



Seventieth session
Agenda item 106

Crime prevention and criminal justice

Report of the Third Committee

Rapporteur: Ms. Adele Li Wei (Singapore)

I. Introduction

1. At its 2nd plenary meeting, on 18 September 2015, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventieth session the item entitled “Crime prevention and criminal justice” and to allocate it to the Third Committee.

2. The Third Committee held a general discussion on the item jointly with item 107, entitled “International drug control” at its 5th, 6th and 7th meetings, on 8 and 9 October 2015, and considered proposals and took action on the item at its 36th, 43rd, 48th and 53rd meetings, on 30 October and on 5, 17 and 23 November. An account of the Committee’s discussion is contained in the relevant summary records.¹

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

(a) Report of the Secretary-General on the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice ([A/70/90-E/2015/81](#));

(b) Report of the Secretary-General on action against gender-related killing of women and girls ([A/70/93](#));

(c) Report of the Secretary-General on improving the coordination of efforts against trafficking in persons ([A/70/94](#));

(d) Report of the Secretary-General on the implementation of the mandates of the United Nations crime prevention and criminal justice programme, with

¹ See [A/C.3/70/SR.5](#), [A/C.3/70/SR.6](#), [A/C.3/70/SR.7](#), [A/C.3/70/SR.36](#), [A/C.3/70/SR.43](#), [A/C.3/70/SR.48](#) and [A/C.3/70/SR.53](#).



particular reference to the technical cooperation activities of the United Nations Office on Drugs and Crime ([A/70/99](#));

(e) Report of the Secretary-General on the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders ([A/70/121](#));

(f) Note by the Secretary-General transmitting the report of the Conference of the States Parties to the United Nations Convention against Transnational Organized Crime on its seventh session ([A/70/407](#)).

4. At its 7th meeting, on 9 October, the Committee heard an introductory statement, via video link, by the Executive Director of the United Nations Office on Drugs and Crime, who responded to questions raised and comments made by the representatives of Mexico, Yemen, Morocco and the Sudan.

II. Consideration of proposals

A. Draft resolution [A/C.3/70/L.2](#)

5. In its resolution 2015/19 of 21 July 2015, the Economic and Social Council recommended to the General Assembly that it adopt a draft resolution entitled “Thirteenth United Nations Congress on Crime Prevention and Criminal Justice”. The draft resolution was reproduced in a note by the Secretariat ([A/C.3/70/L.2](#)) that was brought to the attention of the Committee at its 5th meeting, on 8 October.

6. At the 43rd meeting, on 5 November, the Secretary of the Committee read out a statement of the programme budget implications of the draft resolution.

7. At the same meeting, the Committee adopted draft resolution [A/C.3/70/L.2](#) (see para. 35, draft resolution I).

8. After the adoption of the draft resolution, statements were made by the representatives of Qatar and Argentina.

B. Draft resolution [A/C.3/70/L.3](#)

9. By its resolution 2015/20 of 21 July 2015, the Economic and Social Council recommended to the General Assembly that it adopt a draft resolution entitled “United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules)”. The draft resolution was reproduced in a note by the Secretariat ([A/C.3/70/L.3](#)) that was brought to the attention of the Committee at its 5th meeting, on 8 October.

10. At the 43rd meeting, on 5 November, the Secretary of the Committee orally corrected the draft resolution by replacing the words “the Mandela Rules” with “the Nelson Mandela Rules” throughout the document, and also corrected operative paragraph 7.²

11. At the same meeting, the Secretary of the Committee read out a statement of the programme budget implications of the draft resolution, as orally corrected.

² See [A/C.3/70/SR.43](#).

12. Also at the same meeting, the Committee adopted draft resolution [A/C.3/70/L.3](#), as orally corrected (see para. 35, draft resolution II).

13. After the adoption of the draft resolution, a statement was made by the representative of Switzerland, also on behalf of Austria, Belgium, Brazil, Bulgaria, the Czech Republic, Finland, France, Germany, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Luxembourg, Norway, Poland, Slovenia, Sweden and Uruguay.

C. Draft resolution [A/C.3/70/L.4](#)

14. By its resolution 2015/21 of 21 July 2015, the Economic and Social Council recommended to the General Assembly that it adopt a draft resolution entitled “Taking action against gender-related killing of women and girls”. The draft resolution was reproduced in a note by the Secretariat ([A/C.3/70/L.4](#)) that was brought to the attention of the Committee at its 5th meeting, on 8 October.

15. At the 43rd meeting, on 5 November, the Secretary of the Committee read out a statement of the programme budget implications of the draft resolution.

16. At the same meeting, the Committee adopted draft resolution [A/C.3/70/L.4](#) (see para. 35, draft resolution III).

D. Draft resolution [A/C.3/70/L.5](#)

17. By its resolution 2015/22 of 21 July 2015, the Economic and Social Council recommended to the General Assembly that it adopt a draft resolution entitled “Technical assistance for implementing the international conventions and protocols related to counter-terrorism”. The draft resolution was reproduced in a note by the Secretariat ([A/C.3/70/L.5](#)) that was brought to the attention of the Committee at its 5th meeting, on 8 October.

18. At the 43rd meeting, on 5 November, the Secretary of the Committee read out a statement of the programme budget implications of the draft resolution.

19. At the same meeting, the Committee adopted draft resolution [A/C.3/70/L.5](#) (see para. 35, draft resolution IV).

E. Draft resolutions [A/C.3/70/L.8](#) and Rev.1

20. At the 36th meeting, on 30 October, the representative of Italy introduced a draft resolution entitled “Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity” ([A/C.3/70/L.8](#)). Subsequently, Austria, Belgium, Benin, Bulgaria, Costa Rica, Croatia, Cyprus, Denmark, Estonia, France, Greece, Hungary, Iraq, Kazakhstan, Luxembourg, Malta, Micronesia (Federated States of), Paraguay, Poland, Portugal, San Marino and Slovenia joined in sponsoring the draft resolution.

21. At its 53rd meeting, on 23 November, the Committee had before it a revised draft resolution ([A/C.3/70/L.8/Rev.1](#)), submitted by the sponsors of draft resolution [A/C.3/70/L.8](#) and Albania, Bosnia and Herzegovina, the Dominican Republic,

Georgia, Italy, Kyrgyzstan, Lebanon, Liberia, Lithuania, Mongolia, Montenegro, Panama, Serbia, Slovakia, the former Yugoslav Republic of Macedonia and Uruguay. Subsequently, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, the Bahamas, Barbados, Belarus, Belize, Botswana, Burkina Faso, Cameroon, Canada, the Central African Republic, Chile, China, Colombia, Côte d'Ivoire, the Czech Republic, Egypt, El Salvador, Eritrea, Finland, Germany, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Ireland, Israel, Jamaica, Japan, Jordan, Kuwait, Latvia, Lesotho, Libya, Madagascar, Malawi, Mali, Mexico, Morocco, Mozambique, Namibia, the Netherlands, New Zealand, the Niger, Nigeria, Norway, Palau, Peru, the Philippines, Qatar, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Singapore, South Sudan, Spain, the Sudan, Suriname, Swaziland, Sweden, Switzerland, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America and Zimbabwe joined in sponsoring the draft resolution.

22. At the same meeting, the Secretary of the Committee read out a statement of the programme budget implications of draft resolution [A/C.3/70/L.8/Rev.1](#).

23. Also at its 53rd meeting, the Committee adopted draft resolution [A/C.3/70/L.8/Rev.1](#) (see para. 35, draft resolution V).

24. After the adoption of the draft resolution, the representative of the Islamic Republic of Iran made a statement.

F. Draft resolution [A/C.3/70/L.13/Rev.1](#)

25. At its 53rd meeting, on 23 November, the Committee had before it a draft resolution entitled "Improving the coordination of efforts against trafficking in persons" ([A/C.3/70/L.13/Rev.1](#)), which replaced draft resolution [A/C.3/70/L.13](#) and was submitted by Argentina, Armenia, Belarus, Benin, Bolivia (Plurinational State of), Chad, Costa Rica, Kazakhstan, Kyrgyzstan, Nigeria, Pakistan, Paraguay, the Russian Federation, the Sudan, the former Yugoslav Republic of Macedonia, Turkmenistan and Venezuela (Bolivarian Republic of). Subsequently, Australia, Azerbaijan, Bangladesh, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Cambodia, Cameroon, China, the Comoros, the Congo, Côte d'Ivoire, Ecuador, Egypt, El Salvador, Eritrea, the Gambia, Iceland, India, Israel, Italy, Jordan, Lesotho, Liberia, Libya, Malawi, Mexico, Morocco, New Zealand, Nicaragua, the Niger, the Philippines, Portugal, Qatar, Rwanda, Serbia, Tajikistan, Thailand, Tunisia, Uganda, the United States of America and Uzbekistan joined in sponsoring the draft resolution.

26. At the same meeting, the representative of Belarus made a statement and orally revised the draft resolution by deleting operative paragraphs 3 and 4.³

27. Also at the same meeting, the Secretary of the Committee read out a statement of the programme budget implications of draft resolution [A/C.3/70/L.13/Rev.1](#), as orally revised.

³ See [A/C.3/70/SR.53](#).

28. Also at its 53rd meeting, the Committee adopted draft resolution [A/C.3/70/L.13/Rev.1](#), as orally revised (see para. 35, draft resolution VI).

29. Before the adoption of the draft resolution, a statement was made by the representative of the United States of America.

30. After the adoption of the draft resolution, statements were made by the representatives of Sierra Leone (on behalf of the Group of African States), Luxembourg (on behalf of the European Union) and Nigeria.

G. Draft resolution [A/C.3/70/L.16/Rev.1](#)

31. At its 48th meeting, on 17 November, the Committee had before it a draft resolution entitled “United Nations African Institute for the Prevention of Crime and the Treatment of Offenders” ([A/C.3/70/L.16/Rev.1](#)), which replaced draft resolution [A/C.3/70/L.16](#) and was submitted by Sierra Leone, on behalf of the States Members of the United Nations that are members of the Group of African States. Subsequently, Italy joined in sponsoring the draft resolution.

32. At the same meeting, the representative of Sierra Leone made a statement.

33. Also at its 48th meeting, the Committee adopted draft resolution [A/C.3/70/L.16/Rev.1](#) (see para. 35, draft resolution VII).

H. Draft decision proposed by the Chair

34. At its 53rd meeting, on 23 November, on the proposal of the Chair (Morocco), the Committee decided to recommend to the General Assembly that it take note of the following documents (see para. 36):

(a) Report of the Secretary-General on the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice ([A/70/90-E/2015/81](#));

(b) Note by the Secretary-General transmitting the report of the Conference of the States Parties to the United Nations Convention against Transnational Organized Crime on its seventh session ([A/70/407](#)).

III. Recommendations of the Third Committee

35. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

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,

Recalling its resolution 46/152 of 18 December 1991, in the annex to which Member States affirmed that the United Nations congresses on crime prevention and criminal justice should be held every five years and should provide a forum for, inter alia, the exchange of views between States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines, the exchange of experiences in research, law and policy development, and the identification of emerging trends and issues in crime prevention and criminal justice,

Recalling also its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of 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 the intergovernmental bodies of the United Nations system to further promote the implementation of the outcomes of the major United Nations conferences and summits,

Recalling further its resolution 69/191 of 18 December 2014, in which it requested the Commission on Crime Prevention and Criminal Justice to give high priority at its twenty-fourth session to considering the declaration of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, with a view to recommending, through the Economic and Social Council, appropriate follow-up by the General Assembly at its seventieth session,

Bearing in mind its resolution 67/1 of 24 September 2012 on the declaration of the high-level meeting of the General Assembly on the rule of law at the national

and international levels and its resolution 69/195 of 18 December 2014 on the rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015,

Bearing in mind also its resolution 69/244 of 29 December 2014 on the organization of the United Nations summit for the adoption of the post-2015 development agenda,

Taking into account Economic and Social Council resolution 2014/22 of 16 July 2014 on the Thirteenth Congress and the post-2015 development agenda and the report of the Executive Director of the United Nations Office on Drugs and Crime on the contribution of the Thirteenth Congress to the discussions on the post-2015 development agenda, submitted to the Congress pursuant to that resolution,¹

Aware of the presidential summary of the high-level thematic debate of the General Assembly on integrating crime prevention and criminal justice in the post-2015 development agenda, held in New York on 25 February 2015,²

Aware also of the report of the Secretary-General entitled “Follow-up to the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World”,³

Encouraged by the success of the Thirteenth Congress as one of the largest and most diverse forums for the exchange of views on and experiences in research, law and policy and programme development between States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines,

Having considered the report of the Thirteenth Congress⁴ and the related recommendations made by the Commission at its twenty-fourth session,⁵

1. *Expresses its satisfaction* with the results achieved by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, including the Doha Declaration on 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, adopted at the high-level segment of the Thirteenth Congress;

2. *Takes note with appreciation* of the report of the Thirteenth Congress;⁴

3. *Expresses its appreciation* to the United Nations Office on Drugs and Crime for the work done in the preparations for and follow-up to the Thirteenth Congress, and extends its thanks to the institutes of the United Nations crime prevention and criminal justice programme network for their contribution to the Congress, in particular with regard to the workshops held within the framework of the Congress;

¹ [A/CONF.222/5](#).

² [A/CONF.222/15](#).

³ [A/CONF.222/3](#).

⁴ [A/CONF.222/17](#).

⁵ See *Official Records of the Economic and Social Council, 2015, Supplement No. 10 (E/2015/30)*.

4. *Endorses* the Doha Declaration adopted by the Thirteenth Congress, as approved by the Commission on Crime Prevention and Criminal Justice at its twenty-fourth session and annexed to the present resolution;

5. *Welcomes with appreciation* the initiative of the Government of Qatar, in cooperation with the Qatar Foundation, to organize for the first time a youth forum prior to the Thirteenth Congress, appreciates the results of the Doha Youth Forum on Crime Prevention and Criminal Justice, as contained in the Doha Youth Forum Statement,⁶ which were submitted to the Congress, encourages Member States to give due consideration to the recommendations set out therein, and invites the host countries of future congresses to consider the holding of similar events;

6. *Invites* Governments to take into consideration the Doha Declaration adopted by the Thirteenth Congress when formulating legislation and policy directives and to make every effort, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

7. *Invites* Member States to identify areas covered in the Doha Declaration where further tools and training manuals based on international standards and best practices are needed and to submit that information to the Commission so that it may take that information into account when considering potential areas of future activity of the United Nations Office on Drugs and Crime;

8. *Welcomes* the intention of the Government of Qatar to work with the United Nations Office on Drugs and Crime in ensuring appropriate follow-up to the outcome of the Thirteenth Congress, particularly the implementation of the Doha Declaration;

9. *Also welcomes* the initiative of the Government of Qatar to establish a regional fund for the education and training of displaced and refugee children and youth in the Middle East, with the aim of integrating social and cultural dimensions in crime prevention strategies and policies;

10. *Requests* the United Nations Office on Drugs and Crime, in the development and implementation of its technical cooperation programmes, to aim for sustainable and long-lasting results when assisting Member States in rebuilding, modernizing and strengthening criminal justice systems, as well as promoting the rule of law, and to design such programmes to achieve those aims for all components of the criminal justice system, in an integrated way and with a long-term perspective;

11. *Also requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to facilitate the ratification and implementation of the United Nations Convention against Corruption,⁷ the United Nations Convention against Transnational Organized Crime and the Protocols thereto⁸ and the international counter-terrorism instruments;

12. *Calls for* greater coherence and coordination between the United Nations Office on Drugs and Crime and relevant United Nations agencies, with a view to achieving a fully coordinated approach to integrating crime prevention and criminal

⁶ A/CONF.222/16, annex.

⁷ United Nations, *Treaty Series*, vol. 2349, No. 42146.

⁸ *Ibid.*, vols. 2225, 2237, 2241 and 2326, No. 39574.

justice into the broader United Nations agenda, and invites other international organizations, the private sector and non-governmental organizations to cooperate with the Office in the implementation of its mandate;

13. *Requests* the Commission to review the implementation of the Doha Declaration under the standing item on its agenda entitled “Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice”;

14. *Requests* the Secretary-General to distribute the report of the Thirteenth Congress, including the Doha Declaration, to Member States, intergovernmental organizations and non-governmental organizations, so as to ensure that they are disseminated as widely as possible, and to seek proposals by Member States on ways and means of ensuring appropriate follow-up to the Doha Declaration, for consideration and action by the Commission at its twenty-fifth session;

15. *Welcomes with appreciation* the offer of the Government of Japan to act as host to the Fourteenth Congress, to be held in 2020;

16. *Expresses its profound gratitude* to the people and Government of Qatar for the warm and generous hospitality extended to the participants in the Thirteenth Congress and for the excellent facilities provided for the Congress;

17. *Requests* the Secretary-General to submit to the General Assembly at its seventy-first session a report on the implementation of the present resolution.

Annex

Doha Declaration on 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

We, Heads of State and Government, Ministers and Representatives of Member States,

Having assembled at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice in Doha, from 12 to 19 April 2015, to reaffirm our shared commitment to uphold the rule of law and to prevent and counter crime in all its forms and manifestations, at the domestic and international levels, to ensure that our criminal justice systems are effective, fair, humane and accountable, to provide access to justice for all, to build effective, accountable, impartial and inclusive institutions at all levels and to uphold the principle of human dignity and the universal observance and respect of all human rights and fundamental freedoms,

To that end, declare the following:

1. We acknowledge the 60-year legacy and continuing significant role of the United Nations congresses on crime prevention and criminal justice as one of the largest and most diverse international forums for the exchange of views and experiences in research, law and policy and programme development between States, intergovernmental organizations and individual experts representing various professions and disciplines in order to identify emerging trends and issues in the field of crime prevention and criminal justice. We recognize the unique and important contributions of the congresses to law and policy development, as well as

to the identification of emerging trends and issues in crime prevention and criminal justice.

2. We reaffirm the cross-cutting nature of crime prevention and criminal justice issues and the consequent need to integrate those issues into the wider agenda of the United Nations in order to enhance system-wide coordination. We look forward to the future contributions of the Commission on Crime Prevention and Criminal Justice with regard to designing and implementing national and international crime prevention and criminal justice policies and programmes, taking into account and building upon the recommendations of the congresses.

3. We recognize the importance of effective, fair, humane and accountable crime prevention and criminal justice systems and the institutions comprising them as a central component of the rule of law. We commit ourselves to holistic and comprehensive approaches to countering crime, violence, corruption and terrorism in all their forms and manifestations, and to ensuring that those responses are implemented in a coordinated and coherent way, along with broader programmes or measures for social and economic development, poverty eradication, respect for cultural diversity, social peace and social inclusion.

4. We acknowledge that sustainable development and the rule of law are strongly interrelated and mutually reinforcing. We therefore welcome the inclusive and transparent intergovernmental process for the post-2015 development agenda, which is aimed at developing global sustainable development goals to be agreed by the General Assembly, and acknowledge the proposals of the Open Working Group on Sustainable Development Goals of the Assembly as the main basis for integrating sustainable development goals into the post-2015 development agenda, while recognizing that other inputs will also be considered. In this context, we reiterate the importance of promoting peaceful, corruption-free and inclusive societies for sustainable development, with a focus on a people-centred approach that provides access to justice for all and builds effective, accountable and inclusive institutions at all levels.

