

ECOSOC Resolution 2003/30

United Nations standards and norms in crime prevention and criminal justice

The Economic and Social Council,

Recalling its resolution 2002/15 of 24 July 2002, on United Nations standards and norms in crime prevention and criminal justice, 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, and requested the Secretary-General to convene a meeting of a group of experts, subject to the availability of extrabudgetary funds, to make concrete proposals on the application of United Nations standards and norms to be considered by the Commission on Crime Prevention and Criminal Justice at its twelfth session,

Recalling also its resolution 2002/17 of 24 July 2002, on international cooperation, technical assistance and advisory services in crime prevention and criminal justice, in which it invited potential donors to make significant and regular contributions, and requested the Secretary-General to enhance further the resources available for operational activities and interregional advisory services,

Recalling further its resolution 1993/34 of 27 July 1993, in particular section III, paragraph 7 (c), 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,

Welcoming the ongoing collaboration between the United Nations Office on Drugs and Crime and the Office of the United Nations High Commissioner for Human Rights in the areas of juvenile justice, human rights education, professional education for judges and lawyers, technical cooperation, counter-terrorism and human rights, trafficking in persons, the rights of victims, the independence of the judiciary and post-conflict reconstruction,

Desirous of reforming and streamlining the current process of information-gathering with respect to the application of United Nations standards and norms in crime prevention and criminal justice in order to make the process more efficient and cost-effective for all those concerned,

Aware of the resources past surveys have required from Member States and acknowledging the workload of the Centre for International Crime Prevention and Member States in relation to the present priorities set by the Commission on Crime Prevention and Criminal Justice,

1. *Takes note* with appreciation of the report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice;¹

¹ E/CN.15/2003/10 and Add.1 and 2.

2. *Expresses its appreciation* for the work undertaken by the Meeting of Experts on the Application of United Nations Standards and Norms in Crime Prevention and Criminal Justice, held in Stadtschlaining, Austria, from 10 to 12 February 2003, takes note of the recommendations of the Meeting of Experts contained in the annex to the present resolution, and expresses its appreciation to the Governments of Austria, Canada and Germany for their financial support in the organization of the Meeting;

3. *Decides* to group United Nations standards and norms in crime prevention and criminal justice in the following 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:

(a) Standards and norms related primarily to persons in custody, non-custodial sanctions and juvenile and restorative justice;

(b) Standards and norms related primarily to legal, institutional and practical arrangements for international cooperation;

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

(d) Standards and norms related primarily to good governance, the independence of the judiciary and the integrity of criminal justice personnel;

4. *Calls upon* Member States, intergovernmental and non-governmental organizations, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and United Nations entities, in responding to targeted inquiries on the application of United Nations standards and norms in crime prevention and criminal justice, to focus on identifying difficulties that have been encountered in their application, ways in which technical assistance to requesting States can overcome those difficulties and desirable practices in the prevention and control of crime;

5. *Requests* the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime, in collaboration with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network:

(a) To provide support to Member States, requesting assistance with specific issues in the use and application of United Nations standards and norms in crime prevention and criminal justice, including by developing resource materials and organizing training courses and workshops;

(b) To collaborate with other United Nations entities, intergovernmental and non-governmental organizations and national institutions to promote the widest possible dissemination of United Nations standards and norms in crime prevention and criminal justice and to identify experts in that field who may be available to assist requesting Member States;

(c) To provide advisory services in relation to United Nations standards and norms in crime prevention and criminal justice;

6. *Requests* the Secretary-General to convene, subject to the availability of extrabudgetary funds, an intergovernmental expert group meeting on the basis of adequate and equitable geographical representation to prepare proposals to be considered by the Commission on Crime Prevention and Criminal Justice at its thirteenth session in relation to:

(a) The design of information-gathering instruments that are short, simple, complete and understandable in relation to select groups of standards and norms referred to in paragraph 3 above and that are aimed at identifying and addressing specific problems in Member States requesting assistance and at providing an analytical framework with a view to improving technical cooperation;

(b) New ways and means for maximizing the effectiveness of technical assistance to Member States in specific areas of crime prevention and criminal justice, including in the context of the reconstruction of criminal justice institutions in peacekeeping and post-conflict situations, in particular as regards capacity-building and the promotion of the rule of law;

7. *Also requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its fifteenth session on progress made in the first targeted collection of information on the group of standards and norms referred to in paragraph 3 (a) and (b) above, including how that collection of information relates to requests by Member States for technical assistance.

