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

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

Report by the Secretary-General

Summary

In its resolution 65/230, the General Assembly endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, as adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010. The present report provides information on follow-up to the Salvador Declaration and contains an analysis on ways and means of improving the efficiency of the process involved in the United Nations congresses on crime prevention and criminal justice. It further includes information on action taken by Member States to implement the Salvador Declaration and proposals made by them for ways and means of ensuring appropriate follow-up to the Salvador Declaration, as well as proposals for future activity by the United Nations Office on Drugs and Crime.

* E/CN.15/2011/1.



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I. Introduction

1. The present report has been prepared pursuant to General Assembly resolution 65/230, entitled “Twelfth United Nations Congress on Crime Prevention and Criminal Justice”, in which the Assembly endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, as adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Salvador, Brazil, from 12 to 19 April 2010.¹

2. Pursuant to General Assembly resolution 65/230, the Secretariat has distributed the report of the Twelfth Congress, including the Salvador Declaration, to Member States, intergovernmental organizations and non-governmental organizations, so as to ensure that its recommendations are disseminated as widely as possible.

3. In the resolution, the General Assembly invited Governments to take into consideration the Salvador Declaration and the recommendations adopted by the Twelfth Congress when formulating legislation and policy directives and to make all efforts, where appropriate, to implement the principles contained therein, taking into account the economic, social, legal and cultural specificities of their respective States (para. 5). Member States were also invited to identify areas covered in the Salvador Declaration where further tools and training manuals based on international standards and best practices were needed, and to submit that information to the Commission in order to facilitate its consideration of potential areas of future activity of the United Nations Office on Drugs and Crime (para. 6).

4. In addition, the General Assembly requested the Secretary-General to seek proposals by Member States for ways and means of ensuring appropriate follow-up to the Salvador Declaration for consideration and action by the Commission at its twentieth session (para. 15).

5. Moreover, in paragraph 14 of the resolution, the General Assembly requested the Commission to consider at its twentieth session options to improve the efficiency of the process involved in the United Nations congresses on crime prevention and criminal justice, taking into account the recommendations made by the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice at its meeting held in Bangkok from 15 to 18 August 2006 (see E/CN.15/2007/6).

6. As at 30 January 2011, replies had been received from the following States: Argentina, Canada, Czech Republic, Ecuador, Japan, Jordan, Malta and Portugal.

7. The present report provides information on follow-up to the Salvador Declaration geared towards “operationalizing” the recommendations in the Declaration that require immediate action. It also contains an analysis on ways and means of improving the efficiency of the process involved in the United Nations congresses on crime prevention and criminal justice, taking into account the recommendations made by the Intergovernmental Group of Experts. In addition, it includes information on action taken by Member States and proposals made by them

¹ See A/CONF.213/18, chap. I, resolution 1.

for ways and means of ensuring appropriate follow-up to the Salvador Declaration, as well as proposals on potential areas of future activity of UNODC.

II. 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: operationalization of the Salvador Declaration

8. In paragraph 9 of its resolution 65/230, the General Assembly requested the Commission on Crime Prevention and Criminal Justice to establish, in line with paragraph 42 of the Salvador Declaration, an open-ended intergovernmental expert group, to be convened prior to the twentieth session of the Commission, to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, including the exchange of information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing and to propose new national and international legal or other responses to cybercrime. The expert group met in Vienna from 17 to 21 January 2011 and discussed substantive and methodological aspects of the study. The report of the meeting (E/CN.15/2011/19) will be brought to the attention of the Commission, in accordance with paragraph 11 of Assembly resolution 65/230.

9. In paragraph 10 of the resolution, the General Assembly requested the Commission to establish, in line with paragraph 49 of the Salvador Declaration, an open-ended intergovernmental expert group, to be convened between the twentieth and twenty-first sessions of the Commission, to exchange information on best practices, as well as national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners so that they reflect recent advances in correctional science and best practices, with a view to making recommendations to the Commission on possible next steps. The Secretariat will take all appropriate action to implement that mandate and report accordingly thereon to the Commission at its twenty-first session, to be held in 2012.

10. In paragraph 8 of the resolution, the General Assembly welcomed the prompt consideration and action by the Commission on a number of issues addressed in the Salvador Declaration, including those addressed by the Commission at its nineteenth session, such as violence against migrants, migrant workers and their families, emerging forms of crime that had a significant impact on the environment and international cooperation in criminal matters. Taking into account the issues raised in the Declaration for the consideration of the Commission, in its decision 2010/243, the Council, on the recommendation of the Commission, decided on a multi-year programme of work for the Commission to address the issues as prominent themes at its forthcoming sessions.

