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**Use and application of United Nations standards and  
norms in crime prevention and criminal justice****Use and application of United Nations standards and norms  
in crime prevention and criminal justice****Report of the Secretary-General****Contents**

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\* E/CN.15/2010/1.



## **I. Introduction**

1. Criminal justice systems differ from one country to the other and their response to anti-social behaviours is not always homogeneous. However, over the years the United Nations standards and norms in crime prevention and criminal justice have provided a collective vision of how criminal justice systems should be structured and have helped significantly to promote more effective crime prevention policies and strategies and more effective and fair criminal justice structures. As noted by speakers at the eighteenth session of the Commission on Crime Prevention and Criminal Justice, (see E/2009/30-E/CN.15/2009/20): as soft law texts, the standards and norms combine the clarity of international legal instruments, with the flexibility of non-binding instruments. They give Member States clear guidance on what they need to do to establish and strengthen the rule of law or implement critical criminal justice reforms. Because they are not binding, the standards and norms also allow each State the flexibility to adapt them to their own needs and individual legal and constitutional frameworks. Their non-binding nature also makes them easier to develop and keep up to date than legally binding instruments.

2. The body of existing United Nations standards and norms in crime prevention and criminal justice<sup>1</sup> guides the work of the United Nations Office on Drugs and Crime (UNODC) in these areas. They represent a benchmark to measure and assess the fairness, effectiveness and humanity of national criminal systems and as such are utilized by UNODC in assessing requesting countries' needs and in developing new strategies and policies as well as new projects and programmes of assistance in the area of crime prevention and criminal justice.

3. The present report includes an overview of the main activities carried out by UNODC over the last year to assist countries in using and applying relevant standards and norms in crime prevention and criminal justice and to facilitate the negotiation and adoption of new ones, thereby contributing to the promotion of fair and humane criminal justice systems at the national and international levels.

## **II. Work of the United Nations Office on Drugs and Crime to support the use and application of the United Nations standards and norms in crime prevention and criminal justice reform: an overview**

4. UNODC's activities to support countries in the use and application of relevant standards and norms are based on three pillars: (a) normative work; (b) operational work; and (c) research and analytical work.

5. Through its normative work, the Office provides advice and guidance to countries on the use and application of standards and norms and facilitates the development of new ones, while through its operational work the Office assists countries in the development and implementation of programmes aimed at effective institution-building, criminal justice reform and crime prevention and control

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<sup>1</sup> UNODC, *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice* (New York, 2006).

strategies. Finally, through its research and analytical activities, UNODC works to increase knowledge and understanding of crime issues and to expand the evidence base for normative, policy and operational decisions.

6. From the a normative point of view, during the reporting period, the Office has focused on the development and negotiation of new crime prevention and criminal justice standards and norms in three main areas: prevention of violence against women; the treatment of women prisoners and non-custodial measures for women offenders; and access to legal aid in the criminal justice system.

7. From the operational viewpoint, through its field office network and the implementation of regional and country programmes, UNODC assists developing countries, countries emerging from conflict and countries with economies in transition to prevent crime and to reform their criminal justice systems. Currently, the Office has a project portfolio on crime prevention and criminal justice of 45 ongoing national, subregional, regional and global projects in 39 countries. In 2009, programme development was particularly important in the areas of access to justice and legal aid, prison reform and crime and violence prevention. In 2009, UNODC — in full consultation with relevant countries — embarked in the development of a new generation of regional programmes covering the Balkans, Central America and the Caribbean, East Africa and East Asia and the Pacific. In 2010, further regional programmes will be launched in Central, Southern and West Africa, North Africa and the Middle East, Central and West Asia and Latin America/Southern Cone. Although each programme has been or will be developed on the basis of the specific needs and priorities of each region, it is expected that a rule of law and justice component, which will focus on crime prevention and criminal justice reform aspects, will feature prominently in each of them.

8. From the research and analytical point of view, UNODC has focused both on expanding the quality and extent of information available to Member States on global crime trends and on strengthening the capacity of States to conduct diagnostic surveys of crime phenomena, their characteristics, factors leading to them, the form they take and their extent. In particular, during the reporting period, UNODC finalized technical support activities and analysis of crime victimization surveys in a number of African countries, including Egypt, Rwanda, Uganda and the United Republic of Tanzania. UNODC also provided support within the framework of a European Union-funded project to the countries and territories of the Western Balkans for the development of monitoring instruments for judicial and law enforcement institutions.

