**Thirteenth
United Nations Congress
on Crime Prevention and
Criminal Justice**

Doha, 12-19 April 2015
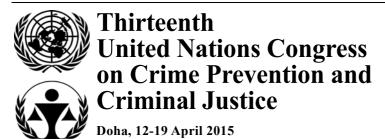
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**Successes and challenges in implementing comprehensive
crime prevention and criminal justice policies and
strategies to promote the rule of law at the national and
international levels, and to support sustainable
development**

Contribution of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice to the discussions on the post-2015 development agenda
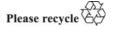
Report of the Executive Director

Summary

The present document was prepared pursuant to Economic and Social Council resolution 2014/22. It contains views on the contribution that the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, considering its main theme, could make to the discussions on the post-2015 development agenda.

It reflects the responses received from stakeholders including Member States, United Nations departments and offices, regional commissions, members of the United Nations crime prevention and criminal justice programme network and intergovernmental and non-governmental organizations.

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* A/CONF.222/1.

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I. Introduction

1.   On the recommendation of the Commission on Crime Prevention and Criminal Justice at its twenty-third session, the Economic and Social Council adopted resolution 2014/22, entitled "Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and the post-2015 development agenda". In that resolution, the Economic and Social Council invited Member States, international organizations and all relevant stakeholders to provide to the United Nations Office on Drugs and Crime (UNODC) their views regarding the contribution that the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, considering its main theme, could make to the discussions on the post-2015 development agenda, while respecting the process established by the General Assembly, and requested UNODC to report to the Congress on that matter.

2.   The present report reflects the responses received from stakeholders consulted through a note verbale sent to all Member States and a letter sent to United Nations departments and offices, regional commissions, members of the United Nations crime prevention and criminal justice programme network and intergovernmental and non-governmental organizations. The list of respondents is included in the annex.

II. Crime prevention, criminal justice and sustainable development

3.   Respondents made reference to the numerous intergovernmental reports and declarations identifying and elaborating upon the link between a strong justice sector and sustainable development. In particular, reference was made to the United Nations Conference on Sustainable Development and its outcome document, entitled "The future we want", in which Heads of State and Government and high-level representatives had reaffirmed the importance of freedom, peace and security, respect for all human rights, the rule of law, gender equality, women's empowerment and the overall commitment to just and democratic societies for development, and had also reaffirmed that, to achieve sustainable development goals, effective, transparent, accountable and democratic institutions were needed at all levels.[1] It was also noted that the 2005 World Summit Outcome stated that good governance and the rule of law at the national and international levels were essential for sustainable development.[2]

4.   Reference was also made to the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels, held in September 2012, in which Heads of State and Government and heads of delegation had stated their conviction that the advancement of the rule of law was essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental

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[1] General Assembly resolution 66/288, annex, paras. 8 and 10.

[2] See General Assembly resolution 60/1, paras. 119 and 134. A MyWorld survey (available at http://data.myworld2015.org) has shown that respondents place protection against crime and violence, and an honest and responsive Government among the top six development priorities (accessed 12 January 2015).

freedoms, including the right to development, all of which in turn reinforced the rule of law, and for that reason the interrelationship between the rule of law and development should be considered in the post-2015 international development agenda.[3] In that declaration, the Heads of State and Government and heads of delegation had also stated that the independence of the judicial system, together with its impartiality and integrity, was an essential prerequisite for upholding the rule of law and ensuring that there was no discrimination in the administration of justice.[4] Respondents noted that access to effective, fair, responsive and accountable justice systems was essential for addressing the underlying causes of a lack of human security, poverty, inequality and marginalization.

5.   Reference was further made to General Assembly resolution 68/309, in which the Assembly had decided that the proposal of the Open Working Group on Sustainable Development Goals contained in the final report should be the main basis for integrating sustainable development goals into the post-2015 development agenda. One of the goals identified in that final report was promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels.

6.   Respondents made reference to the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[5] adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in which the States Members of the United Nations had recognized the centrality of crime prevention and the criminal justice system to the rule of law and that long-term sustainable economic and social development and the establishment of a functioning, efficient, effective and humane criminal justice system had a positive influence on each other.

7.   Respondents remarked that crime prevention and criminal justice issues were connected to those relating to the rule of law and governance, which in turn were interconnected with a wider range of substantive issues being addressed in the work of many different United Nations entities and intergovernmental and non-governmental organizations. It was noted that stability, security and prosperity arose from just, certain and predictable structures for the making, enforcement and judicial interpretation of laws. It was universally recognized, both intergovernmentally and within civil society, that sustainable development, including economic growth and poverty reduction, could only be realized on the basis of respect for human rights and the rule of law, and that the rule of law and development were strongly interrelated and mutually reinforcing.

