



Twelfth United Nations Congress on Crime Prevention and Criminal Justice

Distr.: Limited
15 April 2010

Original: English



Salvador, Brazil, 12-19 April 2010

Report of Committee I: agenda items 4, 7 and 9 and Workshops 1, 4 and 5

Addendum

Workshop 1. International Criminal Justice Education for the Rule of Law

Proceedings

1. At its 4th and 5th meetings, on 14 April 2010, Committee I held the Workshop on International Criminal Justice Education for the Rule of Law. The Workshop was organized in cooperation with the following institutes of the United Nations crime prevention and criminal justice programme network: European Institute for Crime Prevention and Control, affiliated with the United Nations; International Institute of Higher Studies in Criminal Sciences; Raoul Wallenberg Institute of Human Rights and Humanitarian Law; and Korean Institute of Criminology. The Committee had before it the following documents:

(a) Background paper on the Workshop on International Criminal Justice Education for the Rule of Law (A/CONF.213/12);

(b) Discussion guide (A/CONF.213/PM.1);

(c) Reports of the regional preparatory meetings for the Twelfth Congress (A/CONF.213/RPM.1/1, A/CONF.213/RPM.2/1, A/CONF.213/RPM.3/1 and A/CONF.213/RPM.4/1).

2. At the 4th meeting, an introductory statement was made by the Vice-Chair of Committee I, as presiding officer. The keynote address for the Workshop was delivered by William Schabas (Director, Irish Centre for Human Rights, National University of Ireland, Galway). [...] presentations were made during the Workshop.

3. During the discussion, statements were made by the representatives of Argentina, Brazil, Canada, France, Indonesia, the Islamic Republic of Iran, Kenya, Poland and Saudi Arabia. Two individual experts also made statements.



4. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment moderated the concluding discussion.

General discussion

5. The Workshop discussed a variety of issues involving international criminal justice education for the rule of law, in the light of the United Nations standards and norms in crime prevention and criminal justice. Many speakers emphasized the formidable challenge posed by converting complex and diverse United Nations policies on crime prevention and criminal justice, as well as the significant body of literature on the emerging field of justice and the rule of law in post-conflict societies, into a coherent, teachable message based on the United Nations crime prevention and criminal justice standards and norms.

6. Participants felt it was important to develop appropriate criminal justice education in primary schools and universities. Primary schools currently had a simplistic approach that taught young people merely to respect the rule of law without ever informing them about the laws themselves. What was needed was broad training on the principles of democracy, justice and accountability, drawing on instruments such as the Universal Declaration of Human Rights rather than on more technical documents and norms that would be less accessible and intelligible.

7. Much of the academic training of rule-of-law professionals in the United Nations, Governments, official development aid programmes and consulting firms did not prepare those professionals to exercise their profession in the field. A large part of the problem was that, in compiling and using mainly their own instruments, United Nations bodies often produced an overly narrow vision of the subject matter while neglecting relevant norms and standards developed elsewhere in the system.

8. The Workshop participants felt that that must change so as to raise the profile of the rule of law, with an emphasis on practical applications. In that light, the Workshop supported the idea of creating a universal but versatile template to enhance international criminal justice education for the rule of law that would be sufficiently flexible to address the diverse needs and concerns of all Member States. The template should take into account established e-learning programmes from all regions and effectively enhance universal awareness and implementation of the United Nations standards and norms in crime prevention and criminal justice. It was stressed that criminal justice education should link concepts with practice. A more coherent, consolidated approach was needed, comprising international criminal law, international human rights law, recommendations by United Nations human rights treaty bodies and jurisprudence from international criminal courts, among other areas. The proposed template should also be flexible enough to tailor teaching for all groups, from human rights officials and non-governmental aid workers in the field to police officers and journalists. It must also feature a core “minimum substantive element” on key crime prevention and criminal justice topics.

9. The Workshop then focused on Member State experiences in applying United Nations standards to combat corruption and address related human rights concerns. Several speakers reflected upon their countries’ experiences in addressing corruption and promoting high professional and ethical standards through awareness-raising, targeted institutional reform and education for the legal profession through the establishment of legal conduct guidelines and anti-corruption

agencies. One speaker highlighted the importance of establishing formal written codes of ethics for prosecutors, but cautioned that improvement in practices had to be supported by a culture of accountability. He stressed that ongoing education and training remained key to ensuring that prosecutions conformed to ethical and human rights standards, and he drew attention to useful technical assistance tools and standards, including those developed by the International Association of Prosecutors and UNODC.