9. Furthermore, during 2009, the Office started the development of a series of thematic programmes to provide a conceptual synthesis of its work in each of its thematic areas, such as organized crime, corruption, crime prevention and criminal justice reform, health and human development, and prevention of terrorism. The main objective here is to provide Member States with a clear overview of UNODC's work in key thematic areas, integrating the various components of the Office's expertise in the fields of advocacy, research, legislative and legal support, norm-setting and technical assistance. The Office is currently in the process of finalizing the thematic programme on crime prevention and criminal justice reform for the period 2010-2011.

### III. Normative work

10. During its seventeenth session, held in April 2008, the Commission on Crime Prevention and Criminal Justice requested UNODC to convene an intergovernmental group of experts to review and update, as appropriate, the Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, adopted by the General Assembly in its resolution 52/86.

11. The need to revise the Model Strategies and Practical Measures stemmed from the recognition that new practices, new thinking and new research have been developed since the adoption of the Model Strategies in 1997. New relevant criminal justice instruments have been negotiated and adopted, such as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;<sup>2</sup> the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;<sup>3</sup> and the Rome Statute of the International Criminal Court.<sup>4</sup> Various United Nations resolutions regarding women, peace and security, crimes against women committed in the name of honour, violence against women migrant workers and crime prevention have been adopted, and regional instruments and efforts have also been developed. It was felt that the Model Strategies needed to reflect those developments and take into account new approaches, prevention tools and good practices.

12. Thanks to the financial contributions of Canada and Finland and to the hospitality of Thailand, an intergovernmental group of experts to review and update the Model Strategies and Practical Measures was convened in Bangkok from 23 to 25 March 2009. The meeting, which was attended by experts from Governments of different world regions, as well as by observers for the Division for the Advancement of Women of the Secretariat, the United Nations Children's Fund (UNICEF), and the Office of the United Nations High Commissioner for Human Rights, endorsed a revised and updated version of the 1997 Model Strategies and Practical Measures, which also reflected the inputs and comments provided by 26 States prior to the holding of the meeting.<sup>5</sup>

13. The Updated Model Strategies and Practical Measures (see E/CN.15/2010/2, annex I) represent a comprehensive framework to assist States in developing policies and carrying out actions to eliminate violence against women and to promote equality between men and women within the criminal justice system. They are organized around 11 themes: (a) guiding principles; (b) criminal law; (c) criminal procedure; (d) police, prosecutors and other criminal justice officials; (e) sentencing and corrections; (f) victim support and assistance; (g) health and

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<sup>2</sup> United Nations, *Treaty Series*, vol. 2237, No. 39574.

<sup>3</sup> *Ibid.*, vol. 2171, No. 27531.

<sup>4</sup> *Ibid.*, vol. 2187, No. 38544.

<sup>5</sup> Argentina, Austria, Bahrain, Canada, Costa Rica, Dominican Republic, Finland, Italy, Japan, Jordan, Kuwait, Lebanon, Mauritius, Morocco, Netherlands, Nicaragua, Pakistan, Panama, Philippines, Romania, Serbia, Spain, Sweden, Thailand, Tunisia and United States of America.

social services; (h) training; (i) research and evaluation; (j) crime prevention measures; and (k) international cooperation.

14. In April 2009, UNODC and the Regional Office for Europe of the World Health Organization (WHO) launched a Declaration on Women's Health in Prison. The Declaration and its accompanying background paper present evidence of the current situation regarding women's health in prisons and include specific recommendations on responding to the distinct health-care needs of women prisoners. The publication is currently available in English, French, German and Russian and has been widely disseminated in countries worldwide. A checklist is being developed by WHO and UNODC to assist Member States in implementing the recommendations of the Declaration. Such implementation will significantly improve responses to women's health-care needs.

15. Pursuant to resolution 18/11 of the Commission on Crime Prevention and Criminal Justice and hosted by the Government of Thailand, UNODC held an open-ended intergovernmental expert group meeting in Bangkok from 23 to 26 November 2009 to develop, consistent with the Standard Minimum Rules for the Treatment of Prisoners<sup>6</sup> and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules),<sup>7</sup> supplementary rules specific to the treatment of women in detention and in custodial and non-custodial settings. The meeting was attended by experts from 25 countries and several non-governmental organizations.

