



Fourteenth United Nations Congress on Crime Prevention and Criminal Justice



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**Comprehensive strategies for crime prevention
towards social and economic development**

**Integrated approaches to challenges facing the
criminal justice system**

**Multidimensional approaches by Governments to
promoting the rule of law by, inter alia, providing
access to justice for all; building effective,
accountable, impartial and inclusive institutions; and
considering social, educational and other relevant
measures, including fostering a culture of lawfulness
while respecting cultural identities, in line with the
Doha Declaration**

**International cooperation and technical assistance to
prevent and address all forms of crime**

Developments regarding crime prevention and criminal justice as a result of the coronavirus disease (COVID-19) pandemic

Working paper prepared by the Secretariat

Summary

The current document presents the state of knowledge on developments in crime prevention and criminal justice trends as a result of the coronavirus disease (COVID-19) pandemic, as well as updated information on the documentation in relation to all the items on the agenda of the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice.^a

* A/CONF.234/1/Rev.1.

^a A/CONF.234/3, A/CONF.234/4, A/CONF.234/5, A/CONF.234/6, A/CONF.234/7, A/CONF.234/8, A/CONF.234/9, A/CONF.234/10, A/CONF.234/11 and A/CONF.234/12.



I. Introduction

1. The Fourteenth United Nations Congress on Crime Prevention and Criminal Justice was originally scheduled to be held in Kyoto, Japan, from 20 to 27 April 2020. However, noting with concern the situation concerning the coronavirus disease (COVID-19), the General Assembly, in its decision 74/550, decided to postpone the holding of the Fourteenth Congress until further notice. In its decision 74/550 B, the Assembly decided that the Fourteenth Congress would be held from 7 to 12 March 2021.

2. Since March 2020, the COVID-19 pandemic has drastically changed the world. It has not only claimed over a million lives, but it has also pushed millions of people into extreme poverty, and it has triggered a decline in human development for the first time since 1990. Numerous full-time jobs have been lost, most in lower- and middle-income countries.¹ Such strained social and economic conditions have had an impact on crime and on the efforts to prevent, investigate and adjudicate it. Further, lockdowns have offered opportunities for new illicit markets to thrive, while others have been disrupted, thereby presenting unique challenges in crime prevention and criminal justice.

3. The present document presents the state of knowledge on crime trends during the COVID-19 pandemic. It also presents updated information on the documentation in relation to all the items on the agenda of the Fourteenth Congress² and should be read in conjunction with that documentation.

4. As part of its COVID-19 response, the United Nations Office on Drugs and Crime (UNODC) has prepared a number of research briefs on topics such as the impact of the pandemic on smuggling of migrants and cross-border trafficking in persons to Europe and North America, trafficking in medical products and organized crime, as well as violence against women, homicide and other conventional crimes. The Office has also published a number of policy documents since March 2020 on, inter alia, access to justice, prisons and different forms of crime, such as corruption, trafficking in persons, money-laundering and wildlife crime, during the pandemic.³

II. Crime trends during the COVID-19 pandemic

5. The present chapter presents an update to the report of the Secretary-General on the state of crime and criminal justice worldwide (A/CONF.234/3). UNODC has analysed both the preliminary, short-term impact and the medium- and long-term effects of COVID-19 in relation to different crime types. The chapter is based on the UNODC research briefs mentioned in paragraph 4 above, as well as the UNODC publications *Global Report on Trafficking in Persons 2020*, *the World Wildlife Crime Report: Trafficking in Protected Species* and *the Global Study on Firearms Trafficking 2020*.

6. Analysing the impact of COVID-19 on crime trends involves a variety of challenges given the complex and fast-changing environment. UNODC has assessed the short-term impact of the pandemic on crime trends by using a combination of data reported by Member States through specific data collection, and real-time data collected through big-data sources. Longer-term predictions have been carried out by projecting past crisis scenarios onto the current pandemic. This methodology is not applicable to all types of crime. Therefore, and despite anecdotal evidence on a recent rise of, for example, corruption and cybercrime, it is too early to present systematic statistical data on these types of crime during the pandemic.

¹ Committee for the Coordination of Statistical Activities, *How COVID-19 is Changing the World: A Statistical Perspective*, vols. I and II (New York, 2020).

² A/CONF.234/3, A/CONF.234/4, A/CONF.234/5, A/CONF.234/6, A/CONF.234/7, A/CONF.234/8, A/CONF.234/9, A/CONF.234/10, A/CONF.234/11 and A/CONF.234/12.

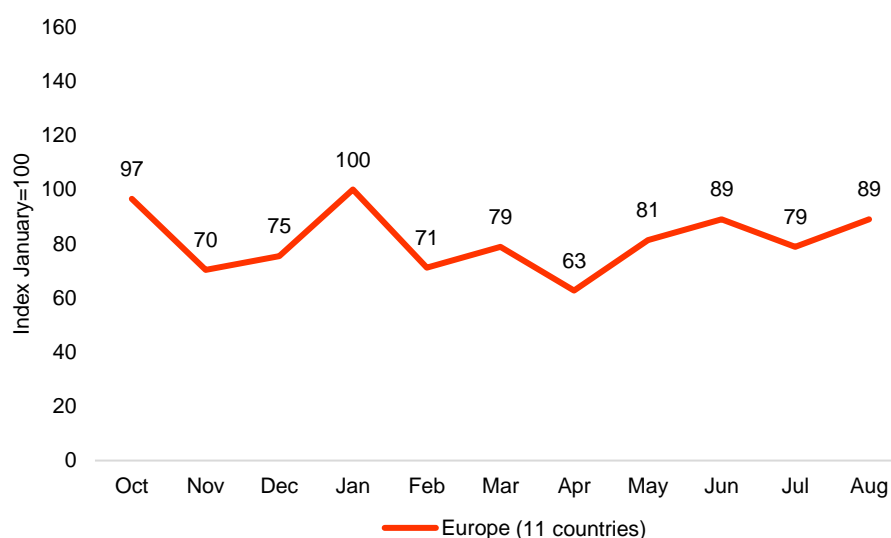
³ Available at www.unodc.org/unodc/en/covid-19.html.

A. Homicide

7. Data collected by UNODC to monitor the trend of homicide in the context of COVID-19 show diverse trends in the number of homicide victims recorded after the introduction of lockdown measures.⁴ In some countries, significant changes were only observed when restrictive measures were in place, with the pre-lockdown trend re-emerging once they were relaxed. These changes were quite uniform across Europe, where there were clear declines (see figure I), but they were quite heterogeneous across Latin America, making it difficult to draw general conclusions on the impact of the pandemic and its associated measures on the level of lethal violence. Several factors may have played a role in explaining this heterogeneity: differences in the level of restrictive measures imposed by Governments, pre-existing socioeconomic conditions and the overall predominance of a particular typology of homicide, which in Latin America is often related to organized crime and gangs, whereas in Europe it is more closely linked to interpersonal and family-related violence.

Figure I

Total number of intentional homicide victims in countries of Europe, October 2019–August 2020



Source: National data collected through the UNODC global initiative to improve knowledge on the impact of COVID-19 on crime and drugs.

Note: The following countries are included in the computation of the index: Albania, Croatia, Greece, Italy, Latvia, Lithuania, North Macedonia, Republic of Moldova, Serbia, Slovenia and Spain.

8. Homicide trends in European countries were fairly uniform. Most of the European countries included in the analysis introduced lockdowns in March and started the reopening phase in May, making April the only full month during which restrictions were imposed. The drop in the number of homicides was observed only in April; homicide in the following months occurred with the same intensity of the pre-pandemic phase.