8.   In the area of peace and security, it was noted that crime and violence were key determinants that might hold back efforts to achieve sustainable development. Respondents pointed out that, according to the *2011 World Development Report*, 25 per cent of the world's population lived in fragile and conflict-affected States or

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[3] General Assembly resolution 67/1, para. 7. It was also noted by respondents that the mutual reinforcing of sustainable development and the rule of law had been raised during the regional preparatory meetings for the Congress (see A/CONF.222/RPM.3/1, para. 8).
[4] General Assembly resolution 67/1, para. 13.
[5] General Assembly resolution 65/230, annex.

in countries with very high levels of criminal violence,[6] and that strong criminal justice institutions were essential to reducing violence, ensuring accountability and combating organized crime.

9. Respondents noted that peace, the rule of law and governance were enablers of sustainable development and key development outcomes in their own right, as well as enablers of development in other sectors. Reference was made in that context to the 2006 Geneva Declaration on Armed Violence and Development, a high-level diplomatic initiative supported by 112 States and civil society actors. It was also noted that, in 2008, the General Assembly had adopted resolution 63/23, on promoting development through the reduction and prevention of armed violence, in which the Assembly had requested the Secretary-General to seek the views of Member States on the interrelation between armed violence and development. In the Secretary-General's subsequent report on promoting development through the reduction and prevention of armed violence,[7] it was recognized that armed violence undermined development and constituted an impediment to the achievement of the Millennium Development Goals.

10. Respondents also noted that the Government of Norway had supported the development of the Oslo Commitments, adopted by 61 States in 2010, in which representatives of States had affirmed that armed violence and development were closely linked and that countries should include armed violence reduction and prevention in strategies on achieving the Millennium Development Goals.

11. It was noted that the rule of law at the national and international levels helped to build trust between the State and its citizens, enabling investment and inclusive growth, promoting predictability and stability and combating corruption in all its forms and at all levels. Actions in areas such as poverty eradication, improving child and maternal health, developing inclusive education, empowering women and girls, creating jobs and decent work, and safe urban environments played an invaluable role in promoting and reinforcing the rule of law in all societies.

III. Criminal justice challenges to sustainable development

12. Respondents identified several criminal justice factors that acted as obstacles to sustainable development, both by preventing development from taking place and by impeding participation in the development process by disadvantaged groups, including women, youth, the elderly and minorities. The challenges identified by respondents are set forth below.

A. Organized crime and transnational organized crime

13. Respondents emphasized the impediments to sustainable development that were created by allowing organized criminal groups — whether at the national or transnational level — to operate with impunity. One respondent highlighted the lack of substantial progress in combating such groups, despite the existence of

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[6] World Bank, *World Development Report 2011: Conflict, Security and Development* (Washington, D.C., 2011), p. 2.
[7] A/64/228.

international and regional agreements and conventions. That lack of progress could be in part a result of new and emerging forms of transnational criminal activity, such as cybercrime and environmental crime. It was acknowledged that simply implementing existing agreements and conventions, although essential tools in combating organized crime, was not sufficient, given the complex nature of organized criminal activity. Beyond traditional organized criminal groups with a recognized and established hierarchy, an emerging threat had developed from a second category of organized criminal activity, which was characterized by a less strict hierarchical structure, involvement in different kinds of criminal activities and less stability. That threat included itinerant criminal groups that posed threats to law enforcement and the day-to-day safety and security of citizens. Organized crime was a global phenomenon that took full advantage of the opportunities offered by globalization and by the fragmentation of the international community's efforts to combat it. Respondents discussed in particular the extensive adverse effects of organized crime on the development, governance, security and economic growth of Member States. In addition, organized crime undermined service delivery institutions, including in the law enforcement, health and education sectors.

14.   It was noted that international trade, an ever-expanding global transport infrastructure and the rise of the Internet and mobile communications had engendered a more international and networked form of serious and organized crime. Although organized crime was widespread, fragile or conflict-affected States were especially vulnerable to it. Organized criminal groups often flourished in countries with weak institutions and legislation, poor accountability mechanisms, corruption, porous borders and limited service delivery for citizens.

15.   Reflecting on the links between organized crime and conflict, respondents called attention to the former's role as a potential obstacle to peace. Acknowledging that organized criminal activity was known to contribute to sustaining armed groups during conflict, the link between organized crime and the levels of violence in society was recognized, as was the fact that organized crime could originate in and perpetuate armed conflicts, causing a destabilizing effect on governance and human security, all of which deprived States of a sound basis for sustainable development. The identification of "conflict entrepreneurs" was highlighted in that context, wherein criminal enterprises took advantage of cross-border wars, armed conflicts or terrorism connections to conduct illicit business and engage in trafficking.

