba. A statement was also made by an individual expert (Argentina).

98. At the 2nd meeting, on 30 April, statements were made by the representatives of France, Canada, Russian Federation, Islamic Republic of Iran, Egypt, Syrian Arab Republic, **Israel** and Germany. The observer for **the** International Centre for Criminal Law Reform and Criminal Justice Policy **also** made a statement.

99. At the 3rd meeting, on 30 April, statements were made by **the** representatives of Belgium, Uganda, **Slovenia**, South Africa, Chile, Austria, Kuwait, Saudi Arabia and Brazil. The **representative** of Iraq made a statement in **right** of reply. The observer for the Federation of Bar Associations, a non-governmental organization, also **made a** statement.

100. At the 4th meeting, **on** 1 May, statements were made by the representatives of Jordan, Russian Federation, Romania, Ukraine, Republic of Korea, Peru, Libyan Arab **Jamahiriyah**, The Former **Yugoslav**

Republic of Macedonia and the Philippines. The observer for the Arab Security Studies and Training Centre, an intergovernmental organization, also made a statement. A statement was also made by an individual expert (Canada).

101. At its 5th meeting, on 1 May, statements were made by the representatives of Spain, Argentina, Poland, South Africa and Sudan. The observers for the Asian Crime Prevention Foundation and Amnesty International, non-governmental organizations, also made statements.

102. On 2 and 3 May 1995, the Committee held a workshop on international cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information (topic (f)), whose report is contained in chapter VI.

103. On 4 and 5 May 1995, the Committee held a workshop on environmental protection at the national and international levels: potentials and limits of criminal justice (topic(e)), whose report is contained in chapter VI.

#### General discussion

104. In the introductory statement by the representative of the Secretariat, it was noted that the topic involved various issues related to the functioning of criminal justice, including the role of lawyers. The topic could be considered as the logical extension of one of the priority themes identified by the Commission on Crime Prevention and Criminal Justice — namely, “Efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies?”

105. In presenting the documents before the Committee, the representative of the Secretariat noted that the United Nations regional institutes (the European Institute on Crime Prevention and Control affiliated with the United Nations (Helsinki, Finland); the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (Kampala, Uganda); the Asia and Far East Institute on the Prevention of Crime and the Treatment of Offenders (Fuchu, Tokyo, Japan), with the Australian Institute of Criminology (Canberra, Australia); and the Latin American Institute for the Prevention of Crime and the Treatment of Offenders (San José, Costa Rica)) had prepared four regional reports related to the analysis of the results of the Fourth United Nations Survey on Crime Trends and Operations of Criminal Justice Systems (1986 1990).<sup>34</sup>

106. Having highlighted the main issues dealt with in the working paper, the speaker stressed the importance of criminal justice information management in improving criminal justice systems overall and making them more cost-effective, thus enabling them to fulfil their objectives, address priority needs, and deliver the services required.

107. Further to the introduction of the item and the presentation of its relevant documentation by the Secretariat, a debate followed with interventions from representatives of Member States, intergovernmental and non-governmental organizations; and experts in their individual capacities.

108. There was general agreement that modern policing involved not only law enforcement and security issues but also a variety of approaches designed to solve social conflicts. Community policing was mentioned as a key strategy in a number of countries for achieving greater police accountability and increasing public involvement in police activities. Technical cooperation in the area of law enforcement was seen as important

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<sup>34</sup>See ECOSOC resolution 1992/22.

<sup>35</sup>The reports are available from the respective institutes.

in enhancing the performance of law enforcement **officials** and fostering modern policing **strategies**, not **only** to share information on the functioning of criminal justice systems and recent changes in legislation but also to increase the effectiveness of operational activities.

**109.** Many delegates pointed out that their national criminal justice systems ensured the independence of the prosecution, both politically and in decisions on whether to prosecute a case (and bring it to justice). The **Guidelines on the Role of Prosecutors**, adopted by the Eighth United Nations **Congress on the Prevention of Crime and the Treatment of Offenders**, were regarded **as** a useful tool to ensure the proper functioning of criminal justice systems.

**110.** Representatives of States also **emphasized that** procedures for **transboundary** investigations should be simplified and new **methods** of investigation used. In particular, criminal justice and police **systems should be harmonized** in order to allow for easier communication and collaboration. In **rationalizing** criminal justice procedures, the principle of **fairness**, particularly as regards the proper and timely preparation of cases, was applied in various countries. It was **emphasized** that a basic principle of **prosecution** should be that cases were brought to justice only if sufficient evidence existed and that any case which was brought to justice had to respond to the public interest. While the view was expressed that prosecutors needed a measure of discretion in order to **perform** their duties properly, it was also noted that such discretion had to be defined by precise parameters and be supervised by both the public and parliament. Speakers supported the idea of establishing an international association of prosecutors.

**111.** As regards the **judiciary**, constitutions and national laws guaranteed the independence of magistrates. In noting that disciplinary action against judges or magistrates **was** in compliance with the Basic Principles on the Independence of the Judiciary, some participants emphasized that there was still need for **fuller** compliance with the Principles and for intensified efforts aimed at their implementation. **The** education and continuing training of magistrates should ensure their proper performance and the practical benefits of their independence. It was **reported** that in many criminal justice systems, the appointment of judges and magistrates was independent of any political or other influence and entirely dependent on the capacity and professionalism of the applicant. It was further felt by some representatives that the judiciary should reflect the composition of the community in terms of gender, race and social class. 'There should be autonomous supervision of judges and magistrates, with possible **charges** restricted to **formal** grounds.

**112.** The problems of court case overload and of the resultant delays **in** proceedings were mentioned **repeatedly**. Participants **stressed that** the immediate **appearance** of the suspect before a competent court or judicial authority was an objective of paramount importance in order to meet the basic legal rights of **the** suspect. Other approaches mentioned were **release** on parole and mediation, restitution and compensation — in particular, for first **offences** and young offenders.

**113.** Issues related to prison administration were also addressed — particularly the **continuous** efforts to improve the recruitment and training of prison officials as a way of improving the treatment of offenders in prisons. Many **representatives** expressed concern about poor prison conditions and the high cost of prisons and their administration. Various speakers called for **increased assistance** by **the** United Nations in improving sometimes devastating prison conditions. It was pointed out that correctional services very often had to be sacrificed when national budgets were being cut or when priorities were **re-evaluated**. Prison reforms **were** under way or were seriously being considered in various countries, with a view to guaranteeing full respect for the individual rights of prisoners, as reflected in **international instruments**. Various means could be applied to improve the situation of both **staff and** inmates in prisons. In **many** cases, **improvements** could even be **made** without high expenditure, with the goodwill of all the parties involved. It was suggested that prison routine should be reviewed in **order** to improve the management of daily **prison life**. **Certain** countries **emphasized** that imprisonment should be combined with education, medical treatment and various crime prevention **programmes**. Statements were heard on the legal impact of previous United Nations Congresses on the Prevention of Crime and the Treatment of Offenders on criminal justice reforms in Member States and the

important role **of those** forums in promoting practical and action-oriented exchanges on criminal policy matters and crime prevention.

114. Many countries were sharing experiences on the use of non-custodial measures and several speakers pointed out the importance of the discussions held on that subject at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Non-custodial sanctions were increasingly regarded as an appropriate reaction to a large number of criminal acts, even though, on a global scale, the implementation **of alternatives** to imprisonment was still at a nascent **stage**. It was also mentioned **that** in certain countries more than two thirds of all criminal proceedings **were** dealt with by the judiciary and non-custodial sanctions. Furthermore, such measures were seen as lowering the human and financial costs of **corrections** and helping to **achieve** better prison conditions indirectly by reducing the prison population. **Experiences** with **electronic** surveillance of convicted persons serving their sentences at home were also reported.

115. With **regard** to the role of lawyers, many representatives indicated that, in order to **ensure** the proper **defence** of the accused, **lawyers** were legally protected and the autonomy of lawyers was guaranteed. In many countries bar associations were established to ensure the proper **functioning** of legal counsel. However, it was noted that more emphasis should, in some cases, be placed on the social aspects of advocacy, including the **representation** of offenders by laypersons. Some experiences with social advocacy demonstrated the need for conflict resolution rather than the application of **strict** formal rules and regulations.

116. The importance of computer technology in disseminating information in the field of crime control was emphasized, and participants exchanged experiences in the use of computerization in criminal justice administration. Since offenders employed new technologies, the police and other agencies also had to use new techniques for the proper investigation of cases. The use of computer technology and of computerized criminal justice administration could help to lighten caseloads and shorten delays in criminal justice administration. Examples were given, and plans for system-wide **computerization** were described. It was noted that electronic information collection required the appropriate protection of individual privacy, especially through the implementation of regional conventions and other international instruments on the protection of personal data.

117. As regards measures to combat organized crime, international cooperation was **regarded** as crucial in **addressing** the need for updated information on the operational **trends** of organized crime, particularly in terms of offenders' current modes of operation and means of **perpetrating** organized crime. It was suggested that a **centralized** data bank be established on criminal organizations and their illegal activities. It was considered important that all aspects of the functioning of the criminal justice **system** be **transparent** and the personnel accountable in order for the system to gain public trust and respect, nationally and **internationally**. Political and administrative hindrances to opening up the criminal justice system had to be overcome, as was noted in the **Secretariat's** interim report on **the** Fourth United Nations Survey on Crime Trends and Operations of Criminal Justice Systems (**A/CONF.169/15**). If societies did not feel that the governmental criminal justice apparatus supported and maintained public order effectively, they **were** more likely to rely on **extra-legal** measures to **safeguard** their security. An important illustration of the extent to which a system might be **described** as **transparent** was the way in **which** it dealt with its own failures and indiscretions. Adequate measures to **prevent** the abuse of power by law enforcement and other officials were regarded **as** crucial elements in the **implementation** of the concept of good governance.

118. **There** was general consensus that existing criminal justice systems should be **strengthened** through appropriate legislative and administrative reforms. Mention was made of the technical cooperation and advisory **services** of the United Nations crime prevention and criminal justice **programme**. It was suggested that the **programme** should be further strengthened and that the issue of limited resources should be duly **discussed, also** in the context of assistance in the management of criminal justice. At the same time, cooperation at all levels needed to be **ensured**.

119. The need for training law enforcement **officials** in all existing methods of criminal justice information processing was emphasized. Non-governmental organizations and individual experts offered their assistance

in improving the efficacy and humane approach of law enforcement agencies and supporting more elaborate training of the police. They urged Member States to ensure a reduction in the use of pre-trial detention. At **the** same time, Member States **were** urged to respond to the United Nations questionnaires, providing appropriate and **sufficient** information for United Nations reports on **the** USC and application of norms and **standards, as a prerequisite** for viable data collection and dissemination at the international level.

### Consideration of draft proposals

120. At **the** 3rd meeting, on 30 April, the representative of the Netherlands introduced a **draft** resolution (**A/CONF. 169/L.4**) entitled “Practical implementation of the Standard Minimum Rules for the Treatment of Prisoners”. Statements were made by the representatives of Cuba, the United Kingdom of Great Britain and Northern Ireland, Ireland, Japan, Egypt and the Netherlands, after **which** a revised text of the **draft** resolution was issued (**A/CONF.169/L.4/Rev.1**). Argentina, Austria, Belgium, Canada, Finland, France, Germany, Ireland, Italy, Morocco, the Netherlands, Portugal, Sweden and the United Kingdom of **Great** Britain and **Northern** Ireland joined in sponsoring the revised draft resolution.

121. At **the** 6th meeting, on 6 May, the Committee had **before** it a **revised draft resolution** (**A/CONF.169/L.4/Rev.2**) submitted by the representative of the Netherlands, also on **behalf** of Argentina, Austria, Belgium, Canada, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Morocco, New Zealand, Norway, Portugal, Spain, **Sweden** and the United Kingdom of Great Britain and **Northern** Ireland. Subsequently Brazil and Switzerland joined in sponsoring the revised draft resolution.

122. At the same meeting, **the** Committee adopted the revised draft resolution (**A/CONF. 169/L.4/Rev.2**). (see **para.** 128).

123. At the 3rd meeting, on 30 April, the representative of Poland introduced a draft resolution (**A/CONF.169/L.9**) entitled “Criminal justice management in **the** context of accountability of public administration and sustainable **development**”. Statements were made by the representatives of Canada and **the** United Kingdom of Great Britain and Northern Ireland.

124. At the 6th meeting, on 6 May, **the** Committee had before it a revised **draft** resolution (**A/CONF.169/L.9/Rev.1**).

125. At the same meeting, the representative of Egypt made the following amendments to the revised draft resolution: in operative paragraphs **5** and **6**, the word “relevant” was inserted before **the** words “intergovernmental and non-governmental organizations”.

126. At **the** same meeting, **the** Committee adopted the revised draft resolution (**A/CONF. 169/L.9/Rev. I**), as **orally** amended (see **para.** 128).

127. At **the** 6th meeting, on 6 May, **the** Committee took note of the **report of the** workshop on topic **(f)**: international cooperation and assistance in **the** management of **the criminal** justice system: computerization of criminal justice operations and **the** development, analysis and policy use of criminal justice information.

### Recommendations of the Committee

128. At **the end** of its discussions, Committee 1 recommended to **the** Congress **the** adoption of two draft resolutions, the text of which is contained respectively in **the** following documents: (i) **A/CONF.169/L.4/Rev.2** on Practical implementation of the Standard Minimum Rules for **the** Treatment of Prisoners; and (ii) **A/CONF.169/L.9/Rev. 1** on Criminal justice management in the context of accountability of public administration and sustainable development.

## D. Consideration of agenda item 6 in Committee II

**Crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives**

### Introduction

129. At its first plenary meeting, on 29 April 1995, the Ninth United Nations Congress *on the Prevention of Crime and the Treatment of Offenders* decided to allocate to Committee II agenda item 6, entitled “Crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives” (topic IV).

130. For its consideration of the item, the Committee had before it the following documents:

- (a) Working paper prepared by the Secretariat on crime prevention strategies, in particular as related to crimes in urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives **(A/CONF.169/7)**;
- (b) Background paper for the workshop on extradition and international cooperation: exchange of national experiences and implementation of extradition principles in national legislation **(A/CONF.169/8)**;
- (c) Background paper for the workshop on mass media and crime prevention **(AKONF.169/9)**;
- (d) Background paper for the workshop on urban policy and crime prevention **(AKONF.169/10)**;
- (e) Background paper for the workshop on the prevention of violent crime **(A/CONF.169/11)**;
- (f) Discussion guide **(A/CONF.169/RPM.1 and Corr.1)**;
- (g) Discussion guide on demonstration and research workshops to be held at the Ninth United Nations Congress on the Prevention of Crime and Treatment of Offenders **(AKONF.169/RPM.1/Add.1)**;
- (h) Report of the Asia and Pacific Regional Preparatory Meeting for the Ninth United Nations Congress on **the** Prevention of Crime and the Treatment of Offenders **(A/CONF.169/RPM.1/Rev.1 and Rev.1/Corr.1)**;
- (i) Report of the African Regional Preparatory Meeting for the Ninth United Nations Congress *on* the Prevention of Crime and the Treatment of Offenders **(A/CONF.169/RPM.2)**;
- (j) Report of the European Regional Preparatory Meeting for the Ninth United Nations Congress *on* the Prevention of Crime and the Treatment of Offenders **(AKONF.169/RPM.3)**;
- (k) Report of the Latin American and Caribbean Regional Preparatory Meeting for the Ninth United Nations Congress *on* the Prevention of Crime and the Treatment of Offenders **(A/CONF.169/RPM.4)**;
- (l) Report of the Western Asia Regional **Preparatory** Meeting for the Ninth United Nations Congress *on* the Prevention of Crime and the **Treatment** of Offenders **(AKONF.169/RPM.5)**.

## Proceedings

131. At its 1st to 5th meetings, on 29 and 30 April and 2 May 1995, the Committee held a general discussion on the item. At the 1st meeting, on 29 April, the **representative** of the Crime Prevention and Criminal Justice Branch made an introductory statement.

132. Also at the 1st meeting, on 29 April, statements were made by the **representatives** of France (on behalf of the States Members of the United Nations that are members of the European Union), **Japan, Canada, Germany, the United Kingdom of Great Britain and Northern Ireland, China, Botswana, Turkey and Cuba.**

133. At the 2nd meeting, on 30 April, statements were made by **the** representatives of Malta, Uganda, **the** Islamic Republic of Iran, **Austria, Australia, Israel, France, Italy and Togo.** The observer for the **International Committee of the Red Cross, an intergovernmental organization,** made a statement. A statement was also made by an individual expert.