16. The meeting endorsed a set of 70 rules for the treatment of women prisoners and non-custodial measures for women offenders to complement and supplement, as appropriate, the Standard Minimum Rules for the Treatment of Prisoners and the Tokyo Rules in connection with the treatment of women prisoners and alternatives to imprisonment for women offenders. The draft rules, which are inspired by principles set forth in various United Nations conventions and declarations, cover such issues as the implementation of gender-sensitive prisoner classification and security risk assessments, the provision of gender-specific health-care services, guidance on the treatment of children living with their mothers in prison, the specific safety concerns of women prisoners and the development of pre- and post-release programmes that take into account the stigmatization and discrimination that women face once released from prison (see A/CONF.213/17).

17. With the adoption of its resolution 2007/24, entitled "International cooperation for the improvement of access to legal aid in criminal justice systems, particularly in Africa", the Economic and Social Council noted the efforts made by Member States to provide legal assistance to defendants and suspects; encouraged Member States to cooperate with and promote the work of civil society in providing legal assistance; requested UNODC to provide advisory services and technical assistance in the area of penal reform and the development of an integrated plan for the provision of legal assistance; and also requested the Office to study ways and means of strengthening access to legal aid in the criminal justice system, as well as the possibility of developing an instrument such as a declaration of basic principles or a set of guidelines for improving access to legal aid in criminal justice systems.

<sup>6</sup> *Human Rights: A Compilation of International Instruments*, Volume I (First Part): *Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

<sup>7</sup> General Assembly resolution 45/110, annex.

18. Pursuant to the above request and recognizing that providing legal aid to suspects and prisoners may reduce the length of time suspects are held at police stations and detention centres, in addition to reducing the prison population, prison overcrowding and congestion in the courts, UNODC is developing a set of principles and guidelines on legal aid in criminal justice systems. This is intended to assist countries to take steps, in accordance with their domestic laws, to promote access to justice, to consider the provision of legal aid to those who need it and to enable the effective assertion of their rights in the criminal justice system. In this framework a meeting of experts was organized in Vienna from 19 to 21 October 2009 with a view to preparing a first draft of the principles and guidelines on legal aid in criminal justice systems to be submitted subsequently to an intergovernmental expert group meeting to be held, subject to the availability of extrabudgetary resources, in the second half of 2010.

19. The Economic and Social Council, in its resolutions 2004/34, and 2008/23, both entitled “Protection against trafficking in cultural property”, recalling the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property,<sup>8</sup> which had been adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and welcomed by the General Assembly in its resolution 45/121, requested the Secretary-General to direct UNODC, in close cooperation with the United Nations Educational, Scientific and Cultural Organization, to convene an open-ended intergovernmental expert group meeting to submit relevant recommendations to the Commission on Crime Prevention and Criminal Justice on protection against trafficking in cultural property, to include ways of making the model treaty more effective.

20. Pursuant to that request, UNODC convened from 14 to 16 November 2009 the open-ended intergovernmental expert group on protection against trafficking in cultural property, which adopted a series of recommendations on protection against such trafficking for consideration by the Commission at its nineteenth session (E/CN.15/2010/5 and UNODC/CCPCJ/EG.1/2009/2).

#### **IV. Operational work**

21. There was important growth in the UNODC technical assistance programme during the reporting period, in particular in the areas of crime and violence prevention and prison reform. The largest portfolio remained the victim assistance and protection area, which represented a total budget of 30 million dollars, owing largely to the victim empowerment programme in South Africa, being implemented by the UNODC Regional Office for Southern Africa and funded by the European Union with a total budget of \$26 million over a three-year period. The second largest portfolio was the prison reform programme, with a total budget of \$25 million, funding projects in Africa, the Middle East and Central and West Asia, with other projects being developed in Latin America and the Caribbean. UNODC was successful in participating in seven joint United Nations country team

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<sup>8</sup> *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.1, annex.

submissions to the Millennium Development Goals Achievement Fund in the area of conflict prevention and peacebuilding, with a total UNODC budget of \$7.7 million. These programmes combine access to justice, legal aid and violence prevention components. The crime prevention programme itself represented \$4.9 million funding projects in Central and South America. The juvenile justice portfolio represented \$2.2 million in Egypt and Jordan. The total UNODC programme portfolio in the areas of crime prevention and criminal justice thus amounted to over \$70 million.