16.   It was noted that serious and organized crime had a significant negative impact on economic growth and related societal developments. Violence had often been employed as a business or political tactic, including by corrupt political officials who employed criminal organizations to exercise violence to achieve political objectives. The absence of violence could be a characteristic of highly organized criminal activity that involved the use of sporadic and intensive violence as a mechanism of control and suppression of opposition to the criminal organization, all of which impeded growth and sustainable development. Respondents observed that investment of criminal proceeds and trade in illicit commodities reduced the market share of legitimate actors and therefore affected State budgets through tax avoidance. Conversely, weak governance, instability and a lack of economic opportunities provided a breeding ground for organized criminal networks that lured individuals into crime and trapped countries into a vicious cycle of fragility and underdevelopment.

17. Respondents identified forms and manifestations of organized crime that posed a significant barrier to sustainable development. Drug trafficking and the abuse of narcotics and psychotropic substances were highlighted in that regard. Persons and groups who were already marginalized within society were far more likely than other groups to become victims of trafficking in persons. Respondents emphasized the threat to sustainable development posed by particular forms of emerging crime, most notably environmental crime, wildlife crime, cybercrime, trafficking in organs and trafficking in persons for the purpose of organ removal, and trafficking in cultural property and precious metals. In terms of cybercrime, the rapid development of new technologies and of means of committing crimes by using information technology was especially challenging.

B. Terrorism

18. Several respondents identified the serious challenges posed to sustainable development by terrorism and terrorist activities in all forms and manifestations. Violent conflict in general was also identified as one of the biggest challenges to stability in society and to creating conditions conducive to economic growth and the delivery of social services. In order to fully appreciate the scope of the challenge, it was important to address terrorist financing and how terrorist groups received both financial and material resources.

19. Respondents noted the risks of allowing hate speech to go unchecked, and that such conduct was often intended to aggravate societal discord or to provoke violence and violent responses. Emphasis was also placed on transitional justice and the reintegration of ex-combatants into society following a conflict. If such challenges were not met effectively, people could become marginalized from society and seek to join insurgent or terrorist groups and organizations.

C. Corruption

20. Respondents noted the particular challenges posed by corruption to social and economic development, as corruption diverted important resources away from development projects. So-called "petty" corruption disproportionately affected the most disadvantaged individuals and groups of society in accessing basic services. Corruption restricted the exercise of human rights and fundamental freedoms of millions of people on a daily basis, including through the abuse of authority by public officials.

21. One respondent emphasized political corruption and the corruption of public officials as a particularly serious threat to sustainable development. Corruption in the public procurement process was toxic to the achievement of sustainable development. Linking those two phenomena, it was noted that political actors might manipulate a porous or unregulated procurement process to achieve and sustain the loyalty of criminal accomplices or to mobilize criminal groups during periods of political transition or during an electoral cycle.

22. The links between corruption and organized crime were emphasized, and it was observed that, with vast resources at their disposal, organized criminal groups compromised the integrity of public officials through corruption, thereby deeply

undermining the legitimacy of the State and eroding its capacity and will to respond to the needs of its citizens. The reverse phenomenon was also present, in that public officials seeking to consolidate power sometimes reached out to organized criminal groups and engaged in corrupt activities to further their own political or financial interests.

23. It was noted that corruption distorted markets, inhibited fair competition, deterred honest business investment and diverted resources, including development assistance, from critical infrastructure development. The importance of the integrity of criminal justice institutions, particularly the judiciary and offices responsible for the administration of justice, was highlighted. Long-term investment and growth in the private sector and economic development were impossible to achieve without effective measures to balance the important pillars of judicial independence and judicial integrity, and to ensure that registrars, bailiffs and other judicial administration bodies operated free from corruption and bribery.

D. Marginalization of vulnerable groups

24. Respondents noted that the disempowerment or marginalization of particular groups in society resulted in unequal development or distribution of income, and could even lead to the derailment of the sustainable development process altogether. Various inequalities — based on economic, political or cultural status, or on gender or age, along with those related to security, justice, nationality and social services — had hampered sustainable development around the world and had fuelled protests and, in some cases, violence. Inequalities in income distribution and basic service delivery caused an increase in crime and the deterioration of criminal justice systems and had a negative effect on social variables, thereby hampering development programmes.

25. Persons most often marginalized or excluded from crime prevention and development measures included children in conflict with the law, victims of crime, women, persons with disabilities, the elderly, minorities and reformed offenders. Marginalization took a range of forms, from social conditions that exposed vulnerable groups to the risk of victimization to inadequate protection from criminal laws and justice institutions and, in extreme cases, to active oppression through the use of criminal offences and prosecutions. Victims of crime were often denied a participatory role in the criminal justice process or truth commissions in the aftermath of conflict and might be denied access to reparations or restitution. Several respondents highlighted the importance of including young people when formulating crime prevention and criminal justice policies and activities.

