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Follow-up to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fifteenth United Nations Congress on Crime Prevention and Criminal Justice

Discussion guide for the Fifteenth United Nations Congress on Crime Prevention and Criminal Justice

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I. Introduction

1. The present discussion guide has been prepared pursuant to General Assembly resolution 78/223 of 19 December 2023, in which the Secretary-General was requested, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, to prepare a discussion guide for the regional preparatory meetings and for the Fifteenth United Nations Congress on Crime Prevention and Criminal Justice in a timely manner in order to enable those meetings to be held as early as possible in 2025.

2. In its resolution 78/223, the General Assembly decided that the main theme of the Fifteenth Congress would be “Accelerating crime prevention, criminal justice and the rule of law: protecting people and planet and achieving the 2030 Agenda for Sustainable Development in the digital age”.

3. In the same resolution, the Assembly approved the following provisional agenda for the Fifteenth Congress, finalized by the Commission on Crime Prevention and Criminal Justice at its thirty-second session:

1. Opening of the Congress.
2. Organizational matters.
3. Advancing innovative and evidence-based crime prevention strategies towards social, economic and environmental development.
4. Promoting people-centred, inclusive and responsive criminal justice systems in a world of continuous change.
5. Addressing and countering crime – including organized crime and terrorism in all its forms and manifestations – in new, emerging and evolving forms.
6. Working better together to elevate cooperation and partnerships, including technical and material assistance and training, at the national, regional and international levels, in crime prevention and criminal justice.
7. Adoption of the report of the Congress.

4. The Assembly also decided that the following issues should be considered in workshops within the framework of the Fifteenth Congress:

- (a) Building resilient societies, with a focus on protecting women, children and youth: fostering engagement, education and the culture of lawfulness;
- (b) Ensuring equal access to justice for all: towards safe and secure societies while respecting the rule of law;
- (c) Getting ahead: strengthening data collection and analysis to better protect people and planet in times of new, emerging and evolving forms of crime;
- (d) Turning the digital age into an opportunity: promoting the responsible use of technologies in crime prevention and criminal justice.

5. In its resolution 78/223, the General Assembly decided that, in accordance with its resolution 56/119, the Fifteenth Congress should include a high-level segment in which States would be invited to be represented at the highest possible level, for example, by Heads of State or Government, government ministers or attorneys general, and that representatives would be given an opportunity to make statements on the topics of the Congress.

6. The Assembly also decided that, in accordance with its resolution 56/119, the Fifteenth Congress should adopt a single declaration, to be submitted to the Commission for its consideration, and that the Commission would give due consideration to the report of the Fifteenth Congress.

7. Also in its resolution 78/223, the General Assembly urged participants in the regional preparatory meetings to examine the substantive items on the agenda and the topics of the workshops of the Fifteenth Congress and to make action-oriented recommendations for consideration by the Congress.

8. In that context, it should be recalled that, pursuant to resolution 46/152, the United Nations congresses on crime prevention and criminal justice, as a consultative body of the United Nations crime prevention and criminal justice programme, are to provide a forum for:

(a) The exchange of views between States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines;

(b) The exchange of experiences in research, law and policy development;

(c) The identification of emerging trends and issues in crime prevention and criminal justice;

(d) The provision of advice and comments to the Commission on selected matters submitted to it by the Commission;

(e) The submission of suggestions, for the consideration of the Commission, regarding possible subjects for the programme of work.

9. The present discussion guide, which outlines the overall theme, as well as the substantive items included in the provisional agenda, has been prepared with a view to stimulating discussion of issues of major concern and identifying the main policy elements for consideration and action by the Fifteenth Congress. It will also facilitate substantive discussion of the topics to be covered by the workshops to be conducted within the framework of the Congress.

II. Substantive focus of the main theme of the Fifteenth Congress on Crime Prevention and Criminal Justice “Accelerating crime prevention, criminal justice and the rule of law: protecting people and planet and achieving the 2030 Agenda for Sustainable Development in the digital age”

10. Effective crime prevention and criminal justice faces constantly evolving threats, in particular in the context of broader global developments. With its forward-looking overall theme, the Fifteenth Congress is in a unique position to trigger further policy debate on advancing crime prevention and criminal justice against the backdrop of the wider international agenda.

11. The interdependent impacts of biodiversity loss, pollution and climate change on society necessitate strengthened research on the climate-crime nexus, as well as the integration of criminal justice responses as part of a holistic approach to the triple planetary crisis.

12. As a catalyst for wider progress, digital technologies – when used responsibly – have the potential to help make the world more peaceful and more just. Technologies can, however, also threaten privacy, erode security and fuel inequality. It is therefore essential for criminal justice systems to be prepared to address the impact of the rapid proliferation of new and advanced technologies.

13. The following paragraphs provide a contextual lens by offering some general thoughts on accelerating progress in the areas of crime prevention, criminal justice and the rule of law while addressing the impacts of climate change and digitalization on society – towards the achievement of the 2030 Agenda for Sustainable Development. They are meant to be considered in conjunction with the more specific

elements contained in chapter III of this guide under the respective agenda items and workshop topics.

A. Accelerating crime prevention, criminal justice and the rule of law

14. Crime prevention and criminal justice are vital for peaceful, just and inclusive societies. Effective crime prevention strategies and well-functioning criminal justice institutions are at the heart of advancing the rule of law and human rights and serve as a prerequisite for the effective and sustainable fight against crime, including organized crime, corruption and terrorism. However, as stated by the Secretary-General in his *New Vision for the Rule of Law*, the world is “experiencing a global decline in respect for the rule of law, exacerbated by escalating conflicts and weakening national institutions”.¹ Social and economic vulnerabilities as well as weak rule of law continue to create opportunities for criminal activities.

15. In this context, strengthening crime prevention responses is only possible through a comprehensive approach that takes into account the multiple factors that contribute to crime, based on the understanding that crime prevention is an integral element of the broader socioeconomic agenda.

16. A holistic approach is also required to advance criminal justice efforts. In line with the commitments identified in the *Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development*, which was adopted at the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, held in 2021,² a well-functioning criminal justice system safeguards the rights of victims and offenders, protects witnesses and reporting persons, ensures equal access to justice for all through effective legal aid, an independent judiciary and well-functioning courts, improves prison conditions, reduces reoffending through rehabilitation and reintegration, and improves criminal investigation processes.

17. Strengthening crime prevention and criminal justice responses can only be achieved by ensuring equal access to justice for all, in particular by respecting and protecting the rights of women and children, and adopting measures to increase access to justice for youth, minorities and groups in vulnerable situations. Equally important is improving the integrity, accountability and oversight of institutions in order to strengthen community trust in criminal justice institutions.

B. Achieving the 2030 Agenda for Sustainable Development through crime prevention and criminal justice efforts

18. At the Sustainable Development Goal Summit convened under the auspices of the General Assembly in September 2023, Member States reaffirmed the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights, on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions.

19. In the *Kyoto Declaration*, Member States recognized that sustainable development and the rule of law are interlinked and mutually reinforcing, that crime is an impediment to sustainable development and that achieving sustainable development is an enabling factor for States to effectively prevent and combat crime.

20. Effective criminal justice systems may contribute to socioeconomic development by reducing violence, improving social cohesion and creating avenues

¹ *New Vision of the Secretary-General for the Rule of Law* (2023), p. 1. Available online at www.un.org/ruleoflaw/wp-content/uploads/2023/07/New-Vision-of-the-Secretary-General-for-the-Rule-of-Law.pdf.

² *Kyoto Declaration*: www.unodc.org/documents/commissions/Congress/21-02815_Kyoto_Declaration_ebook_rev_cover.pdf.

for redress when rights are violated. Development, in turn, can advance crime prevention by reducing inequality and thus risk factors and root causes of crime through social development programmes. Investing in effective criminal justice institutions within development programmes has a positive impact on advancing justice reform.

21. Further recognition of the interlinkages between crime prevention and criminal justice and the 2030 Agenda for Sustainable Development requires a comprehensive approach that not only enhances safety and security but also promotes equitable economic growth, social cohesion and the rule of law. Renewed efforts are needed to ensure that sustainable development, fortified by a resilient and just framework, ultimately contributes to the holistic well-being of societies on a global scale. It is therefore key that the 2030 Agenda is duly integrated in national and international crime prevention and criminal justice responses.

C. Protecting people and the planet in the framework of crime prevention and criminal justice

22. With the triple planetary crisis taking its toll on countries, communities and individuals, it is imperative to carefully review the impact of this crisis on crime and vice versa.

23. Climate change is increasingly viewed as a possible driver of crime and vulnerabilities, owing to its adverse impacts on social control, food security and large displacement of populations, and its potential to foment conflict and to create opportunities for crime. In this context, crime prevention strategies should take into account the impact of climate change on socioeconomic development as well as on evolving crime trends.

24. Criminal justice systems also need to be prepared for the effects of climate change, both in terms of the direct impact on infrastructure and the impact on criminal behaviour as new crimes emerge.

25. Research shows that climate change will disproportionately affect those who are already in the most vulnerable positions,³ such as children, youth, women and Indigenous Peoples, creating additional risks for and threats to these populations. Enhancing access to justice in the context of climate change entails the protection of the rights of those most vulnerable to the effects of climate change, as well as ensuring access to justice for environmental defenders.