B. Trafficking in persons

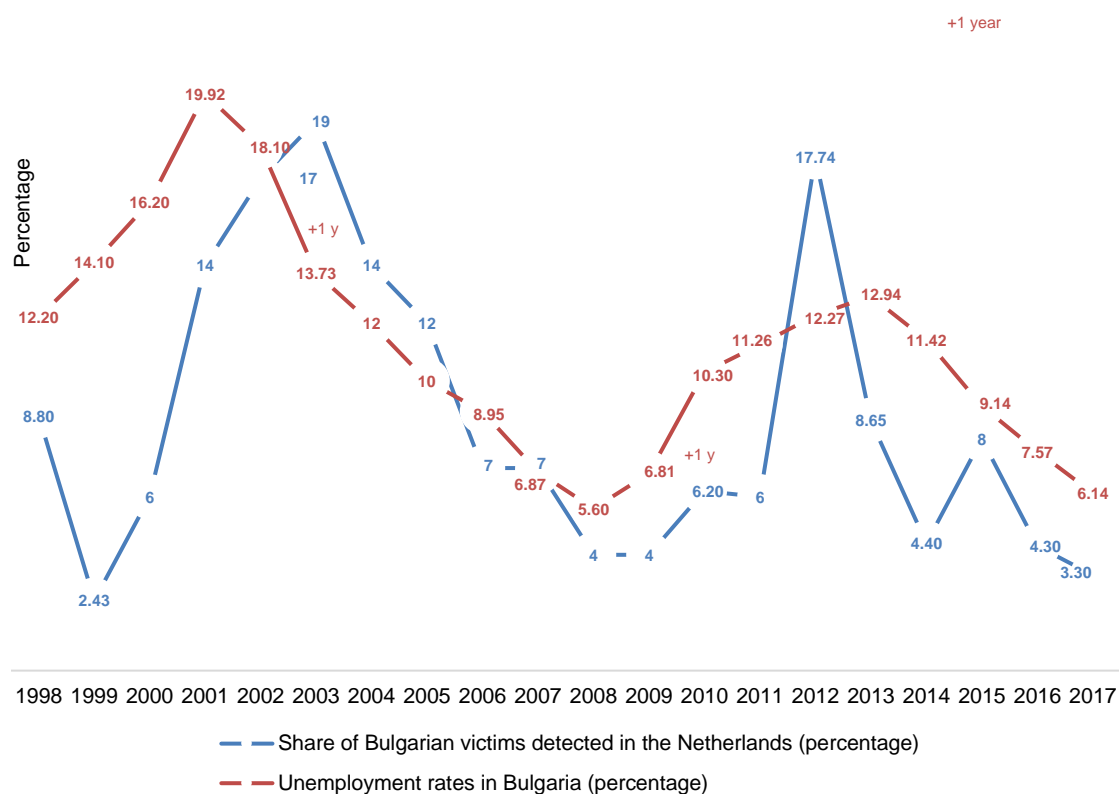
9. The data presented in the present section on trafficking in persons are not directly related to trends during the COVID-19 pandemic, but they have not been published before and can support the analysis and projection of current and future

⁴ UNODC “Effect of the COVID-19 pandemic and related restrictions on homicide and property crime”, Research Brief (December 2020).

trends. An analysis of 288 trafficking in persons court cases shows that, even before the pandemic, most victims were reportedly in a condition of economic need before recruitment. Analysis of time series data on trafficking shows an increasing number of detected victims trafficked from countries where unemployment and a stagnant economy are recorded.⁵

10. As a result of the COVID-19 recession, an overall rise in unemployment rates in origin countries may increase the number of people willing to take risks for better economic opportunities, thereby increasing their vulnerability to trafficking. Time series data on victims detected in destination countries and rate of employment in origin countries show a clear association (see figure II).⁶

Figure II
Relationship between unemployment rates in Bulgaria and Bulgarians as a share of potential trafficking victims detected in the Netherlands (1998–2017)



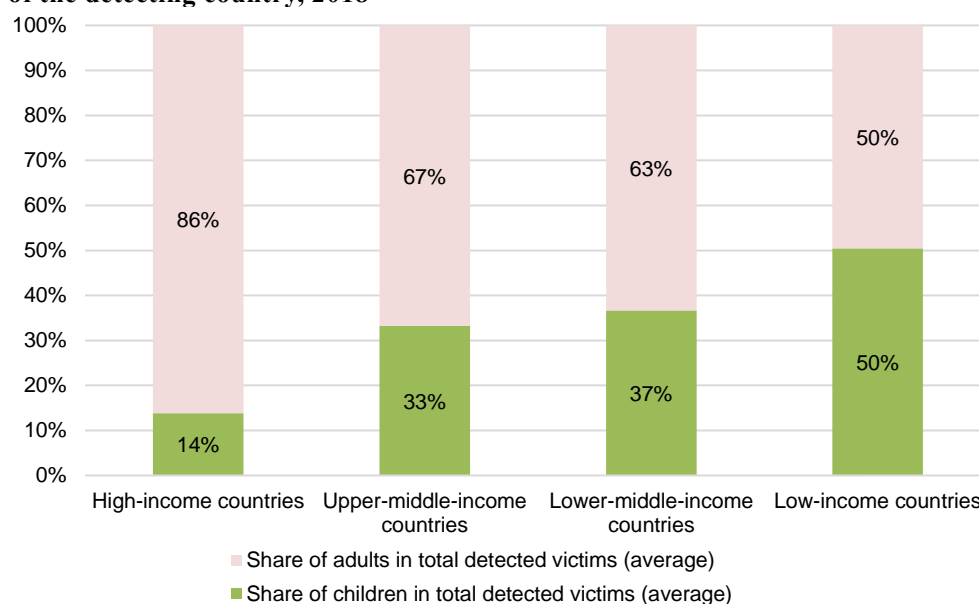
Source: UNODC elaboration based on International Labour Organization estimates (unemployment rates) and Dutch National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children (potential trafficking victims detected).

Updates based on the Global Report on Trafficking in Persons 2020

11. While children comprised one third of the trafficking victims detected globally in 2018, they comprised almost 50 per cent of the victims detected in low-income countries. Most child victims of trafficking are detected in low-income countries (see figure III).

⁵ *Global Report on Trafficking in Persons 2020* (United Nations publication, forthcoming).
⁶ UNODC, “How COVID-19 restrictions and the economic consequences are likely to impact migrant smuggling and cross-border trafficking in persons to Europe and North America”, Research Brief (May 2020).

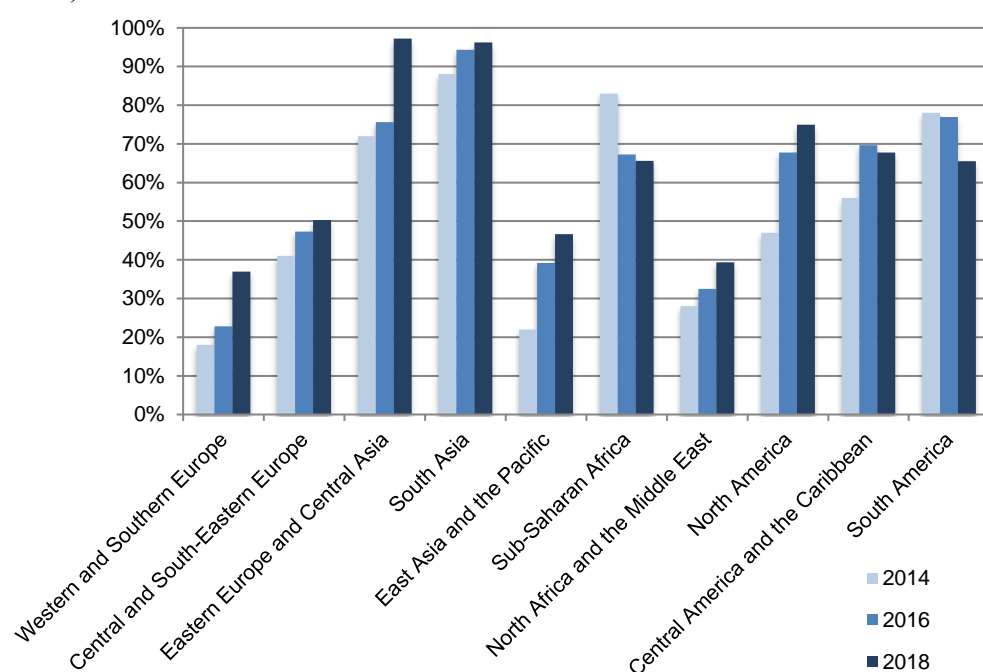
Figure III
Proportion of children among all trafficking victims detected, by income status of the detecting country, 2018



Sources: UNODC elaboration based on national data, and World Bank.