IV. Approaches to meeting criminal justice challenges to sustainable development

26. Respondents identified several approaches to addressing crime prevention and criminal justice challenges to sustainable development, which are summarized below. While not all recommendations related directly to the criminal justice institutions themselves, they were proposed as important components of any crime prevention and violence-reduction strategy.

A. Strengthening justice and security sector institutions

27. Respondents highlighted the need to ensure that the judiciary was an independent and impartial body operating with the highest standards of integrity and professionalism. The administration of justice involved the ability of the State to ensure the peaceful prevention and resolution of disputes, the prosecution and punishment of crimes and the provision of effective remedies for violations of rights. Strong criminal justice institutions that could resist corrupting pressures were essential for addressing organized crime and thus an important contributor to sustainable development.

28. The need to guarantee equal access to justice for all was noted by respondents, who emphasized the need for justice sector institutions to respond to crime with fairness and certainty in order to strengthen their credibility and reputation for transparency and objectivity among members of the public. Barriers to accessing justice should be addressed, including the absence of justice services owing to financial constraints and infrastructure gaps or damage; weak institutional capacity; the costs associated with accessing justice systems; lack of awareness, legal aid, assistance and information; lack of legal recognition; and the absence of confidence in judicial integrity and court procedures. Children faced specific barriers to accessing justice, which was especially critical in protecting them from violence, exploitation and recruitment into criminal enterprises. Access to justice and accountability could be enhanced by institutional reform that addressed efficiency and integrity and eliminated discrimination and bias. Access to justice also required enabling people to understand their rights and remedies and to have access to services that supported them in exercising those rights, including through legal aid and legal awareness and literacy.

29. Noting with concern that some criminal justice agencies and systems had high caseloads and a lack of resources, respondents highlighted the need to identify solutions to relieve the harmful effect that overburdened institutions had on security, development and the rule of law. In particular, small States and small island developing States needed to adopt and adapt technology that could be used in crime prevention, forensic sciences and criminal justice. Such technology would also facilitate data-sharing, would better link criminal justice agencies and, when used in a manner consistent with human rights standards, would have a positive effect on the rule of law, human security and people-centred development. Professionalism, integrity and transparency needed to be fostered in order to prevent corruption in criminal justice institutions. To increase the effectiveness of judicial systems and offer citizens adequate protection under the law, the overall capacity of the criminal justice sector needed to be strengthened, especially through the sharing of good practices and expertise between international and national courts, and at the regional level. Reference was made to partnerships with the United Nations crime prevention and criminal justice programme network as a way of sharing good practices and conducting training.

30. The criminal justice system needed to be addressed as a whole, including a focus on people-centred and community-oriented policing approaches. That included strengthening police institutions to ensure that they focused on service delivery and the development of a positive working relationship with other justice sector institutions as part of a comprehensive criminal justice strategy to achieve the

prevention and reduction of crime and violence. Such approaches would foster stronger public policy development at both the national and municipal levels to prevent crime and reduce violence, thereby strengthening the role and capacities of local government to implement crime prevention and violence-reduction strategies at the community level, in collaboration with criminal justice institutions.

31. Respondents highlighted the need to focus on the corrections sector and, in particular, the reintegration of offenders into society following a term of incarceration and the provision of adequate employment opportunities, potentially through public-private partnerships. That required a coordinated effort on the part of prison administration officials, probation officers, social and medical services, law enforcement agencies and the private sector. Such coordination was needed to ensure that employment and working conditions, housing, social networks and adequate health-care services were in place to allow a successful transition back into society and to prevent further crime and recidivism, especially among young adult offenders. Reintegration measures needed to be taken even while the offender was still incarcerated and should include medical and psychological services, social programmes and activities and vocational training. Exploring alternatives to incarceration, and community-based approaches to crime prevention were also proposed in order to promote new and innovative forms of custody and deinstitutionalization that would still allow for sentences to be served and justice to be done.

B. Achieving universal adherence to all relevant legal instruments

32. Respondents emphasized the importance of ratifying and implementing legal instruments and global normative policy frameworks relevant to crime prevention, armed violence reduction, small arms control, criminal justice, human rights and the protection of women and children. Legislation and policy at the national level related to citizen security, drug prevention, small arms control, human rights and combating trafficking in persons also needed to be strengthened, while taking into consideration the relevant environment, traditions and customs.

33. Respondents focused on the United Nations Convention against Transnational Organized Crime and its protocols and the United Nations Convention against Corruption. They welcomed the fact that both conventions were approaching universal participation and highlighted the important role of the Secretary-General, through the Treaty Section of the Office of Legal Affairs of the Secretariat, in facilitating the participation of all States in multilateral treaties addressing criminal justice and development issues. They also emphasized opportunities for even stronger engagement with Member States through joint outreach activities by the Office of Legal Affairs and UNODC, such as training seminars and the development of guidance materials and online platforms, in order to assist Governments to engage more effectively in the multilateral treaty framework.