## A. Africa

22. In 2009, UNODC participated in the first joint armed violence assessment mission of the United Nations Armed Violence Prevention Programme<sup>9</sup> to Kenya, which produced a multi-agency report containing armed violence prevention recommendations for the United Nations country team. Following the mission, UNODC, in partnership with the United Nations Development Programme (UNDP), is supporting the Government is carrying out a nationwide victimization survey that will include a component on the prison system. In partnership with the United Nations Population Fund, the Office is also carrying out a study in Kenya on the needs and feasibility of programmes to support victims of gender-based violence. Furthermore, the Office has contributed to the United Nations country team support to the task force on armed gangs and militia. In Mauritania, UNODC is also a partner in a multi-agency programme financed by the Millennium Development Goals Achievement Fund and approved in 2009 aimed at strengthening conflict prevention and the rule of law through in particular the training of women paralegals.

23. The UNODC Regional Office for Southern Africa continued to implement several projects focusing on prevention of violence against women and victim empowerment, including the establishment of three “one-stop centres” for victims of violence against women in South Africa (in Mitchell’s Plain, Pretoria and Vryburg). A one-stop centre provides support, multidisciplinary services and safety measures to survivors of gender-based violence. The victim empowerment programme aims at building institutional capacity within the Department of Social Development of South Africa, improving coordination and cooperation between government departments and civil society organizations in order to harmonize services to victims of crime, promoting awareness of South Africa’s victim empowerment policies and building capacity among civil society organizations to deliver victim empowerment interventions.

24. In 2009, UNODC started a joint project with UNDP on police reform in Mauritius. The two-year project aims to help transform the Mauritius Police Force into a police service through the development of a strategic framework and to strengthen its responsiveness to public, national and international demands through the gradual establishment of an effective internal strategic management capability. Project activities in 2009 included training in strategy planning management and a five-day study visit to the United Kingdom of Great Britain and Northern Ireland,

<sup>9</sup> The partner agencies of the Programme are the Office for Disarmament Affairs of the Secretariat, UNODC, UNDP, UNICEF, WHO and UN-HABITAT.

focusing on crime investigation (including forensic issues), intelligence-led policing and community policing. The project is funded by the UNDP Democratic Governance Thematic Trust Fund.

25. In the area of prison reform, a one-year prison reform project in Nigeria, with funding from the United Kingdom, was started, while projects were already under way in Guinea-Bissau and the Office carried out a comprehensive prison assessment in Uganda to recommend improvements in prison management and treatment of prisoners in line with the relevant United Nations standards and norms.

## **B. Asia**

26. During the reporting period, UNODC initiated support to the Government of Cambodia for the development of a programme to reduce youth vulnerability through community-centred crime prevention. The project aims at reducing youth vulnerability to crime and youth-related crime by designing and implementing community safety audits, commune-specific risk indexes and adaptive crime prevention toolkits. It is hoped that funding will be secured to enable activities to start in 2010.

27. In June 2009, UNODC responded to a request from the Government of Malaysia to provide legal advice on the development of a national law on the transfer of prisoners. A UNODC expert attended a three-day workshop organized by the Government and presented the relevant international standards and regimes for the transfer of prisoners, including the Model Agreement on the Transfer of Foreign Prisoners and recommendations on the treatment of foreign prisoners.<sup>10</sup> Following the workshop, the Government organized a meeting of practitioners to assist in the further development of their law, as suggested by the UNODC expert.

28. In Viet Nam, UNODC continued the three-year project (2008-2011) on strengthening the capacity of law enforcement and justice sectors to prevent and respond to domestic violence. The project has included development of training materials and the organization of training courses and media campaigns.

29. Implementation of the large-scale criminal justice programme in Afghanistan continued, with focus on extension to the provinces. A three-year prison reform project was started in Kyrgyzstan at the beginning of 2010, with funding from the European Union. During 2009, UNODC also undertook a comprehensive assessment of prison system needs in Pakistan, upon request, to recommend improvements in prison management and treatment of prisoners in line with the relevant United Nations standards and norms.

