



**United Nations**

**Commission on Crime  
Prevention and Criminal  
Justice**

**Report on the twenty-second session  
(7 December 2012 and 22-26 April 2013)**

**Economic and Social Council  
Official Records, 2013  
Supplement No. 10**



# **Commission on Crime Prevention and Criminal Justice**

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(7 December 2012 and 22-26 April 2013)**



United Nations • New York, 2013

*Note*

Symbols of United Nations documents are composed of letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-second session, to be held on 12-13 December 2013, will be issued as *Official Records of the Economic and Social Council, 2013, Supplement No. 10A* (E/2013/30/Add.1).

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## Chapter I

### **Matters calling for action by the Economic and Social Council or brought to its attention**

#### **A. Draft resolutions to be recommended by the Economic and Social Council for adoption by the General Assembly**

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly:

##### **Draft resolution I**

#### **Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice**

*The General Assembly,*

*Recalling* its resolution 56/119 of 19 December 2001, on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, in which it stipulated the guidelines in accordance with which, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme,<sup>1</sup> should be held,

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

*Acknowledging* that the United Nations congresses on crime prevention and criminal justice, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation in that field by facilitating the exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels,

*Emphasizing* the important role played by the United Nations congresses on crime prevention and criminal justice in recognizing that crime prevention and criminal justice, with due regard to the observance of human rights, is a direct contribution to the maintenance of peace and security,

*Recognizing* the significant contributions of the United Nations congresses on crime prevention and criminal justice in promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental

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<sup>1</sup> General Assembly resolution 46/152, annex.

organizations and individual experts representing various professions and disciplines,

*Recalling* its resolution 57/270 B of 23 June 2003, on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields, in which it stressed that all countries should promote policies consistent and coherent with the commitments of the major United Nations conferences and summits, emphasized that the United Nations system had an important responsibility to assist Governments to stay fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits, and invited its intergovernmental bodies to further promote the implementation of the outcomes of the major United Nations conferences and summits,

*Recalling also* its resolution 62/173 of 18 December 2007, in which it endorsed the recommendations made by the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice at its meeting held in Bangkok from 15 to 18 August 2006,

*Recalling further* its resolution 65/230 of 21 December 2010, in which it endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,<sup>2</sup> adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, and welcomed with appreciation the offer of the Government of Qatar to act as host to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, in 2015,

*Recalling* its resolution 67/184 of 20 December 2012, in which it approved the main theme, the agenda items and the topics for the workshops of the Thirteenth Congress and decided that the duration of the Thirteenth Congress should not exceed eight days, including pre-Congress consultations,

*Taking note* of the development goals and national commitments contained in the United Nations Millennium Declaration,<sup>3</sup>

*Recognizing* the importance of the substantive contributions that the Thirteenth Congress can make to the United Nations post-2015 development agenda,

*Re-emphasizing* the importance of integrating crime prevention and criminal justice into the wider United Nations agenda to address, inter alia, social and economic challenges and to promote the rule of law at the national and international levels and public participation,

*Stressing* the importance of undertaking all preparatory activities for the Thirteenth Congress in a timely and concerted manner,

*Having considered* the report of the Secretary-General on the follow-up to the Twelfth Congress and preparations for the Thirteenth Congress,<sup>4</sup>

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<sup>2</sup> General Assembly resolution 65/230, annex.

<sup>3</sup> General Assembly resolution 55/2.

<sup>4</sup> E/CN.15/2013/10.

1. *Reiterates* its invitation to Governments to take into consideration the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World<sup>2</sup> and the recommendations adopted by the Twelfth Congress when formulating legislation and policy directives and to make all efforts, where appropriate, to implement the principles contained therein, taking into account the economic, social, legal and cultural specificities of their respective States;
2. *Notes with appreciation* the progress made thus far in the preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice;
3. *Decides* to hold the Thirteenth Congress in Doha from 12 to 19 April 2015, with pre-Congress consultations to be held on 11 April 2015;
4. *Also decides* that the high-level segment of the Thirteenth Congress shall be held during the first two days of the Congress in order to allow Heads of State or Government and Government ministers to focus on the main theme of the Congress and to enhance the possibility of generating useful feedback;<sup>5</sup>
5. *Further decides* that, in accordance with its resolution 56/119 of 19 December 2001, the Thirteenth Congress shall adopt a single declaration, to be submitted to the Commission on Crime Prevention and Criminal Justice for its consideration, and that the declaration shall contain the major recommendations reflecting and emerging from the deliberations of the high-level segment, as well as the discussion of the agenda items and the workshops;
6. *Takes note with appreciation* of the draft discussion guide prepared by the Secretary-General, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, for the regional preparatory meetings and for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice;
7. *Requests* the Secretary-General to finalize the discussion guide in a timely manner, taking into account the recommendations of the Commission on Crime Prevention and Criminal Justice, as well as additional comments and feedback from Member States, in order to enable the regional preparatory meetings for the Thirteenth Congress to be held as early as possible in 2014;
8. *Reiterates its request* to the Secretary-General to proceed with the organization of the four regional preparatory meetings for the Thirteenth Congress and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Congress itself, in accordance with past practice, as well as making a special effort to organize the regional preparatory meeting for European and other States so as to benefit from their inputs;
9. *Urges* Governments to actively participate in the regional preparatory meetings, where appropriate, and invite their representatives to examine the substantive items on the agenda and the topics of the workshops of the Thirteenth Congress and to make action-oriented recommendations for consideration by the Thirteenth Congress;

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<sup>5</sup> See *Official Records of the Economic and Social Council, 2012, Supplement No. 10 (E/2012/30 and Corr.1 and 2)*, para. 84.

10. *Invites* Governments to undertake preparations for the Thirteenth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees;

11. *Reiterates its invitation* to Member States to be represented at the Thirteenth Congress at the highest possible level, for example, by Heads of State or Government, Government ministers or attorneys general, to make statements on the theme and topics of the Congress;

12. *Also reiterates its invitation* to Member States to play an active role in the Thirteenth Congress by sending legal and policy experts, including practitioners with special training and practical experience in crime prevention and criminal justice;

13. *Requests* the Secretary-General to encourage the participation of representatives from relevant entities of the United Nations system in the Thirteenth Congress, bearing in mind the main theme, agenda items and workshop topics of the Congress;

14. *Invites* donor countries to cooperate with developing countries to ensure their full participation in the workshops, and encourages States, the institutes of the United Nations crime prevention and criminal justice programme network, other entities concerned and the Secretary-General to work together in order to ensure that the workshops are well-focused and achieve practical results, leading to technical cooperation ideas, projects and documents for enhancing bilateral and multilateral technical assistance activities in crime prevention and criminal justice;

15. *Reiterates its request* to the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Thirteenth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress, and encourages Member States to actively participate in the above-mentioned meetings, as they provide an opportunity to develop and maintain a strong partnership with the private sector and civil society organizations;

16. *Requests* the Secretary-General to prepare a plan for the documentation for the Thirteenth Congress, in consultation with the extended bureau of the Commission;

17. *Again encourages* the relevant specialized agencies and programmes of the United Nations and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Thirteenth Congress;

18. *Requests* the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Thirteenth Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

19. *Also requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with the necessary resources, from within the overall

appropriations of the programme budget for the biennium 2014-2015, to support the preparations for and holding of the Thirteenth Congress;

20. *Further requests* the Secretary-General to ensure, in collaboration with Member States, a wide and effective programme of public information relating to the preparations for the Thirteenth Congress, to the Congress itself and to the follow-up to and implementation of its recommendations;

21. *Requests* the Commission to accord sufficient time at its twenty-third session to reviewing the progress made in the preparations for the Thirteenth Congress, to finalize in a timely manner all outstanding organizational and substantive arrangements and to make its recommendations to the General Assembly through the Economic and Social Council;

22. *Requests* the Secretary-General to ensure proper follow-up to the present resolution and to report thereon to the General Assembly through the Commission at its twenty-third session.

## **Draft resolution II**

### **Strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking**

*The General Assembly,*

*Reaffirming* its resolution 66/180 of 19 December 2011, entitled “Strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking”,

*Recalling* the United Nations Convention against Transnational Organized Crime,<sup>6</sup> adopted by the General Assembly in its resolution 55/25 of 15 November 2000, as well as the United Nations Convention against Corruption,<sup>7</sup> adopted by the Assembly in its resolution 58/4 of 31 October 2003,

*Recalling also* the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,<sup>8</sup> adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 November 1970, the Convention on Stolen or Illegally Exported Cultural Objects,<sup>9</sup> adopted by the International Institute for the Unification of Private Law on 24 June 1995, and the Convention for the Protection of Cultural Property in the Event of Armed Conflict,<sup>10</sup> adopted at The Hague on 14 May 1954, and the two Protocols thereto, adopted on 14 May 1954<sup>10</sup> and 26 March 1999,<sup>11</sup> and other relevant conventions, and reaffirming the necessity for those States that have not done so to consider ratifying or acceding to and, as States parties, implementing those international instruments,

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<sup>6</sup> United Nations, *Treaty Series*, vol. 2225, No. 39574.

<sup>7</sup> *Ibid.*, vol. 2349, No. 42146.

<sup>8</sup> *Ibid.*, vol. 823, No. 11806.

<sup>9</sup> *Ibid.*, vol. 2421, No. 43718.

<sup>10</sup> *Ibid.*, vol. 249, No. 3511.

<sup>11</sup> *Ibid.*, vol. 2253, No. 3511.

*Alarmed* at the growing involvement of organized criminal groups in all forms and aspects of trafficking in cultural property and related offences, and observing that illicitly trafficked cultural property is increasingly being sold through markets, including in auctions, in particular over the Internet, and that such property is being unlawfully excavated and illicitly exported or imported, with the facilitation of modern and sophisticated technologies,

*Reiterating* the need for credible and comparable data on different aspects of trafficking in cultural property, including the links with transnational organized crime and the involvement of illicit proceeds, as well as good practices and challenges in this regard,

*Recognizing* the indispensable role of crime prevention and criminal justice responses in combating all forms and aspects of trafficking in cultural property and related offences in a comprehensive and effective manner,

*Welcoming* the recommendations of the joint discussion on trafficking in cultural property of the Working Group of Government Experts on Technical Assistance and the Working Group on International Cooperation, held in Vienna on 18 October 2012, as endorsed by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in its resolution 6/1 of 19 October 2012,

*Taking note* of the report of the Secretariat on technical assistance provided to States in the application of the United Nations Convention against Transnational Organized Crime to new forms and dimensions of transnational organized crime,<sup>12</sup> including trafficking in cultural property, and the report of the Secretariat on the application of the United Nations Convention against Transnational Organized Crime by States parties with respect to criminal offences against cultural property,<sup>13</sup>

*Taking note also* of the publication of the *Digest of Organized Crime Cases: A Compilation of Cases with Commentaries and Lessons Learned*, aimed at providing policymakers and criminal justice practitioners with an analysis of concrete cases for the implementation of the United Nations Convention against Transnational Organized Crime, including with regard to trafficking in cultural property,

*Taking note further* of the report of the Secretary-General on strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking,<sup>14</sup>

*Recalling* that the theme of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Qatar in 2015, will be “Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation”, and considering that one of the workshops at the Congress will focus on comprehensive and balanced approaches to prevent and adequately respond to new and emerging forms of transnational crime, such as trafficking in cultural property,

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<sup>12</sup> CTOC/COP/2012/7.

<sup>13</sup> CTOC/COP/WG.2/2012/3-CTOC/COP/WG.3/2012/4.

<sup>14</sup> E/CN.15/2013/14.

*Taking note* of the report of the Secretariat on the potential utility of and improvements to the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property,<sup>15</sup>

1. *Requests* Member States to continue their efforts to effectively strengthen crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking, including within the framework of the United Nations Convention against Transnational Organized Crime<sup>6</sup> and the Commission on Crime Prevention and Criminal Justice;

2. *Recalls* its invitation to Member States, in its resolution 66/180 of 19 December 2011, to protect cultural property and prevent trafficking in such property by introducing appropriate legislation, including, in particular, procedures for its seizure, recovery and return, as well as by promoting education, launching awareness-raising campaigns, locating and inventorying such property, adopting adequate security measures, developing the capacities and human resources of monitoring institutions, such as the police and customs services, and of the tourism sector, involving the media and disseminating information on the theft and pillaging of cultural property;

3. *Invites* Member States to consider, as appropriate, reviewing their legal frameworks, with a view to providing the most extensive international cooperation possible to fully address the issue of trafficking in cultural property, and also invites Member States to make trafficking in cultural property, including stealing and looting at archaeological and other cultural sites, a serious crime, as defined in article 2 of the United Nations Convention against Transnational Organized Crime, with a view to fully utilizing that Convention for the purpose of extensive international cooperation in fighting all forms and aspects of trafficking in cultural property and related offences;

4. *Welcomes* the recommendations of the second meeting of the open-ended intergovernmental expert group on protection against trafficking in cultural property, held in Vienna from 27 to 29 June 2012;

5. *Requests* the United Nations Office on Drugs and Crime to solicit from Member States and relevant international organizations information and statistical data on trafficking in cultural property, in particular on trafficking that involves organized criminal groups; to analyse that information and report on the findings to the Commission on Crime Prevention and Criminal Justice at its twenty-third session; and to develop in coordination with Member States an appropriate research methodology to study trafficking in cultural property, in particular the participation of organized criminal groups;

6. *Invites* Member States that have not yet done so to consider designating contact points to facilitate international cooperation within the application of the Organized Crime Convention, for the purpose of preventing and combating trafficking in cultural property, and to report such information to the United Nations Office on Drugs and Crime, for inclusion in the directory of competent national authorities;

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<sup>15</sup> UNODC/CCPCJ/EG.1/2012/2 and Add.1.

7. *Requests* the United Nations Office on Drugs and Crime to continue providing technical assistance to Member States in the area of protection against trafficking in cultural property and related offences, upon request and in coordination with relevant international organizations, such as the United Nations Educational, Scientific and Cultural Organization and the International Criminal Police Organization (INTERPOL), including legislative drafting assistance in order to strengthen crime prevention and criminal justice responses in this field, and to develop practical assistance tools for that purpose;

8. *Also requests* the United Nations Office on Drugs and Crime, within its mandate and in close cooperation with relevant international organizations, such as the United Nations Educational, Scientific and Cultural Organization and INTERPOL, to raise awareness of the issue of trafficking in cultural property and related offences at the regional and international levels, including in the context of its public service announcement on organized crime and through workshops, seminars and similar events, promoting synergies with the relevant entities of the United Nations crime prevention and criminal justice network;

9. *Further requests* the United Nations Office on Drugs and Crime to create a portal on its website containing all documents, tools and relevant information regarding trafficking in cultural property produced by the Office, including a link to the Database of National Cultural Heritage Laws of the United Nations Educational, Scientific and Cultural Organization and the database on stolen works of art of INTERPOL;

10. *Welcomes* the progress made in exploring the development of guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property, and stresses the need for their expeditious finalization, bearing in mind the importance of the matter for all Member States;

11. *Requests* the United Nations Office on Drugs and Crime to reconvene the intergovernmental expert group on protection against trafficking in cultural property for Member States to review and revise the draft guidelines, taking into account an updated compendium from the Secretariat of comments made by Member States on the draft guidelines, with a view to finalizing and submitting the draft guidelines to the Commission on Crime Prevention and Criminal Justice at its twenty-third session;

12. *Requests* the Secretariat, pursuant to resolution 6/1 of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, entitled “Ensuring effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, to bring the guidelines for crime prevention and criminal justice responses with respect to trafficking in cultural property, after their adoption, to the attention of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;

13. *Requests* the United Nations Office on Drugs and Crime to continue its review of the model treaty for the prevention of crimes that infringe on the cultural



heritage of peoples in the form of movable property,<sup>16</sup> taking into account the views and comments expressed by Member States,<sup>17</sup> and requests Member States and relevant international organizations that have not yet done so to submit to the Secretariat their comments on the model treaty;

14. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

15. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-third session on the implementation of the present resolution.

### **Draft resolution III**

## **Technical assistance for implementing the international conventions and protocols related to counter-terrorism**

*The General Assembly,*

*Recalling* all General Assembly and Security Council resolutions related to technical assistance in countering terrorism, and especially General Assembly resolutions 66/171 of 19 December 2011 on protection of human rights and fundamental freedoms while countering terrorism, 66/178 of 19 December 2011 on technical assistance for implementing the international conventions and protocols related to counter-terrorism, 67/99 of 14 December 2012 on measures to eliminate international terrorism and 67/189 of 20 December 2012 on strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity,

*Stressing again* the need to strengthen international, regional and subregional cooperation to effectively prevent and combat terrorism, in particular by enhancing the national capacity of States through the provision of technical assistance, based on the needs and priorities identified by requesting States,

*Reiterating* all aspects of the United Nations Global Counter-Terrorism Strategy and the need for States to continue to implement the Strategy,

*Reiterating also* that it is the primary responsibility of Member States to implement the United Nations Global Counter-Terrorism Strategy, and recognizing the need to enhance the important role that the United Nations plays, in coordination with other international, regional and subregional organizations, in facilitating coherence in the implementation of the Strategy at the national, regional and global levels and in providing assistance, especially in the area of capacity-building,

*Recalling* its resolution 66/282 of 29 June 2012 on the United Nations Global Counter-Terrorism Strategy review, in which it reaffirmed the United Nations Global Counter-Terrorism Strategy, noted with appreciation the activities

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<sup>16</sup> *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. B.1, annex.

<sup>17</sup> See UNODC/CCPCJ/EG.1/2012/2 and Add.1.

undertaken in the area of capacity-building by United Nations entities to assist Members, upon their request, in implementing the Strategy, and underlined the importance of greater cooperation among United Nations entities and of the work of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system and the need to continue to promote transparency and to avoid duplication,

*Recalling also* that in its resolution 66/282, it recognized the role that victims of terrorism in all its forms and manifestations can play, including in countering the appeal of terrorism, and noting the ongoing efforts of the relevant United Nations entities and Member States to ensure that victims of terrorism are treated with dignity and that their rights are recognized and protected,

*Recalling further* that in its resolution 67/189, it expressed deep concern about the connections, that may exist in some cases, between some forms of transnational organized criminal and terrorist activities, and emphasized the need to enhance cooperation at the national, subregional, regional and international levels in order to strengthen responses to that evolving challenge,

*Expressing concern* at the increased use, in a globalized society, by terrorists of new information and communication technologies, in particular the use of the Internet for terrorist purposes, inter alia, recruitment and incitement, as well as for the financing, training, planning and preparation of their activities,

*Taking note* of the new technical assistance tools developed by the United Nations Office on Drugs and Crime, including, inter alia, *The Criminal Justice Response to Support Victims of Acts of Terrorism* and *The Use of the Internet for Terrorist Purposes*,

*Reaffirming* that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group,

1. *Urges* Member States that have not yet done so to consider becoming parties to the existing international conventions and protocols related to terrorism, and requests the United Nations Office on Drugs and Crime, within its mandate, in close coordination with the relevant entities of the Counter-Terrorism Implementation Task Force, to continue to provide technical assistance to Member States for the ratification and legislative incorporation of those international legal instruments;

2. *Urges* Member States to continue to strengthen international coordination and cooperation in order to prevent and combat terrorism in accordance with international law, including the Charter of the United Nations, and, when appropriate, by entering into bilateral, regional and multilateral treaties on extradition and mutual legal assistance, and to ensure adequate training of all relevant personnel in executing international cooperation activities, and requests the United Nations Office on Drugs and Crime, within its mandate, to provide technical assistance to Member States to that end, including by continuing and enhancing its assistance related to international legal cooperation pertaining to terrorism;

3. *Stresses* the importance of the development and maintenance of fair and effective criminal justice systems, in accordance with applicable international law, as a fundamental basis of any strategy to counter terrorism, and requests the United Nations Office on Drugs and Crime, whenever appropriate, to take into account in

its technical assistance to counter terrorism the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law;

4. *Requests* the United Nations Office on Drugs and Crime to continue to give high priority to the implementation of an integrated approach through the promotion of its regional and thematic programmes, including by assisting States, as requested, with the further elaboration and development of national, subregional and regional counter-terrorism strategies;

5. *Calls upon* the United Nations Office on Drugs and Crime to continue to strengthen the provision of technical assistance to Member States, upon request and within its mandate, on effective measures based on the rule of law for criminal justice responses addressing the prevention of terrorism;

6. *Also calls upon* the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, for building the capacity of Member States to become a party to and implement international conventions and protocols related to terrorism, including through targeted programmes and the training of relevant criminal justice officials, the development of and participation in relevant initiatives and the elaboration of technical tools and publications, in consultation with Member States;

7. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop specialized legal knowledge in the area of counter-terrorism and pertinent thematic areas of relevance to the mandate of the Office and to provide assistance to requesting Member States with regard to criminal justice responses to acts of terrorism as set out in the international legal instruments against terrorism and as detailed in relevant General Assembly resolutions;

8. *Also requests* the United Nations Office on Drugs and Crime, within its mandate and pursuant to General Assembly resolutions 65/221 of 21 December 2010 and 66/178 of 19 December 2011, to continue to enhance specialized legal knowledge through the preparation of best practices, in close coordination with Member States, on assistance to and support for victims of terrorism, including the role of victims within the criminal justice framework;

9. *Further requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop its specialized legal knowledge in close consultation with Member States and to continue to provide assistance to requesting Member States so as to counter the use of the Internet for terrorist purposes, to support those Member States in effectively criminalizing, investigating and prosecuting such cases in accordance with applicable international law on due process and fully respecting human rights and fundamental freedoms, and to encourage the use of the Internet as a tool for countering the spread of terrorism;

10. *Urges* the United Nations Office on Drugs and Crime to continue to strengthen its cooperation with international organizations and relevant entities of the United Nations system, as well as with international, regional and subregional organizations and arrangements, in the delivery of technical assistance, whenever appropriate;

11. *Takes note with appreciation* of the recent joint initiatives developed by the United Nations Office on Drugs and Crime and the Counter-Terrorism

Committee and its Executive Directorate, as well as by the United Nations Office on Drugs and Crime and the Counter-Terrorism Implementation Task Force;

12. *Encourages* Member States to cooperate and to address, as appropriate, including through the effective exchange of information and sharing of experiences and best practices, the links that, in some cases, may exist between transnational organized criminal and terrorist activities in order to enhance criminal justice responses to terrorism, and calls upon the United Nations Office on Drugs and Crime, within its relevant mandates, to support the efforts of Member States in this regard, upon request;

13. *Expresses its appreciation* to Member States that have supported the technical assistance activities of the United Nations Office on Drugs and Crime, including through financial contributions, and invites Member States to consider making additional sustainable voluntary financial contributions, as well as providing in-kind support, especially in view of the need for enhanced and effective delivery of technical assistance to assist Member States with the implementation of the relevant provisions of the United Nations Global Counter-Terrorism Strategy;

14. *Requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with sufficient resources to carry out activities, within its mandate, to assist Member States, upon request, in the implementation of the relevant elements of the United Nations Global Counter-Terrorism Strategy;

15. *Also requests* the Secretary-General to submit to the General Assembly, at its sixty-ninth session, a report on the implementation of the present resolution.