134. At the 3rd meeting, on 30 April, statements were made by the representatives of Sweden, **Slovenia** and Algeria. The **observer** for the Arab Security Studies and Training **Centre, an intergovernmental organization,** made a statement. The observer for the World Society of **Victimology, a non-governmental organization,** also made a statement.

135. At the 4th meeting, on 2 May, statements were made by the representatives of Ukraine, Venezuela, Chile, Egypt, Argentina, **Peru** and Pakistan. The observer for the Japan Federation of Bar Associations, a non-governmental organization, also made a statement.

136. At the 5th meeting, on 2 May, statements were made by **the representatives** of the Philippines, Belgium, the Republic of Korea, South **Africa, Azerbaijan and Colombia.** The **observers** for the Defense for Children International, the International Society for Traumatic Stress Studies and the International **Centre** for the Prevention of Crime, non-governmental organizations, **also** made statements.

137. On 1 May, the Committee held a workshop on mass media and crime prevention (**topic (b)**).

138. At the 6th meeting on 7 May, **the** Committee took note of a report by the Chairman on the workshop (**A/CONF.169/C.2/L.1, as orally amended**).

139. On 3 May, the Committee held a **workshop** on extradition and international cooperation: exchange of national **experience** and implementation of relevant principles in national legislation (topic (a)).

140. On 7 May, the Committee had before it a report by the Chairman on **the** workshop (**A/CONF.169/L.23**), which it decided to forward to the Plenary for its consideration.

141. On 4 May, **the** Committee held a workshop on urban policy and crime prevention (topic (c)).

142. At the 6th meeting, on 7 May, the Committee took note of a report by the **Chairman** on the workshop (**A/CONF.169/C.2/L.2, as orally amended**).

143. On 5 May, the Committee held a workshop on prevention of violent crime (topic (d)).

144. At the 6th meeting, on 7 May, **the** Committee took note of a **report** by the Chairman on **the** workshop (**A/CONF.169/C.2/L.3, as orally amended**).

## General discussion

145. The representative of the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna introduced the documentation related to the item, emphasizing that the topic was one that touched most countries directly in various ways. The prevention of urban crime, the question of victims of crime, and the promotion of international cooperation in crime prevention converged as part of the larger problem. If comprehensive and integrated preventive policies were not instituted, current urbanization rates and demographic trends were bound to exacerbate the situation. Preventive action, including both generic and specific crime prevention and both “situational” and in-depth measures, offered constructive prospects, particularly where repressive models of crime control had largely failed.

146. Issues dealt with under the topic, including the exposure to petty criminality and risk of more serious crime, affected everyone, for they concerned people’s sense of security or insecurity, which permeated daily life. Violence was becoming a frightening fact of life, not only in areas of ethnic strife but also in so-called “urban war zones”, inner cities, marginalized outskirts of towns and other areas where exclusion, want and stress reduced legitimate prospects and drove an increasing number of unemployed youth to turn to illicit pursuits. Relative deprivation as a major cause of violence and criminality was likely to be accentuated by the widening gap between haves and have-nots, within and between countries. That fact underlined the importance of greater justice as a preventive strategy, along with the pervasive need for security, as reflected in the theme of the Congress.

147. Participants noted that the sub-topics under the item were interrelated; in fact, they represented different aspects of a larger problem which had to be tackled in a comprehensive and coherent manner. Rapid urbanization, particularly in developing countries, was compounding crime problems, especially under the severe economic constraints that curtailed the availability of requisite services and facilities. The concentration of the disadvantaged in certain urban areas, without adequate means of subsistence or social support, was conducive to instability, just as the upsurge of criminality reflected a breakdown in the rule of law, which impaired the quality of life. Rapid, unplanned development was a major factor in the deterioration of the urban scene. The accompanying changes, loosening of traditional ties and weakening of moral values tended to create anomic conditions. It was to be expected that the frustrations and hopelessness of their existence would drive some inhabitants to crime, facilitated by the anonymity and alienation of the urban context, and even to eruptions of violence. Economic offences, usually targeted at places of business, construction sites, communication installations etc. were largely an urban phenomenon, with fraud, larceny and robbery on the rise. Large-scale migration was also a factor in reducing stability, and migrants were at risk of becoming both offenders and victims. They tended to congregate in rundown areas, and their visibility made them an easy target for apprehension.

148. Many delegates expressed their concern about the fact that every year many people in the world were killed or injured in crimes committed with firearms. It was important, among other things, to regulate firearms, which were most frequently used in such heinous crimes as murder and robbery. Most participants noted that those crimes in which guns were used could be reduced by proper regulation of the possession and sale of firearms. The attitudes towards firearms were different from country to country and, as a result, Member States had different systems of regulation. With large profits to be made in the sale of illegal firearms, it was not surprising to find that many were being transported across national borders in search of new markets. It was thought to be extremely difficult for each Member State to regulate firearms by itself. International cooperation was seen as indispensable, especially in respect to suppressing illicit trafficking in firearms, which frequently involved criminal organizations. Discussion and the exchange of experience and data would help to build a common understanding. The need to study the criminal situation on crimes in which guns were used, illicit transactions in guns, and legislation and regulations relevant to the control of firearms in each country, was expressed. The linkage between easy access to firearms and the frequent accidents and suicides involving the use of firearms was also stressed. It was recommended that the Commission on Crime Prevention and Criminal Justice, should provide a suitable forum for the discussion of problems concerning the regulation of firearms.

149. The current demographic trends, high urbanization rates and widespread poverty were likely to exacerbate the problems of dysfunctional urban concentrations, which could well get out of hand, if **adequate preventive measures** were not instituted. Other United Nations forums, such as the United Nations **International Conference on Population and Development** and the world social Summit, highlighted **some of** those problems, which could be pursued jointly. The multiple factors involved in **Urban** criminality and in the manifestations of violence called for multidimensional preventive policies and an integrated approach. The integrated approach included national and local strategies that were consonant and mutually supportive. The trend was towards decentralization. Local diagnoses of crime problems provided a suitable basis for decision-making, and local authorities, such as mayors, were close enough to the people to make preventive action **meaningful** and democratic, especially if it was visible and transparent.

150. To achieve optimum results, it was **necessary** to proceed on several fronts and involve all the parties concerned, including various **services** and agencies (health, education, housing, **social** services etc.). **Those** services and agencies had to be properly coordinated, under the leadership of a key figure committed to the task at hand and able to mobilize concerted action by all those concerned, including non-governmental **organizations**, representatives of the public, social organizations, academic committees, the media and **the** private sector. Such broad-based action utilized local partnerships and flexible **contractual** agreements. **Such** an approach, guided by multisectoral councils and supported by national crime prevention bodies, had shown promise in several countries, whose representatives described **the** experience gained. Its evaluation was an indispensable adjunct of effective action, as was the continuity of efforts and policy adjustments to changing **socio-economic** situations.

151. The potential of community-based projects for crime prevention was emphasized by many delegates. Neighbourhood “watch groups”, mediation boards and public security committees were grass-roots organizations that played **an** active role in crime prevention in various countries. Their familiarity with local problems and conflicts made it possible for them to make a particularly relevant contribution, settling disputes and other matters affecting public security.

152. The community-based approach was also the guiding principle governing community policing and problem-solving forms of law enforcement, which brought the police and the public closer together. Ways of **encouraging** dialogue and **cooperation** between them could be facilitated by **setting up** networks of local **police** stations, which had proved successful in some countries and was being tried in others. **The** networks **could** handle minor **offences** and help prevent conflicts. The traditional focus **on** offenders, it was noted, had to be **complemented** by a more sophisticated **approach**, taking account of the dynamics of **crime** problems and offering a range of preventive interventions.

153. **The** performance of public security functions was enhanced by professional police training, deployment of public security teams, especially in “hot-spots”, and the availability of modern technology to help the police discharge their preventive functions. Democratic policing represented a special challenge, particularly for **countries** in transition and others eager to **increase confidence in the police as an institution**, which had to maintain a delicate balance between providing security and **respecting** the basic **freedoms and** human rights of citizens. A **proper** legal **framework** was **necessary** for that purpose, to help **combat** serious criminality while protecting people’s personal and legal rights and interests **from** being violated.

154. Special emphasis was given to the elimination of violence against **women**, an issue of global **concern** at the national and international levels. Violence against women **occurred both** in the domestic context and in society generally, at all points of the **economic spectrum** regardless of the age, **culture**, or religion of the **parties**. It was seen as a reflection of women’s structural and systematic inequality **in society** and as a **means** of maintaining that inequality. In addition to a legal system that assured women’s quality, a network of front-line **services** (sexual assault **centres**, transition houses) and legal-aid **programmes** were seen as key elements in preventing violence against women.

155. It was pointed out that not only the symptoms but also **the** underlying causes of criminal **behaviour** had to **be tackled**. Attention thus had to **be** given to basic institutions, such as the family, the school and the wider **society**. The international Year of the Family had made some cogent recommendations, and the role of education could **be** significantly enhanced. The mass media, it was noted, could play a more constructive **role**, if they promoted the educational **process** and curtailed their penchant for sensationalism and the **over-**programming of violence. Indeed, the media could be a major mums of furthering crime prevention, by **increasing** public awareness and knowledge, dispelling negative attitudes, publicizing successes in crime prevention and fostering a **feeling** of security.

156. **The** community played a key role in shaping attitudes and **behaviour** and could serve as a positive factor. **Social** welfare **officers** and other community workers could make a major contribution to crime prevention. While certain, **swift** and equitable responses to major **infractions were** required as **alternatives** to punishment and, especially, to **incarceration** for less serious **infractions**, community-based sanctions could help in the rehabilitation of offenders, making them self-reliant, productive members of society. Risk-assessment **procedures** could **be** refined so as to increase success rates and facilitate more viable responses to crime. That **process** would also reduce **the** fatling of powerlessness currently prevailing in many places.

157. Situational crime prevention was also needed, and a number of representatives cited the steps taken in their countries to that effect. They ranged **from** better lighting and improved safety in car parks and shopping **centres** to a wider concept of "safe houses" for children, **safety programmes** for the elderly, and improved physical design.

158. A **central** facet of justice and task of government, it was noted, was the protection of the quality of **life** of all citizens, and one of the essential indicators of the quality of life was the extent to which people felt **safe** and secure. Crime prevention thus had a key **role** to play in ensuring sustainable development and a better life for all.

#### Consideration of draft proposals

159. The Committee had before it a dra!?! resolution entitled "Recommendations of the National Preparatory Meeting for the **Ninth** United Nations Congress on the Prevention of Crime and the Treatment of **Offenders**, held at Buenos Aires **from** 7 to 10 August 1994" (A/CONF.169/L.3), submitted by the delegation of Argentina in **accordance** with rule 28 of the **rules** of procedure.

160. The Committee had before it a draft resolution entitled "**Recommendations** on the substantive topics discussed by the Ninth United Nations Congress on the Prevention of Crime and the Treatment of **Offenders**" (A/CONF. 169/L. 10), submitted by the delegation of Uganda in accordance with rule 28 of the rules of **procedure**.

161. The Committee had before it a **draft** resolution entitled "Measures to combat all **forms** of racism and **racial** diination, xenophobia and intolerance" (AKONF. 169/L.13), submitted by the delegation of **Turkey** in **accordance with rule 28 of the rules of procedure**.

162. At the 4th meeting, on 2 **May**, the representative of Uganda introduced a **draft** resolution (A/CONF.169/L.18) entitled "Recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of **Offenders**", submitted on the basis of draft resolutions A/CONF.169/L.3, L.10 and L. 13 and sponsored by Argentina, Botswana, Central **African** Republic, Gambia, Lesotho, Malawi, Rwanda, Swaziland, **Turkey** and Uganda. **Intersessional** informal consultations, under the chairmanship of the Vice-Chairman of the Committee, took place on the following days.

163. Action on a revised text of the draft resolution (A/CONF. 169/L.18/Rev. 1) was taken at the 17th plenary meeting on 7 May (see resolution II).

164. At the 3rd meeting, on 30 April, the representative of Japan introduced a **draft** resolution entitled **“Control of firearms” (A/CONF.169/L.8)**, which had **been submitted** in accordance with **rule 28** of the **rules** of procedure.

165. At the 6th meeting, on 6 May, the representative of Japan introduced a revised **draft** resolution entitled **“Firearms regulation for purposes of crime prevention and public safety” (A/CONF.169/L.8/Rev.2)**, sponsored by Australia, Austria, Brazil, Canada, Colombia, Finland, Germany, the Islamic Republic of **Iran, Italy, Japan, Malaysia, Morocco, the Netherlands, the Philippines, the Republic of Korea, the Russian Federation, Sweden, Thailand, Turkey** and Ukraine, subsequently joined by Bolivia, Indonesia, Mali, **Norway, Togo** and the United Kingdom of Great Britain and Northern Ireland.

166. At the same meeting, **statements** were made **by the representatives** of the United Kingdom of Great Britain and **Northern Ireland, Germany, Japan, Australia, Egypt, Canada, the Russian Federation** and Sweden. The Executive Secretary of the Congress also responded to questions raised.

167. Also at the same meeting, the Committee adopted draft resolution **A/CONF.169/L.8/Rev.2**, as **orally** amended (see **para. 184**).

168. At the 3rd meeting, on 30 April, the representative of Canada introduced and orally revised a **draft** resolution entitled **“Elimination of violence against women” (A/CONF.169/L.7)**, which had been submitted in accordance with **rule 28** of the **rules** of procedure.

169. The Committee had before it a **draft** resolution entitled **“Violence against women” (A/CONF.169/L.16)**, submitted by the delegation of Turkey in **accordance** with rule 28 of the **rules** of **procedure**.

170. At the 7th meeting, on 7 May, the representative of Canada **introduced** and **orally** revised a revised **draft** resolution entitled **“Elimination of violence against women” (A/CONF.169/L.7/Rev.1)**, **sponsored** by Argentina, Australia, Austria, Barbados, Belgium, Benin, Brazil, Cameroon, Canada, Cape Verde, the Central **African** Republic, Chile, Colombia, **Comoros**, Finland, France, Greece, Guinea-Bissau, Ireland, Israel, Malaysia, Morocco, New Zealand, Panama, Paraguay, the Philippines, Poland, Portugal, Sao Tome and **Principe**, Sierra Leone, Slovenia, South **Africa**, Spain, Sweden, Togo, **Turkey**, Uganda and the United States of America. Subsequently, Azerbaijan, Indonesia, Mali, Malta, the Netherlands, Norway, Oman, **The Former Yugoslav** Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and Switzerland joined in co-sponsoring the **draft** resolution.

171. Statements were made by the representatives of Egypt, the Islamic Republic of Iran, Indonesia, Canada and Turkey.

172. **At the same meeting, the Committee adopted draft resolution A/CONF.169/L.7/Rev.1, as orally amended (see para. 184).**

173. After the adoption of **the draft** resolution, the representative of Canada made a statement.

174. In light of the adoption of draft **resolution A/CONF.169/L.7/Rev.1**, as amended, draft resolution **A/CONF.169/L.16** was withdrawn by the sponsor.

175. The Committee had before it a **draft** resolution entitled **“Application of United Nations standards and norms in juvenile justice” (A/CONF.169/L.5 and Corr.2)**, submitted by the delegation of Austria in accordance with **rule 28** of the **rules** of **procedure**.

176. The Committee had before it a **draft** resolution entitled **“Elimination of violence against children” (A/CONF.169/L.11)**, submitted by the delegation of Belgium in accordance with **rule 28** of the **rules** of **procedure**.

177. At the 5th meeting, on 2 May, the representative of Austria introduced and orally **revised** a **draft** resolution entitled “Children as victims and perpetrators of crime **in** the United Nations criminal justice **programme**: from standard **setting** towards implementation and action” (**A/CONF.169/L.19**), sponsored by Austria and Belgium and submitted on the basis of **draft** resolutions **A/CONF.169/L.5** and **Corr.2** and **A/CONF.169/L.11**.

178. **At** the 6th meeting, on 6 May, the representatives of Austria and Belgium introduced and orally revised a revised **draft resolution (A/CONF.169/L.19/Rev.1)**, sponsored by **Austria**, Argentina, Belgium, Benin, Burundi, Canada, France, Greece, inland, Israel, Italy, the Netherlands, Paraguay, the Philippines, Portugal, Spain, Sweden, Switzerland, The former **Yugoslav** Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland, subsequently joined by Azerbaijan, Germany, Nigeria, Norway and South **Africa**.