## **C. Middle East and North Africa**

30. UNODC has been providing technical assistance in criminal justice reform in the Middle East and North Africa since 1999, with various programmes

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<sup>10</sup> *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.1, annex I.



implemented in juvenile justice reform, prison reform and access to legal aid. In 2009, a new 16-month prison reform project was started in the Occupied Palestinian Territories, with funding from Canada, and the Office was finalizing negotiations with the European Union and government counterparts in Jordan (juvenile justice reform, 2 million euros) and Lebanon (penal reform, phase II, and human rights, €3 million). The first phase of the penal reform programme in Lebanon, started in 2008 and, building on successful juvenile justice reform, continued being successfully implemented, with a transfer from the Ministry of Interior to the Ministry of Justice and development of community-service orders, among other measures. In the region, UNODC was also implementing a large-scale phase II prison reform programme in the Sudan in cooperation with the United Nations Mission in the Sudan and the International Centre for Criminal Law Reform and Criminal Justice Policy, focusing on building leadership capacity within the Prison Service and addressing the circumstances of prisoners with special needs. The juvenile justice project in Egypt worked on the design of a national post-release reintegration programme for children in conflict with the law and implementation of the new legal provisions on alternatives to detention. Attention was also given to the particular needs of girls in conflict with the law.

31. In addition, during the reporting period, UNODC and UNICEF organized two regional training events on juvenile justice indicators, one for countries in the Middle East, held in Amman in May 2009, and one for North African countries, held in Casablanca, Morocco, in March 2010. The two workshops led to the adoption of national action plans on data collection and information management systems in the area of juvenile justice.

32. UNODC is also the executing agency for a project aimed at assisting Member States to enhance their capacity to provide access to legal aid in the criminal justice system in accordance with Economic and Social Council resolution 2007/24 and the Lilongwe Declaration on Accessing Legal Aid in the Criminal Justice System in Africa.<sup>11</sup> In May 2009, UNODC signed an agreement with the Paralegal Advisory Service Institute of Malawi to implement the project, which includes needs assessment missions to three African countries, a survey of access to legal aid in Africa, the development of a handbook on promising practices concerning access to legal aid in Africa and training seminars for paralegals in three African countries. Implementation of the project began in 2009 and is expected to continue during 2010. The tools developed in this project will be translated into several languages, as needed.

## **D. Latin America and the Caribbean**

33. During the course of 2009, UNODC continued its efforts to strengthen its technical cooperation activities for the prevention of crime and violence in the Latin American and Caribbean region.

34. Building on the work initiated in late 2008, the Office continued to support the Caribbean Community in the context of consultations with other regional bodies for

<sup>11</sup> *Official Records of the Economic and Social Council, 2007, Supplement No. 10 (E/2007/30)*, chap. I, sect. B, draft resolution VI, annex I.

the further development of the Community's crime prevention and social development action plan. The action plan outline envisages multisectoral and comprehensive actions focused on reaching objectives in five main areas: (a) reducing violence; (b) fostering social inclusion; (c) promoting reintegration; (d) empowering victims; and (e) protecting the environment and economic resources.

35. In Central America, strong crime prevention and criminal justice reform elements were included in the development of both regional and country-specific programmes. The country programme for El Salvador, which is at an advanced stage of development, envisages the establishment of a regional centre of excellence on urban crime prevention and includes social crime prevention programmes and prison reform-related assistance. In Guatemala, UNODC will assist the Government in the establishment of a regional centre of excellence on transnational organized crime and will provide support for the prevention of crime and improving the criminal justice system. In 2009, inter-agency programmes and initiatives with UNODC participation were approved by the UNDP-Spain Millennium Development Goals Achievement Fund for Honduras and Panama. In Honduras, the programme will contribute to the generation of quality employment opportunities and entrepreneurialism at the local level with the objective of discouraging migration of vulnerable youngsters between the ages of 15 and 29. In Panama, the programme will support social prevention policies aimed at children and youth and improved access to justice in pilot municipalities in the context of local citizens' security plans.

36. In Bolivia, an inter-agency Millennium Development Goals programme with UNODC participation was approved. It will support the government in its efforts to reform the penal justice system, including the juvenile justice system. In Peru, the Office is supporting the Government with an in-depth assessment of its needs in order to improve mechanisms and systems for the use of alternatives to imprisonment and restorative justice. The results of the assessment will be used to inform a UNODC-supported technical assistance programme. In Brazil, UNODC worked successfully with other United Nations bodies in a programme approved by the Millennium Development Goals Achievement Fund that will support actions for the promotion of citizenship and prevention of crime and victimization in the context of public policies, in particular those being implemented under the National Programme for Public Security and Citizenship (PRONASCI). The Office also supported the National Public Security Secretariat (SENASP) with the development of a multi-year programme aimed at enhancing the Secretariat's institutional capacity to manage projects in partnership with states, municipalities, various governmental agencies and international organizations in the implementation of public safety, crime prevention and criminal justice policies in accordance with the United Nations standards and norms. The programme is in the final stages of approval and implementation should start in 2010. Finally, in Colombia, the first UNODC-supported local safety audit will be carried out in Medellín in 2010. The results of the multisectoral safety audit will serve as a basis for crime prevention policies and programmes.