#### **Draft resolution IV**

### **The rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015**

*The General Assembly,*

*Reaffirming* its commitment to the purposes and principles of the Charter of the United Nations and international law,

*Reaffirming also* its commitments contained in resolution 55/2 of 8 September 2000, entitled “United Nations Millennium Declaration”, and resolution 65/1 of 22 September 2010, entitled “Keeping the promise: united to achieve the Millennium Development Goals”,

*Reaffirming further* the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels,<sup>18</sup>

*Noting* the report on the General Assembly thematic debate on drugs and crime as a threat to development held in New York on 26 June 2012,

*Taking note* of the report of the Secretary-General entitled “Accelerating progress towards the Millennium Development Goals: options for sustained and inclusive growth and issues for advancing the United Nations development agenda

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<sup>18</sup> General Assembly resolution 67/1.

beyond 2015”,<sup>19</sup> and the report of the United Nations system task team on the post-2015 United Nations development agenda entitled “Realizing the future we want for all”,

*Reiterating* that the advancement of the rule of law at the national and international levels is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental freedoms, including the right to development, all of which in turn reinforce the rule of law,

*Reiterating also* that transnational crime must be addressed in full respect for the principle of the sovereignty of States and in accordance with the rule of law as part of a comprehensive response to promote durable solutions through the promotion of human rights and more equitable socioeconomic conditions and, in that regard, stressing again the importance of encouraging Member States to develop, as appropriate, comprehensive crime prevention policies based on an understanding of the multiple factors that contribute to crime and to addressing such factors in a holistic manner, while emphasizing that crime prevention should be an integral element of strategies to foster social and economic development in all States,

*Recalling* its resolution 67/189 of 20 December 2012, entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, and its resolution 67/186 of 20 December 2012, entitled “Strengthening the rule of law and the reform of criminal justice institutions, particularly in the areas related to the United Nations system-wide approach to fighting transnational organized crime and drug trafficking”,

*Recalling also* the resolution of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders on the recommendations of the Congress on its four substantive topics, including the topic “International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations crime prevention and criminal justice programme”,<sup>20</sup> as endorsed by the Assembly in its resolution 50/145 of 21 December 1995, as well as the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,<sup>21</sup> adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in 2000, and endorsed by the Assembly in its resolution 55/59 of 4 December 2000, and the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,<sup>22</sup> adopted by the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, in 2005, and endorsed by the Assembly in its resolution 60/177 of 16 December 2005,

*Recalling further* the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,<sup>23</sup> in which Member States, inter alia, recognized the centrality of crime prevention and the criminal justice system to the rule of law

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<sup>19</sup> A/67/257.

<sup>20</sup> See A/CONF.169/16/Rev.1, chap. I, resolution 1, sect. I.

<sup>21</sup> General Assembly resolution 55/59, annex.

<sup>22</sup> General Assembly resolution 60/177, annex.

<sup>23</sup> General Assembly resolution 65/230, annex.

and that long-term, sustainable economic and social development and the establishment of a functioning, efficient, effective and humane criminal justice system had a positive influence on each other,

*Mindful* of Economic and Social Council resolutions 2004/25 of 21 July 2004, 2005/21 of 22 July 2005 and 2006/25 of 27 July 2006 on strengthening the rule of law and the reform of criminal justice institutions, as well as the assistance activities of the United Nations crime prevention and criminal justice programme in that area, including in post-conflict reconstruction,

*Acknowledging* that the United Nations standards and norms in crime prevention and criminal justice are important tools for establishing fair and effective criminal justice systems that are enshrined in the rule of law and that their use and application in the provision of technical assistance should be enhanced, as appropriate,

*Stressing* the importance of a well-functioning, efficient, fair, effective and humane criminal justice system as the basis for a successful strategy against transnational organized crime, corruption, terrorism, drug trafficking and other forms of trafficking,

*Bearing in mind* that the rule of law includes fostering respect for a rule of law culture and the legislative, executive and judicial institutions needed to make and administer effective laws, and fostering trust and confidence that law-making will be responsive to the concerns and needs of the population and that the administration of law will be just, efficient and transparent,

*Recognizing* the importance of ensuring that women, on the basis of equality of men and women, fully enjoy the benefits of the rule of law and commit to using law to uphold their equal rights and ensure their full and equal participation,

*Concerned* by urban crime, acknowledging the need for stronger coordination between security and social policies, with a view to addressing the root causes of urban crime, and recognizing the direct relevance of urban safety as a prerequisite to sustainable urban development and the attainment of the Millennium Development Goals,

*Acknowledging* the call of mayors and other stakeholders at the sixth session of the World Urban Forum, held in Naples, Italy, in September 2012, as part of the Global Network on Safer Cities, for intensified efforts to strengthen the integrity of the safer cities approach by means of international cooperation and United Nations system-wide guidelines on safer cities and financing mechanisms for safer cities,

*Taking note* of the work of the High-level Panel of Eminent Persons on the Post-2015 Development Agenda, and in particular the importance given to the rule of law and access to justice, as well as the focus expressed during the meeting of the Panel in Bali, Indonesia, in March 2013 on data availability and better accountability in measuring progress,

*Noting with appreciation* the establishment by the Secretary-General of the United Nations system task force on transnational organized crime and drug trafficking as threats to security and stability for the purpose of developing within the United Nations system an effective and comprehensive approach to transnational

organized crime and drug trafficking, and reaffirming the crucial role of Member States as reflected in the Charter of the United Nations,

*Noting* the strategic priorities for the period 2013-2016 of the United Nations Development Group,

*Stressing* the importance of the rule of law, both nationally and internationally, as an essential element in addressing and preventing organized crime and corruption, and noting that the rule of law requires strong and efficient justice sector coordination, as well as coordination with other United Nations offices and activities,

*Convinced* that the rule of law and development are strongly interrelated and mutually reinforcing and that crime prevention and criminal justice elements that support the rule of law should therefore be considered in implementing the post-2015 international development agenda,

1. *Recognizes* the cross-cutting nature of the rule of law, crime prevention and criminal justice and development, and recommends that such linkages and interrelationships be properly addressed and further elaborated;

2. *Notes with appreciation* the decision to hold a special event at the sixty-eighth session of the General Assembly to follow up on efforts made towards achieving the Millennium Development Goals and to deliberate on the post-2015 development agenda;

3. *Underscores* that the post-2015 development agenda should be guided by respect for and promotion of the rule of law, and that crime prevention and criminal justice have an important role in that regard;

4. *Stresses* the need for a comprehensive approach and further involvement of the States members of the Commission on Crime Prevention and Criminal Justice in the discussion leading to the formation of the post-2015 United Nations development agenda, in close coordination with the Economic and Social Council and other United Nations bodies and entities, fully taking into account the focus areas of the Millennium Development Goals;

5. *Emphasizes* that special attention should be placed on channelling the work of the Commission, where appropriate, into the discussions on the post-2015 United Nations development agenda, in close consultation with other stakeholders;

6. *Notes* that the main theme of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Qatar in 2015, is “Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation”,<sup>24</sup> and looks forward to fruitful discussions at the regional preparatory meetings on that subject;

7. *Welcomes* the efforts of the United Nations Office on Drugs and Crime to assist Member States in improving systems for collecting and analysing data on crime prevention and criminal justice at all levels, where necessary, including gender-specific data, in order to promote the rule of law, crime prevention and criminal justice in the post-2015 development agenda;

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<sup>24</sup> See General Assembly resolution 67/184.

8. *Also welcomes* the efforts of the Secretary-General towards stronger coordination and integration of rule of law assistance, through the specialized and relevant international organizations, in order to enhance predictability, coherence, accountability and effectiveness in delivery of the rule of law at the national and international levels, and encourages further participation by the United Nations Office on Drugs and Crime in such arrangements, in particular, with regard to police, justice and corrections;

9. *Urges* Member States providing development assistance, in particular to countries emerging from conflict, to increase their assistance in the areas of crime prevention and criminal justice, and recommends that such assistance could, upon request, include elements relating to strengthening the rule of law;

10. *Stresses* the importance of a comprehensive approach to transitional justice, incorporating the full range of judicial and non-judicial measures to ensure accountability and promote reconciliation while protecting the rights of victims of crime and of abuse of power, highlighting in particular the work of the United Nations Office on Drugs and Crime in supporting criminal justice reforms and strengthening the rule of law at the national and international levels in that context;

11. *Also stresses* that institutions of governance and the judicial system should be gender-sensitive and that the full participation of women needs to be promoted;

12. *Requests* the United Nations Office on Drugs and Crime to provide substantive contributions to the United Nations Human Settlements Programme with regard to efforts to complement the development of United Nations Guidelines on safer cities, taking into consideration the 1995 Guidelines for Cooperation and Technical Assistance in the Fields of Urban Crime Prevention<sup>25</sup> and the 2002 Guidelines for the Prevention of Crime,<sup>26</sup> and to regularly inform Member States of the progress made in that regard, with a view to receiving comments;

13. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to continue to include in their work programmes the issue of the rule of law, as well as to consider exploring the challenges posed to the rule of law and development and to develop appropriate training material;

14. *Invites* Member States and other donors to provide extrabudgetary resources for those purposes in accordance with the rules and procedures of the United Nations;

15. *Requests* the Secretary-General to submit to the General Assembly at its sixty-ninth session a report on the implementation of the present resolution.

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<sup>25</sup> Economic and Social Council resolution 1995/9, annex.

<sup>26</sup> Economic and Social Council resolution 2002/13, annex.



**Draft resolution V**

**Model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice**

*The General Assembly,*

*Recalling* the Universal Declaration of Human Rights,<sup>27</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>28</sup> the International Covenant on Civil and Political Rights,<sup>28</sup> the Convention on the Rights of the Child<sup>29,30</sup> and all other relevant international treaties in this regard,

*Recalling also* the numerous international standards and norms in the field of crime prevention and criminal justice, in particular on juvenile justice, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),<sup>31</sup> the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines),<sup>32</sup> the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,<sup>33</sup> the Guidelines for Action on Children in the Criminal Justice System,<sup>34</sup> the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime,<sup>35</sup> the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),<sup>36</sup> the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice,<sup>37</sup> the guidelines for cooperation and technical assistance in the field of urban crime prevention,<sup>38</sup> the Guidelines for the Prevention of Crime<sup>39</sup> and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,<sup>40</sup>

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<sup>27</sup> General Assembly resolution 217 A (III).

<sup>28</sup> Resolution 2200 A (XXI), annex.

<sup>29</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>30</sup> A child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier, in accordance with the definition contained in article 1 of the Convention on the Rights of the Child (United Nations, *Treaty Series*, vol. 1577, No. 27531).

<sup>31</sup> General Assembly resolution 40/33, annex.

<sup>32</sup> General Assembly resolution 45/112, annex.

<sup>33</sup> General Assembly resolution 45/113, annex.

<sup>34</sup> Economic and Social Council resolution 1997/30, annex.

<sup>35</sup> Economic and Social Council resolution 2005/20, annex.

<sup>36</sup> General Assembly resolution 65/229, annex.

<sup>37</sup> General Assembly resolution 65/228, annex.

<sup>38</sup> Economic and Social Council resolution 1995/9, annex.

<sup>39</sup> Economic and Social Council resolution 2002/13, annex.

<sup>40</sup> General Assembly resolution 67/187, annex.

*Taking note* of relevant resolutions of the General Assembly, the Economic and Social Council and the Human Rights Council, as well as of the Commission on Human Rights,<sup>41</sup>

*Recalling* the invitation to the Commission on Crime Prevention and Criminal Justice to consider developing a set of model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice, in consultation with all Member States and in close collaboration with all relevant United Nations entities, in particular with the Special Representative of the Secretary-General on Violence against Children and the Office of the United Nations High Commissioner for Human Rights, as contained in General Assembly resolution 67/166 of 20 December 2012,

*Noting with appreciation* the important work on child rights in the context of crime prevention and criminal justice conducted by United Nations agencies, funds and programmes, including the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights and the United Nations Children's Fund, and the Special Representative of the Secretary-General on Violence against Children, and by relevant mandate holders,

*Noting with satisfaction* the work of the Interagency Panel on Juvenile Justice and its members, in particular their coordination in providing technical advice and assistance in juvenile justice, and the active participation of civil society in their respective work,

*Mindful* of the *Manual for the Measurement of Juvenile Justice Indicators*,<sup>42</sup> prepared jointly by the United Nations Children's Fund and the United Nations Office on Drugs and Crime, and welcoming progress made on providing training in the use of the indicators contained therein,

*Aware* of the need for special vigilance with regard to the specific situation of children in the criminal justice system, in particular while they are deprived of their liberty and their vulnerability to various forms of violence, abuse, injustice and humiliation,

1. *Notes with appreciation* the joint report of the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime and the Special Representative of the Secretary-General on Violence against Children on prevention of and responses to violence against children within the juvenile justice system,<sup>43</sup> submitted to the Human Rights Council at its twenty-first session;

2. *Reaffirms* the importance of the full and effective implementation of all United Nations standards and norms in crime prevention and criminal justice;

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<sup>41</sup> Including, among recent resolutions, General Assembly resolutions 62/141 and 62/158 of 18 December 2007, 63/241 of 24 December 2008, 64/146 of 18 December 2009, 65/197 and 65/213 of 21 December 2010, 66/138 to 66/141 of 19 December 2011, 67/152 and 67/166 of 20 December 2012; Economic and Social Council resolutions 2007/23 of 26 July 2007 and 2009/26 of 30 July 2009; and Human Rights Council resolutions 7/29 of 28 March 2008, 10/2 of 25 March 2009, 18/12 of 29 September 2011, 19/37 of 23 March 2012 and 22/32 of 22 March 2013.

<sup>42</sup> United Nations publication, Sales No. E.07.V.7.

<sup>43</sup> A/HRC/21/25.

3. *Urges* Member States to pay particular attention to the issue of child rights and the best interests of the child in the administration of justice and in accordance with applicable United Nations standards and norms for all children who come into contact with the criminal justice system as victims, witnesses or alleged offenders, in particular children deprived of liberty, taking into account the age, gender, social circumstances and development needs of such children;

4. *Also urges* Member States to take all necessary and effective measures, including legal reform, where appropriate, to prevent and respond to all forms of violence against children in contact with the criminal justice system as victims or witnesses or as children alleged as, accused of or recognized as having infringed the criminal law;

5. *Encourages* Member States to promote, inter alia, the use of alternative measures, such as diversion and restorative justice, to comply with the principle that deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, and to avoid, wherever possible, the use of pretrial detention for children;

6. *Requests* the United Nations Office on Drugs and Crime to continue providing advisory services and technical assistance to Member States, upon request, to support the implementation of United Nations standards and norms relating to crime prevention and to child rights in the administration of criminal justice, with a view to promoting and protecting the rights of children alleged as, accused of or recognized as having infringed criminal law, as well as child victims and witnesses of crime;

7. *Invites* the Commission on Crime Prevention and Criminal Justice and the Human Rights Council, as well as the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights and the United Nations Children's Fund, to closely coordinate their activities relating to child rights in the administration of justice and the prevention of and responses to violence against children in the criminal justice system, in cooperation with the Committee on the Rights of the Child;

8. *Requests* the United Nations Office on Drugs and Crime to convene a meeting of an open-ended intergovernmental expert group, in collaboration with all relevant United Nations entities, in particular the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights and the Special Representative of the Secretary-General on Violence against Children, to develop a draft set of model strategies and practical measures on the elimination of violence against children in the field of crime prevention and criminal justice, to be considered by the Commission on Crime Prevention and Criminal Justice at its session following the meeting of the open-ended intergovernmental expert group, and welcomes the offer of the Government of Thailand to act as host to that meeting of the open-ended intergovernmental expert group in 2013;

9. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to include in their work programmes the issue of violence against children, develop training materials and offer training and other capacity-building opportunities, in particular for practitioners working in the areas of crime prevention and criminal justice and providers of support services for the victims of violence against children and child witnesses within the criminal justice

system, and to make available and disseminate information on successful intervention models, preventive programmes and other practices;

10. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes in accordance with the rules and procedures of the United Nations;

11. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice, at its session following the meeting of the open-ended intergovernmental expert group, on the outcome of the meeting of that group, as well as to the General Assembly, as appropriate.

## **Draft resolution VI**

### **Standard Minimum Rules for the Treatment of Prisoners**

*The General Assembly,*

*Guided by* the purposes and principles of the Charter of the United Nations, and inspired by the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women and of nations large and small,

*Bearing in mind* the long-standing concern of the United Nations for the humanization of criminal justice and the protection of human rights,

*Reaffirming* the importance of the United Nations standards and norms in crime prevention and criminal justice, and especially of promoting their implementation,

*Re-emphasizing* that in the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,<sup>44</sup> Member States recognized that an effective, fair and humane criminal justice system was based on the commitment to uphold the protection of human rights in the administration of justice and the prevention and control of crime and acknowledged the value and impact of the United Nations standards and norms in designing and implementing national crime prevention and criminal justice policies, laws, procedures and programmes,

*Recalling* its resolution 65/230 of 21 December 2010, entitled “Twelfth United Nations Congress on Crime Prevention and Criminal Justice”, in which it requested the Commission on Crime Prevention and Criminal Justice to establish an open-ended intergovernmental expert group to exchange information on best practices, as well as national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners so that they reflect recent advances in correctional science and best practices, with a view to making recommendations to the Commission on possible next steps, and requested the expert group to report to the Commission on progress in its work,

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<sup>44</sup> General Assembly resolution 65/230, annex.

*Recalling also* its resolution 67/188 of 20 December 2012, in which it authorized the open-ended intergovernmental Expert Group on the Standard Minimum Rules for the Treatment of Prisoners to continue its work, within its mandate, with a view to reporting on its progress to the Commission on Crime Prevention and Criminal Justice at its twenty-second session,

*Recognizing* that the Standard Minimum Rules for the Treatment of Prisoners<sup>45</sup> remain the universally acknowledged minimum standards for the detention of prisoners,

*Taking into account* the progressive development of international instruments relevant to the treatment of prisoners since 1955, in particular the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment<sup>46</sup> and the Optional Protocol thereto,<sup>47</sup>

*Taking into account also* the relevance of other United Nations standards and norms in crime prevention and criminal justice related to the treatment of prisoners, namely, the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners,<sup>48</sup> the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,<sup>49</sup> the Code of Conduct for Law Enforcement Officials,<sup>50</sup> the Basic Principles for the Treatment of Prisoners,<sup>51</sup> the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),<sup>52</sup> the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,<sup>53</sup> the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules),<sup>54</sup> the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)<sup>55</sup> and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,<sup>56</sup>

*Mindful* of its resolution 67/166 of 20 December 2012, on human rights in the administration of justice, in which it recognized the importance of the principle that persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms, except for those lawful limitations that are demonstrably necessitated by the fact of incarceration,

*Aware* that, in its resolution 67/166, it took note of general comment No. 21, on the humane treatment of persons deprived of their liberty,<sup>57</sup> adopted by the Human Rights Committee and stated its awareness of the need for special vigilance

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<sup>45</sup> *Human Rights: A Compilation of International Instruments*, Volume I (First Part), *Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

<sup>46</sup> United Nations, *Treaty Series*, vol. 1465, No. 24841.

<sup>47</sup> *Ibid.*, vol. 2375, No. 24841.

<sup>48</sup> Economic and Social Council resolution 1984/47, annex.

<sup>49</sup> General Assembly resolution 43/173, annex.

<sup>50</sup> General Assembly resolution 34/169, annex.

<sup>51</sup> General Assembly resolution 45/111, annex.

<sup>52</sup> General Assembly resolution 40/33, annex.

<sup>53</sup> General Assembly resolution 45/113, annex.

<sup>54</sup> General Assembly resolution 45/110, annex.

<sup>55</sup> General Assembly resolution 65/229, annex.

<sup>56</sup> General Assembly resolution 67/187, annex.

<sup>57</sup> *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 40 (A/47/40)*, annex VI.B.

with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, and their vulnerability to various forms of violence, abuse and humiliation,

*Recalling* that in its resolution 67/184 of 20 December 2012, on follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, it decided that one of the workshops to be held within the framework of the Thirteenth Congress would be devoted to the topic “Role of the United Nations standards and norms in crime prevention and criminal justice in support of effective, fair, humane and accountable criminal justice systems: experiences and lessons learned in meeting the unique needs of women and children, in particular the treatment and social reintegration of offenders”,

*Taking note with appreciation* of the work done by the open-ended intergovernmental Expert Group at its meetings held in Vienna<sup>58</sup> and in Buenos Aires,<sup>59</sup> and mindful of the progress achieved at those meetings,

1. *Expresses its gratitude* to the Government of Argentina for hosting the second meeting of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners, held in Buenos Aires from 11 to 13 December 2012, and expresses its appreciation for the work done and the progress made at that meeting;

2. *Takes note* of the working paper prepared by the Secretariat examining the preliminary areas for possible consideration, and recognizes that, to a large extent, the paper has captured issues and identified rules of the Standard Minimum Rules for the Treatment of Prisoners<sup>60</sup> to be considered for a comprehensive revision under each preliminary area;

3. *Expresses appreciation* for the submissions of Member States in response to the request to exchange information on best practices and on the revision of the existing Standard Minimum Rules for the Treatment of Prisoners;

4. *Recognizes* the need for the Expert Group to take into account the social, legal and cultural specificities of Member States;

5. *Takes into consideration* the recommendations of the Expert Group with regard to the issues and the rules of the Standard Minimum Rules on the Treatment of Prisoners identified for revision,<sup>61</sup> in the following areas:

(a) Respect for prisoners’ inherent dignity and value as human beings (rules 6, para. 1; 57-59; and 60, para. 11);

(b) Medical and health services (rules 22-26; 52; 62; and 71, para. 2);

(c) Disciplinary action and punishment, including the role of medical staff, solitary confinement and reduction of diet (rules 27, 29, 31 and 32);

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<sup>58</sup> See E/CN.15/2012/18.

<sup>59</sup> See E/CN.15/2013/23.

<sup>60</sup> *Human Rights: A Compilation of International Instruments*, Volume I (First Part), *Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

<sup>61</sup> See E/CN.15/2013/23, paras. 15-24, and UNODC/CCPCJ/EG.6/2012/4, paras. 7-16.