179. Also at the 6th meeting, statements **were** made by the representatives of Argentina, the United **Sates** of America, China, the United Kingdom of Great Britain and Northern Ireland, the Islamic Republic of Iran, Nigeria, Egypt, Canada, Paraguay, Japan, New Zealand, the Netherlands and Tunisia.

180. At the 7th meeting, on 7 May, statements were made by the representatives of Belgium, Argentina, China, Togo, the **Netherlands**, **Egypt**, the Islamic Republic of Iran, France, Tunisia, Canada, Kuwait, the United States of America, Paraguay, Nigeria, Austria, Japan and Cameroon.

181. At the same meeting, the Committee adopted **draft resolution A/CONF.169/L.19/Rev.1**, as orally amended (see **para.** 184).

182. After the adoption of the **draft** resolution, the representative of Austria made a statement.

183. In light of the adoption of **draft** resolution **A/CONF.169/L.19/Rev.1**, as amended, **draft** resolutions **A/CONF.169/L.5** and **Corr.2** and L. 11 were withdrawn by the sponsors.

#### Recommendations of the Committee

184. At the end of its discussions, Committee II recommended to the **Congress** for adoption three **draft** resolutions, the text of which is contained respectively in the following documents: (i) **A/CONF.169/L.8/Rev.2**, **as** orally amended, on Firearms regulation for purposes **of** crime **prevention** and public **safety**; (ii) **A/CONF.L.169/L.7/Rev.1**, as orally amended, on Elimination of violence against women; and (iii) **A/CONF.169/L.19/Rev.1**, as orally amended, on Children as victims and perpetrators of crime and the United Nations criminal justice programme: **from** standard setting towards implementation and action.

#### E. Report of the **Credentials** Committee

185. At its 1st plenary meeting, on 29 April 1995, the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in accordance with rule 4 of the **rules** of procedure of the Congress, appointed a Credentials Committee composed of the following *States*: China, Ecuador, Lesotho, Portugal, Russian Federation, Togo, United States of America, Uruguay and Viet Nam.

186. The Credentials Committee held one meeting, on **5** May 1995.

187. H.E. Mr. **Eduardo** Nunes de **Carvalho** (Portugal) was unanimously elected Chairman of the Committee.

188. The Committee had before it a memorandum by the Executive Secretary of the Congress, dated **4** May 1995, on the status of credentials of representatives of States attending the Congress. Additional information on credentials **received** by the Executive Secretary of the **Congress** after the issuance of the memorandum was provided to the Committee by the **Secretary of the** Committee. On the basis of the

information made available to it, the Committee noted that, as at 5 May 1995; 78 States had submitted **formal** credentials for their representatives issued by the **Head of State or Government** or by the Minister of **Foreign Affairs, as provided for in rule 3** of the rules **of procedure of the Congress. The Committee also noted that the designation** of representatives of 60 other States participating in the Congress had been **communicated** by means of facsimile or in the form of letters or notes **verbales** from ministries, embassies, **permanent missions to the United Nations or other government offices or authorities, or through local United Nations offices.**

189. The Chairman proposed that the Committee adopt the following **draft** resolution:

*“The Credentials Committee,*

*“Having examined* the credentials of the **representatives** to the Ninth **United Nations Congress on the Prevention of Crime and the Treatment of Offenders, referred to in paragraph 4 of the present report,**

*“1. Accepts* the credentials of the representatives of the States **referred** to in **paragraph 4 (a)** above;

*“2. Accepts* the provisional participation of the representatives of the States referred to in paragraph 4 (b) above, pending the receipt of their credentials;

*“3. Recommends that* the Congress should approve the report of the Credentials Committee.”

190. The draft resolution **proposed** by the Chairman was adopted by **the** Committee without a **vote**.

191. Subsequently, the Chairman proposed that the Committee should recommend to the Congress the adoption of a draft resolution. The proposal was approved by the Committee without **a** vote. For the text approved, see resolution **1 I**, under Chapter I.

## **F. Action taken by the Congress**

### **1. Recommendations on the four substantive topics of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders**

192. At its 16th plenary meeting on 7 May 1995, the Congress had before it a draft resolution entitled “Recommendations by the **Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders” (A/CONF. 169/L. 18/Rev. 1)**, sponsored by Argentina, Turkey and Uganda as **agreed upon** following inter-sessional informal consultations.

193. The President made a statement.

194. Statements were **made** by the representatives of Argentina, France, Spain and the United Kingdom.

195. The Congress decided to postpone action on the draft resolution, with the view to harmonizing its wording to that of other draft resolutions.

196. At its 17th plenary meeting, the representative of the United Kingdom informed **the** Congress on the outcome of the informal consultations on the **draft** resolution.

197. Statements were made by the representatives of Argentina, Bolivia, Brazil, Canada, France, Spain, the United Kingdom **and the United States.**

198. **The Secretary-General** of the Congress made a statement.
199. The representative of Japan proposed an oral amendment to the draft resolution.
200. **It** was announced that Bolivia, Chile, Israel, Nigeria, Panama, **Paraguay** and Togo had become **sponsors** of the **draft** resolution.
201. At the same meeting, the Congress adopted the draft resolution, as **further** orally amended (for the text, see chapter **I**, resolution 1).
202. The Congress decided that in accordance with the recommendations of the **pre-Congress** consultations, no action was required on draft resolutions contained in documents AKONF. **169/L.3**, AKONF. **169/L. 10**, **A/CONF. 169/L. 13** and AKONF. **169/L. 17**.
- 2. International cooperation and practical assistance for strengthening the rule of law: development of United Nations model instruments**
203. At its 16th plenary meeting on 7 May 1995, the Congress had before it a draft resolution entitled “International cooperation and practical assistance **for strengthening the rule of law: development of United Nations model instruments**” (AKONF. **169/L.6/Rev.2**).
204. At the same meeting, the Congress adopted the draft resolution (for the text, see chapter I, resolution **2**), sponsored by Australia, Canada, China, Finland, Germany, Netherlands and New Zealand.
- 3. International instruments, such as a convention or conventions against organized transnational crime**
205. At its 16th plenary meeting, **the** Congress had before it a **draft** resolution entitled “International instruments such as a convention or conventions against organized transnational crime” (**A/CONF. 169/L.2/Rev.2**), sponsored by Argentina, Brazil, Colombia, Italy, Morocco, Netherlands, Paraguay, Russian Federation and United States.
206. At the same meeting, the Congress adopted the draft resolution (for the text, see chapter I, resolution 3).
- 4. Links between terrorist crimes and transnational organized crime**
207. At its 16th plenary meeting, **the** Congress had before it a draft resolution entitled “Links between terrorist crimes and transnational organized crime” (**A/CONF. 169/L. 1 2/Rev. 1**), sponsored by Egypt.
208. The President announced that Turkey had joined in sponsoring the **draft** resolution.
209. The representative of Egypt revised the draft resolution.
210. Statements were made by the representatives of Burundi, **Egypt, Iran (Islamic Republic of), Iraq**, Lebanon, Sudan and Syrian Arab Republic.
211. At the request of the President, the representatives of **Iran (Islamic Republic of)**, Sudan and Syrian Arab **Republic stated** that they were not pressing for the inclusion of the amendments that they had proposed (AKONF. **169/L.2 1**, AKONF. **169/L.27** and AKONF. **169/L.30**), provided that the substance contained therein be reflected in the records of the meeting.
212. At the same meeting, the Congress adopted the draft resolution, as orally revised (for the text, see chapter I, resolution 4).

213. **After** the adoption of **the** draft resolution, statements **were** made by the representatives of Iran (Islamic Republic of), Iraq, Sudan and Syrian Arab Republic, in which they stressed that while they fully **supported the** consensus reached that terrorism should be condemned, it would have been **preferable** to better define **terrorism** so **as** to have a clear distinction between terrorist crimes and the legitimate struggle of national liberation movements against foreign occupation.

214. A statement was also made by the representative of France.

#### 5. Practical implementation of **the** Standard Minimum Rules for **the** Treatment of Prisoners

215. At its 16th plenary meeting, **the** Congress had **before** it a **draft** resolution entitled “Practical implementation of the Standard Minimum Rules for the Treatment of Prisoners (A/CONF. 169/L.4/Rev.2), **as** proposed to it for adoption by Committee I.

216. The Rapporteur of Committee I read out revisions to the draft resolution.

217. The representative of the United States stated that his delegation supported the resolution **containing** an invitation to the Commission on Crime Prevention and Criminal Justice to consider distributing to **Member** States a manual written by a non-governmental organization. However, he regretted to inform the **Congress** that a book which announced that it was a forthcoming joint publication of the United Nations and Penal Reform International was already in circulation. It had already been cited by another non-governmental organization in a **public** controversy over accreditation of a **high-security** prison in the United States. In that **controversy**, which was reported in the news media, the other non-governmental organization relied on this book as a United Nations publication, the **very** issue which the Commission was supposed to decide upon. It was **very** upsetting to his Government. Accordingly, his **Government** was joining the consensus only on the understanding that no United Nations resources, facilities or personnel, postage **privileges** or translation **services** would be utilized in connection with the proposed manual until its co-sponsorship by the United Nations had **been** considered and approved by the Commission.

218. Statements were also made by the representatives of Egypt, Japan, Russian Federation, **the** United Kingdom and Venezuela.

219. At the same meeting, the Congress adopted the **draft** resolution, as orally revised (for the text, see chapter I, resolution 5).

#### 6. Criminal justice management **in** the context of **accountability** of public administration and sustainable development

220. At its 16th plenary meeting, the Congress had **before** it a draft resolution entitled “Criminal justice management in the context of accountability of public administration and sustainable development” (A/CONF. 169/L.9/Rev. I), as recommended to it by Committee I.

221. The **Rapporteur** of Committee I provided technical clarification.

222. Statements **were** made by the **representatives** of the United Kingdom and the United States.

223. The **Secretary** of the Congress made a statement.

224. The representative of Cuba proposed an amendment to the **draft** resolution.

225. At the same meeting, the Congress adopted the **draft** resolution as **orally** revised and amended (for the text, **see** chapter I, resolution 6).

## 7. **Children as victims and perpetrators of crime and the United Nations criminal justice programme: from standard-setting towards implementation and action**

226. At its 17th plenary meeting, the Congress had before it a draft resolution entitled “Children as victims and **perpetrators** of crime and the United Nations criminal justice programme: **from** standard-setting towards implementation and action” (AKONF. 169/L. 19/Rev. 1).

227. **The** Secretary of the Congress read out the revisions to the **draft** resolution.

228. A statement was made **by** the representative of Austria.

229. At the same meeting, the **Congress** adopted **the** draft resolution as orally revised (for the text, see chapter I, resolution 7).

230. **After** the adoption of the **draft** resolution, the representative of **Morocco** made a statement. It was also announced that Argentina, Azerbaijan, Burundi and Italy had become **sponsors** of the draft resolution.

## 8. **Elimination of violence against women**

231. At its 17th plenary meeting, the Congress had before it a draft resolution entitled “Elimination of violence against women” (AKONF. 169/L.7/Rev. 1).

232. The **Secretary** of the Congress read out revisions to the **draft** resolution, as well **as a list** of **additional sponsors**, including Azerbaijan, Bolivia, Brazil, Cameroon, Chile, Colombia, Gambia, Germany, **Guinea**, Italy, Malta, Netherlands, Niger, **Norway**, Oman, Paraguay, Portugal, Switzerland, **The former Yugoslav Republic of Macedonia**, Uganda, United Kingdom and Venezuela

233. The representative of Togo made a statement.

234. At the same meeting, the Congress adopted the draft resolution as orally revised (for the text, see chapter I, resolution 8).

## 9. **Firearms regulation for purposes of crime prevention and public safety**

235. At its 17th plenary meeting, the Congress had before it a **draft** resolution entitled “**Firearms** regulation for purposes of crime prevention and **public safety**” (AKONF. 169/L.8/Rev.2).

236. The Secretary of the Congress read out revisions **to the draft resolution**, as well as the following additional sponsors: Bolivia, Brazil, Colombia, Indonesia, Iran (Islamic Republic of), Malta, **Norway**, Togo, Turkey and United Kingdom.

237. It was announced that Cameroon, Egypt, France and Uzbekistan had joined as sponsors of the **draft resolution**.

238. **At** the same meeting, the Congress adopted the **draft** resolution as orally revised (for the text, see chapter I, resolution 9).

## 10. **Expression of thanks to the people and Government of Egypt**

239. At its 17th plenary meeting, the Congress had before it a **draft** resolution entitled “Expression of thanks to the people and Government of Egypt” (AKONF. 169/L.29).

240. The representative of Turkey introduced and orally revised the **draft** resolution.

24 1. **The representative** of Japan **proposed** an oral amendment to the **draft resolution**.

242. **At the same meeting**, the Congress adopted **the draft resolution** as orally amended (for the **text**, see chapter I, **resolution 10**).

243. **On the proposal** of the President, the Congress **agreed** that **no action** was **required** on document AKONF.169/L. 15.

11. **Credentials** of representatives to the Ninth United Nations Congress on the Prevention of **Crime** and the **Treatment** of Offenders

244. **At its 15th plenary meeting**, the Congress adopted the draft resolution entitled “**Credentials** of representatives to **the Ninth United Nations Congress** on the Prevention of Crime and the **Treatment of Offenders**” recommended by the **Credentials Committee** in paragraph **9** of its report (AKONF.169/L.28) (for the **text**, see chapter I, resolution 1 I).

## V. SPECIAL SESSIONS OF **THE CONGRESS IN PLENARY MEETINGS**

### A, Experiences in **practical** measures aimed at combating corruption involving public officials

245. Pursuant to Economic and Social Council resolution **1993/32**, the Ninth Congress held a **one-day** plenary discussion on experiences in practical measures aimed at combating **corruption** involving public **officials**, under item 4 of its agenda and drawing on a background paper prepared by the **Secretariat (A/CONF.169/14)**. The 11<sup>th</sup> and **13th** meetings, held on **4** and **5** May, **were** devoted to this issue.

246. In his introductory statement, **the Executive Secretary** of the **Congress referred** to the work carried out by the United Nations crime prevention and criminal justice **programme** on the issue, including an **interregional** seminar on corruption in government at **The Hague**, held in 1989, a **manual** on practical measures against corruption, submitted to the Eighth Congress and subsequently published in ***International Review of Criminal Policy***,<sup>39</sup> and the **formulation** of a **draft** international code of conduct for public **officials**, in pursuance of resolution 7 of the Eighth Congress, which had been reviewed by the five regional **preparatory** meetings of the Ninth Congress and by the Commission on Crime Prevention and Criminal Justice at its **third** session.

247. The **plenary** discussion was aimed at heightening awareness of the issue and/or **related concerns** and at providing an opportunity for participants to exchange experiences and views. The presentations of the five **panellists** and the interventions of participants **were** expected to assist the international community in **identifying** appropriate means and strategies to **prevent** and **control** corruption. **The** panel of experts invited to make **introductory** remarks was composed of **H.E. Mr. Nelson Azevedo Jobim**, Minister of Justice of Brazil; **Mr. Romul Petru Vonica**, Senator, Chairman of the Anti-Corruption Commission of the Senate of Romania; **Mr. Shinichi Tsuchiya**, Director of the Asia Crime Prevention Foundation and former prosecutor in Japan; **Professor M. Cherif Bassiouni**, President of the International Association of Penal Law and a member of the delegation of Egypt; and **Mr. Antonio Di Pietro**, former prosecutor in **Milan, Italy**.

248. **Professor M. Cherif Bassiouni** underlined that the term “corruption” had a number of meanings and dimensions and that reactions to it, even within a single legal system were, as a consequence, **varied**. Where **corruption** had become the **rule**, instead of the exception, institutions were unable to cope with it. **Corruption** **currently** crossed national **borders**, since it was **necessary** for its profits to enter **financial pipelines** in order to **re-enter** the legitimate economy and be ultimately enjoyed. **Those** were the same pipelines used by **organized**

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<sup>39</sup>Nos. 4 1 and 42 (1993).

crime to launder their **proceeds**, which eventually returned to **their** countries of origin, creating a snowball **effect since they were then** used in other corrupt activities or for the Perpetration of other crimes. Existing instruments of cooperation in criminal matters, such as extradition, mutual legal assistance and the **freezing** and forfeiture of assets, **were**, however, not **sufficient** to **counter the phenomenon**. Accordingly, Professor Bassiouni recommended that a convention against corruption should **be elaborated**; that the United Nations should coordinate the activities of all international organizations in the field; that the manual on practical measures against **corruption** should be reviewed, expanded, with contributions **from other international organizations**, and widely disseminated, together with the code of conduct for public officials; that the Secretariat **should** provide technical assistance for the prevention and control of corruption; that corruption should be introduced as an **offence** in the relevant instruments of international cooperation in criminal matters; and that the Commission on Crime Prevention and Criminal Justice should **analyse** the links between corruption and **organized crime and** the use by **organized crime** of the international financial system for money-laundering **purposes**.