12. Long-distance trafficking flows involve approximately 15 per cent of detected victims worldwide. One in every four victims detected is trafficked within the same region and, in 2018, 65 per cent of victims whose citizenship was reported were detected in their home countries (see figure IV).

Figure IV
Proportion of trafficking victims detected in their own country, by subregion, 2014, 2016 and 2018

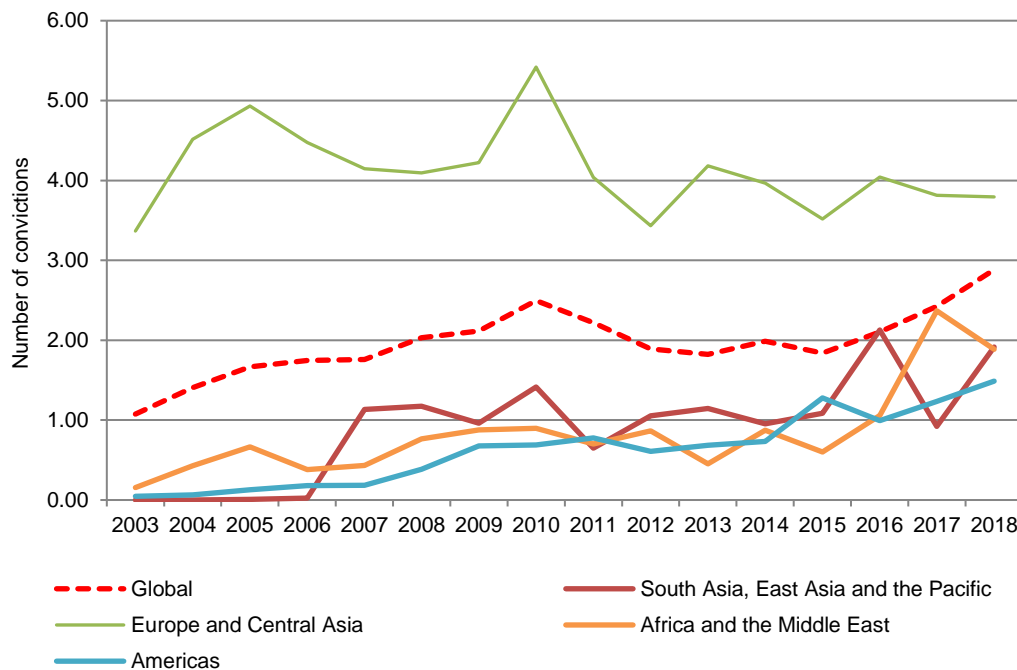


Source: UNODC elaboration based on national data.

13. Since the entry into force of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, the numbers of convictions and victims detected have tripled globally. In 2003, an average of 1 conviction per 100,000 people was recorded; by 2018, that number had

increased to three. Countries in sub-Saharan Africa record low rates of conviction (0.5 convictions per 100,000 people in sub-Saharan Africa) and detect a low number of victims (2 victims per 100,000 people, compared with a global average of 12) (see figure V).

Figure V
Average conviction rates (per 100,000 population) globally and by region, 2003–2018



Source: UNODC elaboration based on national data.

14. Globally, most victims detected (65 per cent) are women and girls. The majority of male victims (over 70 per cent) are trafficked for forced labour.

15. Trafficking for forced labour is frequently detected in sub-Saharan Africa (where it accounts for 77 per cent of victims detected), North Africa and the Middle East (30 per cent), Eastern Europe and Central Asia (66 per cent) and South Asia (52 per cent).

C. Smuggling of migrants

16. During the COVID-19 pandemic in 2020, data on the three Mediterranean routes for the smuggling of migrants suggest that migrants are still being smuggled despite the lockdown measures that have resulted in economic constraints and mobility restrictions. The number of arrivals along the central and western Mediterranean routes did not decrease during 2020. Across the Mediterranean routes, migrants and refugees are caught between the need to flee conflicts, human rights abuses and poverty, dangerous open waters and the risks of COVID-19 transmission en route.⁷

D. Organized crime

17. Any legal restriction on goods or services for which there is high demand and low supply creates an opportunity for organized crime. The pandemic has brought both demand for new products and services and a series of restrictions on movement and access to markets. Organized criminal groups have profited by providing these goods and services outside the law, as shown by the steady rise of seizures of

⁷ Ibid.

substandard personal protective equipment and falsified products and of scams and frauds in relation to the procurement of medical products related to COVID-19.

18. The pandemic has exposed weaknesses in governing structures on several levels – not least in providing the emergency aid desperately needed in the poorest communities. Across the world, criminal groups have stepped in to deliver aid packages and other necessities to those most in need, which has allowed them to exert further control over the territories where they operate. Learning from past crises, organized criminal infiltration of the licit economy has also been flagged as a serious risk once societies start to reopen again. The impact of COVID-19 on criminal markets remains multifaceted, and organized criminal groups clearly have the capacity to slow COVID-19 recovery in many ways.⁸

E. Firearms

19. The impact of COVID-19 on trafficking in firearms has not yet been fully assessed. According to local studies in one country,⁹ a new sense of insecurity has boosted demand for firearms. If such circumstances develop in other countries, there could be a rising demand for firearms that could be satisfied by those willing and able to move weapons from jurisdictions with lighter controls to those with tighter ones, charging a premium for the service. In some areas, this sort of trafficking is simple enough that the practice could become widespread among those with no other source of income.

F. Wildlife crime

20. While it is too early to determine the exact impact of COVID-19 on illegal wildlife markets, major border closures and flight changes or cancellations due to travel restrictions make it far more difficult for traffickers to dispose of their stock. Traffickers depend on a network of corrupt airport and customs contacts in specific locations, contacts that cannot be quickly replicated elsewhere without significant risk and time. Between the more limited number of flights available to traffic wildlife (increasing the risk of that contraband being caught at screenings) and the chance that a flight may be rerouted away from the airport where a trafficker has contacts, international trafficking in wildlife products based on air routes is now more difficult. In addition, the lack of international tourists who have, in the past, been the main buyers of wildlife products in certain countries, may also have an impact on traffickers' business models and profits.

21. COVID-19 may have a double-edged effect on wildlife trafficking. There have been media reports of increases in poaching after the lockdown in some countries.¹⁰ At the same time, tighter controls and declining consumer demand related to COVID-19 could decrease the poaching of some species in relation to wild meat markets.¹¹ Each wildlife market is unique and most are unconnected, so the impact of the pandemic is difficult to predict.

G. Prisons

22. The extraordinary risk that COVID-19 is posing in prison settings has increased attention to prison overcrowding. Prison overcrowding persists in most countries and constitutes one of the most fundamental obstacles to providing safe and healthy custodial environments in line with fundamental human rights (see figure VI). Many

⁸ See UNODC, "The impact of COVID-19 on organized crime", Research Brief (July 2020).