26. Conversely, different forms of crime can have detrimental consequences on people and planet. Illicit drug economies, with their monocultures and the disposal of dangerous chemicals, are accelerating environmental devastation. The illegal exploitation of natural resources also has negative socioeconomic consequences, threatening the livelihoods of people across multiple sectors. For example, illegal logging is a major contributor to deforestation, habitat destruction and declining biodiversity, since it is unregulated and fails to respect environmental norms. It also increases the risk of floods and landslides, as well as the erosion of coastal zones. Crimes in the minerals sector undermine socioeconomic development and have serious impacts on ecosystem health, livelihoods, rule of law and human rights. Pollution crimes, including the illegal dumping of and trade in wastes, result in the global contamination of air, land and water systems (including water tables and river systems) and threaten local ecosystems, affecting animals and plants, in addition to human health.

27. Generally, crimes that affect the environment can affect the realization of economic, social and cultural rights, such as the right to an adequate standard of living (article 11 of the International Covenant on Economic, Social and Cultural Rights)

³ Report of the Intergovernmental Panel on Climate Change “Climate Change: Impacts, Adaptation and Vulnerability”.

and the right to safe and clean drinking water and sanitation, which was recognized by the General Assembly in its resolution 64/292 of 28 July 2010 as a human right that is essential for the full enjoyment of life and all human rights.

28. In summary, it is vital that the protection of people and planet be a priority component of crime prevention and criminal justice policies and action. It is important to improve and enhance the collection, quality, availability and analysis of data on the impacts of different forms of crimes – including those that relate to biodiversity loss and pollution – on people and planet, as well as to further explore the links between climate change, crime and violence. At the same time, the justice system needs to anticipate and evaluate how climate change will affect criminality and address emerging needs related to access to justice, while criminal justice decision-making should duly reflect climate change implications of crimes committed, including in terms of considering climate change implications as aggravating circumstances during sentencing.

Strengthening crime prevention and criminal justice in the digital age

29. The evolution of digital technologies has led to an increase in and diversification of forms of technology-enabled and technology-dependent crimes, including technology-facilitated gender-based violence and violence against children. There are a range of challenges associated with the identification, disruption and prosecution of these crimes, as law enforcement and criminal justice institutions strive to keep pace with evolving technologies and patterns of offending. This, in turn, creates challenges in ensuring public safety and delivering equal access to justice for victims.

30. Technology is increasingly used in the criminal justice sector, both in the identification and prosecution of crime, as well as in the delivery of legal services and access to legal information and legal aid services. Used responsibly, technology has the potential to enhance equal access to justice for all (for instance, through the ability to reach populations in remote areas of countries), and to promote efficiency, transparency and accountability within the criminal justice system.

31. Digital technologies provide new opportunities to strengthen law enforcement efforts, enhance victim support systems and fortify overall crime prevention strategies. Harnessing the positive potential of technological innovations is imperative for gaining a comprehensive understanding of criminal methodologies. Not only does it ensure the efficacy of investigations and judicial processes, but it also bolsters capability to respond to rapidly evolving criminal tactics.

32. Harnessing the potential offered by digital technologies in a responsible manner is of paramount importance to forestall negative consequences and uphold human rights and the due process of law, particularly the right to privacy, contributing to a culture of transparency and accountability.

III. Agenda items and workshops of the Fifteenth United Nations Congress on Crime Prevention and Criminal Justice

33. In its resolution 77/231, the General Assembly recommended that, building on the experience and the success of the Fourteenth Congress, all efforts be made to ensure that the overall theme and the agenda items and workshop topics be interrelated and that the agenda items and workshop topics be streamlined. In view of that and in order to facilitate the preparation for and discussion at the regional preparatory meetings and the Fifteenth Congress itself, the discussion guide clusters the agenda items together with their respective workshop topics, on the understanding that the latter are designed to cover more specific topics and draw on practical experiences and approaches.

Substantive item 1. Advancing innovative and evidence-based crime prevention strategies towards social, economic and environmental development

A. Background

34. Crime prevention is an integral part of building safer and more sustainable societies, as reflected in the Kyoto Declaration and the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals. These frameworks, combined with the United Nations standards and norms on crime prevention, underscore the importance of proactive measures to reduce crime and violence and enhance community well-being.

35. The Kyoto Declaration calls for addressing the root causes of crime through evidence-based strategies that take into consideration the needs of women, children and youth. It also calls for integrating a gender perspective to prevent all forms of gender-related violence, crime and victimization. The Sustainable Development Goals, particularly those promoting gender equality and the empowerment and safety of women and girls (Goal 5), inclusive and safe cities (Goal 11), and peace, justice and strong institutions (Goal 16), offer linkages between crime prevention and development objectives. As the presence of organized crime, income inequality and poor governance and infrastructure in rapidly urbanizing areas lead to higher crime rates, innovation in crime prevention in cities is key, especially considering that approximately 1.1 billion people currently live in slum-like conditions, with 2 billion more expected to do so in the next 30 years.⁴

36. Progress on more than 50 per cent of the Sustainable Development Goal targets has been insufficient and on many, the situation has stalled or gone into reverse. Insufficient progress has been made on eliminating intimate partner violence. Moreover, in 2021 the world saw the highest number of homicides in the past two decades, partly as a result of the economic repercussions of restrictions relating to the coronavirus disease (COVID-19) pandemic, and of the escalation in gang-related and sociopolitical violence in several countries.⁵ Around half of those victims were killed with a firearm.⁶ Against this background, A New Agenda for Peace stresses that without a reduction in conflict, violence and the spread of weapons, the 2030 Sustainable Development Agenda will remain out of reach for a large percentage of humanity.⁷ It is clear that evidence-based crime and violence prevention needs to be prioritized, as it is cost-effective, will lower the burden on the criminal justice system, reduces prison overcrowding and contributes to sustainable development and social justice.

B. Main issues/substantive focus

1. Evidence-based and innovative strategies

37. Crime prevention has evolved significantly, driven by a growing understanding of evidence-based, innovative strategies and programmes that demonstrate impact by addressing vulnerabilities such as social and economic inequality, a lack of education, mental health disorders, abuse and substance use. Crime prevention

⁴ United Nations, The Sustainable Development Goals Report. Special Edition (United Nations, 2023). Available at <https://unstats.un.org/sdgs/report/2023/The-Sustainable-Development-Goals-Report-2023.pdf>.

⁵ Ibid.

⁶ UNODC, *Global Study on Homicide 2023*. Available at www.unodc.org/documents/data-and-analysis/gsh/2023/Global_study_on_homicide_2023_web.pdf.

⁷ United Nations, A New Agenda for Peace. *Our Common Agenda Policy Brief 9* (United Nations, 2023).

includes problem-oriented policing and focused deterrence, as well as programmes that target young, disadvantaged individuals through social crime prevention, such as outreach activities and mentoring by social workers, life skills training, family skills training and educational support for disadvantaged youth. For those already in conflict with the law, appropriate evidence-based practices, including the offering of family therapy and other therapeutic and social support, help to prevent reoffending. Furthermore, access to voluntary, evidence-based drug treatment and the provision of treatment as an alternative to conviction or punishment for people with drug use disorders in contact with the criminal justice system for minor offences has been found to be effective in reducing crime and reoffending rates and can be part of an evidence-based crime prevention strategy.

2. Capturing and analysing data on crime and its root causes

38. It is crucial to gather and analyse quantitative and qualitative data on crime and its root causes to prevent crime effectively. Tracking variations in reported crimes is important, also through victimization surveys, including specialized surveys on intimate partner violence and trafficking in persons or surveys at schools to gather information on unreported crimes. Hospital data on intentional injuries can also help to build a picture of injuries related to crime. Digitalization offers the potential for cost-effective analysis of trends over time, provided that data protection and human rights safeguards are upheld. The International Classification of Crime for Statistical Purposes (ICCS) offers a framework of internationally agreed crime definitions. Strengthening the capacity of national authorities in setting standards for data gathering on the basis of ICCS remains a key action for enhancing the collection of statistical data on criminal offences and strengthening policies for prevention.⁸

3. Reaching out to those at risk

39. Innovations in crime prevention also involve reaching out to specific groups who are at higher risk of becoming involved in criminal activities or of becoming victims through, for instance, programmes that aim to empower individuals and address behaviours associated with trauma. Examples include initiatives that support men in understanding trauma, substance misuse or violence. The delivery of gender-responsive health-care, police, justice and psychosocial services when responding to violence against women and girls remains crucial. Victim-centred and trauma-informed institutions that provide victims with support, assistance and protection may also increase the reporting of crime, leading to reduced impunity. In this context, consideration needs to be given to how climate extremes may further increase people's vulnerability to crime and violence in the future.

40. As young people are more likely to get involved in crime compared with those in other age groups, strengthening the resilience of young people is essential. By investing in youth development and providing opportunities for education, employment and civic participation, societies can enhance the meaningful participation of young people and break the cycle of crime and violence.⁹

4. Community cooperation and engagement

41. Building strong partnerships between law enforcement agencies, citizens and local communities is essential for prevention in both urban and rural settings. Proactive problem-oriented and community-oriented policing strategies emphasize officers' engagement with residents, fostering trust, open communication and active participation in ensuring community safety. Building partnerships between law

⁸ More information is included in the Section of this report that covers Workshop 3 "Getting ahead: strengthening data collection and analysis to better protect people and planet in times of new, emerging and evolving forms of crime".