5. We reaffirm our commitment and strong political will in support of effective, fair, humane and accountable criminal justice systems and the institutions comprising them, and encourage the effective participation and inclusion of all sectors of society, thus creating the conditions needed to advance the wider United Nations agenda, while respecting fully the principles of sovereignty and territorial integrity of States and recognizing the responsibility of Member States to uphold human dignity, all human rights and fundamental freedoms for all, in particular for those affected by crime and those who may be in contact with the criminal justice system, including vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and to prevent and counter crime motivated by intolerance or discrimination of any kind. To that end, we endeavour:

(a) To adopt comprehensive and inclusive national crime prevention and criminal justice policies and programmes that fully take into account evidence and other relevant factors, including the root causes of crime, as well as the conditions conducive to its occurrence, and, in accordance with our obligations under international law and taking into consideration relevant United Nations standards and norms in crime prevention and criminal justice, to ensure appropriate training of

officials entrusted with upholding the rule of law and the protection of human rights and fundamental freedoms;

(b) To ensure the right of everyone to a fair trial without undue delay by a competent, independent and impartial tribunal established by law, to equal access to justice with due process safeguards and, if needed, to access to an attorney and to an interpreter, and to ensure relevant rights under the Vienna Convention on Consular Relations;⁹ to exercise due diligence to prevent and counter acts of violence; and to take effective legislative, administrative and judicial measures to prevent, prosecute and punish all forms of torture and other cruel, inhuman or degrading treatment or punishment and eliminate impunity;

(c) To review and reform legal aid policies for expansion of access to effective legal aid in criminal proceedings for those without sufficient means or when the interests of justice so require, including, when necessary, through the development of national plans in this field, and to build capacities to provide and ensure access to effective legal aid in all matters and in all its forms, taking into account the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems;¹⁰

(d) To make every effort to prevent and counter corruption, and to implement measures aimed at enhancing transparency in public administration and promoting the integrity and accountability of our criminal justice systems, in accordance with the United Nations Convention against Corruption;¹¹

(e) To integrate child- and youth-related issues into our criminal justice reform efforts, recognizing the importance of protecting children from all forms of violence, exploitation and abuse, consistent with the obligations of parties under relevant international instruments, including the Convention on the Rights of the Child¹² and the Optional Protocols thereto,¹³ and taking into consideration the relevant provisions of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,¹⁴ as well as to develop and apply comprehensive child-sensitive justice policies focused on the best interests of the child, consistent with the principle that the deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time, so as to protect children who are in contact with the criminal justice system, as well as children who are in any other situation requiring legal proceedings, particularly in relation to their treatment and social reintegration. We look forward to the results of the global study on children deprived of their liberty in this regard;

(f) To mainstream a gender perspective into our criminal justice systems by developing and implementing national strategies and plans to promote the full protection of women and girls from all acts of violence, including gender-related killing of women and girls, in accordance with the obligations of parties under the Convention on the Elimination of All Forms of Discrimination against Women¹⁵ and

⁹ United Nations, *Treaty Series*, vol. 596, No. 8638.

¹⁰ Resolution 67/187, annex.

¹¹ United Nations, *Treaty Series*, vol. 2349, No. 42146.

¹² *Ibid.*, vol. 1577, No. 27531.

¹³ *Ibid.*, vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

¹⁴ Resolution 69/194, annex.

¹⁵ United Nations, *Treaty Series*, vol. 1249, No. 20378.

the Optional Protocol thereto,¹⁶ and taking into account the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice¹⁷ and General Assembly resolutions on the gender-related killing of women and girls;

(g) To promote gender-specific measures as an integral part of our policies on crime prevention, criminal justice and the treatment of offenders, including the rehabilitation and reintegration of women offenders into society, taking into consideration the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);¹⁸

(h) To develop and implement appropriate and effective national strategies and plans for the advancement of women in criminal justice systems and institutions at the leadership, managerial and other levels;

(i) To enhance equality for all persons before the law, including gender equality, for individuals belonging to minority groups and for indigenous people, through, inter alia, a comprehensive approach with other sectors of government, relevant members of civil society and the media and the promotion of the recruitment by criminal justice institutions of individuals belonging to these groups;

(j) To implement and enhance policies for prison inmates that focus on education, work, medical care, rehabilitation, social reintegration and the prevention of recidivism, and to consider the development and strengthening of policies to support the families of inmates, as well as to promote and encourage the use of alternatives to imprisonment, where appropriate, and to review or reform our restorative justice and other processes in support of successful reintegration;

(k) To intensify our efforts to address the challenge of prison overcrowding through appropriate criminal justice reforms, which should include, where appropriate, a review of penal policies and practical measures to reduce pretrial detention, to enhance the use of non-custodial sanctions and to improve access to legal aid to the extent possible;

(l) To adopt effective measures for the recognition, protection and provision of support for and assistance to victims and witnesses in the framework of criminal justice responses to all crimes, including corruption and terrorism, in accordance with relevant international instruments and taking into consideration the United Nations standards and norms in crime prevention and criminal justice;

(m) To implement a victim-oriented approach to prevent and counter all forms of trafficking in persons for the purpose of exploitation, including the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs, where appropriate, in accordance with the relevant provisions of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,¹⁹ and taking into account the United Nations Global

¹⁶ Ibid., vol. 2131, No. 20378.

¹⁷ Resolution 65/228, annex.

¹⁸ Resolution 65/229, annex.

¹⁹ United Nations, *Treaty Series*, vol. 2237, No. 39574.

Plan of Action to Combat Trafficking in Persons,²⁰ and to work, as necessary, with regional, international and civil society organizations to overcome the obstacles that may impede the delivery of social and legal assistance to victims of trafficking;

(n) To implement effective measures to protect the human rights of smuggled migrants, particularly women and children, and unaccompanied migrant children, in accordance with the obligations of parties under the United Nations Convention against Transnational Organized Crime²¹ and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,²² which include the obligation that migrants shall not become liable to criminal prosecution under the Protocol only for the fact of having been the object of smuggling, and other relevant international instruments, and to make every possible effort to prevent the further loss of lives and bring the perpetrators to justice;

(o) To implement effective measures to eliminate violence against all migrants, migrant workers and their families, and to take all necessary legal and administrative steps to prevent and counter crimes involving violence against those groups;

(p) To conduct further research and gather data on crime victimization motivated by discrimination of any kind and to exchange experiences in and information on effective laws and policies that can prevent such crimes, bring perpetrators to justice and provide support to victims;

(q) To consider providing specialized training to criminal justice professionals to enhance capacities for recognizing, understanding, suppressing and investigating hate crimes motivated by discrimination of any kind, to help engage effectively with victim communities and to build public confidence and cooperation with criminal justice agencies;

(r) To intensify our national and international efforts to eliminate all forms of discrimination, including racism, religious intolerance, xenophobia and gender-related discrimination by, inter alia, raising awareness, developing educational materials and programmes and considering, where appropriate, drafting and enforcing legislation against discrimination;

(s) To prevent and counter, through appropriate domestic procedures for the timely identification and processing of cases, acts of violence falling within our jurisdiction against journalists and media professionals, whose professional duties often put them at specific risk of intimidation, harassment and violence, in particular from organized criminal groups and terrorists, and in conflict and post-conflict situations, and to ensure accountability through the conduct of impartial, speedy and effective investigations, in accordance with national legislation and applicable international law;

(t) To strengthen the development and use of tools and methods aimed at increasing the availability and quality of statistical information and analytical studies on crime and criminal justice at the international level, in order to better measure and evaluate the impact of responses to crime and to enhance the

²⁰ Resolution 64/293.

²¹ United Nations, *Treaty Series*, vol. 2225, No. 39574.

²² *Ibid.*, vol. 2241, No. 39574.

effectiveness of crime prevention and criminal justice programmes at the national, regional and international levels.

6. We welcome the work of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners and take note of the draft updated Standard Minimum Rules, as finalized by the Expert Group at its meeting held in Cape Town, South Africa, from 2 to 5 March 2015, and look forward to the consideration of this revised draft, and action thereon, by the Commission on Crime Prevention and Criminal Justice.

7. We emphasize that education for all children and youth, including the eradication of illiteracy, is fundamental to the prevention of crime and corruption and to the promotion of a culture of lawfulness that supports the rule of law and human rights while respecting cultural identities. In this regard, we also stress the fundamental role of youth participation in crime prevention efforts. Therefore, we will endeavour:

(a) To create a safe, positive and secure learning environment in schools, supported by the community, including by protecting children from all forms of violence, harassment, bullying, sexual abuse and drug abuse, in accordance with domestic laws;

(b) To integrate crime prevention, criminal justice and other rule of law aspects into our domestic educational systems;

(c) To integrate crime prevention and criminal justice strategies into all relevant social and economic policies and programmes, in particular those affecting youth, with a special emphasis on programmes focused on increasing educational and employment opportunities for youth and young adults;

(d) To provide access to education for all, including technical and professional skills, as well as to promote lifelong learning skills for all.

8. We endeavour to strengthen international cooperation as a cornerstone of our efforts to enhance crime prevention and ensure that our criminal justice systems are effective, fair, humane and accountable, and ultimately to prevent and counter all crimes. We encourage States parties to implement and make more effective use of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption, the three international drug control conventions and the international conventions and protocols related to countering terrorism, and urge all Member States that have not yet done so to consider ratifying or acceding to those instruments. We underscore that any measures taken to counter terrorism must comply with all our obligations under international law. We endeavour to enhance further international cooperation to stop the systematic exploitation of large numbers of individuals who are forced and coerced into a life of abuse and degradation. We therefore strive:

(a) To promote and strengthen international and regional cooperation to further develop the capacity of national criminal justice systems, including through efforts to modernize and strengthen national legislation, as appropriate, as well as joint training and upgrading of the skills of our criminal justice officials, in particular to foster the development of strong and effective central authorities for international cooperation in criminal matters, inter alia, in the areas of extradition, mutual legal assistance, transfer of criminal proceedings and transfer of sentenced

persons, and to conclude, where appropriate, bilateral and regional cooperation agreements, and to continue the development of specialized networks of law enforcement authorities, central authorities, prosecutors, judges, defence lawyers and legal aid providers to exchange information and share good practices and expertise, including, where appropriate, by promoting a global virtual network to advance, where possible, direct contact among competent authorities to enhance information-sharing and mutual legal assistance, making the best possible use of information and communication platforms;

(b) To continue to support the implementation of capacity-building programmes and training for criminal justice officials aimed at preventing and countering terrorism in all its forms and manifestations, in line with human rights and fundamental freedoms, including with regard to international cooperation in criminal matters, the financing of terrorism, the use of the Internet for terrorist purposes, the destruction of cultural heritage by terrorists and kidnapping for ransom or for the purpose of extortion, and at addressing the conditions conducive to the spread of terrorism, and to cooperate, as well as address, further analyse and identify appropriate areas for joint action, through, inter alia, effective exchange of information and sharing of experiences and best practices, to counter any existing, growing or potential links, in some cases, between transnational organized crime, illicit drug-related activities, money-laundering and the financing of terrorism, in order to enhance criminal justice responses to those crimes;

(c) To adopt effective measures at the national and international levels aimed at preventing terrorist groups from benefiting from ransom payments;

(d) To strengthen cooperation at the international, regional, subregional and bilateral levels to counter the threat posed by foreign terrorist fighters, including through enhanced operational and timely information-sharing, logistical support, as appropriate, and capacity-building activities, such as those provided by the United Nations Office on Drugs and Crime, to share and adopt best practices to identify foreign terrorist fighters, to prevent the travel of foreign terrorist fighters from, into or through Member States, to prevent the financing, mobilization, recruitment and organization of foreign terrorist fighters, to counter violent extremism and radicalization to violence, which can be conducive to terrorism, to enhance our efforts to implement deradicalization programmes, and to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in the supporting of terrorist acts is brought to justice, in compliance with obligations under international law, as well as applicable domestic law;

(e) To implement effective measures to detect, prevent and counter corruption, as well as the transfer abroad and laundering of assets derived from corruption, and to strengthen international cooperation and assistance to Member States to assist in the identification, freezing or seizure of such assets, as well as in their recovery and return, in accordance with the United Nations Convention against Corruption, in particular chapter V thereof, and in this regard to continue discussing innovative modalities to improve mutual legal assistance in order to speed up asset recovery proceedings and render them more successful, while also drawing on the experience and knowledge built through the implementation of the Stolen Asset Recovery Initiative of the United Nations Office on Drugs and Crime and the World Bank;

(f) To develop strategies to prevent and combat all illicit financial flows and emphasize the urgent need to adopt more effective measures to fight against economic and financial crimes, including fraud, as well as tax and corporate crimes, especially in their relevant transnational dimensions;

(g) To strengthen or, as appropriate, adopt procedures to more effectively prevent and counter money-laundering and enhance measures for the identification, tracing, freezing, seizure and recovery of the proceeds of crime, including money and other assets that have not been accounted for and that are found in safe havens, for the purpose of their eventual confiscation, including, where appropriate and in accordance with domestic law, non-conviction-based confiscation, and for the transparent disposition of confiscated proceeds;

(h) To develop and implement adequate mechanisms to manage and preserve the value and condition of frozen, seized or confiscated assets that are the proceeds of crime, as well as to strengthen international cooperation in criminal matters and to explore ways of affording one another similar cooperation in civil and administrative proceedings for confiscation purposes;

(i) To take appropriate measures to prevent and counter trafficking in persons and the smuggling of migrants, while protecting the victims and those who have been the object of such crimes, through all necessary legal and administrative steps, in accordance with the respective protocols, as appropriate, and strengthening inter-agency cooperation and coordination at the national level, as well as closer bilateral, regional and multilateral cooperation;

(j) To consider, when investigating and prosecuting offences related to trafficking in persons and the smuggling of migrants, the concurrent undertaking of financial investigations, with a view to tracing, freezing and confiscating proceeds acquired through those crimes, and the establishment of such crimes as predicate offences for money-laundering, as well as to enhance coordination and information-sharing among relevant agencies;

(k) To develop and adopt, as appropriate, effective measures to prevent and combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, as well as explosives, including through awareness-raising campaigns designed to eliminate the illicit use of firearms and the illicit manufacture of explosives, to encourage 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,²³ to strengthen implementation of the Protocol by, inter alia, considering the use of available tools, including marking and record-keeping technologies, to facilitate the tracing of firearms and, where possible, their parts and components and ammunition, in order to enhance criminal investigations of illicit trafficking in firearms, to support the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,²⁴ and to note the contributions of existing instruments on this issue and on related matters at the regional and international levels;

²³ Ibid., vol. 2326, No. 39574.

²⁴ *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001 (A/CONF.192/15)*, chap. IV, para. 24.

(l) To intensify our efforts to address the world drug problem, based upon the principle of common and shared responsibility and through a comprehensive and balanced approach, including through more effective bilateral, regional and international cooperation among judicial and law enforcement authorities, to counter the involvement of organized criminal groups in illicit drug production and trafficking and related criminal activities, and to take steps to reduce the violence that accompanies drug trafficking;

(m) To continue to explore all options regarding an appropriate and effective mechanism or mechanisms to assist the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in the review of the implementation of the Convention and the Protocols thereto in an effective and efficient manner;

(n) To invite Member States to draw on the United Nations model treaties on international cooperation in criminal matters when considering developing agreements with other States, bearing in mind their value as important tools for the development of international cooperation, and to invite the Commission on Crime Prevention and Criminal Justice to continue its initiative to identify United Nations model treaties that may need to be updated, based on inputs received from Member States.

9. We endeavour to ensure that the benefits of economic, social and technological advancements become a positive force to enhance our efforts in preventing and countering new and emerging forms of crime. We recognize our responsibility to adequately respond to emerging and evolving threats posed by such crimes. Therefore, we strive:

(a) To develop and implement comprehensive crime prevention and criminal justice responses, including strengthening of the capacities of our judiciary and law enforcement institutions, and to adopt, when necessary, legislative and administrative measures to effectively prevent and counter new, emerging and evolving forms of crime at the national, regional and international levels, taking into account the scope of application of the United Nations Convention against Transnational Organized Crime with regard to “serious crimes”, in accordance with national legislation;

(b) To explore specific measures designed to create a secure and resilient cyberenvironment, to prevent and counter criminal activities carried out over the Internet, paying particular attention to identity theft, recruitment for the purpose of trafficking in persons and protecting children from online exploitation and abuse, to strengthen law enforcement cooperation at the national and international levels, including with the aim of identifying and protecting victims by, inter alia, removing child pornography, in particular child sexual abuse imagery, from the Internet, to enhance the security of computer networks and protect the integrity of relevant infrastructure, and to endeavour to provide long-term technical assistance and capacity-building to strengthen the ability of national authorities to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime in all its forms. In addition, we note the activities of the 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, and invite the Commission on Crime Prevention and Criminal Justice to consider recommending that the expert group continue, based on its work,

to exchange information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing responses and to propose new national and international legal or other responses to cybercrime;

(c) To strengthen and implement comprehensive crime prevention and criminal justice responses to illicit trafficking in cultural property, for the purpose of providing the widest possible international cooperation to address such crime, to review and strengthen domestic legislation to counter trafficking in cultural property, where appropriate, in accordance with our commitments under international instruments, including, as appropriate, the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property of 1970,²⁵ and taking into consideration the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences,²⁶ to continue to gather and share information and statistical data on trafficking in cultural property, in particular on trafficking that involves organized criminal groups and terrorist organizations, and to further consider 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,²⁷ and international standards and norms in this field, in close cooperation with the United Nations Educational, Scientific and Cultural Organization, the International Criminal Police Organization (INTERPOL) and other competent international organizations, with a view to ensuring coordination of efforts in fulfilment of their respective mandates;

(d) To conduct further research on the links between urban crime and other manifestations of organized crime in some countries and regions, including crimes committed by gangs, as well as to exchange experiences in and information on effective crime prevention and criminal justice programmes and policies among Member States and with relevant international and regional organizations, in order to address through innovative approaches the impact of urban crime and gang-related violence on specific populations and places, fostering social inclusion and employment opportunities and aiming at facilitating social reintegration of adolescents and young adults;

(e) To adopt effective measures to prevent and counter the serious problem of crimes that have an impact on the environment, such as trafficking in wildlife, including flora and fauna as protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora,²⁸ timber and timber products and hazardous waste, as well as poaching, by strengthening legislation, international cooperation, capacity-building, criminal justice responses and law enforcement efforts aimed at, inter alia, dealing with transnational organized crime, corruption and money-laundering linked to such crimes;

(f) To ensure that our law enforcement and criminal justice institutions have the expertise and technical capacities to adequately address these new and emerging

²⁵ United Nations, *Treaty Series*, vol. 823, No. 11806.

²⁶ Resolution 69/196, annex.

²⁷ *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.

²⁸ United Nations, *Treaty Series*, vol. 993, No. 14537.

forms of crime, in close cooperation and coordination with one another, and to provide those institutions with the necessary financial and structural support;

(g) To continue the analysis and exchange of information and practices relating to other evolving forms of transnational organized crime with varying impacts at the regional and global levels, with a view to more effectively preventing and countering crime and strengthening the rule of law. These may include, as appropriate, smuggling of petroleum and its derivatives, trafficking in precious metals and stones, illegal mining, counterfeiting of trademarked goods, trafficking in human organs, blood and tissue, and piracy and transnational organized crime committed at sea.²⁹

10. We support the development and implementation of consultative and participatory processes in crime prevention and criminal justice in order to engage all members of society, including those at risk of crime and victimization, to make our prevention efforts more effective and to galvanize public trust and confidence in criminal justice systems. We recognize our leading role and responsibility at all levels in developing and implementing crime prevention strategies and criminal justice policies at the national and subnational levels. We also recognize that, to enhance the effectiveness and fairness of such strategies, we should take measures to ensure the contribution of civil society, the private sector and academia, including the network of institutes of the United Nations crime prevention and criminal justice programme, as well as the media and all other relevant stakeholders, in the development and implementation of crime prevention policies. Therefore, we endeavour:

(a) To plan and implement comprehensive policies and programmes that foster socioeconomic development, with a focus on the prevention of crime, including urban crime, and violence, and to support other Member States in such endeavours, in particular through the exchange of experience and relevant information on policies and programmes that have been successful in reducing crime and violence through social policies;

(b) To develop awareness-raising programmes to convey key values based on the rule of law and supported by educational programmes, to be accompanied by economic and social policies promoting equality, solidarity and justice, and to reach out to young people, drawing on them as agents of positive change;

(c) To promote a culture of lawfulness based on the protection of human rights and the rule of law while respecting cultural identity, with particular emphasis on children and youth, seeking the support of civil society and intensifying our prevention efforts and measures targeting and using the full potential of families, schools, religious and cultural institutions, community organizations and the private sector in order to address the social and economic root causes of crime;

(d) To promote the management and resolution of social conflict through dialogue and mechanisms of community participation, including by raising public awareness, preventing victimization, increasing cooperation between the public, competent authorities and civil society, and promoting restorative justice;

²⁹ As defined by the Commission on Crime Prevention and Criminal Justice in its resolution 22/6 (see *Official Records of the Economic and Social Council, 2013, Supplement No. 10* and corrigendum (E/2013/30 and Corr.1), chap. I, sect. D).

(e) To raise public confidence in criminal justice by preventing corruption and promoting respect for human rights, as well as enhancing professional competence and oversight in all sectors of the criminal justice system, thus ensuring that it is accessible and responsive to the needs and rights of all individuals;

(f) To explore the potential for the use of traditional and new information and communications technologies in the development of policies and programmes to strengthen crime prevention and criminal justice, including for identifying public safety issues and fostering public participation;

(g) To promote the improvement of e-government systems in the area of crime prevention and criminal justice, with a view to enhancing public participation, and to promote the use of new technologies to facilitate cooperation and partnerships between the police and the communities they serve, as well as to share good practices and exchange information on community policing;

(h) To strengthen public-private partnerships in preventing and countering crime in all its forms and manifestations;

(i) To ensure that the content of the law is accessible to the public, and to promote, as appropriate, the transparency of criminal trials;

(j) To establish or build upon existing practices and measures to encourage the public, especially victims, to report and follow up on incidents of crime and corruption, and to develop and implement measures for the protection of whistle-blowers and witnesses;

(k) To consider partnering and supporting community initiatives and fostering the active participation of citizens in ensuring access to justice for all, including awareness of their rights, as well as their involvement in the prevention of crime and the treatment of offenders, including by creating opportunities for community service and supporting the social reintegration and rehabilitation of offenders, and in that regard to encourage the sharing of best practices and the exchange of information on relevant social reintegration policies and programmes and on relevant public-private partnerships;

(l) To encourage the active participation of the private sector in crime prevention, as well as in social inclusion programmes and employability schemes for vulnerable members of society, including victims and those released from prison;

(m) To build and maintain capacities for the study of criminology, as well as forensic and correctional sciences, and to draw on contemporary scientific expertise in the design and implementation of relevant policies, programmes and projects.