⁹ Julia P. Schleimer and others, "Firearm purchasing and firearm violence in the first months of the coronavirus pandemic in the United States", *Medrxiv* (July 2020), pre-print.

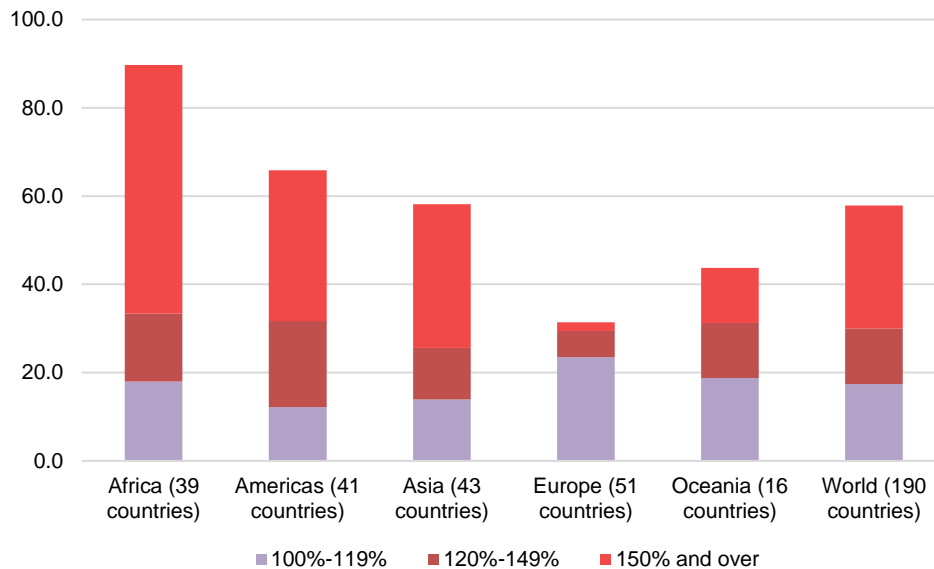
¹⁰ Annie Roth, "Poachers kill more rhinos as coronavirus halts tourism to Africa", *New York Times*, 8 April 2020.

¹¹ Tamara Giles-Vernick, "Should wild meat markets be shut down?" *Somatosphere*, 6 March 2020.

countries have adopted release plans for some persons in prison to reduce the risk of COVID-19 transmission. By May 2020, some sources quoted that approximately 600,000 persons from 80 countries had been released under emergency measures.¹² Open-source desk research suggests that this figure further increased in the following months.

Figure VI

Share of countries where prisoners outnumber the prison capacity, by region, 2018 or latest year for which data are available



Source: United Nations Survey of Crime Trends and Operations of Criminal Justice Systems.

III. Comprehensive strategies for crime prevention towards social and economic development (agenda item 3) and evidence-based crime prevention (workshop 1)

A. Comprehensive strategies for crime prevention towards social and economic development

23. The present section presents an update to the working paper prepared by the Secretariat on comprehensive strategies for crime prevention towards social and economic development (A/CONF.234/4). The social and economic effects of the pandemic are being felt around the world. As a lack of economic growth, combined with high economic and social inequality, tends to increase levels of crime and violence, the pandemic creates an urgent need to identify emerging risk factors for delinquent and violent behaviour and to address them. Crime prevention policies and practices will have to be agile, responding to emerging risk factors in the short and medium term as countries implement measures to control the virus, while keeping in mind increased vulnerabilities resulting from social and economic disruptions that are likely to become more acute in the medium to long term. Young people are particularly vulnerable to these disruptions and risk being left behind in education, economic opportunities and health and well-being during a crucial stage of their life development.¹³ In this regard, it is concerning that there have been instances of organized criminal groups taking initiatives to enforce COVID-19 health measures and offer support to citizens with a view to generating more local support.

¹² Human Rights Watch, "Covid-19 prisoner releases too few, too slow", 27 May 2020.

¹³ United Nations, "Protecting and mobilizing youth in COVID-19 responses", Policy Brief, No. 67 (May 2020).

24. As discussed above, more research is needed to determine the impact of the pandemic on crime and violence, but it is clear that lockdown and related measures have been associated with changes in crime rates, albeit differently across categories, places and time.

25. The pandemic and related emergency measures have made the implementation of community-based crime and violence prevention initiatives more difficult, in particular the delivery of services promoting health and well-being, including among those living in marginalized communities or volatile situations of family violence. In addition, community-oriented policing services and proactive community engagement programmes seem to have been reduced in many places as policing priorities have shifted towards securing compliance with COVID-19 measures.¹⁴ As regards the latter, unfortunately, cases of excessive use of force, including arrests and detention, have been observed in some countries, which risk undermining the health response and can exacerbate existing threats to peace and security or create new ones.¹⁵

26. To overcome the negative impact of the pandemic in the long run, priority should be given to human rights-based policies that address systemic inequalities in access to the labour market, education, health care, justice and other essential services, with a focus on women and youth. In this vein, UNODC undertook activities throughout 2020 to raise awareness about challenges that youth, in particular, are facing, to ensure continuity of services for youth, parents and families and offer opportunities for positive youth development during and after the pandemic. Similarly, it supported national and local authorities to ensure the provision of essential services to victims of violence against women and girls, while also encouraging healthy coping mechanisms and positive messaging around gender equality, building on the Essential Services Package for Women and Girls Subject to Violence.¹⁶

B. Evidence-based crime prevention: statistics, indicators and evaluation in support of successful practices

27. The present section presents an update to the background paper prepared by the Secretariat for the workshop on evidence-based crime prevention: statistics, indicators and evaluation in support of successful practices (A/CONF.234/8). Guiding crime prevention efforts in the unprecedented landscape of the pandemic has become particularly challenging as the global situation has no precedents to build upon. Solid evidence is needed to help policymakers to navigate through the crisis and provide timely information on new crime trends, emerging threats and the possible impact of new policies.

28. National crime information systems have been affected by the pandemic and, with the strained ability of some government offices to respond to the emergency and the mobility constraints that have limited the implementation of surveys and field research, the capacity to produce scientific evidence has been limited. On the other hand, there are examples of local, national, regional and international organizations that have maintained regular production of information or have experimented with innovative solutions. Existing platforms and crime observatories have proved to be resilient assets, able to maintain a regular release of crime statistics, although mainly based on crime reported to the authorities only. The sudden need for new information

¹⁴ See, for example, Cynthia Lum, Carl Maupin and Meghan Stolz, “The Impact of COVID-19 on law enforcement agencies (Wave 2)” (June 2020); and S. Ivkovic, J. Maskaly and P. Neyroud, “Policing the COVID-19 pandemic: exploratory study of the types of organizational changes and police activities across the globe” (2020, forthcoming).

¹⁵ United Nations, “COVID-19 and human rights: we are all in this together” (April 2020).

¹⁶ The Essential Services Package for Women and Girls Subject to Violence is a United Nations guidance tool identifying the essential services to be provided to all women and girls who have experienced gender-based violence, including services that should be provided by the health, social services, police and justice sectors.

determined by the emergency situation related to COVID-19 has triggered new data solutions for crime and criminal justice, including, for example, the use of big data and methods based on the harvesting of publicly available digital data, together with the use of digital data and linkages with geospatial information systems.

29. COVID-19 has brought challenges in maintaining coverage and continuity of national crime statistical systems, as well as other statistical systems, but it has also brought the opportunity to modernize. An integrated system of data-collection streams that can rely on official data and in parallel capture real-time data from open data sources could provide policymakers and other users with the information needed in a fast-changing environment.