34. Respondents called for the further development of mechanisms to review the implementation of conventions and protocols and to improve the efficiency and effectiveness of their provisions at the operational level. One respondent called for increased focus to be placed on the establishment of a review mechanism for the

Organized Crime Convention over the next five years as a priority of the criminal justice agenda at the national and international levels.

C. Enhancing participation of non-governmental organizations and civil society

35. Respondents highlighted the importance of ensuring the full and fair participation of non-governmental organizations and civil society in measures to enhance crime and violence prevention and reduction and criminal justice. To be sustainable, growth had to be inclusive and accompanied by social justice, equality and respect for human rights and the environment. The post-2015 agenda should be aimed at considering, empowering and integrating the voices and expectations of children in conflict with the law, victims of crime, women, persons with disabilities, the elderly, minorities, reformed offenders and other vulnerable groups throughout the criminal justice process. Such participation was also noted in the context of restorative justice practices in order to deliver people-centred solutions to conflict, as well as to enhance and complement the formal criminal justice process. Such empowerment would serve to ensure that justice was inclusive and equitable, while facilitating security and development.

36. Social participation, including in the promotion of development and the fight against poverty and social inequality, and public social policies in areas such as education and health were identified as indispensable to crime prevention and the strengthening of security and the rule of law. It was noted that society's full and effective participation in the discussion and implementation of development policies should be ensured, with a view to guaranteeing the equitable distribution of their benefits. Effective social participation included the development of institutional channels of participation, including access to public and official information, as an instrumental part of the process to formulate and implement laws, policies and measures aimed at guaranteeing respect for human rights. It also included participation in the public administration process, particularly in economic, social and environmental development policymaking and planning at the national and local levels. Decentralization and the more effective harnessing of regional and local government capacity was a key part of any crime prevention strategy.

37. Respondents noted the importance of public participation not only in the development of crime prevention strategies and approaches, but also in the monitoring of how effectively such strategies were being implemented. Public participation was identified as being particularly important when designing participatory monitoring mechanisms to assess the effectiveness of socially relevant policies, such as those aimed at curbing corruption, violent crime, trafficking in drugs and trafficking in persons. Citizen engagement at many levels was important for the accountability of government activities and led to more transparent and responsive institutions and improved development outcomes.

38. The media played an important role in enhancing public participation, accountability and oversight of measures taken to develop and implement policies and strategies aimed at enhancing sustainable development. Media organizations and institutions were responsible for ensuring objectivity in their collection and dissemination of information to the public, civil society and other stakeholders.

Critical components of responsible reporting and a professional media included freedom from corruption and political influence.

D. Emphasizing children and young people

39. Special emphasis was placed by respondents on the participation of young people in measures to enhance criminal prevention and criminal justice, as greater social development for young people was key to disrupting patterns of violence and crime. Justice and security sector institutions needed to be responsive and accountable to the specific needs of children and young people. School and university curricula needed to be updated and modernized in line with societal changes and developments to reinforce positive ideas and societal values for future generations and to protect vulnerable groups, such as orphans or children of unstable families.

40. Adequate opportunities for decent employment needed to be available to young people. Programmes to develop a cadre of youth leaders through community-based recreational, cultural and sports centres were highlighted as providing opportunities to engage young people in society. Such programmes could better bridge the gap between Government and civil society organizations, foster better relationships and more open dialogue, make people more aware of their rights and responsibilities under the law and ensure that public policies on crime and violence prevention and reduction were developed through inclusive processes.

41. Respondents emphasized the importance of exploring mechanisms to prevent and reduce crimes committed by young people by diverting those who had committed minor offences away from the formal criminal justice system to avoid the stigma and heavy-handedness of the formal adjudication and sentencing process, which could lead to higher rates of recidivism among young offenders. It was noted that proper and early interventions in the lives of young offenders might prevent them from becoming first-time offenders and reduce the numbers of those incited to commit acts of violence or terrorism in the future. Effective preventive measures that promoted the education and social needs of young people at the national level would reduce their association with violent crime and ensure their active social and political participation. Such measures would help to develop a culture of lawfulness that empowered individuals and strengthened the rule of law from the ground up, forming a strong basis for sustainable development.

E. Promoting gender equality

42. The promotion of gender equality and the advancement of women were identified as core components of a comprehensive strategy on crime prevention and criminal justice. That included paying particular attention to the gender dimension in the protection of victims of crime, the treatment of female prisoners and access to justice, as well as to the advancement of women in security and justice institutions, including in decision-making and leadership positions. The empowerment of women and girls was identified as invaluable in promoting and reinforcing the rule of law in all societies.