249. Mr. Antonio Di **Pietro**, in noting that the Italian experience **could** provide a valuable example for countries already engaged in the fight against **corruption** or willing to take action to achieve transparency **and** accountability, stressed that the problem should no longer be approached by making a distinction between developing and **developed countries**, since that led to faulty **perceptions**. At the beginning of the twenty-first century, it was necessary to base analyses on the “democracy of responsibility” **rather** than on the “democracy of affluence”. It was necessary to remember that, **where** there was someone **corrupted**, there was also a **corruptor**, and that corruption crossed national borders. **Corruption** was, in fact, a phenomenon that concerned not only public officials but also the private sector. It was **necessary** for the legislation of developed countries to foresee **stricter** measures to regulate corporate behaviour abroad and thus to deny corporations the ability to use **concealed** resources for the purpose of corrupting foreign public officials. Mr. Di Pietro called attention to off-shore centres used by corporate entities to make illicit payments to foreign public **officials** and also by organized crime and **corrupt officials** to launder their proceeds. Codes of conduct voluntarily adopted by corporations **were** not **sufficient** to counter **corruption** properly, and serious measures had to be adopted, such as a multidisciplinary approach in all societies, both developed and developing, including criminal law measures, also education and prevention. It was **necessary** to convince enterprises to participate in the action against corruption by emphasizing that such action would be profitable for them and would not be motivated by moral reasons only.

250. Mr. Shinichi Tsuchiya gave an account of the action taken in his country against **corruption**, providing an indication of the manner in which cases involving high-level political figures had been **handled** by the competent authorities. He underlined the importance of cooperation among States, which would include the use of arrangements for extradition and mutual assistance in criminal matters, the sharing of information and the collection of evidence. Law enforcement **personnel** needed to have the proper means and would need to receive special training in the field. In particular, a specialized prosecutor’s **office**, whose independence had to be assured, could be **very effective**. Public officials also had to be well trained. Impartiality, devotion to country and a full understanding and appreciation of the trust the public placed in them had to be instilled in public officials at all levels, as one of the principal measures of prevention and control of corruption.

251. Mr. Romul **Petru Vonica** also emphasized that corruption **occurred** not only in the political sphere but, rather, in all sectors of society. It was linked **with** organized and economic crime and **led** to other **forms** of criminality, such as extortion, money-laundering, diversion of public money for private gain, and **fraud**. The notion of corruption **needed** to be a comprehensive one, including tax evasion and the infringement of custom duties regulations. All such **crimes** should be penalized as a manifestation of corruption. A specific **anti-corruption** strategy had to be adopted at the national level. Bodies entrusted with the responsibility of coordinating measures for preventing, controlling and sanctioning **corruption** had to be established. At the international level, a similar role should be played by the United Nations, which should coordinate all activities against corruption, **since** corruption was a phenomenon whose diversity **required** action at various levels in **several** sectors.

252. Mr. Nelson **Azevedo** Jobim said that **mechanisms were** needed to combat corruption by **encouraging transparency**. He gave the example in his **country** of the impeachment of a former President, **through the empowerment of Parliament**, which had **been** able to suspend executive authority and investigate presidential activities and finances. The **freedom** of the press and the **independence** of the judiciary, including that of the **prosecutor's** office, were also considered to be prerequisites for **anti-corruption** efforts. **Corruption** had a **global** dimension, and a global approach would be required to counter it, in particular by combating money-laundering. International **cooperation** was essential in that **respect**. It should be **based** on a revised notion of national **sovereignty** and be supported by courage and a desire for transparency at the national **level**.

253. At the 12th meeting, statements **were** made by the **representatives** of Canada, Chile, Egypt, Israel, Italy, **Nepal**, Republic of **Korea** and Uruguay, as **well** as by the **observers** for the Commission of the **European** Communities, an intergovernmental organization, and the United Nations **Interregional** Crime and Justice **Research** Institute.

254. At the 13th meeting, statements **were** made by the representatives of Argentina, China, France, Gambia, Germany, Iran (Islamic Republic of), Israel, Romania, Russian Federation, Spain, United States and Venezuela

255. **All speakers agreed on** the seriousness of the problems posed by corruption, **which** endangered the stability and security of societies, undermined the values of democracy and morality, **jeopardized** social, economic and political development, and threatened peace. The **interdisciplinary** approach was felt to be the most effective in dealing with the phenomenon. A number of delegates indicated that their **countries** had adopted **measures** in the fields of criminal, civil and administrative **law** and that the establishment of special departments in government departments and in law enforcement agencies had proven **very** effective in countering corruption. **Criminalization** of **corruption** committed by public officials, **government representatives** and representatives of the private sector, especially the **financial** and banking sector, was necessary. To neutralize the profits of **corrupt** activities, codes of conduct and disciplinary measures should **be coupled** with criminal sanctions.

256. Among the various practical measures to be adopted at **the** national level, it was suggested **that independent** bodies **be** established to monitor the activities of the various **governmental** agencies. **Those** bodies **should be** given the resources and the autonomy that would allow **them to be free from interference** and undue **influence**. **They** would **need** to operate in close **cooperation** with the judiciary and complement it. **The** judiciary should be in a position to exercise effective **control** over the executive branch of government. At the **administrative level**, the **prevention and control** of corruption required the implementation of measures that would **eliminate unnecessary** and cumbersome procedures and institute **checks and balances** at various **levels** of management and administration. Public officials should **be** encouraged, both morally and economically, to respect their obligations. As a further measure that would allow overall **control** of **the** most sensitive administrative **operations**, particularly **with** respect to the fiscal operations of **government**, budgetary allocations and expenditures should be closely monitored and subjected to **professional** and independent auditing.

257. A number of delegates also **stressed the** importance of a two-pronged approach to corruption **which** would place equal emphasis on prevention and control. It was **underlined** that, **although the** prevention of corrupt **behaviour** entailed **difficulties**, it was possible to place substantial obstacles in the way of those who **were** tempted. Eradication of administrative and professional corruption **could be achieved** only **through** improvements in administrative and economic performance. It was **necessary** to **modernize** administrations and avoid conflicts of interest between the public and private sectors. Like all new forms of criminality, such as organized **transnational** crime and money-laundering, **corruption was carried out through the use of very** sophisticated techniques. Equally sophisticated techniques, together with traditional measures, had to be adopted in the investigation and **prosecution of** corruption cases. **Furthermore, the media** should be **fully informed**, and their **support** should be enlisted, since fear of exposure was **an** effective deterrent. Vigilant public opinion against **corruption** should **be** developed and maintained **as** an additional and equally important **component of any strategy against** corruption. The **need** for education as a preventive measure against corruption was particularly emphasized in that connection. Community **awareness to fight corruption** was

critical, and those **responsible** for accountability must receive **adequate** training for transparency in their activities.

258. The problems faced by developing countries and countries in transition, where institutions and legal systems were undergoing drastic changes, were highlighted by some delegates. Urgent and effective measures **were** needed, **also** with the assistance of more experienced countries in the field. The **representative** of the Department for Development Support and Management Services of the United Nations **Secretariat** underlined that the effects of corruption in developing countries were even more devastating than in industrialized nations, seriously undermining their economies. **The** newly emerging concept of good **governance** was inextricably linked to the prevention and control of corruption. Good governance required public accountability and **transparency** on the part of government officials and politicians alike. **Increased** technical skills and **institution-building** **were** essential to the **creation** of an environment free **from** corruption, and action of a technical nature on the part of international agencies should be designed to improve public management **systems, thus** contributing to the elimination of **corruption**.

259. In **order** effectively to **combat** corruption - given its multifaceted nature, the various crimes it involved, and its capacity to cross national borders - international cooperation was essential. Several **countries** had **already** engaged in and strongly supported multilateral initiatives. The potential of the United Nations in **strengthening** international cooperation and contributing to the **efforts** of States in the prevention and control of corruption was highlighted. Support and encouragement were expressed for the relevant efforts carried **out** by the United Nations, to which the highest priority was attached. The draft manual on **practical** measures against **corruption** was considered a commendable initiative which **could** form the basis for **further work, particularly** in the context of technical cooperation and the provision of practical assistance to States. The **draft** code of conduct for public officials, prepared by the Secretariat, would constitute a useful complement of **relevant** efforts when it had been revised and further considered. In order to facilitate and expedite that process, several delegations indicated their intention to consider the **draft carefully** and to provide their comments to the Secretariat.

260. Technical assistance in the training of public officials, law enforcement and judicial personnel, and the **staff** of **regulatory** agencies, especially **addressed** to countries less experienced in the fight against corruption, should **be strengthened**. All efforts taken at the regional **and** international levels against **corruption needed** to be pooled, information and data should be shared, and joint **strategies** elaborated. In **particular**, it was suggested that **national** anti-corruption strategies be **collected** and **analysed**, in order to elaborate a manual of best practices which would **form** the basis for training programmes. **It** was also suggested that **the** United Nations should designate an **international** year to the fight against corruption, a scourge that **consumes** the body and the soul of **all** peoples of the world.

261. The discussion was closed with **concluding** comments by the **panellists**. Professor **Bassiouni** observed that the **term "corruption"** was used with imprecision. At the international level, it was not **sufficient** to have instruments that contained pious words of condemnation, since an absence of specificity weakened efforts to prevent and control **corruption**. He welcomed the operational activities of the Crime Prevention and Criminal Justice Branch but pointed to its limited resources and called for more funds so that the **Branch could** help developing countries break the cycle of crime and corruption. Mr. Di Pietro said that judicial authorities could intervene in **corruption** cases only after the commission of the **offence and** that the cases **coming** to the attention of the judiciary were only the tip of an iceberg. Because the relationship between public **officials** and the administration was fundamentally a fiduciary one, public officials should, throughout their tenure, provide an exact account of their **assets and** those of their families. He proposed the establishment of national data banks **containing** the relevant information, thereby putting in place alarms that would allow the State to prevent and control corruption. Mr. Tsuchiya said that measures against corruption should be aimed at increasing transparency and accountability and should include appropriate training, the improvement of working conditions, control systems and the establishment of standards and codes of conduct. Those should be **coupled** with appropriate sanctions and the requirement for **disclosure of assets of high-ranking officials and politicians**. There **was** need for **modern** investigative techniques to counter corruption, without infringing, however, on the

fundamental rights of those accused. Public campaigns were **also** required to promote good governance. At the international level, there was need for an exchange of information, mutual assistance, the elaboration of international standards and the harmonization of legislation. Mr. Vonica said that corruption had to be fought simultaneously at the national and international levels. Penalties should be strengthened and criminal procedures amended, to take into account modern economic crime. He recommended the establishment of an **international** body to combat corruption, an increase in technical cooperation, including training in **specialized** schools run by the United Nations, and the **creation** of an international centre for **documentation** and standard regulations to control international economic crime.

## B. Technical cooperation

262. The special session on technical cooperation, held on 5 May during the 14th meeting of the Congress, was introduced by a representative of the Crime Prevention and Criminal Justice Branch who noted the importance of **operational** activities in providing practical follow-up to the recommendations of the Congress and the Commission. Mr. Pedro David, **interregional** advisor from 1981 to 1992, provided an overview of his activities during those years in which not only were the **advisory** services in the area established but **also** a large number of activities were undertaken, such as needs assessment missions, training of justice personnel, law **reforms** and the implementation of United Nations standards and norms. Mr. Matti Joutsen, **interregional** advisor in 1994, then recounted his experience highlighting the **necessary** steps in the formulation, execution, and follow-up of technical **assistance** projects.

263. One of the two interregional advisors, Mr. Vincent Del Buono, then informed the participants of two recent projects he had conducted: the first on the training of correction personnel in Barbados, and the second, an assessment of the capacity of the law enforcement agencies in Pakistan to deal with organized crime. He also announced that over 120 nominations had been **received** for the first **three** fellowships of the crime prevention and criminal justice programme. Mr. Jean-Paul Laborde, the other **interregional** advisor, reported on the contribution the crime **programme** was making to the rebuilding of the Haitian criminal justice system. He also reported on a training seminar on juvenile justice for Portuguese-speaking **African** countries, held in Sao **Tomé** and **Principe** in February 1995. He stressed the **need** for strengthening cooperation among the various United Nations bodies and the national agencies involved in technical assistance projects.

264. During the discussion that followed (with statements made by the representatives of Argentina, Burundi, Canada, Chile, Egypt, **Eritrea**, Ethiopia, Maldives, Paraguay, Poland, Rwanda, Sao Tome and **Principe**, Uganda, Ukraine, United Republic of Tanzania, United States, Uzbekistan, Yemen and Zambia), all speakers expressed concern as to the increasing threat posed by crime to society. They recognized that technical cooperation was indispensable to both building and supporting democratic institutions and **effective** criminal justice systems. They stressed that technical assistance benefited not only developing countries but also the international community at large, since it contributed to creating conditions **favourable** to peace and stability.

265. However, to be **effective**, technical cooperation needed to respond promptly to **requests** of **Member States**. The representatives of Burundi and Rwanda reminded the participants of the serious situation in their countries, which had led to a breakdown of institutions, including **those** dealing with criminal justice. Pointing out that a lack of human, financial and material **resources** completely hampered the administration of justice in both countries, they appealed to the international community to maintain the promises made to provide much needed assistance.

266. Representatives of various countries that, in recent years, had **been afflicted** by war and civil strife reported on the difficulties they had encountered in rebuilding collapsed institutions. There was need for criminal justice systems to regain citizens' trust after years of dictatorship and abuse. For example, it was pointed out that a well trained and well equipped police was a necessary component of democratic societies.

267. Delegates from countries in transition underlined their need for continuous assistance by the international community to strengthen the criminal justice system *vis-à-vis* the impending threat of organized crime. Since their democratic institutions were still fragile and resources scarce, technical assistance was needed to coordinate the efforts of Member States against all forms of international crime.

268. Many **participants** outlined a series of basic needs for the **criminal** justice systems in their countries. In **all regions**, training courses for law enforcement officials, judges, prosecutors and prison **officers** were **needed**. In addition, technical assistance for the improvement of the treatment of offenders and the conditions of detention was also required. Juvenile justice was another area where assistance was sought. Numerous **speakers** **called** for assistance to upgrade their criminal justice computer services and establish data banks for prosecutors, police and correctional services. Advisory services for the reform of national legislation and the implementation of **international** criminal justice norms and standards **were** also requested. Several delegates **called** for the support of the international community in the provision **of** basic equipment for the police, judiciary and correctional services.

269. It was noted that the success of technical cooperation was related to the issue of **programme** support and ownership. The implementation of a programme was facilitated if those in charge of it were able to **participate** in the early phases of planning, formulation and design of the programme itself. It was pointed out that technical assistance had to be responsive to the needs and priorities of Member States. Accordingly, its modalities should reflect the level of development, the social and regional characteristics and the resources locally available. Specific reference was made to the possibility of viewing traditional forms of criminal justice as additional tools for implementing international norms and standards in some regions.

270. In view of widespread budgetary and resource constraints, the representatives from donor countries and **funding** agencies stressed the importance of **identifying** the technical assistance **programmes** and mechanisms that would, in the most cost-effective way, maximize the international capacity to fight global crime. The effectiveness of electronic exchange of information was particularly praised. **Law** enforcement training was another area where bilateral and multilateral assistance was being provided by a number of countries. For example, the recent establishment of an international law enforcement academy in Budapest, Hungary, was the result of joint efforts made by several Member States to assist the emerging democracies in Central Europe and the Commonwealth of Independent States **in** their fight against the threat of organized crime. **Several** delegates reported on **their** national experiences in **countering** specific forms of organized and common **crime** and were ready to share their **newly** acquired knowledge with interested countries. Various delegations reiterated the need for enhanced cooperation and coordination among the various entities involved in technical assistance, particularly the development and funding agencies, with a view to avoiding duplication of work and overlapping projects in some sectors and neglect in other areas.

271. Member States were urged to provide more financial support to the United Nations crime prevention and criminal justice programme so as to ensure that it could **play its** important role in **technical assistance and be** less limited by **current** constraints.