(d) Investigations of all deaths in custody, as well as of any signs or allegations of torture or inhuman or degrading treatment or punishment of prisoners (rules 7, 44 bis and 54 bis);

(e) Protection and special needs of vulnerable groups deprived of their liberty, taking into consideration countries in difficult circumstances (rules 6 and 7);

(f) The right of access to legal representation (rules 30; 35, para. 1; 37; and 93);

(g) Complaints and independent inspection (rules 36 and 55);

(h) The replacement of outdated terminology (rules 22-26, 62, 82 and 83 and various others);

(i) Training of relevant staff to implement the Standard Minimum Rules (rule 47);

6. *Decides* to extend the mandate of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners, authorizing it to continue its work within its mandate with a view to reporting to the Commission on Crime Prevention and Criminal Justice at its twenty-third session, and requests the Secretary-General to ensure that the required services and support are provided for this purpose;

7. *Expresses its gratitude* to the Government of Brazil for its readiness to host a further meeting of the open-ended intergovernmental Expert Group to continue the revision process;

8. *Invites* Member States to continue to be engaged in the revision process by submitting to the Secretariat, by 30 September 2013, proposals for revision in the nine areas identified above and to participate actively in the next meeting of the Expert Group, and invites civil society and relevant United Nations bodies to contribute to the process;

9. *Requests* the Secretariat to prepare a working paper integrating all inputs received from Member States, pursuant to paragraph 8 above,<sup>62</sup> for consideration at the next meeting of the open-ended intergovernmental Expert Group;

10. *Reiterates* that any changes to the Standard Minimum Rules for the Treatment of Prisoners should not lower any of the existing standards, but should improve them so that they reflect the recent advances in correctional sciences and good practices, so as to promote safety, security and humane conditions for prisoners;

11. *Takes note* of the contribution received from the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the Committee against Torture and other submissions received for

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<sup>62</sup> Those inputs include the proposal by the Governments of Argentina, Brazil, South Africa, United States of America, Uruguay and Venezuela (Bolivarian Republic of), circulated in a conference room paper at the twenty-second session of the Commission on Crime Prevention and Criminal Justice.

consideration,<sup>63</sup> and underlines in this regard the valuable contribution of civil society in this process;

12. *Encourages* Member States to improve conditions in detention consistent with the principles of the Standard Minimum Rules for the Treatment of Prisoners, and all other relevant and applicable international standards and norms, to continue exchanging good practices, such as those regarding conflict resolution in detention facilities, including in the area of technical assistance, identify challenges faced in implementing the Standard Minimum Rules for the Treatment of Prisoners and share their experiences in dealing with those challenges, and provide relevant information in that regard to their experts participating in the Expert Group;

13. *Recommends* that Member States endeavour to reduce overcrowding and pretrial detention, where appropriate; promote increased access to justice and legal defence mechanisms; reinforce alternatives to imprisonment such as fines, community service, restorative justice and electronic monitoring; and support rehabilitation and reintegration programmes, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);<sup>64</sup>

14. *Reiterates* its request to the Secretary-General to continue to promote the use and application of the United Nations standards and norms in crime prevention and criminal justice by, inter alia, providing advisory services and technical assistance to Member States on request, including assistance in criminal justice and law reform and in the organization of training for law enforcement and criminal justice personnel and support in the administration and management of penal and penitentiary systems, thus contributing to the upgrading of their efficiency and capabilities;

15. *Reaffirms* the important role of the United Nations crime prevention and criminal justice programme network, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council in contributing to the dissemination, promotion and practical application of the Standard Minimum Rules for the Treatment of Prisoners, in accordance with the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners;<sup>48</sup>

16. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations.

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<sup>63</sup> Including the summary of an expert meeting held at the University of Essex on 3 and 4 October 2012 on the review of the Standard Minimum Rules for the Treatment of Prisoners.

<sup>64</sup> General Assembly resolution 45/110, annex.



## Draft resolution VII

### Taking action against gender-related killing of women and girls

*The General Assembly,*

*Deeply concerned* that the global prevalence of different manifestations of the gender-related killing of women and girls<sup>65</sup> is reaching alarming proportions,

*Concerned also* about violent gender-related killing of women and girls, while recognizing efforts made to address that form of violence in different regions, including in countries where the concept of femicide or feminicide has been incorporated into national legislation,

*Aware* that the Universal Declaration of Human Rights<sup>66</sup> affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth in the Declaration, especially to the right to life, liberty and security of person, without distinction of any kind, including distinction based on sex,

*Emphasizing* the importance of the Declaration on the Elimination of Violence against Women,<sup>67</sup> which defines violence against women as any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private spheres,

*Conscious* of the commitments undertaken by State parties through the adoption of the Convention on the Elimination of All Forms of Discrimination against Women,<sup>68</sup> which requires State parties to take all appropriate political, social, economic and cultural measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men, taking into account the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women,<sup>69</sup>

*Taking into consideration* the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women,<sup>70</sup> which identifies violence against women as an obstacle to the achievement of the objectives of equality, development and peace, while emphasizing that such violence both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms,

*Reaffirming* the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming that discrimination on the basis of sex is

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<sup>65</sup> Gender-related killing of women and girls is criminalized in some countries as “femicide” or “feminicide” and has been incorporated as such into national legislation into those countries.

<sup>66</sup> General Assembly resolution 217 A (III).

<sup>67</sup> General Assembly resolution 48/104.

<sup>68</sup> United Nations, *Treaty Series*, vol. 1249, No. 20378.

<sup>69</sup> *Ibid.*, vol. 2131, No. 20378.

<sup>70</sup> *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments and that the elimination of such discrimination is an integral part of efforts towards the elimination of all forms of violence against women,

*Stressing* that States have the obligation to promote and protect all human rights and fundamental freedoms for all, including women and girls, and must exercise due diligence to prevent and investigate acts of violence against women and girls and punish the perpetrators, eliminate impunity and provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment by victims of their human rights and fundamental freedoms,

*Bearing in mind* the actions and measures that Member States should take to meet their international obligations with respect to putting an end to violence against women and girls,

*Recalling* the relevant General Assembly resolutions addressing various aspects of violence against women and girls of all ages,

*Stressing* the significance of the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice<sup>71</sup> as a way to assist countries in strengthening their national crime prevention and criminal justice capacities to respond to all forms of violence against women,

*Taking note* of the report of the Special Rapporteur on violence against women, its causes and consequences<sup>72</sup> and Human Rights Council resolution 20/12 of 5 July 2012 on accelerating efforts to eliminate all forms of violence against women: remedies for women who have been subjected to violence,

*Taking note with appreciation* of the agreed conclusions of the fifty-seventh session of the Commission on the Status of Women of 15 March 2013, in which, inter alia, the Commission urged all Governments to strengthen national legislation, where appropriate, to punish violent gender-related killing of women and girls and integrate specific mechanisms or policies to prevent, investigate and eradicate such deplorable forms of gender-based violence,

*Taking note with appreciation also* of the various initiatives taken at the regional level to prevent and address violence against women, including, for example, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, the Association of Southeast Asian Nations Declaration on the Elimination of Violence against Women in the ASEAN Region, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence<sup>73</sup> and the Council of Europe Convention on Action against Trafficking in Human Beings,<sup>74</sup>

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<sup>71</sup> General Assembly resolution 65/228, annex.

<sup>72</sup> A/HRC/20/16.

<sup>73</sup> *Council of Europe Treaty Series*, No. 210.

<sup>74</sup> *Ibid.*, 197.

*Expressing its appreciation* for the work undertaken by the United Nations system in preventing and responding to all forms of violence against women and girls,

*Viewing with appreciation* the considerable input of many civil society organizations, as well as academia, in addressing the different forms of violence against women and girls, through research and direct action in their respective communities,

*Alarmed* by the fact that violence against women and girls is among the least punished crimes in the world,

*Deeply concerned* about the high level of impunity with regard to gender-related killing of women and girls, and recognizing the key role of the criminal justice system in preventing and responding to gender-related killing of women and girls, including in ending impunity for such crimes,

*Reaffirming* the commitment to working together to put an end to such crimes, in full compliance with international and national legal instruments,

1. *Urges* Member States to exercise due diligence to prevent, investigate, prosecute and punish acts of violence against women and girls, in accordance with national laws;

2. *Also urges* Member States to consider undertaking institutional initiatives, as appropriate, to improve the prevention of gender-related killing of women and girls and the provision of legal protection, including appropriate remedies, reparation and compensation, to the victims of such crimes, in accordance with applicable national and international law and taking into account, as appropriate, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power;<sup>75</sup>

3. *Invites* Member States to adopt a variety of measures, including preventive measures and the enactment and implementation of legislation, that address gender-related killing of women and girls and to periodically review those measures with a view to improving them;

4. *Urges* Member States, acting at all levels, to end impunity by ensuring accountability and punishing perpetrators of those heinous crimes against women and girls;

5. *Also urges* Member States, as appropriate, to consider designing, implementing and evaluating comprehensive programmes aimed at preventing all forms of violence against women and girls and reducing related vulnerabilities of victims, as well as those risks unique to perpetrators of gender-related killing of women and girls, including by conducting research focused on public education and interventions that target those vulnerabilities and risks;

6. *Invites* Member States to strengthen the criminal justice response to gender-related killing of women and girls, in particular measures to support the capacity of Member States to investigate, prosecute and punish all forms of such crime and provide reparation and/or compensation to victims and their families or dependents, as appropriate, in accordance with national laws;

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<sup>75</sup> General Assembly resolution 40/34, annex.

7. *Also invites* Member States to address the existing problems of underreporting by enhancing data collection and analysis, as well as sharing relevant data, in accordance with national laws, and related information on gender-related killing of women and girls, in order to inform the formulation, monitoring and evaluation of laws, policies and programmes;

8. *Calls upon* Member States to give due consideration to the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice<sup>71</sup> in order to strengthen national responses to gender-related killing of women and girls;

9. *Encourages* relevant United Nations entities and agencies, in particular the United Nations Office on Drugs and Crime, the Commission on the Status of Women, the Office of the United Nations High Commissioner for Human Rights and the United Nations Entity for Gender Equality and the Empowerment of Women, to support Member States in developing and implementing strategies and policies, upon request, at the national, regional and international levels to address and prevent gender-related killing of women and girls;

10. *Encourages* the United Nations Office on Drugs and Crime and the institutes of the United Nations crime prevention and criminal justice programme network to facilitate the gathering and dissemination of relevant and reliable data and other related information to be provided by Member States on their efforts to implement the present resolution;

11. *Requests* the United Nations Office on Drugs and Crime and the institutes of the United Nations crime prevention and criminal justice programme network to continue conducting and coordinating relevant research on gender-related killing of women and girls, particularly in connection with the standardization of the collection and analysis of data;

12. *Encourages* relevant United Nations entities and agencies, including the United Nations Office on Drugs and Crime, the Commission on the Status of Women, the Office of the United Nations High Commissioner for Human Rights, the United Nations Entity for Gender Equality and the Empowerment of Women, and other specialized funds and programmes of the United Nations, to raise awareness among Member States regarding gender-related killing of women and girls;

13. *Invites* Member States to provide the United Nations Office on Drugs and Crime with information related to best practices and other relevant information related to the investigation and prosecution of these crimes, in accordance with national legislation, and in that regard encourages civil society organizations and academia to share relevant information with the United Nations Office on Drugs and Crime;

14. *Requests* the Secretary-General to convene an open-ended intergovernmental expert group meeting to discuss ways and means to more effectively prevent, investigate, prosecute and punish gender-related killing of women and girls, with a view to making practical recommendations, drawing also on current best practices, in consultation with relevant United Nations entities and human rights mechanisms, and welcomes the offer of the Government of Thailand to act as host to the open-ended intergovernmental expert group meeting;

15. *Invites* Member States to give due consideration to ending violence against women and girls, as well as the realization of gender equality and empowerment of women in the elaboration of the post-2015 development agenda;

16. *Invites* Member States and other donors to provide extrabudgetary contributions for these purposes in accordance with the rules and procedures of the United Nations;

17. *Requests* the Secretary-General to report to the General Assembly at its seventieth session on the implementation of the present resolution.

## **B. Draft resolutions for adoption by the Economic and Social Council**

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

### **Draft resolution I**

#### **Improving the quality and availability of statistics on crime and criminal justice for policy development**

*The Economic and Social Council,*

*Recalling* General Assembly resolution 65/232 of 21 December 2010, in which the United Nations Office on Drugs and Crime was requested, within its existing mandate, to strengthen the collection, analysis and dissemination of accurate, reliable and comparable data and information to enhance knowledge on crime trends and support Member States in designing appropriate responses in specific areas of crime, in particular in their transnational dimension, taking into account the need to make the best possible use of existing resources,

*Recalling also* the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010, and endorsed by the General Assembly in its resolution 65/230 of 21 December 2010, in which the Commission on Crime Prevention and Criminal Justice was invited to consider strengthening the capacity of the United Nations Office on Drugs and Crime to collect, analyse and disseminate accurate, reliable and comparable data on world crime and victimization trends and patterns and Member States were called upon to support the gathering and analysis of information and to consider designating focal points and provide information when requested to do so by the Commission,

*Recalling further* General Assembly resolution 67/189 of 20 December 2012, in which the United Nations Office on Drugs and Crime, within its existing mandate, was requested to continue strengthening the regular collection, analysis and dissemination of accurate, reliable and comparable data and information and Member States were strongly encouraged to share such data and information with the Office,

*Recalling* its resolutions 2009/25 of 30 July 2009 on improving the collection, reporting and analysis of data to enhance knowledge on trends in specific areas of crime, and 2012/18 of 26 July 2012 on improving the quality and availability of statistics on crime and criminal justice for policy development,

*Recalling also* Commission on Crime Prevention and Criminal Justice resolution 19/2 of 21 May 2010 on strengthening the collection, analysis and reporting of comparable crime-related data, in which Member States were invited to strengthen their efforts to review and improve data-collection tools in order to enhance knowledge on world crime trends and patterns,

*Reaffirming* that the Commission on Crime Prevention and Criminal Justice is the intergovernmental body mandated to address issues relating to crime prevention and criminal justice, while the Statistical Commission is responsible for promoting the development of national statistics and the improvement of their comparability, as well as the improvement of statistics and statistical methods generally, as reaffirmed by the Economic and Social Council in its resolution 1566 (L) of 3 May 1971,

*Taking note* of the report of the Statistical Commission on its forty-fourth session, held in New York from 26 February to 1 March 2013,<sup>76</sup> and of its decision to support the implementation of a road map to improve the quality and availability of crime statistics at the national and international levels,

*Emphasizing* that the Commission on Crime Prevention and Criminal Justice and the Statistical Commission can complement and support each other's efforts in the field of statistics on crime and criminal justice,

*Recognizing* the importance of information and statistics in developing and supporting public policies at the national, regional and global levels,

*Reaffirming* that the United Nations Office on Drugs and Crime is the focal point within the United Nations system for statistics on crime and criminal justice,

*Acknowledging* the need to ensure coordination in the collection and dissemination of statistics on crime and criminal justice among the various national institutions,

*Bearing in mind* the gaps still existing in statistical information on crime and criminal justice, particularly in relation to emerging forms of crime, and the challenges posed by the limited comparability of statistical data obtained in different countries,

*Underscoring* the importance of technical assistance and of building the capacity of Member States to collect, analyse and disseminate accurate and comparable statistics on crime and criminal justice,

1. *Takes note* of the report of the National Institute of Statistics and Geography of Mexico and the United Nations Office on Drugs and Crime on a road map to improve the quality and availability of crime statistics at the national and international levels, prepared pursuant to resolution 2012/18;<sup>77</sup>

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<sup>76</sup> *Official Records of the Economic and Social Council, 2013, Supplement No. 4 (E/2013/24).*

<sup>77</sup> E/CN.3/2013/11.

2. *Welcomes* the deliberations of the Statistical Commission at its forty-fourth session, held in New York from 26 February to 1 March 2013, including the consideration it gave to the report on a road map to improve the quality and availability of crime statistics at the national and international levels;

3. *Supports* the activities presented in the road map for improving crime statistics and requests the United Nations Office on Drugs and Crime to continue activities to improve statistical information on crime as per the road map and to report regularly on those activities to the Statistical Commission and to the Commission on Crime Prevention and Criminal Justice;

4. *Welcomes* the establishment of the group of experts from both the statistical and criminal justice fields to provide support for the implementation of the road map within the framework of the Statistical Commission and the Commission on Crime Prevention and Criminal Justice;

5. *Approves* the plan to finalize by 2015 the International Classification of Crime for Statistical Purposes, which will serve as a powerful methodological tool for harmonization and for the improvement of international and regional comparability;

6. *Invites* Member States to encourage productive dialogue among national authorities responsible for the collection, processing and dissemination of statistics on crime and criminal justice, including national statistical offices, so as to enhance coordination at the national level and to ensure the use of common standards;

7. *Also invites* Member States that have not yet done so to appoint a national focal point for the submission of data on crime and criminal justice to the United Nations Office on Drugs and Crime, through the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, in order to support the Office in ensuring that the national data disseminated are consistent over time and meet the highest standards of quality;

8. *Acknowledges* the positive contribution to the implementation of the activities established in the above-mentioned road map of the Centre of Excellence for Statistical Information on Governance, Victimization, Public Security and Justice, which was developed jointly by the United Nations Office on Drugs and Crime and the National Institute of Statistics and Geography of Mexico, and encourages the establishment of similar centres in other countries and regions in a concerted effort to improve crime statistics at the global level;

9. *Requests* the United Nations Office on Drugs and Crime to continue developing technical and methodological tools to assist countries in producing and disseminating accurate and comparable statistics on crime and criminal justice, and to continue providing technical assistance, upon request, to Member States in order to enhance their capacity to collect, analyse and report data on crime and criminal justice;

10. *Also requests* the United Nations Office on Drugs and Crime to continue its mandated activities to regularly collect and disseminate statistics on crime and criminal justice and to provide analyses and studies on trends and patterns on the basis of information produced by Member States or, alternatively and where possible and appropriate, by extracting data from existing official publications;

11. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes of this resolution in accordance with the rules and procedures of the United Nations;

12. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-third session on the implementation of the present resolution.

## **Draft resolution II**

### **Combating transnational organized crime and its possible links to illicit trafficking in precious metals**

*The Economic and Social Council,*

*Concerned* at the growing involvement of organized criminal groups, as well as the substantial increase in the volume, rate of transnational occurrence and range of criminal offences related to illicit trafficking in precious metals<sup>78</sup> in some parts of the world,

*Alarmed* at the potential use of illicit trafficking in precious metals as a source for funding organized crime,

*Noting* that illicit trafficking in precious metals may represent a significant revenue base for organized criminal groups and thus has the potential to expand criminal enterprises, facilitate corruption and undermine the rule of law through the corruption of law enforcement and judicial officials,

*Recalling* General Assembly resolution 66/181 of 19 December 2011, entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, in which the Assembly reaffirmed the importance of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,<sup>79</sup>

*Stressing* the need to promote universal adherence to and full implementation of the Organized Crime Convention and the Protocols thereto and relevant international instruments, as well as the importance of additional cooperation between Member States and private sector entities, as appropriate, to counter transnational organized crime, as identified in various reports of the United Nations Office on Drugs and Crime,

*Underlining* the need to develop comprehensive, multifaceted and coherent strategies and measures, including both reactive and preventive measures, to counter illicit trafficking in precious metals,

*Emphasizing* that all States have a shared responsibility to take steps to counter transnational organized crime, including through international cooperation and in cooperation with relevant entities such as the United Nations Office on Drugs and Crime,

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<sup>78</sup> For the purpose of this resolution, without prejudice to other accepted definitions or work in this area, precious metals include gold, silver, platinum, iridium, palladium, rhodium, ruthenium and osmium.

<sup>79</sup> United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.



*Convinced* of the importance of partnerships and synergies between Member States, civil society and the private sector, in particular in developing their respective strategies and measures,

*Recalling* the role of the Commission on Crime Prevention and Criminal Justice in crime prevention and criminal justice responses to transnational organized crime and, in particular, illicit trafficking in precious metals, as well as the role of the United Nations Interregional Crime and Justice Research Institute,

*Recalling* Economic and Social Council resolution 2012/19 of 26 July 2012, entitled “Strengthening international cooperation in combating transnational organized crime in all its forms and manifestations”, and Commission on Crime Prevention and Criminal Justice resolution 19/1 of 21 May 2010, entitled “Strengthening public-private partnerships to counter crime in all its forms and manifestations”, in which the importance of further developing public-private partnerships was stressed, and taking into account the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,<sup>80</sup> in which Member States recognized the importance of strengthening public-private partnerships in preventing and countering crime in all its forms and manifestations,

*Mindful* of the need for further research into the links that may exist, in some cases, between illicit trafficking in precious metals and transnational organized crime, as well as ways and means of cooperation to address the issue,

1. *Encourages* Member States to take appropriate measures to prevent and combat illicit trafficking in precious metals by organized criminal groups, including, where appropriate, the adoption and effective implementation of the necessary legislation for the prevention, investigation and prosecution of illicit trafficking in precious metals;
2. *Invites* Member States to consider utilizing the United Nations Convention against Transnational Organized Crime<sup>81</sup> in combating transnational organized crime and its possible links to illicit trafficking in precious metals;
3. *Calls upon* Member States that have not yet done so to consider becoming parties to the Convention;
4. *Requests* the United Nations Office on Drugs and Crime to invite Member States and interested international organizations, including regional organizations, to share their experiences with other Member States and the United Nations Office on Drugs and Crime on the possible gaps and vulnerabilities faced in tackling transnational organized crime and its possible links to illicit trafficking in precious metals;
5. *Invites* the United Nations Interregional Crime and Justice Research Institute, with the support of the United Nations Office on Drugs and Crime, to conduct a comprehensive study on the possible links between transnational organized crime, other criminal activities and illicit trafficking in precious metals;

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<sup>80</sup> General Assembly resolution 65/230, annex.

<sup>81</sup> United Nations, *Treaty Series*, vol. 2225, No. 39574.

6. *Invites* Member States and relevant institutions to provide the United Nations Interregional Crime and Justice Research Institute with examples of relevant national, regional and international laws, regulatory standards, best practices, case studies and other materials consistent with the study, such as on money-laundering and import/export controls, for its consideration;

7. *Invites* Member States and other donors to provide extrabudgetary resources for those purposes, in accordance with the rules and procedures of the United Nations;

8. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-fourth session on the implementation of the present resolution.