30. Analysing the impact of COVID-19 on crime and criminal justice has proved challenging in the fast-changing environment of the crisis. With the limited information available, much-needed early assessments had to prioritize timeliness versus comprehensiveness. UNODC, as mentioned above, assessed the impact of the pandemic by using real-time information gathered through techniques such as web-scraping and through ad hoc data collection. One method used to assess the impact of the pandemic on smuggling in migrants and trafficking in persons was to use trends and analysis of past crises to project longer-term implications.¹⁷

31. With crime prevention policies adjusting to the new socioeconomic context, evaluations become critical. Independent evaluations undertaken during times of crisis require standard processes and approaches to be reconsidered to address new challenges and constraints. These evaluations may require real-time information and assessments and evaluation of ongoing programming to identify areas to adjust or ways to respond and adapt. The pandemic has introduced new constraints and restrictions on independent evaluation and evaluative activities, including restrictions on travel and missions to the field for data collection and the potential for overburdening the capacity of all the stakeholders involved. However, the need for accountability and learning remain relevant and the role of evidence in policy and programming become even more imperative during a crisis. Therefore, the necessity for solid evidence, based on different streams of high-quality information from a variety of sources, is crucial.

32. There is a need to further discuss the role of new and innovative data-collection tools for identifying and analysing trends and supporting high-quality evaluation results, while ensuring the health and physical safety of stakeholders. Best practices from statistical analytical and evaluation approaches during COVID-19 and lessons learned in adapting technical assistance to the crisis in an innovative manner should be further considered. This includes limitations on and opportunities for utilizing evidence stemming from a wide range of sources, including independent evaluations at the national, regional or global levels, in particular during times of crisis, as well as the impact of COVID-19 on national evaluation structures and systems and how other streams of information can be utilized to ensure evidence-based decision making.

IV. Integrated approaches to challenges facing the criminal justice system (agenda item 4) and reducing reoffending (workshop 2)

A. Integrated approaches to challenges facing the criminal justice system

33. The present section presents an update to the working paper prepared by the Secretariat on integrated approaches to challenges facing the criminal justice system

¹⁷ “How COVID-19 restrictions and the economic consequences are likely to impact migrant smuggling and cross-border trafficking in persons to Europe and North America”.

(A/CONF.234/5). The COVID-19 pandemic has brought to the forefront, and often exacerbated, the many challenges facing criminal justice systems and the critical need for effective, integrated responses.

1. Gender-based violence against women

34. For many women, staying at home does not mean staying safe. During the lockdowns around the world, reporting rates of gender-based violence against women decreased in several countries, despite evidence of an increasing incidence of this type of violence in domestic settings.

35. In various countries, there have been efforts to increase the reporting of cases of gender-based violence against women during the pandemic, including through unconventional venues such as pharmacies, grocery shops or postal services. This is an encouraging development towards addressing gender-based violence against women through comprehensive approaches involving all sectors of society.

36. Even where gender-based violence against women cases are considered as urgent, courts are experiencing increased backlogs that prevent cases from moving forward with the required prioritization. In some countries, the backlog has encouraged the use of traditional justice mechanisms that often undermine women's right to justice and effective remedies.

37. Many criminal justice systems have rushed to extend the use of information and communications technologies. "E-justice" mechanisms are being used to facilitate reporting of gender-based violence against women, protection orders, expert examination and online hearings and trials. Given the existing inequalities in access to information and communications technologies, e-justice mechanisms risk leaving behind the poorest sectors of the population, in which women are overrepresented. To avoid perpetuating systemic deficiencies, including a lack of trained personnel, as well as gender bias and practices resulting in secondary victimization, the implementation of e-justice mechanisms in cases of gender-based violence against women should be carefully planned and monitored.

2. Violence against children

38. During the pandemic, the vulnerability of children already at risk has increased as a result of social and economic instability and responses that restrict their access to health and social and legal services. Social-distancing measures have increased the risk of child labour, trafficking in children, sexual exploitation of children and the recruitment of children into criminal groups, as well as terrorist and violent extremist groups.

39. It is estimated that close to 11 million children are detained worldwide. In many countries, detention facilities for children do not meet the minimum requirements set forth in international legal instruments and lack adequate health-care services. The vulnerability of detention facilities to an outbreak of COVID-19 must be of grave concern for all countries and must become an integral part of a national response to COVID-19, in particular with a view to reducing the number of children in places of detention and ensuring the health and well-being of children deprived of their liberty.¹⁸

40. Recognizing the COVID-19 health crisis as a broader child-rights crisis, there is a need for a child rights-compliant and multisectoral response to COVID-19, involving Governments, the international community, civil society, the private sector, workers' organizations and leaders in every sector.

¹⁸ Alliance for Child Protection in Humanitarian Action and United Nations Children's Fund, "Technical note: COVID-19 and children deprived of their liberty" (May 2020); and UNODC, "Protecting children deprived of liberty during the COVID-19 outbreak", UNODC Technical Assistance Services (Vienna, 2020).

3. Extension of police powers

41. Since the outbreak of COVID-19, numerous measures, such as obligatory wearing of masks in public places, social distancing, limitations to freedom of assembly, curfews, quarantine and other lockdown measures, have been taken to control the spread of the virus. In many countries, such measures are enforced by the police and often involve disproportionate criminal justice responses when breached.

42. While many of those measures may be justifiable from a public health perspective, the sheer breadth of police powers and overreliance on criminal justice responses in their enforcement raise concerns about the risk of human rights violations and abuse of power, increased opportunities for corruption and limitations on access to justice, particularly for those from poor and marginalized backgrounds. The increased responsibility for handling incidents of non-compliance has stretched even thinner the limited resources that police have at their disposal, including resources needed to investigate types of crime potentially exacerbated during the pandemic (e.g. domestic violence, cybercrime and fraud).

4. Racial discrimination and criminal justice reform

43. Concomitantly, the issue of systemic racial discrimination by police and other criminal justice authorities has come to the forefront in many countries. Unnecessary arrests, excessive use of force and police brutality, in particular against people of African descent,¹⁹ have been denounced in recent massive protest movements around the world.

44. Poor and marginalized populations – many of whom are racial, ethnic or religious minorities in their countries owing to underlying structural and historical discrimination – are more likely to come into contact with the criminal justice system. Where data are available, there is evidence that minorities are overrepresented and receive harsher sentences by criminal justice systems. They are also the hardest hit by the pandemic, including by job losses, the inability to socially distance or quarantine and limited access to quality health care. Against such deteriorating circumstances, marginalized populations are now more vulnerable than ever to coming into contact with the criminal justice system.

45. This strongly points to a need for police and criminal justice reform to address structural racism and other types of bias and discrimination and make the justice system more representative and inclusive of all members of society. This is essential to strengthen public trust in the justice system and advance the goal of equal access to justice for all.

B. Reducing reoffending: identifying risks and developing solutions

46. The present section presents an update to the background paper prepared by the Secretariat for the workshop on reducing reoffending: identifying risks and developing solutions ([A/CONF.234/9](#)). The COVID-19 pandemic has had a profound impact on criminal justice systems, including Member States' strategies to reduce reoffending, and has undermined rehabilitative opportunities in prisons and in the community (e.g., job opportunities).

1. Rehabilitative prison environments

47. Globally, the impact of COVID-19 in prisons has been found to be significantly more severe compared with in the general population.²⁰ In addition, restrictions

¹⁹ Human Rights Council resolution 43/1 on the promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers.