## VI. REPORTS OF WORKSHOPS

### A. Extradition and international cooperation: exchange of national experiences and implementation of relevant principles in national legislation

272. The one-day workshop entitled 'Extradition and international cooperation: Exchange of national experiences and implementation of extradition principles in national legislation\*' was held on 3 May 1995 within the programme of work of Committee II. It was organized by the **Government** of the United States of America and the United Nations Crime Prevention and Criminal Justice Branch, in cooperation with the International Association of penal Law. The meeting was opened by the Chairman of Committee II, who underlined the importance of providing participants with the opportunity to share respective national and

international experience in the field of extradition in order **to** strengthen and enhance international **cooperation** in criminal justice matters. **After** a brief **presentation** of the structure of the workshop **and** its **documentation** by one of the organizers, a number of experts from Governments and intergovernmental organizations **made** presentations on specific topics, with participants **making several interventions thereon**.

273. Drawing on a background paper (**A/CONF.169/8**), the workshop examined different approaches **to** establishing extradition relationships between States, including the **experience** of States in implementing extradition by means of executive decisions supported by domestic legislation and bilateral, regional and multilateral agreements. Certain States had a tradition of fulfilling their international obligations through national legislation. In such cases, the granting of **extradition** on the basis of reciprocity between the requesting and requested States, coupled with the application of national **norms** and procedures, **permitted an effective** response to extradition requests. That approach had the advantage of being **cost-effective** and **flexible**. Where countries shared a strong legal tradition, the expense involved in a series of **bilateral treaty** negotiations could be avoided by means of **intergovernmental** agreement on a basic set of principles. Those principles would govern relations between those countries and each country would give **effect** to them by national legislation.

274. **Other** countries **required** a treaty to establish **bilateral** extradition relationships. Treaty-based relations had the distinct advantage of giving certainty to reciprocal obligations and facilitated the resolution of potential **difficulties** by the negotiation and establishment of mutually agreed and understood rules and procedures. The negotiation process could be important in assisting in the development of an appreciation of the different legal systems of the **treaty** partners.

**275.** The value of regional multilateral treaties was acknowledged. However, unless countries in the region were prepared to accommodate **different** legal traditions and **concerns**, relatively high numbers of **reservations** to the instrument could diminish its practical effectiveness. Furthermore, as countries **formed** economic alliances and lowered barriers to the **free** flow of goods and people, mechanisms permitting immediate responses to the flight of fugitives were needed to bridge the delay between the commission of the **offence** and the issue of a request for provisional **arrest**.

276. Although multilateral conventions had the potential for universal adherence, the amount of detail permitted was limited by the need to meet the requirements **of the larger number** of **States** parties. The capacity of States to use multilateral instruments containing extradition obligations to modernize and enhance their existing bilateral and regional arrangements was **noted**.<sup>40</sup>

277. When national boundaries **were** redefined, the value of successor **States'** accepting the obligations of the predecessor State under relevant treaties was mentioned. Pending the capacity of the new State to enter into its own **extradition** relations, succession to an existing instrument facilitated continuity in international relations.

278. The workshop examined problems related to the so-called "**fundamental** extradition principles" which **affected** the preparation of extradition requests. The issue of dual criminality could be complex if a requested State had a federal **system** and there was a series of interlocking laws at the federal and **State levels**, or if national concepts of a given **offence** — for example, in cases involving conspiracy — varied significantly. Differing national approaches to claims of **extraterritoriality** could also lead to difficulties. Dual criminality could be **difficult to establish** in cases where States had not updated their legislation to address newer forms of crime, such as **offences** against securities markets, intellectual **property** law and competition law. Alternative approaches to **establishing** dual criminality were noted, such as the **traditional "list" approach** or the more recent practice of **referring** to a minimum penalty.

279. The continued relevance of the political **offence** exception was questioned in light of the trend in certain multilateral instruments not to **treat** violent crimes as political **offences** for the purpose of extradition. It was

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<sup>40</sup>See E/CONF.82/15 and Corr.2.

suggested that the development of the humanitarian safeguard **in extradition** relations was capable of protecting the interest of the requested State in ensuring that a surrendered fugitive was fairly and humanely dealt with in the requesting State.

280. The changing attitude of nations towards facilitating extradition in **cases** involving financial crimes was noted. In the economic, taxation and customs areas, the traditional rule of non-assistance in enforcing **the fiscal** laws of another **country** had been seriously eroded by, for example, **the** use and recognition of the common fraudulent element present in such cases and, therefore, the availability of **alternative** charges.

281. Greater flexibility could be adopted in interpreting the principles governing extradition in **order** to avoid undue impediments. For example, the death penalty could **present** practical problems if it was prohibited in the requested State. However, that **difficulty** could be **solved**, for example, if the requesting State provided an assurance that the penalty would not be applied if extradition was **granted** or, alternatively, if a conditional surrender of the fugitive was made subject to an **agreement** by **the** requesting State that it would **return** the **fugitive** for the execution of the sentence. The importance of human **rights** should be **recalled**, and extradition should not result in contravention of the fugitive's human rights, as, for example, through torture. It was observed that it would **be** beneficial to study **further** the relationship between extradition, political asylum and applications for residence, in practice. Proposals should also be considered for control of the proceeds of crime in the **case** of fugitives, to avoid unjust enrichment through flight to another jurisdiction. States should select the most appropriate method of **international** cooperation to suit the **case** at hand — for example, **extradition**, the transfer of proceedings, the transfer of prisoners, or the trial of the fugitive in the requested State.

282. A number of States shared their national experiences concerning extradition. Certain extradition relations either drew on aspects of, or **were** consistent with, the United Nations Model Treaty on Extradition, adopted by the General Assembly in its resolution **45/16** of 14 December 1990. Extradition was noted as being particularly useful for the most serious offences, since the perpetrators tended to **flee** the country. Some of the gravest offences, such as war crimes **and** crimes against humanity, **were** mentioned in this context.

283. When there were marked differences between the legal systems of the requesting and **requested** States, it was suggested that every effort should **be** made **to** find workable solutions and innovative approaches to bridging the gaps between systems. In certain **cases**, it was possible to reach compromise solutions and still **retain** intact **the** most important principles. For example, accommodations could be made between civil-law **and** common-law States concerning **evidentiary** requirements. Some participants felt **that** model mechanisms for the implementation of extradition treaties would **be** useful, in order to avoid unintentional incompatibilities between different legal systems.

284. A number of causes for possible delay **and** misunderstandings between States **were** listed. They included incomplete requests, too many authorities involved in the procedures, **lack** of knowledge, inadequate resources, **and expiry** of national time-limits. A number of problems **could** also occur during transit — for example, **failure** to meet the formalities of the transit State. **In** order to overcome some of the delays in executing **extradition**, it was suggested that more effective and speedy mechanisms should be established for the transmission of information **between** States relating to **offences** and fugitives.

285. When considering problems in the execution of extradition requests, constant efforts would be **needed** to balance the preservation of the **rule** of law, including due respect for human rights, with the **need** for **efficiency** of the criminal justice system. That search for balance should take into account the removal of the unnecessary formalities and technicalities **often** associated with **extradition**, in order better to protect matters of substance.

286. The workshop closed with a discussion of likely follow-up. The International Association of Penal Law **offered** to act as host to an intergovernmental expert meeting in **Siracusa**, Italy, under the auspices of the United Nations Crime **Prevention** and Criminal Justice Branch, to examine practical recommendations for the further development and promotion of mechanisms of international cooperation. The delegation of Finland

**reminded** participants that Finland had introduced a **draft** resolution under item 3 of the agenda, entitled “International cooperation and practical technical assistance for strengthening the rule of law: development of United Nations model agreements” (A/CONF.169/L.6). **It was thought that the generous offer of the International Association of Penal Law would provide a means to implement the draft resolution, in the event of its adoption. The United Nations Secretariat also reminded participants that it stood ready to facilitate technical cooperation activities in the area of extradition, including training of public officials.**

## B. Mass media and crime prevention

287. The Chairman of Committee II opened the workshop. **After** an introductory statement, he gave the floor to **Mr. Peter Kent, the workshop moderator, who explained that the workshop was structured with the intent of initiating a dialogue among those who covered crime, those who used forms of the mass media to help prevent crime, and those who were involved in the criminal justice system. It was also designed to bring to light initiatives in the development and utilization of successful mass media crime prevention programmes.**

288. In his keynote address, Mr. **Allan Rock, Minister of Justice and Attorney General of Canada pointed out that crime prevention was not something for Governments to think about in isolation. They had to include the members of the communities they served. That was why the workshop was so important: it was a meeting of two worlds — government and the media. The media could not be blamed for crime, neither are they fully responsible for the public misperceptions of crime. “Attacking the messenger simply won’t do, and politicians and Governments have to accept responsibility for their role in creating an unhealthy atmosphere.” However, he added that it was important to remember the power and influence that the media had, and their enormous potential as a positive force in crime prevention for increasing public awareness of the facts. The media are, in a real sense, on the front line in determining what the true facts are and in bringing them home to all of us.”**

3. **Justice Ramon Mabutas, journalist and judge on the Philippine Court of Appeals, spoke to the central issues of the background paper (A/CONF. 169/9) and made several recommendations, among them:**

**(a)** That the United Nations **reassert** the immense importance of a **free press as part of the democratic process, in particular, in protecting those who sought to advance it in emerging democracies;**

**(b)** That the press should be a **“pillar”** in a cooperative and collaborative criminal justice system;

**(c)** That an international **centre, or tribunal, on criminal justice should be established as a repository of information on crime prevention trends, in order to facilitate the exchange of data between nations on criminal justice systems in dealing with the problem of international criminals.**

During the course of the discussion several speakers supported and elaborated on Justice **Mabutas’s** comments on **the seriousness of the problem of economically and politically powerful international criminals who “sneer at the criminal justice system(s) of the countries where they are charged or convicted”.**

289. Section two of the programme demonstrated how serious crime issues were being addressed by the media. An international panel of **practising** journalists on the **front** lines of crime coverage told their own stories on the complex and universal problems of political corruption, **computer crime, the destabilization of societies caused by organized crime, violence against women, and drug-related crime. Participants were asked to recognize degradation of the environment as a criminal as well as moral offence. A dialogue with the floor brought out differences in attitude to the issue of freedom of information, particularly with new technologies such as Internet.**

290. Section three started with a question, “Media as educator?” Ms. **Suzanne Stutman, Executive Director of the Institute for Mental Health initiatives in Washington, D.C., answered the question by highlighting both the media’s complicity in crime and its potential for positive change. She pointed out that over the course of**

**three** decades, it had been found that higher levels of violence viewed on television **correlated** with **increased** acceptance of **aggressive** attitudes and an increase in aggressive behaviour. She reviewed the attempts to legislate against **television violence in different** countries and indicated how the media could “portray ways of coping with and managing human conflict without resorting to mass violence”, particularly by **deglamorizing** violence.

291. The workshop then viewed actual examples from around the world of how the mass media could be **used** effectively to convey a message on crime prevention. For example, Mr. **Mandla McHunu**, of the **South African** “Street Law” legal education **programme**, stressed the **success the programme** had had in changing young **people’s** attitudes towards the law and law enforcement. Mr. Jay Winston of Harvard University spoke on **video** about the “Squash It” programme, a method of non-violent conflict resolution with the message that **there** was an alternative to violence, that one could walk away from a fight: one could “squash it”. The method had **been dramatized** on prime-time television entertainment programming. Mr. **René Caron**, from Canada, described the **TROP programme** (in English, PEACE: Positive Education Alternatives for Children **Everywhere**), a mechanism **whereby** children and adults could vote on the most toxic (i.e. containing sexism, racism, violence etc.) and the most peaceful **programmes** on television. The results of the vote had actually resulted in the elimination of certain programming from television **schedules** in Canada.

292. In section four, speakers pointed out that the **future** of the mass media might not be in the **current** forms of television, radio and newspapers but in the emerging technologies like Internet which would shape the information highway. The section looked at the vast impact that the new technologies would have on the dissemination of information and fundamental issues such as cultural integrity and associated issues such as **freedom** of expression. Professor Graham Newman, one of the creators of the United Nations Crime and Justice Information Network, on **Internet**, described the **future** of information exchange. His vision of the **unfettered** electronic highway was not an appealing one to everyone. Dr. **Kamal Abu Al Magd**, a **professor** of law at Cairo University and a former Minister of Information for the **Government** of Egypt, warned of the negative impacts of the new technologies on non-western cultures.

293. The last section of the workshop discussed the question “Where do we go from here?” Mr. Duncan **Chappell**, from UNICRI, **stressed** the need for a **free** press and suggested a number of principles “basic to an **unfettered** flow of news and information, both within and across national **borders**”. Dr. George **Gerbner**, **Dean** Emeritus of Communications, University of Pennsylvania, finished the day **with** a **call** to action. He saw the need for a broad coalition of citizens groups **from** around the world to tackle what he described as the tyranny of multinational media conglomerates which dictated what **people** everywhere **viewed**. He envisioned a world where children could grow up with their own stories from their own culture, without being drenched in a culture of media violence.

294. Among the recommendations made at the workshop were that:

295. Governments should:

(a) Recognize that access to information was a key factor in **permitting** the media to play **an** alternative role in crime prevention, agree to make provision for **freedom** of information in legislation, and **ensure** that there were objective review procedures to assess claims for access to sensitive materials,

(b) Increase the number of educational **programmes** that promoted media literacy and informed choice and decision-making about media issues;

(c) Encourage the media to report on all types of crime and methods of crime prevention, but, at the same time, recognize that emphasis on the reporting of violent crime might distort efforts at prevention and create unrealistic fears and **anxieties about the risks of being victimized**;

(d) **Make provisions** for the public media to be sensitized to the impact their **reporting** had on **crime** and on target audiences;

(e) **Establish** national recognition awards for responsible **efforts** at crime prevention by the **media**.

296. The mass media should:

(a) **Agree** to do more to balance their reporting of crime and pay more attention to **regional, cultural** and other variables that **affect** attitudes to crime prevention and control;

(b) Encourage more specialized and **expert** reporting of criminal events, with a rounded appraisal of the **measures** to be taken to **prevent** non-violent as well as violent crime;

(c) Strive **to form** a network by which they can share their findings and discuss **issues and** solutions;

(d) Direct **their** research on the media's role in crime prevention, as a matter of **priority**, to **less** developed nations and **less** sophisticated communication technologies.

297. The United Nations should:

(a) Reassert the enormous importance of a **free** press as part of the democratic process, urge **Member** States to do more to make the right to a **free** press a reality, and, in particular, protect those who **seek** to advance that right in emerging democracies;

(b) Generate **resources** to coordinate the development of tools to assist **Member** States in their use of the mass media in crime prevention efforts. Possible examples of such tools **were** technical manuals, resource manuals of **successful** practices, rosters of experts and the **use** of such experts in hands-on workshops;

(c) Develop multidisciplinary training resources, including **programmes** in media literacy and modules on the mass media and crime prevention, and add them to the curricula of universities and **professional** training institutions - schools of journalism, police colleges, schools of criminology, **faculties** of education etc.;

(d) Agree, *inter alia*, to commit resources for counteracting the negative **effects** of the mass media on children, sensitizing and protecting the next generation by working with the media to ensure that the power it had to influence children was **used** in positive ways;

(e) Call upon Member States to create an education campaign to ensure that crimes against the **environment were** recognized in the mass media as criminal as well as moral **offences**;

(f) Urge Member States to help the media encourage the development of appropriate **measures** and mechanisms contributing to the eradication of violence against women and enhancing respect for their dignity by discouraging the perpetuation of **pro-violence** values and the **stereotyping** of women.

### C. Urban policy and crime prevention

298. Opening the meeting, Mr. Swenson (Sweden), Vice-Chairman of Committee 2, expressed his high appreciation to the members of the Group of **Mediterranean** States who had **prepared** and **organized** the **workshop** on Urban Policies and Crime Prevention, and also to the International **Centre** for the Prevention of Crime at Montreal and the Government of Canada for their contribution. The general subject was then **presented** by Mr. Swenson and Ms. **Lazoughli** (Tunisia), moderator of the workshop, who stressed the two main **purposes** of the meeting: to identify the most **effective** means of preventing urban crime, and to promote technical **cooperation on that basis**.

299. **The** first subject of the workshop, urban policies and coordination mechanisms, was **introduced by** Mr. Francis **Idrac** (France), interministerial representative for urban affairs and urban **social development**.