11. As we continue our efforts to achieve the objectives set forth in the present Declaration, to enhance international cooperation, to uphold the rule of law and to ensure that our crime prevention and criminal justice systems are effective, fair, humane and accountable, we reaffirm the importance of adequate, long-term, sustainable and effective technical assistance and capacity-building policies and programmes. We therefore strive:

(a) To continue to provide sufficient, stable and predictable funding in support of the design and implementation of effective programmes to prevent and counter crime in all its forms and manifestations, upon the request of Member States

and based on an assessment of their specific needs and priorities, in close collaboration with the United Nations Office on Drugs and Crime;

(b) To invite the United Nations Office on Drugs and Crime, the network of institutes of the United Nations crime prevention and criminal justice programme, and all relevant United Nations entities and international and regional organizations, in fulfilment of their mandates, to continue to coordinate and cooperate with Member States to provide effective responses to the challenges faced at the national, regional and global levels, as well as to strengthen the effectiveness of public participation in crime prevention and criminal justice, including through the preparation of studies and the development and implementation of programmes.

12. We reaffirm that the United Nations Office on Drugs and Crime remains an essential partner for the achievement of our aspirations in the field of crime prevention and criminal justice and for the implementation of the provisions of the present Declaration.

13. We welcome with appreciation the offer of the Government of Japan to act as host to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice in 2020.

14. We express our profound gratitude to the people and Government of Qatar for their warm and generous hospitality and for the excellent facilities provided for the Thirteenth Congress.

Draft resolution II

United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)

The General Assembly,

Guided by the principal purposes of the United Nations, as set out in the Preamble to the Charter of the United Nations and the Universal Declaration of Human Rights,¹ and inspired by the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, without distinction of any kind, and in the equal rights of men and women and of nations large and small, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained and to promote social progress and better standards of life in larger freedom,

Recalling all standards and norms in crime prevention and criminal justice developed at the request of the Commission on Crime Prevention and Criminal Justice and adopted or recommended by the General Assembly, or adopted by a United Nations congress on the prevention of crime and the treatment of offenders, and recognizing that the Universal Declaration of Human Rights is a source of inspiration for the United Nations standards and norms in crime prevention and criminal justice,

Bearing in mind the long-standing concern of the United Nations for the humanization of criminal justice and the protection of human rights, and emphasizing the fundamental importance of human rights in the daily administration of criminal justice and crime prevention,

Aware that the Standard Minimum Rules for the Treatment of Prisoners² have been the universally acknowledged minimum standards for the detention of prisoners and that they have been of significant value and influence, as a guide, in the development of correctional laws, policies and practices since their adoption by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in 1955,

Mindful that, in the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,³ Member States recognized that an effective, fair, accountable 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 crime prevention and criminal justice in designing and implementing national crime prevention and criminal justice policies, procedures and programmes,

Taking into account the progressive development of international law pertaining to the treatment of prisoners since 1955, including in international instruments such as the International Covenant on Civil and Political Rights,⁴ the

¹ Resolution 217 A (III).

² *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.

³ Resolution 65/230, annex.

⁴ See resolution 2200 A (XXI), annex.

International Covenant on Economic, Social and Cultural Rights⁴ and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment⁵ and the Optional Protocol thereto,⁶

Recalling the United Nations standards and norms in crime prevention and criminal justice related to the treatment of prisoners and to alternatives to imprisonment adopted since 1955, in particular the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners,⁷ the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,⁸ the Basic Principles for the Treatment of Prisoners,⁹ the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules)¹⁰ and the basic principles on the use of restorative justice programmes in criminal matters,¹¹

Bearing in mind the need for vigilance 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, as called for in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),¹² the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines),¹³ the United Nations Rules for the Protection of Juveniles Deprived of their Liberty¹⁴ and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),¹⁵

Recalling the United Nations standards and norms in crime prevention and criminal justice adopted since 1955 that provide additional guidance on the treatment of prisoners, including the Code of Conduct for Law Enforcement Officials,¹⁶ the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment,¹⁷ the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,¹⁸ the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹⁹ and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,²⁰

Aware of regional principles and standards related to the treatment of prisoners, including the Principles and Best Practices on the Protection of Persons

⁵ United Nations, *Treaty Series*, vol. 1465, No. 24841.

⁶ *Ibid.*, vol. 2375, No. 24841.

⁷ Economic and Social Council resolution 1984/47, annex.

⁸ Resolution 43/173, annex.

⁹ Resolution 45/111, annex.

¹⁰ Resolution 45/110, annex.

¹¹ Economic and Social Council resolution 2002/12, annex.

¹² Resolution 40/33, annex.

¹³ Resolution 45/112, annex.

¹⁴ Resolution 45/113, annex.

¹⁵ Resolution 65/229, annex.

¹⁶ Resolution 34/169, annex.

¹⁷ Resolution 37/194, annex.

¹⁸ *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.2, annex.

¹⁹ Resolution 55/89, annex.

²⁰ Resolution 67/187, annex.

Deprived of Liberty in the Americas, the revised European Prison Rules, the Kampala Declaration on Prison Conditions in Africa,²¹ the Arusha Declaration on Good Prison Practice²² and the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa,

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,

Recalling also its resolutions 67/188 of 20 December 2012, 68/190 of 18 December 2013 and 69/192 of 18 December 2014, entitled “Standard Minimum Rules for the Treatment of Prisoners”, in particular resolution 68/190, in which it took note with appreciation of the work done by the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners, and resolution 69/192, in which it emphasized that efforts should be made to finalize the revision process, building on the recommendations made at the three meetings of the Expert Group and the submissions of Member States,

Mindful that, in its resolution 68/190, it took into consideration the recommendations of the Expert Group with regard to the issues and the rules of the Standard Minimum Rules that had been identified for revision in the following areas:

- (a) Respect for prisoners’ inherent dignity and value as human beings (rules 6, para. 1; 57-59; and 60, para. 1),
- (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),
- (d) Investigation of all deaths in custody, as well as of any signs or allegations of torture or inhuman or degrading treatment or punishment of prisoners (rule 7 and proposed rules 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),

²¹ Economic and Social Council resolution 1997/36, annex.

²² Economic and Social Council resolution 1999/27, annex.

Mindful also that, in its resolution 69/192, it reiterated that any changes to the Standard Minimum Rules should not lower any of the existing standards, but should reflect recent advances in correctional science and good practices so as to promote safety, security and humane conditions for prisoners,

Mindful further of the extensive consultative process culminating in the recommendations of the Expert Group, a process spanning a period of five years, consisting of technical and expert pre-consultations, meetings in Vienna, Buenos Aires and Cape Town, South Africa, and the active participation and input of Member States from all regions, assisted by representatives of the United Nations crime prevention and criminal justice programme network and other United Nations entities, including the Office of the United Nations High Commissioner for Human Rights, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Office on Drugs and Crime, intergovernmental organizations, including the International Committee of the Red Cross, specialized agencies in the United Nations system, including the World Health Organization, and non-governmental organizations and individual experts in the field of correctional science and human rights,

Recalling its resolution 69/172 of 18 December 2014, entitled “Human rights in the administration of justice”, in which it recognized the importance of the principle that, except for those lawful limitations that are demonstrably necessitated by the fact of incarceration, persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms, recalled that the social rehabilitation and reintegration of persons deprived of their liberty shall be among the essential aims of the criminal justice system, ensuring, as far as possible, that offenders are able to lead a law-abiding and self-supporting life upon their return to society, and took note of, inter alia, general comment No. 21 on the humane treatment of persons deprived of their liberty, adopted by the Human Rights Committee,²³

1. *Expresses its gratitude and appreciation* to the Government of South Africa for hosting the meeting of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners held in Cape Town, South Africa, from 2 to 5 March 2015 and for providing financial support and leadership throughout the review process, and notes with appreciation the consensus achieved on the nine thematic areas and the rules identified for revision by the Expert Group at its previous meetings;²⁴

2. *Expresses its appreciation* to the Government of Argentina for hosting and financing the meeting of the Expert Group held in Buenos Aires from 11 to 13 December 2012 and to the Government of Brazil for its financial contribution to the meeting of the Expert Group held in Vienna from 25 to 28 March 2014;

3. *Acknowledges* the valuable work accomplished by the bureau of the meeting of the Expert Group held in Vienna in 2014 in preparing, with the assistance of the Secretariat, the documentation for the meeting of the Expert Group held in Cape Town in 2015, in particular the revised consolidated working paper;²⁵

²³ *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 40 (A/47/40)*, annex VI.B.

²⁴ See [E/CN.15/2015/17](#).

²⁵ UNODC/CCPCJ/EG.6/2015/2.

4. *Notes* that in the Doha Declaration on 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, adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015,²⁶ the Thirteenth Congress welcomed the work of the Expert Group, and took note of the draft updated Standard Minimum Rules for the Treatment of Prisoners, as finalized by the Expert Group at its meeting held in Cape Town in March 2015;

5. *Adopts* the proposed revision of the Standard Minimum Rules for the Treatment of Prisoners, annexed to the present resolution, as the United Nations Standard Minimum Rules for the Treatment of Prisoners;

6. *Approves* the recommendation of the Expert Group that the Rules should be known as “the Nelson Mandela Rules”, to honour the legacy of the late President of South Africa, Nelson Rolihlahla Mandela, who spent 27 years in prison in the course of his struggle for global human rights, equality, democracy and the promotion of a culture of peace;

7. *Decides* to extend the scope of Nelson Mandela International Day, observed each year on 18 July,²⁷ to be also utilized known as Mandela Prisoner Rights Day in order to promote humane conditions of imprisonment, to raise awareness about prisoners being a continuous part of society and to value the work of prison staff as a social service of particular importance, and to this end invites Member States, regional organizations and organizations of the United Nations system to celebrate this occasion in an appropriate manner;

8. *Reaffirms*, in the context of paragraph 5 above, the preliminary observations to the Nelson Mandela Rules, underscores the non-binding nature of the Rules, acknowledges the variety of Member States’ legal frameworks, and in that regard recognizes that Member States may adapt the application of the Rules in accordance with their domestic legal frameworks, as appropriate, bearing in mind the spirit and purposes of the Rules;

9. *Encourages* Member States to endeavour to improve conditions in detention, consistent with the Nelson Mandela Rules and all other relevant and applicable United Nations standards and norms in crime prevention and criminal justice, to continue exchanging good practices in order to identify challenges faced in implementing the Rules and to share their experiences in dealing with those challenges;

10. *Invites* the Commission on Crime Prevention and Criminal Justice to consider, at its upcoming sessions, reconvening the open-ended intergovernmental Expert Group on the Standard Minimum Rules for the Treatment of Prisoners for the purpose of identifying the lessons learned, the means to continue to exchange good practices and the challenges faced in the implementation of the Nelson Mandela Rules;

11. *Encourages* Member States to promote the implementation of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty¹⁴ and the

²⁶ Resolution 70/____, annex.

²⁷ See resolution 64/13.

United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);¹⁵

12. *Recommends* that Member States continue to endeavour to reduce prison overcrowding and, where appropriate, resort to non-custodial measures as alternatives to pretrial detention, to promote increased access to justice and legal defence mechanisms, to reinforce alternatives to imprisonment and to support rehabilitation and social reintegration programmes, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);¹⁰

13. *Notes* the importance of a voluntary exchange of experiences and good practices among Member States and with relevant international entities, where appropriate, and the provision of technical assistance to Member States, for the improved implementation of the Nelson Mandela Rules, upon their request;

14. *Encourages* Member States to consider allocating adequate human and financial resources to assist in the improvement of prison conditions and the application of the Nelson Mandela Rules;

15. *Requests* the United Nations Office on Drugs and Crime to ensure broad dissemination of the Nelson Mandela Rules, to design guidance material and to provide technical assistance and advisory services to Member States in the field of penal reform, in order to develop or strengthen penitentiary legislation, procedures, policies and practices in line with the Rules;

16. *Commends* the Commission on Crime Prevention and Criminal Justice for its continuing contributions to the improvement of the administration of justice through the development and refinement of international standards and norms in the field of crime prevention and criminal justice, and calls upon Member States to continue their efforts in this regard;

17. *Requests* the United Nations Office on Drugs and Crime 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 crime prevention, criminal justice and law reform, and in the organization of training for law enforcement, crime prevention 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;

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

19. *Affirms* 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 the revision process and in contributing to the dissemination, promotion and practical application of the Nelson Mandela Rules in accordance with the procedures for their effective implementation.

Annex
United Nations Standard Minimum Rules for the Treatment of Prisoners
(the Nelson Mandela Rules)

Preliminary observation 1

The following rules are not intended to describe in detail a model system of penal institutions. They seek only, on the basis of the general consensus of contemporary thought and the essential elements of the most adequate systems of today, to set out what is generally accepted as being good principles and practice in the treatment of prisoners and prison management.

Preliminary observation 2

1. In view of the great variety of legal, social, economic and geographical conditions in the world, it is evident that not all of the rules are capable of application in all places and at all times. They should, however, serve to stimulate a constant endeavour to overcome practical difficulties in the way of their application, in the knowledge that they represent, as a whole, the minimum conditions which are accepted as suitable by the United Nations.

2. On the other hand, the rules cover a field in which thought is constantly developing. They are not intended to preclude experiment and practices, provided these are in harmony with the principles and seek to further the purposes which derive from the text of the rules as a whole. It will always be justifiable for the central prison administration to authorize departures from the rules in this spirit.

Preliminary observation 3

1. Part I of the rules covers the general management of prisons, and is applicable to all categories of prisoners, criminal or civil, untried or convicted, including prisoners subject to “security measures” or corrective measures ordered by the judge.

2. Part II contains rules applicable only to the special categories dealt with in each section. Nevertheless, the rules under section A, applicable to prisoners under sentence, shall be equally applicable to categories of prisoners dealt with in sections B, C and D, provided they do not conflict with the rules governing those categories and are for their benefit.

Preliminary observation 4

1. The rules do not seek to regulate the management of institutions set aside for young persons such as juvenile detention facilities or correctional schools, but in general part I would be equally applicable in such institutions.

2. The category of young prisoners should include at least all young persons who come within the jurisdiction of juvenile courts. As a rule, such young persons should not be sentenced to imprisonment.

I. Rules of general application

Basic principles

Rule 1

All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers and visitors shall be ensured at all times.

Rule 2

1. The present rules shall be applied impartially. There shall be no discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status. The religious beliefs and moral precepts of prisoners shall be respected.

2. In order for the principle of non-discrimination to be put into practice, prison administrations shall take account of the individual needs of prisoners, in particular the most vulnerable categories in prison settings. Measures to protect and promote the rights of prisoners with special needs are required and shall not be regarded as discriminatory.

Rule 3

Imprisonment and other measures that result in cutting off persons from the outside world are afflictive by the very fact of taking from these persons the right of self-determination by depriving them of their liberty. Therefore the prison system shall not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent in such a situation.

Rule 4

1. The purposes of a sentence of imprisonment or similar measures deprivative of a person's liberty are primarily to protect society against crime and to reduce recidivism. Those purposes can be achieved only if the period of imprisonment is used to ensure, so far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life.

2. To this end, prison administrations and other competent authorities should offer education, vocational training and work, as well as other forms of assistance that are appropriate and available, including those of a remedial, moral, spiritual, social and health- and sports-based nature. All such programmes, activities and services should be delivered in line with the individual treatment needs of prisoners.

Rule 5

1. The prison regime should seek to minimize any differences between prison life and life at liberty that tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings.

2. Prison administrations shall make all reasonable accommodation and adjustments to ensure that prisoners with physical, mental or other disabilities have full and effective access to prison life on an equitable basis.

Prisoner file management

Rule 6

There shall be a standardized prisoner file management system in every place where persons are imprisoned. Such a system may be an electronic database of records or a registration book with numbered and signed pages. Procedures shall be in place to ensure a secure audit trail and to prevent unauthorized access to or modification of any information contained in the system.

Rule 7

No person shall be received in a prison without a valid commitment order. The following information shall be entered in the prisoner file management system upon admission of every prisoner:

- (a) Precise information enabling determination of his or her unique identity, respecting his or her self-perceived gender;
- (b) The reasons for his or her commitment and the responsible authority, in addition to the date, time and place of arrest;
- (c) The day and hour of his or her admission and release as well as of any transfer;
- (d) Any visible injuries and complaints about prior ill-treatment;
- (e) An inventory of his or her personal property;
- (f) The names of his or her family members, including, where applicable, his or her children, the children's ages, location and custody or guardianship status;
- (g) Emergency contact details and information on the prisoner's next of kin.

Rule 8

The following information shall be entered in the prisoner file management system in the course of imprisonment, where applicable:

- (a) Information related to the judicial process, including dates of court hearings and legal representation;
- (b) Initial assessment and classification reports;
- (c) Information related to behaviour and discipline;
- (d) Requests and complaints, including allegations of torture or other cruel, inhuman or degrading treatment or punishment, unless they are of a confidential nature;
- (e) Information on the imposition of disciplinary sanctions;
- (f) Information on the circumstances and causes of any injuries or death and, in the case of the latter, the destination of the remains.

Rule 9

All records referred to in rules 7 and 8 shall be kept confidential and made available only to those whose professional responsibilities require access to such records. Every prisoner shall be granted access to the records pertaining to him or her, subject to redactions authorized under domestic legislation, and shall be entitled to receive an official copy of such records upon his or her release.

Rule 10

Prisoner file management systems shall also be used to generate reliable data about trends relating to and characteristics of the prison population, including occupancy rates, in order to create a basis for evidence-based decision-making.

Separation of categories*Rule 11*

The different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment; thus:

- (a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate;
- (b) Untried prisoners shall be kept separate from convicted prisoners;
- (c) Persons imprisoned for debt and other civil prisoners shall be kept separate from persons imprisoned by reason of a criminal offence;
- (d) Young prisoners shall be kept separate from adults.

Accommodation*Rule 12*

1. Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself or herself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room.

2. Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions. There shall be regular supervision by night, in keeping with the nature of the prison.

Rule 13

All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.

Rule 14

In all places where prisoners are required to live or work:

- (a) The windows shall be large enough to enable the prisoners to read or work by natural light and shall be so constructed that they can allow the entrance of fresh air whether or not there is artificial ventilation;
- (b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

Rule 15

The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

Rule 16

Adequate bathing and shower installations shall be provided so that every prisoner can, and may be required to, have a bath or shower, at a temperature suitable to the climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week in a temperate climate.

Rule 17

All parts of a prison regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.

Personal hygiene

Rule 18

1. Prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness.
2. In order that prisoners may maintain a good appearance compatible with their self-respect, facilities shall be provided for the proper care of the hair and beard, and men shall be able to shave regularly.

Clothing and bedding

Rule 19

1. Every prisoner who is not allowed to wear his or her own clothing shall be provided with an outfit of clothing suitable for the climate and adequate to keep him or her in good health. Such clothing shall in no manner be degrading or humiliating.
2. All clothing shall be clean and kept in proper condition. Underclothing shall be changed and washed as often as necessary for the maintenance of hygiene.
3. In exceptional circumstances, whenever a prisoner is removed outside the prison for an authorized purpose, he or she shall be allowed to wear his or her own clothing or other inconspicuous clothing.

Rule 20

If prisoners are allowed to wear their own clothing, arrangements shall be made on their admission to the prison to ensure that it shall be clean and fit for use.

Rule 21

Every prisoner shall, in accordance with local or national standards, be provided with a separate bed and with separate and sufficient bedding which shall be clean when issued, kept in good order and changed often enough to ensure its cleanliness.

Food*Rule 22*

1. Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served.
2. Drinking water shall be available to every prisoner whenever he or she needs it.

Exercise and sport*Rule 23*

1. Every prisoner who is not employed in outdoor work shall have at least one hour of suitable exercise in the open air daily if the weather permits.
2. Young prisoners, and others of suitable age and physique, shall receive physical and recreational training during the period of exercise. To this end, space, installations and equipment should be provided.