### **Draft resolution III**

## **International cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime**

*The Economic and Social Council,*

*Concerned* about the emerging problem of large-scale transnational economic fraud and identity-related crime and increases in the volume, rate of transnational occurrence and range of offences of this nature,

*Concerned also* about the serious threats posed by economic fraud and identity-related crime and by other illicit activities that those forms of crime support,

*Concerned further* about the exploitation of new information, communication and commercial technologies by perpetrators of economic fraud and identity-related crime and about the threats that such exploitation poses to commerce and to those technologies and their users,

*Convinced* of the need to develop comprehensive, multifaceted and coherent strategies and measures, including both reactive and preventive measures, to counter such forms of crime,

*Convinced also* of the importance of partnerships and synergies between Member States, the private sector and civil society, in particular in developing their respective strategies and measures in addressing the problem of economic fraud and identity-related crime,

*Recalling* the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,<sup>82</sup> in which serious concerns were expressed about the challenge posed by economic fraud and identity-related crime and their links to other criminal and, in some cases, terrorist activities, and in which Member States were invited to take appropriate legal measures to prevent, prosecute and punish economic fraud and identity-related crime and to continue to support the work of the

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<sup>82</sup> General Assembly resolution 65/230, annex.

United Nations Office on Drugs and Crime in that area and were encouraged to enhance international cooperation in that area, including through the exchange of relevant information and best practices, as well as through technical and legal assistance,

*Acknowledging* the efforts of the United Nations Office on Drugs and Crime to facilitate the work of the core group of experts on identity-related crime as a platform to bring together on a regular basis representatives from Governments, private sector entities, international and regional organizations and academia to pool experience, develop strategies, facilitate further research and agree on practical action against identity-related crime,

*Noting* the work of the core group of experts on identity-related crime at its five meetings held in Vienna from 2007 to 2010 and the outcomes of this work, such as the *Handbook on Identity-related Crime*, which included a practical guide to international cooperation to combat identity-related crime, as well as studies on legal and criminalization approaches, victim protection and partnerships between the public sector and the private sector,

*Recalling* its resolutions 2004/26 of 21 July 2004, 2007/20 of 26 July 2007, 2009/22 of 30 July 2009 and 2011/35 of 28 July 2011,

1. *Takes note* of the report of the sixth meeting of the core group of experts on identity-related crime;<sup>83</sup>
2. *Also takes note* of the outline for model legislation on identity-related crime, as well as the checklist of strategic elements in developing national strategies for the prevention, investigation, prosecution and punishment of identity-related crime, both of which are contained as appendices in the above-mentioned report;
3. *Further takes note* of the document on the development of a framework containing the basic components of a national strategy on the prevention, investigation, prosecution and punishment of identity-related crime, as well as the document on successful cases of public-private partnerships to address identity-related crime;
4. *Notes* the activities of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime as established pursuant to General Assembly resolution 65/230, in those areas connected to identity-related crime;
5. *Encourages* Member States to consider adoption and implementation of national strategies on the prevention, investigation, prosecution and punishment of identity-related crime, including the use of public-private partnerships to address identity-related crime;
6. *Invites* Member States to provide information to the United Nations Office on Drugs and Crime on national efforts, if any, to develop strategies for the prevention, investigation, prosecution and punishment of identity-related crime;
7. *Requests* the United Nations Office on Drugs and Crime to continue its efforts, in consultation with the United Nations Commission on International Trade Law, to promote mutual understanding and the exchange of views and expertise

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<sup>83</sup> E/CN.15/2013/25, annex.

between various stakeholders, in particular between public and private sector entities, on issues pertaining to identity-related crime through the future work of the core group of experts on identity-related crime, including draft model legislation on identity-related crime;

8. *Invites* the United Nations Office on Drugs and Crime to continue to cooperate with other international and intergovernmental organizations and academic institutions active in this field by enabling their participation and active involvement in the future work of the core group of experts on identity-related crime;

9. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

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

#### **Draft resolution IV**

### **Crime prevention and criminal justice responses to illicit trafficking in protected species of wild fauna and flora**

*The Economic and Social Council,*

*Recalling* its resolutions 2001/12 of 24 July 2001 and 2003/27 of 22 July 2003 concerning illicit trafficking in protected species of wild flora and fauna,

*Recognizing* the role of the Convention on International Trade in Endangered Species of Wild Fauna and Flora<sup>84</sup> as the principal international instrument on legal trade in wild fauna and flora, and efforts made by parties to that Convention to implement it,

*Reaffirming* Commission on Crime Prevention and Criminal Justice resolution 16/1 of 27 April 2007, on international cooperation in preventing and combating illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, in which, inter alia, the Commission strongly encouraged Member States to cooperate at the bilateral, regional and international levels to prevent, combat and eradicate illicit international trafficking in forest products, including timber, wildlife and other forest biological resources, where appropriate, through the use of international legal instruments such as the United Nations Convention against Transnational Organized Crime<sup>85</sup> and the United Nations Convention against Corruption,<sup>86</sup>

*Recalling* General Assembly resolution 67/189 of 20 December 2012, in which the Assembly expressed deep concern about environmental crimes, including trafficking in endangered and, where applicable, protected species of wild fauna and flora, and emphasized the need to combat such crimes by strengthening international

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<sup>84</sup> United Nations, *Treaty Series*, vol. 993, No. 14537.

<sup>85</sup> *Ibid.*, vol. 2225, No. 39574.

<sup>86</sup> *Ibid.*, vol. 2349, No. 42146.

cooperation, capacity-building, criminal justice responses and law enforcement efforts,

*Recalling* Economic and Social Council resolution 2008/25 of 24 July 2008, in which the Council encouraged Member States to continue to provide the United Nations Office on Drugs and Crime with information on measures taken pursuant to Commission on Crime Prevention and Criminal Justice resolution 16/1, which may include holistic and comprehensive national multisectoral approaches, as well as international coordination and cooperation in support of such approaches, including through technical assistance activities to build the capacity of relevant national officials and institutions,

*Recalling also* the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,<sup>87</sup> adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010, in which Member States acknowledged the challenge posed by emerging forms of crime that have a significant impact on the environment, encouraged Member States to strengthen their national crime prevention and criminal justice legislation, policies and practices in that area and invited them to enhance international cooperation, technical assistance and sharing of best practices in that area, and invited the Commission on Crime Prevention and Criminal Justice to study the nature of the challenge and ways to deal with it effectively,

*Recalling further* Economic and Social Council resolution 2011/36 of 28 July 2011, in which the Council invited Member States to consider making illicit trafficking in endangered species of wild fauna and flora a serious crime,

*Emphasizing* that, in its resolution 2011/36, the Economic and Social Council, concerned by the involvement of organized criminal groups in all aspects of illicit trafficking in endangered species of wild fauna and flora, strongly encouraged Member States to take appropriate measures to prevent and combat such illicit trafficking,

*Recalling* Economic and Social Council resolution 2012/19 of 26 July 2012, in which the Council urged Member States to consider, among other effective measures, in accordance with their national legal systems, addressing different forms and manifestations of transnational organized crime that have a significant impact on the environment, including trafficking in endangered species of wild fauna and flora,

*Recalling* decision 27/9 of the Governing Council of the United Nations Environment Programme of 22 February 2013, entitled “Advancing justice, governance and law for environmental sustainability”,

*Recalling also* Economic and Social Council resolution 2011/36 of 28 July 2011, in which the Council noted the importance of promoting public-private partnerships to address trafficking in endangered species of wild fauna and flora, especially as regards the adoption of preventive measures,

*Conscious* of the need to promote initiatives to stimulate legal trade,

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<sup>87</sup> General Assembly resolution 65/230, annex.

*Deeply concerned* by the involvement of organized criminal groups in all aspects of illicit trafficking in protected species of wild fauna and flora, and underscoring in that regard the usefulness of the United Nations Convention against Transnational Organized Crime in reinforcing international cooperation in the fight against that crime,

*Expressing concern* that illicit trafficking in protected species of wild fauna and flora is an increasingly sophisticated form of transnational organized crime, and recalling Economic and Social Council resolution 2012/19 of 26 July 2012, in which the Council recognized that transnational organized crime had diversified and represented a threat to health and safety, security, good governance and the sustainable development of States,

*Emphasizing* that illicit trafficking in protected species of wild fauna and flora can have a destabilizing effect on national economies and local communities, including through the destruction of natural habitats and diminished revenues from ecotourism and legal trade in species, as well as the loss of human life,

*Emphasizing also* that illicit trafficking in protected species of wild fauna and flora poses a serious threat to a number of vulnerable and endangered wildlife species, increasing the risk of extinction of such species,

*Emphasizing further* that coordinated action is critical to reduce corruption and disrupt the illicit networks that drive and enable illicit trafficking in protected species of wild fauna and flora,

*Emphasizing* the importance of effective cooperation and coordination among international organizations to combat illicit trafficking in protected species of wild fauna and flora, and welcoming the establishment of the International Consortium on Combating Wildlife Crime and taking note of the Green Customs Initiative, as examples of such partnerships,

*Acknowledging* the crucial role played by all relevant stakeholders, including civil society, in combating illicit trafficking in protected species of wild fauna and flora,

1. *Strongly encourages* Member States to take appropriate measures to prevent and combat illicit trafficking in protected species of wild fauna and flora, including the adoption of the necessary legislation for the prevention, investigation and prosecution of such trafficking;

2. *Encourages* Member States to undertake and promote bilateral, subregional, regional and international cooperation, including cooperation between law enforcement agencies, through joint investigations, including joint cross-border investigations, and exchange of information, including information on legislation and law enforcement intelligence, with the support of regional wildlife enforcement networks aimed at more effectively countering illicit trafficking in protected species of wild fauna and flora, and, in particular, through encouraging and supporting cooperation with those States that contribute to the supply and demand for illicitly trafficked protected species of wild fauna and flora, as well as those States that serve as transit areas;

3. *Requests* Member States to fully utilize the United Nations Convention against Transnational Organized Crime<sup>84</sup> and the United Nations Convention against

Corruption<sup>85</sup> to prevent and combat illicit trafficking in protected species of wild fauna and flora, and in that regard calls on Member States that have not done so to consider becoming parties to those conventions and calls for their full and effective implementation by States parties;

4. *Encourages* Member States to make illicit trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime, as defined in article 2, paragraph (b), of the Organized Crime Convention, in order to ensure that adequate and effective means of international cooperation can be afforded under the Convention in the investigation and prosecution of those engaged in illicit trafficking in protected species of wild fauna and flora;

5. *Strongly encourages* Member States to strengthen, where necessary, their domestic legal and criminal regimes and law enforcement and judicial capacity, consistent with international legal obligations, to ensure that relevant criminal laws, including appropriate penalties and sanctions, are available to address illicit trafficking in protected species of wild fauna and flora;

6. *Urges* Member States to strengthen efforts to afford one another, in accordance with their international obligations and domestic legislation, the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings related to illicit trafficking in protected species of wild fauna and flora, including measures to identify, trace and freeze or seize illicit proceeds that are generated by or enable such conduct;

7. *Encourages* Member States to consider establishing a national inter-agency task force to coordinate actions of various agencies within the country in the area of wildlife crime enforcement, and assist the authorities concerned in other countries and international organizations, in order to facilitate coordination and concerted action in combating illicit trafficking in protected species of wild fauna and flora;

8. *Also encourages* Member States to promote efforts to prevent illicit trafficking in protected species of wild fauna and flora, inter alia, through public information and awareness-raising campaigns;

9. *Encourages* the United Nations Office on Drugs and Crime, in coordination with other members of the International Consortium on Combating Wildlife Crime, to continue its efforts to provide technical assistance and training to combat illicit trafficking in protected species of wild fauna and flora, as well as to develop tools, such as the *Wildlife and Forest Crime Analytic Toolkit*, in accordance with the rules and procedures of the United Nations;

10. *Requests* the United Nations Office on Drugs and Crime, in coordination with other members of the International Consortium on Combating Wildlife Crime, to support Member States in the implementation of the *Wildlife and Forest Crime Analytic Toolkit* to analyse the capacity of national wildlife and forest law enforcement authorities and the judiciary in investigating, prosecuting and adjudicating cases of wildlife and forest offences, with the aim of developing technical assistance and capacity-building activities and enhancing the capacity of Member States to address transnational organized wildlife and forest crimes;

11. *Commends* the efforts of the International Consortium on Combating Wildlife Crime and its members: the secretariat of the Convention on International

Trade in Endangered Species of Wild Fauna and Flora, the International Criminal Police Organization (INTERPOL), the United Nations Office on Drugs and Crime, the World Bank and the World Customs Organization;

12. *Takes note* of the launch of the *Wildlife and Forest Crime Analytic Toolkit* by the International Consortium on Combating Wildlife Crime, requests the United Nations Office on Drugs and Crime to disseminate that instrument to Member States, and invites Member States to consider applying and utilizing the *Toolkit*;

13. *Requests* the United Nations Office on Drugs and Crime, in consultation with Member States and in cooperation with other competent intergovernmental organizations, such as the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the World Customs Organization, INTERPOL, the World Bank and the United Nations Environment Programme, to undertake case studies that focus on organized crime networks involved in the illicit trafficking of specific protected species of wild fauna and flora, their parts and derivatives;

14. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

15. *Requests* the United Nations Office on Drugs and Crime to report on the implementation of the present resolution at the twenty-fourth session of the Commission on Crime Prevention and Criminal Justice.

#### **Draft resolution V**

### **Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons**

*The Economic and Social Council,*

*Reiterating its strong condemnation* of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity and physical integrity, human rights and development,

*Expressing its serious concern* that despite sustained measures taken at the international, regional and national levels, trafficking in persons remains one of the gravest crimes facing the international community and requires a more concerted collective and comprehensive international response,

*Recognizing* the significance of the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by the General Assembly in its resolution 64/293 of 30 July 2010, and underlining the importance of its full implementation,

*Reaffirming* Economic and Social Council resolution 2008/33 of 25 July 2008, entitled “Strengthening coordination of the United Nations and other efforts in fighting trafficking in persons”, and Commission on Crime Prevention and Criminal Justice resolution 20/3 of 15 April 2011, entitled “Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons”,



*Welcoming* the decision of the General Assembly in its resolution 67/190 of 20 December 2012 to convene a high-level meeting of the General Assembly at its sixty-seventh session to appraise the progress achieved in the implementation of the Global Plan of Action in order to assess achievements, gaps and challenges, including in the implementation of the relevant legal instruments,

*Emphasizing* the role of the United Nations Office on Drugs and Crime in the implementation of the United Nations Global Plan of Action, including as coordinator of the Inter-Agency Coordination Group against Trafficking in Persons,

*Emphasizing also* the central role of the work of the United Nations Office on Drugs and Crime in the global fight against trafficking in persons, particularly in providing technical assistance to implement the United Nations Convention against Transnational Organized Crime<sup>88</sup> and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,<sup>89</sup> by making use of existing capacity-building tools, lessons learned and expertise available in international organizations, including the international framework for action to implement the Trafficking in Persons Protocol,

*Recognizing* the important role of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established by the General Assembly in its resolution 64/293, in providing humanitarian, legal and financial aid to victims of trafficking in persons,

*Noting* that, in accordance with article 32 of the Organized Crime Convention, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime was established, inter alia, to improve the capacity of States parties to promote and review the implementation of the Convention, including the Trafficking in Persons Protocol, and, in that context, the outcomes of the sixth session of the Conference, held in Vienna from 15 to 19 October 2012,<sup>90</sup>

*Recalling* the World Health Organization guiding principles on human cell, tissue and organ transplantation, endorsed by the sixty-third World Health Assembly in its resolution 63.22,

*Expressing its serious concern* at the number of reported incidents of trafficking in persons for the purpose of removal of organs, and the ongoing lack of reliable data in that regard,

*Reaffirming* the recommendations adopted by the Working Group on Trafficking in Persons at its meeting held from 10 to 12 October 2011<sup>91</sup> on the issue of trafficking in persons for the purpose of removal of organs,

1. *Urges* Member States and other stakeholders mentioned in the United Nations Global Plan of Action to Combat Trafficking in Persons, and invites the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and other relevant international, regional and subregional organizations, within their respective mandates, to continue to contribute to the full

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<sup>88</sup> United Nations, *Treaty Series*, vol. 2225, No. 39574.

<sup>89</sup> *Ibid.*, vol. 2237, No. 39574.

<sup>90</sup> See CTOC/COP/2012/15.

<sup>91</sup> See CTOC/COP/WG.4/2011/8.

and effective implementation of the Global Plan of Action, including by means of strengthening cooperation and improving coordination among themselves in achieving that goal;

2. *Reaffirms* that the United Nations Global Plan of Action to Combat Trafficking in Persons was developed to:

(a) Promote universal ratification of the United Nations Convention against Transnational Organized Crime<sup>88</sup> and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime<sup>89</sup> as well as other relevant international instruments that address trafficking in persons, and reinforce the implementation of existing instruments against trafficking in persons;

(b) Help Member States to reinforce their political commitments and legal obligations to prevent and combat trafficking in persons;

(c) Promote comprehensive, coordinated and consistent responses at the national, regional and international levels to counter trafficking in persons;

(d) Promote a human rights-based and gender- and age-sensitive approach in addressing all factors that make people vulnerable to trafficking in persons and in strengthening the criminal justice response, which are necessary to prevent trafficking in persons, protect its victims and prosecute its perpetrators;

(e) Raise awareness within the United Nations system and also among States and other stakeholders, such as the private sector, civil society and the international and national mass media, and the public at large;

(f) Foster cooperation and coordination among all relevant stakeholders, including Member States, international organizations, civil society organizations and the private sector, and among the various entities of the United Nations system, taking into account existing best practices and lessons learned;

3. *Requests* the United Nations Office on Drugs and Crime to continue integrating the Global Plan of Action into its programmes and activities and continue providing, at the national and regional levels, technical assistance to countries, upon their request, aimed at strengthening their ability to ensure full and effective implementation of the Global Plan of Action;

4. *Invites* the United Nations Office on Drugs and Crime and other relevant agencies of the United Nations system, in coordination with the United Nations Office on Drugs and Crime in its capacity as coordinator of the Inter-Agency Coordination Group against Trafficking in Persons, to increase the Inter-Agency Coordination Group's activities related to the implementation of the Global Plan of Action;

5. *Requests* the United Nations Office on Drugs and Crime, in its capacity as fund manager of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, to continue to encourage contributions by States and all other relevant stakeholders to the Trust Fund;

6. *Encourages* Member States, international organizations, non-governmental organizations and other relevant bodies, where appropriate,

to share information, experiences and good practices on anti-trafficking activities, including on combating trafficking in persons for the purpose of removal of organs;

7. *Invites* the Conference of the Parties to request its Working Group on Trafficking in Persons to continue to discuss, at one of its upcoming meetings, the issue of trafficking in persons for the purpose of removal of organs;

8. *Welcomes* the publication by the United Nations Office on Drugs and Crime of the *Global Report on Trafficking in Persons 2012*,<sup>92</sup> pursuant to the Global Plan of Action, and emphasizes the need to translate that publication, as well as future editions of the *Global Report* into the six official languages of the United Nations, in accordance with General Assembly resolution 64/293 of 30 July 2010,

9. *Requests* the United Nations Office on Drugs and Crime to gather evidence-based data on patterns, forms and flows of trafficking in persons for the purpose of removal of organs, and include those data in the future editions of the *Global Report on Trafficking in Persons*;

10. *Also requests* the United Nations Office on Drugs and Crime to include cases of trafficking in persons for the purpose of removal of organs in the human trafficking case law database;

11. *Encourages* Member States to provide to the United Nations Office on Drugs and Crime evidence-based data on patterns, forms and flows of trafficking in persons for the purpose of removal of organs and, where such evidence exists, of tissues and cells, as well as information about cases of trafficking in persons for the purpose of removal of organs and, if such information exists, of tissues and cells;

12. *Acknowledges* the important role of civil society organizations in providing assistance and empowerment to victims of trafficking in persons, helping them to seek redress and facilitating the care of and provision of appropriate services to victims, including close cooperation and coordination with law enforcement officials;

13. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

14. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-third session on the implementation of the present resolution.

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<sup>92</sup> United Nations publication, Sales No. E.13.IV.1.

### **C. Draft decisions for adoption by the Economic and Social Council**

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

#### **Draft decision I**

#### **Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime**

The Economic and Social Council, recalling its decision 2011/258 of 28 July 2011, entitled “Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime”, in which it, inter alia, reaffirmed Commission on Narcotic Drugs resolution 52/13 of 20 March 2009 and Commission on Crime Prevention and Criminal Justice resolution 18/3 of 24 April 2009 and decided to renew the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime until the part of the sessions of the Commissions to be held in the first half of 2013, at which time the Commissions would carry out a thorough review of the functioning of the working group and consider the extension of its mandate:

(a) Reiterates its awareness of the importance of the role of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime in assisting the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice in effectively addressing financial and governance issues relevant to the work of the Office;

(b) Reaffirms the role of the Commission on Narcotic Drugs as the principal policymaking organ of the United Nations on matters of international drug control and as the governing body of the drug programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking organ of the United Nations on matters of crime prevention and criminal justice and as the governing body of the crime programme of the United Nations Office on Drugs and Crime;

(c) Reiterates its concern about the governance and financial situation of the United Nations Office on Drugs and Crime, and expresses its awareness of the urgent need to continue addressing those issues in a pragmatic, results-oriented, efficient and cooperative manner;

(d) Reaffirms Commission on Narcotic Drugs resolution 52/13 of 20 March 2009 and Commission on Crime Prevention and Criminal Justice resolution 18/3 of 24 April 2009, and decides to renew the mandate of the standing open-ended intergovernmental working group on improving the governance and financial

situation of the United Nations Office on Drugs and Crime until the part of the session of the Commission to be held in the first half of 2015, at which time the Commissions should carry out a thorough review of the functioning of the working group and consider the extension of its mandate;

(e) Decides that the working group shall hold formal and informal meetings in line with current practice;

(f) Requests that the relevant documentation be provided to the working group not later than 10 working days before a meeting;

(g) Reiterates the importance of the development of an indicative annual workplan by Member States, taking into account input from the Secretariat and providing, as appropriate, for review of the format and organization of work of the working group with a view to improving its effectiveness, and approves the provisional agenda of the working group as set out below:

1. Consolidated budget for the biennium 2014-2015 for the United Nations Office on Drugs and Crime.
2. Governance and financial situation of the United Nations Office on Drugs and Crime.
3. Evaluation and oversight.
4. Other matters.

#### **Draft decision II**

### **Report of the Commission on Crime Prevention and Criminal Justice on its twenty-second session and provisional agenda for its twenty-third session**

The Economic and Social Council:

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its twenty-second session;

(b) Recalling its decision 2010/243 of 22 July 2010, decides that the prominent theme for the twenty-third session of the Commission will be “International cooperation in criminal matters”;

(c) Recalling its decision 2012/238 of 26 July 2012, takes note of Commission decision 22/2,

(d) Approves the provisional agenda and documentation for the twenty-third session of the Commission set out below.

#### **Provisional agenda and documentation for the twenty-third session of the Commission on Crime Prevention and Criminal Justice**

1. Election of officers.
2. Adoption of the agenda and other organizational matters.

*Documentation*

Provisional agenda and annotations

3. Strategic management, budgetary and administrative questions:
  - (a) Work of the working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;
  - (b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme;
  - (c) Working methods of the Commission.