300. The expansion of urban **segregation** increased the risk of crime and led to a heightened **feeling** of insecurity. Indissoluble links had been established between urban policies and crime prevention. **Accordingly**, only a global and partnership-based approach could make it possible to embrace all the causes of crime, with the participation of all the agents concerned. In France, the establishment of a ministry responsible **for urban affairs** and a national cities council had represented a **response** to that concept. Partnership was developing particularly strongly in the communal and departmental crime **prevention** councils, which brought together **representatives** of the State, the judicial authorities, the local authorities and social agents. Local **projects** emanating **from** those councils enjoyed State support, within the context of national priorities, namely assistance afforded to adults in shouldering **their** educational **responsibilities**, prevention of drug addiction, combating of recidivism, assistance to victims and modernization of public services,

301. **The** workshop should likewise be the place to recall the importance to be accorded to the implementation of Economic and Social Council resolution **1994/20** relating to guidelines for the prevention of urban crime.

302. Belgium had also developed partnership by security contracts between the federal government and local groupings, as described during the workshop by Mr. Van **Limbergen**, permanent secretary for prevention policies. Such contracts had, *inter alia*, led to the availability of police **forces** for more effective use **in towns**, **in direct** contact with the public and other quarters concerned with crime prevention,

303. The absolute necessity for partnership-based and territorial approaches had been recalled on a number of occasions. That method had emerged primarily as a response to the inadequacies of traditional criminal justice, as recalled by Mr. **Bonnemaison**, President of the Forum for Urban Security in Europe and promoter of the SECURITES project which, associating **50** cities in Europe, was **endeavouring** to impart to **municipalities** an active role in crime reduction and to enhance the development of genuine technical cooperation among them. That was also the significance of the association of seven cities **in** Texas, as described by Mr. **Modglin**, representative of the National Council for **Crime** Prevention, whose philosophy was not just to stop crime but to restore vitality to the community and significantly reduce the feeling of insecurity in cities.

304. Faced with the rise in urban crime, particularly among young people, the union of active forces in cities and the search for common approaches **were making** it possible to improve conditions of life and avoid **marginalization**. **In** Finland, the *Shadow Side Project* organized by the city of **Hanko**, as **described** by Mr. **Sannholm**, had given priority to the implementation of targeted projects prepared by a **pluridisciplinary** working group maintaining constant contact with agents on the ground. Young people were likewise the priority concern of the Canadian National Council for the Prevention of Crime as described by Ms. **Vallée**, who was its Vice-Chairman. She emphasized the importance of early child development and emphasized the need to be **concerned** about not only the child and its family but also the social and educational environment. She said that these activities should be **part** of a broader programme which **highlights prevention** by social **development**, the mobilization of members of communities, situation-related strategies and the effectiveness of criminal justice systems.

305. The private sector must not be neglected in such partnership approaches. According to Mr. **Whiskin**, of **Crime Concern** (United Kingdom), many **firms** attached **great** significance to **preventive** measures which were at **the** same time a means of protection against criminal acts harming both the profits of the undertaking and its smooth operation. Some industrialists might likewise participate directly in prevention activities, as **explained** by Mr. **Chisholm** (United Kingdom). **In** countering vehicle **thefts**, for example, the car industries and **specialized** safety firms were endeavouring jointly to **reduce** the risks of **theft**.

306. **The** enhancement of public awareness and public participation in local initiatives were likewise vital. **The United Kingdom favoured the use of voluntary** police **officers**, who devoted **part** of their **free** time to preventive activities, the advantages of which were highlighted in television publicity **programmes**. **In the**

Netherlands, as explained by Mr. Van **Dijk**, director of crime prevention at the Ministry of Justice, prominence was also **accorded to the** integration of the community into preventive **actions**, including **the use of city wardens**.

307. **The position of the individual** remained a key factor in crime prevention: hence, the essential **heightening of the civic sense of the public was referred** to on a number of occasions. Similarly, Ms. **Hemmo (Israel)**, director of the **Health Education-Medical Orientation Institute**, dealing in primary crime-prevention educational **programmes**, stressed the need to take account of the human factor, particularly among **the** youngest people, who thanks to primary prevention were developing their personal abilities to face life's difficulties.

308. By way of conclusion on the first item, several participants in **the** workshop wondered about the effectiveness of such global and partnership-oriented policies. **Recommending caution**, several speakers **stressed the** encouraging nature of certain recent figures, but beyond the **mere** statistical criterion the **feeling** of insecurity **should likewise** be more thoroughly evaluated.

309. The second part of the workshop, devoted to close-proximity services and innovative approaches, was introduced by Mr. **Farrugia** (Malta; Ministry of the Interior).

310. The search for closer proximity on the part of crime prevention services took up the first part of the discussions.

311. The need to bring the police closer to the public had induced the Maltese Government to develop the system of **neighbourhood** watch, which encouraged the community to take part in public security operations. Started in 1992, that programme had now become a national priority, supported by **the** State and local groupings with the assistance of the media and of the associative sector. The public, closely cooperating in these activities, likewise took **part in the evaluation of their results**.

3 12. The **Japanese Kobans, as described** by Mr. Onuki, director-general of international **affairs** of the national police agency, **were** making it possible, thanks to a system of generalized community policing, for **the** police forces to be present throughout the country and thus to be easily accessible. Owing to **this** ancient institution, which remained extremely popular, the police were an integral part of the community; they **frequently** settled disputes arising in daily life, and rendered a host of other services. Thus, **after the Kobe** earthquake it was the "mobile" **Kobans** which had been able to come to the assistance of the victims on **the** spot while preventing **the** possibility of looting.

3 13. The judicial machine was also attempting to get **nearer to the** public. In France, the "**justice and law centres**", as described by Ms. Toulemonde, head of the bureau for the protection of victims and crime prevention at the Ministry of Justice, were responsible, in difficult districts, for m-establishing and promoting access to legal redress and contributing to handling petty and moderately **serious** crime. The **centres thus helped** to offset the isolation, **inefficiency** and slowness often laid at the door of the judicial machinery. The justice and law **centres**, thanks to **their** operation on a partnership basis, made it possible to institute a genuine dialogue between the judicial machinery and its local partners.

3 14. It was also appropriate to take action so **that** persons released from prison could have a real **chance** of rehabilitation, thus **leading** to the prevention of recidivism. Mr. Hoffman (Israel), director-general of the Israel Authority for the Rehabilitation of Released Prisoners, **stressed** in this connection the need to reintegrate **ex-prisoners** into the community, preventing them **from** again encountering, upon **their** release, the conditions of life that had frequently led to their imprisonment. It was in the light of those considerations **that** Israel was experimenting with the accommodation of a number of ex-prisoners in housing which they would share with student **volunteers**.

315. Naturally, the real impact on the community of such close-approach services should **be assessed** with care. Ms. **Leones** (Philippines) stated that a very full survey had been **carried** out on the question of **feelings** of security, in the context of crime prevention policy in large cities. In addition to identifying the needs of **the** community, such surveys promoted public awareness and a public spirit of commitment.

316. Faced with highly varied forms of urban crime, many countries favoured the introduction of innovative approaches on the part of the judicial machinery and of institutions cooperating therewith.

317. Ms. de **Oliveira** (Portugal) **described** the operation of the commissions for the protection of minors, which **were** local, non-judicial and pluridisciplinary institutions **endeavouring** to assist **minors who were** neglected, maltreated or in serious danger of subsiding into crime. Very many educational **measures** could be taken by those commissions, with the exception of actual institutionalization. The commissions **worked** through various agencies, stressing respect for parental **authority** and seeking the goodwill of the minors themselves.

318. Mr. **Fellous**, of the Tunisian Ministry of the Interior, explained the role of the district committees comprising volunteers wishing to contribute to public security. Enjoying government support, these community associations strengthened social cohesion and developed sentiments of good **citizenship**. **Greater** solidarity was the result, particularly as regards young persons spending time in idleness.

319. Speaking on behalf of France, Ms. Toulemonde (Ministry of Justice) explained the institution of "penal mediation" as an alternative to prosecution, which made it possible to seek a negotiated solution between offender and victim, with the help of a third party appointed by the judicial authorities. **The** results of an international questionnaire on penal mediation had been submitted: precise data on the **form** of such mediation, its **area** of competence, its links with the judicial apparatus proper, the recruitment and training of mediators, together with the cost of the action and its mandatory force had **also been collected in a number** of countries.

320. On the subject of minors, France was in favour of assistance and **redress**, as explained **by** Mr. Legeron, **departmental** director of the judicial protection of youth. When ordered by **a** competent judicial official and carried out by educational staff, the **measure** in question encouraged the minor to make amends for the consequences of his act, either directly to the victim or indirectly in the form of community **service**. The educational aspect was essential in such cases: the young **person** concerned was in fact **called** upon to undertake his own rehabilitation.

321. Community mediation **machinery** was also known in China, making it possible to settle civil disputes arising in daily life, including family differences, commercial disputes, quarrels with **neighbours** and so on. Mr. Guo, a member of the crime prevention and penal reform institute at the Ministry of Justice, considered that the availability of this method of settling disputes between citizens obviated the aggravation of certain **forms** of trouble and thus contributed to crime prevention.

322. **The** workshop completed its activities by the presentation of a number of cooperation proposals. Among the States represented **on** the workshop, France and Portugal proposal actions in concert. The French Ministry of Justice thus **referred** to the possibility of **receiving** at Pau and Colmar persons from States **interested** in penal mediation and measures of assistance and redress in respect of delinquent minors. Portugal stated that it was at the disposal of the other delegations for hosting participants in courses at institutions concerned with the protection of minors.

323. Regarding international organizations, the United Nations Crime Prevention and Criminal **Justice Branch** **stressed** the need for the practical implementation of cooperative projects emanating **from** the exchange of experience which the workshop had promoted. United Nations intemgional advisers were responsible for affording technical assistance to countries requesting it.

324. **The** European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), described its updated research on urban crime prevention strategies in Europe and North America, stressing

the need for a scientific evaluation of the policies implemented. A recent publication reviewed **and analysed some 50 projects** in that field.

325. The Russian Federation set forth the broad lines of the cooperation project conducted jointly by the **United Nations Interregional Crime and Justice Research Institute (UNICRI) and the Ministry of Internal Affairs of the Russian Federation**, which had led to the application of an innovative prevention policy in a city suffering gravely from the **increase** in crime. That model **programme** could serve **as** an example for other actions of the same kind throughout the world.

326. **Mr. Vanderschuren**, of the United Nations **Centre** for Human Settlements (**UNCHS**), described a number of operations conducted jointly with developing countries or countries in transition, in the context of the Habitat **programme**, intended in particular to combat all factors associated with crime and to facilitate **access** to justice. **The** need to adapt cooperation projects to the **real** situation in the requesting countries had been **stressed** on that occasion. He invited participants to take part in the preparation of the United Nations **Conference** on Human Settlements (Habitat II), which would be held at Istanbul in June 1996.

327. The international **Centre** for the Prevention of Crime (**ICPC**) had submitted its plan of action based **inter alia** on a review and **implementation** of the best practices **in the** field of **urban crime prevention**. The ICPC invited Governments and international agencies to collaborate in that **programme** whose aim was to promote preventive action in cities, encourage preventive procedures by the police, break the cycle of violence and contribute to **the** preparation of the Habitat II Conference by organizing an international conference on crime prevention agents at Vancouver, Canada, in March 1996.

#### **D. Prevention of violent crime**

328. The Chairman of Committee II opened the meeting and thanked the Group of Mediterranean States and the International Centre for the Prevention of Crime for their contribution to the workshop. He then asked States to increase cooperation in the effort to prevent violent crime. **Mr. Régis De Gouttes**, workshop moderator, summarized the objectives of the workshop, encapsulated in seven topics.

##### **1. Violence and the family**

329. The **representative** of Greece **presented** a report on the **Centre** for Studies on Abandoned and Neglected Children. He **referred** to the establishment and development of a national network for protection.

330. The representative of Israel used a video to support her description of a multidisciplinary model on the prevention and decrease of violence against women in Israel, involving various sectors of society (legislative branch, law enforcement, social welfare agencies and voluntary organizations). A number of initiatives had been carried out: special telephone lines for battered women, information available in schools, in the army and in various other forums, reception **centres** for women and their **children**, independent residences for women and legal assistance and Particular treatment of offenders. The project in the town of Beer **Sheba** was cited as an example in which a conditional treatment schedule was used.

331. The representative of **Canada** examined the question of family violence and gave examples of activities which had been undertaken in Canada in collaboration with other partners. She also mentioned the existence of a national information **centre** on **family** violence.

332. In the United States, domestic violence was a serious crime for which the public prosecutor's **office** had specialized units, **The** United Kingdom Government had taken a number of steps to assist victims: dissemination of **practical guides**, initiatives to restore victims' confidence, **awareness-training** for the police forces, **provision of safe accommodation and legal, medical and social assistance**.

333. **The observer** for **UNICRI** introduced the extensive bibliographical collection established by the Institute on this subject.

334. The representative of the Arab Republic of Egypt pointed out that violence was also **committed by** women against men.

## 2. Violence and the school

335. The representative of France **used** a video to describe the joint activities carried out in his **country** by the **Ministries** of Internal **Affairs**, Justice and Education against violence in schools in the Department of Seine Saint **Denis**.

336. The **representative** of the United Arab Emirates described the working of **the Young** People's Special Committee, combining the efforts of the Ministries of Youth and Sport, internal Affairs and Social Affairs, as well as the media. The basic aim was to make young people **aware** of the fight against crime and to involve them in it.

337. An individual expert **from** Canada spoke about a **resource** kit on literacy and crime prevention, which can be **used** to encourage the creation of partnerships between crime prevention and literacy organizations in order that they can **use** literacy as a catalyst for social and economic **development**.

## 3. Violence and sporting events

338. in the opinion of the representative of Spain, violence of this kind **was** linked to the routine lifestyles predominant in our societies, with the stadium becoming the place to express emotions otherwise **left** unexpressed.

339. With **regard** to prevention initiatives, France **presented** a videotaped document designed to make young people aware of the **need** to respect the rules in sports. **The** document, produced jointly by physical education teachers, police **officers** and **football** professionals, was circulated in schools. It **stressed** how young **people** should internalize key notions, such as respect for others, cohesiveness and aesthetics **in sport**.

340. In Chile, a 1994 law imposed new security measures in areas used for sport, in particular a restriction on the sale of alcoholic beverages. The law also imposed obligations on **the administrators of sporting teams** and laid down certain specific **offences** (possession of firearms and the infliction of bodily harm). The representatives of Uruguay and Italy spoke of legislative initiatives in this respect. In Italy, the Ministry of **Internal** Affairs had also set up an **observatory** for violence at sporting events.

## 4. Violent crime and terrorism

341. The representatives of Chile, **Egypt**, **Israel** and **Tunisia** **stressed the importance of international** cooperation to combat terrorist violence.

342. **The** ratification of the relevant international conventions was a prerequisite of such cooperation, which **should be** accompanied by specific national **measures** (**firearm** control, control of cross-border arms **movements** and witness protection). Egypt **proposed** the strengthening of international cooperation by the establishment of a data bank on existing terrorist groups and their funding sources. The Tunisian representative emphasized that political asylum should not **be** granted to terrorists; that efforts should **be** made to facilitate their extradition; and that while **those** who repent should be given the opportunity of acquittal, terrorist detainees should **be** isolated **from** other people in prison.

343. None the less, the prevention of these activities depended on making the people among whom **terrorists find refuge aware of the situation, through educational programmes** to promote **acceptance of universal human rights values and to strengthen cultural values.**

344. A video document, prepared and presented by **the delegation of Israel**, illustrated **the national control strategy in that country**, based on the rapid deployment of forces, the mobilization of voluntary proactive and reactive teams, enhanced security measures at strategic locations and buildings, special laboratory analysis **and investigation units and coordination** between the competent judicial and police authorities, **nationally and internationally.**

## 5. Violence and pathology

345. **The representative** of Portugal **referred** to drug addiction as a fact of criminal **behaviour.** She described a support plan for drug addicts and a residential **treatment unit set up in the prison service.** **These initiatives took** particular account of the **professional, social and emotional** aspects of the problem. **The aim** was to take **advantage of imprisonment to help** the addict to be responsible for his or her own care and thus to cut down the number of repeat **offences.** It was particularly important, **in her view, to coordinate the efforts** of the health and justice services in **this field.**

346. The Friends World Committee **for Consultation (Quakers)** presented their programme of alternatives to violence and that was also designed to **reduce drug consumption.** The **programme,** which had been carried out **in several countries, was free** of charge for the persons involved. It was conducted in prisons and designed to involve both prisoners who wished to participate and prison staff.