## V. Research and analytical work

37. As set out in the United Nations standards and norms in crime prevention and criminal justice, the development of empirical evidence, including research findings and other information on the nature and extent of crime and on trends in crime, is central to effective crime prevention and the administration of justice. UNODC is currently finalizing the thematic programme for trends monitoring and analysis covering the period 2010-2011. The thematic programme runs in parallel and is complementary to the thematic programme on crime prevention and criminal justice. The draft programme includes subcomponents on strengthening national crime statistics capacities, in particular for the collection and analysis of crime and criminal justice statistics, including the conduct of victimization surveys, with a view to improving knowledge of crime trends and increasing the availability and use of statistical indicators on trends in crime and criminal justice at the regional and international levels.

38. With respect to the development of national crime statistics capacities, during the reporting period UNODC provided technical support both for the conduct of crime victimization surveys and for the development of law enforcement and criminal justice administrative statistics systems. As increasingly recognized, the most complete picture of the nature and extent of crime is provided by a combination of population-based surveys and police-recorded crime statistics. Limited availability of crime statistics is frequently a symptom of an underlying lack of national capacity to produce relevant data. Participants in a UNODC/Economic Commission for Africa workshop on crime statistics held in Addis Ababa in December 2008 identified a number of priority needs for improving crime and criminal justice statistics in African countries. These included better coordination between government agencies, information technology (IT) software and training, more extensive use of surveys and improved data dissemination and comparability.

39. Within the framework of its project on collection and analysis of data on trends in drugs, crime and victimization in Africa, UNODC delivered training on the completion of the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems and the annual reports questionnaire, established an online forum of African experts on crime statistics, organized study visits and delivered financial and technical support for the conduct of victimization surveys, business surveys and crime/corruption surveys of selected populations (including police, judiciary and public employees) in Cape Verde, Egypt, Rwanda, Uganda and the United Republic of Tanzania. During the reporting period, UNODC also conducted a population-based survey of experiences and perceptions of corruption in Afghanistan and is currently providing support to similar surveys in Iraq and Nigeria.

40. UNODC is implementing a project funded by the European Union to develop monitoring instruments for judicial and law enforcement institutions in the countries and territories of the Western Balkans. The project focuses on assisting countries and territories in the region to assess and strengthen administrative statistics generated by justice and home affairs institutions, including national police, prosecution offices, courts and government entities concerned with asylum, visa and migration issues, so as to help them to identify strengths and weaknesses in existing

data collection systems and to analyse and use data for crime prevention and control. During 2009, the project included extensive analysis of the system of production of crime and criminal justice statistics in the participating countries and territories, including research missions to Albania, Bosnia and Herzegovina, Croatia and Montenegro. The project runs alongside a second European Union-funded project implemented by UNODC in the same region, on assessment of corruption and crime in the Western Balkans. Within the framework of this project, UNODC is in the course of delivering technical support to the countries and territories of the Western Balkans in the conduct of population-based corruption and crime victimization surveys.

41. With respect to research and the development of statistics, during the course of 2009, UNODC developed, with the aid of an international group of experts, a new questionnaire for the United Nations Survey of Crime Trends and the Operations of Criminal Justice Systems. The questionnaire did not depart from previous surveys in terms of content, but featured a core set of questions and two separate modules, with a view to making it easier for responding countries to compile statistics for international reporting. The format was also changed, with a view to electronic distribution and capture of statistics. Responses were received by the end of 2009. UNODC is now carrying out data analysis and dissemination of the results. UNODC also further expanded its international homicide statistics database. A first set of data was also published on UNData, the Internet-based hub for dissemination of United Nations statistical data (see <http://data.un.org/>). Further research focused on the underlying causes and types of homicide and on criminal justice system performance in dealing with crime involving armed violence. Following UNODC research on available national homicide data, updated multi-source statistics on intentional homicide (including both criminal justice and public health data) will be disseminated in February 2010.