Health-care services*Rule 24*

1. The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status.
2. Health-care services should be organized in close relationship to the general public health administration and in a way that ensures continuity of treatment and care, including for HIV, tuberculosis and other infectious diseases, as well as for drug dependence.

Rule 25

1. Every prison shall have in place a health-care service tasked with evaluating, promoting, protecting and improving the physical and mental health of prisoners, paying particular attention to prisoners with special health-care needs or with health issues that hamper their rehabilitation.
2. The health-care service shall consist of an interdisciplinary team with sufficient qualified personnel acting in full clinical independence and shall encompass sufficient

expertise in psychology and psychiatry. The services of a qualified dentist shall be available to every prisoner.

Rule 26

1. The health-care service shall prepare and maintain accurate, up-to-date and confidential individual medical files on all prisoners, and all prisoners should be granted access to their files upon request. A prisoner may appoint a third party to access his or her medical file.
2. Medical files shall be transferred to the health-care service of the receiving institution upon transfer of a prisoner and shall be subject to medical confidentiality.

Rule 27

1. All prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals. Where a prison service has its own hospital facilities, they shall be adequately staffed and equipped to provide prisoners referred to them with appropriate treatment and care.
2. Clinical decisions may only be taken by the responsible health-care professionals and may not be overruled or ignored by non-medical prison staff.

Rule 28

In women's prisons, there shall be special accommodation for all necessary prenatal and postnatal care and treatment. Arrangements shall be made wherever practicable for children to be born in a hospital outside the prison. If a child is born in prison, this fact shall not be mentioned in the birth certificate.

Rule 29

1. A decision to allow a child to stay with his or her parent in prison shall be based on the best interests of the child concerned. Where children are allowed to remain in prison with a parent, provision shall be made for:
 - (a) Internal or external childcare facilities staffed by qualified persons, where the children shall be placed when they are not in the care of their parent;
 - (b) Child-specific health-care services, including health screenings upon admission and ongoing monitoring of their development by specialists.
2. Children in prison with a parent shall never be treated as prisoners.

Rule 30

A physician or other qualified health-care professionals, whether or not they are required to report to the physician, shall see, talk with and examine every prisoner as soon as possible following his or her admission and thereafter as necessary. Particular attention shall be paid to:

- (a) Identifying health-care needs and taking all necessary measures for treatment;

(b) Identifying any ill-treatment that arriving prisoners may have been subjected to prior to admission;

(c) Identifying any signs of psychological or other stress brought on by the fact of imprisonment, including, but not limited to, the risk of suicide or self-harm and withdrawal symptoms resulting from the use of drugs, medication or alcohol; and undertaking all appropriate individualized measures or treatment;

(d) In cases where prisoners are suspected of having contagious diseases, providing for the clinical isolation and adequate treatment of those prisoners during the infectious period;

(e) Determining the fitness of prisoners to work, to exercise and to participate in other activities, as appropriate.

Rule 31

The physician or, where applicable, other qualified health-care professionals shall have daily access to all sick prisoners, all prisoners who complain of physical or mental health issues or injury and any prisoner to whom their attention is specially directed. All medical examinations shall be undertaken in full confidentiality.

Rule 32

1. The relationship between the physician or other health-care professionals and the prisoners shall be governed by the same ethical and professional standards as those applicable to patients in the community, in particular:

(a) The duty of protecting prisoners' physical and mental health and the prevention and treatment of disease on the basis of clinical grounds only;

(b) Adherence to prisoners' autonomy with regard to their own health and informed consent in the doctor-patient relationship;

(c) The confidentiality of medical information, unless maintaining such confidentiality would result in a real and imminent threat to the patient or to others;

(d) An absolute prohibition on engaging, actively or passively, in acts that may constitute torture or other cruel, inhuman or degrading treatment or punishment, including medical or scientific experimentation that may be detrimental to a prisoner's health, such as the removal of a prisoner's cells, body tissues or organs.

2. Without prejudice to paragraph 1 (d) of this rule, prisoners may be allowed, upon their free and informed consent and in accordance with applicable law, to participate in clinical trials and other health research accessible in the community if these are expected to produce a direct and significant benefit to their health, and to donate cells, body tissues or organs to a relative.

Rule 33

The physician shall report to the prison director whenever he or she considers that a prisoner's physical or mental health has been or will be injuriously affected by continued imprisonment or by any condition of imprisonment.

Rule 34

If, in the course of examining a prisoner upon admission or providing medical care to the prisoner thereafter, health-care professionals become aware of any signs of torture or other cruel, inhuman or degrading treatment or punishment, they shall document and report such cases to the competent medical, administrative or judicial authority. Proper procedural safeguards shall be followed in order not to expose the prisoner or associated persons to foreseeable risk of harm.

Rule 35

1. The physician or competent public health body shall regularly inspect and advise the prison director on:

- (a) The quantity, quality, preparation and service of food;
- (b) The hygiene and cleanliness of the institution and the prisoners;
- (c) The sanitation, temperature, lighting and ventilation of the prison;
- (d) The suitability and cleanliness of the prisoners' clothing and bedding;

(e) The observance of the rules concerning physical education and sports, in cases where there is no technical personnel in charge of these activities.

2. The prison director shall take into consideration the advice and reports provided in accordance with paragraph 1 of this rule and rule 33 and shall take immediate steps to give effect to the advice and the recommendations in the reports. If the advice or recommendations do not fall within the prison director's competence or if he or she does not concur with them, the director shall immediately submit to a higher authority his or her own report and the advice or recommendations of the physician or competent public health body.

Restrictions, discipline and sanctions*Rule 36*

Discipline and order shall be maintained with no more restriction than is necessary to ensure safe custody, the secure operation of the prison and a well ordered community life.

Rule 37

The following shall always be subject to authorization by law or by the regulation of the competent administrative authority:

- (a) Conduct constituting a disciplinary offence;
- (b) The types and duration of sanctions that may be imposed;
- (c) The authority competent to impose such sanctions;

(d) Any form of involuntary separation from the general prison population, such as solitary confinement, isolation, segregation, special care units or restricted housing, whether as a disciplinary sanction or for the maintenance of order and security, including promulgating policies and procedures governing the use and review of, admission to and release from any form of involuntary separation.

Rule 38

1. Prison administrations are encouraged to use, to the extent possible, conflict prevention, mediation or any other alternative dispute resolution mechanism to prevent disciplinary offences or to resolve conflicts.
2. For prisoners who are, or have been, separated, the prison administration shall take the necessary measures to alleviate the potential detrimental effects of their confinement on them and on their community following their release from prison.

Rule 39

1. No prisoner shall be sanctioned except in accordance with the terms of the law or regulation referred to in rule 37 and the principles of fairness and due process. A prisoner shall never be sanctioned twice for the same act or offence.
2. Prison administrations shall ensure proportionality between a disciplinary sanction and the offence for which it is established, and shall keep a proper record of all disciplinary sanctions imposed.
3. Before imposing disciplinary sanctions, prison administrations shall consider whether and how a prisoner's mental illness or developmental disability may have contributed to his or her conduct and the commission of the offence or act underlying the disciplinary charge. Prison administrations shall not sanction any conduct of a prisoner that is considered to be the direct result of his or her mental illness or intellectual disability.

Rule 40

1. No prisoner shall be employed, in the service of the prison, in any disciplinary capacity.
2. This rule shall not, however, impede the proper functioning of systems based on self-government, under which specified social, educational or sports activities or responsibilities are entrusted, under supervision, to prisoners who are formed into groups for the purposes of treatment.

Rule 41

1. Any allegation of a disciplinary offence by a prisoner shall be reported promptly to the competent authority, which shall investigate it without undue delay.
2. Prisoners shall be informed, without delay and in a language that they understand, of the nature of the accusations against them and shall be given adequate time and facilities for the preparation of their defence.
3. Prisoners shall be allowed to defend themselves in person, or through legal assistance when the interests of justice so require, particularly in cases involving serious disciplinary charges. If the prisoners do not understand or speak the language used at a disciplinary hearing, they shall be assisted by a competent interpreter free of charge.
4. Prisoners shall have an opportunity to seek judicial review of disciplinary sanctions imposed against them.

5. In the event that a breach of discipline is prosecuted as a crime, prisoners shall be entitled to all due process guarantees applicable to criminal proceedings, including unimpeded access to a legal adviser.

Rule 42

General living conditions addressed in these rules, including those related to light, ventilation, temperature, sanitation, nutrition, drinking water, access to open air and physical exercise, personal hygiene, health care and adequate personal space, shall apply to all prisoners without exception.

Rule 43

1. In no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment. The following practices, in particular, shall be prohibited:

- (a) Indefinite solitary confinement;
- (b) Prolonged solitary confinement;
- (c) Placement of a prisoner in a dark or constantly lit cell;
- (d) Corporal punishment or the reduction of a prisoner's diet or drinking water;
- (e) Collective punishment.

2. Instruments of restraint shall never be applied as a sanction for disciplinary offences.

3. Disciplinary sanctions or restrictive measures shall not include the prohibition of family contact. The means of family contact may only be restricted for a limited time period and as strictly required for the maintenance of security and order.

Rule 44

For the purpose of these rules, solitary confinement shall refer to the confinement of prisoners for 22 hours or more a day without meaningful human contact. Prolonged solitary confinement shall refer to solitary confinement for a time period in excess of 15 consecutive days.

Rule 45

1. Solitary confinement shall be used only in exceptional cases as a last resort, for as short a time as possible and subject to independent review, and only pursuant to the authorization by a competent authority. It shall not be imposed by virtue of a prisoner's sentence.

2. The imposition of solitary confinement should be prohibited in the case of prisoners with mental or physical disabilities when their conditions would be exacerbated by such measures. The prohibition of the use of solitary confinement and similar measures in cases involving women and children, as referred to in other

United Nations standards and norms in crime prevention and criminal justice,²⁸ continues to apply.

Rule 46

1. Health-care personnel shall not have any role in the imposition of disciplinary sanctions or other restrictive measures. They shall, however, pay particular attention to the health of prisoners held under any form of involuntary separation, including by visiting such prisoners on a daily basis and providing prompt medical assistance and treatment at the request of such prisoners or prison staff.

2. Health-care personnel shall report to the prison director, without delay, any adverse effect of disciplinary sanctions or other restrictive measures on the physical or mental health of a prisoner subjected to such sanctions or measures and shall advise the director if they consider it necessary to terminate or alter them for physical or mental health reasons.

3. Health-care personnel shall have the authority to review and recommend changes to the involuntary separation of a prisoner in order to ensure that such separation does not exacerbate the medical condition or mental or physical disability of the prisoner.

Instruments of restraint

Rule 47

1. The use of chains, irons or other instruments of restraint which are inherently degrading or painful shall be prohibited.

2. Other instruments of restraint shall only be used when authorized by law and in the following circumstances:

(a) As a precaution against escape during a transfer, provided that they are removed when the prisoner appears before a judicial or administrative authority;

(b) By order of the prison director, if other methods of control fail, in order to prevent a prisoner from injuring himself or herself or others or from damaging property; in such instances, the director shall immediately alert the physician or other qualified health-care professionals and report to the higher administrative authority.

Rule 48

1. When the imposition of instruments of restraint is authorized in accordance with paragraph 2 of rule 47, the following principles shall apply:

(a) Instruments of restraint are to be imposed only when no lesser form of control would be effective to address the risks posed by unrestricted movement;

(b) The method of restraint shall be the least intrusive method that is necessary and reasonably available to control the prisoner's movement, based on the level and nature of the risks posed;

²⁸ See rule 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (resolution 45/113, annex); and rule 22 of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (resolution 65/229, annex).

(c) Instruments of restraint shall be imposed only for the time period required, and they are to be removed as soon as possible after the risks posed by unrestricted movement are no longer present.

2. Instruments of restraint shall never be used on women during labour, during childbirth and immediately after childbirth.

Rule 49

The prison administration should seek access to, and provide training in the use of, control techniques that would obviate the need for the imposition of instruments of restraint or reduce their intrusiveness.

Searches of prisoners and cells

Rule 50

The laws and regulations governing searches of prisoners and cells shall be in accordance with obligations under international law and shall take into account international standards and norms, keeping in mind the need to ensure security in the prison. Searches shall be conducted in a manner that is respectful of the inherent human dignity and privacy of the individual being searched, as well as the principles of proportionality, legality and necessity.

Rule 51

Searches shall not be used to harass, intimidate or unnecessarily intrude upon a prisoner's privacy. For the purpose of accountability, the prison administration shall keep appropriate records of searches, in particular strip and body cavity searches and searches of cells, as well as the reasons for the searches, the identities of those who conducted them and any results of the searches.

Rule 52

1. Intrusive searches, including strip and body cavity searches, should be undertaken only if absolutely necessary. Prison administrations shall be encouraged to develop and use appropriate alternatives to intrusive searches. Intrusive searches shall be conducted in private and by trained staff of the same sex as the prisoner.

2. Body cavity searches shall be conducted only by qualified health-care professionals other than those primarily responsible for the care of the prisoner or, at a minimum, by staff appropriately trained by a medical professional in standards of hygiene, health and safety.

Rule 53

Prisoners shall have access to, or be allowed to keep in their possession without access by the prison administration, documents relating to their legal proceedings.

Information to and complaints by prisoners*Rule 54*

Upon admission, every prisoner shall be promptly provided with written information about:

- (a) The prison law and applicable prison regulations;
- (b) His or her rights, including authorized methods of seeking information, access to legal advice, including through legal aid schemes, and procedures for making requests or complaints;
- (c) His or her obligations, including applicable disciplinary sanctions; and
- (d) All other matters necessary to enable the prisoner to adapt himself or herself to the life of the prison.

Rule 55

1. The information referred to in rule 54 shall be available in the most commonly used languages in accordance with the needs of the prison population. If a prisoner does not understand any of those languages, interpretation assistance should be provided.
2. If a prisoner is illiterate, the information shall be conveyed to him or her orally. Prisoners with sensory disabilities should be provided with information in a manner appropriate to their needs.
3. The prison administration shall prominently display summaries of the information in common areas of the prison.

Rule 56

1. Every prisoner shall have the opportunity each day to make requests or complaints to the prison director or the prison staff member authorized to represent him or her.
2. It shall be possible to make requests or complaints to the inspector of prisons during his or her inspections. The prisoner shall have the opportunity to talk to the inspector or any other inspecting officer freely and in full confidentiality, without the director or other members of the staff being present.
3. Every prisoner shall be allowed to make a request or complaint regarding his or her treatment, without censorship as to substance, to the central prison administration and to the judicial or other competent authorities, including those vested with reviewing or remedial power.
4. The rights under paragraphs 1 to 3 of this rule shall extend to the legal adviser of the prisoner. In those cases where neither the prisoner nor his or her legal adviser has the possibility of exercising such rights, a member of the prisoner's family or any other person who has knowledge of the case may do so.

Rule 57

1. Every request or complaint shall be promptly dealt with and replied to without delay. If the request or complaint is rejected, or in the event of undue delay, the complainant shall be entitled to bring it before a judicial or other authority.
2. Safeguards shall be in place to ensure that prisoners can make requests or complaints safely and, if so requested by the complainant, in a confidential manner. A prisoner or other person mentioned in paragraph 4 of rule 56 must not be exposed to any risk of retaliation, intimidation or other negative consequences as a result of having submitted a request or complaint.
3. Allegations of torture or other cruel, inhuman or degrading treatment or punishment of prisoners shall be dealt with immediately and shall result in a prompt and impartial investigation conducted by an independent national authority in accordance with paragraphs 1 and 2 of rule 71.

Contact with the outside world

Rule 58

1. Prisoners shall be allowed, under necessary supervision, to communicate with their family and friends at regular intervals:
 - (a) By corresponding in writing and using, where available, telecommunication, electronic, digital and other means; and
 - (b) By receiving visits.
2. Where conjugal visits are allowed, this right shall be applied without discrimination, and women prisoners shall be able to exercise this right on an equal basis with men. Procedures shall be in place and premises shall be made available to ensure fair and equal access with due regard to safety and dignity.

Rule 59

Prisoners shall be allocated, to the extent possible, to prisons close to their homes or their places of social rehabilitation.

Rule 60

1. Admission of visitors to the prison facility is contingent upon the visitor's consent to being searched. The visitor may withdraw his or her consent at any time, in which case the prison administration may refuse access.
2. Search and entry procedures for visitors shall not be degrading and shall be governed by principles at least as protective as those outlined in rules 50 to 52. Body cavity searches should be avoided and should not be applied to children.

Rule 61

1. Prisoners shall be provided with adequate opportunity, time and facilities to be visited by and to communicate and consult with a legal adviser of their own choice or a legal aid provider, without delay, interception or censorship and in full confidentiality, on any legal matter, in conformity with applicable domestic law. Consultations may be within sight, but not within hearing, of prison staff.

2. In cases in which prisoners do not speak the local language, the prison administration shall facilitate access to the services of an independent competent interpreter.

3. Prisoners should have access to effective legal aid.

Rule 62

1. Prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with the diplomatic and consular representatives of the State to which they belong.

2. Prisoners who are nationals of States without diplomatic or consular representation in the country and refugees or stateless persons shall be allowed similar facilities to communicate with the diplomatic representative of the State which takes charge of their interests or any national or international authority whose task it is to protect such persons.

Rule 63

Prisoners shall be kept informed regularly of the more important items of news by the reading of newspapers, periodicals or special institutional publications, by hearing wireless transmissions, by lectures or by any similar means as authorized or controlled by the prison administration.

Books

Rule 64

Every prison shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it.

Religion

Rule 65

1. If the prison contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement should be on a full-time basis.

2. A qualified representative appointed or approved under paragraph 1 of this rule shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his or her religion at proper times.

3. Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his or her attitude shall be fully respected.

Rule 66

So far as practicable, every prisoner shall be allowed to satisfy the needs of his or her religious life by attending the services provided in the prison and having in his or her possession the books of religious observance and instruction of his or her denomination.

Retention of prisoners' property

Rule 67

1. All money, valuables, clothing and other effects belonging to a prisoner which he or she is not allowed to retain under the prison regulations shall on his or her admission to the prison be placed in safe custody. An inventory thereof shall be signed by the prisoner. Steps shall be taken to keep them in good condition.
2. On the release of the prisoner, all such articles and money shall be returned to him or her except in so far as he or she has been authorized to spend money or send any such property out of the prison, or it has been found necessary on hygienic grounds to destroy any article of clothing. The prisoner shall sign a receipt for the articles and money returned to him or her.
3. Any money or effects received for a prisoner from outside shall be treated in the same way.
4. If a prisoner brings in any drugs or medicine, the physician or other qualified health-care professionals shall decide what use shall be made of them.

Notifications

Rule 68

Every prisoner shall have the right, and shall be given the ability and means, to inform immediately his or her family, or any other person designated as a contact person, about his or her imprisonment, about his or her transfer to another institution and about any serious illness or injury. The sharing of prisoners' personal information shall be subject to domestic legislation.

Rule 69

In the event of a prisoner's death, the prison director shall at once inform the prisoner's next of kin or emergency contact. Individuals designated by a prisoner to receive his or her health information shall be notified by the director of the prisoner's serious illness, injury or transfer to a health institution. The explicit request of a prisoner not to have his or her spouse or nearest relative notified in the event of illness or injury shall be respected.

Rule 70

The prison administration shall inform a prisoner at once of the serious illness or death of a near relative or any significant other. Whenever circumstances allow, the prisoner should be authorized to go, either under escort or alone, to the bedside of a near relative or significant other who is critically ill, or to attend the funeral of a near relative or significant other.

Investigations

Rule 71

1. Notwithstanding the initiation of an internal investigation, the prison director shall report, without delay, any custodial death, disappearance or serious injury to a judicial or other competent authority that is independent of the prison administration and mandated to conduct prompt, impartial and effective investigations into the

circumstances and causes of such cases. The prison administration shall fully cooperate with that authority and ensure that all evidence is preserved.

2. The obligation in paragraph 1 of this rule shall equally apply whenever there are reasonable grounds to believe that an act of torture or other cruel, inhuman or degrading treatment or punishment has been committed in prison, irrespective of whether a formal complaint has been received.

3. Whenever there are reasonable grounds to believe that an act referred to in paragraph 2 of this rule has been committed, steps shall be taken immediately to ensure that all potentially implicated persons have no involvement in the investigation and no contact with the witnesses, the victim or the victim's family.

Rule 72

The prison administration shall treat the body of a deceased prisoner with respect and dignity. The body of a deceased prisoner should be returned to his or her next of kin as soon as reasonably possible, at the latest upon completion of the investigation. The prison administration shall facilitate a culturally appropriate funeral if there is no other responsible party willing or able to do so and shall keep a full record of the matter.

Removal of prisoners

Rule 73

1. When prisoners are being removed to or from an institution, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult, curiosity and publicity in any form.