III. Action taken by Member States

11. Canada reported that a national employment strategy for women offenders was being finalized and that a revised community strategy for women offenders and associated action plan to enhance transition services in the areas of supervision, accommodation and intervention in the community were being implemented.

12. Canada also noted that since 2009 it had provided overall funding of nearly Can\$ 6.5 million to support a range of project initiatives delivered by the United Nations Office on Drugs and Crime (UNODC), including the elaboration of anti-smuggling training manuals; the development of a model law on trafficking in persons; the development of anti-trafficking manuals for criminal justice practitioners; and the development of a rapid needs assessment toolkit on trafficking in persons.

13. Furthermore, Canada expressed its commitment to addressing the problem of cybercrime and provided information on a number of relevant legislative initiatives currently under consideration by Canada's Parliament. It was further reported that in October 2010 a national cybersecurity strategy was launched with the aim of enhancing protection and confidence in the use of cyberspace.

14. Canada underlined that it had taken a leading role in the gathering and analysis of information to promote and support evidence-based responses to economic fraud and identity-related crime and in the development of such responses at the domestic and international levels. Canada had actively supported the efforts of UNODC to promote common approaches to criminalization and the development of technical assistance materials, in cooperation with other interested Member States and the private sector, in the field of identity-related crime. Furthermore, Canada had participated in other international processes addressing the issue, including the work of the Group of Eight Roma/Lyon Group, the International Civil Aviation Organization (passports) and the United Nations Commission on International Trade Law (digital signatures and commercial identity). Canada had also taken effective action with respect to economic fraud and identity-related fraud at the domestic level, including through the establishment of new criminal offences and other legislative measures and the development of other initiatives. Canada also reported that the International Centre for Criminal Law Reform and Criminal Justice Policy had been developing a manual entitled "Responding to victims of identity-related crime: a manual for law enforcement agents, prosecutors and policymakers".

15. The Czech Republic referred to its domestic legislation on the protection of child victims and witnesses and on the protection of the personal data of crime victims. It reported on a national coordination system for the search for missing children, currently under development, which would quickly track and locate a lost or kidnapped child, provide psychological assistance to the child's family and ensure rapid dissemination of information on the lost or kidnapped child through the media and mobile phone operators. It also referred to the reform of the system of care for vulnerable children and the adoption of specific legislation concerning criminal procedures in cases involving young offenders. The Czech Republic had signed the United Nations Convention against Transnational Organized Crime and two of its Protocols, as well as the United Nations Convention against Corruption, but had not ratified them, because of lack of capacity to fully fulfil all the

obligations contained therein. It was noted that the main shortcoming was the absence of legislation on the liability of legal persons, which was in the drafting stage. However, the fight against corruption was one of the main national priorities and a new Government strategy for the fight against corruption for 2011-2012 had been approved at the beginning of 2011. A four-year national strategy for the fight against human trafficking had also been developed and implemented and, as reported, the Ministry of the Interior had taken part in the development of a transnational referral mechanism for victims of trafficking between countries of origin and destination, a project coordinated by the International Centre for Migration Policy Development. The aim of the project was to interlink national coordination mechanisms, introduce uniform standards for services provided to victims and enhance international and bilateral cooperation in the repatriation and reintegration of victims. Further, according to national legislation introduced in 2006, third country nationals who were victims of human trafficking were entitled to special long-term residence status in the country. In the field of international cooperation in criminal matters, the Czech Republic reported that it had fully implemented the relevant Council of Europe conventions.

16. Ecuador provided information on human rights training given to officials entrusted with upholding the rule of law and to correctional facility officers. It also referred to the activities of the Ministry of Justice and Human Rights, which had prepared special training modules for judges, prosecutors, officials working in the justice sector and to officers working in social readjustment and dealing with the investigation and sanctioning of human rights violations. Furthermore, Ecuador specifically mentioned the work of the Ministry regarding the creation of a training manual for personnel in centres for teenagers in conflict with the law. With regard to gender violence, Ecuador referred to the establishment of a specific technical ministry that would aim to grant victims of violence access to free, swift and immediate justice, establish investigation processes to avoid re-victimization practices and set punishments for related crimes. Additionally, the Ministry, jointly with the Latin American Faculty of Social Sciences, had promoted a degree in human rights and gender for justice operators and had promoted an audit process regarding the acts of the judges and operators of justice. Ecuador also reported on the establishment of expert groups to discuss and analyse best practices and experiences, in compliance with paragraphs 4 and 49 of the Salvador Declaration. Concerning trafficking in persons and smuggling of migrants, Ecuador confirmed the criminalization of such activities within its domestic legal system and the organization of a series of related training programmes. Ecuador also mentioned that a national plan regarding trafficking in persons was being updated. In respect of urban crime, Ecuador noted that the Ministry had encouraged the creation of an action protocol for officials in charge of enforcing the law and that more work with alternative urban youth groups was planned in order to diminish the violence affecting those groups. Finally, Ecuador reported on the criminalization of trafficking in cultural property and the establishment of an inter-institutional national commission, which had been created to draft and register an inventory of national cultural property, promote trainings and strengthen cooperation for the return of such property.