*Documentation*

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime

Other notes by the Secretariat and reports of the Secretary-General or Executive Director in accordance with mandates

4. Thematic discussion on international cooperation in criminal matters.

*Documentation*

Discussion guide

5. Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:
  - (a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;
  - (b) Ratification and implementation of the United Nations Convention against Corruption;
  - (c) Ratification and implementation of the international instruments to prevent and combat terrorism;
  - (d) Other crime prevention and criminal justice matters;
  - (e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies.

*Documentation*

Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption

Report of the Secretary-General on assistance in implementing the universal conventions and protocols related to terrorism

Report of the Secretary-General on the activities of the institutes of the United Nations crime prevention and criminal justice programme network

Other notes by the Secretariat and reports of the Secretary-General or Executive Director in accordance with mandates

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

*Documentation*

Report of the Secretary-General on United Nations standards and norms in crime prevention and criminal justice

Other notes by the Secretariat and reports of the Secretary-General or Executive Director in accordance with mandates

7. World crime trends and emerging issues and responses in the field of crime prevention and criminal justice.

*Documentation*

Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime

Other notes by the Secretariat and reports of the Secretary-General or Executive Director in accordance with mandates

8. Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice.

*Documentation*

Report of the Secretary-General on the follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

9. Provisional agenda for the twenty-fourth session of the Commission.
10. Other business.
11. Adoption of the report of the Commission on its twenty-third session.

## **D. Matters brought to the attention of the Economic and Social Council**

4. The following resolutions and decisions adopted by the Commission on Crime Prevention and Criminal Justice are brought to the attention of the Economic and Social Council:

### **Resolution 22/1**

#### **Implementation of the budget for the biennium 2012-2013 for the United Nations Crime Prevention and Criminal Justice Fund**

*The Commission on Crime Prevention and Criminal Justice,*

*Exercising* the administrative and financial functions entrusted to it by the General Assembly in its resolution 61/252 of 22 December 2006,

*Having considered* the report of the Executive Director on the implementation of the consolidated budget for the biennium 2012-2013 for the United Nations Office on Drugs and Crime,<sup>93</sup>

*Recalling* its resolution 20/8,

1. *Notes* that the report of the Executive Director on the implementation of the consolidated budget for the biennium 2012-2013 for the United Nations Office on Drugs and Crime<sup>93</sup> provides information on the adjustments to the consolidated budget;

2. *Also notes* the continued strong donor confidence in programme delivery by the United Nations Office on Drugs and Crime, as reflected by the increase in special-purpose contributions;

3. *Further notes* with concern the financial challenges facing the United Nations Office on Drugs and Crime as set out in the report of the Executive Director on the implementation of the consolidated budget for the biennium 2012-2013 for the United Nations Office on Drugs and Crime, in particular the shortfall in general-purpose funding;

4. *Notes* the cost-saving measures taken by the United Nations Office on Drugs and Crime to reduce general-purpose expenditure by 694,300 United States dollars, as reflected in the revised projections of 8,630,700 dollars;

5. *Approves* the revised projected use of general-purpose funds in the biennium 2012-2013, and invites Member States to provide contributions totalling at least 8,630,700 dollars;

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<sup>93</sup> E/CN.7/2013/6-E/CN.15/2013/6.



6. *Endorses* the revised estimates for the programme support cost funds and special-purpose funds as indicated below:

### Resource projections for the United Nations Crime Prevention and Criminal Justice Fund

	<i>Resources (thousands of United States dollars)</i>		<i>Posts</i>	
	<i>Approved budget, 2012-2013</i>	<i>Revised budget, 2012-2013</i>	<i>Approved budget, 2012-2013</i>	<i>Revised budget, 2012-2013</i>
<b>General-purpose funds</b>				
Post	8 153.7	8 338.0	24	24
Non-post	325.8	292.7	–	–
<b>Subtotal</b>	<b>8 479.5</b>	<b>8 630.7</b>	<b>24</b>	<b>24</b>
<b>Programme support cost funds</b>				
Post	15 579.5	16 396.9	76	76
Non-post	4 136.5	4 136.5	–	–
<b>Subtotal</b>	<b>19 716.0</b>	<b>20 533.4</b>	<b>76</b>	<b>76</b>
Special-purpose funds	204 095.5	230 395.9	–	–
<b>Total</b>	<b>232 290.9</b>	<b>259 560.0</b>	<b>100</b>	<b>100</b>

7. *Notes* that the estimated resource projections above are subject to the availability of funding.

### Resolution 22/2

### Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

*The Commission on Crime Prevention and Criminal Justice,*

*Recalling* its resolution 18/3 of 24 April 2009, entitled “Improving the governance and financial situation of the United Nations Office on Drugs and Crime”, in which it decided to establish a standing open-ended intergovernmental working group on governance and finance, in order to achieve the common objective of strengthening the performance and effectiveness of the United Nations Office on Drugs and Crime,

*Recalling also* Economic and Social Council decision 2009/251 of 30 July 2009, entitled “Frequency and duration of the reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice”, in which the Council decided that, starting in 2010, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice would hold reconvened sessions on an annual basis in the second half of the year, in order to be able, pursuant to Commission on Narcotic Drugs resolution 52/13 and Commission on Crime Prevention and Criminal Justice

resolution 18/3, to consider the reports of and the recommendations proposed by the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,

*Reaffirming* the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking organ of the United Nations on matters of crime prevention and criminal justice and as the governing body of the crime programme of the United Nations Office on Drugs and Crime,

*Reaffirming also* its resolution 20/1 of 15 April 2011, entitled “Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime”,

*Concerned* about the governance and financial situation of the United Nations Office on Drugs and Crime, and aware of the urgent need to continue addressing that issue in a pragmatic, results-oriented, efficient and cooperative manner,

1. *Takes note* of the work of and the note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,<sup>94</sup> in accordance with Commission resolutions 18/3 and 20/1;

2. *Expresses its appreciation* to the co-chairs of the working group for their work and to the Secretariat for its assistance in facilitating the work of the working group, including by providing, inter alia, updates on the financial situation of the United Nations Office on Drugs and Crime and briefings and presentations on thematic and regional programmes to the working group, as well as on evaluation and oversight issues, and requests the Secretariat to continue providing such necessary assistance, bearing in mind the limited resources available to it;

3. *Welcomes* the established practice of having a clear schedule of meetings and programme of work for the working group, as well as other measures taken with a view to improving the functioning and efficiency of the working group, requests that a draft agenda for each meeting of the working group be distributed no later than 10 working days before the meeting, accompanied by all the relevant documents for such meetings, and reiterates the importance of developing an indicative annual workplan by Member States, taking into account inputs from the Secretariat and providing, as appropriate, for review of the format and organization of work of the group, with a view to improving its effectiveness;

**Continuous support for promoting a culture of evaluation within the United Nations Office on Drugs and Crime at all stages of programme planning, development and implementation**

4. *Recalls* that the working group has been provided with numerous presentations on evaluation findings, on which occasions participants have reiterated the importance of having a sustainable, effective and operationally independent corporate evaluation function at the United Nations Office on Drugs

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<sup>94</sup> E/CN.7/2013/7-E/CN.15/2013/7 and Add.1.

and Crime, particularly one focused on the overall objectives, implementation, performance and impact of thematic and regional programmes;

5. *Requests* the working group to continue addressing evaluation-related matters, and invites the Independent Evaluation Unit to continue:

(a) Providing the working group with evaluation findings of the thematic and regional programmes of the United Nations Office on Drugs and Crime;

(b) Consulting with the working group on a road map of current and future activities and results;

(c) Promoting a culture of evaluation throughout the Office at all stages of programme planning, development and implementation;

(d) Working with the Office in monitoring the implementation of recommendations made by relevant oversight bodies;

#### **Continuous support for promoting an integrated programme approach**

6. *Recalls* that the working group has been provided with the initial evaluation findings of the integrated programme approach, which show that the approach can help the Office to acquire an integrated regional and thematic perspective and achieve benefits in terms of improved linkages and synergies between policy, strategic planning, programmatic work, mobilization of resources and partnerships with all relevant stakeholders;

7. *Emphasizes* that the working group, in its formal and informal meetings, has provided a constructive forum for dialogue among Member States and between Member States and the Secretariat on the development of the programmes of the Office, and recommends strengthening such dialogue;

8. *Requests* the working group to:

(a) Continue consulting and supporting the development of the integrated programme approach of the Office, inter alia, where appropriate, by moving from a project-based to a programme-based approach;

(b) Continue discussing the integrated programme approach and improving its organization-wide implementation by the Office and its governing bodies at all stages of the programme cycles;

(c) Draw on the evaluation findings and lessons learned from experiences with the approach, including, as appropriate, when discussing fundraising matters;

#### **Continuous support for strengthening the financial situation of the United Nations Office on Drugs and Crime**

9. *Recalls* General Assembly resolution 67/193 of 20 December 2012, in which the Assembly urged all Governments to provide the fullest possible financial and political support to the Office by widening its donor base and increasing voluntary contributions, in particular general-purpose contributions, so as to enable it to continue, expand, improve and strengthen, within its mandates, its operational and technical cooperation activities, expressed concern regarding the overall financial situation of the Office, emphasized the need to improve the cost-effective utilization of resources by the Office and requested the Secretary-General to submit

proposals in his proposed programme budget for the biennium 2014-2015 to ensure that the Office had sufficient resources to carry out its mandates;

10. *Also recalls* that the working group has on several occasions discussed fundraising issues and ways to achieve a sustainable and balanced funding structure for the Office so as to ensure delivery capacity and the sustainability of thematic and regional programmes;

11. *Requests* the working group to give appropriate attention to the issue of supporting the funding situation and financial management of the Office and assist the Commission in becoming more actively engaged, with further transparency, in the biennial consolidated budget process, including its special-purpose funding part, inter alia, by:

(a) Receiving reports on and concrete examples of activities funded through full cost recovery, and facilitating the optimization of the resource mobilization process, in order to help to transparently and holistically promote integrated regional and thematic programmes along with their resource requirements, to enhance funding predictability and contribute to the coherence of the programmatic activities of the Office with the overall priorities and objectives within its mandate;

(b) Examining ways to promote the financial sustainability of the Office, including through the elaboration, on the basis of a suggestion from the Office, of a system that encourages the sustainability of contributions in order to ensure delivery capacity, improve administrative efficiency and provide increased incentives for soft earmarking at the programme level and multi-year funding;

(c) Providing continued support for streamlined and results-based programmatic and financial reporting at the outcome level, including by adopting at its first informal meeting following the sessions of the two Commissions held in the first half of 2013, on the basis of a proposal of the co-chairs of the working group, with the support of the Secretariat, and on the basis of requests by Member States, a cycle aimed at promoting transparency and encouraging involvement among relevant stakeholders, as well as dialogue between Member States and the Secretariat, through which the working group can receive and discuss:

(i) Results-based reports on individual programmes, as well as a summary overview of programmes of the United Nations Office on Drugs and Crime, including priorities, results and implementation, in particular the funding situation and funding gaps and their impact on the delivery capacity of the Office;

(ii) Presentations by the Secretariat on the strategic framework for the period 2012-2013, the strategy for the period 2012-2015 and any updates on their implementation, as well as the strategic framework for the period 2014-2015;

(d) Continuing to provide a platform for Member States to, inter alia, exchange views on the existing challenges to the financial and administrative sustainability of the Office and its activities, with a view to shaping consensually acceptable approaches to properly address these challenges in a cooperative manner, including by means of preparing recommendations to the Commission in order to facilitate further decision-making by the latter;

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**Continuing support to the Commission in monitoring the implementation of resolutions and decisions adopted by the Commission**

12. *Also requests* the working group to continue discussing progress made with regard to the implementation of resolutions and decisions adopted by the Commission;

13. *Requests* the Secretariat to submit a short and concise report on the implementation of resolutions adopted since 2012 to the Commission at its twenty-fourth session, in 2015, for its consideration, through the working group, as appropriate.

**Resolution 22/3**

**Renewed efforts to ensure the effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto on the tenth anniversary of the entry into force of the Convention**

*The Commission on Crime Prevention and Criminal Justice,*

*Recalling* General Assembly resolution 54/126 of 17 December 1999, entitled “Draft United Nations Convention against Transnational Organized Crime and the draft Protocols thereto”, General Assembly resolution 55/25 of 15 November 2000, by which the Assembly adopted the United Nations Convention against Transnational Organized Crime,<sup>95</sup> the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,<sup>96</sup> and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,<sup>97</sup> and Assembly resolution 55/255 of 31 May 2001, by which the Assembly adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,<sup>98</sup>

*Reaffirming* the crucial importance of the United Nations Convention against Transnational Organized Crime and the three Protocols thereto as the main tools available to the international community to fight transnational organized crime,

*Mindful* that 29 September 2013 will mark the tenth anniversary of the entry into force of the Organized Crime Convention,

*Aware* of the importance of promoting universal adherence to and full implementation of the Convention and the Protocols thereto, acknowledging the efforts made by States parties in implementing the Convention and the Protocols thereto, and recognizing that more efforts are necessary to make full and effective use of those instruments,

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<sup>95</sup> United Nations, *Treaty Series*, vol. 2225, No. 39574.

<sup>96</sup> *Ibid.*, vol. 2237, No. 39574.

<sup>97</sup> *Ibid.*, vol. 2241, No. 39574.

<sup>98</sup> *Ibid.*, vol. 2326, No. 39574.

*Recalling* resolution 5/5 of 22 October 2010 of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, entitled “Review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, Conference resolution 6/1 of 19 October 2012, entitled “Ensuring effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto”, and General Assembly resolution 67/189 of 20 December 2012, entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity”, in which, inter alia, the need for the urgent adoption of the mechanism to review the implementation of the Convention and the Protocols thereto was underlined,

*Noting with appreciation* the establishment by the Secretary-General of the United Nations system task force on transnational organized crime and drug trafficking as threats to security and stability, for the purpose of developing within the United Nations system an effective and comprehensive approach to transnational organized crime and drug trafficking, and reaffirming the crucial role of Member States as reflected in the Charter of the United Nations,

*Acknowledging* the relevance of the implementation of the Convention and the Protocols thereto in the framework of United Nations rule of law activities, also bearing in mind the elaboration of the post-2015 United Nations development agenda,

*Greatly concerned* by the negative impact of organized crime on human rights, the rule of law, security and development, as well as by the sophistication, diversity and transnational aspects of organized crime and its links with other criminal and, in some cases, terrorist activities,

*Underscoring* the growing involvement of organized criminal groups at all stages of both licit and illicit activities that can generate huge profits, including through money-laundering,

*Noting with concern* the emergence of new forms and dimensions of transnational organized crime and reaffirming that the Convention, as a global instrument with wide adherence, offers a unique basis for international cooperation to address existing and emerging forms of transnational organized crime and has, in that regard, a potential that is yet to be fully exploited,

*Aware* that technical assistance is fundamental to ensuring the effective implementation of the provisions of the Convention and the Protocols thereto, and welcoming the development by the United Nations Office on Drugs and Crime of new tools for criminal justice practitioners, such as the digest of organized crime cases, the practical guide to facilitate the drafting, transmission and execution of requests for extradition and mutual legal assistance, and the practical guide to facilitate international and interregional cooperation for the purposes of confiscation in the framework of the fight against transnational organized crime,

*Mindful* of the need for complementary and effective implementation of the Convention and the Protocols thereto, as well as of the United Nations Convention against Corruption,<sup>99</sup>

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<sup>99</sup> Ibid., vol. 2349, No. 42146.

*Taking into account* the experiences of States parties participating in the Mechanism for the Review of Implementation of the United Nations Convention against Corruption,

*Mindful* of the need to use resources in the most effective and efficient manner, and taking into account the fiscal climate faced by Member States globally,

*Acknowledging* the mandate of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime to improve the capacity of States parties to combat transnational organized crime, including by periodically reviewing the implementation of the Convention, pursuant to its article 32,

*Taking note with appreciation* of the results of the pilot programme to review implementation of the Convention, which involved a group of volunteer States parties from different regional groups, of the evaluation of that exercise and of the completion of the comprehensive self-assessment checklist (“omnibus tool”),

*Convinced* of the need to continue discussing the establishment of a mechanism for the review of the implementation of the Convention and the Protocols thereto, and acknowledging the work accomplished towards this endeavour by the open-ended intergovernmental working group on the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto<sup>100</sup> and in the context of the relevant informal consultations,

1. *Notes with appreciation* the increasing level of adherence to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,<sup>101</sup> which, six months before the tenth anniversary of the entry into force of the Convention, had reached 175 States parties to the Convention, followed by 154 States parties to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 135 States parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, and 97 States parties to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime;

2. *Reiterates* its call on Member States that have not yet done so to consider ratifying or acceding to the Convention and the Protocols thereto, and urges States parties to fully implement those instruments;

3. *Requests* the United Nations Office on Drugs and Crime to keep raising awareness of the crucial relevance of the implementation of the Convention and the Protocols thereto in countering organized crime, in the light of the achievements made during the first decade since the entry into force of the Convention, through advocacy campaigns, as well as outreach to and partnerships with civil society and the private sector;

4. *Also requests* the United Nations Office on Drugs and Crime to continue providing legislative and technical assistance in order to promote universal

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<sup>100</sup> CTOC/COP/2012/15.

<sup>101</sup> United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

adherence to and implementation of the Convention and the Protocols thereto, supporting and complementing national, regional and thematic programmes and activities based on the needs and priorities of Member States with regard to combating transnational organized crime;

5. *Encourages* the United Nations Office on Drugs and Crime to widely disseminate the technical assistance tools that have been developed, with a view to further improving the capacity of States to implement the Convention and the Protocols thereto, while promoting the exchange of experiences and good practices among practitioners in countering effectively transnational organized crime and in implementing the Convention and the Protocols thereto;

6. *Reiterates* the need for the establishment of, inter alia, a transparent, efficient, non-intrusive, inclusive and impartial mechanism for the review of the implementation of the Convention and the Protocols thereto, aimed at assisting States parties in the full and effective application of those instruments, and, bearing in mind the urgent need to improve the implementation of the Convention and the Protocols thereto, invites Member States to continue the dialogue regarding the establishment of such a mechanism, particularly in view of the holding of the seventh session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in 2014;

7. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations;

8. *Requests* the United Nations Office on Drugs and Crime to report on the implementation of the present resolution to the Commission at its twenty-third session.

#### **Resolution 22/4**

### **Enhancing the effectiveness of countering criminal threats to the tourism sector, including terrorist threats, in particular, by means of international cooperation and public-private partnerships**

*The Commission on Crime Prevention and Criminal Justice,*

*Aware* of the threat that crime and terrorism represent to the tourism sector,

*Recalling* its resolution 19/1 of 21 May 2010, entitled “Strengthening public-private partnerships to counter crime in all its forms and manifestations”,

*Recalling also* Economic and Social Council resolution 2012/19 of 26 July 2012, entitled “Strengthening international cooperation in combating transnational organized crime in all its forms and manifestations”, in which the importance of further developing public-private partnerships was stressed,

*Taking into account* the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and their Development in a Changing World,<sup>102</sup> in which Member States recognized the

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<sup>102</sup> General Assembly resolution 65/230, annex.



importance of strengthening public-private partnerships in preventing and countering crime in all its forms and manifestations,

*Noting* the important contribution that public-private sector cooperation can make in efforts to prevent criminal activities, including terrorism, in the tourism sector,

*Taking into account* the memorandum of understanding between the United Nations Office on Drugs and Crime and the World Tourism Organization signed in 2012,

1. *Takes note with appreciation* of the report of the Secretariat on ways and means of enhancing the effectiveness of international cooperation in countering criminal and terrorist threats and challenges to the tourism sector, including by means of public-private partnerships;<sup>103</sup>

2. *Acknowledges* the conclusions and recommendations contained in the above-mentioned report on how to enhance the effectiveness of international cooperation in combating criminal and terrorist threats to the tourism sector;

3. *Encourages* Member States to continue the work on this topic through, when appropriate, the United Nations Office on Drugs and Crime and other relevant international organizations, in cooperation with the World Tourism Organization and the private sector;

4. *Requests* the United Nations Office on Drugs and Crime to convene an expert group, including representatives of Member States and other relevant experts, taking into account the information contained in the above-mentioned report, to share experiences and best practices concerning public-private partnerships and international cooperation and to explore ways and means to respond to criminal threats against the tourism sector, including terrorist threats;

5. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes in accordance with the rules and procedures of the United Nations;

6. *Requests* the United Nations Office on Drugs and Crime to submit a report on best practices based on proposals of the expert group to the Commission on Crime Prevention and Criminal Justice at the earliest possible occasion.

## **Resolution 22/5**

### **Strengthening of international cooperation to promote the analysis of trends in transnational organized crime**

*The Commission on Crime Prevention and Criminal Justice,*

*Recognizing* that the United Nations Convention against Transnational Organized Crime and the Protocols thereto<sup>104</sup> offer an important basis for international cooperation against transnational organized crime in all its forms and manifestations,

<sup>103</sup> E/CN.15/2013/19.

<sup>104</sup> United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

*Expressing concern* with the negative impact of organized criminal activities on human rights, the rule of law, security and social economic development, and convinced of the urgent need to strengthen cooperation to prevent and combat such activities more effectively at the national, regional and international levels,

*Recalling* its resolution 21/3, entitled “Strengthening international cooperation to address the links that in some cases may exist between transnational organized criminal activities and terrorist activities”, in which the Commission expressed its concern with respect to this issue,

*Mindful* of the provisions of article 28, paragraphs 1 and 2, of the Organized Crime Convention, relating to the collection, exchange and analysis of information on the nature of organized crime,

*Taking note* of Economic and Social Council resolution 2009/25 of 30 July 2009 on improving the collection, reporting and analysis of data to enhance knowledge on trends in specific areas of crime,

*Recognizing* the need for accurate information on global crime trends and patterns, including on new and emerging forms of transnational organized crime, and the need to improve the quality, scope and completeness of data relating to transnational organized crime,

*Reiterating its request* to the United Nations Office on Drugs and Crime to strengthen, within its existing mandate and in consultation with Member States, the collection, analysis and reporting of accurate, reliable and comparable data on crime trends and patterns and its invitation to Member States to strengthen their efforts to review and improve data-collection tools in order to enhance knowledge on those trends and patterns,

1. *Reaffirms* the need to prevent and combat transnational organized crime in all its forms and manifestations and to fully utilize the United Nations Convention against Transnational Organized Crime and the Protocols thereto<sup>104</sup> and other relevant instruments;

2. *Encourages* Member States to strengthen international cooperation in order to enhance and promote the analysis of trends in transnational organized crime, including, inter alia, the links that in some cases may exist between transnational organized criminal activities and terrorist activities;

3. *Reiterates* the request made by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in its resolution 5/1 of 22 October 2010 on ensuring effective implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, for the United Nations Office on Drugs and Crime, in consultation with Member States and in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, to strengthen the collection, analysis and reporting of accurate, reliable and comparable data on organized crime trends and patterns, in accordance with article 28 of the United Nations Convention against Transnational Organized Crime, which could assist Member States in the analysis of trends on transnational organized crime, including, inter alia, the links that in some cases may exist between transnational organized criminal activities and terrorist activities.

