

**2004/28**

**United Nations standards and norms in crime prevention and criminal justice**

*The Economic and Social Council,*

*Recalling* the United Nations Millennium Declaration, contained in General Assembly resolution 55/2 of 8 September 2000, in which the Assembly resolved to strengthen respect for the rule of law in international as in national affairs and to make the United Nations more effective in maintaining peace and security by giving it the resources and tools it needed for conflict prevention, peaceful resolution of disputes, peacekeeping, post-conflict peace-building and reconstruction,

*Mindful* of the report of 21 August 2000 of the Panel on United Nations Peace Operations<sup>112</sup> and the discussions on justice and the rule of law held by the Security Council,

*Noting* the leading role of the Department of Peacekeeping Operations of the Secretariat, among other entities, in providing assistance to countries in post-conflict situations,

*Recognizing* the critical importance of incorporating crime prevention and criminal justice components in post-conflict reconstruction, poverty alleviation and socio-economic development programmes in order to ensure economic progress and good governance,

*Mindful* of the importance for Member States and intergovernmental and non-governmental organizations to use and apply United Nations standards and norms in crime prevention and criminal justice as important international principles in developing an efficient and fair criminal justice system, in particular in circumstances where the basic tenets of the rule of law are ineffective or absent or in post-conflict reconstruction,

*Recalling* its resolution 1993/34 of 27 July 1993, in particular section III, paragraph 7 (c) thereof, in which it requested the Secretary-General to commence without delay a process of information-gathering to be undertaken by means of surveys, such as reporting systems, and contributions from other sources,

*Recalling also* its resolution 2002/15 of 24 July 2002, in which it reaffirmed the importance of United Nations standards and norms in crime prevention and criminal justice, including in the framework of peacekeeping and post-conflict reconstruction,

*Recalling further* its resolution 2003/30 of 22 July 2003, in which it decided to group United Nations standards and norms in crime prevention and criminal justice into four categories for the purpose of targeted collection of information, in order to better identify the specific needs of Member States and to provide an analytical framework with a view to improving technical cooperation,

*Reaffirming* the important role of intergovernmental and non-governmental organizations in contributing to the effective use and application of United Nations standards and norms in crime prevention and criminal justice,

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<sup>112</sup> A/55/305-S/2000/809.

*Desirous* of reforming and streamlining the current process of information-gathering with regard to the application of United Nations standards and norms in crime prevention and criminal justice, in order to make it more efficient and cost-effective,

*Wishing* to streamline the provision of technical assistance in the use and application of United Nations standards and norms in crime prevention and criminal justice,

1. *Takes note* of the report of the Secretary-General on United Nations standards and norms in crime prevention and criminal justice;<sup>113</sup>

2. *Also takes note* of the report of the Intergovernmental Expert Group Meeting on United Nations Standards and Norms in Crime Prevention and Criminal Justice held in Vienna from 23 to 25 March 2004;<sup>114</sup>

3. *Notes* the work undertaken by the Intergovernmental Expert Group Meeting on United Nations Standards and Norms in Crime Prevention and Criminal Justice;

4. *Expresses its gratitude* to the Government of Canada for its financial support in the organization of the Intergovernmental Expert Group Meeting and to the European Institute for Crime Prevention and Control, affiliated with the United Nations, for assisting in the preparation of the information-gathering instruments for the first category of United Nations standards and norms in crime prevention and criminal justice;

5. *Takes note* of the instruments for gathering information on United Nations standards and norms related primarily to persons in custody, non-custodial sanctions and juvenile and restorative justice, as revised by the Intergovernmental Expert Group Meeting;

6. *Requests* the Secretary-General to forward the information-gathering instruments referred to in paragraph 5 above to Member States, intergovernmental and non-governmental organizations and the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other United Nations entities for their comments;

7. *Also requests* the Secretary-General to review the information-gathering instruments referred to in paragraph 5 above on the basis of the comments received and, following that review, to submit the revised instruments to an intersessional meeting of the Commission on Crime Prevention and Criminal Justice for approval;

8. *Invites* Member States to reply concerning the information-gathering instruments and to indicate their needs for technical assistance in the areas covered by the standards and norms referred to in paragraph 5 above;

9. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its fifteenth session on the use and application of the United Nations standards and norms referred to in paragraph 5 above, in particular as regards:

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<sup>113</sup> E/CN.15/2004/9.