17. Japan reported that, with regard to the prevention of trafficking in persons and the protection of victims of such trafficking, it had revised the Immigration Control and Refugee Recognition Act in 2005 to exclude victims of trafficking in persons

from being denied landing and from deportation in certain cases and to allow for special permission for landing and staying in express terms for such victims. The same legislation provided for sanctions against a person who, for the purpose of facilitating another person's illegal entry, had received a travel document issued by an authorized national organization, by making a false statement or other dishonest means, or who had held, offered or received a fraudulent travel document for the same purpose. Further, foreign nationals convicted of those offences were subject to deportation and to being denied landing. Japan referred to the activities of the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders geared towards disseminating the substance of the Salvador Declaration and the recommendations adopted by the Twelfth Congress.

18. Jordan reported on national efforts to implement international instruments to combat trafficking in drugs and to promote regional cooperation to that effect, including through information exchanges, direct collaboration with the drug control commissions in the Arab region and cooperation with neighbouring countries at the operational level. In addition, Jordan highlighted that a national strategy against drugs had been inaugurated, involving civil society and the media, with the aim, *inter alia*, of raising awareness about the negative impact of drugs on society.

19. Malta stressed that, while recognizing the important initiatives being undertaken by the United Nations to implement the provisions and objectives of the Salvador Declaration, it would continue its efforts in the crime prevention and criminal justice field to support the objectives set out in the Declaration and in the report of the Twelfth Congress.

20. Portugal underlined that the standards and norms in crime prevention and criminal justice were being applied at the domestic level as guidance principles in designing and implementing national crime prevention and criminal justice policies, procedures and programmes. Moreover, the Government of Portugal was treating the prevention and repression of different types of corruption as an issue of top priority. After the Twelfth Congress, a set of legal instruments had been approved by the Parliament in the field of preventing corruption and trading in influence, including amendments to the criminal code pertaining to incriminations, the statute of limitations and the increase of penalties. Other examples included legislation on the derogation of the banking secrecy regime, amendments to the law on asset declarations of public officials and on the application of measures for the protection of witnesses in criminal procedures. Moreover, a reference framework for codes of ethics and conduct for the public sector had been approved. Training activities had been provided for criminal police officers, judges and public prosecutors in areas such as seizure, confiscation and assets recovery.

21. A "theme-week" on corruption and related issues had been carried out and training programmes for judges and public prosecutors on the investigation of serious and economic and financial crime, assets recovery and confiscation of the proceeds of crime had been implemented. In the field of corruption in international business transactions, Portugal had implemented the recommendations set forth in the evaluation report (phase 2) of the Organization for Economic Cooperation and Development and awareness-raising activities had been organized. A draft law had been prepared in 2010 to create a national assets recovery office, which was expected to be formally approved in the first half of 2011, allowing for the identification and management of assets deriving from criminal activities. Portugal

also stressed that it was one of the founder States of the International Anti-Corruption Academy. It also provided information on the creation of working groups in the framework of the Conference of Ministers of Justice of the Iberian-American Countries and on the Conference of Ministers of Justice of the Community of Portuguese Language Countries, which deal with the issues of corruption and corruption in international transactions.

22. In the field of terrorism prevention and repression, Portugal reported that the internal procedure for the ratification of the remaining United Nations instruments against terrorism, to which the country was not yet a party, was ongoing. The domestic law on the prevention of terrorism had been amended in 2010 to comply with the provisions of the Council of Europe Convention on the Prevention of Terrorism and the relevant legislation of the European Union. New provisions had been introduced criminalizing both public provocation to commit a terrorist offence and training for terrorism purposes.

23. Regarding protection against trafficking in cultural property, Portugal referred to having joined the efforts of the international community in protecting the cultural heritage of domestic communities and in strengthening international cooperation in that field. National legislation on cultural heritage was in force and the exchange of information with the law enforcement authorities of other countries, such as the Russian Federation and South Africa, had been improved.