## **VI. Tools, handbooks and guidance notes**

42. In order to improve the capacity of UNODC field offices to respond to the increasing numbers of requests for assistance in the field of prison reform, the Office drew up a guidance note on prison reform and alternatives to imprisonment to assist in the development of strategies for prison reform programmes and improve the implementation of the United Nations standards and norms relating to detention and imprisonment. The guidance note explains the mandate of UNODC in the field of prison reform; draws attention to the key standards and norms and how they guide UNODC's work in the field of prison reform; provides a summary of the main thematic areas covered by UNODC's work on prison reform; includes a list of technical assistance services that can be offered by UNODC; and briefly explains the steps to take in developing a strategy for prison reform in the country or region covered by the field office, within the context of both UNODC thematic and regional programmes.

43. During the reporting period, UNODC published a *Handbook on Prisoners with Special Needs*,<sup>12</sup> as part of its Criminal Justice Handbook Series. The *Handbook* covers the special needs of eight groups of prisoners who have a particularly

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<sup>12</sup> United Nations publication, Sales No. E.09.IV.4.

vulnerable status in prisons. It is designed to be used by all actors involved in the criminal justice system, including policymakers, legislators, prison managers, prison staff, members of non-governmental organizations and other individuals interested or active in the field of criminal justice and prison reform. The *Handbook* has been used in training by UNODC in prison reform programmes, including in the training of prison staff on the treatment of vulnerable groups in prison.

44. In partnership with the Safer Cities programme of the United Nations Human Settlement Programme (UN-HABITAT) and the International Centre for the Prevention of Crime, the Office launched the new Crime Prevention Assessment Tool.<sup>13</sup> The Tool, which is part of UNODC's Criminal Justice Assessment Toolkit, is based on the United Nations standards and norms and designed to assess crime prevention needs, identify areas for technical assistance, describe interventions that incorporate the standards and norms, and serve as a tool for training on these issues. Its development was a step towards more integrated approaches to crime prevention. UNODC is also finalizing two additional crime prevention knowledge tools, the *Handbook on the United Nations Crime Prevention Guidelines — Making Them Work*, and the *Handbook on Policing Urban Space*, for publication in 2010.

45. Furthermore, with a view to providing a code of conduct for police operating under the United Nations flag and to provide a reference source to help national authorities improve policing, in 2009, UNODC, in cooperation with the Department of Peacekeeping Operations of the Secretariat, published the handbook *United Nations Criminal Justice Standards for United Nations Police*.<sup>14</sup> The *Handbook*, which is based largely on the standards and norms in crime prevention and criminal justice, is currently being translated into Arabic and French. Work on a handbook on police accountability, oversight and integrity also continued, with publication foreseen for 2010. UNODC has finalized the *Handbook for Effective Police Responses to Violence against Women* and a related training curriculum and will publish both in early 2010.

46. The gender tool, also to be added to the Criminal Justice Assessment Toolkit, is in preparation. It will guide the assessment of gender in the criminal justice system, used together with other tools in the Toolkit. The gender tool is to be published in 2010.

47. UNODC is also developing, together with UNICEF, a training package on the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, adopted by the Economic and Social Council in its resolution 2005/20. The training package is designed to assist professionals who work with child victims and child witnesses of crime in their daily practice and to encourage the development of a fair and effective justice system for children that safeguards the fundamental rights of child victims and child witnesses of crime at all phases of the justice process. Furthermore, the training package aims to increase awareness and understanding of the fundamental rights of child victims and child witnesses of crime. The web-based training package will contain 12 general training modules and 7 specific training modules for professionals who deal with child victims and/or child witnesses. The

<sup>13</sup> Ibid., Sales No. HS/1232/09E.

<sup>14</sup> Available from [www.unodc.org/documents/justice-and-prison-reform/08-58900\\_Ebook.pdf](http://www.unodc.org/documents/justice-and-prison-reform/08-58900_Ebook.pdf).

training package will be published in 2010. In 2009, a model law and related commentary<sup>15</sup> were already published on the same subject.

48. Pursuant to Economic and Social Council resolutions 1996/13, in which the Council called upon Governments to make effective use and application of international standards and norms in juvenile justice; and 2005/21, entitled “Strengthening the technical cooperation capacity of the United Nations Crime Prevention and Criminal Justice Programme in the area of rule of law and criminal justice reform”, in which the Council encouraged UNODC to continue developing tools and training manuals on criminal justice reform, based on international standards and best practices; as well as its resolutions 2007/23 and 2009/26, UNODC has started the process of revising and updating the draft model law on juvenile justice produced by the Centre for International Crime Prevention in order to bring it into full accordance with the international developments that have occurred in the area of child justice since the model law was drafted in 1997.