Resolution 22/6

**Promoting international cooperation and strengthening capacity to combat the problem of transnational organized crime committed at sea**

*The Commission on Crime Prevention and Criminal Justice,*

*Recalling* the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988<sup>105</sup> and the United Nations Convention against Transnational Organized Crime and the Protocols thereto,<sup>106</sup> which, inter alia, contain provisions regarding cooperation in combating illicit trafficking activities at sea, and other relevant international conventions,

*Recalling also* that all actions taken by States to combat unlawful conduct at sea must be in accordance with their rights and applicable obligations under international law, including the United Nations Convention on the Law of the Sea,<sup>107</sup>

*Convinced* that transnational organized crime at sea is a global problem that may threaten security, stability and the rule of law, undermines economic prosperity and sustainable development and may threaten the environment, making international cooperation to prevent and control it essential,

*Emphasizing* that all States, in particular States parties to the various relevant conventions, have a shared responsibility to take steps to counter the threat of transnational organized crime committed at sea, and the importance of enhancing international cooperation at all levels to fight all forms of transnational organized crime at sea that fall within the scope of the Organized Crime Convention and the Protocols thereto,

*Noting with concern* the continuing problem of transnational organized crime committed at sea, including illicit traffic in narcotic drugs and psychotropic substances, smuggling of migrants and trafficking in persons, and threats to maritime safety and security, including piracy, armed robbery at sea, smuggling and terrorist acts against shipping, offshore installations and other maritime interests, and noting the deplorable loss of life and adverse impact on international trade, energy security and the global economy resulting from such activities,

*Noting also with concern* that the problem of transnational organized crime committed at sea has a significant impact on the environment,

*Recognizing* the need to provide sustained capacity-building assistance, including on financial and technical aspects, by relevant international organizations and donors to Member States, upon request, with a view to further strengthening their capacity to take effective measures against the multiple facets of international criminal activities at sea, in line with the relevant international instruments, including the Organized Crime Convention and the Protocols thereto,

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<sup>105</sup> Ibid., vol. 1582, No. 27627.

<sup>106</sup> Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

<sup>107</sup> Ibid., vol. 1833, No. 31363.

*Gravely concerned* about the continuing threat posed by piracy and armed robbery at sea targeting vessels, including traditional fishing boats,

*Emphasizing* the need to address the plight of the seafarers and crews victimized by acts of piracy,

*Welcoming* the technical assistance provided by the United Nations Office on Drugs and Crime, within its mandate and upon request, to States, with a view to preventing, combating and eradicating transnational organized crime at sea, in accordance with relevant international instruments, including the Organized Crime Convention and its Protocols, and welcoming the cooperation of the United Nations Office on Drugs and Crime with relevant United Nations bodies, international organizations and other bodies,

*Welcoming also* the support provided by the United Nations Office on Drugs and Crime to States parties, including relevant technical assistance in the application of the Organized Crime Convention to new forms and dimensions of transnational organized crime committed at sea,

*Welcoming further* the work carried out jointly by the United Nations Office on Drugs and Crime and the World Customs Organization under the Container Control Programme and the impact of the Programme on maritime safety and security in the container trade supply chain,

*Welcoming* the work that has been conducted by the United Nations Office on Drugs and Crime on the issue of trafficking in persons on fishing vessels,

*Welcoming also* the work carried out, inter alia, through the United Nations Office on Drugs and Crime counter-piracy programme, and encouraging its further effective implementation to achieve fair and efficient trials and the humane and secure detention of suspected and convicted pirates in Somalia and other regional States,

*Taking note* of the report of the Executive Director on combating the problem of transnational organized crime committed at sea,<sup>108</sup>

1. *Urges* States that have not yet done so to consider becoming parties to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,<sup>106</sup> the United Nations Convention against Corruption<sup>109</sup> and other relevant conventions and to take appropriate measures to ensure their effective implementation;

2. *Requests* the United Nations Office on Drugs and Crime to continue providing technical assistance to Member States, upon request, to facilitate the full implementation of the Organized Crime Convention and the Protocols thereto, in order to more effectively combat transnational organized crime committed at sea;

3. *Encourages* the United Nations Office on Drugs and Crime to continue to provide Member States with technical assistance, upon request, in the areas of capacity-building in the criminal justice sector and the implementation of the conventions relevant to combating transnational organized crime committed at sea, as well as maritime piracy, in particular maritime piracy off the coast of Somalia

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<sup>108</sup> E/CN.15/2013/17.

<sup>109</sup> United Nations, *Treaty Series*, vol. 2349, No. 42146.

and in the Gulf of Guinea, and requests the Office to continue to brief Member States on a regular basis on the implementation of its relevant programmes, including its counter-piracy programme;

4. *Requests* the United Nations Office on Drugs and Crime, within its existing mandate, to cooperate with relevant United Nations agencies and regional and international organizations; multilateral initiatives, including the Contact Group on Piracy off the Coast of Somalia; and individual Member States engaged in combating maritime piracy;

5. *Urges* Member States to strengthen international cooperation at all levels to combat transnational organized crime committed at sea;

6. *Encourages* Member States to continue cooperating with each other in the use of relevant and applicable regional and international mechanisms for law enforcement cooperation;

7. *Also encourages* Member States to take appropriate measures, consistent with their domestic legislation and legal frameworks and in accordance with their rights and obligations under applicable international law, including the United Nations Convention on the Law of the Sea,<sup>107</sup> to strengthen law enforcement with a view to preventing, combating and eradicating transnational organized crime committed at sea;

8. *Encourages* the United Nations Office on Drugs and Crime, within its mandate, to cooperate with Member States, relevant United Nations bodies, international organizations and other bodies and mechanisms, where appropriate, with regard to the sharing of information on its technical assistance activities related to transnational organized crime, in particular those related to tackling the challenges posed by transnational organized crime committed at sea;

9. *Invites* Member States to consider all research conducted by the United Nations Office on Drugs and Crime that relates to transnational organized crime committed at sea;

10. *Also invites* Member States to share their experiences and concerns with other Member States and the United Nations Office on Drugs and Crime on the possible gaps and vulnerabilities in tackling transnational organized crime committed at sea;

11. *Requests* the United Nations Office on Drugs and Crime to reconvene a meeting of the expert group, as was defined in Commission resolution 20/5, to continue work, in close consultation with Member States, on the recommendations contained in the report of the Executive Director on combating the problem of transnational organized crime committed at sea<sup>110</sup> and, for this purpose, to request Member States, through the chairs of the regional groups, to nominate experts;

12. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes in accordance with the rules and procedures of the United Nations;

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<sup>110</sup> E/CN.15/2013/17.

13. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-fifth session on the implementation of the present resolution.

#### **Resolution 22/7**

### **Strengthening international cooperation to combat cybercrime**

*The Commission on Crime Prevention and Criminal Justice,*

*Recalling* General Assembly resolution 65/230 of 21 December 2010, in which the Assembly endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World and requested the Commission on Crime Prevention and Criminal Justice to establish, in line with paragraph 42 of the Salvador Declaration, an open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, including the exchange of information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing and to propose new national and international legal or other responses to cybercrime,

*Recalling also* General Assembly resolution 67/189 of 20 December 2012, in which the Assembly noted with appreciation the work of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and encouraged it to enhance its efforts to complete its work and to present the outcome of the study to the Commission on Crime Prevention and Criminal Justice in due course,

*Bearing in mind* that in the Salvador Declaration, Member States noted that the development of information and communications technologies and the increasing use of the Internet created new opportunities for offenders and facilitated the growth of crime,

*Underlining* the need for enhanced coordination and cooperation among States in combating cybercrime, and, in that context, stressing the role that can be played by the United Nations, in particular the Commission on Crime Prevention and Criminal Justice,

*Recognizing with appreciation* the work conducted in the area of combating cybercrime by the Commission on Crime Prevention and Criminal Justice, under whose aegis the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime was established,

1. *Takes note* of the comprehensive study on cybercrime prepared by the United Nations Office on Drugs and Crime under the auspices of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime and the discussion on its content at the Expert Group's second meeting of the group, held in Vienna from 25 to 28 February 2013, at which diverse views were expressed regarding the content, findings and options presented in the study;

2. *Expresses its appreciation* for the work done thus far by the open-ended intergovernmental Expert Group;

3. *Invites* Member States to continue to consider the problem of cybercrime under the aegis of the Commission on Crime Prevention and Criminal Justice, building, inter alia, on the work of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime established by the Commission;<sup>111</sup>

4. *Requests* the Secretariat to translate the comprehensive study on cybercrime into all six official languages of the United Nations and to disseminate it in due time to Member States, for their comments, in order to assist the open-ended intergovernmental Expert Group in the performance of its mandate;

5. *Requests* the open-ended intergovernmental Expert Group, with the assistance of the Secretariat, as appropriate, to continue its work towards fulfilling its mandate;<sup>112</sup>

6. *Invites* the open-ended intergovernmental Expert Group to finalize summary reports of the deliberations of its first and second meetings and requests the Secretariat to disseminate those reports to Member States in all six official languages of the United Nations, for adoption by the Group;

7. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes of facilitating the work of the open-ended intergovernmental Expert Group, in accordance with the rules and procedures of the United Nations;

8. *Requests* the open-ended intergovernmental Expert Group to report to the Commission on Crime Prevention and Criminal Justice on progress in its work.

#### **Resolution 22/8**

### **Promoting technical assistance and capacity-building to strengthen national measures and international cooperation against cybercrime**

*The Commission on Crime Prevention and Criminal Justice,*

*Recalling* General Assembly resolutions 55/59 of 4 December 2000, 55/63 of 4 December 2000, 56/121 of 19 December 2001, 63/195 of 18 December 2008, 64/179 of 18 December 2009, 65/232 of 21 December 2010, 66/179 of 19 December 2011, 66/181 of 19 December 2011, 67/184 of 20 December 2012 and 67/189 of 20 December 2012,

*Recalling also* Economic and Social Council resolutions 2011/33 of 28 July 2011 on prevention, protection and international cooperation against the use of new information technologies to abuse and/or exploit children, and 2012/19 of 27 December 2012 on strengthening international cooperation in combating transnational organized crime in all its forms and manifestations,

<sup>111</sup> See UNODC/CCPCJ/EG.4/2011/3 and UNODC/CCPCJ/EG.4/2013/3.

<sup>112</sup> General Assembly resolution 65/230, annex, para. 42.

*Welcoming* General Assembly resolution 65/230 of 21 December 2010, on the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, and noting that in the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, Member States recommended that the United Nations Office on Drugs and Crime should, upon request, provide, in cooperation with Member States, relevant international organizations and the private sector, technical assistance and training to States to improve national legislation and build the capacity of national authorities in order to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime in all its forms, and to enhance the security of computer networks,

*Taking note* of Economic and Social Council resolution 2005/15 of 22 July 2005, in which the Council endorsed the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,<sup>113</sup> adopted at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, whereby Member States reaffirmed the fundamental importance of implementation of existing instruments and the further development of national measures and international cooperation in criminal matters, including cybercrime, and invited the Commission on Crime Prevention and Criminal Justice to examine the feasibility of providing further assistance in that area under the aegis of the United Nations in partnership with other similarly focused organizations,

*Highlighting* the utility of the United Nations Convention against Transnational Organized Crime<sup>114</sup> in strengthening international cooperation for the prevention, investigation and prosecution of cybercrime in cases where the offence is transnational in nature and involves an organized criminal group,

*Conscious* of the challenges faced by States in combating cybercrime, and emphasizing the need to reinforce technical assistance and capacity-building activities, based on national needs, for the prevention, prosecution and punishment of the use of information technologies for criminal purposes,

*Welcoming* the effort of the United Nations Office on Drugs and Crime in preparing the newly finalized Global Programme on Cybercrime for the purpose of fulfilling its mandate to provide technical assistance and capacity-building on cybercrime,

*Taking into account* that technical assistance aimed at the strengthening of crime prevention and criminal justice capacities to counter cybercrime will have a direct benefit and impact and will address the needs of practitioners,

*Recalling*, therefore, in particular its resolution 20/7 of 15 April 2011 on the promotion of activities relating to combating cybercrime, including technical assistance and capacity-building,

1. *Takes note* of the outcome of the second meeting of the Expert Group to Conduct a Comprehensive Study on Cybercrime, held in Vienna from 25 to 28 February 2013, in particular that in discussions concerning the study it was noted

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<sup>113</sup> General Assembly resolution 60/177, annex.

<sup>114</sup> United Nations, *Treaty Series*, vol. 2225, No. 39574.



that there was broad support for capacity-building and technical assistance and for the role of the United Nations Office on Drugs and Crime in that regard;

2. *Invites* the United Nations Office on Drugs and Crime, in close cooperation with Member States, to advance the implementation of the Global Programme on Cybercrime;

3. *Requests* the United Nations Office on Drugs and Crime to present, in due course, the Global Programme on Cybercrime to the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

4. *Also requests* the United Nations Office on Drugs and Crime, on the basis of the needs of requesting States, to strengthen partnerships for technical assistance and capacity-building to counter cybercrime with Member States, relevant organizations, the private sector and civil society;

5. *Further requests* the United Nations Office on Drugs and Crime to serve as a central data repository of cybercrime laws and lessons learned with a view to facilitating the continued assessment of needs and criminal justice capabilities and the delivery and coordination of technical assistance;

6. *Invites* Member States and other donors to provide extrabudgetary resources, where necessary and in accordance with the rules and procedures of the United Nations, for the implementation of the present resolution;

7. *Requests* the Executive Director to submit a report to the Commission at its twenty-third session on the implementation of the present resolution and the work of the Global Programme on Cybercrime.

#### **Decision 22/1**

### **Report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute**

At its 2nd meeting, on 23 April 2013, the Commission on Crime Prevention and Criminal Justice decided to transmit the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute<sup>115</sup> to the Economic and Social Council, in accordance with article IV, paragraph 3 (e), of the statute of the Institute, annexed to Economic and Social Council resolution 1989/56.

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<sup>115</sup> See E/CN.15/2013/21.

**Decision 22/2**

**Organization of work for the future sessions of the Commission on Crime Prevention and Criminal Justice**

At its 9th meeting, on 26 April 2013, the Commission on Crime Prevention and Criminal Justice, bearing in mind the discussions of the Commission at its twenty-second session on how to improve its methods of work, decide to:

(a) Reaffirm its decision 21/1 of 27 April 2012, in particular subparagraph (b) thereof;

(b) Take note of the report of the Secretariat entitled “Documentation prepared for the Commission on Crime Prevention and Criminal Justice”<sup>116</sup> and to request the Secretariat to seek the views of Member States on that document and related documentation as well as on its methods of work in general and to report on the views received at its next session for appropriate follow-up under agenda item 3.

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<sup>116</sup> E/CN.15/2013/13.

## Chapter II

### Strategic management, budgetary and administrative questions

5. At its 2nd meeting, on 22 April 2013, the Commission on Crime Prevention and Criminal Justice considered agenda item 3, which read as follows:

“Strategic management, budgetary and administrative questions:

“(a) Work of the working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

“(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme.”

6. For its consideration of agenda item 3, the Commission had before it the following:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2013/3-E/CN.15/2013/3);

(b) Report of the Executive Director on the implementation of the consolidated budget for the biennium 2012-2013 for the United Nations Office on Drugs and Crime (E/CN.7/2013/6-E/CN.15/2013/6);

(c) Note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2013/7-E/CN.15/2013/7 and Add.1);

(d) Report of the Secretariat on documentation prepared for the Commission on Crime Prevention and Criminal Justice (E/CN.15/2013/13);

(e) Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2013/21).

7. At the 2nd meeting of the Commission, introductory statements were made by the Director of the Division for Policy Analysis and Public Affairs of the United Nations Office on Drugs and Crime (UNODC) and the Chief of the Financial Resources Management Service. The Director of the Division for Treaty Affairs also made a statement. The representative of Spain, in his capacity as co-chair of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime, made an introductory statement. The Special Representative of the Secretary-General on violence against children also made a statement.

8. Statements were made by the representative of Guatemala (on behalf of the Group of Latin American and Caribbean States) and the representatives of the Republic of Korea, Thailand, Norway, the United Kingdom of Great Britain and Northern Ireland, Japan, Iran (Islamic Republic of), the United States of America, the Russian Federation and China. Statements were also made by the observers for Canada and Sweden.

## A. Deliberations

9. Several speakers welcomed the work and recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime and expressed their appreciation for the work of its co-chairs. Speakers also expressed their support for the extension of the mandate of the working group and highlighted that the group had a crucial role in improving the governance and financial situation of the UNODC.

10. Speakers encouraged UNODC to continue the open dialogue with the working group in order to identify solutions for the governance and financial situation of the Office. One speaker recommended that the scope of the working group be broadened. It was also noted that the working group should continue advising the governing bodies on the governance and financial situation of UNODC.

11. Several speakers expressed concerns that, while the special-purpose contributions for UNODC were increasing, the Office's regular budget funding remained low, its general-purpose funding was declining, and the funding for oversight and programme support functions remained stagnant. Speakers highlighted the importance of continuing to mitigate the projected deficit in the general-purpose fund and to implement the new policies of full direct cost recovery promulgated by the United Nations Controller.

12. Several speakers recognized the need for stable and predictable funding for UNODC. Several speakers reiterated their view that the core functions of UNODC should be funded from the regular budget of the United Nations and that increased regular budget resources were required to cover the wide-ranging core functions of UNODC. Reference was made by one speaker to General Assembly resolution 46/152, by which the Assembly recommended the establishment of a commission on crime prevention and criminal justice and approved the statement that "the programme shall be funded from the regular budget of the United Nations" (see Assembly resolution 46/152, annex).

13. The positive trend of increasing earmarked contributions, as well as cost-sharing by Member States, was noted. Some speakers expressed their readiness to contribute unearmarked funding as well as providing earmarked voluntary contribution funding, and encouraged other Member States to show their commitment to UNODC by also providing general-purpose funding. One speaker expressed disagreement with the proposed options in the funding strategy of assigning a mandatory fixed percentage of voluntary contributions to the general-purpose funds, making a mandatory percentage of voluntary contributions available for soft-earmarking, or establishing a voluntary indicative scale of contributions for UNODC. It was also noted that UNODC should expand its donor base to include more emerging donors, the private sector and multilateral organizations outside the United Nations system.

14. Speakers suggested that donors move from hard-earmarking to soft-earmarking and stressed the importance of UNODC providing regular results-based reporting at the programme level, suggesting that such reporting should be the default reporting method of UNODC, while tailor-made reports requested by donor States should be fully costed. Speakers welcomed the

development and implementation of the integrated programming approach of UNODC, through regional and thematic programmes, as an effective strategic tool for the delivery of technical cooperation and capacity-building. One speaker also emphasized the principle of States' ownership of the programmes. Speakers also noted the importance of the work of the Independent Evaluation Unit and its efforts to foster a culture of evaluation in UNODC.

15. Speakers welcomed the proposed creation of an annual programme report, and some speakers also supported the idea of a regular donor appeal process. While mentioning that increased soft-earmarked and general-purpose funding was linked to programme effectiveness and strategic planning and management, speakers noted that the working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime should discuss in greater depth the linking of the proposed annual programme report to the implementation of the fundraising strategy, and the issue of full cost recovery.

16. Some speakers welcomed the efforts of UNODC to mainstream human rights and a gender perspective into every aspect of its work, including through the implementation of the UNODC internal guidance note on mainstreaming human rights into the work of the Office. The importance of ensuring that the rule of law, security and justice were taken into account in the post-2015 development agenda was also stressed.

17. Some speakers welcomed the increased attention given by UNODC to emerging forms of crime. Some speakers mentioned that they welcomed the development of the new maritime crime programme and looked forward to receiving more information on that programme.

18. One speaker welcomed the report of the Secretariat on documentation prepared for the Commission on Crime Prevention and Criminal Justice (E/CN.15/2013/13) and made a number of proposals, including regarding documentation prepared on the basis of replies submitted by Member States in response to notes verbales sent by the Secretary-General. It was suggested that, if a minimum number of replies from States were not received, oral reports could be made to the Commission instead of written reports. The importance of ensuring the availability of official documentation in the official languages of the United Nations was noted, as was the need to consider further consolidation of reporting obligations.

19. Speakers discussed the organization of intergovernmental expert groups that report to the Commission and the related documentation. Some speakers requested further information and clarification with respect to the preparation of reports of the Secretariat on cybercrime and cultural property. Other speakers expressed satisfaction with the reporting by the Secretariat. A representative of the Secretariat made a statement of clarification.

## **B. Action taken by the Commission**

20. At its 2nd meeting, on 22 April, the Commission adopted the draft resolution entitled "Implementation of the budget for the biennium 2012-2013 for the United Nations Crime Prevention and Criminal Justice Fund". (For the text, see chap. I, sect. D, resolution 22/1.)

21. At the same meeting, the Commission decided to transmit the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute for 2012 (see E/CN.15/2013/21) to the Economic and Social Council, in accordance with article IV, paragraph 3(e), of the Statute of the Institute, annexed to Economic and Social Council resolution 1989/56.

22. At its 10th meeting, on 26 April 2013, the Commission adopted a draft resolution (E/CN.15/2013/L.3) sponsored by Austria, Croatia, Denmark, Finland, Guatemala (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States), Italy, Portugal, Romania, Slovenia, Spain, the Sudan (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Sweden and Switzerland. (For the text, see chap. I, sect. D, resolution 22/2.)

23. At the same meeting, the Commission approved for adoption by the Economic and Social Council a draft decision (E/CN.15/2013/L.4) sponsored by Austria, Croatia, Denmark, Finland, Ghana, Guatemala (on behalf of the States Members of the United Nations that are members of the Group of Latin America and Caribbean States), Italy, Portugal, Romania, Slovenia, Spain, the Sudan (on behalf of the States Members of the United Nations that are members of the Group of 77 and China), Sweden and the United States. (For the text, see chap. I, sect. C, draft decision I.) Prior to the approval of the draft decision, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

## Chapter III

### **Thematic discussion on the challenge posed by emerging forms of crime that have a significant impact on the environment and ways to deal with it effectively**

24. At its 3rd and 4th meetings, on 23 April 2013, the Commission considered agenda item 4, which read as follows:

“Thematic discussion on the challenge posed by emerging forms of crime that have a significant impact on the environment and ways to deal with it effectively”:

“(a) Challenges posed by emerging forms of crime that have a significant impact on the environment;

“(b) Possible responses, programmes and initiatives to deal effectively with forms of crime that have a significant impact on the environment.”