24. The second national plan against trafficking in persons had been approved in 2010, in accordance with the provisions of the Protocols to the United Nations Convention against Transnational Organized Crime. Provisions adopting a victim-centred approach, with full respect for the human rights of the victims of such trafficking and promoting cooperation with civil society and non-governmental organizations, had been included.

25. Regarding technical assistance, and with the purpose of facilitating the ratification process, Portugal, through the Ministry of Justice, had undertaken the task of translation and had provided the text of the United Nations Convention against Corruption to Portuguese-speaking countries, along with providing the support requested by the authorities of those countries. The translation into Portuguese of the *Legislative Guide for the Implementation of the United Nations Convention against Corruption* was planned for 2011. It would be circulated domestically, among the judiciary, law enforcement and other authorities and would also be sent to similar entities in Portuguese-speaking countries. Portugal confirmed its readiness to provide guidance and technical assistance to Portuguese-speaking countries and, for that purpose, aimed to reactivate, together with UNODC, the activities and aims foreseen in the memorandum of understanding agreed between the Ministry of Justice of Portugal and UNODC. In addition, Portugal had provided information on the international cooperation agreements concluded by its competent authorities, as well as the training that had been provided to Portuguese-speaking countries.

IV. Proposals on potential areas of future activity of the United Nations Office on Drugs and Crime

26. Canada highlighted the need for the following actions, which could be implemented by UNODC in close collaboration with the institutes of the United Nations crime prevention and criminal justice programme network:

(a) Development of tools and training relating to the United Nations Standard Minimum Rules for the Treatment of Prisoners, bearing in mind the recommendations that would be made by the open-ended intergovernmental expert group to be convened between the twentieth and twenty-first session of the Commission;

(b) Development of good practices, tools and training materials to assist Member States in effectively implementing the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice, with a particular emphasis on prevention approaches, as conceptualized in the Guidelines for the Prevention of Crime. This would include a focus on the prevention of violence against women and girls in public as well as private settings. Tools in that area could include an annotated updated resource manual on the Model Strategies, with examples of promising practices, including ways to implement the strategies, and with references to other tools, websites and resources; a guide for legislators and a model action plan for policymakers based on the updated Model Strategies; web-based training modules for each chapter of the updated Model Strategies; and the development of a set of indicators and criteria for the design and evaluation of reform programmes on the elimination of violence against women;

(c) Development of relevant manuals applicable to all children and manuals to support approaches to preventing violence against children, wherever it was occurring;

(d) Development of good practices, tools and training on ways to ensure gender equality in crime prevention programmes and strategies;

(e) Development of a range of tools and promising practices on the prevention of trafficking in humans;

(f) Development of a range of tools and promising practices that provided models for good governance of crime prevention at the national level, including models for shared accountability on complex issues that were the responsibility of more than one department;

(g) In recognition of the growth in understanding and experience in the area, development of a range of tools and training on urban crime prevention strategies and on the management of community safety across urban jurisdictions and mega cities;

(h) Preparation of tools and training in relation to specific minority and migrant populations, such as ethnic and cultural minorities, indigenous populations and migrant and immigrant populations. This could include strategies and practices to reduce or prevent racism and discrimination, and promote integration and community cohesion;

(i) Elaboration of conflict mediation techniques and strategies in urban spaces;

(j) Development of tools and training relating to strengthening public-private crime prevention partnerships;

(k) Training and elaboration of tools on responses for victims who had been sexually exploited on the Internet;

(l) Training and elaboration of tools to support the efforts of Governments and private industries, such as the travel industry, in destination countries to identify/combat child sex tourism;

(m) Development of technical assistance materials addressing cybercrime issues and challenges, including developing model laws; providing law enforcement with training and examples of best practices in fighting cybercrime; and developing best practices for mechanisms to facilitate international cooperation in responding to cybercrime;

(n) Development of a manual on an international and comparative approach to the protection of victims in the fields of identity-related crime and economic fraud.

27. The Czech Republic called for action in the field of criminal justice reform to develop and adopt additional crime prevention and criminal justice policies, as well as to review, revise and update relevant United Nations standards and norms in crime prevention and criminal justice. The Czech Republic also suggested that further action was required in the area of children, youth and crime in order to highlight unacceptable forms of violence against children in all spheres (family, institutions, school, etc.), develop international standards and norms regarding youth crime prevention, the treatment of children deprived of liberty and children in institutional care, and highlight the need for comparative data on children and youth involved in the criminal justice system. In this connection, it would be appropriate to focus on an overview of good practices and implementation of reform programmes in the field and best solutions or programmes to tackle increasing crime rates by using modern technologies of communication with children and offenders, as well as best practices in respect of the heightened vulnerability of children to blackmailing, sexual abuse and exploitation. Further, worldwide effort should focus on protecting children and youth from crime, in particular from violence, and children and youth coming from economically disadvantaged environments and living conditions; protecting children from crime and socio-pathological phenomena; and protecting child witnesses of domestic violence as well as child offenders.