2. The transport of prisoners in conveyances with inadequate ventilation or light, or in any way which would subject them to unnecessary physical hardship, shall be prohibited.

3. The transport of prisoners shall be carried out at the expense of the prison administration and equal conditions shall apply to all of them.

Institutional personnel

Rule 74

1. The prison administration shall provide for the careful selection of every grade of the personnel, since it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of prisons depends.

2. The prison administration shall constantly seek to awaken and maintain in the minds both of the personnel and of the public the conviction that this work is a social service of great importance, and to this end all appropriate means of informing the public should be used.

3. To secure the foregoing ends, personnel shall be appointed on a full-time basis as professional prison staff and have civil service status with security of tenure subject only to good conduct, efficiency and physical fitness. Salaries shall be adequate to attract and retain suitable men and women; employment benefits and conditions of service shall be favourable in view of the exacting nature of the work.

Rule 75

1. All prison staff shall possess an adequate standard of education and shall be given the ability and means to carry out their duties in a professional manner.
2. Before entering on duty, all prison staff shall be provided with training tailored to their general and specific duties, which shall be reflective of contemporary evidence-based best practice in penal sciences. Only those candidates who successfully pass the theoretical and practical tests at the end of such training shall be allowed to enter the prison service.
3. The prison administration shall ensure the continuous provision of in service training courses with a view to maintaining and improving the knowledge and professional capacity of its personnel, after entering on duty and during their career.

Rule 76

1. Training referred to in paragraph 2 of rule 75 shall include, at a minimum, training on:
 - (a) Relevant national legislation, regulations and policies, as well as applicable international and regional instruments, the provisions of which must guide the work and interactions of prison staff with inmates;
 - (b) Rights and duties of prison staff in the exercise of their functions, including respecting the human dignity of all prisoners and the prohibition of certain conduct, in particular torture and other cruel, inhuman or degrading treatment or punishment;
 - (c) Security and safety, including the concept of dynamic security, the use of force and instruments of restraint, and the management of violent offenders, with due consideration of preventive and defusing techniques, such as negotiation and mediation;
 - (d) First aid, the psychosocial needs of prisoners and the corresponding dynamics in prison settings, as well as social care and assistance, including early detection of mental health issues.
2. Prison staff who are in charge of working with certain categories of prisoners, or who are assigned other specialized functions, shall receive training that has a corresponding focus.

Rule 77

All prison staff shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their example and to command their respect.

Rule 78

1. So far as possible, prison staff shall include a sufficient number of specialists such as psychiatrists, psychologists, social workers, teachers and trade instructors.
2. The services of social workers, teachers and trade instructors shall be secured on a permanent basis, without thereby excluding part-time or voluntary workers.

Rule 79

1. The prison director should be adequately qualified for his or her task by character, administrative ability, suitable training and experience.
2. The prison director shall devote his or her entire working time to official duties and shall not be appointed on a part-time basis. He or she shall reside on the premises of the prison or in its immediate vicinity.
3. When two or more prisons are under the authority of one director, he or she shall visit each of them at frequent intervals. A responsible resident official shall be in charge of each of these prisons.

Rule 80

1. The prison director, his or her deputy, and the majority of other prison staff shall be able to speak the language of the greatest number of prisoners, or a language understood by the greatest number of them.
2. Whenever necessary, the services of a competent interpreter shall be used.

Rule 81

1. In a prison for both men and women, the part of the prison set aside for women shall be under the authority of a responsible woman staff member who shall have the custody of the keys of all that part of the prison.
2. No male staff member shall enter the part of the prison set aside for women unless accompanied by a woman staff member.
3. Women prisoners shall be attended and supervised only by women staff members. This does not, however, preclude male staff members, particularly doctors and teachers, from carrying out their professional duties in prisons or parts of prisons set aside for women.

Rule 82

1. Prison staff shall not, in their relations with the prisoners, use force except in self-defence or in cases of attempted escape, or active or passive physical resistance to an order based on law or regulations. Prison staff who have recourse to force must use no more than is strictly necessary and must report the incident immediately to the prison director.
2. Prison staff shall be given special physical training to enable them to restrain aggressive prisoners.
3. Except in special circumstances, prison staff performing duties which bring them into direct contact with prisoners should not be armed. Furthermore, prison staff should in no circumstances be provided with arms unless they have been trained in their use.

Internal and external inspections*Rule 83*

1. There shall be a twofold system for regular inspections of prisons and penal services:

(a) Internal or administrative inspections conducted by the central prison administration;

(b) External inspections conducted by a body independent of the prison administration, which may include competent international or regional bodies.

2. In both cases, the objective of the inspections shall be to ensure that prisons are managed in accordance with existing laws, regulations, policies and procedures, with a view to bringing about the objectives of penal and corrections services, and that the rights of prisoners are protected.

Rule 84

1. Inspectors shall have the authority:

(a) To access all information on the numbers of prisoners and places and locations of detention, as well as all information relevant to the treatment of prisoners, including their records and conditions of detention;

(b) To freely choose which prisons to visit, including by making unannounced visits at their own initiative, and which prisoners to interview;

(c) To conduct private and fully confidential interviews with prisoners and prison staff in the course of their visits;

(d) To make recommendations to the prison administration and other competent authorities.

2. External inspection teams shall be composed of qualified and experienced inspectors appointed by a competent authority and shall encompass health-care professionals. Due regard shall be given to balanced gender representation.

Rule 85

1. Every inspection shall be followed by a written report to be submitted to the competent authority. Due consideration shall be given to making the reports of external inspections publicly available, excluding any personal data on prisoners unless they have given their explicit consent.

2. The prison administration or other competent authorities, as appropriate, shall indicate, within a reasonable time, whether they will implement the recommendations resulting from the external inspection.

II. Rules applicable to special categories

A. Prisoners under sentence

Guiding principles

Rule 86

The guiding principles hereafter are intended to show the spirit in which penal institutions should be administered and the purposes at which they should aim, in accordance with the declaration made under preliminary observation 1 of these rules.

Rule 87

Before the completion of the sentence, it is desirable that the necessary steps be taken to ensure for the prisoner a gradual return to life in society. This aim may be achieved, depending on the case, by a pre-release regime organized in the same prison or in another appropriate institution, or by release on trial under some kind of supervision which must not be entrusted to the police but should be combined with effective social aid.

Rule 88

1. The treatment of prisoners should emphasize not their exclusion from the community but their continuing part in it. Community agencies should therefore be enlisted wherever possible to assist the prison staff in the task of social rehabilitation of the prisoners.

2. There should be in connection with every prison social workers charged with the duty of maintaining and improving all desirable relations of a prisoner with his or her family and with valuable social agencies. Steps should be taken to safeguard, to the maximum extent compatible with the law and the sentence, the rights relating to civil interests, social security rights and other social benefits of prisoners.

Rule 89

1. The fulfilment of these principles requires individualization of treatment and for this purpose a flexible system of classifying prisoners in groups. It is therefore desirable that such groups should be distributed in separate prisons suitable for the treatment of each group.

2. These prisons do not need to provide the same degree of security for every group. It is desirable to provide varying degrees of security according to the needs of different groups. Open prisons, by the very fact that they provide no physical security against escape but rely on the self-discipline of the inmates, provide the conditions most favourable to the rehabilitation of carefully selected prisoners.

3. It is desirable that the number of prisoners in closed prisons should not be so large that the individualization of treatment is hindered. In some countries it is considered that the population of such prisons should not exceed 500. In open prisons the population should be as small as possible.

4. On the other hand, it is undesirable to maintain prisons which are so small that proper facilities cannot be provided.

Rule 90

The duty of society does not end with a prisoner's release. There should, therefore, be governmental or private agencies capable of lending the released prisoner efficient aftercare directed towards the lessening of prejudice against him or her and towards his or her social rehabilitation.

Treatment*Rule 91*

The treatment of persons sentenced to imprisonment or a similar measure shall have as its purpose, so far as the length of the sentence permits, to establish in them the will to lead law-abiding and self-supporting lives after their release and to fit them to do so. The treatment shall be such as will encourage their self-respect and develop their sense of responsibility.

Rule 92

1. To these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social casework, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his or her social and criminal history, physical and mental capacities and aptitudes, personal temperament, the length of his or her sentence and prospects after release.

2. For every prisoner with a sentence of suitable length, the prison director shall receive, as soon as possible after his or her admission, full reports on all the matters referred to in paragraph 1 of this rule. Such reports shall always include a report by the physician or other qualified health-care professionals on the physical and mental condition of the prisoner.

3. The reports and other relevant documents shall be placed in an individual file. This file shall be kept up to date and classified in such a way that it can be consulted by the responsible personnel whenever the need arises.

Classification and individualization*Rule 93*

1. The purposes of classification shall be:

(a) To separate from others those prisoners who, by reason of their criminal records or characters, are likely to exercise a bad influence;

(b) To divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.

2. So far as possible, separate prisons or separate sections of a prison shall be used for the treatment of different classes of prisoners.

Rule 94

As soon as possible after admission and after a study of the personality of each prisoner with a sentence of suitable length, a programme of treatment shall be prepared for him or her in the light of the knowledge obtained about his or her individual needs, capacities and dispositions.

Privileges*Rule 95*

Systems of privileges appropriate for the different classes of prisoners and the different methods of treatment shall be established at every prison, in order to encourage good conduct, develop a sense of responsibility and secure the interest and cooperation of prisoners in their treatment.

Work*Rule 96*

1. Sentenced prisoners shall have the opportunity to work and/or to actively participate in their rehabilitation, subject to a determination of physical and mental fitness by a physician or other qualified health-care professionals.
2. Sufficient work of a useful nature shall be provided to keep prisoners actively employed for a normal working day.

Rule 97

1. Prison labour must not be of an afflictive nature.
2. Prisoners shall not be held in slavery or servitude.
3. No prisoner shall be required to work for the personal or private benefit of any prison staff.

Rule 98

1. So far as possible the work provided shall be such as will maintain or increase the prisoners' ability to earn an honest living after release.
2. Vocational training in useful trades shall be provided for prisoners able to profit thereby and especially for young prisoners.
3. Within the limits compatible with proper vocational selection and with the requirements of institutional administration and discipline, prisoners shall be able to choose the type of work they wish to perform.

Rule 99

1. The organization and methods of work in prisons shall resemble as closely as possible those of similar work outside of prisons, so as to prepare prisoners for the conditions of normal occupational life.
2. The interests of the prisoners and of their vocational training, however, must not be subordinated to the purpose of making a financial profit from an industry in the prison.

Rule 100

1. Preferably, institutional industries and farms should be operated directly by the prison administration and not by private contractors.
2. Where prisoners are employed in work not controlled by the prison administration, they shall always be under the supervision of prison staff. Unless the

work is for other departments of the government, the full normal wages for such work shall be paid to the prison administration by the persons to whom the labour is supplied, account being taken of the output of the prisoners.

Rule 101

1. The precautions laid down to protect the safety and health of free workers shall be equally observed in prisons.
2. Provision shall be made to indemnify prisoners against industrial injury, including occupational disease, on terms not less favourable than those extended by law to free workers.

Rule 102

1. The maximum daily and weekly working hours of the prisoners shall be fixed by law or by administrative regulation, taking into account local rules or custom in regard to the employment of free workers.
2. The hours so fixed shall leave one rest day a week and sufficient time for education and other activities required as part of the treatment and rehabilitation of prisoners.

Rule 103

1. There shall be a system of equitable remuneration of the work of prisoners.
2. Under the system, prisoners shall be allowed to spend at least a part of their earnings on approved articles for their own use and to send a part of their earnings to their family.
3. The system should also provide that a part of the earnings should be set aside by the prison administration so as to constitute a savings fund to be handed over to the prisoner on his or her release.

Education and recreation

Rule 104

1. Provision shall be made for the further education of all prisoners capable of profiting thereby, including religious instruction in the countries where this is possible. The education of illiterate prisoners and of young prisoners shall be compulsory and special attention shall be paid to it by the prison administration.
2. So far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty.

Rule 105

Recreational and cultural activities shall be provided in all prisons for the benefit of the mental and physical health of prisoners.

Social relations and aftercare*Rule 106*

Special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his or her family as are desirable in the best interests of both.

Rule 107

From the beginning of a prisoner's sentence, consideration shall be given to his or her future after release and he or she shall be encouraged and provided assistance to maintain or establish such relations with persons or agencies outside the prison as may promote the prisoner's rehabilitation and the best interests of his or her family.

Rule 108

1. Services and agencies, governmental or otherwise, which assist released prisoners in re-establishing themselves in society shall ensure, so far as is possible and necessary, that released prisoners are provided with appropriate documents and identification papers, have suitable homes and work to go to, are suitably and adequately clothed having regard to the climate and season and have sufficient means to reach their destination and maintain themselves in the period immediately following their release.

2. The approved representatives of such agencies shall have all necessary access to the prison and to prisoners and shall be taken into consultation as to the future of a prisoner from the beginning of his or her sentence.

3. It is desirable that the activities of such agencies shall be centralized or coordinated as far as possible in order to secure the best use of their efforts.

B. Prisoners with mental disabilities and/or health conditions*Rule 109*

1. Persons who are found to be not criminally responsible, or who are later diagnosed with severe mental disabilities and/or health conditions, for whom staying in prison would mean an exacerbation of their condition, shall not be detained in prisons, and arrangements shall be made to transfer them to mental health facilities as soon as possible.

2. If necessary, other prisoners with mental disabilities and/or health conditions can be observed and treated in specialized facilities under the supervision of qualified health-care professionals.

3. The health-care service shall provide for the psychiatric treatment of all other prisoners who are in need of such treatment.

Rule 110

It is desirable that steps should be taken, by arrangement with the appropriate agencies, to ensure if necessary the continuation of psychiatric treatment after release and the provision of social psychiatric aftercare.

C. Prisoners under arrest or awaiting trial

Rule 111

1. Persons arrested or imprisoned by reason of a criminal charge against them, who are detained either in police custody or in prison custody (jail) but have not yet been tried and sentenced, will be referred to as “untried prisoners” hereinafter in these rules.

2. Unconvicted prisoners are presumed to be innocent and shall be treated as such.

3. Without prejudice to legal rules for the protection of individual liberty or prescribing the procedure to be observed in respect of untried prisoners, these prisoners shall benefit from a special regime which is described in the following rules in its essential requirements only.

Rule 112

1. Untried prisoners shall be kept separate from convicted prisoners.

2. Young untried prisoners shall be kept separate from adults and shall in principle be detained in separate institutions.

Rule 113

Untried prisoners shall sleep singly in separate rooms, with the reservation of different local custom in respect of the climate.

Rule 114

Within the limits compatible with the good order of the institution, untried prisoners may, if they so desire, have their food procured at their own expense from the outside, either through the administration or through their family or friends. Otherwise, the administration shall provide their food.

Rule 115

An untried prisoner shall be allowed to wear his or her own clothing if it is clean and suitable. If he or she wears prison dress, it shall be different from that supplied to convicted prisoners.

Rule 116

An untried prisoner shall always be offered the opportunity to work, but shall not be required to work. If he or she chooses to work, he or she shall be paid for it.

Rule 117

An untried prisoner shall be allowed to procure at his or her own expense or at the expense of a third party such books, newspapers, writing material and other means of occupation as are compatible with the interests of the administration of justice and the security and good order of the institution.

Rule 118

An untried prisoner shall be allowed to be visited and treated by his or her own doctor or dentist if there are reasonable grounds for the application and he or she is able to pay any expenses incurred.

Rule 119

1. Every untried prisoner has the right to be promptly informed about the reasons for his or her detention and about any charges against him or her.
2. If an untried prisoner does not have a legal adviser of his or her own choice, he or she shall be entitled to have a legal adviser assigned to him or her by a judicial or other authority in all cases where the interests of justice so require and without payment by the untried prisoner if he or she does not have sufficient means to pay. Denial of access to a legal adviser shall be subject to independent review without delay.

Rule 120

1. The entitlements and modalities governing the access of an untried prisoner to his or her legal adviser or legal aid provider for the purpose of his or her defence shall be governed by the same principles as outlined in rule 61.
2. An untried prisoner shall, upon request, be provided with writing material for the preparation of documents related to his or her defence, including confidential instructions for his or her legal adviser or legal aid provider.

D. Civil prisoners*Rule 121*

In countries where the law permits imprisonment for debt, or by order of a court under any other non-criminal process, persons so imprisoned shall not be subjected to any greater restriction or severity than is necessary to ensure safe custody and good order. Their treatment shall be not less favourable than that of untried prisoners, with the reservation, however, that they may possibly be required to work.

E. Persons arrested or detained without charge*Rule 122*

Without prejudice to the provisions of article 9 of the International Covenant on Civil and Political Rights,²⁹ persons arrested or imprisoned without charge shall be accorded the same protection as that accorded under part I and part II, section C, of these rules. Relevant provisions of part II, section A, of these rules shall likewise be applicable where their application may be conducive to the benefit of this special group of persons in custody, provided that no measures shall be taken implying that re-education or rehabilitation is in any way appropriate to persons not convicted of any criminal offence.

²⁹ See resolution 2200 A (XXI), annex.

Draft resolution III

Taking action against gender-related killing of women and girls

The General Assembly,

Recalling its resolution 68/191 of 18 December 2013 on taking action against gender-related killing of women and girls, in particular the obligation to promote and protect all human rights and fundamental freedoms for all, including women and girls,

Deeply concerned that the global prevalence of different manifestations of the gender-related killing of women and girls is reaching alarming proportions, and noting especially that one of every two women victims of homicide is killed by her intimate partner or a family member,¹

Deeply concerned also at the scourge of sexual violence in all situations, including those of conflict, and targeted mass kidnapping, rape and killing of women and girls,

Recalling the report of the Special Rapporteur of the Human Rights Council on violence against women, its causes and consequences² and 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,³

Recalling also the report of the Office of the United Nations High Commissioner for Human Rights on creating and/or strengthening synergies and linkages on violence against women and girls⁴ and Human Rights Council resolution 23/25 of 14 June 2013 on accelerating efforts to eliminate all forms of violence against women: preventing and responding to rape and other forms of sexual violence,⁵

Recalling further its resolution 69/147 of 18 December 2014 on the intensification of efforts to eliminate all forms of violence against women and girls,

Taking note with appreciation of the political declaration on the occasion of the twentieth anniversary of the Fourth World Conference on Women adopted by the Commission on the Status of Women at its fifty-ninth session,⁶ which focused on the 20 year review of the Beijing Platform for Action,⁷

Expressing its gratitude to the Government of Thailand for hosting and chairing the meeting of the open-ended intergovernmental expert group on gender-related killing of women and girls, held in Bangkok from 11 to 13 November 2014, as mandated by resolution 68/191,

¹ See the *Global Study on Homicide 2013* prepared by the United Nations Office on Drugs and Crime.

² [A/HRC/20/16](#).

³ See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53* and corrigendum ([A/67/53](#) and Corr.1), chap. IV, sect. A.

⁴ [A/HRC/23/25](#).

⁵ See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* ([A/68/53](#)), chap. V, sect. A.

⁶ *Official Records of the Economic and Social Council, 2015, Supplement No. 7* ([E/2015/27](#)), chap. I, sect. C, resolution 59/1, annex.

⁷ *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, annex II.

Taking note with appreciation of the recommendations of the above-mentioned expert group meeting,⁸

Welcoming the Doha Declaration on 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,⁹ in particular the endeavour of Member States to mainstream a gender perspective into criminal justice systems by developing and implementing national strategies and plans, in order to promote the full protection of women and girls from all acts of violence, including gender related killing of women and girls,

Stressing the importance of eliminating all forms of violence against all women and girls in the public and private spheres and significantly reducing all forms of violence and related death rates everywhere, in the context of the post-2015 development agenda,¹⁰

Stressing also that States have the obligation to promote and protect all human rights and fundamental freedoms for all, including women and girls, to take measures to prevent and investigate acts of violence against women and girls and to prosecute and punish those responsible, no matter who the perpetrators of such crimes are, and to eliminate impunity,

Expressing 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,

Taking note of national and international judicial decisions that condemn mass killing of women and girls,

Remaining alarmed by the high level of impunity with regard to gender-related killing of women and girls and the fact that violence against women and girls is among the least prosecuted and punished crimes in the world,

1. *Urges* Member States to take measures to prevent, investigate, prosecute and punish acts of violence against women and girls, in particular gender-related killing, in accordance with national laws, and to act at all levels to end impunity for those responsible for committing these heinous crimes against women and girls;

2. *Also urges* Member States to strengthen their criminal justice response to gender-related killing of women and girls, in particular by taking measures to support their capacity to investigate, prosecute and punish all forms of such crime, and to consider measures in their capacities to provide, as appropriate, reparation, compensation and/or necessary legal, medical, psychological and social support to victims and their families or dependents;

3. *Encourages* Member States to consider ways to enhance international cooperation and the exchange of good practices in criminal matters related to

⁸ See [E/CN.15/2015/16](#).