*44th plenary meeting
22 July 2003*

Annex

Recommendations of the Meeting of Experts on the Application of United Nations Standards and Norms in Crime Prevention and Criminal Justice

Recommendations to the Commission on Crime Prevention and Criminal Justice

1. The application and formulation of United Nations standards and norms in crime prevention and criminal justice should continue to be accorded high priority by the Commission on Crime Prevention and Criminal Justice. The standing agenda item on those standards and norms should be maintained and appropriate time and resources should be devoted to it.
2. Possible future United Nations standards and norms in crime prevention and criminal justice should focus on emerging practices in crime prevention or criminal justice, in order to facilitate the development of detailed practical guidelines for use by interested States in carrying out specific tasks.
3. The Commission should establish a mechanism, such as a group of experts and/or a special rapporteur, to supplement existing procedures for undertaking periodic reviews of the application of selected standards

and norms in order to ensure their promotion, as well as to make appropriate recommendations to the Commission.

4. The focus in subsequent review cycles should be on identifying difficulties that have been encountered in the application of United Nations standards and norms, in crime prevention and criminal justice, ways in which technical assistance can be used to overcome those difficulties and desirable practices in crime prevention and control.

5. The resulting data and other information should be shared in order to enhance the level and impact of technical cooperation in the world, the overall objective being to promote criminal justice reform in line with applicable United Nations standards and norms in crime prevention and criminal justice.

6. The entire review process should be guided by the need to relate it to the main programme priorities of the United Nations, as noted in the United Nations Millennium Declaration² and the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,³ including strengthening the rule of law, good governance, sustainable development and the alleviation of poverty.

7. In line with the programme priorities of the United Nations, the Commission, at each of its sessions, should seek to focus on the application of a cluster of United Nations standards and norms in crime prevention and criminal justice. The Commission may wish to consider the possibility of reviewing a presentation of a particular cluster of standards and norms and their application in specific countries. Such a presentation could be prepared in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network.

8. In redesigning the information-gathering mechanisms and within the limits of current programme budget resources, the Commission should examine and propose focusing the future review process on selected clusters of instruments with the most widespread potential and relevance for application in criminal justice reforms in the world, in the following order of priority, bearing in mind gender as a cross-cutting issue, and grouped into clusters as follows:

(a) Juvenile justice and prison reform, including alternatives to imprisonment and restorative justice;

(b) The conduct of law enforcement and criminal justice practitioners, including the integrity of the judiciary;

(c) Public security and crime prevention;

(d) The treatment of victims and witnesses;

(e) Legal, institutional and practical arrangements for international cooperation (model treaties).

9. The Commission should request donor States and relevant intergovernmental and non-governmental institutions to support criminal justice reforms, in accordance with United Nations standards

² General Assembly resolution 55/2.

³ General Assembly resolution 55/59, annex.

and norms in crime prevention and criminal justice, in countries requesting assistance. The Commission could rely on a roster of national and regional experts who could, upon request, provide technical assistance and advice on the use and application of selected standards and norms.

10. The Commission should encourage donor countries to make financial contributions to the United Nations Crime Prevention and Criminal Justice Fund. Contributions should be directed towards technical cooperation projects for implementing and promoting United Nations standards and norms in crime prevention and criminal justice, as well as organizing meetings of experts to identify priority areas for the development of future standards and norms.

Recommendations to Member States and other entities

11. Each of the Member States should be encouraged to identify at least one contact person who could serve as a knowledgeable source for the analysis of the State's response concerning the application of United Nations standards and norms in crime prevention and criminal justice.

12. Member States should establish mechanisms and provide resources at the national level for promoting and monitoring the application of United Nations standards and norms in crime prevention and criminal justice.

13. Focused efforts should be made to obtain the commitment of policy makers and criminal justice managers to the implementation of United Nations standards and norms in crime prevention and criminal justice.

14. Member States should publish and disseminate, in their local languages, the United Nations standards and norms in crime prevention and criminal justice.

15. United Nations standards and norms in crime prevention and criminal justice should be easily accessible and explained in understandable language.

16. Member States, financial institutions and development agencies should support projects for the implementation of United Nations standards and norms in crime prevention and criminal justice.

17. Member States, intergovernmental and non-governmental organizations and interregional, regional and national training and educational institutions should vigorously promote programmes and projects that advance the United Nations standards and norms in crime prevention and criminal justice.

18. National institutions and non-governmental organizations should integrate United Nations standards and norms fully into their relevant training programmes.

Recommendations to the United Nations Office on Drugs and Crime

19. The United Nations Office on Drugs and Crime should emphasize in its organizational structure and operations the essential role of United Nations standards and norms in crime prevention and criminal justice.

20. The United Nations Office on Drugs and Crime should assist Member States, upon request, in the application of United Nations standards and norms in crime prevention and criminal justice and in the development of projects.