25. For its consideration of agenda item 4, the Commission had before it a note by the Secretariat containing the discussion guide for the thematic discussion on the challenge posed by emerging forms of crime that have a significant impact on the environment and ways to deal with it effectively (E/CN.15/2013/2).

26. At the morning meeting, participants discussed sub-themes related to challenges posed by emerging forms of crime that had a significant impact on the environment:

(a) Emerging trends and challenges, including those linked to data collection and its analysis, criminalization and criminal justice;

(b) Challenges linked to related offences.

27. At the afternoon meeting, participants discussed sub-themes related to the possible responses, programmes and initiatives to deal effectively with forms of crime that had a significant impact on the environment:

(a) Possible ways to increase effectiveness of preventive and responsive measures of criminal justice systems, including using existing international treaties to combat crime, as well as on the basis of strengthening partnerships between public and private sectors and civil society;

(b) International collaboration and partnerships, including the role of the United Nations Office on Drugs and Crime in counteracting unlawful conduct that may negatively impact the environment.

28. The thematic discussion on item 4 was presided by the Chair and led by the following panellists: Reuel Kpana Moses (Nigeria), Kanjana Nitaya (Thailand), Petr Litvishko (Russian Federation), Salomé Vacacela (Ecuador), Grant Pink (Australia), Colgar Sikopo (Namibia), Wan Ziming (China), Joel González Moreno (Mexico) and Jessica Graham (United States).

29. The Chair made an introductory statement. An introductory statement was also made by the Director of the Division for Operations. A statement was made by the Secretary-General of the Convention on International Trade in Endangered Species

of Wild Fauna and Flora.<sup>117</sup> Statements were made by the representatives of Croatia, Algeria, Italy, Kenya, Austria, South Africa, Cuba, Colombia, Indonesia, Brazil, China, the United Kingdom, Ghana, Germany, Thailand, Norway and Mauritius. The observers for France, Guatemala, Egypt, Finland, Israel, Libya, Zimbabwe, the Philippines, Australia, India and Turkey also made statements. A statement was made by the observer for the State of Palestine. A statement was also made by the observer for the European Union. The observers for the United Nations Environment Programme, the Korean Institute of Criminology, the World Wide Fund for Nature International, the Environmental Investigation Agency and the Friends World Committee for Consultation also made statements.

## A. Summary by the Chair

30. At the 5th meeting of the Commission, on 24 April 2013, the Chair summarized the salient points of the thematic discussion as follows:

31. The international community was faced with increasingly diverse types of emerging forms of crime that had a significant impact on the environment, ranging from illegal trafficking in wild fauna and flora to illegal logging, illegal fishing, illegal waste management, illegal mining and trafficking in precious metals. Urgent attention by the international community was required to address poaching and trafficking in wildlife, especially in those species on the verge of extinction.

32. The lack of an internationally accepted definition of such “environmental crimes” and the fact that such crimes remained underreported or unreported posed challenges for data collection and analysis.

33. Particular challenges derived from the transnational nature of environmental crimes and from the fact that such crimes were highly profitable and posed a low risk for the criminal groups involved. Some Member States stressed that wildlife and forest crime was a form of organized crime. Others identified clear links with other transnational organized crimes, including drug trafficking, firearms trafficking, corruption, money-laundering and trafficking in human beings, as well as highly violent crimes and, in some cases, terrorism.

34. Environmental crimes not only affected the environment by threatening biodiversity and destroying ecosystems but also damaged sites of national heritage and undermined sustainable economic and social development. Such crimes had a negative impact on communities and livelihoods, especially in developing countries. In some cases, serious consequences for human health and threats to national security and stability had been observed.

35. Those challenges required a global solution and had to be addressed at the national, regional and international levels through a comprehensive, balanced and coordinated approach tackling both supply and demand and consisting of measures such as prevention activities, reducing demand, improving legal frameworks, strengthening law enforcement activities, promoting inter-agency cooperation between police, customs and border control authorities, building the capacity of

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<sup>117</sup> United Nations, *Treaty Series*, vol. 993, No. 14537.



judges and prosecutors in order to better adjudicate crimes, and strengthening data collection and information-sharing.

36. Possible responses, programmes and initiatives had been discussed. Several Member States reported having enhanced their domestic legislative frameworks, including by defining environmental offences as serious crimes and by establishing corporate criminal liability.

37. Good practices included the establishment of a national task force to coordinate the efforts of all relevant agencies at the national level and to strengthen cooperation with international counterparts. Law enforcement responses could be further improved through the use of controlled deliveries and other special investigative techniques, mutual legal assistance, asset forfeiture and the seizure of the proceeds of crime.

38. Member States stressed the importance of the timely sharing of information, intelligence and other relevant data, including best practices and lessons learned. Judges, prosecutors, front-line officers, customs officers and other criminal justice officials required multidisciplinary training regarding “environmental crimes”.

39. The involvement of affected communities had proven crucial in natural resource management and other successful strategies. However, continued political attention and increased financial and human resources were required to address environmental crime more effectively.

40. There was a need to more effectively utilize the existing international framework, including the United Nations Convention against Transnational Organized Crime,<sup>118</sup> the United Nations Convention against Corruption<sup>119</sup> and the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

41. It was essential to continue improving regional and international cooperation in addressing environmental crime. At the national level, strengthened partnerships were required, including the involvement of local communities, civil society organizations, academic and research institutes, the private sector and international organizations, in order to ensure a consolidated response to that type of crime.

42. The role of UNODC and the Commission in addressing environmental crimes in close cooperation with relevant organizations was highlighted. UNODC was requested to continue providing technical assistance to countries to address challenges posed by environmental crime. UNODC should undertake case studies focusing on endangered species of wild fauna and further collaborate with its partners, including the International Consortium on Combating Wildlife Crime, in designing and promoting the use of appropriate evidence-based interventions and technical assistance tools, such as the *Wildlife and Forest Crime Analytic Toolkit*.

## **B. Workshop on emerging forms of crime that have an impact on the environment: lessons learned**

43. The first meeting of the Committee of the Whole, on 22 April 2013, was devoted to a workshop on “Emerging forms of crime that have an impact on the

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<sup>118</sup> Ibid., vol. 2225, No 39574.

<sup>119</sup> Ibid., vol. 2349, No. 42146.

environment: lessons learned”, organized by the institutes of the United Nations crime prevention and criminal justice programme network. The workshop was chaired by the First Vice-Chair of the Commission and moderated by the Scientific Coordinator of the European Institute for Crime Prevention and Control, affiliated with the United Nations, a member of the United Nations crime prevention and criminal justice programme network.

44. An opening statement was made by a representative of the Secretariat. Presentations were made by panellists from the Naif Arab University for Security Sciences (Saudi Arabia), the European Institute for Crime Prevention and Control, affiliated with the United Nations (Finland), the Korean Institute of Criminology (Republic of Korea), the United Nations Interregional Crime and Justice Research Institute (Italy) and the International Center for Criminal Law Reform and Criminal Justice Policy (Canada). During the discussion, a statement was made by the observer for the International Institute of Higher Studies in Criminal Sciences (Italy). The moderator made a closing statement.

## Chapter IV

### **Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice**

45. At its 5th, 6th and 7th meetings, on 24 and 25 April 2013, the Commission on Crime Prevention and Criminal Justice considered agenda item 5, which reads as follows:

“Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice:

“(a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

“(b) Ratification and implementation of the United Nations Convention against Corruption;

“(c) Ratification and implementation of the international instruments to prevent and combat terrorism;

“(d) Other crime prevention and criminal justice matters;

“(e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies.”

46. For its consideration of agenda item 5, the Commission had before it the following:

(a) Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption (E/CN.15/2013/4);

(b) Report of the Secretary-General on assistance in implementing the universal conventions and protocols related to terrorism (E/CN.15/2013/5 and Corr.1);

(c) Report of the Secretary-General on the activities of the institutes of the United Nations crime prevention and criminal justice programme network (E/CN.15/2013/8);

(d) Report of the Executive Director on combating the problem of transnational organized crime committed at sea (E/CN.15/2013/17);

(e) Report of the Secretariat on ways and means of enhancing the effectiveness of international cooperation in countering criminal and terrorist threats and challenges to the tourism sector, including by means of public-private partnerships (E/CN.15/2013/19);

(f) Anti-Corruption Charter of Russian Business and the Charter Road Map (E/CN.15/2013/CRP.8).

47. Introductory statements were made by the Chief of the Organized Crime and Illicit Trafficking Branch, the Chief of the Corruption and Economic Crime Branch and the Chief of the Terrorism Prevention Branch. The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism made a statement.

48. Statements were made by the observer for Ireland (on behalf of the European Union and Albania, Bosnia and Herzegovina, Croatia, Georgia, Iceland, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Montenegro, Turkey and Ukraine, as well as Liechtenstein) and the representatives of Belarus (on behalf of the Group of Friends United Against Human Trafficking), Algeria, Thailand, China, the Republic of Korea, Italy, Norway, Saudi Arabia, Mexico, the United States, Indonesia, Croatia, Iran (Islamic Republic of), the Russian Federation, Cuba, Japan, Kenya, Argentina and Austria (also on behalf of Brazil and Switzerland). The observers for France, Romania, Sri Lanka, the Republic of Moldova, Spain, Libya, Azerbaijan, Guatemala, Kazakhstan, Egypt, India, Qatar and Belgium (also on behalf of the Netherlands and Slovenia) also made statements. The observer for the Sovereign Military Order of Malta also made a statement. Statements were also made by the observers for the International Anti-Corruption Academy, the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders and the Raoul Wallenberg Institute of Human Rights and Humanitarian Law on behalf of the institutes of the United Nations crime prevention and criminal justice network.

## **A. Deliberations**

### **1. Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto**

#### **Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime**

49. Discussions under agenda item 5 (a) addressed, inter alia, the importance of universal ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto; the use of the Convention as a basis for international judicial cooperation; and continuing support for the adoption of a review mechanism.

50. Several speakers expressed regret that the Conference of the Parties of the United Nations Convention against Transnational Organized Crime had been unable at its sixth session to adopt a mechanism to review the implementation of the Convention and the Protocols thereto and expressed their willingness to continue the dialogue on that subject.

51. National efforts and initiatives to combat transnational organized crime in all its forms and manifestations, including trafficking in persons, the smuggling of migrants and firearms trafficking, were emphasized. Speakers expressed appreciation for the technical assistance provided and tools developed by UNODC and encouraged donors to provide extrabudgetary contributions to UNODC to enable it to continue its effective work.

**2. Ratification and implementation of the United Nations Convention against Corruption**

**Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Corruption**

52. With regard to the United Nations Convention against Corruption, speakers welcomed the role of the Mechanism for the Review of Implementation of the Convention in gathering valuable information on good practices, implementation gaps and technical assistance needs. Some speakers reported on their countries' efforts to implement the Convention. Some speakers also referred to Conference of the States Parties resolution 4/6, entitled "Non-governmental organizations and the Mechanism for the Review of Implementation of the United Nations Convention against Corruption". Speakers called upon States parties to make optimal use of the Convention for international cooperation in criminal matters, including by using it as a legal basis. Many speakers encouraged technical assistance and capacity-building programmes, and some made reference to the work of the Stolen Asset Recovery (StAR) Initiative. Some speakers highlighted the importance of reducing barriers to international cooperation and asset recovery.

**3. Ratification and implementation of the international instruments to prevent and combat terrorism**

53. Several speakers commended the work of UNODC in assisting States in the implementation of the international legal instruments against terrorism and in providing capacity-building assistance for criminal justice officials, as well as in enhancing criminal justice strategies on preventive aspects. Many speakers referred to the increasing use of modern information technologies by terrorists and highlighted the importance of countering the use of the Internet for terrorist purposes. Some speakers also highlighted the fundamental role that victims of terrorism can play before, during and after criminal justice proceedings and in countering the appeal of terrorism. Delegations emphasized the assistance provided by UNODC in both those thematic areas. Speakers also underlined the importance of upholding the rule of law, respecting human rights and complying with international obligations and standards in countering terrorism and called upon UNODC to continue providing assistance in this regard. Speakers also expressed appreciation for the close cooperation and joint projects carried out by UNODC, the Counter-Terrorism Committee Executive Directorate and the Counter-Terrorism Implementation Task Force.

**4. Other crime prevention and criminal justice matters**

54. Speakers emphasized the importance of continuing to make efforts to counter criminal and terrorist threats and to respond to the challenges created by those threats, including in the tourism sector, through international cooperation and coordination among relevant international and regional organizations and Member States in the area of mutual legal assistance, as well as through public-private partnerships. Speakers encouraged UNODC to continue its efforts and to coordinate with relevant actors in that regard.

55. Speakers also expressed the necessity of enhancing international cooperation to combat a wide range of crimes more effectively and specifically referred to crimes against journalists, violence against women and children, war crimes, crimes against humanity and genocide.

56. Reference was made to the Arab Initiative for Building National Capacities to Combating Human Trafficking, supported by Qatar.

**5. Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies**

57. Reference was made to the mission and activities of the institutes of the United Nations crime prevention and criminal justice network. Appreciation was expressed for their work. It was noted that challenges existed in conducting research in the international environment where the varied laws and definitions and different cultures involved required that all responses within each study be put into context. The constant need to find new and more effective research methods was also noted.

**B. Action taken by the Commission**

58. At its 10th meeting, on 26 April 2013, the Commission adopted a revised draft resolution (E/CN.15/2013/L.9/Rev.1) sponsored by Andorra, Austria, Belgium, Chile, Costa Rica, Croatia, France, Guatemala, Honduras, Italy, Mexico, Poland, Portugal, Romania, San Marino, Slovenia and Spain. (For the text, see chap. I, sect. D, resolution 22/3.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

59. At the same meeting, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2013/L.10/Rev.1) sponsored by Afghanistan, Andorra, Colombia, Croatia, Ireland (on behalf of the States Members of the United Nations that are members of the European Union), Israel, the Republic of Korea, San Marino, Serbia, Switzerland and Turkey. (For the text, see chap. I, sect. A, draft resolution III.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

60. At the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2013/L.15/Rev.1) sponsored by Belarus, the Russian Federation and Turkey. (For the text, see chap. I, sect. D, resolution 22/4.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

61. At the same meeting, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2013/L.19/Rev.1) sponsored by Croatia, Honduras, Ireland (on behalf of the States Members of the United Nations that are members of the European Union), Japan, Mexico, Philippines, Qatar and Thailand. (For the text, see

chap. I, sect. A, draft resolution IV.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.) Following the recommendation of the revised draft resolution, the representative of Japan stated that additional time would have been required to discuss the relevance of human security to the rule of law and crime prevention and criminal justice, in which Japan firmly believed. The speaker highlighted General Assembly resolution 66/290 with respect to a common understanding of human security and noted that the United Nations Trust Fund for Human Security was an important resource for crime prevention and criminal justice, as well as the rule of law. The speaker underlined that some UNODC projects were funded through the Trust Fund, such as projects on protection of victims and witnesses of trafficking in persons and of violence against women. The representative of Japan noted that his country wished to engage in dialogue with delegations that expressed concerns and views regarding that concept, and that Japan would continue to promote the concept of human security. In his explanation of position, the representative of the United States stated that the revised draft resolution contained language that the Government of the United States could not agree with, specifically, references to “the right to development”, as it had not enjoyed consensus in the bodies competent to speak on that issue, and that the determination of whether such a right was acknowledged by Member States was not within the competence of the Commission. Fostering development continued to be a cornerstone of the United States’ international engagement, and the United States looked forward to continuing to engage constructively with the open-ended working group on the right to development of the Human Rights Council.

62. At the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2013/L.17/Rev.1) sponsored by Belgium, Chile, Costa Rica, France, Norway, the Philippines, the Republic of Korea and the United Kingdom. (For the text, see chap. I, sect. D, resolution 22/6.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.) Following the adoption of the resolution, the observer for the Bolivarian Republic of Venezuela stated that her country was not a party to the United Nations Convention on the Law of the Sea<sup>120</sup> and thus the provisions did not apply to the Bolivarian Republic of Venezuela, as did not any interpretations deriving therefrom or the norms of that instrument in customary law except for those that the Bolivarian Republic of Venezuela had expressly recognized or would recognize in the future. The speaker also noted that the Convention on the Law of the Sea should not be considered the only source of law pertaining to the sea, as there were other legal instruments regulating that particular matter. Following the adoption of the revised draft resolution, the observer for Turkey stated that his country supported international efforts to combat crimes at sea, and in that sense, was supportive of the resolution. However, Turkey was not a party to the United Nations Convention on the Law of the Sea and, in that regard, certain references made to the Convention in the text of the revised draft resolution did not in any way affect Turkey’s well-known position regarding the Convention.

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<sup>120</sup> Ibid., vol. 1833, No. 31363.

63. At the same meeting, the Commission approved for adoption by the Economic and Social Council a draft resolution (E/CN.15/2013/L.23), as revised, sponsored by Armenia, Belarus, Bolivia (Plurinational State of), Colombia, Ecuador, El Salvador, Guatemala, India, Kazakhstan, Nicaragua, the Philippines, the Russian Federation, South Africa, Turkey, Uruguay and Venezuela (Bolivarian Republic of). (For the text, see chap. I, sect. B, draft resolution V.) Prior to the approval of the draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.) Prior to the approval of the draft resolution, the representative of Belarus stated that the draft resolution took into account all the actions connected to the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons and that, in that connection, the importance of trafficking in persons for the purpose of extracting organs, tissues and cells should be noted. The speaker noted that, in view of concerns raised by some delegations, Belarus supported the consensus, while reserving its right to continue to refer to the problem of modern forms of trafficking in persons, including for purposes of extraction of organs, tissues and cells, both in the Commission and in other international bodies.

64. At the same meeting, the draft resolution E/CN.15/2013/L.5 was withdrawn by the Netherlands, also on behalf of other co-sponsors: Andorra, Argentina, Austria, Belgium, Chile, Cyprus, Estonia, Georgia, Hungary, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Mongolia, Norway, Peru, Poland, Romania, Slovakia, Slovenia and Sweden. Before the withdrawal of the draft resolution, the representative of Colombia, as the chair of the Committee of the Whole explained that ample time had been dedicated to the draft resolution in the Committee of the Whole, and serious concerns raised by several delegations regarding the competence of the Commission on Crime Prevention and Criminal Justice impeded entering into consideration of the substance of the draft resolution.

65. Upon the withdrawal of draft resolution E/CN.15/2013/L.5, the representative of the Netherlands stated that the Crime Commission was the one United Nations body where practical cooperation between countries in combating all forms of crime could be discussed and that existing international legal instruments addressing crimes considered by the international community to be among the most heinous did not address cooperation among prosecutors to secure evidence, protect witnesses and extradite suspects. The speaker noted that the aim of the draft resolution had been to invite all Member States to put forward, at the next session of the Commission, proposals to address the issue of strengthening the international legal framework for mutual legal assistance and extradition in the fight against the crime of genocide, crimes against humanity and war crimes. The speaker expressed regret that a constructive dialogue on that matter was blocked by some delegations. The speaker noted that the co-sponsors of the draft resolution did not agree that those crimes were too political and did not fall within the mandate of the Commission, as the mandate covered all types of crime and it was the prerogative of Member States to specify them. In view of the fact that the topic of the thematic discussion at the twenty-third session of the Commission was "International cooperation in criminal matters", the representative of the Netherlands invited Member States to analyse the obstacles that their national judiciaries encountered in terms of mutual legal assistance and extradition with regard to such crimes.



66. Following the withdrawal of the draft resolution E/CN.15/2013/L.5, the representative of Pakistan stated that his country was committed to upholding the rule of international law, in accordance with the principles of the Charter of the United Nations. Pakistan also fully supported the need to provide justice for victims of crimes against humanity, genocide and other serious violations of international humanitarian law and believed that where such crimes were committed, especially in situations of foreign occupation or alien domination and where State terrorism was utilized to suppress legitimate struggles of people for freedom, the perpetrators should be punished. Pakistan's concerns over the draft resolution were due to certain procedural and technical complications, including the fact that the nature of the crime of genocide, crimes against humanity and war crimes went far beyond the mandate of the Commission, as it was a functional commission of the Economic and Social Council. Economic and Social Council resolution 1992/1 on the establishment of the Commission on Crime Prevention and Criminal Justice, along with the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme,<sup>121</sup> which were the foundational documents of the Commission, did not envision such crimes. Pakistan believed that discussions on the above-mentioned issues should take place in the relevant forums.

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<sup>121</sup> General Assembly resolution 46/152, annex.

## Chapter V

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

67. At its 7th meeting, on 25 April 2013, the Commission considered agenda item 6, entitled “Use and application of United Nations standards and norms in crime prevention and criminal justice”. For its consideration of the item, the Commission had before it the following:

(a) Report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice (E/CN.15/2013/11);

(b) Report of the Secretariat on responses of Member States with respect to the Abu Dhabi draft preliminary recommendations on the oversight and regulation of civilian private security services and on their contribution to crime prevention and community safety (E/CN.15/2013/20);

(c) Report of the Secretariat on the work of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners (E/CN.15/2013/23);

(d) Note verbale dated 2 April 2013 from the Permanent Mission of Thailand to the United Nations (Vienna) addressed to the United Nations Office on Drugs and Crime (E/CN.15/2013/26);

(e) Comments and proposals for amendments to the text of the Abu Dhabi draft preliminary recommendations on the oversight and regulation of civilian private security services and on their contribution to crime prevention and community safety, as received from responding Member States (E/CN.15/2013/CRP.4);

(f) Proposal of the Governments of Argentina, Brazil, South Africa, the United States, Uruguay and Venezuela (Bolivarian Republic of) (E/CN.15/2013/CRP.6);

(g) United Nations Office on Drugs and Crime maritime crime programme (E/CN.15/2013/CRP.9).

68. The Director of the Division for Operations and the Chief of the Justice Section of UNODC made introductory statements. Statements were made by the representatives of Germany, the Republic of Korea, Thailand, the United Arab Emirates, Algeria, China, Switzerland and Indonesia. Statements were also made by the observers for Australia, Libya, Finland, Canada and the Dominican Republic.

#### A. Deliberations

69. Several speakers expressed appreciation for the work of UNODC carried out through its broad and diversified project portfolio in the area of crime prevention and criminal justice. Several speakers informed the Commission about criminal justice reform initiatives supported by UNODC in their countries.