⁹ Resolution 70/___, annex.

¹⁰ See [A/68/970](#) and Corr.1.

gender-based violence, including by, as appropriate, ratifying or acceding to and implementing the United Nations Convention against Transnational Organized Crime and the Protocols thereto¹¹ and other relevant international legal instruments;

4. *Encourages* States parties to the Convention on the Elimination of All Forms of Discrimination against Women¹² and the Optional Protocol thereto,¹³ the Convention on the Rights of the Child and the Optional Protocols thereto¹⁴ and the Rome Statute of the International Criminal Court¹⁵ to effectively implement those instruments;

5. *Invites* Member States to take into consideration the existing practical tools, as recommended by the open-ended intergovernmental expert group on gender-related killing of women and girls at its meeting held in Bangkok from 11 to 13 November 2014, namely the Latin American model protocol for the investigation of gender-related killing of women and the recommendations for the effective investigation of the crime of femicide;¹⁶

6. *Encourages* Member States to promote integrated and comprehensive strategies to prevent all forms of violence against women and girls, including gender-related killing of women and girls, that include early and continuous educational programmes, community mobilization and awareness-raising, in order to counter attitudes and social factors that foster, justify or tolerate any violence against women and girls;

7. *Urges* Member States to adopt integrated and comprehensive responses to violence against women in order to reduce risks of gender-related killing through early intervention and risk assessment, exercise due diligence to prevent, investigate, prosecute and punish gender-related killing of women and girls, ensure equal protection of women under the law and equal access to justice, consider adopting an integrated, multidisciplinary and gender-sensitive approach to the prevention, investigation, prosecution and punishment of gender-related killing of women and girls to minimize the risk of secondary victimization in the criminal justice system and develop appropriate mechanisms and enhance capacities for forensic investigations to identify human remains and missing persons;

8. *Encourages* Member States to criminalize, prosecute and punish rape and other forms of sexual and gender-related violence against women and girls committed in all situations, including situations of conflict, taking into account international standards, and urges, where appropriate, relevant stakeholders to support the development and strengthening of the capacities of national institutions, in particular law enforcement, judicial and health systems, and of local civil society networks to provide sustainable assistance and access to justice to women and girls affected by gender-related violence;

9. *Also encourages* Member States to ensure that appropriate punishment for perpetrators of gender-related killing of women and girls are in place and are proportionate to the gravity of the offence;

¹¹ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

¹² *Ibid.*, vol. 1249, No. 20378.

¹³ *Ibid.*, vol. 2131, No. 20378.

¹⁴ *Ibid.*, vols. 1577, 2171 and 2173, No. 27531; and resolution 66/138, annex.

¹⁵ United Nations, *Treaty Series*, vol. 2187, No. 38544.

¹⁶ See [E/CN.15/2015/16](#), para. 8.

10. *Calls upon* Member States to protect and support victims, drawing on the important role of civil society and ensuring effective cooperation between all relevant State agencies, including, where appropriate, the judiciary, prosecution services, law enforcement agencies, health and social services and local and regional authorities;

11. *Urges* Member States to ensure that victims and victims' survivors are informed of their rights and can participate, as appropriate, in the criminal proceedings, taking into account their dignity, well-being and safety, and that victims are supported through appropriate services;

12. *Encourages* relevant United Nations entities and agencies, in particular the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) to continue 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;

13. *Encourages* Member States and relevant United Nations entities and agencies, including the United Nations Office on Drugs and Crime, the Office of the High Commissioner, UN Women and other specialized funds and programmes of the United Nations, to raise awareness regarding gender-related killing of women and girls;

14. *Encourages* Member States to collect, disaggregate, analyse and report data on gender-related killing of women and girls, according to the International Classification of Crime for Statistical Purposes endorsed by the Statistical Commission and, where appropriate, to the extent possible, involve civil society, academia, victims' representatives and relevant international organizations and provide appropriate training to relevant personnel on technical and ethical aspects of such data collection and analysis;

15. *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 to conduct and coordinate relevant research on gender related killing of women and girls, particularly in connection with the standardization of the collection, disaggregation, analysis and reporting of data;

16. *Also requests* the United Nations Office on Drugs and Crime to prepare, in collaboration with Member States, an analytical study on gender-related killing of women and girls at the global level, containing disaggregated data, including from relevant stakeholders, on this phenomenon to illustrate its different forms and patterns;

17. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to include in their work programmes the issue of gender-related killing of women and girls with a view to promoting ways and means of more effectively preventing, investigating, prosecuting and punishing such crime, and to develop appropriate training material;

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

19. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

Draft resolution IV

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

The General Assembly,

Recalling all its resolutions related to technical assistance in countering terrorism, and especially the most recent resolutions such as resolutions 68/178 of 18 December 2013 on the protection of human rights and fundamental freedoms while countering terrorism, 68/187 of 18 December 2013 on technical assistance for implementing the international conventions and protocols related to counter-terrorism, 68/276 of 13 June 2014 on the United Nations Global Counter-Terrorism Strategy Review, 69/127 of 10 December 2014 on measures to eliminate international terrorism and 69/197 of 18 December 2014 on strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity,

Taking note of relevant Security Council resolutions related to technical assistance in countering terrorism, especially the most recent resolutions,¹

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,

Emphasizing the need to address the conditions conducive to the spread of terrorism, while fully respecting the fundamental principles and purposes of the Charter of the United Nations and international law,

Recalling its resolution 68/187, in which, inter alia, it called 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,

Reiterating all aspects of the United Nations Global Counter-Terrorism Strategy² and the need for States to continue to implement the Strategy, as reaffirmed in General Assembly resolution 68/276, in which the Assembly noted with appreciation the activities undertaken in the area of capacity-building by United Nations entities, including the Counter-Terrorism Implementation Task Force entities, inter alia, the United Nations Office on Drugs and Crime, in coordination with other relevant international, regional and subregional organizations, to assist Member States, upon their request, in implementing the Strategy, and encouraged the Task Force to ensure focused delivery of capacity-building assistance, including in the framework of the Integrated Assistance for Countering Terrorism initiative,

¹ Especially resolutions 2178 (2014) adopted on 24 September 2014, 2133 (2014) of 27 January 2014, 2195 (2014) of 19 December 2014 and 2199 (2015) of 12 February 2015.

² Resolution 60/288.

Reiterating also that it is the primary responsibility of Member States to implement the United Nations Global Counter-Terrorism Strategy, recognizing the need to enhance the coordinating and main role that the United Nations plays in facilitating coherence in the implementation of the Strategy at the national, subregional, regional and international levels and in providing assistance, especially in the area of capacity-building, as affirmed in pillar III of the Strategy, and encouraging other international, regional and subregional organizations to coordinate their activities in this regard with the United Nations,

Recalling that in its resolution 68/276 it expressed concern at the increasing flow of international recruits to terrorist organizations, including foreign terrorist fighters, and at the threat that that posed for all Member States, including countries of origin, transit and destination, and recalling also that it expressed concern at the increase, in some regions, in incidents of kidnapping and hostage-taking committed by terrorist groups, for any purpose, including with the aim of raising funds or gaining political concessions, and noted that ransoms paid to terrorists were used as one of the sources of funding for their activities, including further kidnappings,

Recalling also the Doha Declaration on 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, adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015,³

Noting, in this regard, the need to continue to counter terrorism in all its forms and manifestations, including any existing, growing or potential links, in some cases, between transnational organized crime, illicit drug-related activities, money-laundering and the financing of terrorism, in order to enhance criminal justice responses to those crimes,

Alarmed by the destruction of cultural heritage perpetrated recently by terrorist groups in some countries,

Recognizing the important role of the United Nations Office on Drugs and Crime within the entities of the Counter-Terrorism Implementation Task Force in countering the financing of terrorism and in legal and criminal justice responses to terrorism, and recalling the importance of coordination among United Nations entities and of the work of the Task Force to promote accountability and transparency and avoid duplication in their work,

Affirming that States must ensure that any measure taken to counter terrorism complies with all their obligations under international law, in particular international human rights, refugee and humanitarian law,

Noting the work undertaken and the progress achieved in providing technical assistance for countering money-laundering and the financing of terrorism within the framework of relevant and specialized regional and international bodies,

Taking note of the report of the Secretary-General on technical assistance in implementing the international conventions and protocols related to terrorism,⁴

³ Resolution 70/____, annex.

⁴ [E/CN.15/2015/4](#).

Noting the ongoing work of the United Nations Office on Drugs and Crime to support Member States in their efforts in preventing and countering terrorism in the crime prevention and criminal justice context, in particular with regard to the compilation of good practices in the area of assistance to and support for victims of terrorism, including the role of victims in the criminal justice framework, and reiterating that this work needs to be done in close coordination with Member States,

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 counter-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 counter terrorism, in all its forms and manifestations, in accordance with international law, including the Charter of the United Nations, to effectively implement relevant international instruments and United Nations resolutions that address the phenomenon of foreign terrorist fighters, to counter the financing of terrorism, including through hostage-taking and kidnapping for ransom, to enter, when appropriate, 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, upon request, to Member States to that end, including by continuing and enhancing its assistance related to international legal cooperation pertaining to countering terrorism and fostering the development of strong and effective central authorities for international cooperation in criminal matters;

3. *Stresses* the importance of the development and maintenance of effective, fair, humane, transparent and accountable 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. *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, in full conformity with human rights and fundamental freedoms;

5. *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 party to and implement international conventions and protocols related to counter-terrorism, including through targeted programmes and

the training of relevant criminal justice and law enforcement officials, the development of and participation in relevant initiatives and the elaboration of technical tools and publications, in consultation with Member States;

6. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop specialized legal knowledge in the area of countering and preventing terrorism and pertinent thematic areas of relevance to the mandate of the Office and to continue to provide assistance to requesting Member States with regard to criminal justice responses to terrorism in all its forms and manifestations as set out in the international legal instruments and as detailed in relevant United Nations resolutions;

7. *Also requests* the United Nations Office on Drugs and Crime, within its mandate and in collaboration with, when appropriate, the Counter-Terrorism Committee and its Executive Directorate and the Counter-Terrorism Implementation Task Force, to provide assistance to requesting Member States in addressing the threat of foreign terrorist fighters, through its capacity-building activities, with regard to enhancing their cooperation and developing relevant measures, as well as appropriate criminal justice responses, to prevent the financing, mobilization, travel, recruitment, organization and radicalization of foreign terrorist fighters, and to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice in compliance with obligations under international law and applicable domestic law;

8. *Encourages* Member States to strengthen cooperation in enhanced operational and timely sharing of information related to foreign terrorist fighters, as well as to cooperate and to address, as appropriate, including through the effective exchange of information and the sharing of experiences and good practices, and to counter any existing, growing or potential links, in some cases, between transnational organized crime, illicit drug-related activities, money-laundering and the financing of terrorism, in order to enhance criminal justice responses to those crimes, 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;

9. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to support, as appropriate, the development of improved cooperation between Member States in relation to kidnapping and hostage-taking committed by terrorist groups by providing, upon request, technical assistance to develop their capability to prevent future incidents of kidnapping and hostage-taking by terrorists and prevent terrorists from benefiting directly or indirectly from ransom payments and political concessions;

10. *Also 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 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 acts 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;

11. *Further requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to support requesting Member States in the implementation of capacity-building programmes to strengthen crime prevention and criminal justice responses to the destruction of cultural heritage by terrorists;

12. *Urges* the United Nations Office on Drugs and Crime, in coordination with the Counter-Terrorism Committee and its Executive Directorate and the Counter-Terrorism Implementation Task Force, to continue to strengthen its cooperation system 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;

13. *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;

14. *Welcomes* the ongoing 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;

15. *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;²

16. *Requests* the Secretary-General to continue 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;

17. Also requests the Secretary-General to submit to the General Assembly at its seventy-first session a report on the implementation of the present resolution.

Draft resolution V

Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity

The General Assembly,

Reaffirming its resolutions 46/152 of 18 December 1991, 60/1 of 16 September 2005, 67/1 of 19 September 2012, 69/127 of 10 December 2014, 69/149, 69/192, 69/193, 69/196, 69/197 and 69/201 of 18 December 2014, 69/281 of 28 May 2015, 69/314 of 30 July 2015 and 70/1 of 25 September 2015,

Reaffirming also its resolutions relating to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,¹ the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,² the Convention on Psychotropic Substances of 1971,³ the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,⁴ the United Nations Convention against Corruption⁵ and all the international conventions and protocols against terrorism,

Welcoming the results achieved by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015,⁶ including the Doha Declaration on 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,⁷

Expressing its grave concern about the negative effects of transnational organized crime on development, peace, stability and security and human rights, at the increasing vulnerability of States to such crime and about the growing degree of penetration of criminal organizations and their financial and economic resources into the economy,

Expressing concern at the 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 trafficking in precious metals and stones in some parts of the world, and the potential use of trafficking in precious metals and stones as a source of funding for organized crime, other relevant criminal activities and terrorism,

Deeply concerned about the growing links, in some cases, between some forms of transnational organized crime and terrorism, and recognizing that countering transnational organized crime and terrorism is a common and shared responsibility,

¹ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

² *Ibid.*, vol. 976, No. 14152.

³ *Ibid.*, vol. 1019, No. 14956.

⁴ *Ibid.*, vol. 1582, No. 27627.

⁵ *Ibid.*, vol. 2349, No. 42146.

⁶ [A/CONF.222/16](#), annex.

⁷ Resolution 70/___, annex.

Convinced that the rule of law and development are strongly interrelated and mutually reinforcing, and that the advancement of the rule of law at the national and international levels, including through crime prevention and criminal justice mechanisms, is essential for sustained and inclusive economic growth and sustainable development and the full realization of all human rights and fundamental freedoms, including the right to development, and in this respect welcoming the adoption of the 2030 Agenda for Sustainable Development,⁸ which, inter alia, includes the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels,

Emphasizing that transnational organized crime must be addressed with 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,

Encouraging Member States to develop and implement, as appropriate, comprehensive crime prevention policies, national and local strategies and action plans based on an understanding of the multiple factors that contribute to crime and to address such factors in a holistic manner, in close cooperation with all stakeholders, including civil society, and in this respect stressing that social development should be an integral element of strategies to foster crime prevention and economic development in all States,

Reaffirming its commitment and strong political will in support of effective, fair, humane and accountable criminal justice systems and the institutions comprising them, encouraging the effective participation and inclusion of all sectors of society, thus creating the conditions needed to advance the wider United Nations agenda, and recognizing the responsibility of Member States to uphold human dignity, all human rights and fundamental freedoms for all, in particular for those affected by crime and those who may be in contact with the criminal justice system, including vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and to prevent and counter crime motivated by intolerance or discrimination of any kind,

Deeply concerned about the negative impact of corruption on development and on the enjoyment of human rights, and recognizing the universal importance of good governance, transparency, integrity and accountability, thus calling for a zero-tolerance approach to corruption and more effective measures to prevent and counter corruption in all its forms, including bribery, as well as the laundering of proceeds of corruption and other forms of crime,

Bearing in mind that the return of assets is one of the main objectives as well as a fundamental principle of the United Nations Convention against Corruption and that the States parties to the Convention are obligated to afford one another the widest measure of cooperation in that regard,

Recognizing that, thanks to their broad membership and wide scope of application, the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption offer important bases for international cooperation, inter alia, for extradition, mutual legal assistance and

⁸ Resolution 70/1.

confiscation and asset recovery, and that they provide effective mechanisms that should be further utilized and implemented,

Stressing the importance of strengthened international cooperation, based on the principles of shared responsibility and in accordance with international law, to effectively address the world drug problem, dismantle illicit networks and counter transnational organized crime, including money-laundering, smuggling of migrants, trafficking in persons, trafficking in arms and other forms of organized crime, all of which threaten national security and undermine sustainable development and the rule of law,

Noting the important contribution that public-private sector cooperation can make in efforts to prevent and combat criminal activities, such as transnational organized crime, corruption and terrorism, in particular in the tourism sector,

Reaffirming the commitments undertaken by Member States in the United Nations Global Counter-Terrorism Strategy, adopted on 8 September 2006,⁹ and its successive biennial reviews,

Recalling the importance of the measures to eliminate international terrorism adopted by the General Assembly in its resolution 69/127 and the adoption, on 18 December 2013, of resolution 68/178 on the protection of human rights and fundamental freedoms while countering terrorism,

Recalling also its resolution 66/177 of 19 December 2011 on strengthening international cooperation in combating the harmful effects of illicit financial flows resulting from criminal activities, in which it urged States parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption to apply fully the provisions of those Conventions, in particular measures to prevent and combat money-laundering, including by criminalizing the laundering of proceeds of transnational organized crime, as well as measures to enhance national confiscation regimes and international cooperation, including in asset recovery,

Expressing concern that economic resources, such as oil, oil products, modular refineries and related material, other natural resources and other assets are made available to organized criminal and terrorist groups,

Taking into consideration all resolutions of the Commission on Crime Prevention and Criminal Justice and the relevant resolutions of the Economic and Social Council, in particular those relating to the strengthening of international cooperation, as well as the technical assistance and advisory services of the United Nations crime prevention and criminal justice programme of the United Nations Office on Drugs and Crime in the fields of crime prevention and criminal justice, promotion and reinforcement of the rule of law and reform of criminal justice institutions, including with regard to the implementation of technical assistance,

Noting the establishment by the Secretary-General of the United Nations system task force on transnational organized crime and drug trafficking for the purpose of developing an effective and comprehensive approach to those crimes

⁹ Resolution 60/288.

within the United Nations system, and reaffirming the crucial role of Member States in this regard, as reflected in the Charter of the United Nations,

Recognizing the general progress made by the United Nations Office on Drugs and Crime in the delivery of advisory services and assistance to requesting Member States in the areas of crime prevention and criminal justice reform, corruption, organized crime, money-laundering, terrorism, kidnapping, smuggling of migrants, trafficking in persons, including the support and protection, as appropriate, of victims, their families and witnesses, as well as drug trafficking and international cooperation, including progress in tackling the phenomenon of foreign terrorist fighters, with special emphasis on extradition and mutual legal assistance and the international transfer of sentenced persons,

Welcoming the adoption by the United Nations Office on Drugs and Crime of a regional approach to programming, based on continuing consultations and partnerships at the national and regional levels, particularly on its implementation, and focused on ensuring that the Office responds in a sustainable and coherent manner to the priorities of Member States,

Reiterating its concern regarding the overall financial situation of the United Nations Office on Drugs and Crime, and welcoming the extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the Office,

Recalling its resolution 69/147 of 18 December 2014 and the resolutions of the Commission on Human Rights and the Human Rights Council addressing various aspects of violence against women and girls of all ages, and also recalling the agreed conclusions of the fifty-seventh session of the Commission on the Status of Women, which addressed the elimination and prevention of all forms of violence against women and girls,¹⁰

Reiterating its condemnation of all forms of violence against women and girls, expressing deep concern about gender-related killing of women and girls, recalling all its relevant resolutions, including resolution 68/191 of 18 December 2013 and resolution 70/____, on taking action against 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 by ending impunity for such crimes,

Noting the significance of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice¹¹ 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 and girls,

Recalling its resolution 69/194 of 18 December 2014, by which it adopted the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice, and convinced of the importance of preventing youth crime, supporting the rehabilitation of young offenders and their reintegration into society, protecting

¹⁰ See *Official Records of the Economic and Social Council, 2013, Supplement No. 7 (E/2013/27)*, chap. I, sect. A.

¹¹ Resolution 69/194, annex.

child victims and witnesses, including efforts to prevent their revictimization, and addressing the needs of children of prisoners, and stressing that such responses should take into account the human rights and best interests of children and young people, consistent with the obligations of the States parties under relevant international instruments, including the Convention on the Rights of the Child¹² and the Optional Protocols thereto,¹³ and noting other relevant United Nations standards and norms in juvenile justice,

Emphasizing the relevance of international instruments and United Nations standards and norms in crime prevention and criminal justice related to the treatment of prisoners, in particular women and juveniles,

Recalling its resolution 68/156 of 18 December 2013, in which it reaffirmed that no one shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment,

Recalling also its resolution 65/229 of 21 December 2010 on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and in this regard encouraging the efforts of Member States to implement the Bangkok Rules,

Welcoming the adoption of the proposed revision to the United Nations Standard Minimum Rules for the Treatment of Prisoners, as “the Nelson Mandela Rules”, by its resolution 70/___,

Reiterating its strong condemnation of trafficking in persons, which constitutes an offence to human dignity and physical integrity, human rights and development and requires robust criminal justice response,

Underlining that, although the crime of smuggling of migrants may share, in some cases, some common features with the crime of trafficking in persons, Member States need to recognize that they are distinct crimes and that they require separate and complementary legal, operational and policy responses, and recalling further its resolutions 68/179 of 18 December 2013 and 69/167 and 69/187 of 18 December 2014, in which it called upon all Member States to protect and assist migrants, including migrant children and adolescents, and Economic and Social Council resolutions 2014/23 of 16 July 2014 and 2015/23 of 21 July 2015,

Welcoming the work of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established in accordance with the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by its resolution 64/293 of 30 July 2010,

Concerned at the growing involvement of terrorist and organized criminal groups in all forms and aspects of trafficking in cultural property and related offences, and alarmed by the destruction of cultural heritage perpetrated recently by terrorist groups, which is linked to trafficking in cultural property in some countries,

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, and underlining the importance of developing a practical assistance tool to support the implementation

¹² United Nations, *Treaty Series*, vol. 1577, No. 27531.