⁹ More information is included in the next Section of this report that concerns Workshop 1 "Building resilient societies, with a focus on protecting women, children and youth: fostering engagement, education and the culture of lawfulness".

enforcement and local communities has also been found to be useful in preventing the spread of violent extremism, including through the development of counter-narratives.

42. Expanding crime prevention efforts beyond law enforcement through collaboration with businesses, non-governmental organizations, academia and others can bring fresh perspectives, innovation, and resources to prevention, as reflected in resolutions adopted by Member States within the Commission on Crime Prevention and Criminal Justice on the importance of prevention and promoting comprehensive, whole-of-society approaches to reduce crime and reoffending, including in the area of organized crime and violent extremism.¹⁰

43. Education and awareness programmes are essential to empower communities and individuals to recognize and report crimes and cultivate a culture of responsibility. Promoting a culture of lawfulness, crime prevention and healthy behaviours among young people through educational interventions is important to achieve the Sustainable Development Goals. Engaging young people, including the most marginalized, in a meaningful way in policy design and implementation will allow them to make positive contributions as agents of change and speaks to the vision outlined in the United Nations Youth Strategy.¹¹ What is more, States are encouraged to empower and engage young people in prevention by using social media platforms and applications and other digital tools to amplify their voice.¹²

44. Crime prevention through environmental development and design speaks to the above, as it is aimed at adjusting the physical environment in a neighbourhood to reduce criminal opportunity, aid positive social interaction among citizens and reduce the fear of crime, ultimately improving quality of life.

5. Use of technology

45. The responsible use of technology has the potential to play a pivotal role in innovative crime prevention. It is of paramount importance that Governments ensure that any use of technology for the prevention of crime aligns with international law and respects human rights.¹³

46. The availability of illicit firearms is a main driver of crime and conflict. Fostering peaceful, just and inclusive societies must start with the eradication of violence and the reduction of illicit arms and ammunition,¹⁴ and requires appropriate marking and digitalized record-keeping, as has been acknowledged in various resolutions of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime.¹⁵ To map and disrupt illicit arms flows, their continuous monitoring is needed. New technology, such as the use of automated web scraping software to analyse firearms seizures, can help.

C. Questions for discussion

47. Participants in the regional preparatory meetings and the Fifteenth Congress may wish to consider the following questions for further discussion:

(a) How can crime and violence be prevented through multi-stakeholder efforts?

¹⁰ CCPCJ-negotiated resolutions [E/RES/2023/24](#) and [E/RES/2023/26](#); COP resolutions 11/6, 11/5, 11/3, 11/2 and 10/6.

¹¹ United Nations, Youth 2030 Working with and for young people. United Nations Youth Strategy (United Nations, 2018).

¹² Kyoto Declaration.

¹³ More information on this topic is included in the Section of this report that focuses on Workshop 4 “Turning the digital age into an opportunity: promoting the responsible use of technologies in crime prevention and criminal justice”.

¹⁴ United Nations (2023), A New Agenda for Peace – Policy Brief, p. 35.

¹⁵ See, for example, resolution 11/6, [CTOC/COP/2022/9](#) and resolution 10/2, [CTOC/COP/2020/10](#).

(b) Which prevention strategies can countries adopt to ensure citizens' safe and healthy development and build the resilience of individuals and communities to reaccelerate momentum to attain the Sustainable Development Goals?

(c) How can innovative and effective crime prevention approaches be scaled up and implemented across the globe, including in low-resource settings?

(d) What good practices have research and evaluation identified in addressing links between local crime problems and international organized crime in the context of crime prevention?

(e) What are the main obstacles to reducing reoffending?

(f) How can young people be meaningfully empowered and engaged in the design, implementation and evaluation of crime prevention strategies, policies and programmes? What are good practices in educating young people, understanding diversity across youth and listening to the most marginalized?

(g) How can firearms control mechanisms be integrated into crime prevention strategies?

(h) What are global experiences with programmes targeting perpetrators of intimate partner violence and how effective have these programmes been when it comes to reducing recidivism?

(i) What are promising practices in using technologies for crime prevention and what are the human rights and gender implications in this regard?

(j) How can emerging technological tools help crime prevention through environmental development and increase safety and security in urban public space in a manner that upholds human rights?

Workshop 1. Building resilient societies, with a focus on protecting women, children and youth: fostering engagement, education and the culture of lawfulness¹⁶

A. Scope

48. Workshop 1 focuses on identifying key prerequisites in the area of crime prevention and criminal justice for ensuring that women, children and youth play active roles in building peaceful, just and resilient societies, and explores the approaches that Governments and civil societies, as well as the international community, can take to achieve that goal.

1. Protecting and involving women

49. Women are generally underrepresented across many sectors of society, especially in law enforcement. The underrepresentation of women is often coupled with little understanding of women's specific security needs, which impedes women's access to these services, as the institutions themselves replicate gender stereotypes and gender-based discrimination in society as a whole. This is further exacerbated if there is additional unresolved trauma and physical and mental health-care needs. This phenomenon presents particular challenges in instances where women are victims of crime and violence, and where cultural and social factors limit their engagement with law enforcement or justice services. According to the *Global Report on Trafficking in Persons 2022* published by the United Nations Office on Drugs and Crime, women

¹⁶ The text is the result of productive joint work between UNODC and UNAFEI, with the contribution of other PNIs.

are particularly vulnerable to trafficking in persons.¹⁷ Furthermore, while the overwhelming majority of homicides worldwide are committed against men and boys, women are disproportionately affected by homicidal violence and other serious violence in the private sphere.¹⁸

50. Conversely, the role of women with lived experience of the criminal justice system, including survivors of gender-based violence and women released from prison, is often neglected by conventional approaches to crime prevention and criminal justice. Such women with lived experience and civil society organizations supporting or led by them are key agents for change, not only to protect women but also to foster engagement, education and the culture of lawfulness. These dimensions highlight the substantial value of targeted interventions that empower women as leaders in social and community contexts, as well as reinforce gender-responsive approaches to crime prevention and criminal justice.

2. Protecting and involving children

51. Emerging global risks expose children to increasing violence and crime, both online and offline. It is estimated that one in three Internet users is under 18 years of age, making them vulnerable to online violence, child sexual abuse and exploitation and child trafficking. In 2021, the International Centre for Missing and Exploited Children confirmed that the production and spread of child sexual abuse material has increased exponentially over the past decade.¹⁹ In addition, the COVID-19 pandemic has been reported to have increased the risk of the sale and exploitation of children. At the same time, as insecurity grows, organized criminal and armed groups, including terrorist groups, become more adept at recruiting children, with the United Nations confirming 18,890 verified cases of grave violations²⁰ in 2022 alone.²¹ Beyond these rising challenges, obstacles to the protection of children include the neglect of their unique needs and dependencies compared with adults; a lack of political will to tackle violence against children; institutional capacity gaps and knowledge and skill deficits; coordination issues with other systems; a lack of adoption of a child-sensitive and gender-responsive approach and a lack of shared responsibility at the national and global levels. To move forward, understanding and awareness of child development, needs and rights must be promoted, guiding every action. A multisectoral approach to promoting meaningful engagement and participation by children in decision-making processes that are related to them is key, including through age-appropriate, inclusive education and awareness-raising that fosters children's resilience to enable them to become agents in their own protection from crime and violence.

¹⁷ UNODC, *Global Report on Trafficking in Persons 2022*. Available at www.unodc.org/documents/data-and-analysis/glotip/2022/GLOTiP_2022_web.pdf.

¹⁸ UNODC, *Global Study on Homicide 2023*. Available at www.unodc.org/documents/data-and-analysis/gsh/2023/Global_study_on_homicide_2023_web.pdf.

¹⁹ International Centre for Missing and Exploited Children, *The Growing Global Threat of Child Sexual Abuse Material (CSAM)*, 13 December 2021, see: *The Growing Global Threat of Child Sexual Abuse Material (CSAM)* | International Centre for Missing and Exploited Children Australia (icmec.org.au); For more information, see also UNODC, *Towards Zero: An Initiative to Reduce the Availability of Child Sexual Abuse Material on the Internet*, Background Paper, June 2023, here: *EGM_CSAM_Removal_Background_Paper.pdf* (unodc.org).

²⁰ The six grave violations are: the killing and maiming of children; the recruitment and use of children by armed forces and armed groups; sexual violence against children; attacks against schools or hospitals; the abduction of children; and the denial of humanitarian access for children. See: *The Six Grave Violations – Office of the Special Representative of the Secretary-General for Children and Armed Conflict* (un.org).

²¹ Highest-Ever Number of Violations against Children Verified in 2022, Briefer Tells Security Council, as Speakers Champion Reintegration, Education Programmes | UN Press; document [A/77/895-S/2023/363](https://www.un.org/press/en/2023/20230363).

3. Protecting and involving youth

52. Youth²² have the potential to drive substantial development, with a profound demographic dividend on the horizon, but they also face substantial challenges. Globally, nearly one in four young people was not in education, employment or training in 2022.²³ Such challenges hamper their potential as agents of change, limit participation opportunities and make them more vulnerable to victimization and recruitment by criminal networks. Each year, around 200,000 children and youth are victims of a homicide. At the same time, violent gangs themselves are often predominantly composed of adolescent children and young people,²⁴ mainly male. The social, economic and security challenges facing young people may risk leaving them disenfranchised and vulnerable to antisocial behaviour or criminality.