43. Respondents emphasized that gender equality, in law and in practice, was an objective in itself, and that women's empowerment, gender equality and gender mainstreaming in public, political, economic and social life were strongly associated with good governance, the rule of law and peace. Gender equality education and employment made a marked contribution to human development and economic growth, and women's leadership and participation in decision-making processes contributed to inclusive, transparent and democratic governance, as well as to conflict resolution.

44. A feature of gender-based inequality was a failure to recognize or enable women's roles in conflict resolution and as agents of change in building peaceful and democratic societies. Post-conflict recovery efforts were particularly likely to perpetuate or exacerbate patterns of discrimination, leading to a failure to fully realize the social, democratic and peace benefits of investing in women's and girls' education, health and employment. High levels of violence against women were particularly prevalent in conflict-prone situations, and sexual violence had been recognized as a tactic of warfare. Therefore, women's participation in violence reduction, conflict prevention and peacebuilding was essential to promoting the full enjoyment of all human rights and fundamental freedoms by women and girls, whether during times of peace or times of armed conflict.

45. Respondents pointed out the importance of ensuring the existence of mechanisms and procedures to protect victims and witnesses in the criminal justice process, in truth commissions and in other transitional justice processes, with a view to promoting the participation of women and traditionally excluded groups. Women and girls often faced discriminatory legislation and gender biases in the prosecution of gender-based violence because of gender-discriminatory laws and gender-blind procedures for registering cases, providing testimony and administering reparations. Respondents called on States to renew efforts to jointly forge measures to effectively prevent and combat violence against women.

F. Fostering international cooperation

46. Respondents emphasized the importance of strengthening regional and international cooperation in crime prevention and criminal justice matters, including in conducting joint actions and operations in the fight against crime. They suggested that conventions and agreements be completed at the regional level to enhance cooperation and share information more rapidly. International networking between criminal justice officials and organizations, including field visits, might contribute to relieving strained relationships between nations, given the political neutrality and independence of criminal justice organizations. Because globalization, through increased mobility across borders and rapid movement of funds, had also benefited criminal groups operating transnationally, it was imperative for the international community to improve the effectiveness of international cooperation, both to bring offenders to justice and to enable the recovery of proceeds of crime.

47. International cooperation and government partnerships were also highlighted in terms of using the Organized Crime Convention and the Convention against Corruption as platforms for sharing information and engaging in joint investigations and operations, and in terms of ensuring that the conventions were applied when

needed. Respondents emphasized the need to enhance the effectiveness of international cooperation through applying provisions of the Organized Crime Convention and the Convention against Corruption, along with bilateral, multilateral or regional treaties and applicable memorandums of understanding, to provide assistance to the maximum extent possible.

48. In addition, respondents suggested that more consideration be given to organizing regular intergovernmental meetings on international cooperation against transnational organized crime. The need for a pragmatic and "expert-oriented" approach was raised, involving partners such as the International Criminal Police Organization (INTERPOL), the European Police Office (Europol), Eurojust and other regional networks, to emphasize the ongoing challenges and the best practices that could be modified and adopted at the national level. More could be done to overcome barriers between development and security actors by adopting a "crime-sensitive approach" that would scrutinize the impact of development operations on crime dynamics. At the regional and international levels, that could be accomplished by, for example, the mapping of trafficking routes and the actors involved in illicit activities, with the assistance of regional and international law enforcement networks.

G. Eradicating poverty and addressing inequality

49. Respondents highlighted poverty eradication as a priority of sustainable development efforts. It was a central axis of the post-2015 agenda and critical to violence reduction, crime prevention and criminal justice. The focus on poverty eradication was highlighted with a view to promoting a balanced and integrated approach between the economic, social and environmental dimensions of sustainable development. States should promote effective policies to ensure the physical safety of their people while addressing the various causes of insecurity, including economic and social exclusion. Sustainable development goals must be comprehensive and universally applicable, taking into account different national contexts, social dynamics, capacities and levels of development and respecting national policies and priorities. Both inequalities within countries and the deep inequalities still found between countries must be addressed.

50. Respondents suggested that human security should be one of the guiding principles for the post-2015 development agenda. They highlighted the connections among poverty, violence, environmental issues and social exclusion, as well as human development and prosperity, at the personal, social, national and international levels.[8] Such an approach would place an emphasis on strategies to promote protection and empowerment of the individual in three categories of freedom: (a) freedom from fear (based on preventing conflict, violence and crime); (b) freedom from want (placing emphasis on combating poverty, infectious diseases and environmental problems); and (c) freedom from indignity (focusing on human rights principles, including ending discrimination, inequality and exclusion). It was important to address issues related to migration in order to strengthen the security of

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[8] For further background information on approaches to human security, see the report of the Secretary-General entitled "Follow-up to General Assembly resolution 66/290 on human security" (A/68/685).

citizens living in economic conditions that could lead them to migrate. Increased security would reduce the potential for their exploitation by migrant smugglers.