²⁰ A recent scientific study in one country revealed that prisoners were not only 5.5 times more likely to become infected with COVID-19 in that country, but also 3 times more likely to die

imposed to contain the spread of the virus, including “prison lockdowns”, have reduced access and visits, restricted prisoner movements and programmes and fuelled anxiety among prisoners and staff, with more than 40 countries reporting prison riots.²¹

48. This has posed challenges in ensuring rehabilitative environments. For instance, the practical application of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) has come under severe pressure. States must ensure that infection prevention and control measures in prisons are legal, time-bound and proportionate, regularly reviewed to assess their necessity, communicated to prisoners in a transparent manner and carefully complemented by services to mitigate the adverse impact on prisoners.

49. In addition, the COVID-19 outbreak and prison lockdowns have had a serious impact on prisoners’ daily lives, including their participation in rehabilitation programmes and contacts with the outside world, isolating them further and directly affecting their rehabilitative prospects. While taking measures to control the infection and protect prisoners, it is crucial that correctional staff, prison administrations and other stakeholders take every possible measure to ensure continuity of access to rehabilitation activities and support prisoners’ social reintegration.

50. COVID-19 has illustrated the serious price paid when overburdened and ill-equipped prisons are confronted with pandemics or other crises. The need to address the systemic neglect of prison services, poor prison conditions and the root causes of prison overcrowding should be one of the main lessons learned and a priority for future reform efforts.

2. Effective use of non-custodial measures and community-based treatment

51. In the context of reducing prison populations, the use of non-custodial measures and reducing reoffending quickly became priorities for many countries. Presidential or royal pardons and other ad hoc measures initiated the early, temporary or conditional release of prisoners at high risk from the virus (e.g., elderly prisoners and those with underlying health issues) or those whose release would not compromise public safety (e.g., offenders who had committed minor, non-violent crimes, those who have served the majority of their sentence, and women prisoners). In many countries, such measures were complemented by a reduction in new admissions through suspended sentences or the use of fines.

V. Multidimensional approaches by Governments to promoting the rule of law, in line with the Doha Declaration (agenda item 5), and education and youth engagement as key to making societies resilient to crime (workshop 3)

A. Follow-up to the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation

52. The present section presents an update to the working paper prepared by the Secretariat on multidimensional approaches by Governments to promoting the rule of law by, inter alia, providing access to justice for all; building effective, accountable, impartial and inclusive institutions; and considering social, educational and other

from it (Brendan Saloner and others, “Research letter: COVID-19 cases and deaths in Federal and State prisons”, *Journal of the American Medical Association*, vol. 324, No. 6 (July 2020)).

²¹ Armed Conflict Location and Event Data project, COVID-19 disorder tracker: prison unrest. Available at <https://acleddata.com/2020/05/14/cdt-spotlight-prison-unrest/>.

relevant measures, including fostering a culture of lawfulness while respecting cultural identities, in line with the Doha Declaration (A/CONF.234/6), and the report of the Secretary-General on the follow-up to the Doha Declaration (A/CONF.234/12). Since 2016, the Global Programme for the Implementation of the Doha Declaration: Towards the Promotion of a Culture of Lawfulness has reached over 2.1 million beneficiaries and provided country-specific technical assistance to over 80 countries.

53. At the beginning of 2020, the Education for Justice initiative commemorated the International Day of Education to call for cooperation and strong coordination among policymakers, educators, academia and the United Nations. The Youth Crime Prevention through Sports component organized a global event on the “Line Up, Live Up” campaign in Vienna in January 2020, with almost 70 representatives of Governments and other stakeholders from 14 countries. The second high-level meeting of the Global Judicial Integrity Network took place in Doha in February 2020. Over 700 high-level participants from 118 countries took stock of the Network’s achievements to date and set out new priority areas for the future.

54. Since the beginning of the pandemic, the Global Programme for the Implementation of the Doha Declaration has continued to see results and identify new opportunities to reach target groups in innovative ways and ensure business continuity. The Programme has used the period to refocus its efforts to: (a) tailor responses to the pandemic; (b) enhance multilingualism; and (c) continue the delivery of global activities through online means.

55. To mark International Day of Sport for Development and Peace, in April, “Sports challenge”, a social media campaign on sport as a tool to remain focused, positive and united, was launched in Uzbekistan. The challenge obtained high-level support from the Prime Minister and coverage by major national television channels. In India, Education for Justice launched “The lockdown learners”, a series of interactive online dialogues on promoting the Sustainable Development Goals and youth action with students and educators. Educational materials were disseminated to 598 schools.

56. Under the prisoner rehabilitation component of the Global Programme for the Implementation of the Doha Declaration, hygiene supplies were provided to several prisons and the UNODC position paper on COVID-19 preparedness and responses in prisons was issued. Under the judicial integrity component, a series of webinars on new challenges for judges worldwide during COVID-19 was organized.

57. In pursuance of multilingualism, over 300 translations into 15 languages were conducted through partnerships such as with the French association “Films pour enfants”, which launched a worldwide online film festival for children, the Supreme Court of Justice of the Russian Federation, which translated the non-binding guidelines on the use of social media by judges, and Qatar University, which translated Education for Justice university modules into Arabic.

58. The Programme has organized over 250 online activities that have reached nearly 100,000 people. The activities have included workshops with academics, online Model United Nations simulations, online training for primary school teachers and awareness-raising activities for higher academic institutions. Education for Justice also organized the largest conference ever held under United Nations auspices on the link between education and the rule of law. Over 2,100 participants from 109 countries gathered online during the Education for Justice Global Dialogue Series between 1 and 4 December 2020, discussing perspectives ensuing from the pandemic on education for peaceful, just and inclusive societies. In addition, a series of webinars on judicial integrity during the COVID-19 period is being organized under the judicial integrity component.

59. Country-specific technical assistance continues to take place. For example, Benin, Iraq, Montenegro and Turkey recently became Global Judicial Integrity Network training sites, increasing the number of jurisdictions implementing the judicial ethics training tools to over 60.

60. Digital communications have been used; for example, over 50 web stories and other thematic articles have been published, mostly on COVID-19, including a unique series of guest opinion pieces from judges worldwide. Over 1 million people have viewed the Global Programme for the Implementation of the Doha Declaration website since January.

B. Multidimensional approaches by Governments to promoting the rule of law

1. Access to justice

61. To assist countries in ensuring that survivors of gender-based violence against women still had access to police and justice services, particularly during the lockdowns, UNODC developed a thematic brief on gender-based violence against women and girls and contributed to the brief on COVID-19 and essential services provision for survivors of violence against women and girls, as well as to the inter-agency statement on violence against women and girls in the context of COVID-19.

62. UNODC continued supporting the Inter-Agency Working Group on Violence Against Children Agenda for Action and providing guidance to States on how to minimize risks of violence, exploitation and abuse of children deprived of liberty.

63. The pandemic and containment measures have had an impact on access to justice for victims of trafficking. Identification procedures have become more challenging owing to a reduction in services or the diversion of resources, which have affected the operational capacity of the police. Measures such as movement restrictions and office closures have limited access to housing, health-care, information, counselling, legal and other services. Some victims of trafficking have encountered problems renewing temporary immigration files linked to their victim status. Judicial processes have also been affected, including the inability to comply with limitations periods or collect evidence, resulting in delayed justice for victims. UNODC has developed rapid assessment tools for countries to evaluate the pandemic's impact on essential services for victims and has offered courses against trafficking in persons free of charge for criminal justice practitioners.

64. The emergency measures and the closing of courts owing to the pandemic has also had a significant impact on the rights of pretrial detainees and prisoners who have been unable to access legal services to guarantee their due process rights.

65. The pandemic has put a spotlight on the absence of an evidence base on the delivery of, and access to, legal aid services in many countries. Legal aid providers have also had a crucial role to play in handling cases where extended emergency powers of authorities were enforced in a discriminatory manner or where there was disproportionate or illegal use of force.