53. Targeted interventions across social and community dimensions to build resilience among young people will continue to be a critically important approach in promoting a culture of lawfulness and empowering youth to act as agents of change in strengthening crime prevention efforts and building safe and just societies and institutions. In this context, the importance of designing and adapting gender-responsive crime prevention and criminal justice policies to cater and respond to the needs and challenges facing young people cannot be overstated. Similarly, it is important to create opportunities for safe and meaningful participation, mainstreaming youth voices and actions, and to educate, engage and empower young people, including those from socially and economically less privileged groups that are usually underrepresented.

B. Objectives

54. The main goal of Workshop 1 is to seek a deepened, multifaceted understanding of the challenges that hinder the engagement and meaningful participation of women, children and youth in building peaceful, just and resilient societies, as well as to consider and discuss possible solutions and innovative approaches to crime prevention and criminal justice reform to promote their active participation. It is crucial to reject a one-size-fits-all approach and advocate for evidence-based strategies and measures that are tailored to specific social, age, gender, linguistic, economic and cultural contexts.

55. In view of the above, the objectives of Workshop 1 are the following:

(a) Identify the multiple challenges faced by women, children and youth through examination of the various political, institutional, operational and societal norms that impact these groups, and explore how these challenges can be transformed into opportunities for empowerment, resilience-building, engagement, education and a culture of lawfulness tailor-made to each of the groups;

(b) Discuss the role of Member States in promoting interoperability among different sectors (i.e. justice, social welfare, child protection, education and health) and fostering the engagement and meaningful participation of women, children and youth in building peaceful, just and resilient societies;

(c) Explore how to foster the engagement of non-State actors in promoting a culture of lawfulness through public-private partnerships, academia, the media and civil society engagement;

²² United Nations Security Council resolution 2250 (2015) on Youth, Peace and Security notes that “the term youth is defined in the context of this resolution as persons of the age of 18–29 years old”.

²³ The Sustainable Development Goals Report 2023: Special edition. Towards a Rescue Plan for People and Planet

²⁴ World Health Organization, Youth violence, 8 June 2020, available at www.who.int/en/news-room/fact-sheets/detail/youth-violence. See also: UNODC, Global Study on Homicide, Killing of children and young adults, 2019, available at www.unodc.org/documents/data-and-analysis/gsh/Booklet_6new.pdf.

(d) Identify and promote good practices and lessons learned from research and evaluation of initiatives and community-based approaches to engaging women, children and youth and making societies more resilient;

(e) Discuss system-based approaches to analysing challenges and identifying innovative solutions in the areas of crime prevention and criminal justice in order to support the building of peaceful, just and resilient societies.

C. Questions for discussion

56. Participants in the regional preparatory meetings and in Workshop 1 at the Fifteenth Congress may wish to consider the following questions for further discussion:

(a) What are the key challenges preventing women, children and youth from playing active roles in society, and how can we transform these challenges into opportunities for empowerment and resilience-building?

(b) What are some of the challenges, emerging trends and priorities that need immediate attention to protect the rights and well-being of women, children and youth in society?

(c) How do the challenges faced by women, children and youth differ across political, institutional, operational and societal norms? Can you provide examples of political, institutional, operational or societal norms that have hindered the participation of these groups? Which types of data, evaluation and research are needed to better understand these challenges?

(d) What are examples of good practice and lessons learned from research and evaluation related to the promotion of protection for women, children and young people? What kind of measures can be taken for the protection of women, children and young people who come into contact with the justice system? How can Member States engage and empower women, children and young people with lived experience in contact with the justice system?

(e) What are the prerequisites for ensuring that women, children and young people actively contribute to building peaceful, just and resilient societies?

(f) What strategies can be employed to shift our perception and build support for women, children and young people? How can political, institutional, operational or societal norms be taken into account to create opportunities for engagement, education and a culture of lawfulness?

(g) In what ways can States facilitate the integration of the perspectives of these groups into legal, educational, institutional and operational frameworks? How can we ensure tailored responses that address individual needs? What are effective strategies, mechanisms and measures for women, children and young people to foster engagement, education and a culture of lawfulness?

(h) What innovative approaches and mechanisms could be proposed to create avenues for women, children and young people to express their needs and voices within legal, policy, institutional and operational frameworks?

(i) What strategies can be implemented to facilitate cooperation and coordination between law enforcement and civil society in preventing and responding to violence against children, including child sexual abuse and exploitation? And which strategies can be implemented to better prevent and respond to gender-based crime and violence?

Substantive item 2. Promoting people-centred, inclusive and responsive criminal justice systems in a world of continuous change

A. Background

57. With the adoption of the 2030 Agenda for Sustainable Development, and the emphasis in Sustainable Development Goal 16 on the promotion of peaceful and inclusive societies, the international community has recognized the importance of delivering equal access to justice for all and building effective, accountable and inclusive criminal justice institutions.

58. Criminal justice systems that are people-centred, inclusive and responsive to people's needs are grounded in respect for human rights and the rule of law. Such institutions ensure equal access to justice for all and are composed of police services, courts, the judiciary, the prosecution, prisons, rehabilitation and reintegration programmes for offenders, victim support institutions and referral mechanisms to social and health services, which are humane and effective and in which integrity, accountability and effective oversight are ensured through internal and external mechanisms. People-centred, inclusive and responsive criminal justice systems mainstream gender and human rights and ensure specialized responses to children in contact with the law. They are also equipped with appropriate resources and the ability to address new challenges, emergencies and criminal trends. Furthermore, such systems address the need to ensure balanced and proportionate responses to crime, including by prioritizing community-based and other alternatives to deprivation of liberty.

59. Criminal justice measures and policies adopted by States should be evidence-based and tailored to the needs of the population, with a focus on those facing structural barriers and discrimination. Investing in the criminal justice workforce to ensure that it is professional, inclusive and representative of the population it serves is also essential.

60. With a view to understanding the key developments that will affect the international community in the years to come, the *Report of the United Nations Economist Network for the 75th Anniversary: Shaping the Trends of Our Time*²⁵ identified the following five interconnected megatrends: (a) climate change; (b) demographic shifts, particularly population ageing; (c) the emergence of digital technologies; (d) inequalities; and (e) urbanization. Each of these challenges is set to have implications for the effective functioning of criminal justice systems and their ability to provide inclusive, people-centred responses that ensure that no one is left behind.

B. Main issues/substantive focus

61. Across the world, justice systems are facing various obstacles to guaranteeing people-centred, inclusive justice services that are responsive to local needs. This includes obstacles, for large sectors of society, in accessing justice; corruption and lack of integrity among criminal justice officials; human rights abuses and violations; lack of resources; lack of appropriate technical skills and expertise; and discrimination.

1. Impact of COVID-19

62. The COVID-19 pandemic had a devastating impact on societies, including shifts in institutional priorities and resource allocation, and additional challenges for the effective functioning and strengthening of criminal justice systems. However, the

²⁵ *Report of the United Nations Economist Network for the 75th Anniversary: Shaping the Trends of Our Time*, September 2020. Available at www.un.org/en/desa/unen/report.

crisis also prompted flexibility and innovation to ensure the continuation of core criminal justice functions, and promoted non-custodial measures. The use of technology for remote hearings, for example, ensured the delivery of essential justice services at a time when physical distancing measures prevented courts sittings.

2. Future trends and threats

63. Climate change disrupts the functioning of criminal justice systems in various ways. Environmental losses lead to human displacement, particularly in the least developed countries, which have experienced and are experiencing the greatest degrees of land degradation, spurring the outward migration of millions of people. At the same time, these countries have experienced more conflict and lower economic growth. People increasingly find themselves in situations where their only option is migration, resulting in large population flows. This can, in turn, create risks of victimization, including trafficking in persons, and a demand for justice services that will be difficult to meet. In fact, climate change has been found to increase or exacerbate gender-based violence.²⁶ There is a need to scale up resources overall and to provide services that are tailored to the needs of victims. New displacement patterns and struggles over depleted resources can also lead to conflict between communities and exacerbate pre-existing vulnerabilities.²⁷ In addition, climate change affects the ability of criminal justice and prison systems to provide minimum standards of accommodation and treatment of prisoners, as extreme weather events challenge the ability of prison administrations to manage the growing number of people in their care.

64. Demographic shifts towards an ageing population are likely to affect various public sectors, particularly health and social services including, for instance, care requirements for aging prison populations. The number of older prisoners is on the rise, especially in developed countries, not only owing to higher life expectancy but also as a consequence of a hardening of sentencing practices, the increased use of imprisonment and reduced mechanisms for early release in some countries.²⁸ This affects the care of older prisoners and requires policy reform and specialized services to address the needs of this vulnerable group of prisoners. Furthermore, abuse of older people affects one in six people aged above 60 and is predicted to increase, as the global population of older people will more than double, from 1 billion in 2019 to about 2.1 billion in 2050.²⁹ The number of older persons who become victims of abuse or violence is expected to grow rapidly in the future as ageism, compounded by inequalities that are exacerbated in later life, makes it more likely that older persons will experience maltreatment and abuse that may lead to patterns of violence. Therefore, efficient strategies to prevent victimization in the first place and to provide victims with the necessary care and support need to be put in place to counter this risk.³⁰

65. The impact of the emergence of digital technologies on crime trends and their use by the criminal justice system, including on access to justice and the rights of victims, alleged offenders and prisoners, is discussed elsewhere in this document.³¹

66. Growing inequalities undermine the ability of countries to deliver justice in a people-centred, inclusive and responsive manner. As highlighted by the *Global Study*

²⁶ See, for example, [A/77/136](#); Castañeda et al., Gender-based violence and environment linkages (ICUN, 2020).