51. Efforts to eradicate poverty and reduce inequalities in society required the engagement of not only central and local governments, but also civil society, the private sector, community and religious organizations and families. Prevention of crime was an important factor in strategies to address and reduce social inequality, hunger and poverty, especially in the most vulnerable groups. Criminal justice systems should incorporate public policies geared towards greater coordination and cooperation with other State institutions dedicated to addressing social and economic challenges. In fragile and post-conflict countries, law enforcement efforts alone were not sufficient and needed to be accompanied by long-term development efforts to address the social and economic factors that allowed crime to thrive.

V. Conclusions and recommendations: contribution that the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice could make to the discussions on the post-2015 development agenda

52. Respondents provided a range of suggestions as to how the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice could contribute to the discussions on the post-2015 development agenda, while respecting the process established by the General Assembly. Those suggestions and ideas are not based on seeking to create a separate platform for debating the issues under discussion in other forums concerning goals and targets to be included in the post-2015 development agenda, but rather are intended to provide meaningful input to the topics under consideration in those discussions, particularly in the context of crime prevention and criminal justice, and the associated agenda items of the Congress. A summary of the suggestions provided is set forth below.

A. Provide concrete recommendations to strengthen crime prevention and criminal justice measures

53. The Congress is a unique forum for Member States and civil society, including non-governmental organizations, academics and expert practitioners, to share experience, trends and research in the area of crime prevention and criminal justice. It also provides a unique opportunity for Member States to discuss international standards and norms in crime prevention and criminal justice. Substantive and institutional linkages between sustainable development and respect for human rights, fundamental freedoms and the rule of law should be reiterated and recognized in the declaration of the Congress. It should also be recognized in the declaration that the rule of law is both an enabler and an outcome of sustainable development. The vast policy interrelationships between peace and security and other dimensions of development could be placed at the forefront of the discussions at the Congress. The Congress could provide a forum for discussions on how sustainable development, in its economic, social and environmental dimensions, might positively impact the rule of law worldwide.

54. The main theme and the agenda items of the Congress will allow Member States and other Congress participants the opportunity, in their statements during the plenary, workshops and other meetings, to highlight examples of the intersection between crime prevention and criminal justice and the rule of law and sustainable development. The Congress will also provide a useful opportunity for Member States to discuss crime prevention and criminal justice in a holistic manner, which could lead to the drafting of thematic "think pieces" (texts consisting chiefly of background material and personal opinion and analysis) that could contribute to the discussions on the post-2015 development agenda and follow-up to the United Nations Conference on Sustainable Development. The timing of the Congress could allow participants to reflect on how to transform the post-2015 development goals into reality.

55. One specific suggestion was that the Commission on Crime Prevention and Criminal Justice could request that the report from the Congress be made available to the General Assembly to inform the current deliberative process on the post-2015 development agenda. Another suggestion was that the declaration of the Congress include practice-oriented recommendations of an operational nature, with a pledge to ensure proper follow-up to the declaration after the Congress, to further its impact on future policies of Member States in the respective thematic areas and fields of action, as set forth in the agenda of the Congress.

56. The Congress will provide an opportunity for showcasing the contributions of civil society to establishing and maintaining the rule of law. The role of young people and the importance of education in developing a global culture of lawfulness were emphasized by respondents. Participants in the Youth Forum, to be held prior to the Congress, would produce recommendations for measures to enhance and foster long-term sustainable development. The civil society-organized ancillary meetings of the Congress could also include a focus on the post-2015 development agenda. The outputs from those meetings could thereafter be made available to Member States through an existing web portal or become conference room papers of the Congress and could be used during the deliberative process on the post-2015 development agenda.

B. Share best practices and experiences in crime prevention and criminal justice

57. The Congress represents great value because of the interplay among its participants, who have a variety of experiences and perspectives. It provides a unique opportunity to examine good practices and successful strategies and policies, as well as problems encountered with regard to the impact of responses to national and transnational crime on the rule of law at the national, regional and international levels. Experiences and best practices in areas such as the prevention and reduction of corruption, trafficking in persons, armed violence and organized crime, and other criminal justice priorities, as well as their effects on sustainable development, could be shared under the appropriate agenda items of the Congress.

58. In the context of discussions on successes and challenges in implementing comprehensive crime prevention and criminal justice policies and strategies to promote the rule of law, concrete goals and targets could be identified on how to

realize inclusive and sustainable social and economic development. Such targets would need to be flexible in order to be relevant for all Member States, rather than being based on a "one-size-fits-all" approach.