10. One speaker drew attention to the plight of victims of crime and described recent United Nations developments in that regard, mentioning the importance of ongoing, broad-based educational and awareness-raising efforts in relation to crime victims. Another speaker reflected on efforts to develop responses to high rates of victimization, with specific reference to building capacity among a diverse range of service providers offering direct services to victims. She identified three national imperatives for services provided to crime victims, namely access to services; quality of services and diversity of services. The speaker mentioned the need to build on proven approaches and highlighted the UNODC victim empowerment programme as an example of a best practice.

11. One speaker outlined the rationale behind the template for international criminal justice education for the rule of law as developed in the background paper. He argued that the template, designed to strengthen universal education and training in this area, had to reflect not only the core standards and norms developed under UNODC auspices but also those from the closely related fields of international human rights and humanitarian law and international criminal law.

12. One speaker referred to the efforts by the Organization of American States to promote criminal justice and rule-of-law practices in the Americas. Another speaker provided a national example of good practice in promoting professional ethics in criminal justice and responding to the needs of crime victims (the Beccaria Centre training programme, developed in Germany) and described how it could be adopted more widely.

13. In the ensuing discussion, several speakers reflected upon how to balance universality in the teaching message with flexibility in training; one speaker reiterated the importance of integrating rule-of-law doctrines into the template's content. Other speakers underscored the importance of ongoing research on crime prevention and criminal justice at the national level and the inclusion of gender sensitization issues in teaching modules.

14. The representative of UNODC screened a training video of a fictional criminal trial to emphasize the value of multimedia training techniques in UNODC educational programmes within the more comprehensive collection of computer-based training tools. The video, entitled "Who is guilty?" and depicting a trial of a former child soldier accused of attempted rape, was part of the new UNODC crime and justice training series aimed at demonstrating the innovative use of video in training criminal justice students, as that medium allowed large amounts of data to be absorbed quickly. The circumstances and facts surrounding the mock trial were specially chosen to spur discussion of real-life applications of United Nations standards and norms in crime prevention and criminal justice, in the light of viewers' national legal systems.

15. One speaker called for international criminal justice education for the rule of law to harness the value of e-training programmes such as the Korean Institute of Criminology/UNODC Virtual Forum against Cybercrime, Global Prosecutors E-crime Network, the UNODC computer-based training programme and the International Criminal Court training matrix, drawing on the opinions and recommendations of experts.

16. Participants were shown examples of e-learning tools available to be used in training, including the Virtual Forum against Cybercrime. First discussed at the Eleventh Congress, the Forum's Internet site offered, among other educational materials, advanced courses on topics such as preservation of evidence, encryption techniques and the use of digital forensic tools. Currently, prosecutors in the Republic of Korea wishing to transfer to another area of specialty were required to undergo 200 hours of e-lessons on cyberfraud, money-laundering and other topics.

17. One speaker underlined the diversity in existing criminal justice education programmes and the value of experience from national, regional and international contexts. In that regard, he mentioned the Model United Nations educational programme for UNESCO, UNIDO, UNCITRAL, the International Criminal Court, the Human Rights Council, UNEP and UN-Habitat, among others. He recommended that better use be made of existing programmes and that UNODC develop a virtual academy. Another speaker offered reflections by video address on various aspects of international criminal justice education and the work of the United Nations University in that area.

18. A presentation was made on the work of the Rule of Law Unit of the Secretariat. The speaker noted that United Nations system-wide training, although relatively new, had become over the past five years a key element in improving coordination and coherence among various United Nations bodies dealing with technical assistance in the area of the rule of law. In that connection, the speaker drew attention to the United Nations unified rule-of-law training initiative, which promoted the formation of a cadre of professional, well-trained personnel to deliver rule-of-law technical assistance.

19. One speaker underscored the importance of training for United Nations police in peacekeeping operations and the expeditious use of existing bilateral training agreements and international peacekeeping training centres. He stated that the United Nations Police Division had completed a comprehensive review of its formed police units and had recently developed a predeployment training curriculum for those units. In the final discussion session, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment highlighted several key discussion themes.

Conclusions and recommendations

20. A number of speakers expressed the view that criminal justice and rule-of-law training for practitioners should remain a priority for all Member States. For that reason, the annual sessions of the Commission on Crime Prevention and Criminal Justice should include an agenda item to review progress on international criminal justice education for the rule of law. Bearing in mind the issues raised in the background paper for the Workshop (A/CONF.213/12, para. 53), the Vice-Chair of

Committee I explored with the participants whether the Workshop findings might inform the outcome document of the Congress.