²⁷ Violence against and abuse and neglect of older persons. Report of the Independent Expert on the enjoyment of all human rights by older persons ([A/HRC/54/26](#)), p. 42.

²⁸ See UNODC, Handbook on Prisoners with Special Needs, p. 124.

²⁹ See WHO, Tackling abuse of older people: five priorities for the United Nations Decade of Healthy Ageing (2022).

³⁰ Violence against and abuse and neglect of older persons. Report of the Independent Expert on the enjoyment of all human rights by older persons ([A/HRC/54/26](#)). The report states that “Abuse of older persons is recognized in many countries as a public health issue; it is a global human rights issue that requires States’ urgent attention and action.”

³¹ See also paras. 29, 45, 76, 88, 89, 101, 113, 134–140 and 143.

on *Homicide*, countries with greater income inequality are more likely to have higher homicide rates than countries with less inequality. In addition, sociopolitical inequality and unequal access to resources can be a root cause of violent behaviour, while marginalized people are more likely to become victims of violence. Unequal access to education and health services has also been found to be linked to higher levels of homicide, as have higher infant mortality rates.³²

67. The final megatrend with long-term impacts on criminal justice systems is urbanization. When poorly planned, urbanization can lead to higher crime rates, pollution, increased levels of inequality and social exclusion.³³ However, urban growth is not in itself a driver of homicide rates, and it provides an opportunity to use services and resources cities can offer, such as higher policing levels and more accessible health services, to address risk factors associated with urban crime and violence.³⁴ Exacerbated by the effects of climate change, increasing urbanization affects the growth of inequalities, which creates difficulties in delivering needs-based legal and other services to the population owing to a lack of resources to service larger groups of people, thus undermining effective justice delivery. Making institutions more people-centred and inclusive and enabling them to use existing resources responsibly and efficiently and plan targeted interventions for the future is key to ensuring that nobody is left behind. This includes adjusting national budgets; reallocating human capacity and reconsidering the skill development needs of justice actors; and legal education and empowerment to educate people about their rights and how to access services, including for illiterate populations and children.

3. People-centred, inclusive and responsive criminal justice agencies

68. As the first responder to crime, police services have faced significant criticism in recent years across the world, and many countries have engaged in police reforms to address the need for a more inclusive, transparent and human-rights based approach to policing. Investing in education, recruitment and workforce development to ensure a more representative institution, as well as building internal and external oversight institutions, are key to ensuring policing that is human-rights based and gender-responsive.

69. Victim-centred and trauma-informed approaches to criminal justice are required to ensure people-centred systems, as victims and witnesses often risk secondary victimization in their contact with public institutions. A multisectoral approach to providing support, assistance and protection to victims of crime requires the active involvement of sectors such as the health, social and education sectors, in addition to the criminal justice system.

C. Questions for discussion

70. Participants in the regional preparatory meetings and the Fifteenth Congress may wish to consider the following questions for further discussion:

(a) What measures have been taken to promote respect for human rights and adherence to the rule of law by criminal justice agencies? Are there any best practices/examples of evidence-based, people-centred and gender- and age-responsive criminal justice systems and approaches? Are there strategies, policies, programmes and initiatives that have proved successful in involving local communities, particularly marginalized and vulnerable groups?

(b) Which measures to ensure equal access to justice for all have proved effective? Which continue to be the main obstacles to ensuring access?

³² UNODC, *Global Study on Homicide 2019*, Booklet 4.

³³ UNDESA, *World Social Report 2020*.

³⁴ UNODC, *Global Study on Homicide 2019*, Booklet 4.

(c) What measures have been effective in ensuring victim-centred and trauma-informed responses to victimization to prevent secondary victimization? Which measures have been taken to address the increased needs and victimization of aging populations?

(d) What specific challenges have criminal justice systems experienced owing to climate change? How well are criminal justice policies and institutions integrated into broader efforts to enhance adaptation and resilience to climate change and related crises?

(e) How well-prepared are criminal justice systems for dealing with increasing numbers of older prisoners, victims of violence against older people and other impacts of population ageing? What are specific practices and lessons learned to address related challenges?

(f) What promising practices have criminal justice systems and professionals adopted to address rising inequalities? How should criminal justice systems address prejudice and discrimination, including based on age, gender, disability, race or minority group membership, and promote an inclusive approach and the participation of affected groups to reduce inequalities? How can the needs of such groups be effectively addressed, in an inclusive manner, when developing and implementing strategies?

(g) Which threats and challenges to the integrity, transparency and accountability of criminal justice institutions have emerged in recent years? What measures have proved effective in preventing and addressing discrimination, including based on age, gender, disability, race or minority group membership, within criminal justice agencies? Are there examples of successful policies, programmes and measures to increase representation, including at the senior level, of groups that are currently underrepresented among justice actors, or that are overrepresented in other areas, for example as regards the prison population?

(h) How has urbanization affected the ability of criminal justice systems to provide people-centred and inclusive responses to crime? How can police and justice institutions contribute to reducing urban crime and building safer cities?

(i) How can the use of administrative data for statistical purposes be enhanced, with a specific focus on collecting relevant data on inclusive and responsive criminal justice systems, including through appropriate disaggregation? What are the main barriers to using administrative data produced by various criminal justice institutions for statistical purposes? How can administrative data best feed into evidence-based policy processes and respond to the needs and experiences of persons in contact with the criminal justice system?

(j) What strategies and programmes have been successful in implementing an approach to prison management, rehabilitation and reintegration that is people-centred, inclusive and responsive?

(k) Which experiences have been successful in developing and implementing individualized and comprehensive strategies that consider individual health needs, particularly as regards the mental health needs of victims, offenders and justice personnel, in an integrated way?

(l) How is release to the community from prison organized, especially for persons with increased vulnerabilities, such as those with physical and mental health issues, including substance use disorders, to ensure uninterrupted social and health-care services upon release? Are there any effective and promising examples of gender-responsive release programmes?

(m) What has proven effective in the way law enforcement officials address crimes committed and abuse against smuggled migrants? What actions can be taken to address the vulnerabilities and fears of smuggled and undocumented persons to report abuses and violence to law enforcement officials, in order for them to obtain justice in transit and destination countries?

(n) Which good practices can be replicated in implementing a trauma-informed, gender- and child-responsive, victim/survivor-centred criminal justice response to trafficked persons, and how can trafficking survivor leaders and organizations contribute to this evolving discussion?

Workshop 2. Ensuring equal access to justice for all: towards safe and secure societies while respecting the rule of law³⁵

A. Scope

71. Workshop 2 will address current and future challenges and innovative approaches in ensuring equal access to justice for all, developing and discussing evidence-based initiatives and policies to bring tangible improvements while identifying gaps in the existing criminal justice systems and proposing forward-thinking solutions that are in line with the principles of accountability, inclusivity, and representation.

1. Measuring equal access to justice for all

72. In order to implement impactful and evidence-based policies and initiatives to increase equal access to justice for all, it is necessary to develop methodologies that make it possible to measure people's access to justice, in terms of their baseline needs as victims, witnesses or suspects, and their satisfaction with the processes and outcomes of such contact, as well as the performance of criminal justice systems in providing equal access to justice for all. Centring the needs and experiences of those populations that have been excluded and faced discrimination requires new approaches to measurement, taking into account the lack of representation of these populations in traditional data and measurement methodologies, and using disaggregation of data and qualitative approaches to measurement.

2. Access to justice for all: centring those facing discrimination and marginalization

73. Women, children, youth, people living in poverty, people of African descent and other people facing discrimination on the basis of their race, disabilities, health condition, religion, age or gender, people on the move, trafficked persons, Indigenous Peoples, people living in remote areas, people deprived of their liberty and people with substance use disorders have historically and structurally been excluded and faced discrimination by and within the criminal justice system in many societies. Individuals belonging to one or more of these groups face intersecting obstacles to access justice. To ensure equal access to justice for all, criminal laws, institutions and processes must be reformed to centre those who are being excluded by the justice system, and new approaches must be developed that build on legal empowerment strategies developed with and by these populations themselves.

3. Access to justice and environmental justice

74. Our world is facing its worst ever environmental and climate crisis, and the impact of climate change is one of the greatest threats to human rights of our and future generations, posing a serious risk to the fundamental rights to life, health, food and an adequate standard of living of individuals and communities across the world. Equal access to justice for all individuals and communities is key to ensuring accountability for crimes that affect the environment, including those affecting large groups of people across countries and continents and committed by legal entities. Human rights defenders in environmental matters, such as Indigenous leaders, whistle-blowers and climate advocates are at particular risk of being the victims of crime and require access to justice. Indigenous Peoples require access to appropriate

³⁵ The text is the result of productive joint work between UNODC and ILANUD, with the contribution of other PNIs.

accountability mechanisms for crimes committed against them, which take into account their ancestral rights, including in situations where the offenders may be private companies or corporations. People displaced as a result of climate change and crimes that affect the environment may also require specific measures to ensure their access to justice, as they might be more exposed to becoming victims of trafficking and other crimes.