2. Effective, accountable, impartial and inclusive institutions

66. It is essential that the principles of the rule of law, integrity, transparency, accountability and human rights continue to be upheld by all public institutions. Public institutions should have in place sufficient accountability, reporting and oversight mechanisms, effective and transparent resource management and other measures aimed at preventing corruption and building sufficient safeguards during the pandemic.

67. The Global Judicial Integrity Network has finalized several knowledge products, including non-binding guidelines on the use of social media by judges; a paper on gender-related judicial integrity issues and a guide on how to develop codes of judicial conduct. The Network is in the process of developing new guidance for judiciaries, such as on the ethical use of artificial intelligence and judicial immunities.

C. Education and youth engagement as key to making societies resilient to crime

68. The present section provides an update to the background paper prepared by the Secretariat for the workshop on education and youth engagement as key to making societies resilient to crime (A/CONF.234/10). The COVID-19 pandemic has caused the most significant disruption of education systems to date,²² as well as having a negative impact on the participation of youth in society.²³ Some of the key impacts of the pandemic include an increase in school drop-out rates, reduced opportunities for socialization and limited access to sport and physical activities. These can generate anxiety and mental health disorders. Existing inequalities in access to education have been amplified, with further exclusion of certain social groups and already vulnerable and marginalized young people.

69. Recovering better from the COVID-19 pandemic will require a whole-of-society approach.²⁴ As a result, multidimensional approaches to promoting the rule of law must actively involve children, youth and the education sector at all levels and in its non-formal and informal dimensions.

70. Through its Education for Justice initiative, UNODC offered over 230 online and offline activities, reaching over 86,000 beneficiaries at all education levels, from March to October 2020. UNODC also continued engaging with young people to stimulate crime prevention through sports using the “Line Up, Live Up” programme.²⁵ The United Nations Interregional Crime and Justice Research Institute continues to offer quality education through its LLM in transnational crime and justice and other online postgraduate educational activities, reaching a high number of participants.

VI. International cooperation and technical assistance to prevent and address all forms of crime (agenda item 6) and current crime trends, recent developments and emerging solutions, in particular new technologies as means for and tools against crime (workshop 4)

A. International cooperation and technical assistance to prevent and address all forms of crime: terrorism in all its manifestations; and new and emerging forms of crime

1. Counter-terrorism-related developments and responses

71. The present section presents updated information on the working paper prepared by the Secretariat on international cooperation and technical assistance to prevent and address all forms of crime: terrorism in all its manifestations, and new and emerging forms of crime (A/CONF.234/7). COVID-19 has transformed and, in several countries, exacerbated the terrorism threat. Resources that were originally reserved for countering terrorism have been redirected to deal with the health crisis. The pandemic has also highlighted vulnerabilities to new and emerging forms of terrorism, such as the misuse of digital technology, cyberattacks against critical infrastructure and bioterrorism. UNODC held an online awareness-raising event on the international legal framework against biological terrorism in September 2020, encouraging Member States to adhere to legal instruments and be better prepared to respond to the threat of bioterrorism.

²² United Nations, “Policy brief: education during COVID-19 and beyond” (August 2020).

²³ Inter-Agency Network on Youth Development, “Statement on COVID-19 and youth” (April 2020).

²⁴ United Nations, *United Nations Comprehensive Response to COVID-19: Saving Lives, Protecting Societies, Recovering Better* (September 2020).

²⁵ Activities were adapted for safe delivery.

72. The pandemic has impeded efforts to repatriate individuals with suspected links to terrorist groups from conflict zones, including women and children. Vital services for victims of terrorism, such as criminal justice processes and psychological support, have been interrupted, delayed or ended. In this context, UNODC supported the development of a publication entitled *From Victims of Terrorism to Messengers for Peace: A Strategic Approach* to enhance the capacity of Governments and other stakeholders seeking to increase support for victims of terrorism. The publication was launched in 2020.

73. Terrorist groups have seen the uncertainty created by the pandemic as a window of opportunity to exploit the disruption and negative socioeconomic and political impacts of the pandemic. There has been an increase in terrorist attacks in parts of Africa and the Middle East. In Austria, a terrorist attack was carried out in a busy restaurant district in Vienna in November 2020 on the eve of a month-long COVID-19 lockdown.

74. To ensure that Member States continued to receive support during the pandemic, UNODC transferred the delivery of its counter-terrorism technical assistance online and has provided training to over 1,000 criminal justice and law enforcement officials since the start of the pandemic. The primary tool used to facilitate this was the UNODC Counter-Terrorism Learning Platform, through which over 600 practitioners received training. The platform allows for extensive outreach to criminal justice and law enforcement practitioners, counter-terrorism experts, training institutions, civil society and the private sector.

2. International cooperation to prevent and address new and emerging forms of crime

75. The pandemic has placed considerable strain on the human, technical and financial capacity to detect, prevent and combat transnational organized crime. A prioritization of funding responses to the pandemic, as well as social-distancing needs, have led to reduced operational engagement by law enforcement agencies on all crime types. Reportedly, this has caused the disruption of access to secure anti-money-laundering intelligence systems, decreasing capacities to pursue money-laundering and terrorist financing cases.²⁶ Home-based working practices have increased the pool of potential cybercrime victims. A growth in crime that exploits communications technologies has been observed,²⁷ together with an escalation of fraud and financial crime risks. Fraudulent requests for COVID-19 relief funds using stolen personal information have also been reported.²⁸

76. The adoption by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime at its tenth session, in October 2020, of resolutions on combating trafficking in falsified medical products, crimes that affect the environment and transnational organized crime against cultural property demonstrated the continued focus of the international community on addressing new threats.

77. With regard to trafficking in persons for the purpose of organ removal, the General Assembly, in its resolution [73/189](#), requested UNODC to engage in a dialogue with, inter alia, the Inter-Agency Coordination Group against Trafficking in Persons and the World Health Organization, to enable the Office to improve data collection and analysis on instances of that form of crime.²⁹

²⁶ UNODC, “Money-laundering and COVID-19: profit and loss” (Vienna, 2020).

²⁷ UNODC, “Cybercrime and COVID-19: risks and responses” (Vienna, 2020).

²⁸ David Maimon, “Sketchy darknet websites are taking advantage of the COVID-19 pandemic: buyer beware”, *The Conversation*, 19 April 2020.

²⁹ See also the report of the Secretary-General on strengthening and promoting effective measures and international cooperation on organ donation and transplantation to prevent and combat trafficking in persons for the purpose of organ removal and trafficking in human organs ([A/75/115](#)); and Inter-Agency Coordination Group against Trafficking in Persons, “Trafficking in persons for the purpose of organ removal”, Issue Brief, No. 9 (2020).

78. In 2020, UNODC partnered with technology providers to support Member States in increasing their maritime domain awareness, and facilitated simulated trials to strengthen national legal frameworks, train prosecutors and ensure coordination among key maritime law enforcement and judicial actors.³⁰ In response to the use of bulk carriers for trafficking purposes, a trend that emerged during the pandemic, maritime law enforcement training was expanded to include pier-side vessel search techniques.