21. The United Nations Office on Drugs and Crime should seek to ensure that the relevant entities within the Secretariat and in the field are fully aware of the importance of United Nations standards and norms in crime prevention and criminal justice for building and maintaining the rule of law.

22. Well-focused efforts should be undertaken to encourage officials in peacekeeping and peace-building operations and their counterparts to apply United Nations standards and norms in crime prevention and criminal justice.

23. The United Nations Office on Drugs and Crime should identify opportunities for sharing data and other information on United Nations standards and norms in crime prevention and criminal justice with Governments and with intergovernmental and non-governmental organizations.

24. The information provided by Member States on the application of United Nations standards and norms in crime prevention and criminal justice should be distributed by the United Nations Office on Drugs and Crime via the World Wide Web.

25. The United Nations Office on Drugs and Crime should encourage financial institutions, development agencies and non-governmental organizations to expand their technical assistance programmes for improving access to justice and the rule of law.

26. The information-gathering mechanisms used by the United Nations Office on Drugs and Crime should be reviewed in order to bring them in line with the overall programme priorities of the United Nations. The goal should be to redesign the mechanisms in a more comprehensive, consistent and operational manner, so that the collected data and other information are more relevant to those priorities. The goal should also be to enhance cooperation among respondents, both in the collection of data and in the execution of technical cooperation projects.

27. New information-gathering mechanisms should be focused on identifying difficulties encountered in application and desirable practices. The mechanisms should be based on the present United Nations priorities unless the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, to be held in 2005, identifies new priorities.

28. Bearing in mind the priorities, the new information-gathering mechanisms should be conceptualized and existing mechanisms reviewed along the following parameters:

(a) Standards and norms related primarily to persons in custody, non-custodial sanctions and juvenile and restorative justice;

(b) Standards and norms related primarily to good governance, the independence of the judiciary and the integrity of criminal justice personnel;

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

(d) Standards and norms related primarily to legal, institutional and practical arrangements for international cooperation.

29. Reviews of United Nations standards and norms related primarily to capital punishment should be conducted pursuant to Economic and Social Council resolution 1995/57 of 28 July 1995, in which the Council recommended that the quinquennial reports of the Secretary-General should continue to cover the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty.

30. In gathering information on the above-mentioned priorities, the United Nations Office on Drugs and Crime should also focus its efforts on practical measures that make it possible to determine their operational usefulness in restoring or maintaining law and order, with particular reference to developing countries, countries with economies in transition and post-conflict situations.

31. The United Nations Office on Drugs and Crime should continue to explore the possibility of additional approaches and techniques in information-gathering in order to develop even more concise, simplified and cross-sectoral methods.

32. The survey instruments should be designed to be short, easy to complete and comprehensible.

33. The Secretary-General is requested to involve the regional institutes of the United Nations Crime Prevention and Criminal Justice Programme network in the review and design of the information-gathering instruments and the analysis of information collected.

34. Procedures should be developed according to which the Secretary-General, in reporting on the application of United Nations standards and norms in crime prevention and criminal justice, would be able to utilize not only other relevant information available within the United Nations, but also the expertise of specialized agencies, relevant intergovernmental and non-governmental organizations and academic institutions.

Recommendations on training

35. The United Nations Office on Drugs and Crime should continue to develop and produce manuals, modules and tools to be used in providing training on United Nations standards and norms in crime prevention and criminal justice, to carry out a limited number of such training courses and workshops and to coordinate such training with other United Nations entities.

36. A training unit should be created within the United Nations Office on Drugs and Crime and resources should be allocated for training and coordination functions.

37. To the maximum extent possible, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network should be utilized in the planning and conduct of such training activities.

38. In cooperation with the Department of Peacekeeping Operations and the Department of Political Affairs of the Secretariat, the United Nations Office on Drugs and Crime should develop basic training materials for peacekeeping and peace-building operations.

Recommendations on technical cooperation

39. The United Nations Office on Drugs and Crime should establish rosters of national and regional experts who would be able to provide, upon request, technical assistance and advice on the application of particular types of United Nations standards and norms in crime prevention and criminal justice. Such rosters should be developed in accordance with the different clusters of such standards and norms.

40. The advisory services of the United Nations Office on Drugs and Crime in relation to United Nations standards and norms in crime prevention and criminal justice should be enhanced. Projects should be evaluated in the light of the information gathered. The lessons learned should be incorporated into future planning so that the capacity to execute technical assistance projects can be improved.

41. At the request of Member States, practical projects should be developed, in particular for victims' support services and witness protection, prison reform and alternatives to imprisonment, juvenile justice and restorative justice.