4. Access to justice in formal and informal justice systems

75. A considerable number of populations across the world have limited contact with formal justice systems and have access to justice primarily through customary and traditional justice systems, in particular to resolve disputes and solve grievances. While the State must ensure that equal access to the criminal justice system is provided to all, it must also address links and referral systems between formal and informal justice systems and invest in ensuring that informal and customary justice systems do not perpetuate inequalities, particularly those related to age and gender, and respect and fulfil human rights. Restorative justice practices can play a key bridging role between formal and informal justice systems.

5. Use of technology for access to justice

76. Technology has the potential to strengthen access to justice by, for example, allowing populations in rural areas to obtain legal information or access online services. This should not, however, be understood as a complete or equitable solution to existing gaps in service provision. Furthermore, any use of technology with the intention of increasing access to justice must necessarily safeguard against undue influence from the private sector and employ specific monitoring and accountability mechanisms to ensure the protection of human rights.

B. Objectives

77. The main objective of Workshop 2 is to introduce evidence-based approaches to ensure that all individuals, in particular those facing discrimination and barriers to justice, obtain a resolution to their justice problems and are able to assert their rights. Access to justice, as a fundamental element of the right to a fair trial, established by several human rights instruments such as the Universal Declaration of Human Rights (art. 7) and the International Covenant on Civil and Political Rights (ICCPR) (art. 14), is generally understood as including access to courts and legal representation. However, a broader approach to access to justice was embraced by the inclusion, as part of the 2030 Agenda, of Sustainable Development Goal 16 and its target 16.3 (Promote the rule of law at the national and international levels and ensure equal access to justice for all). In the absence of equal access to justice, people are unable to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable.

78. In view of the above, this Workshop seeks to achieve the following objectives:

(a) Discuss and introduce access to justice as an essential element of a fair, humane and efficient criminal justice system that is based on the rule of law and as an enabler for reaching many other Sustainable Development Goals, as articulated by the Secretary-General in his New Vision for the Rule of Law;

(b) Present how Member States are guaranteeing that the laws, institutions and processes allow all individuals to obtain redress or effective protection of their legal needs without discrimination on any ground;

(c) Present successful approaches to addressing the specific needs of each victim, witness or offender, using an intersectional approach, also taking into account underlying social, political and economic structures that foster inequality;

(d) Review evidence-based victim-centred and trauma-informed approaches to ensure access to justice for victims of crime through, inter alia, restorative justice

approaches, with the objective of providing other outcomes than solely the conviction of an offender and to contribute to rehabilitation and compensation for victims;

(e) Exchange information on the impact on equal access to justice for all of providing specialized legal aid services for victims and offenders.

C. Questions for discussion

79. Participants in the regional preparatory meetings and in Workshop 2 at the Fifteenth Congress may wish to consider the following questions for further discussion:

(a) What evidence-based methods to measure equal access to justice for all are available to establish baselines and measure and evaluate impact? Are there any evidence-based research, evaluation and data analysis methods to identify the main legal problems in criminal justice processes faced by the population, in particular minorities and disadvantaged communities, and their experiences in dealing with such problems?

(b) What laws, institutions and processes have shown a positive impact on increasing equal access to justice for all and centring those historically facing discrimination and exclusion? What continue to be the main obstacles to ensuring access? What measures have proved effective in promoting legal education and knowledge, as well as legal empowerment, among the public, in particular marginalized and vulnerable communities?

(c) What measures would be required by Member States to improve access to justice for victims of crimes that affect the environment and climate change, including by protecting human rights defenders? What concrete steps can Member States take to ensure access to justice for persons displaced or adversely affected by environmental or climate crises, including those becoming victims of crime?

(d) What measures can be taken to ensure children's access to justice, including in the context of climate change?

(e) Which evidence-based approaches ensure efficient referral systems between informal and customary justice systems and the criminal justice system, ensuring increased access to justice for all and human rights protection? How can restorative justice processes contribute to equal access to justice for all?

(f) What measures and oversight mechanisms are effective in ensuring that the responsible use of technology contributes to equal access to justice for all and not to increased bias and discrimination? Is there evidence of use of technology that increases equal access to justice for all, and what are the necessary safeguards?

(g) What promising practices exist in mainstreaming a gender perspective into measuring and evaluating equal access to justice and enhancing gender equality in access to justice, including in relation to environmental justice, informal and customary justice systems and the responsible use of technology?

(h) What measures should be developed and implemented to ensure that equal access to justice includes access to health interventions, including as it relates to the prevention and management of infectious diseases, including HIV, among people in contact with the criminal justice system?

Substantive item 3. Addressing and countering crime – including organized crime and terrorism in all its forms and manifestations – in new, emerging and evolving forms

A. Background

80. The criminal landscape is rapidly evolving owing to the speed of technological advancements, increasing globalization and the exponential growth of global markets. Criminals have proven their agility in using new *modi operandi* and seeking out further opportunities to pursue illicit gains.

81. Organized crime and terrorism, in particular, continue to pose a threat to international peace and security. Constantly evolving organized criminal and terrorist groups exploit structural changes at the local, national and international levels, use loopholes in the criminal justice systems and aim to influence political and socioeconomic dynamics in their favour. Conflicts, weak governance and rule of law, as well as political and economic uncertainty, contribute to conditions that allow organized crime, terrorism and violent extremism to thrive. In addition, organized crime has become deadlier in the last decade and firearms-related homicides alone account for twice as many fatalities as all armed conflicts and terrorism combined globally.^{36,37}

82. Moreover, Member States are confronted with the need to increase their response to and cooperation in matters relating to new and emerging forms of crime. To address this need, policymakers and practitioners are required to develop, implement, monitor and evaluate comprehensive and evidence-based policies to prevent and combat those forms of crime, taking into consideration their transnational nature.

83. In the longer term, it will also be important to consider the potential for criminal conduct in outer space, considering the increasing human activity therein and the lack of regulatory framework to address crimes committed in space.

B. Main issues/substantive focus

1. Organized crime and its evolution in the digital age

84. Crime is continually evolving and adapting. Many factors have an impact on this evolution, including globalization, conflict and weak rule of law, climate change and technology.

85. Drug and firearms trafficking, the smuggling of migrants, as well as crimes that exploit human beings, such as trafficking in persons, remain principal areas of criminal activity that evolve and need to be addressed. Firearms trafficking networks, for example, seek new methods and trafficking routes, adapting to changes in legislation, technology, supply sources and demand and may interact with petty criminals, terrorists and non-State armed groups alike.

86. Moreover, organized criminal groups misuse for criminal purposes the growing global markets and ever-accelerating advancements in technology. Therefore, data on different criminal markets and their development are fundamental to understand crime trends and to devise, evaluate and assess the effectiveness of targeted prevention

³⁶ See also paras. 45 and 46.

³⁷ 2019 UNODC Global Homicide Report www.unodc.org/documents/data-and-analysis/gsh/Booklet_6new.pdf and 2023 UNODC Global Homicide Report www.unodc.org/unodc/en/data-and-analysis/global-study-on-homicide.html.

and countermeasures, including evidence-based comprehensive strategies against organized crime.

87. With regard to all forms of crime, technology acts as a force multiplier. Organized criminal groups can facilitate and expand their illicit criminal activities, including through the criminal misuse of artificial intelligence. Human traffickers, for example, use technology at every step of the trafficking process, including in the targeting, recruitment, exploitation and control of victims, and as a means of widening outreach to greater numbers of clients. An increasing share of human trafficking acts is even committed exclusively online.³⁸ The illicit online trade in controlled drugs, firearms and other commodities via the clear and dark web is also growing, using, inter alia, anonymity and encryption features. Moreover, technological developments have massively transformed the illicit manufacture of firearms, their parts and ammunition. In some regions, the majority of firearms seized at crime scenes are now homemade “ghost guns”, produced with “buy, build, shoot” kits purchased online and shipped by parcel. Similarly, based on online blueprints, new generation 3D printers and CNC milling tools permit the manufacture of firearm parts at home.

88. The rapid expansion of online connectivity has also increased the risk of cybercrime, such as cyberattacks, including malware.³⁹

89. Criminal justice actors need to keep abreast of the rapidly evolving forms of the criminal misuse of technologies and update criminal justice responses throughout the entire process of prevention, detection, reporting, investigation and prosecution. In the process of creating institutional capacities to counter cybercrime, specialized investigation and prosecution units have proven to be effective, together with digital forensic experts and laboratories. They are needed for the investigation of cybercrime, but also to support other law enforcement units in the investigation of crimes enabled by information and communications technologies.

90. At the normative level, universal binding standards are needed to address these evolving challenges related to the criminal use of information and communications technologies which the Ad Hoc Committee to Elaborate a Comprehensive International Convention on Countering the Use of Information and Communications Technologies for Criminal Purposes, established by the General Assembly in its resolution 74/247, hopes to address.

2. Terrorism in new, emerging and evolving forms

91. The nature, scope and geographic spread of the terrorism threat creates significant challenges for Member States to adapt to ever-evolving operational modalities.

92. Similar to organized criminal groups, terrorists are increasingly using new and emerging technologies to commit, incite, recruit, fund, plan and carry out terrorist attacks. They have also diversified their financing models through the use of cryptocurrencies and markets on the dark web. Terrorists may also exploit, among others, 3D printing, geolocation technologies, facial recognition software and the weaponization of commercial drones. To counteract this, Member States must be equipped with the relevant tools and resources, as well as tailored capacity-building on how to harness new technologies to detect these acts, and to ensure that human rights and due process safeguards are upheld at all stages of the criminal justice process.