<sup>114</sup> E/CN.15/2004/9/Add.1.

(a) The difficulties encountered in the application of the United Nations standards and norms in crime prevention and criminal justice;

(b) Ways in which technical assistance can be provided to overcome those difficulties;

(c) Useful practices in addressing persisting and emerging challenges in crime prevention and criminal justice;

10. *Invites* Member States to strengthen the human and financial resources available to the United Nations Office on Drugs and Crime in order to enable the Office to better assist States in conducting seminars, workshops, training programmes and other activities aimed at promoting the use and application of the United Nations standards and norms in crime prevention and criminal justice;

11. *Requests* the Secretary-General to assist Member States, upon request, subject to the availability of extrabudgetary resources, in the use and application of United Nations standards and norms in crime prevention and criminal justice through the development and implementation of technical assistance projects aimed at criminal justice reform;

12. *Requests* the United Nations Office on Drugs and Crime to continue to work with the Department of Peacekeeping Operations of the Secretariat and other relevant entities responsible for providing assistance to countries in post-conflict situations and, subject to the availability of extrabudgetary resources, to strengthen its capacity to provide technical assistance and advisory services to post-conflict reconstruction efforts by utilizing the instruments for gathering information on United Nations standards and norms in crime prevention and criminal justice to obtain data that will assist in integrating a crime prevention and criminal justice component into those activities;

13. *Requests* the Secretary-General to keep the development of legal, institutional and practical arrangements for international cooperation under review, through appropriate mechanisms such as, subject to the availability of extrabudgetary resources, the revision of the manuals on extradition and mutual legal assistance and preparation of model laws, in order to make international cooperation and technical assistance more effective;

14. *Invites* the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, to be held in Bangkok from 18 to 25 April 2005, under the agenda item "Making standards work: fifty years of standard-setting in crime prevention and criminal justice", to address the issues raised in the present resolution with a view to consolidating and making more effective the action of United Nations and other intergovernmental and non-governmental organizations in this field;

15. *Requests* the Secretary-General to convene a meeting of intergovernmental experts, with representation based on the regional composition of the Commission on Crime Prevention and Criminal Justice and open to observers, subject to the availability of extrabudgetary resources, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, to design information-gathering instruments on the following categories of United Nations standards and norms:

(a) Standards and norms related to legal, institutional and practical arrangements for international cooperation, wherever feasible;

(b) Standards and norms related primarily to crime prevention and victim issues;

16. *Also requests* the Secretary-General to forward the information-gathering instruments referred to in paragraph 15 above to Member States, intergovernmental and non-governmental organizations and the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other United Nations entities for their comments;

17. *Further requests* the Secretary-General to review the information-gathering instruments referred to in paragraph 15 above, on the basis of the comments received, and to present those instruments, together with his report on progress made in their preparation, to the Commission on Crime Prevention and Criminal Justice at its sixteenth session.

*47th plenary meeting  
21 July 2004*

## **2004/29**

### **Strengthening international cooperation and technical assistance in combating money-laundering**

*The Economic and Social Council,*

*Bearing in mind* the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>115</sup> the International Convention for the Suppression of the Financing of Terrorism,<sup>116</sup> the United Nations Convention against Transnational Organized Crime<sup>117</sup> and the United Nations Convention against Corruption,<sup>118</sup>

*Taking into account* the activities of the Financial Action Task Force on Money Laundering, in particular its Forty Recommendations and eight Special Recommendations on Terrorist Financing, and those of similar regional bodies, such as the Egmont Group of Financial Intelligence Units,

*Considering* that multilateral action against the contemporary global phenomenon of transnational organized crime and its unlawful activities, including in particular trafficking in drugs, arms and human beings, money-laundering, corruption and the financing of terrorism, is important and involves shared responsibility and coordinated action by States in order to obtain greater coherence in conformity with relevant multilateral instruments,

*Recognizing* that the laundering of the proceeds of crime has spread internationally and in that way has become a worldwide threat to the stability and security of financial and commercial systems, including governmental structures, and that finding a solution to the problems stemming from organized crime and the proceeds of crime requires joint measures on the part of the international community,

<sup>115</sup> United Nations, *Treaty Series*, vol. 1582, No. 27627.

<sup>116</sup> General Assembly resolution 54/107, annex.

<sup>117</sup> General Assembly resolution 55/25, annex I.

<sup>118</sup> General Assembly resolution 58/4, annex.