28. Another area addressed by the Czech Republic was that of cybercrime, where it would be appropriate to focus on the introduction of new tools to combat its different forms, in particular with regard to new information technologies (Internet, Facebook etc.). The Czech Republic recommended the development of a typology of online child pornography, the organization of campaigns and awareness-raising activities for Internet users involving the police and the private sector and the promotion of international cooperation in that field. The Czech Republic was of the view that the Council of Europe Convention on Cybercrime had been opened for

accession to non-member countries of the Council of Europe and that there was therefore no need to negotiate a United Nations convention on cybercrime.

29. Moreover, in the area of international cooperation in the fight against corruption, the Czech Republic recommended the adoption of wide-ranging measures to assist in investigating and prosecuting corruption through international cooperation. In that regard, it would be appropriate to focus on the implementation of international instruments; the evaluation of existing standards for the prevention and elimination of money-laundering, including national legal frameworks and international norms; the identification of obstacles to international cooperation in investigating and suppressing money-laundering; the establishment of joint investigating teams to combat money-laundering; the development of suitable tools, including information technology, to facilitate international cooperation in respect of money-laundering; and the design and implementation of efficient forms of technical assistance in adopting legislation to counter money-laundering.

30. In the area of practical approaches to enhance international cooperation in criminal matters, the Czech Republic recommended the use of multilateral United Nations instruments as a basis for extradition and mutual legal assistance, the dissemination of examples of good practices and the establishment of joint investigative teams to fight serious crime. In the field of smuggling of migrants and trafficking in persons, the country attached priority to the need to develop measures to suppress such activities at the international level. Accordingly, it supported the strengthening of international cooperation and the exchange of information in that area. Finally, the Czech Republic noted that it had not supported the proposals that the United Nations should initiate negotiations on a comprehensive convention to improve international cooperation in criminal matters since the existing United Nations instruments fully met that purpose.

31. Ecuador stated its strong support for a process to review and update the United Nations standards and norms in crime prevention and criminal justice and in the treatment of persons deprived of their liberty.

32. Portugal suggested that tools and training manuals could be developed in the field of asset recovery and return, in order to identify existing difficulties and facilitate the approval of cooperation mechanisms between Member States, with the aim of complying with chapter V of the United Nations Convention against Corruption.

V. Proposals by Member States for ways and means of ensuring appropriate follow-up to the Salvador Declaration

33. In general, Canada expressed its preference that the follow-up to the Salvador Declaration by the Commission include adopting individual resolutions on specific issues, as recommended by the Intergovernmental Group of Experts at its meeting in Bangkok and in accordance with the normal course of conducting the business of the Commission. This would allow for a more organized and efficient way of proceeding, as it would allow Member States more time to reflect on how the Commission should prioritize what was called for by the Salvador Declaration. Such a process would also make it possible to take other work of the Commission into account, as well as the human and financial resources of UNODC. Bearing this in

mind, Canada welcomed the adoption by the Assembly of resolution 65/230, which was in line with the tasks entrusted to the crime congresses, including making suggestions for future work within the crime programme, identifying emerging issues of concern to the world community and providing a political framework to guide the work of the Commission in future.

34. Canada stressed that it was supportive of further action in relation to a review of existing United Nations standards and norms in crime prevention and criminal justice (see para. 4 of the Salvador Declaration) and the development of new United Nations standards and norms in relation to emerging crimes, but further clarified that such work should be evidence-based and should consider the availability of existing international instruments, such as the United Nations Convention against Transnational Organized Crime, where appropriate.

35. With regard to the need for technical assistance to strengthen national capacity in dealing with cybercrime, as called for in paragraph 41 of the Salvador Declaration, Canada noted that the comprehensive study of the problem of cybercrime (see para. 8 above) would provide a valid global picture of the problems of cybercrime and the needs of Member States in various regions that had, for example, varying degrees of technological sophistication and of social, political, legal and economic development. While the study would provide guidance to UNODC regarding which States needed technical assistance and in which areas, provision of such assistance should not necessarily be dependent upon the study being finalized since it would be necessary to address pressing needs within a more rapid time frame.

36. With respect to the call expressed in the Salvador Declaration for respect for the rule of law and for Member States to take measures to strengthen it (paras. 43 and 44), Canada welcomed the active role played by UNODC in that area and took note of the need for horizontal coordination with other United Nations entities. For that reason, Canada welcomed the establishment of the Rule of Law Coordination Unit and hoped that other Member States would continue to support it in order to ensure the development and implementation of measures aimed at promoting and developing a culture to promote respect for the rule of law.