93. There is also a rise in terrorist attacks on the basis of xenophobia, racism and other forms of intolerance or in the name of religion or belief requiring Member States to put in place measures to detect and respond to these new threats.

³⁸ This is for example the case when traffickers use grooming techniques on social media platforms to exploit children and young adults online, for forced prostitution or the development of online child sexual abuse material. See [CTOC/COP/WG.4/2021/2](#), 2021, para. 5.

³⁹ See also para. 29.

94. The international community is also increasingly recognizing the importance of addressing root causes and drivers of violent extremism as part of any long-term efforts to address terrorism. Developing and implementing comprehensive whole-of-society and whole-of-government approaches with civil society organizations, victims of terrorism, women, and youth, among others, is imperative.

3. New and emerging forms of crime and linkages between organized crime and terrorism

95. Criminals involved in organized crime as well as terrorism are also making significant profits from new and emerging forms of crime. Crimes that affect the environment, are among the most profitable crimes and the involvement of criminal groups, for example in minerals, timber or waste trafficking, will likely grow. These crimes deprive governments of vast revenues and undercut legitimate businesses and markets. In view of the triple planetary crisis (of climate change, biodiversity loss, and pollution), comprehensive action against crimes that affect the environment including trafficking in wildlife and waste trafficking is a global imperative. Other crimes such as trafficking in cultural property and falsified medical products, have also gained increasing global attention and need to be addressed more comprehensively.

96. Consideration needs to be given to making the above-described forms of crime, in appropriate cases, serious crimes as defined under UNTOC, to bring them under the scope of the Convention and facilitate international cooperation.

97. Terrorists are increasingly benefiting from linkages with organized crime in its different forms, such as illicit trafficking in drugs, natural resources, and cultural property, to fund and support their efforts. These linkages thrive, in particular, in areas with porous borders and weak governance. Criminals, in connection with both organized crime and terrorism, benefit from multiplying maritime and air travel and trade routes, with limited law enforcement controls, allowing for illicit goods and high-risk passengers to cross sea, air and land borders undetected. Criminalizing foreign terrorist fighter travel, as required by relevant United Nations resolutions, therefore also needs to be considered.

4. Cross-cutting considerations

98. Securing electronic evidence located in another jurisdiction or on cloud-based servers poses challenges in both transnational organized crime and counter-terrorism investigations, particularly as these matters are time-sensitive and require quick international cooperation responses. The role of communication service providers in criminal justice and international cooperation matters remains critical. Of equal importance is the capacity of law enforcement and judicial authorities to cooperate with foreign-based communication service providers.

99. Addressing money-laundering and the financing of terrorism are among the most effective tools to combat organized crime and terrorism but remain a challenge and are still far too often neglected. In particular trade-based money-laundering, asset forfeiture, misuse of virtual assets and Internet gambling require more attention.

100. Member States must develop and implement effective regimes for anti-money-laundering and countering the financing of terrorism, including by building the capacity of law enforcement and associated agencies to combat illicit financial flows. Further, measures must be adopted to more effectively promote inter-agency cooperation between intelligence, law enforcement and prosecution agencies on intelligence-based investigations to disrupt terrorist financing. Proactive financial investigations linked to the investigation of other forms of organized crime need to be prioritized to identify the beneficial owners, confiscate and return the proceeds of crime, and disrupt illicit trafficking networks. Member States also need to support and make better use of existing asset recovery inter-agency networks.

5. Human rights and gender considerations

101. Member States need to be proactive in strengthening preventive, law enforcement and judicial capacities to effectively respond to the evolving nature of crime and terrorism. Technology-based tools can strengthen investigation capacity and provide innovations for addressing crime-related threats. However, utilizing these tools also requires ensuring full respect of human rights and the rule of law, and to guarantee privacy and data protection to avoid discrimination, abuse or misuse.⁴⁰

102. The mainstreaming of gender and human rights perspectives in national strategies to prevent organized crime and terrorism improves understanding of the multiple facets, manifestations and consequences of these crimes and supports the design of more effective and evidence-based preventive approaches. Furthermore, the role of gender in organized crime and terrorist cases may refer to different challenges that must be acknowledged and addressed by Member States, including the ways women face gender-specific difficulties when attempting to access justice and seek remedies as victims of such crimes.⁴¹

C. Questions for discussion

103. Participants in the regional preparatory meetings and the Fifteenth Congress may wish to consider the following questions for further discussion:

(a) How can comprehensive, whole-of-society strategies to prevent and counter organized crime and terrorism be used to enhance and streamline national and regional responses?

(b) Which policies, measures and best practices need to be considered to strengthen and foster international cooperation to combat organized crime, terrorism and new and emerging forms of crime? How can multilateral instruments such as the Organized Crime Convention, the Convention against Corruption and international counter-terrorism legal instruments, be best utilized for this purpose?

(c) Which legislative, regulatory and practical steps can Member States take to address technological advancements and the evolution of organized crime and terrorism and protect victims?

(d) Which technological advancements should be given more attention to strengthen Member States criminal justice capacity to prevent and counter, in particular, terrorism and organized crime in all its forms and manifestations as well as their increasing interlinkages? What state-of-the-art technology should Member States invest in to remain capable of responding adequately to these specific crimes while also protecting human rights and due process safeguards?

(e) How can collaboration with technology companies be used to identify and develop tailored responses to risks posed by the use of information and communications technologies for criminal purposes, including artificial intelligence or darknet?

(f) What are the main challenges encountered in, and the lessons learned from, the cooperation of competent national authorities with communication service providers located overseas? What problems are posed by the involvement of different legal frameworks, approaches, requirements and procedures and which solutions are offered as good practices?

(g) How can human rights protection be better integrated into law enforcement and criminal justice responses addressing organized crime and terrorism in all its forms and manifestations, including new, emerging and evolving forms?

⁴⁰ For the impact that such tools may have on the protection of human rights, such as the right to privacy, and the rule of law, see paras. 29, 113, 133, 138, 139.

⁴¹ See also para. 58.

(h) How can the identification, assessment and understanding of risks of money-laundering and financing of terrorism emerging from virtual asset activities and the activities or operations of Virtual Assets Service Providers (VASPs) be strengthened?

(i) How can support to the regional inter-agency asset recovery networks be strengthened and better utilized to combat illicit financial flows?

(j) What good practices have research and evaluation identified related to the development and implementation of inclusive, gender-responsive and human rights sensitive strategies to prevent and respond to serious crimes, including organized crime, trafficking in persons and corruption?

Workshop 3. Getting ahead: strengthening data collection and analysis to better protect people and planet in times of new, emerging and evolving forms of crime⁴²

A. Scope

1. Data collection and analysis as the basis for policy development

104. Crime and criminal justice data are needed to understand the dynamics of crime, the situational context, and the response of the criminal justice system. Moreover, gender-disaggregated data are needed to form an informed, gender-sensitive and evidence-based perspective. The baseline for data collection and analysis is provided by national and subnational crime and criminal justice statistics systems. Many different methodologies exist for the collection, for the analysis and the reporting of both quantitative and qualitative data on crime and criminal justice processes, and the most appropriate approach is strongly dependent on the specific phenomenon under investigation.⁴³ The scope and challenges related to these systems have been described in previous United Nations documentation.⁴⁴ International standards and norms, as well as common concepts, definitions and methodologies, help in the production of high-quality comparable data for national and international reporting.

105. A data collection system based on event-based reports can produce detailed information on individual crime incidents, using a wide variety of disaggregating variables. The resulting disaggregated data can reveal policy-relevant details that would otherwise remain obscured and allow for evidence-based policymaking that is crucial for improving access to justice and ensuring a people-centred approach.

106. Measuring emerging and evolving forms of crime, such as cybercrime, financial crimes, corruption, trafficking in persons, the smuggling of migrants, illicit manufacturing of and trafficking in firearms, firearm parts and ammunition, and

⁴² The text is the result of productive joint work between UNODC and TIJ, with the contribution of other PNIs.

⁴³ The *International Classification of Crime for Statistical Purposes* and the *Statistical framework for measuring the gender-related killing of women and girls* are examples of international tools that guide the collection of standardized data. Guidelines and standards exist also on victimization and corruption surveys, criminal justice assessment, monitoring and evaluation, and standardized methodologies, such as the guidelines for the production of statistical data by criminal justice institutions.

⁴⁴ See Workshop 1. Evidence-based crime prevention: statistics, indicators and evaluation in support of successful practices, Kyoto, Japan, 20–27 April 2020 (A/CONF.234/8); Report of the National Institute of Statistics and Geography of Mexico and the United Nations Office on Drugs and Crime on a road map to improve the quality and availability of crime statistics at the national and international levels, Statistical Commission, 44th session (E/CN.3/2013/11); Report of the United Nations Office on Drugs and Crime and the National Institute of Statistics and Geography of Mexico on crime and criminal justice statistics, Statistical Commission, 53rd session (E/CN.3/2022/14).

trafficking in cultural artefacts, is particularly challenging. These crimes are multi-faceted and cannot always be captured with traditional crime statistics.