¹³ *Ibid.*, vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences¹⁴ through the Commission on Crime Prevention and Criminal Justice, which will support the implementation of resolutions 67/80 of 12 December 2012, 68/186 of 18 December 2013 and 69/196 and facilitate operational cooperation against all forms of trafficking in cultural property, as well as the request to the United Nations Office on Drugs and Crime to provide practical assistance in the implementation of the Guidelines and to facilitate cooperation in this area,

Affirming that the destruction of cultural heritage, which is representative of the diversity of human culture, erases the collective memories of a nation, destabilizes communities and threatens their cultural identity, and emphasizing the importance of cultural diversity and pluralism as well as freedom of religion and belief for achieving peace, stability, reconciliation and social cohesion,

Reaffirming the intrinsic value of biological diversity and its various contributions to sustainable development and human well-being, and recognizing that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the Earth which must be protected for this generation and the generations to come,

Emphasizing that the protection of wildlife must be part of a comprehensive approach to achieving poverty eradication, food security, sustainable development, including the conservation and sustainable use of biological diversity, economic growth, social well-being and sustainable livelihoods,

Expressing deep concern about crimes that affect the environment, including illicit trafficking in endangered and, where applicable, protected species of wild fauna and flora, and emphasizing the need to combat such crimes by strengthening coordinated action to eliminate, prevent and combat corruption and disrupt the illicit networks and also by coordinating international cooperation, capacity-building, criminal justice responses and law enforcement efforts,

Recalling Commission on Crime Prevention and Criminal Justice resolutions 22/7 on strengthening international cooperation to combat cybercrime and 22/8 on promoting technical assistance and capacity-building to strengthen national measures and international cooperation against cybercrime, both of 26 April 2013,¹⁵

Concerned at the growing trend of cybercrime and the misuse of information and telecommunications technologies in multiple forms of crime,

Concerned also by the serious challenges and threats posed by trafficking in firearms, their parts and components and ammunition, and about its links with terrorism and other forms of transnational organized crime, including drug trafficking,

Noting international efforts to prevent, combat and eradicate the illicit trade in conventional arms, in particular in small arms and light weapons, as demonstrated by the adoption in 2001 of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,¹⁶

¹⁴ Resolution 69/196, annex.

¹⁵ See *Official Records of the Economic and Social Council, 2013, Supplement No. 10* and corrigendum (E/2013/30 and Corr.1), chap. I, sect. D.

¹⁶ *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001 (A/CONF.192/15)*, chap. IV, para. 24.

and the entry into force in 2005 of 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,¹⁷ and the entry into force of the Arms Trade Treaty,¹⁸

Reaffirming the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem¹⁹ adopted by the General Assembly at its sixty-fourth session, and the joint ministerial statement of the 2014 high-level review by the Commission on Narcotic Drugs on the implementation by Member States of the Political Declaration and Plan of Action,²⁰

Reaffirming also its resolution 67/193 of 20 December 2012, in which it decided to convene, early in 2016, a special session of the General Assembly on the world drug problem and its decision that the special session would review the progress in the implementation of the Political Declaration and Plan of Action, including an assessment of the achievements and challenges in countering the world drug problem, within the framework of the three international drug control conventions and other relevant United Nations instruments, and recalling its resolutions 69/200 and 69/201 of 18 December 2014, as well as Economic and Social Council resolution 2015/25 of 21 July 2015, on the modalities of the special session,

1. *Takes note with appreciation* of the report of the Secretary-General prepared pursuant to resolutions 64/293, 69/195, 69/197 and 69/199;²¹

2. *Reaffirms* its resolution 70/1, entitled “Transforming our world: the 2030 Agenda for Sustainable Development”, which, inter alia, includes the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels;

3. *Calls upon* all Member States, when appropriate, to take into consideration the Doha Declaration on 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,⁷ adopted at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015, when formulating legislation and policy directives, and to make every effort, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

4. *Urges* Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,¹ the Single Convention on Narcotic Drugs of 1954 as amended by the 1972 Protocol,² the Convention on Psychotropic Substances of 1971,³ the United Nations Convention against Illicit Traffic in Narcotic Drugs and

¹⁷ United Nations, *Treaty Series*, vol. 2326, No. 39574.

¹⁸ See resolution 67/234 B.

¹⁹ See *Official Records of the Economic and Social Council, 2009, Supplement No. 8 (E/2009/28)*, chap. I, sect. C.

²⁰ *Ibid.*, 2014, *Supplement No. 8 (E/2014/28)*, chap. I, sect. C.

²¹ [A/70/99](#).

Psychotropic Substances of 1988,⁴ the United Nations Convention against Corruption⁵ and the international conventions and protocols related to terrorism, and urges States parties to those conventions and protocols to make efforts towards their effective implementation;

5. *Reaffirms* that the United Nations Convention against Transnational Organized Crime and the Protocols thereto represent the most important tools of the international community for fighting transnational organized crime, and notes with appreciation that the number of States parties has reached 186, which is a significant indication of the commitment shown by the international community to combating transnational organized crime;

6. *Recalls* article 32 of the United Nations Convention against Transnational Organized Crime and General Assembly resolution 69/197, in which, inter alia, the need for the establishment of a mechanism to review the implementation of the Convention and the Protocols thereto by States parties was reiterated, and underlines that the review of the implementation of the Convention is an ongoing and gradual process and that it is necessary to explore all options regarding the establishment of a mechanism to assist the Conference of the Parties to the United Nations Convention against Transnational Organized Crime in the review of the implementation of the Convention and the Protocols thereto, welcomes in this regard the convening of an open-ended intergovernmental meeting with a view to analysing such options, and invites Member States to continue the dialogue in this regard;

7. *Urges* States parties to the United Nations Convention against Corruption to continue to provide full support to the review mechanism adopted by the Conference of the States Parties to the Convention, and notes with appreciation that the number of States parties has reached 177, which is a significant indication of the commitment shown by the international community to combating corruption and related crimes;

8. *Welcomes* the progress achieved by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption in the implementation of their respective mandates, and calls upon States parties to give full effect to the resolutions adopted by those bodies, including providing information regarding compliance with the treaties;

9. *Encourages* Member States to strengthen the capacity of their respective criminal justice systems to investigate, prosecute and punish all forms of crime, while supporting an effective, fair, human and accountable criminal system and protecting the human rights and fundamental freedoms of defendants, as well as the legitimate interests of victims and witnesses, and to ensure access to effective legal aid in criminal justice systems;

10. *Requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, to strengthen the rule of law, taking also into account the work undertaken by other United Nations entities, within existing mandates, and to continue to ensure coordination and coherence, including through the Rule of Law Coordination and Resource Group of the Secretariat;

11. *Reiterates* the importance of providing the United Nations crime prevention and criminal justice programme with sufficient, stable and predictable funding for the full implementation of its mandates;

12. *Encourages* all States to have national and local action plans for crime prevention in order to take into account, in a comprehensive, integrated and participatory manner, inter alia, factors that place certain populations and places at higher risk of victimization and/or of offending, and to ensure that such plans are based on the best available evidence and good practices, and stresses that crime prevention should be considered an integral element of strategies to foster social and economic development in all States, in accordance with the commitments contained in General Assembly resolution 70/1;

13. *Urges* Member States and relevant international organizations to develop national, subregional, regional and international strategies, as appropriate, and other necessary measures, in cooperation with the United Nations crime prevention and criminal justice programme, to effectively address transnational organized crime, and to strengthen all forms of cooperation to enable the return of assets illicitly acquired from corruption, in accordance with the provisions of the United Nations Convention against Corruption for asset recovery, in particular chapter V, with the cooperation of the United Nations Office on Drugs and Crime, within its existing mandate;

14. *Reaffirms* the importance of the United Nations crime prevention and criminal justice programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, as well as of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance, and coordinating with and complementing the work of all relevant and competent United Nations bodies and offices in respect of all forms of organized crime, including piracy and transnational organized crime committed at sea, cybercrime, the use of new information technologies to abuse and exploit children, as well as identity-related crime, trafficking in cultural property, illicit financial flows, economic, financial and tax crime, trafficking in precious metals and stones, counterfeiting in trademark goods, crimes that affect the environment and illicit trafficking in endangered species of wild fauna and flora, drug trafficking, trafficking in persons, smuggling of migrants and illicit manufacturing of and trafficking in firearms, direct and indirect trade in oil and refined oil products with organized criminal and terrorist groups, as well as corruption and terrorism;

15. *Calls upon* Member States to strengthen cooperation at the international, regional, subregional and bilateral levels to counter the threat posed by foreign terrorist fighters, including through enhanced operational and timely information-sharing, logistical support, as appropriate, and capacity-building activities, such as those provided by the United Nations Office on Drugs and Crime, to share and adopt best practices to identify foreign terrorist fighters, to prevent the travel of foreign terrorist fighters from, into or through Member States, to prevent the financing, mobilization, recruitment and organization of foreign terrorist fighters, to counter violent extremism and radicalization to violence, which can be conducive to terrorism, to enhance efforts to implement deradicalization programmes and to ensure that any person who participates in the financing, planning, preparation or

perpetration of terrorist acts or in the supporting of terrorist acts is brought to justice, in compliance with obligations under international law, as well as applicable domestic law;

16. *Urges* the United Nations Office on Drugs and Crime to increase collaboration with intergovernmental, international and regional organizations that have transnational organized crime mandates, as appropriate, in order to share best practices, foster cooperation and take advantage of their unique and comparative advantage;

17. *Reaffirms* the importance of the United Nations Office on Drugs and Crime and its country and regional offices in building capacity at the local level in the field of crime prevention and criminal justice, and urges the Office to consider regional vulnerabilities, projects and impacts in the fight against transnational organized crime in all its forms, in particular in developing countries, when deciding to close and allocate offices, with a view to maintaining an effective level of support to national and regional efforts in those areas;

18. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to support, in an effective manner, efforts toward the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the Single Convention on Narcotic Drugs of 1954 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the United Nations Convention against Corruption, and to discharge its functions as the secretariat of the conferences of the parties to the conventions, the Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs, as well as the United Nations congresses on crime prevention and criminal justice, in accordance with its mandate;

19. *Urges* all Member States to provide the fullest possible financial and political support to the United Nations Office on Drugs and Crime 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;

20. *Expresses concern* regarding the overall financial situation of the United Nations Office on Drugs and Crime, emphasizes the need to provide the Office with adequate, predictable and stable resources and to ensure their cost-effective utilization, and requests the Secretary-General, also considering the extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the Office, to continue to report, within existing reporting obligations, on the financial situation of the Office and to continue to ensure that the Office has sufficient resources to carry out its mandates fully and effectively;

21. *Invites* States and other interested parties to make further voluntary contributions to the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, and to the United Nations Trust Fund on Contemporary Forms of Slavery;

22. *Calls upon* Member States to intensify national and international efforts to eliminate all forms of discrimination, including racism, religious intolerance,

xenophobia and gender-related discrimination by, inter alia, raising awareness, developing educational materials and programmes and considering, where appropriate, drafting and enforcing legislation against discrimination;

23. *Emphasizes* the importance of protecting vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and in that regard expresses its concern about the increase in the activities of transnational and national organized criminal groups and others who profit from crimes against migrants, especially women and children, without regard for dangerous and inhumane conditions and in flagrant violation of national laws and international law;

24. *Calls upon* Member States to implement, when appropriate, the Standard Minimum Rules for the Treatment of Prisoners, as finalized by the dedicated Expert Group at its meeting held in Cape Town, South Africa, in March 2015, as “the Nelson Mandela Rules”, bearing in mind their spirit and purpose, and to intensify their efforts to address the challenge of prison overcrowding through appropriate criminal justice reforms, which should include, where appropriate, a review of penal policies and practical measures to reduce pretrial detention, to enhance the use of non-custodial sanctions and to improve access to legal aid to the extent possible, requesting the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, in this respect;

25. *Invites* Member States to mainstream a gender perspective into their criminal justice systems, including by the use of non-custodial measures for women, when appropriate, and by improving the treatment of women prisoners, taking into consideration the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders,²² and by developing and implementing national strategies and plans to promote the full protection of women and girls from all acts of violence and to strengthen the crime prevention and criminal justice response to the gender-related killing of women and girls, in particular by taking measures to support the practical capacity of Member States to prevent, investigate, prosecute and punish all forms of such crime, welcoming in this respect the practical tools recommended by the open-ended intergovernmental expert group at its meeting held in Bangkok in November 2014;

26. *Also invites* Member States to integrate child- and youth-related issues into their criminal justice reform efforts, recognizing the importance of protecting children from all forms of violence, exploitation and abuse, consistent with the obligations of parties under relevant international instruments, and to develop comprehensive child-sensitive justice policies focused on the best interests of the child, consistent with the principle that the deprivation of liberty of children should be used only as a measure of last resort and for the shortest appropriate period of time;

27. *Recognizes* the efforts made by the United Nations Office on Drugs and Crime to assist Member States in developing their abilities and strengthening their capacity to prevent and combat kidnapping, and requests the Office to continue to provide technical assistance, with a view to fostering international cooperation, in particular mutual legal assistance, aimed at countering effectively this growing serious crime;

²² Resolution 65/229, annex.

28. *Calls upon* Member States to reinforce international cooperation for preventing and combating the smuggling of migrants and for the prosecution of smugglers, in accordance, as appropriate, with article 6 of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,²³ and with national laws and legislation, while effectively protecting the rights and respecting the dignity of smuggled migrants, consistent with the principles of non-discrimination and other applicable obligations under relevant international law, taking into account the special needs of women, children, especially when unaccompanied, and persons with disabilities and older persons, and in collaboration with international organizations, civil society and the private sector, and in this regard calls upon the United Nations Office on Drugs and Crime to continue its technical assistance to Member States in accordance with the above-mentioned Protocol;

29. *Encourages* Member States to ensure that, in investigating and prosecuting the smuggling of migrants, the concurrent undertaking of financial investigations is considered, with a view to tracing, freezing and confiscating proceeds acquired through that crime, and to consider the smuggling of migrants to be a predicate offence of money-laundering;

30. *Emphasizes* the importance of preventing and combating all forms of trafficking in persons, and in this regard expresses its concern about the activities of transnational and national organized criminal groups and others who profit from such crimes, including for the purpose of organ removal, and calls upon Member States to strengthen national efforts to combat all forms of trafficking in persons and to protect and assist the victims of trafficking in accordance with all relevant legal obligations and in collaboration with international organizations, civil society and the private sector;

31. *Reiterates its request* to the United Nations Office on Drugs and Crime to enhance its technical assistance to Member States, upon request, to strengthen international cooperation in preventing and combating terrorism, including the phenomenon of foreign terrorist fighters and its financial sources, through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, in close consultation with the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) and its Executive Directorate, as well as to continue to contribute to the work of the Counter-Terrorism Implementation Task Force, and invites Member States to provide the Office with appropriate resources for its mandate;

32. *Urges* the United Nations Office on Drugs and Crime to continue to provide, within its mandate, technical assistance to Member States, upon their request, to combat money-laundering and the financing of terrorism through the Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism, in accordance with United Nations-related instruments and international standards, including, where applicable, standards and relevant initiatives of regional, interregional and multilateral organizations and intergovernmental bodies against money-laundering, inter alia and as appropriate, the Financial Action Task Force, in accordance with national legislation;

²³ United Nations, *Treaty Series*, vol. 2241, No. 39574.

33. *Encourages* Member States to enhance the effectiveness of countering criminal threats to the tourism sector, including terrorist threats, through, when appropriate, the activities of the United Nations Office on Drugs and Crime and other relevant international organizations, in cooperation with the World Tourism Organization and the private sector;

34. *Affirms* that attacks intentionally directed against buildings dedicated to religion, education, art, science or charitable purposes, or historic monuments, may amount to war crimes, stresses the importance of holding accountable perpetrators of attacks intentionally directed against the above-mentioned buildings, provided they are not military objectives, and calls upon all States to take appropriate action to this end within their jurisdiction in accordance with applicable international law;

35. *Urges* States parties to make effective use of the United Nations Convention against Transnational Organized Crime for broad cooperation in preventing and combating all forms and aspects of trafficking in cultural property and related offences, including money-laundering and the financing of terrorism, especially in returning such confiscated proceeds of crime or property to their legitimate owners, in accordance with article 14, paragraph 2, of the Convention, and invites States parties to exchange information and statistical data on all forms and aspects of trafficking in cultural property and related offences, also reaffirming in this regard the importance of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, as adopted by the General Assembly in its resolution 69/196;

36. *Urges* Member States to introduce effective national and international measures to prevent and combat illicit trafficking in cultural property, including publicizing legislation, international guidelines and related technical background documents, and offering special training for police, customs and border services, and to consider such trafficking a serious crime, as defined in the United Nations Convention against Transnational Organized Crime;

37. *Also urges* Member States to take decisive steps at the national level to prevent, combat and eradicate the illegal trade in wildlife, on both the supply and demand sides, including by strengthening the legislation necessary for the prevention, investigation and prosecution of such illegal trade, as well as by strengthening enforcement and criminal justice responses, in accordance with national legislation and international law, acknowledging that the International Consortium on Combating Wildlife Crime can provide valuable technical assistance in this regard;

38. *Calls upon* Member States to make illicit trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime in accordance with their national legislation and with article 2 (b) of the United Nations Convention against Transnational Organized Crime;

39. *Also calls upon* Member States to take appropriate and effective measures to prevent and combat trafficking in precious metals and stones 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 and stones;

40. *Encourages* Member States to continue to support the United Nations Office on Drugs and Crime in providing targeted technical assistance, within its existing mandate, to enhance the capacity of affected States, upon their request, to combat piracy and other forms of crime committed at sea, including by assisting Member States in creating an effective law enforcement response and strengthening their judicial capacity;

41. *Notes with appreciation* the work of the 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, and calls upon Member States to explore specific measures designed to create a secure and resilient cyberenvironment, to prevent and counter effectively criminal activities carried out over the Internet, paying particular attention to identity theft, recruitment for the purpose of trafficking in persons and protecting children from online exploitation and abuse, to strengthen law enforcement cooperation at the national and international levels, including with the aim of identifying and protecting victims by, inter alia, removing child pornography, in particular child sexual abuse imagery, from the Internet, to enhance the security of computer networks and protect the integrity of relevant infrastructure, and to endeavour to provide long-term technical assistance and capacity-building to strengthen the ability of national authorities to deal with cybercrime, including the prevention, detection, investigation and prosecution of such crime in all its forms;

42. *Encourages* Member States to strengthen their efforts in combating cybercrime and all forms of criminal abuse of information and telecommunications technologies, and to enhance international cooperation in this regard;

43. *Requests* the United Nations Office on Drugs and Crime to continue to assist Member States, upon request, in combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and to support them in their efforts to address the links with other forms of transnational organized crime, through, inter alia, legislative assistance, technical support and improved data collection and analysis;

44. *Calls upon* Member States to intensify all efforts to address the world drug problem, based upon the principle of common and shared responsibility and through a comprehensive and balanced approach, including through more effective bilateral, regional and international cooperation among judicial and law enforcement authorities, to counter the involvement of organized criminal groups in illicit drug production and trafficking and related criminal activities and to take steps to reduce the violence that accompanies drug trafficking;

45. *Recommends* that Member States, as appropriate to their national contexts, adopt a comprehensive and integrated approach to crime prevention and criminal justice reform, based on baseline assessments and data collection and focusing on all sectors of the justice system, and develop crime prevention policies, strategies and programmes, including ones that focus on early prevention by using multidisciplinary and participatory approaches, in close cooperation with all stakeholders, including civil society, and requests the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, to Member States for this purpose;

46. *Invites* Member States to develop national plans for the gradual adoption of the International Classification of Crime for Statistical Purposes and to strengthen national statistical systems of criminal justice, requests the United Nations Office on Drugs and Crime, within its existing mandate, to continue to strengthen the regular collection, analysis and dissemination of accurate, reliable and comparable data and information, including, as appropriate, data disaggregated by sex, age and other relevant criteria, and strongly encourages Member States to share such data and information with the Office;

47. *Requests* the United Nations Office on Drugs and Crime to continue to develop, in close cooperation with Member States, technical and methodological tools and trend analyses and studies to enhance knowledge of 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;

48. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to ensure the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals and handbooks developed and published by the United Nations Office on Drugs and Crime;

49. *Requests* the United Nations Office on Drugs and Crime, in collaboration and close consultation with Member States and within existing resources, to continue to support the enhancement of capacity and skills in the field of forensic sciences, including the setting of standards, and the development of technical assistance material for training, such as manuals, compilations of useful practices and guidelines and scientific and forensic reference material, for law enforcement officials and prosecution authorities, and to promote and facilitate the establishment and sustainability of regional networks of forensic science providers in order to enhance their expertise and capacity to prevent and combat transnational organized crime;

50. *Requests* the Secretary-General to submit a report to the General Assembly at its seventy-first session on the implementation of the mandates of the United Nations crime prevention and criminal justice programme, reflecting also emerging policy issues and possible responses.