## 6. Firearm control

347. The representative of Japan **presented** a legislative plan to control firearms, prohibiting the use, possession and import of firearms. He **stressed** an increase in the number of firearm consignment seizures. Awareness campaigns had also been conducted. He concluded by mentioning the forthcoming organization of a seminar on **firearm control,** to which several Asian countries had been invited.

348. The representative of the **Russian Federation referred** to the strengthening of legislative provisions in **his country,** as well as the necessary development of international cooperation **to control this scourge.** He mentioned that the authorities in his country were making an inventory of firearms.

349. **The representative** of Canada **mentioned new legislative provisions that had been introduced in his country:** computerized **registration** of all firearms; strengthened **offence** and penalty provisions; new licensing control on **firearms possession and use;** and bans on handguns and military-type assault *weapons.*

350. The representative of the Netherlands **referred** to the establishment of a **programme to combat armed aggression** against shopkeepers, bringing together the public authorities, industrialists and shopkeepers.

351. The representative of Malawi stressed the importance of regional cooperation to control firearm **traffic,** while the representative of Kuwait described the **programme** to call in the numerous weapons **currently circulating** in the country.

## 7. Examples of technical cooperation

352. The International **Centre** for Criminal **Law Reform** and Criminal Justice Policy, in Vancouver (Canada), presented its programme of consultative services **for domestic violence and emphasized** the need to develop training activities, above all for staff of the judicial branch, in dealing with this problem. The **centre** was **prepared to provide appropriate assistance to any country or organization that might request it.**

353. **The International Centre for the Prevention of Crime** was also endeavouring to check the **cycle** of violence by promoting prevention initiatives.

354. In the United Nations, the Crime Prevention and Criminal Justice Branch could undertake prevention initiatives in conjunction with other intergovernmental agencies, such as UNESCO, UNICEF and UNDCP. **Training seminars on the various topics covered could be organized at the request of Member States.** Furthermore, Member States approach the United Nations interregional advisers for crime prevention and criminal justice.

**E. Environmental protection at the national and international levels:  
potentials and limits of criminal justice**

355. **The two-day workshop on the topic “Environmental protection at the national and international levels: potentials and limits of criminal justice”** was held on 4 and 5 May 1995 within the **programme** of work of Committee 1. The Workshop had before it a **background** paper (A/CONF.169/12), the report of the Ad Hoc Meeting on More Effective Forms of international Cooperation against **Transnational** Crime, including Environmental Crime (E/CN.15/1994/4/Add.2), held at Vienna from 7 to 10 December 1993 and the report of the International Meeting of Experts on the Use of Criminal Sanctions in the Protection of the Environment; **Internationally, Domestically and Regionally (E/CN.15/1994/CRP.4)**, held at Portland, Oregon, United States of America. In addition, the United Nations **Interregional** Crime and Justice Research Institute (**UNICRI**), which organized the Workshop, prepared a background report based on the results of an empirical study covering 11 developing and developed countries. The Chairman of Committee I, when opening the meeting, **stressed** the need to develop comprehensive and integrated **measures** at the national, regional and international levels in order to achieve positive results in the area of environmental protection.

356. The workshop dealt with four main issues: (a) responses to three categories of polluting behaviour (**transboundary** pollution; pollution originating from large **enterprises**; and small business or individual polluters); (b) **potentials and limits of criminal justice in environmental protection, in particular regarding criminal responsibility of corporations**; (c) crimes against the environment and sustainable **development**; and (d) international cooperation, including suggestions for technical cooperation through advisory services and awareness, **research** and training projects. A number of experts **from Governments**, intergovernmental organizations and non-governmental organizations made presentations on specific topics, **with** participants making interventions thereon.

357. Both the **benefits and potential** problems that might result from the use of criminal law to **control** crimes against the environment were discussed. Various possibilities for strengthening the use of criminal law in environmental protection were suggested **in** the context of the social, **cultural** and economic conditions of specific countries. Several countries reported on approaches that they had found effective in the protection of the environment.

358. The environment should be regarded as a **fundamental** value *per se* to be safeguarded, and it was **recognized** that the current generation was the custodian of it for future generations. A crime against the environment should be viewed as a crime against the security of the community. Significant progress had been made towards developing definitions of **core** environmental **offences**, especially through the work of international bodies such as the United Nations, the International Law Commission, the **Council of Europe**, the International Association of Penal Law and others. Their proposals ranged **from** elaborating a detailed list of crimes to making recommendations on the inclusion of **core** crimes in domestic penal codes. It was suggested **that Member States should consider** supporting the work of international bodies **in the development of an international convention on the protection of the environment, including criminal law penalties for flagrant breaches of its provisions, as well as arbitration provisions to deal with environmental damage at the global level, whether actual or likely.** The possibility of establishing a world environmental protection agency under the auspices of the United Nations was suggested. However it was noted **that for international law to be effective it had to be implemented at the national level.**

359. **Environmental protection** was economically important, not only as regards sustainable **development in general** but also in many countries for **eco-tourism**, which generated foreign exchange. Crimes against the cultural heritage, for example, **theft**, smuggling or destruction of cultural treasures, should **be** seen in the wider **context** of environmental **offences**. **Other** forms of serious ecological **offences** included the illegal disposal of **and trafficking** in hazardous waste and the illegal trade in wild and endangered species. In some **cases, those offences were** committed by organized criminal groups. Technological developments were leading to **new** forms of environmental crime that should be **carefully** monitored, for example, **the** implantation of genetically engineered organisms into the environment without the permission of the **proper** authorities. **The severe** environmental damage suffered by some countries during armed conflict should not **be** disregarded.

360. Environmental legislation had been expanded in many **countries** in recent years to deal **with the** increasing threats to the environment. **Several** international conventions had **also been** adopted. Countries should develop **comprehensive** legislative packages, bearing in mind the need for protection to be **coordinated** at the regional, national and international levels. It was also highly desirable to **achieve** a degree of **harmony** of national laws so as to facilitate enforcement by way of, for example, mutual assistance in criminal matters and extradition. **Since** countries **could** be **affected** by unlawful acts outside the State, conventions and cooperative mechanisms **were** strongly **encouraged**. **Furthermore**, fresh approaches to legislation were **needed**, **since** traditional applications of criminal law were often too restrictive to **remedy** environmental **offences**. **New forms of offences** tended to be much more **complex** than the **more** conventional crimes of one individual against another. For example, it would be difficult to **meet** the **evidentiary** requirements of criminal law in cases where the **effects** of pollution **were** widely **diffused** and **there** was no specific victim.

361. The role of corporations in causing environmental degradation posed special problems in **many** jurisdictions. An expert panel discussed the topic "Environmental protection through criminal law: limits of individual responsibility — potentials of collective liability?". The panel described the legal position and **current** developments in the **area** of criminal liability of private and public entities in their countries. While then is considerable divergence among them, common law **countries** have, generally speaking, taken a pragmatic attitude towards the classical principle *societas delinquere non potest*. Some countries such as Australia and Canada have moved even **further** than others, recognizing **primary** criminal liability of organizations. However, countries belonging to the civil law system generally continue to adhere to **the** classical principle. Even among **them**, some **countries such as the Netherlands** and, most recently, France **have** modified **their** laws in **this** regard. In a few **others** such as Japan and Germany and even Italy, **which** has constitutional obstacles, juridical trends point in **that** direction.

362. Many participants strongly **advocated** that civil law **countries** should move towards criminal liability, at least for private entities. Some **drew** attention to **the** provisions in **the draft Convention of the Council of Europe**, the resolution of the **XV Congress of the International Association of Penal Law and Economic and Social Council resolution 1994/15**.

363. It was **the** general view of participants **that the** principle of **personal guilt made criminal law an** inefficient and ineffective tool in combating serious environmental crimes, as **the** vast proportion of environmental degradation was attributable to private and public entities. **Where the** classical principle clashed **with** society's right of protection, it was urged that the latter should prevail.

364. It was noted that **further information was urgently needed** on the practical **results of the use** of criminal law **to** protect the environment through an evaluation of the measures that have already been **taken**. In order to build on existing information **resources** it was **considered** that experiences and approaches to the enforcement of environmental protection through the criminal law should **be** shared **between** countries and other relevant **entities and** that further comparative **research** should be carried out.

365. At the enforcement level, it was suggested that special **police** and prosecution units should be established for this purpose. The importance of providing adequate training, manuals and guidebooks for special units was emphasized, and it was recognized that training was an area where technical cooperation should play a major

**role.** Such trained units could in **turn help to raise** the skills of the **general** police through further **training.** Enforcement activities could include action under occupational and public health and safety legislation.

366. Several innovative approaches **were** suggested for protecting the **environment.** Funds could **be** established **to** support the enforcement of environmental laws and **to** repair damage done by offenders **through** the use of the confiscated proceeds of environmental crimes and contributions **from** other **sources.** Environmental protection networks could be created nationally and internationally **to** coordinate activities and list available resources. Feasibility studies should be **carried** out to **test** other **relevant** proposals. Publicity could be used as a means both to raise public awareness of the **need** for protection of the environment and to **deter offenders,** especially convicted **enterprises** that depend on an ecologically sensitive clientele to remain in business.

367. It was pointed out that the United Nations had an important role to play in contributing to **environmental protection** through technical assistance, **research,** training, advisory services and education. Such a role should include facilitating interaction between all those involved in innovative thinking in this field.

368. The following proposals for projects involving international cooperation **were** discussed for appropriate support from Member States:

**(a)** Promoting awareness of the role of criminal justice in environmental **protection: (i) the awareness** of policy makers could be enhanced by organizing an international conference, possibly at the parliamentary level; and (ii) a manual could be developed with guidelines facilitating compliance, including access to **information** and risk assessment.

**(b)** The following research and documentation projects might be undertaken: (i) a comparative **research** project on the seriousness of environmental crime; (ii) a research project on criminal law in **international** environmental conventions; (iii) assistance in the review or **redrafting** of legislation and the development of **effective infrastructure;** and (iv) development of a standard-setting manual for practitioners;

**(c)** Technical co-operation and training: (i) provision of technical assistance in the **form** of needs assessment and advisory services; and (ii) organization of training courses for criminal justice and administrative agency personnel.

369. One regional group represented **at** the workshop announced that its Member States intended to review and **reform** their environmental legislation based on the work of the meeting. The **workshop** noted with **appreciation** the statement which was made by **Argentina** on behalf of 17 delegations, congratulating **UNICRI** in its organization, preparation and administration.

#### **F. International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information**

370. The two-day workshop on international cooperation and assistance in the management of the criminal **justice** system: computerization of criminal justice operations and the development, analysis and policy **use** of criminal justice information reviewed progress in computerization and in the use of information for policy and management purposes. The discussion focused on the development and use of national and international crime and criminal justice information and on the introduction of information technology **in** the administration of criminal justice. The discussion also sought to **identify** ways **in** which international cooperation, particularly within the **framework** of the United Nations crime prevention and criminal justice **programme,** could support development in that field.

371. **The** workshop **opened** with a discussion of the principal trends that had led **to** the international interest in the issues **being** discussed. The underlying theme **was** one of change: change in society, change **in** crime, and a rapid change in technology.

372. Participants agreed that the myriad changes in society — demographic, cultural, economic **and** political — had led to changes in the level and structure of crime. In many countries, crime had been increasing. New forms of crime were emerging, and both crime and offenders were taking on an **international** dimension. The criminal justice system was having **difficulty** responding in a just and effective manner. **The** administrative **and infrastructural** sectors of individual criminal justice agencies faced shortages in personnel and resources, shortcomings in training and operational **structure**, and difficulties in coordination and **cooperation with** other agencies, locally, nationally and internationally.

373. **The** rapid changes in technology, including new techniques for **research** and **for** monitoring **the factors** underlying **the** evolution of crime and the operation of **the** criminal justice agencies, provided **new** opportunities for responding to those changes. Currently, individual agencies in many **countries** were in **the** process of computerizing their operations, either on their own or in tandem with **other** agencies. Their goals included increased system efficiency, **improved** decision-making, better inter-agency coordination, and better and more timely information for policy analysis.

374. **The** rapid changes in technology, however, also had a negative side. New concerns and problems were arising over privacy and security. For example, it was noted that, without proper monitoring and guidelines and **without** clear law and policy, **the** new technology might strengthen **the** degree of control in society, and could, in so doing, erode fundamental rights. The technology itself also created new possibilities for **fraud**, theft, embezzlement, vandalism and other crimes, which under the rule of law must **often** be the subject of new **criminalizations**.

375. Many speakers described the experiences in their countries in responding to the changes and in utilizing the new information technology. Their objectives included **analysing** the operational environment of **the** criminal justice system, obtaining information on **the** dynamics and structure of crime and the characteristics of offenders, **forecasting** trends, and improving **the** allocation of resources.

376. **There** was a clear **need** for controlled **organizational** change, training, new **approaches** and **coordination**, locally, nationally and **internationally**. If individual agencies adopted divergent strategies, **the** abilities of agencies to work together and exchange information **might be** weakened, and **that** could lead to investments in solutions that proved inappropriate in the long **term**. For that reason, national and international standards were needed on data, communications and technology. Such standards could help agencies and member States achieve **the** same **high** levels of **efficiency** and coordination, while ensuring **the protection** of privacy and security. **That**, in turn, required a coherent information policy which would guide **the work** of policy **makers**, criminal justice administrators and practitioners, experts and others involved in **the field** and would ensure **the necessary financial** and political commitment. **In the** international context, **there** was a clear need for coordination and **harmonization** and **the** strengthening of multilateral and bilateral technical aid **programmes**.

377. Attention was drawn to **the** need for a **research** policy that would foster **both** basic **research** and **action-**oriented research so as to ensure that policy makers could take informed **decisions**. Governments **should** also be encouraged to support evaluative research as a basic component of projects and programmes in crime prevention and criminal justice. **The** advantages and disadvantages of various models of bringing **research** and policy closer together deserved close examination.

378. During the workshop, the relevant **work** being **carried** out **within** the framework of the United Nations crime prevention and criminal justice programme was reviewed. Interregional and regional summaries of the Fourth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems were given, as were the results of a cross-cultural victimization study carried out by the United Nations **Interregional** Crime and Justice Research Institute (**UNICRI**), in cooperation with the Ministry of Justice of the Netherlands.

**Reference** was **also** made to publications on the development of criminal justice statistics, the **computerization of information systems in criminal justice**, **computer crime**, and, mostrecently, a directory **ofcriminal justice information systems**.

379. **The potential** of the United Nations Crime and Justice Information Network (UNCJTN), **which would** soon be transferred to Vienna, was demonstrated at the workshop. Through Internet, UNCJTN **links up** a rapidly **growing number of governmental agencies**, academic institutions and individual practitioners with **elements** of the United Nations programme and with one another. Plans for expanding the scope and global coverage of **UNCJIN** were outlined.

380. The United Nations network of institutes — in particular **UNICRI**, the European Institute for Crime Prevention and Control, **affiliated** with the United Nations, and the Asia and Far East Institute for the Prevention of Crime and the Treatment of **Offenders** -had carried out needs assessment missions, organized training courses, published source materials and provided other technical assistance. Further activities along those lines, including pilot projects, were in preparation.

381. It was noted that the resources available to the United Nations technical assistance **programme were** severely limited. The programme could **avail** itself of the services of only one expert in information technology, services **generously** provided by the Government of the Netherlands. Several Member States called for considerable **strengthening** of the programme in that respect. The growing role of the United Nations Development Programme (**UNDP**) in crime prevention and criminal justice was considered a very positive element, and it was suggested by one speaker that Member States should seek to allocate a specific portion of the aid within their country programme to that area, and to computerization and information technology.

382. Several speakers urged Member States, particularly those with considerable experience in that field and in more advanced technology, to share their expertise and experience and to increase financial and technical assistance on a bilateral and multilateral basis, in particular through the United Nations programme. Suggestions included the organization of regular local, regional and **interregional** seminars, including seminars for senior policy makers, demonstration projects on UNCJIN in countries with the **greatest** need, the regular updating of a roster of experts and expertise in the field, the development of computer-assisted instruction packages, the establishment of ad hoc groups to consider the appropriate **infrastructure** for planning, implementing and evaluating the computerization of criminal justice, and, especially, the establishment by the Commission on Crime Prevention and Criminal Justice of such an ad hoc group to provide advice on international technical assistance projects.