C. Discuss effective mechanisms and methodologies for the measurement and evaluation of rule of law targets

59. Questions regarding the measurability of targets related to the rule of law, crime prevention and criminal justice could be discussed further during relevant agenda items. In particular, it could be discussed at the Congress how the building blocks of the rule of law are presently being measured at the national and international levels, and how existing indicators could be utilized to measure the implementation of the post-2015 development agenda, with a view to making use of synergies and reducing countries' reporting burden. Special emphasis should be placed on ensuring that measurements focus on the concrete impact made by measures taken and strategies implemented.

60. Such standards and indicators could be discussed in terms of how well they evaluate the effectiveness of criminal justice systems, leading to the identification of concrete legislative and administrative measures that could be referred to the Commission on Crime Prevention and Criminal Justice for endorsement. Crime and violence are multidimensional and the measurement and evaluation of rule of law targets should be based on data that are feasible, easy to understand, easy to measure and available in all countries.

D. Identify priorities in crime prevention and criminal justice

61. The Congress could place a spotlight on a number of criminal justice priorities and emerging challenges that will require special attention in the short term. In particular, States are, in many cases, poorly prepared to prevent or detect cybercrime and crimes using information technology. Corruption in all its forms is a priority in both prevention and prosecution, and there is a need for additional training, expertise and international cooperation. The enhancement of the criminal justice systems of developing countries and countries with economies in transition needed to be supported through the provision of technical assistance and capacity-building for national criminal justice officials involved in investigations into and adjudication of corruption cases. UNODC has a role in furthering crime prevention and criminal justice through its core mandates, particularly in the provision of technical assistance, research and expertise. In addition, the Global Focal Point for the Police, Justice and Corrections is an initiative to improve the coherence and quality of United Nations support to the rule of law and development and to ensure "delivery as one".

62. Combating transnational organized crime and implementing the Organized Crime Convention were noted by respondents as being continuing priorities. Other priorities identified were international cooperation in the sharing of information, the conduct of joint operations and investigations, extradition and legal assistance in criminal cases and the return of property obtained by criminal means. In the light of the special session of the General Assembly on the world drug problem to be held

in 2016, the consolidation of the efforts of the international community to combat the illicit proliferation of opiates and cocaine, strengthen the existing international legal regime in the field of drug control and support the implementation of alternative development programmes and measures to promote the decrease of drug demand through the rehabilitation and resocialization of drug users could be discussed.

63.   During discussions on transnational organized crime, emphasis could be placed on new and emerging forms of transnational crime, including environmental crime, trafficking in cultural property, trafficking in wildlife, trafficking in organs and trafficking in persons for the purpose of organ removal, trafficking in precious metals and illegal mining and trafficking in protected species of wild flora and fauna. One respondent called for the development of a binding international instrument on trafficking in protected species of wild flora and fauna.

64.   Gender equality and violence against women have been identified as priority areas for the Congress, and those issues should be considered integral to any crime prevention and criminal justice strategy at the national and international levels. The declaration of the Congress could include the need to empower vulnerable and at-risk women and contain a call for the full implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules)[9] and the enhancement of gender-specific treatment for women offenders, including improved medical services and the promotion of non-custodial measures.

65.   Discussions during the Congress could focus on tangible goals related to employment and ensuring opportunity for all, in the context of the agenda item pertaining to the prevention of new and emerging forms of transnational crime. The outcome of those discussions could then contribute to a thematic "think piece" on sustainable urbanization by providing inputs on issues such as trafficking in persons, smuggling of migrants and trafficking in firearms. The Congress declaration could contain a reference to inequalities in income distribution, which causes an increase in crime and the deterioration of criminal justice systems. Discussions on that matter could contribute to the governance-related matters under discussion with regard to the post-2015 development agenda.

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[9] General Assembly resolution 65/229, annex.

Annex

List of respondents

Algeria, Angola, Argentina, Australia, Austria, Bahrain, Belarus, Brazil, Canada, China, Costa Rica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, Guatemala, Indonesia, Iraq, Japan, Jordan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Mongolia, Morocco, Namibia, Nigeria, Oman, Pakistan, Panama, Qatar, Romania, Russian Federation, Saudi Arabia, Slovenia, South Africa, Spain, Sudan, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, United States of America, Uruguay.

Department of Peacekeeping Operations of the Secretariat, Department of Political Affairs of the Secretariat, International Criminal Tribunal for Rwanda, Office of Legal Affairs of the Secretariat, United Nations Commission on International Trade Law, United Nations Development Programme, United Nations Office on Drugs and Crime, United Nations Peacebuilding Support Office.

Commonwealth of Independent States, Council of Arab Interior Ministers, European Police Office, International Anti-Corruption Academy, International Criminal Police Organization (INTERPOL), Organization of American States.

European Institute for Crime Prevention and Control, affiliated with the United Nations, Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, Latin American Institute for the Prevention of Crime and the Treatment of Offenders.

National Council of German Women's Organizations.

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