Draft resolution VI Improving the coordination of efforts against trafficking in persons

The General Assembly,

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,

Reiterating its concern that, despite sustained measures taken at the international, regional and national levels, trafficking in persons remains one of the grave challenges facing the international community, which also impairs the enjoyment of human rights and needs a more concerted collective and comprehensive international response,

Bearing in mind that all States have an obligation to exercise due diligence to prevent, investigate and punish perpetrators of trafficking in persons and to protect and assist victims, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of the victims,

Welcoming the adoption of the 2030 Agenda for Sustainable Development,¹ which reaffirms the commitment by Member States to take immediate and effective measures to, inter alia, eradicate forced labour and end modern slavery and human trafficking,

Reaffirming the commitment made by world leaders at the Millennium Summit,² the 2005 World Summit³ and the high-level plenary meeting of the General Assembly on the Millennium Development Goals, held in 2010,⁴ to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons, to counter the demand for trafficked victims and to protect the victims,

Recalling the United Nations Convention against Transnational Organized Crime,⁵ the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,⁶ which provided the definition of the crime of trafficking in persons, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography⁷ and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,⁸

Taking note of the adoption of the Protocol of 2014 to the Forced Labour Convention of 1930,⁹ which recognizes that trafficking in persons for the purposes of forced or compulsory labour is the subject of growing international concern,

¹ Resolution 70/1.

² Resolution 55/2.

³ Resolution 60/1.

⁴ Resolution 65/1.

⁵ United Nations, *Treaty Series*, vol. 2225, No. 39574.

⁶ *Ibid.*, vol. 2237, No. 39574.

⁷ *Ibid.*, vol. 2171, No. 27531.

⁸ *Ibid.*, vol. 266, No. 3822.

⁹ *Ibid.*, vol. 39, No. 612.

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

Reaffirming that the Global Plan of Action was developed:

(a) To promote universal ratification of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as other relevant international instruments that address trafficking in persons, and to reinforce the implementation of existing instruments against trafficking in persons,

(b) To help Member States to reinforce their political commitments and legal obligations to prevent and combat trafficking in persons,

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

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

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

Recalling its resolutions 61/180 of 20 December 2006, 64/178 of 18 December 2009, 67/190 of 20 December 2012 and 68/192 of 18 December 2013 on improving the coordination of efforts against trafficking in persons and other relevant General Assembly resolutions on trafficking in persons,¹⁰

Recalling also Economic and Social Council resolution 2015/23 of 21 July 2015 on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons and previous Council resolutions on trafficking in persons,

Recalling further Human Rights Council resolution 23/5 of 13 June 2013, entitled “Trafficking in persons, especially women and children: efforts to combat human trafficking in supply chains of businesses”,¹¹ and other relevant resolutions of the Council on trafficking in persons,

Taking note of the reference to preventing and countering trafficking in persons and the victim-oriented approach in the context of addressing trafficking in persons in the Doha Declaration on 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

¹⁰ Resolutions 55/67, 58/137, 59/166, 61/144, 63/156 and 63/194.

¹¹ See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53 (A/68/53)*, chap. V, sect. A.

Levels, and Public Participation, adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in Doha from 12 to 19 April 2015,¹²

Recalling the adoption of the Declaration of the High-level Dialogue on International Migration and Development,¹³ held on 3 and 4 October 2013, and the commitment by Member States, inter alia, to prevent and combat trafficking in persons, to protect victims of trafficking, stressing the need to establish or upgrade, as appropriate, national and regional anti-human trafficking policies, and to reinforce cooperation on prevention, the prosecution of traffickers and the protection of victims of trafficking,

Recognizing the important role of the Inter-Agency Coordination Group against Trafficking in Persons in fostering coordination and cooperation in the global fight against trafficking in persons, in particular the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the International Labour Organization, the International Organization for Migration, the United Nations Development Programme, the United Nations Population Fund, the United Nations Educational, Scientific and Cultural Organization and other intergovernmental organizations, within their existing mandates,

Recognizing also that the Inter-Agency Coordination Group, within its mandate, contributes to the implementation of the Global Plan of Action, and taking note with appreciation of the activities of the United Nations Office on Drugs and Crime as coordinator of the Inter-Agency Coordination Group,

Emphasizing 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 Member States, upon their request, to implement the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, by making use of existing capacity-building tools, lessons learned from Member States and expertise available in other international organizations,

Recognizing the need to continue to foster a global partnership against trafficking in persons and the need to continue to work towards an enhanced comprehensive and coordinated approach to prevent and combat trafficking and to protect and assist victims of trafficking in persons through the appropriate national, regional and international mechanisms,

Recognizing also the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on good practices, of Governments and of intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

¹² Resolution 70/___, annex.

¹³ Resolution 68/4.

Stressing the need to protect victims of trafficking from being incarcerated and prosecuted even when States have inadequate or no formal procedures for their identification,

Recognizing that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery,

Recognizing also that victims of trafficking are often subject to multiple forms of discrimination and violence, including on the grounds of gender, age, disability, ethnicity, culture and religion, as well as national or social origin, and that these forms of discrimination may themselves fuel trafficking in persons, and that women and children without nationality or without birth registration are particularly vulnerable to trafficking in persons,

Stressing the need to promote and protect the rights of victims of trafficking in persons and to reintegrate victims into the community, including by taking into account, where appropriate, the Recommended Principles and Guidelines on Human Rights and Human Trafficking¹⁴ and the commentary thereon developed by the Office of the United Nations High Commissioner for Human Rights, as well as the Guidelines on the Protection of Child Victims of Trafficking developed by the United Nations Children's Fund,

Welcoming the efforts of Member States, United Nations agencies, international organizations, civil society organizations and the private sector to address the problem of trafficking in persons, including women and girls as the most vulnerable group, and encouraging them to further enhance their efforts and cooperation, including by sharing their knowledge and best practices as widely as possible,

Affirming that capacity-building is a very important component in combating trafficking in persons, and in this regard stressing the need to intensify international cooperation to combat trafficking in persons, as well as technical assistance for countries aimed at strengthening their ability to prevent all forms of trafficking, including supporting their development programmes,

Taking note of the Khartoum process and its Declaration adopted in Khartoum in October 2014 during the Regional Ministerial Conference on Human Trafficking and Smuggling in the Horn of Africa, coordinated by the African Union, the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration, which aimed to strengthen national, regional and international cooperation and build capacities in the African countries to combat trafficking in persons and migrant smuggling,

Taking note also of the Second Work Plan to Combat Trafficking in Persons in the Western Hemisphere 2015-2018, adopted by States members of the Organization of American States at the Fourth Meeting of National Authorities on Trafficking in Persons, held in December 2014 in Brasilia,

Recognizing that the Global Plan of Action and the establishment of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established in compliance with the Global Plan of Action, aim

¹⁴ [E/2002/68/Add.1](#).

at raising awareness of the situation of victims of human trafficking and at providing them with humanitarian, legal and financial aid through established channels of assistance, such as governmental, intergovernmental and non-governmental organizations,

Reaffirming the importance of humanitarian, legal and financial aid to victims of trafficking in persons, including through governmental, intergovernmental and non-governmental organizations, including the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children and the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery,

Taking note of the report of the Secretary-General,¹⁵

Taking note with appreciation of the reports of the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children,¹⁶

Recognizing that, in accordance with the United Nations Convention against Transnational Organized Crime, the Conference of the Parties to the Convention is established to improve the capacity of States parties to combat transnational organized crime and to promote and review the implementation of the Convention, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,

1. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime⁵ and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,⁶ taking into consideration the central role of those instruments in the fight against trafficking in persons, and also urges States parties to those instruments to implement them fully and effectively;

2. *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 relevant international, regional and subregional organizations, within their respective mandates, to continue to contribute to the full and effective implementation of the Global Plan of Action, including by means of strengthening cooperation and improving coordination among themselves in achieving that goal;

3. *Recalls* the holding of the high-level meeting of the General Assembly during its sixty-seventh session, from 13 to 15 May 2013, to appraise the progress achieved in the implementation of the Global Plan of Action, which, inter alia, evinced strong political will to step up efforts against trafficking in persons;

4. *Also recalls* its decision to appraise, from within existing resources, on a four-year basis starting at its seventy-second session, 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, and therefore decides to convene, within existing resources, a high-level meeting of

¹⁵ A/70/94.

¹⁶ A/69/269 and A/70/260.

the General Assembly at its seventy-second session, in October 2017, immediately after the general debate;

5. *Requests* the Secretary-General and the President of the General Assembly, in close cooperation with Member States, to take all appropriate measures to arrange the high-level meeting;

6. *Recalls* its decision to designate 30 July as the World Day against Trafficking in Persons, to be observed annually, and, while welcoming events held by Member States, United Nations agencies, other international organizations and civil society at the international, regional and national levels to mark the World Day, invites all stakeholders to continue to observe the World Day in order to raise awareness of trafficking in persons and the situation of the victims of this crime and for the promotion and protection of their rights;

7. *Expresses support* for the activities of the United Nations Office on Drugs and Crime, reaffirms its request to the Secretary-General to provide adequate support to the Commission on Crime Prevention and Criminal Justice, and invites Member States to make voluntary contributions to the Office for the purpose of providing assistance to Member States upon request;

8. *Encourages* the United Nations Office on Drugs and Crime to cooperate with relevant international organizations outside the United Nations system and to invite such organizations and interested Member States to participate, when appropriate, in the meetings of the Inter-Agency Coordination Group against Trafficking in Persons and to keep Member States informed of the schedule of and the progress made by the Inter-Agency Coordination Group;

9. *Takes note* of the consultative briefing for Member States hosted by the Inter-Agency Coordination Group against Trafficking in Persons in January 2015 at United Nations Headquarters on the work and priorities of the Inter-Agency Coordination Group in 2015 and beyond;

10. *Invites* the United Nations Office on Drugs and Crime, in its capacity as coordinator of the Inter-Agency Coordination Group, and other relevant agencies of the United Nations system, to continue their activities related to the implementation of relevant international instruments and the Global Plan of Action, and invites Member States and other international and bilateral donors to provide voluntary contributions to the United Nations Office on Drugs and Crime for these purposes, in accordance with the policies, rules and procedures of the United Nations;

11. *Invites* Member States to address the social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons, such as poverty, unemployment, inequality, humanitarian emergencies, including armed conflicts and natural disasters, sexual violence, gender discrimination and social exclusion and marginalization, as well as a culture of tolerance towards violence against women, youth and children;

12. *Calls upon* Member States, international organizations, civil society organizations and the private sector to increase and support prevention efforts in countries of origin, transit and destination by focusing on the demand that fosters all forms of trafficking and the goods and services produced as a result of trafficking in persons;

13. *Encourages* Member States to cooperate with the Special Rapporteur of the Human Rights Council on trafficking in persons, especially women and children, as well as with other relevant special procedures, including the Special Rapporteur of the Council on violence against women, its causes and consequences, the Special Representative of the Secretary-General on Violence against Children, the Special Rapporteur of the Council on the sale of children, child prostitution and child pornography and the Special Rapporteur of the Council on contemporary forms of slavery, including its causes and consequences;

14. *Calls upon* Member States to continue their efforts to criminalize trafficking in persons in all its forms, including the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs, especially concerning children, and to condemn these practices and to investigate, prosecute and penalize traffickers and intermediaries while providing protection and assistance to the victims of trafficking with full respect for their human rights, and invites Member States to continue to support those United Nations agencies and international organizations that are actively involved in victim protection;

15. *Notes* the second consultative meeting on strengthening partnerships with national rapporteurs and relevant mechanisms on trafficking in persons, held in Bangkok in May 2014, co-hosted by the United Nations Office on Drugs and Crime, the Special Rapporteur on trafficking in persons, especially women and children, and the Office of the United Nations High Commissioner for Human Rights, and the establishment of an informal network of such mechanisms located all over the world in order to address trafficking in persons in a consistent manner and to exchange information and best practices built on different national experiences;

16. *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;

17. *Welcomes* the publication in 2012 and 2014 of the *Global Report on Trafficking in Persons*, prepared by the United Nations Office on Drugs and Crime, looks forward to the next such report to be produced by the Office in 2016, pursuant to the Global Plan of Action, and encourages Member States to provide to the Office evidence-based data on patterns, forms and flows of trafficking in persons, including for the purpose of the removal of organs;

18. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its seventy-first session.

Draft resolution VII United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

The General Assembly,

Recalling its resolution 69/198 of 18 December 2014 and all other relevant resolutions,

Taking note of the report of the Secretary-General,¹

Bearing in mind that weaknesses in crime prevention lead to subsequent difficulties at the level of crime control mechanisms, and bearing in mind also the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Aware of the devastating impact of new and more dynamic crime trends on the national economies of African States, such as the high levels of transnational organized crime being recorded in Africa, including the utilization of digital technology to commit all types of cybercrime, and aware also of illicit trafficking in cultural property, drugs, precious metals, rhinoceros horns and ivory, of piracy and money-laundering and of the fact that crime is a major obstacle to harmonious and sustainable development in Africa,

Deeply concerned about the growing links, in some cases, between some forms of transnational organized crime and terrorism, and recognizing that countering transnational organized crime and terrorism is a common and shared responsibility, and that criminal justice procedures will have to be more cost-conscious, timely and expeditious and sensitive to public responses to minimize or eliminate any suspicion of compromise,

Emphasizing that combating crime is a collective endeavour to meet the global challenge of organized crime and that investment of necessary resources in crime prevention is important to that aim and contributes to sustainable development,

Noting with concern that in most African countries the existing criminal justice system does not have sufficiently skilled personnel and adequate infrastructure and is therefore ill-equipped to manage the emergence of new crime trends, and acknowledging the challenges that Africa faces in litigation processes and the management of correctional institutions,

Recognizing that the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders is a focal point for all professional efforts aimed at promoting the active cooperation and collaboration of Governments, academics, institutions and scientific and professional organizations and experts in crime prevention and criminal justice,

Bearing in mind the revised African Union Plan of Action on Drug Control and Crime Prevention (2013-2017), aimed at encouraging Member States to participate in and own the regional initiatives for effective crime prevention and good governance and strengthened justice administration,

¹ A/70/121.

Recognizing the importance of promoting sustainable development as a complement to crime prevention strategies,

Emphasizing the need to create necessary coalitions with all partners in the process of achieving effective crime prevention policies,

Welcoming the undertaking and conclusion of a preliminary diagnostic study by a consultant of the Economic Commission for Africa prior to the commencement of a full system-wide review process, including the significance of the Institute as a viable mechanism for promoting cooperation among the relevant entities to respond to the crime problem afflicting Africa,

Expressing concern over the continued absence of a director of the Institute, and noting the important role of such senior management positions in ensuring the normal functioning of the Institute,

Noting with concern that the financial situation of the Institute has greatly affected its capacity to deliver services to African Member States in an effective and comprehensive manner, and noting that one of the findings of the preliminary diagnostic study is that the Institute urgently needs to increase its income,

Recalling the detailed description provided in the report of the Secretary-General of funding deficiencies that have severely undermined the Institute's capacity to serve the needs of the region, and recognizing that crime results in the expenditure of a significant amount of resources,

Bearing in mind that the Institute is an important component of the United Nations crime prevention and criminal justice network, and that, without the necessary funds, the Institute will fail to accomplish its vital goals of combating drug trafficking, cybercrime and environmental crimes, among other challenges, as well as its goals of reforming the crucial deficiencies in the region's prosecution system and building effective and strong alliances among law enforcement personnel, professional bodies, academic institutions, individual communities, experts and traditional and civil authorities in order to proactively prevent crime,

Acknowledging the Member States and organizations that have maintained their commitment to the fulfilment of their financial obligations,

1. *Commends* the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders for its efforts to promote, coordinate and carry out more activities within its core mandate, including regional technical cooperation related to crime prevention and criminal justice systems in Africa, despite the resource constraints under which it is operating;

2. *Also commends* the initiative of the United Nations Office on Drugs and Crime in strengthening its working relationship with the Institute by supporting and involving the Institute in the implementation of a number of activities, including those contained in the revised African Union Plan of Action on Drug Control and Crime Prevention (2013-2017), on strengthening the rule of law and criminal justice systems in Africa;

3. *Reiterates* the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

4. *Also reiterates* the benefits, in some cases, of the utilization of alternative remedial measures, where appropriate, applying standards of ethical conduct and using local traditions, counselling and other emerging correctional

rehabilitation measures, consistent with the obligations of States under international law;

5. *Notes* the efforts of the Institute to establish contacts with organizations in those countries which are promoting crime prevention programmes and its maintenance of close links with regional and subregional political entities, such as the African Union Commission, the East African Community, the Commission of the Economic Community of West African States, the Intergovernmental Authority on Development and the Southern African Development Community;

6. *Encourages* the Institute, in cooperation with relevant United Nations agencies, to take into account the various planning authorities in the region that focus attention on the coordination of activities that promote development based on sustainable agricultural production and preservation of the environment in developing its crime prevention strategies;

7. *Urges* States members of the Institute that have failed to meet their financial pledges to the Institute to pay all or part of those outstanding arrears, taking into consideration that States members are to fund 73 per cent of the approved budget;

8. *Welcomes* the report of the Governing Board of the Institute, convened in Lilongwe on 29 May 2015, which outlines the positive conclusion of the review process aimed at reinvigorating the Institute and discusses measures to address the decline in financial support for the programmes of the Institute;

9. *Also welcomes* the introduction by the Institute of a cost-sharing initiative in its execution of various programmes with Member States, partners and United Nations entities;

10. *Urges* all Member States and non-governmental organizations and the international community to continue to adopt concrete practical measures to support the Institute in the development of the requisite capacity and in the implementation of its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

11. *Urges* all States that have not already done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto,² as well as the United Nations Convention against Corruption;³

12. *Encourages* African States that are not yet members of the Institute to consider becoming member States in order to strengthen the fight against crime and terrorism, which hamper individual and collective development efforts on the continent;

13. *Commends* the continued support provided by the Government of Uganda as host country, including resolving the issue of the ownership of the land on which the Institute is located and facilitating the Institute's collaboration with other stakeholders within Uganda and the region and with international partners;

14. *Also commends* the efforts of the Institute in implementing several programmes in the region, which have contributed, inter alia, to a growing set of coordinated remedial responses to crime on the basis of technical support in

² United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

³ *Ibid.*, vol. 2349, No. 42146.

facilitating mutual assistance by law enforcement agencies and the emergence of regional jurisdictions;

15. *Encourages* the Institute to consider focusing on specific and general vulnerabilities of each programme country and to maximize the use of available initiatives to address crime problems with existing funds, as well as available capacity, by creating useful coalitions with regional and local institutions;

16. *Requests* the Secretary-General to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core Professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

17. *Requests* the United Nations Office on Drugs and Crime to continue to work closely with the Institute, and requests the Institute to provide the annual report on its activities to the Office as well as to the Economic Commission for Africa Conference of African Ministers of Finance, Planning and Economic Development;

18. *Requests* the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

19. *Also requests* the Secretary-General to submit a report to the General Assembly at its seventy-first session with a specific focus on the current and future structural, financial, administrative and operational aspects of the Institute, giving due consideration to intensifying efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfil its mandate, bearing in mind that the precarious financial situation of the Institute greatly undermines its capacity to deliver services effectively.

36. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Reports considered by the General Assembly in connection with the question of crime prevention and criminal justice

The General Assembly decides to take note of the following documents submitted under the item entitled "Crime prevention and criminal justice":

(a) Report of the Secretary-General on the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice;¹

(b) Note by the Secretary-General transmitting the report of the Conference of the States Parties to the United Nations Convention against Transnational Organized Crime on its seventh session.²

¹ [A/70/90-E/2015/81](#).

² [A/70/407](#).