383. It was noted that the implementation of such projects required increased invesbnents and sacrifices. However, the projects would contribute to savings in the operation of the criminal justice system. Equally, they would contribute to the development of more informed policy, enable criminal justice agencies to inform **citizens** of developments in crime and the response to crime, and monitor the impact of time and of the criminal justice system, thus contributing to the rule of law.

384. All Member States were urged by several speakers to provide assistance to the United Nations programme- by providing fuller information on crime trends and the operations of the criminal justice system in their countries.

385. In general, it was noted that a considerable amount of expertise was available on what to do and what not to do in developing information technology for the **management** of criminal justice. **There** was also an increasing willingness to exchange information and expertise. What was required was an expansion of the international institutional capacity in order to ensure that the assistance reached those who could utilize it in their work.

VIII. ADOPTION OF THE REPORT OF THE CONGRESS  
AND CLOSURE OF THE CONGRESS

386. At the 17th plenary meeting, on 7 May 1995, the **Rapporteur-General** introduced the **draft report** on agenda items 3 and 4 (A/CONF.169/L.20 and Add. I-3). In his statement, the Rapporteur-General noted that countries were increasingly concerned with the new forms and dimensions of crime and its **effects** on **stability, security, democracy and sustainable development**. The recommendations of the Congress and the many innovative approaches it took provided a wide spectrum of knowledge and experience on which countries could draw in adopting **measures** and devising new strategies. The problems faced by the international community required **more** effective collaboration and increased technical assistance, particularly to developing **countries** and countries in transition, given the new **transnational** dimensions of crime. The **Rapporteur-General stressed** his conviction that also this Ninth Congress had made an invaluable contribution to the goals of preventing and controlling crime, clearly demonstrating not only the importance of these intergovernmental meetings, but also **the strong commitment of Member States** to strengthen international cooperation.

387. Statements were made by the representatives of Iraq and the Syrian Arab Republic.

388. The Congress then **adopted** the draft report on agenda items 3 and 4, as well as the reports of Committees I and II, dealing with agenda items 5 and 6, which had been previously introduced by the respective **rapporteurs**.

389. The Congress then adopted its report as a whole, **as** orally revised, and requested the **Rapporteur-General** to complete the text in the light of the action taken in plenary and to make the necessary editorial changes in conformity with accepted United Nations practice.

390. The 18th meeting of the Congress, on 8 May 1995, was devoted to its closure.

391. Expressions of appreciation to the Government and people of Egypt, to the President and the other **officers** of the Congress, to the United Nations Secretariat and all those associated with it who had made the Congress a success, were voiced by the **representatives** of Uganda on behalf of the **African** States; Malaysia on behalf of the Asian States; the Russian Federation on behalf of the Eastern European States; Costa Rica on **behalf** of the Latin American and Caribbean States; **Ireland** on behalf of the Western European and other States; and the United Arab Emirates on **behalf** of the **Arab States**. The **representative** of South **Africa** also made a **statement**. All speakers confirmed the crucial role of the congresses, and the relevance of the recommendations made, stressing the need for appropriate follow-up by the forthcoming **session** of the Commission on Crime Prevention and Criminal Justice. They **also** emphasized the necessity for concerted action to deal with crime problems transcending national frontiers, and for increased technical cooperation in this field.

392. The **Secretary-General** of the Congress expressed his appreciation for the generous hospitality of the Government and people of Egypt, and the **effective** organization of the Congress, which so greatly **contributed** to its success. The Congress had touched on many key issues: that **consensus** was reached **in all the** recommendations **attested** to the commitment of countries and the international community to curtailing crime, enhancing justice and ensuring security for all. The high-level participation in the **Congress was evidence** of the serious concern about escalating crime and the realization that its new, expanding **transnational** forms **could only be combated** by joint action. It was now a matter of translating the decisions taken into actual reality. **This** process was helped by the practical focus of the Congress, which had stressed the importance of the exchange of concrete experiences and know-how. As revealed in the national statements, **technical assistance** was required on a whole range of crime-related problems, many of which were interrelated. The rule of **law** was a **cornerstone of sustainable development**, and **strengthened technical cooperation** an important instrument for achieving greater stability and democratic change.

393. In his closing statement, the President of the Congress, His Excellency **Farouk Mahmoud Seif El Nasr**, Minister of Justice of Egypt, noted that the resolutions unanimously adopted by all the participants were the

result of shared values and experiences. To be effective, however, they needed appropriate follow-up at the national level, so that the next Congress could evaluate their benefits. As reflected in press reports locally and internationally, the Congress had been able to give valuable policy directives to maintain the rule of law and ensue justice. He declared the Congress closed.

## Annex

### List of documents

<i>Document number</i>	<i>Agenda item</i>	<i>Title and description</i>
AKONF. 16911	<b>2(a)</b>	Provisional agenda
<b>A/CONF.169/2</b>	<b>2(b)</b>	Provisional <b>rules</b> of procedure for United Nations congresses on the prevention of crime and the treatment of offenders
<b>A/CONF.169/3</b>	2	Adoption of the agenda and organization of work: note by the Secretariat
<b>A/CONF.169/14</b>	3	Working paper prepared by the Secretariat
AKONF. <b>169/5</b>	4	Working paper prepared by the Secretariat
AKONF. <b>169/6</b>	5	Working paper prepared by the Secretariat
AKONF. <b>169/7</b>	6	Working paper prepared by the Secretariat
<b>A/CONF.169/18</b>	3	Background paper for the workshop on extradition and international cooperation: exchange of national experiences and implementation of extradition principles in national legislation
<b>A/CONF.169/9</b>	6	Background paper for the workshop on mass media and crime <b>prevention</b>
<b>A/CONF.169/10</b>		Background paper for the workshop on urban policy and crime prevention
<b>A/CONF.169/11</b>	6	Background paper for the workshop on the prevention of violent crime
<b>A/CONF.169/12</b>	4	Background paper for the workshop on environmental protection at the national and <b>international</b> levels: potentials and limits of criminal justice
AKONF. <b>169/13</b>	5	Background paper for the workshop on international cooperation and assistance <b>in</b> the management of the <b>criminal</b> justice system: computerization of criminal justice operations and the <b>development</b> , analysis and policy use of criminal justice information

<i>Document number</i>	<i>Agenda item</i>	<i>Title and description</i>
<b>A/CONF.169/13/Add.1</b>	5	United Nations Crime and Justice Information Network: present and future dimensions; towards the establishment of a United Nations crime and justice clearing-house: Progress report prepared by the Secretariat
AKONF. 169/14	4	Background paper prepared by the Secretariat on international action against corruption
<b>A/CONF.169/15</b>	3 and 5	Results of the Fourth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems: Interim report prepared by the <b>Secretariat</b>
AKONF. 169/1 S/Add. 1	3 and 4	Results of the supplement to the Fourth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, on <b>Transnational</b> Crime: Interim report by the Secretariat
<b>A/CONF.169/CRP.1</b>		Demonstration and Research Workshops at <b>the</b> Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Consultations held in pursuance of Economic and Social Council resolution 1994/119
<b>A/CONF.169/CRP.2</b>		United Nations surveys of crime <b>trends</b> and operations of criminal justice systems ( <b>1970-</b> 1995): Documentation list
AKONF. 169/CRP.3		Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecution, courts and <b>corrections</b> ; and the role of lawyers
AKONF. 169/INF. 1		Information for participants
<b>A/CONF.169/INF.2</b> and Add. 1		List of participants
AKONF. 169/L. 1		Report of the <b>pre-congress</b> consultations held at the Cairo International <b>Conference Centre</b>

<i>Document number</i>	<i>Agenda item</i>	<i>Title and description</i>
AKONF. 169/L.2	4	Communication dated 23 November 1994 from the <b>Secretary</b> for Justice of Argentina to the Executive Secretary of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
AKONF. 169/L.2/Rev. 1	4	<b>Draft</b> resolution
A/CONF. 169/L.2/Rev.2	4	Revised <b>draft</b> resolution
A/CONF. 169/L.3	3,4,5 and 6	Communication dated 2 December 1994 from the <b>Secretary</b> for Justice of Argentina to the Executive Secretary of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of <b>Offenders</b>
AKONF. 169/L.4	4	Note <b>verbale</b> dated 2 December 1994 from the Permanent Mission of the Netherlands to the United Nations (Vienna) addressed to the United Nations <b>Office</b> at Vienna
AKONF. 169/L.4/Corr. I		Note <b>verbale</b> dated 2 December 1994 from the Permanent Mission of the Netherlands to the United Nations (Vienna) addressed to the United Nations <b>Office</b> at Vienna
A/CONF. 169/L.4/Rev.1	5	<b>Draft</b> resolution
AKONF. 169/L.4/Rev.2	5	Revised <b>draft</b> resolution
A/CONF. 169/L.5 and Corr. 1 and 2	6	Note <b>verbale</b> dated 2 December 1994 from the Permanent Mission of Austria to the United Nations (Vienna) addressed to the Crime Prevention and Criminal Justice Branch of the <b>Secretariat</b>
A/CONF. 169/L.6		International cooperation and practical assistance for strengthening the rule of law: development of United Nations model instruments
A/CONF. 169/L.6/Rev.1		Revised draft resolution
AKONF. 169/L.6/Rev.2		Revised <b>draft</b> resolution

<i>Document number</i>	<i>Agenda item</i>	<i>Title and description</i>
<b>A/CONF.169/L.7</b>	6	Letter dated 12 December 1994 from the <b>Counsellor</b> and Alternate Resident Representative of Canada to the United Nations (Vienna) addressed to the Executive Secretary of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
<b>A/CONF.169/L.7/Rev.1</b>	6	Revised draft resolution
<b>A/CONF.169/L.8</b>	<b>4 and 6</b>	Note <b>verbale</b> dated 15 December <b>1994</b> from the Permanent Mission of Japan to the United Nations (Vienna) addressed to the United Nations <b>Office</b> at Vienna
<b>A/CONF.169/L.8/Rev.1</b>	6	Revised <b>draft</b> resolution
AKONF. 169/L.8/Rev.2	6	Revised draft resolution
AKONF. 1695.9	5	Letter dated 16 December 1994 from the Permanent Mission of Poland to the United Nations (Vienna) addressed to the Executive Secretary of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
<b>A/CONF.169/L.9/Rev.1</b>	5	Revised draft resolution
<b>A/CONF.169/L.10</b>	<b>3,4,5</b> and 6	Communication dated 27 December <b>1994</b> from the Permanent <b>Secretary</b> of the <b>Ministry</b> of Internal Affairs of Uganda to the Executive <b>Secretary</b> of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
<b>A/CONF. 1695.11</b>		Communication dated 12 January 1995 from the Belgian Ministry of Foreign <b>Affairs</b> , Foreign Trade and Development Cooperation to the United Nations <b>Office</b> at Vienna
<b>A/CONF.169/L.12</b>	4	Note <b>verbale</b> dated 28 December 1994 from the Permanent Mission of Egypt to the United Nations (Vienna) addressed to the Crime Prevention and Criminal Justice Branch of the Secretariat
<b>A/CONF.169/L.12/Rev.1</b>		Revised draft resolution

<i>Document number</i>	<i>Agenda item</i>	<i>Title and description</i>
<b>A/CONF.169/L.13</b>	6	Note <b>verbale</b> dated 6 March 1995 from the Permanent Mission of Turkey to the United Nations (Vienna) addressed to the Office of the Director-General of the United Nations <b>Office</b> at Vienna
<b>A/CONF.169/L.14</b>	4	Note <b>verbale</b> dated 6 March 1995 from the Permanent Mission of Turkey to the United Nations ( <b>Vienna</b> ) addressed to the <b>Office</b> of the <b>Director-General</b> of the United <b>NationsOffice</b> at Vienna
<b>A/CONF.169/L.15</b>	3	Note <b>verbale</b> dated 6 March 1995 <b>from</b> the <b>Permanent</b> Mission of Egypt to the United Nations (Vienna) addressed to the Crime Prevention and Criminal Justice Branch of the Secretariat
<b>A/CONF.169/L.16</b>	6	Note <b>verbale</b> dated 20 <b>March</b> 1995 <b>from</b> the Permanent Mission of Turkey to the United Nations (Vienna) addressed to the <b>Office</b> of the <b>Director-General</b> of the United Nations <b>Office</b> at Vienna
<b>A/CONF.169/L.17</b>	<b>4 and 6</b>	Note <b>verbale</b> dated 7 April 1995 <b>from</b> the Permanent Mission of Tunisia to the United Nations (Vienna) addressed to the Crime Prevention and Criminal Justice Branch of the <b>Secretariat</b>
<b>A/CONF.169/L.18 and Rev.1</b>	<b>3,4,5 and 6</b>	Draft resolution
<b>A/CONF.169/L.19 and Rev.1</b>	6	Draft resolution
<b>A/CONF.169/L.20 and Add. 1-3</b>	7	Adoption of the report of the Congress
<b>A/CONF.169/L.21</b>	4	Proposed amendment to draft resolution <b>A/CONF.169/L.12: Iran (Islamic Republic of)</b>
<b>A/CONF.169/L.23</b>	6	Report of the Chairman of Committee II on the workshop on topic (a): Extradition and international cooperation: <b>exchange of</b> national experience and <b>implementation</b> of relevant principles in national legislation

<i>Document number</i>	<i>Agenda item</i>	<i>Title and description</i>
<b>A/CONF.169/L.24</b>	7	<b>Adoption of the report of the Congress: Report of Committee I</b>
AKONF.169/L.24/Add.1	7	<b>Adoption of the report of the Congress: Report of Committee I</b>
NCONF.169/L.25	7	<b>Adoption of the report of the Congress: Report of Committee II</b>
<b>A/CONF.169/L.25/Add.1</b>	7	<b>Adoption of the report of the Congress: Report of Committee II (part II)</b>
NCONF.169/L.26	4	Report of the Chairman of Committee I on the workshop on topic (e): National and international levels: potentials and limits of criminal justice
AKONF.169/L.27	4	Proposed amendment to <b>draft</b> resolution AKONF.169/L.12: Sudan
AKONF.169/L.28	7	Report of the Credentials Committee
NCONF.169/L.29	7	Expression of thanks to the people and <b>Government</b> of the Arab Republic of <b>Egypt</b>
<b>A/CONF.169/L.30</b>	4	Proposed amendments to draft <b>resolution A/CONF.169/L.12/Rev.1</b> : Syrian Arab Republic
<b>A/CONF.169/C.1/L.1</b>	5	Report of the <b>Chairman</b> of Committee I on the workshop of topic <b>(f)</b> : International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information
<b>AKONF.169/C.2/L.1</b>		Report of the Chairman of Committee <b>II</b> on the workshop on topic <b>(b)</b> : Mass media and crime prevention
NCONF.169/C.2/L.2	6	Report of the Chairman of Committee <b>II</b> on the workshop on topic (c): Urban policy and crime prevention

<i>Document number</i>	<i>Agenda item</i>	<i>Title and description</i>
A/CONF.169/C.2/L.3	6	Report of the Chairman of Committee II on the workshop on topic (d): Prevention of violent crime
AKONF. 169/PM. 1 and Corr. I	7	Discussion guide for the regional preparatory meetings for the Ninth United Nations Congress on the Prevention of Crime and the <b>Treatment</b> of Offenders
A/CONF.169/PM.1/Add. 1	7	Discussion guide on demonstration and <b>research</b> workshops to be held at the Ninth United Nations Congress on the <b>Prevention</b> of Crime and the Treatment of Offenders
AKONF.169/RPM. 1/Rev. 1 and Con. 1	7	Report of the Asia and Pacific regional preparatory meeting for the Ninth United Nations Congress on the Prevention of <i>Crime</i> and the <b>Treatment of Offenders</b>
AKONF. 169/RPM.2	7	Report of the <b>African</b> regional preparatory meeting for the Ninth United Nations Congress on the <b>Prevention</b> of Crime and the Treatment of Offenders
AKONF. 169/RPM.3 and Corr. 1	7	Report of the European regional preparatory meeting for the Ninth United Nations Congress on the Prevention of Crime <b>and</b> the Treatment of Offenders
A/CONF.169/RPM.4	7	Report of the Latin American and Caribbean regional <b>preparatory</b> meeting for the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
AKONF. 169/RPM.5	7	Report of the Western Asia regional preparatory meeting for the Ninth United Nations Congress on the <b>Prevention</b> of Crime and <b>the</b> Treatment of Offenders
E/1994/31	7	Report of the Commission on Crime Prevention and Criminal Justice on its third session
A/49/748	7	Report of the World Ministerial Conference on Organized <b>Transnational</b> Crime