37. Canada also recalled its strong support for the establishment of an implementation review mechanism for the United Nations Convention against Transnational Organized Crime and the Protocols thereto (para. 18 of the Salvador Declaration) and the fact that it had welcomed the decision by the Conference of the Parties to the Convention to establish a working group that would, inter alia, prepare draft terms of reference for such a mechanism. In seeking ways and means of ensuring effective follow-up to that decision, Canada was of the view that the mechanism should be transparent, efficient, non-intrusive, inclusive and impartial; not produce any form of ranking; provide opportunities to share views, ideas, good practices and challenges; and complement existing international and regional review mechanisms in order that the Conference might, as appropriate, cooperate with them and avoid duplication of effort.

VI. Improving the efficiency of the process involved in the United Nations congresses on crime prevention and criminal justice

38. In exploring ways and means to improve the efficiency of the quinquennial crime congresses as pillars of the leadership role of the United Nations in the field of crime prevention and criminal justice at the international level, the Commission may wish to give consideration to the methodological approach followed by the Intergovernmental Group of Experts. That approach was based on the delineation of three distinct but logically interrelated phases of the congresses (preparation; conduct and structure; and outcome of the congresses and follow-up thereto) and the identification of lessons learned and best practices to be drawn from them in each of those phases.

39. The Commission may also wish to take into consideration the suggestions made by Argentina and Canada on improving the efficiency of the process involved in the United Nations congresses on crime prevention and criminal justice.

A. Preparation of the United Nations congresses on crime prevention and criminal justice

40. In discharging its mandated function as the preparatory body of the congresses, the Commission may wish to build on the relevant discussions held at its nineteenth session (see E/2010/30; E/CN.15/2010/20, paras. 125-130) on possible avenues to improve the preparation and organization of future congresses, including further discussion on the relation between the congresses and the Commission in the light of their different constituencies. In that connection, the Commission may wish to give consideration to the need for advance planning and close coordination with all parties involved in the preparation of a congress, including the relevant counterparts of the host Government and the institutes of the United Nations crime prevention and criminal justice programme network. A *sine qua non* condition for the effectiveness of such preparatory arrangements is the timely preparation of a focused and streamlined congress agenda. The earlier a decision is made by the Commission on agenda items and workshop topics, the easier it will be to undertake preparatory activities, in particular the development of discussion guides and the arrangement of regional preparatory meetings, including consultations on the workshop programmes with the institutes of the United Nations crime prevention and criminal justice programme network, as well as with relevant non-governmental organizations, for the organization of ancillary meetings.

41. On the issue of the need for a focused and streamlined congress agenda, Canada was of the view that appropriate preparations would prevent criticism of the practice of trying to blend together, in the name of consensus-building, a number of issues that did not really fit together, or of discussing similar issues under a single agenda item and during a particular workshop. Canada also noted that an excessive number of agenda items and workshops would make it difficult for congress participants to attend all meetings being held during a congress, including the ancillary meetings. Canada therefore recommended that a more disciplined approach be followed in future in choosing precise and well-delineated issues,

which would allow for a more focused and dynamic discussion and exchange of information throughout the duration of a congress.

42. The Intergovernmental Group of Experts had proposed that, in order to facilitate the accomplishment of that objective, attention needed to be paid to the nature and significance of potential topics for the congresses, such as:

(a) Issues that might require policymaking at the international level, including, if necessary, international standard-setting;

(b) Issues with predominantly transnational aspects or dimensions that might require transnational approaches and solutions;

(c) Issues of substantial concern and importance to as many States as possible from all regions;

(d) Issues that strike a balance between crime prevention and control, on the one hand, and criminal justice, on the other;

(e) Issues of political significance on which consensus had already been reached, but for which a reiteration of political commitment might be warranted or desirable, or on which progress in action by the international community would be registered;

(f) Issues likely to command consensus for the first time;

(g) Emerging issues that did not enjoy consensus and were not likely to do so in the near future, but that warranted more discussion and accumulation of knowledge.

43. In addition, the following criteria should be used for the selection of workshop topics:

(a) Within the overall framework of the substantive items before a congress, the workshops should have a narrower scope, targeting specific issues, which might include emerging trends. In general, it was important to ensure complementarities between substantive items (to be discussed in the plenary sessions) and topics to be discussed in the workshops;

(b) The topics should be relevant, or of substantial concern and importance, to as many States as possible from all regions;

(c) The workshops should focus on practical solutions, including best practices;

(d) The workshops should foster an exchange of views, raise awareness and create a body of knowledge for practitioners, policymakers, representatives of non-governmental organizations and the academic, scientific and professional communities, as well as the private sector, as appropriate;

(e) Wherever appropriate, the workshops should stimulate and create opportunities for international cooperation and technical assistance.