B. Current crime trends, recent developments and emerging solutions, in particular new technologies as means for and tools against crime

79. The present section presents an update to the background paper prepared by the Secretariat on the workshop on current crime trends, recent developments and emerging solutions, in particular new technologies as means for and tools against crime (A/CONF.234/11). COVID-19 created new criminal opportunities through the increased use of virtual assets.³¹ In a European Union-focused study, it was noted that, while cash might remain prevalent in some sectors, an overall shift to non-cash payment options, including cryptocurrencies, was expected, which would have an impact on criminal businesses.³²

80. Darknet markets have diversified their offerings in keeping with the pandemic. A highly visible phenomenon has been the proliferation of scams promoting fake COVID-19 test kits and treatments.³³

81. In September 2020, the United States of America joined the European Union Agency for Law Enforcement Cooperation (Europol) to announce the results of a coordinated international effort to disrupt opioid trafficking on the darknet. The operation resulted in over 70 arrests worldwide and the seizure of weapons, drugs and over \$6.5 million in cryptocurrency.³⁴

82. During the pandemic, a significant increase in sharing of child sexual exploitation and abuse material through peer-to-peer networks, social media platforms and messaging applications was reported.³⁵

83. The impact of the pandemic on crimes in which technology plays a vital role, such as firearms-related offences, trafficking in persons and smuggling of migrants, has been documented above. Additional challenges relate to the potential for heavier infiltration by organized criminal groups into the health-care sector.

84. As mentioned before, law enforcement authorities in many States were tasked with enforcing measures to contain COVID-19, thus becoming the public face of the State's coronavirus response.³⁶ Several Governments deployed new surveillance tools to monitor populations in their drive to contain the virus. With accumulated

³⁰ See UNODC, *Maritime Crime: A Manual for Criminal Justice Practitioners*, 3rd ed. (Vienna, 2020).

³¹ Financial Action Task Force, "COVID-19-related money-laundering and terrorist financing: risks and policy responses" (Paris, 2020).

³² European Union Agency for Law Enforcement Cooperation (Europol), "Beyond the pandemic: how COVID-19 will shape the serious and organized crime landscape in the EU" (The Hague, 2020), p. 9.

³³ See United States of America, Federal Trade Commission, "Coronavirus advice for consumers". Available at www.ftc.gov/coronavirus/scams-consumer-advice.

³⁴ United States Department of Justice, "International law enforcement operation targeting opioid traffickers on the darknet results in over 170 arrests worldwide and the seizure of weapons, drugs and over \$6.5 million", 22 September 2020.

³⁵ International Criminal Police Organization (INTERPOL), "Threats and trends: child sexual exploitation and abuse – COVID-19 impact" (2020).

³⁶ Global Initiative against Transnational Organized Crime, "Crime and contagion: the impact of a pandemic on organized crime" (Geneva, 2020).

understanding of their application, new technologies such as artificial intelligence can be a powerful resource for law enforcement entities.³⁷

85. There have been warnings, however, that new powers are allocated without appropriate checks and balances, thus causing fear of greater willingness to trade privacy for effective health surveillance.³⁸ Another concern is that, once enacted, it could be unclear how Governments will be compelled to relinquish new powers after the pandemic is over.

86. Lawfulness, social acceptance, trustworthiness, responsibility and ethics are important concepts to bear in mind in assessing the great potential of the use of new tools, including artificial intelligence, by law enforcement entities. Bypassing these concepts may undermine the trust that communities place in law enforcement.

87. The execution of mutual legal assistance requests has been delayed or restricted to urgent cases owing to COVID-19.³⁹ The pandemic has also been an opportunity to realize the potential for versatility, flexibility and adaptability through such measures as the electronic transmission of international cooperation requests and videoconferencing.⁴⁰

88. As part of measures to mitigate the challenges arising from COVID-19, UNODC has promoted the use of webinars, e-learning tools and webcasts for training purposes. Drawing on such technologies, UNODC has continued to address the increasing needs for agile responses during the COVID-19 outbreak.

VII. Conclusions

89. Analysing and evaluating the impact of a crisis situation such as the COVID-19 pandemic on crime trends remains challenging owing to the scarcity of data. The Congress may wish to discuss how real-time changes and longer-term predictions could be analysed to capture the fast-changing situation and the possible long-term impact on crime. In this context, countries, international organizations, civil society organizations and academia should be encouraged to use a variety of innovative data tools to assess the preliminary short-term trends, as well as medium- and long-term predictive changes in crime trends during crisis situations such as the COVID-19 pandemic. Adapting and using a variety of research, statistics and independent evaluation could jointly offer the solid evidence and knowledge base for institutional, strategic and programmatic decision-making.

90. The Congress may also wish to address how to transform the emerging global picture, as shown by the information available, into preventive measures that could anticipate how criminals and organized criminal groups could try to take advantage of the crisis. The pandemic has decreased the rate of certain crimes and reduced, even if temporarily, criminal violence; participants may wish to discuss opportunities to capitalize on these gains to build more secure societies.

91. Taking into account that the pandemic has accelerated the need to address prison overcrowding owing to the extraordinary risk of COVID-19 transmission in prison settings, the Congress may wish to address further affirmative measures to mitigate the adverse effects of COVID-19 not only on prisons, but on criminal justice systems in general. Attention should be paid to the impact experienced by marginalized and vulnerable populations. Non-custodial measures and community-based treatment

³⁷ INTERPOL and United Nations Interregional Crime and Justice Research Institute, *Towards Responsible AI Innovation: Second INTERPOL-UNICRI Report on Artificial Intelligence for Law Enforcement* (Lyon, France; and Turin, Italy, 2020).

³⁸ Bryan Walsh, "The pandemic's coming health surveillance state", *Axios*, 21 March 2020.

³⁹ Council of the European Union, "The impact of COVID-19 on judicial cooperation in criminal matters: executive summary of information compiled by Eurojust and EJM", document 7693/5/20 REV 5.

⁴⁰ Report on the meeting of the Working Group on International Cooperation held in Vienna on 7 and 8 July 2020 (CTOC/COP/WG.3/2020/4), paras. 63–70.

should be taken into account as parts of a systematic and sustained strategy to prevent prison overcrowding, with a view to reducing reoffending and promoting social reintegration. Ensuring adequate community-based intervention and support to address negative impacts of the pandemic should also be considered to achieve this goal.

92. In this context, the Congress may wish to further evaluate how Member States can proactively address systemic inequalities in their communities that are likely to be further exacerbated by the pandemic. This could reduce risk factors and strengthen protective factors associated with crime and violence, paying particular attention to the well-being and development of youth.

93. The Congress may wish to encourage Governments in their efforts to ensure that public institutions uphold the principles of the rule of law, integrity, transparency, accountability and human rights, including in their responses to the ongoing pandemic. It may also wish to call upon Governments to ensure that services, including police and judicial services, for gender-based violence survivors are regarded as essential, remain open and are resourced and accessible. The Congress may further wish to address ways to ensure that public institutions and other stakeholders promote the rule of law through education and the meaningful engagement of children and youth, in line with target 4.7 of the Sustainable Development Goals. It may also be necessary to discuss how to ensure that the effects of the pandemic do not leave young people behind, and how to secure public spaces for sport, well-being, cultural and leisure activities, in line with target 11.7 of the Sustainable Development Goals.

94. The Congress may wish to discuss the impact of COVID-19 on judicial and law enforcement international cooperation in relation to all types of crime and terrorism and consider the short- and medium-term effects on the ability of international, regional and national actors to provide technical assistance.

95. Among other questions, the Congress may wish to consider how international cooperation to address new and emerging forms of crime may benefit from lessons learned during the pandemic, and discuss how to ensure that organized criminal groups do not profit from the expected and necessary attention of the international community to public health.

96. The Congress also may wish to address Member States' capacity to cooperate, with a view to reducing the vulnerabilities caused by the pandemic. Attention should be paid to possibilities to harness the positive potential of technology, including information technology, to promptly react to the transformation and adaptation of criminal patterns to the new realities emerged from the pandemic. Further, multidisciplinary approaches and cooperation with civil society and the private sector should be promoted with a view to putting in place technology-based solutions to crime threats, consistent with human rights, fairness, accountability and transparency standards.