## VII. Conclusions and recommendations

49. The United Nations standards and norms guide the work of UNODC in the area of crime prevention and criminal justice from a normative, operational and research/analytical point of view. However, despite the central role played by these instruments, it should be noted that they were developed at different times (with some dating back 50 years) and in different contexts. The world has changed significantly and that change continues at an unprecedented pace, in particular in three directions: (a) new and sophisticated forms of crime have emerged, requiring more effective criminal justice responses; (b) the constantly evolving social, cultural and economic environment creates novel challenges for criminal justice and law enforcement authorities, or changes dramatically the approach to, and impact of, traditional and conventional criminality; and (c) the spread of modern information and communication technologies, as well as the growing transnationality of related criminal activities create a vast range of new opportunities for the commission of crimes.

50. A new approach is therefore needed to the role of the criminal justice system as a crucial pillar of a successful effort to curb crime, in particular the most pernicious and sophisticated crimes.

51. The forthcoming Twelfth United Nations Congress on Crime Prevention and Criminal Justice will offer a unique opportunity to address the need to reinforce and support the value of these instruments in the development and application of crime prevention and criminal justice strategies and policies. It is expected that, in order to achieve this purpose, the Congress will call for reconsideration and — where appropriate — updating or supplementing of existing standards and norms to ensure that they respond adequately to the contemporary needs of all Member States, regardless of their level of development.

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<sup>15</sup> *Justice in Matters involving Child Victims and Witnesses of Crime: Model Law and Related Commentary*, published by UNODC in 2009 ([www.unodc.org/documents/justice-and-prison-reform/Justice\\_in\\_matters...pdf](http://www.unodc.org/documents/justice-and-prison-reform/Justice_in_matters...pdf)).

52. In the light of the above and with a view to strengthening the role and the function played by the United Nations standards and norms in the development and implementation of crime prevention and criminal justice policies and strategies, the Commission on Crime Prevention and Criminal Justice may wish to consider the following:

(a) Continuing to accord high priority to the formulation and application of the United Nations standards and norms in crime prevention and criminal justice;

(b) Taking into account the relevant recommendations emanating from the Twelfth United Nations Congress on Crime Prevention and Criminal Justice on how to ensure that the standards and norms respond adequately to the contemporary needs of all Member States and to the new and emerging criminal threats;

(c) Inviting Governments to include in their national development plans crime prevention and criminal justice as an integral part of the development process, and to allocate adequate resources for crime prevention and criminal justice reform;

(d) Requesting donor States and relevant intergovernmental and non-governmental institutions to support criminal justice reforms, in accordance with the United Nations standards and norms in crime prevention and criminal justice, in countries requesting assistance;

(e) Inviting Member States to take into account the measures contained in the Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice (E/CN.15/2010/2, annex I), as well as the draft United Nations rules for the treatment of women prisoners and non-custodial measures for women offenders (A/CONF.213/17), and to consider their respective endorsement;

(f) Encouraging countries, financial institutions and development agencies to make contributions to UNODC to support the development of projects and programmes for implementing and promoting the United Nations standards and norms in crime prevention and criminal justice;

(g) Recommending to Member States that they publish and disseminate, in their local languages, the United Nations standards and norms in crime prevention and criminal justice, and integrate those instruments and the tools and handbooks developed by UNODC into the national training programmes of relevant officials;

(h) Requesting UNODC to continue to assist countries, upon request, to develop and implement crime prevention and criminal justice reform strategies, policies and plans based on existing standards and norms, and to conduct its assistance work in the areas of crime and violence prevention and criminal justice reform in an integrated and multidisciplinary manner;

(i) Also requesting UNODC to continue to assist countries in the development of new standards and norms or in updating and supplementing existing ones;

(j) Inviting UNODC to continue to develop and produce handbooks, manuals, modules and tools to be used in training on the United Nations standards and norms in crime prevention and criminal justice, and to adapt policies and organize training courses and workshops, including in coordination with other United Nations entities;

(k) Encouraging relevant United Nations offices and entities, as well as intergovernmental and non-governmental organizations, to promote programmes and projects that advance the United Nations standards and norms in crime prevention and criminal justice.

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