44. The Commission may wish to consider such criteria, taking also into account the role of the congresses in addressing emerging trends, in terms of both emerging crime manifestations and best practices.

45. The Intergovernmental Group of Experts had recommended that consistency and efficiency of congress preparations would be better served by the Commission adopting a standing agenda item on the United Nations congresses on crime prevention and criminal justice. In paragraph 53 of the Salvador Declaration, Member States had also welcomed the inclusion of a standing item on the agenda of the Commission at its annual sessions on preparations for future congresses on crime prevention and criminal justice.

46. Another key recommendation of the Intergovernmental Group of Experts was that the preparatory process leading to the holding of a congress should include the early engagement of the Commission, to be reflected in a multi-year programme of work. Under the multi-year programme of work, the first session of the Commission following a congress would transmit the outcomes and recommendations of the congress and begin consultations on preparations for the subsequent congress. At the second session following a congress, the Commission, through consultations, would develop the theme and a list of substantive agenda items and topics for workshops, to be adopted at the third session of the Commission following a congress. Regional input would be sought thereafter through the organization of regional preparatory meetings. During the fourth session, the Commission would begin consultations on a draft declaration, which would be focused and inclusive enough to allow for the preparation of a structured and well-defined advance draft and result, if possible, in less time being devoted to its negotiation during the congress itself (see para. 56 below). Such a programme of work would enable the Commission to initiate, immediately following a congress, consultations that could extend to the intersessional period, in order to undertake deliberations that would lead to the determination of topics to be included in the agenda of the subsequent congress and, in subsequent sessions, could review and oversee the preparatory process for that congress.

47. The Commission may wish to take into account the above-mentioned recommendation in order to lay the foundations for a uniform process to be followed in the future, with the aim of streamlining preparations for future congresses. At the current stage, one year after the Twelfth Congress and with the host country of the Thirteenth Congress already known, the Commission may wish to take further action to facilitate consultations among Member States, with the aim of reaching consensus on the theme of the Thirteenth Congress and the development of its agenda and topics of workshops in time for the twenty-first session of the Commission, in 2012. In the same direction, Canada was of the view that the Commission should follow the recommendation of the Intergovernmental Group of Experts and the proposed multi-year programme of work and devote time at the twentieth session of the Commission to the development of the theme and a list of substantive agenda items and workshops for the Thirteenth Congress.

B. Structure and conduct of the United Nations congresses on crime prevention and criminal justice

48. As far as the structure and the conduct of the congresses are concerned, the Commission may wish to take into account the beneficial impact of the high-level segment as an integral part of the proceedings of the congresses to allow Heads of State or Government and Government ministers to focus on the main substantive

agenda items and to exchange views and experiences on issues of international concern. Building on similar discussions at its nineteenth session, the Commission may wish to further stimulate a more in-depth dialogue on ways to improve the organization of the high-level segment and its timing, with a view to optimizing the participation of high-level officials.

49. The Commission may also wish to consider the added value of the important contributions made by the non-governmental and professional communities and by individual participants who had traditionally attended all the congresses. In doing so, it may further discuss ways and means to more effectively integrate the ancillary meetings within the congress programme and promote the widespread dissemination of their proceedings as a demonstration of their useful interaction during the congresses and of the crucial role that non-governmental and scientific organizations could play in designing comprehensive and interdisciplinary approaches to crime challenges.

50. Argentina proposed that efforts be made for a more proper coordination of the ancillary meetings by the institutes of the United Nations crime prevention and criminal justice programme network and the host country of each crime congress. Argentina also proposed that, in order to achieve that objective, a reduction of the number of ancillary meetings might be necessary, coupled with their grouping by topic, such as prisons, corruption and human rights. In doing so, it should be taken into account that such meetings were organized by, and entailed the engagement of, different institutions and non-governmental organizations.

51. Argentina further suggested that some sessions be integrated within the congress programme in order to focus on open discussions among representatives from Member States and non-governmental organizations, as well as scholars and experts, on three or four fundamental topics.

52. Argentina was also of the view that the time frame devoted to the negotiation of a congress declaration within a congress programme should be limited.