70. Several speakers underlined the continued importance of the Standard Minimum Rules for the Treatment of Prisoners as the main international reference for prison systems worldwide and stressed that any amendments to the Rules should not lower current standards. Several speakers commended the progress made by the open-ended intergovernmental Expert Group on the Standard Minimum Rules for the Treatment of Prisoners and encouraged it to continue its work so that the revised Rules could incorporate recent developments, including outcomes of the work of relevant United Nations human rights bodies, as well as good practices, such as the mainstreaming of gender sensitivity. One speaker stated that the revision of the Rules should be completed as expeditiously and economically as possible and that Member States should step up efforts to implement the Rules.

71. UNODC was commended for its current work in East Africa under its counter-piracy programme, and several speakers expressed support for its plan to build on the expertise gained through that programme and broaden its scope into a maritime crime programme covering new regions, such as the Gulf of Guinea, and building the capabilities of Member States to respond to maritime crime.

72. Speakers stressed the importance of implementing effective crime prevention strategies and programmes in order to better address risk factors leading to criminality and contribute to the protection and promotion of human rights. It was noted that the standards and norms in crime prevention provided an important framework to guide such efforts. UNODC was asked to further mainstream prevention in its work, including in its data collection efforts and in its work on justice for children. A call was made for further examination of the Abu Dhabi draft preliminary recommendations on the oversight and regulation of civilian private security services and on their contribution to crime prevention and community safety, as well as for their use in the development of technical assistance tools by UNODC.

## **B. Action taken by the Commission**

73. At its 10th meeting, on 26 April 2013, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2013/L.21/Rev.1) sponsored by Andorra, Argentina, Austria, Canada, Chile, Costa Rica, Croatia, Ecuador, El Salvador, Finland, Guatemala, Honduras, Indonesia, Mexico, the Philippines, Portugal, the Republic of Korea, Slovenia, Sweden, Thailand, Turkey and Uruguay. (For the text, see chap. I, sect. A, draft resolution V.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.) In the explanation of position, the representative of the United States stated that the United States objected to the inclusion of the formulation “full implementation” of the United Nations standards and norms as this would undermine their flexibility. He noted that the United Nations had been active in the development and promotion of internationally recognized principles in crime prevention and criminal justice, covering a variety of issues such as juvenile justice, the treatment of offenders, international cooperation, good governance, victim protection and violence against women. Despite differences in criminal justice systems among States and the “soft law” nature of the United Nations standards and norms, the standards and norms had

made a significant contribution to promoting more effective and fair criminal justice structures.

74. At the same meeting, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2013/L.22/Rev.1) sponsored by Argentina, Austria, Brazil, Chile, Costa Rica, Croatia, Ecuador, El Salvador, Finland, Germany, Italy, Latvia, Lebanon, Mexico, the Philippines, South Africa, Switzerland, Thailand and Uruguay. (For the text, see chap. I, sect. A, draft resolution VI.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.) In expressing support for the revised draft resolution, the representative of the United States reaffirmed his Government's commitment to continue working with Member States and civil society in improving and updating the Standard Minimum Rules for the Treatment of Prisoners and acknowledged the work of the United Nations in advancing the goals of human rights for all people, including women, lesbians, gay, bisexual, and transgender individuals and persons with disabilities.

## Chapter VI

### **World crime trends and emerging issues and responses in the field of crime prevention and criminal justice**

75. At its 7th and 8th meetings, on 25 April 2013, the Commission considered agenda item 7, which read “World crime trends and emerging issues and responses in the field of crime prevention and criminal justice”.

76. For its consideration of item 7, the Commission had before it the following:

(a) Note by the Secretariat containing the guide for the thematic discussion on the challenge posed by emerging forms of crime that have a significant impact on the environment and ways to deal with it effectively (E/CN.15/2013/2);

(b) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2013/3-E/CN.15/2013/3);

(c) Note by the Secretariat on world crime trends and emerging issues and responses in the field of crime prevention and criminal justice (E/CN.15/2013/9);

(d) Note by the Secretariat transmitting the report of the National Institute of Statistics and Geography of Mexico and the United Nations Office on Drugs and Crime on a road map to improve the quality and availability of crime statistics at the national and international levels (E/CN.15/2013/12);

(e) Report of the Secretary-General on strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking (E/CN.15/2013/14);

(f) Report of the Executive Director on strengthening international cooperation in combating the harmful effects of illicit financial flows resulting from criminal activities (E/CN.15/2013/15);

(g) Report of the Secretary-General on international cooperation in the prevention, investigation, prosecution and punishment of economic fraud and identity-related crime (E/CN.15/2013/16);

(h) Report of the Executive Director on combating the problem of transnational organized crime committed at sea (E/CN.15/2013/17);

(i) Report of the Executive Director on countering fraudulent medicines, in particular their trafficking (E/CN.15/2013/18);

(j) Note by the Secretariat transmitting comments on the potential utility of and improvements to the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property (E/CN.15/2013/22);

(k) Report of the Secretary-General on the promotion of activities relating to combating cybercrime, including technical assistance and capacity-building (E/CN.15/2013/24);

(l) Note verbale dated 19 February 2013 from the Permanent Mission of Argentina to the United Nations (Vienna) addressed to the United Nations Office on Drugs and Crime (E/CN.15/2013/25);

(m) Checklist of strategic elements in developing national strategies for the prevention, investigation, prosecution and punishment of identity-related crime (E/CN.15/2013/CRP.2);

(n) Public-private partnerships to address identity-related crime (E/CN.15/2013/CRP.3);

(o) Comprehensive study of the problem of cybercrime (E/CN.15/2013/CRP.5);

(p) Compendium of comments from Member States on the draft specific guidelines on crime prevention and criminal justice responses with respect to trafficking in cultural property (E/CN.15/2013/CRP.7).

77. Introductory statements were made by the Chief of the Research and Trend Analysis Branch, the Director of the Division for Treaty Affairs and a representative of the Corruption and Economic Crime Branch. The Chair of the open-ended intergovernmental expert group to conduct a comprehensive study on the problem of cybercrime made a statement on the activities of that expert group. Statements were made by the representatives of Colombia, the Republic of Korea, Thailand, Indonesia, Norway, Japan, South Africa, Italy, Brazil, Algeria and the Russian Federation. Statements were also made by the observers for Ecuador, Venezuela (Bolivarian Republic of), Canada and India. Statements were made by observers for the Academic Council on the United Nations System, the World Wide Fund for Nature International and the Environmental Investigation Agency. A statement was also made by the International Federation of Pharmaceutical Manufacturers and Associations.

## **A. Deliberations**

78. The importance of accurate, timely and reliable crime statistics in guiding policymaking was emphasized. Appreciation was expressed for the work of UNODC in the collection and dissemination of crime and criminal justice data. Speakers encouraged UNODC to continue its role as the global repository for such data and urged States to support UNODC in strengthening the capacities of States to improve the quality and availability of crime data and the quality and comparability of international crime statistics, particularly for crimes that were underreported in official statistics. Speakers welcomed the actions proposed in the road map for the improvement of crime statistics (see E/CN.3/2013/11) and emphasized the need to further develop the international classification of crime for statistical purposes.

79. Some speakers expressed their support for the role of UNODC in the fight against trafficking in cultural property, in collaboration with other relevant intergovernmental organizations, including, in particular, the United Nations Educational, Scientific and Cultural Organization. They called for the finalization of the draft specific guidelines on crime prevention and criminal justice responses with respect to trafficking in cultural property, and stressed the importance of achieving full consensus on the text prior to their adoption. UNODC was called upon to continue working on the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property, with particular attention to aspects of international cooperation and recognizing the priority of the Organized Crime Convention as the basis for such international cooperation.

80. Several speakers noted the links between illicit financial flows and transnational organized crime, stressing the importance of continuing and strengthening efforts to combat money-laundering and to confiscate and recover the proceeds of crime. The work of the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism was acknowledged.

81. Further reference was made to the report of the Executive Director on countering fraudulent medicines, in particular their trafficking, which included an account of the outcome of the technical conference on trafficking in fraudulent medicines, held in Vienna on 14 and 15 February 2013.

82. A number of speakers expressed concern about emerging forms of crime facilitated by modern technology, such as cybercrime. Speakers emphasized, in particular, the impact of cybercrime on developing countries. Some speakers noted the work of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime. In addition to efforts to further examine the problem of cybercrime, some speakers highlighted the importance of establishing mechanisms to foster international cooperation in matters relating to cybercrime through technical assistance, capacity-building and the sharing of good practices.

83. Some speakers referred to the increasingly sophisticated nature of economic fraud and identity-related crime and the related challenges encountered by criminal justice and law enforcement personnel. They further highlighted that the advancement of information technology contributed to the growing links between these forms of crime and other criminal activities, including cybercrime.

84. A number of speakers referred to emerging crimes against the environment, which had a significant impact on the common global existence. Reference was made to the need to increase the availability of statistical information. Other speakers encouraged UNODC to continue to address the challenges posed by crimes committed at sea.

85. Some speakers expressed serious concern about the growing trend of considering matters relating to transnational organized crime in the context of threats to international peace and security within the work of the Commission.

## **B. Action taken by the Commission**

86. At its 10th meeting, on 26 April 2013, the Commission approved for adoption by the Economic and Social Council a revised draft resolution (E/CN.15/2013/L.7/Rev.1) sponsored by Australia, Guatemala (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States), Italy, Japan, Portugal, Thailand and the United States. (For the text, see chap. I, sect. B, draft resolution I.) Prior to the approval of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

87. At the same meeting, on 26 April 2013, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2013/L.8/Rev.1) sponsored by Greece, Italy,

Mexico, the Sudan (on behalf of the States Members of the United Nations that are members of the Group of 77 and China) and Turkey. (For the text, see chap. I, sect. A, draft resolution II.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

88. At the same meeting, the Commission approved for adoption by the Economic and Social Council a revised draft resolution (E/CN.15/2013/L.13/Rev.1) sponsored by Belarus, Colombia, Ghana, Indonesia, Namibia, the Russian Federation, South Africa and Zimbabwe. (For the text, see chap. I, sect. B, draft resolution II.) Prior to the approval of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

89. At the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2013/L.18/Rev.1) sponsored by Afghanistan, Chile, Colombia, El Salvador, Guatemala, Panama and Turkey. (For the text, see chap. I, sect. D, resolution 22/5.)

90. At the same meeting, the Commission approved for adoption by the Economic and Social Council a revised draft resolution (E/CN.15/2013/L.6/Rev.1) sponsored by Argentina, Canada and the United States. (For the text, see chap. I, sect. B, draft resolution III.) Prior to the approval of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

91. At the same meeting, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2013/L.12/Rev.1) sponsored by Andorra, Argentina, Bolivia (Plurinational State of), Canada, Chile, Costa Rica, Croatia, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Ireland (on behalf of the States Members of the United Nations that are members of the European Union), Kazakhstan, Liechtenstein, Mexico, Nicaragua, Norway, Peru, the Philippines, the Republic of Korea, Serbia, Slovenia, Switzerland, Thailand, Turkey, the United States and Uruguay. (For the text, see chap. I, sect. A, draft resolution VII.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

92. Also at its 10th meeting, on 26 April 2013, the Commission considered a draft resolution to be approved for adoption by the Economic and Social Council (E/CN.15/2013/L.11), which was withdrawn by Argentina, also on behalf of its co-sponsors Chile, El Salvador and the Dominican Republic, due to concerns raised by some delegations and a lack of consensus.

93. At its 10th meeting, on 26 April, the Commission approved for adoption by the Economic and Social Council a revised draft resolution (E/CN.15/2013/L.20/Rev.1), as revised, sponsored by Australia, Canada, Chile, Croatia, the Dominican Republic, El Salvador, Honduras, India, Indonesia, Ireland (on behalf of the States Members of the United Nations that are members of the European Union), Israel, Japan, Kenya, Mexico, Norway, Peru, South Africa, Turkey and the United States. (For the text, see chap. I, sect. B, draft resolution IV.) Prior to the approval of the revised draft resolution, a representative of the Secretariat read out a financial statement.



(For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.) Following the approval of the revised draft resolution, the representative of Belarus stated that Belarus was against a broad interpretation of terms contained in internationally agreed conventions. The speaker noted that, although Belarus had not been able to take a position of support for the revised draft resolution, given the importance of those issues and in order to support consensus, Belarus had agreed to the language proposed by the co-sponsors. The representative of Belarus noted that that situation should not create a precedent and that Belarus reserved its right, in the course of the proceedings of the Commission and other international bodies, to demand a very clear and concise implementation of international treaties and instruments and a clear and concise interpretation and understanding of related terms and concepts.

94. At the same meeting, the Commission adopted a draft resolution (E/CN.15/2013/L.14), as revised, sponsored by Algeria, Belarus, Brazil, China, Ecuador, Ghana, India, Indonesia, Iran (Islamic Republic of), Kenya, Namibia, the Russian Federation, Saudi Arabia, South Africa, Sri Lanka, Venezuela (Bolivarian Republic of) and Zimbabwe. (For the text, see chap. I, sect. D, resolution 22/7.) Prior to the adoption of the draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

95. At the same meeting, the Commission adopted a draft resolution (E/CN.15/2013/L.16), as revised, sponsored by Canada, Croatia, Ireland (on behalf of the States Members of the United Nations that are members of the European Union), Japan, Norway and the United States. (For the text, see chap. I, sect. D, resolution 22/8.) Prior to the adoption of the draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

## Chapter VII

### **Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice**

96. At its 8th meeting, on 25 April 2013, the Commission considered agenda item 8, entitled “Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice”.

97. For its consideration of the item, the Commission had before it the following:

(a) Report of the Secretary-General on follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2013/10);

(b) Discussion guide for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2013/CRP.1).

98. An introductory statement was made by a representative of the Conference Support Section of the Corruption and Economic Crime Branch of UNODC. Statements were made by the representatives of Germany and Thailand. The observers for Qatar and Canada also made statements. The delegation of Qatar made an audiovisual presentation. A statement was made by the observer for the Academic Council on the United Nations System.

#### **A. Deliberations**

99. All speakers recognized the important role of the United Nations congresses on crime prevention and criminal justice in shaping international and domestic policies in the areas of crime prevention and criminal justice. Speakers also welcomed the advanced level of preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, and particularly the early preparation of the draft discussion guide for the regional preparatory meetings and the Thirteenth Congress, which allowed Member States to offer feedback or comments before its finalization.

100. One speaker stressed that the Thirteenth Congress would help to integrate crime prevention and criminal justice into the wider United Nations agenda with a view to addressing social and economic challenges and promoting the rule of law at the national and international levels.

101. The observer for Qatar, the country hosting the Thirteenth Congress, informed the Commission about the preparations in the country for the organization of the event, including the establishment of a preparatory committee to achieve better coordination among the ministries involved. It was envisaged that a youth forum would take place concurrently with the Congress.

102. One speaker referred to the preparations pertaining to the conduct, structure and outcome of the Thirteenth Congress and noted, in particular, the advantages of holding the high-level segment of the Congress within the first two days. However, he also drew the attention of the Commission to the length of time between the high-level segment and the adoption of a single declaration as the outcome of the Congress. In that regard, he proposed that the declaration be “clustered” in different parts, with the first part being negotiated in advance and adopted during the high-level segment, followed by two more parts related to the conclusions and recommendations arising from the deliberations during the Congress and its workshops.

## **B. Action taken by the Commission**

103. At its 10th meeting, on 26 April 2013, the Commission recommended to the Economic and Social Council considered the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2013/L.2/Rev.1) sponsored by Canada, Finland, Guatemala (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States), Japan, the Sudan (on behalf of the States Members of the United Nations that are members of the Group of 77 and China) and the Republic of Korea. (For the text, see chap. I, sect. A, draft resolution I.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a financial statement. (For the text, see E/CN.15/2013/CRP.10, available on the UNODC website.)

## Chapter VIII

### Provisional agenda for the twenty-third session of the Commission

104. At its 9th meeting, on 26 April 2013, the Commission considered agenda item 9, entitled “Provisional agenda for the twenty-third session of the Commission”.

105. The representative of Cuba made a statement. Statements were also made by the observers for Canada and Finland.

#### A. Deliberations

106. Speakers noted that consideration should be given to improving the working methods of the Commission, so that, inter alia, Member States could more effectively contribute to its proceedings. One speaker also emphasized the importance of the principle of multilingualism. A proposal was made to include an additional sub-item entitled “Working methods of the Commission” in the provisional agenda for the twenty-third session. In that context, the Secretariat was requested to seek the views of Member States on the report of the Secretariat on documentation prepared for the Commission on Crime Prevention and Criminal Justice (E/CN.15/2013/13) and related documentation, as well as on the Commission’s methods of work in general, and to report on the views received at the twenty-third session of the Commission for appropriate follow-up under agenda item 3.

107. Appreciation was expressed for the non-papers, prepared by the Secretariat, containing information on resolutions and decisions and on the servicing of expert groups established by the Commission, including the preparation of related documentation.

#### B. Action taken by the Commission

108. At its 9th meeting, on 26 April 2013, the Commission adopted a draft decision (E/CN.15/2013/L.24). (For the text, see chap. I, sect. D, decision 22/2.)

109. At the same meeting, the Commission approved for adoption by the Economic and Social Council a draft decision (E/CN.15/2013/L.25). (For the text, see chap. I, sect. C, draft decision II.)

## **Chapter IX**

### **Other business**

110. At its 9th meeting on 26 April 2013, the Commission considered agenda item 10, entitled “Other business”. No issues were raised under the agenda item.

## **Chapter X**

### **Adoption of the report of the Commission on its twenty-second session**

111. At its 10th meeting, on 26 April 2013, the Commission adopted by consensus the report on its twenty-second session (E/CN.15/2013/L.1 and Add.1-6), as orally amended.

## Chapter XI

### Organization of the session

#### A. Informal pre-session consultations

112. At its reconvened twenty-first session, on 7 December 2012, the Commission agreed that the twenty-second session of the Commission would be held from 22 to 26 April 2013, with informal pre-session consultations to be held on 19 April 2013, the working day preceding the first day of the session. The Commission also decided that its reconvened twenty-second session would be held on 12 and 13 December 2013.

113. At the informal pre-session consultations, chaired by the Second Vice-Chair Freddy Padilla de León (Colombia) on 19 April 2013, the Commission conducted a preliminary review of the draft resolutions that had been submitted by the deadline of 2 April 2013 and dealt with organizational matters for the twenty-second session.

#### B. Opening and duration of the session

114. The Commission held its twenty-second session in Vienna from 22 to 26 April 2013. The Commission held 10 plenary meetings and 9 meetings of the Committee of the Whole. The Chair of the Commission opened the session. At the 1st and 2nd meetings, on 22 April 2013, opening statements were made by the Executive Director of UNODC; the representatives of the Sudan (on behalf of the Group of 77 and China); Egypt (on behalf of the Group of African States); China (on behalf of the Group of Asia-Pacific States); Guatemala (on behalf of the Group of Latin American and Caribbean States) and Ireland (on behalf of the European Union and Albania, Bosnia and Herzegovina, Croatia, Georgia, Iceland, the Republic of Moldova, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine, as well as Liechtenstein and Norway). Statements were also made by the Minister for Migration and State Secretary for Security and Justice of the Netherlands; the Special Representative of the President of the Russian Federation on International Cooperation Affairs in Combating Terrorism and Transnational Organized Crime; the President of the Supreme Court of Justice of Colombia; the Vice-Minister of Justice of China; the Vice-Minister of the Interior of Spain; the Vice-Minister of Governance and Policy of Costa Rica; the Legal Adviser of the State Minister for Interior Affairs of Qatar; the Chairman of the Independent Corrupt Practices and Other Related Offences Commission of Nigeria; the Principal Deputy Assistant Secretary of the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State of the United States of America; the Additional Secretary of the Ministry of Home Affairs of India and the Deputy Head of the Department for Multilateral Diplomacy and Head of the Global Policies and Humanitarian Cooperation Division of the Ministry of Foreign Affairs of Belarus. A statement was also made by the Attorney-General of the State of Palestine. The Director of the European Police Office also made a statement.

### C. Attendance

115. The twenty-second session was attended by representatives of 36 States members of the Commission. Also attending were observers for 82 other States Members of the United Nations, 2 non-member States, representatives of 21 entities of the United Nations system and observers for the institutes of the United Nations crime prevention and criminal justice programme network, 17 intergovernmental organizations and 37 non-governmental organizations in consultative status with the Economic and Social Council. A list of participants is contained in document E/CN.15/2013/INF/2.

### D. Election of officers

116. Pursuant to Economic and Social Council resolution 2003/31 and rule 15 of the rules of procedure of the functional commissions of the Council, the Commission, at the end of its reconvened twenty-first session, on 7 December 2012, opened its twenty-second session for the sole purpose of electing its bureau for that session. In view of the rotation of offices based on regional distribution, the officers elected for the twenty-second session of the Commission and their respective regional groups are listed below.

117. On 16 January 2013, the Eastern European States nominated Valery Voronetsky of Belarus for the office of First Vice-Chair. The Commission endorsed that nomination during its consideration of agenda item 1.

118. The officers of the Commission at its twenty-second session were as follows:

<i>Chair</i>	African States	Xolisa Mfundiso Mabhongo (South Africa)
<i>First Vice-Chair</i>	Eastern European States	Valery Voronetsky (Belarus)
<i>Second Vice-Chair</i>	Latin American and Caribbean States	Freddy Padilla de León (Colombia)
<i>Third Vice-Chair</i>	Western European and other States	Alberto Groff (Switzerland)
<i>Rapporteur</i>	Asia-Pacific States	Mohammad Hossein Ghaniei (Islamic Republic of Iran)

119. A group composed of the Chairs of the five regional groups (Albania, China, Egypt, France and Guatemala), the Sudan (on behalf of the Group of 77 and China) and Ireland (on behalf of the European Union) was established to assist the Chair of the Commission in dealing with organizational matters. That group, together with the elected officers, constituted the extended Bureau foreseen in Economic and Social Council resolution 2003/31. During the twenty-second session of the Commission, the extended Bureau met on 24 and 25 April 2013 to consider matters related to the organization of work.



### **E. Adoption of the agenda and organization of work**

120. At its 1st meeting, on 22 April 2013, the Commission adopted its agenda and organization of work (E/CN.15/2013/1), which had been approved by the Economic and Social Council in its decision 2012/238.

### **F. Documentation**

121. The documents before the Commission at its twenty-second session are listed in conference room paper E/CN.15/2013/CRP.11.

### **G. Closure of the current part of the session**

122. At its 10th meeting, on 26 April 2013, the Commission heard closing statements by the Executive Director of UNODC and by the Chair of the Commission. Closing statements were also made by the representative of China (on behalf of the Group of Asia-Pacific States), as well as by observers for Egypt (on behalf of the Group of African States), the Sudan (on behalf of the Group of 77 and China), Guatemala (on behalf of the Group of Latin American and Caribbean States), Ireland (on behalf of the European Union) and Oman (on behalf of the Group of Arab States).

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