C. Outcome of the United Nations congresses on crime prevention and criminal justice and follow-up thereto

53. In discussing sufficient follow-up to the outcomes and recommendations of the congresses, the Commission may wish to bear in mind General Assembly resolution 57/270 B, in which the Assembly emphasized that the United Nations system had an important responsibility to assist Governments in staying fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits and invited its intergovernmental bodies to further promote the implementation of the outcomes of such major United Nations conferences and summits.

54. In respect of the United Nations congresses on crime prevention and criminal justice, the Commission may wish to take into consideration the will of Member States to support effective and efficient follow-up of their outcomes, as expressed in paragraph 53 of the Salvador Declaration. In the same paragraph, Member States welcomed the consideration of that matter as a standing item on the agenda of the

Commission at its annual sessions, in hand with the issue of preparations for future congresses.

55. The addition of a standing item on the agenda of the congresses, entitled “Follow-up to the outcome and recommendations of previous United Nations congresses on crime prevention and criminal justice” had also been recommended by the Intergovernmental Group of Experts as one of the elements of a structured approach to facilitate follow-up to the crime congresses.

56. In exploring best ways to implement commitments arising from congress declarations, the Commission may wish to recall that such commitments could be deemed as falling into two broad categories:

(a) Commitments that invited action by appropriate bodies at the policy level, such as the Commission;

(b) Commitments that recommended action by Governments at the national level, using as a point of departure the relevant resolutions adopted by the Commission, and that consequently necessitated the availability of a channel of communication through which States would be able to provide information either to the Commission or to subsequent congresses (or to both) on action taken and progress achieved.

57. In respect of the latter category, it had been stressed on other occasions² that using note verbales to request information on the implementation of action plans or resolutions had met with mixed success, led to “questionnaire fatigue” and consequent chronic underreporting and impeded the ability to assess the progress being made by Member States with implementation and the ability to draw appropriate conclusions.

58. The Intergovernmental Group of Experts had therefore welcomed exploring alternative means of information-gathering, including (as a distinct element of the above-mentioned structured approach to facilitate follow-up to the crime congresses) invitations to Member States to undertake and share a self-assessment of their follow-up activities on the outcomes and recommendations of the congress, with such voluntary self-assessments followed by reporting to the Commission under the appropriate agenda item.

59. In carrying out that assessment, Member States could consider, *inter alia*, using a checklist template, such as the one developed by Thailand (see E/CN.15/2007/CRP.1) at the sixteenth session of the Commission, as an innovative tool that could guide them in undertaking such a detailed self-assessment and in developing, as appropriate, a corresponding action plan. The Commission could further develop the checklist before its dissemination to Member States for that purpose. Such a process could also help to facilitate preparations for subsequent congresses.

² See the thematic discussion entitled “Consideration of the conclusions and recommendations of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice” at the fourteenth session of the Commission (E/2005/30, chap. III).

60. In addition, the Commission may wish to consider best practices to support effective and efficient follow-up to the other (beyond the declaration) substantive outcomes of the congress, namely:

(a) The report of the congress capturing the discussions of the high-level segment as well as statements by delegates and containing a summary of the proceeding and recommendations of the workshops;

(b) Publications issued at the initiative of individual experts or entities on the outcome of workshops;

(c) Publications issued at the initiative of institutes of the United Nations crime prevention and criminal justice programme network on the outcome of the ancillary meetings and workshops.

61. In this connection, it is important to ensure the broadest possible dissemination of those outcomes in a way that would ensure that they filter down to all levels of civil society and throughout local communities.

VII. Preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

62. In its resolution 65/230, the General Assembly welcomed with appreciation the offer of the Government of Qatar to act as host to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, in 2015. The early identification of the host country for the Thirteenth Congress offers the opportunity to the Commission to engage in consultations for the timely planning and coordination of the relevant preparatory arrangements.

VIII. Conclusions and recommendations

63. The Commission may wish to take into account the information provided by Member States on national measures and initiatives to implement the principles contained in the Salvador Declaration. In doing so, it may also request Member States to continue providing updated information to the Secretariat throughout the period until the next congress for reporting to the Commission. The objective of that mandate will be the compilation of a corpus of national actions and measures taken in conformity with, and for the purpose of, implementing the commitments set forth in the Salvador Declaration. The information-gathering tool for compiling such material may be considered in the light of the deliberations on the identification of best ways to ensure sufficient follow-up to the outcomes and recommendations of the congresses.

64. In stimulating such deliberations, the Commission may wish to take into account the recommendations made by the Intergovernmental Group of Experts at its meeting held in Bangkok from 15 to 18 August 2006.

65. The Commission may also wish to take into account the proposals and suggestions made by a number of Member States, including in respect of the areas in which further tools and training manuals based on international standards and best practices are needed, when it considers potential areas of future activity by UNODC.