107. Crimes that affect the environment such as illegal deforestation and forest degradation, wildlife crime, crimes in the fisheries and minerals sectors and waste crimes pose significant threats to our planet, leading to biodiversity loss, habitat destruction and resource depletion. Tackling these issues requires a data-centric approach, integrating environmental statistics, satellite imagery, and sensor data into criminal justice databases. Furthermore, depending on the jurisdiction, the underlying conduct can be subject to criminal, administrative or commercial law. For this reason, new data and analytical approaches are needed to improve prevention, law enforcement and disruption efforts to better protect people and planet. Collaborative efforts across sectors, including environmental protection agencies, local communities, and international organizations, are essential to ensure a comprehensive and effective response.

2. New data sources

108. A large proportion of crime, in particular new, emerging and evolving forms of crime, remains “hidden”, undetected and unreported to the authorities. Recording, assessing and understanding such crime requires improved utilization of existing data tools (e.g. ICCS) as well as different sources of information that supplement the “traditional” crime statistics such as data and information from other sectors, including the health sector, environmental ministries, utilities, social welfare services, banking and financial services, the insurance sector and other private sector actors. Such other sources may also aid in identifying, at an early stage, changes in the modus operandi of crime that would not easily be detected from crime statistics alone.

109. Protecting the planet from crimes that affect the environment is an area where data are particularly lacking. Improved data creation and collection, including crime statistics where relevant, and identification of additional data sources are needed to help address the triple planetary crisis of climate change, biodiversity loss, and pollution. Integrating data from satellite imagery, sensor networks and environmental monitoring databases is crucial. Community reporting and citizen science initiatives also serve as valuable data sources, contributing to the early detection of environmental violations and changes in criminal modus operandi.

110. “Big data” has a potential role in the detection, monitoring, and measurement, as well as analysis and reporting of criminal activity and evaluation of related responses. The term “big data” generally refers to large amounts of data generated from sources such as social media, phone logs, web scraping and sensors. However, gaining access to these data can be difficult due to barriers in sharing data by public or private sector actors (including issues of data ownership), often related to the lack of open data policies or legitimate concerns about the right to privacy. Moreover, the utilization of “big data” requires that national institutions have access to high-performance IT infrastructure and staff with new skills (often referred to as “data scientists”). Such new data sources as geo-referenced data, biometrics and remote sensing each involve their own benefits and challenges. This requires a strong data governance framework for the criminal justice sector to specify roles and responsibilities and define principles for the collection, extraction, processing, dissemination and use of data, including for national and international reports.

3. New technologies for data analysis

111. Recent developments in artificial intelligence have produced a range of new applications in the criminal justice sector, including both simple digital automation and tools that rely on more advanced algorithms such as machine learning or natural language processing. These more advanced systems are used for a variety of tasks, such as biometric identification (e.g. facial recognition), predictive policing to identify hotspots and optimize the use of resources, risk assessments, and process optimization. Artificial intelligence and machine learning algorithms can also play a

pivotal role in addressing crimes that affect the environment. For instance, analysing satellite images with these technologies can unveil signs of deforestation or illegal fishing, aiding in the timely detection and response to these illicit activities.

112. AI systems offer numerous benefits, such as the ability to rapidly process large amounts of information of different origins and formats, and to perform a wide variety of tasks, thus vastly improving efficiency and improving the analysis of crime and criminal justice data. AI systems can also aid justice sector staff by assisting in the execution of repetitive tasks and safeguarding their well-being by reducing their exposure to challenging material (e.g. child sexual abuse material).

113. However, the application of AI systems can involve a number of challenges and limitations that need to be addressed.⁴⁵ Chief among these is the risk of algorithmic bias which can replicate existing patterns of discrimination potentially reflected in historic data. Another consideration with the application of AI systems is the lack of transparency, since the processes leading to AI system outputs are typically difficult, if not impossible, to fully understand and explain (the “black box problem”). Decisions in the criminal justice sector should in general be transparent, based on legal justifications, rendered understandable to the individuals affected, and open to scrutiny. The deployment of AI-based solutions thus requires sufficient safeguards to ensure the protection of integrity and human rights in the collection and analysis of data, in line with international standards and norms.

4. Balancing the promotion and protection of data

114. Developing data governance frameworks on crime and criminal justice can help Member States define the proper balance between the use and reuse of data for the public good, the protection of privacy and the avoidance of misuse. Due consideration should be given to issues such as interoperability, accountability, transparency, quality, security and protection, equitable, fair and non-discriminatory approaches across the lifecycle of crime and criminal justice data (from data generation, extraction, collection to dissemination and use), in order to enhance the use of, trust in and equity of data.

115. According to the first Fundamental Principle of Official Statistics, data should be “made available on an impartial basis by official statistical agencies” and recognize “citizen’s entitlement to public information”.⁴⁶ This is a clear call for “open data”, which implies that data can be freely used, reused and redistributed by anyone, anytime, anywhere.⁴⁷ Providing crime and criminal justice statistics in such a format would serve to inform the public and opens the possibility for third party researchers to contribute to the analysis of crime. To achieve this, data could be made readily available in a machine-readable, non-proprietary format and be supplemented with relevant metadata. Given the sensitive nature of crime and criminal justice data, however, statistics should be published only in a form that respects the relevant regulatory frameworks concerning data privacy and security. Moreover, to ensure privacy, the collection and analysis of data should be closely aligned with responsible data practices (e.g. anonymization, informed consent of the data subject, proportionality to the act), and clear safeguards should be established to protect the rights and well-being of vulnerable groups such as children.

⁴⁵ See, for example, the report of the United Nations High Commissioner for Human Rights on “The right to privacy in the digital age” (A/HRC/48/31).

⁴⁶ United Nations General Assembly resolution 68/261.

⁴⁷ International Open Data Charter, “Principles”. Available at <https://opendatacharter.net/principles/>.

B. Objectives

116. The objectives of Workshop 3 are the following:

- (a) Discuss which **types of data** are most needed in order to inform effective crime prevention and criminal justice policies that can tackle new, emerging and evolving forms of crime, including those that relate to protecting the planet, by identifying, at as early a stage as possible, trends and patterns in crime and the response to crime;
- (b) Address **challenges** related to the collection, analysis and governance of high-quality, comparable statistics and data related to crime and criminal justice, and how to develop **more accurate, timely and cost-effective methodologies** for new, emerging and evolving forms of crime, including those that relate to protecting the planet, especially for analysing and evaluating the effectiveness of policies to prevent and respond to such crime;
- (c) Discuss how to improve data collection for **crimes that affect the environment** including how to increase engagement with existing tools, and identification of relevant authorities, other data sources and challenges to be overcome;
- (d) Discuss the potential of **new sources and new technologies** to collect or extract and analyse data, and how to address the challenges involved;
- (e) Consider how to **improve local, national, regional and global capacity** to collect, analyse and report these data;
- (f) Identify **challenges in cooperation between statisticians, data scientists, researchers, evaluators and data analysts** on the one hand, **and policymakers** on the other hand, with a view to better integrate data into the development of crime prevention and criminal justice strategies at the local, national, regional and global levels.

C. Questions for discussion

117. Participants in the regional preparatory meetings and in Workshop 3 at the Fifteenth Congress may wish to consider the following questions for further discussion:

- (a) How can existing crime and criminal justice data collection and analysis efforts be strengthened?
- (b) How can the private sector, academia, non-governmental organizations and other entities assist in collecting and analysing data?
- (c) What good practice recommendations have research and evaluation identified for the development of an effective system for the collection and analysis of quantitative and qualitative data that can produce relevant, timely, accurate and reliable data for the purpose of policy development in crime prevention and criminal justice?
- (d) What innovative approaches and methodologies are needed to identify, assess and understand new, emerging and evolving forms of crime, including those that relate to protecting the planet?
- (e) How can new data sources and technologies such as big data, geospatial information systems and artificial intelligence assist criminal justice agencies in preventing and combating new, emerging and evolving forms of crime, including those that relate to protecting the planet?
- (f) What forms of cooperation can be developed at the regional and global levels to improve local and national data collection and analysis, including for

evaluative purposes, and the access by local and national policymakers to the relevant data?

(g) How can quantitative and qualitative data collection and analysis on crime that affect the environment be improved to better address the triple planetary crises? What unique challenges do these crimes pose to data-driven approaches, and what opportunities exist to enhance our capacity to address these crimes through innovative data use and evaluation?

(h) How can Member States develop a national data governance framework on crime and criminal justice to ensure the responsible use and reuse of data, and what principles should guide these frameworks?

(i) Specifically, how can UNODC, including its field office network and the Centres of Excellence, as well as the PNIs best assist Member States in the collection and analysis of data, in the identification of new, emerging and evolving forms of crime, including those that relate to protecting the planet, and in the integration of data, including evaluative evidence, into policymaking?

Substantive item 4. Working better together to elevate cooperation and partnerships, including technical and material assistance and training, at the national, regional and international levels, in crime prevention and criminal justice

A. Background

118. In a world of rapid change and multiple crises, including instability, resource constraints and climate change, governments, civil society and communities must intensify their efforts to work together at the national, regional and international levels to implement effective and lasting solutions to reduce violence and deliver justice, while fostering inclusive participation and public trust in criminal justice institutions.

119. In the Kyoto Declaration and during the sessions of the Commission on Crime Prevention and Criminal Justice, Member States recognized the need to enhance multidisciplinary efforts to prevent and combat crime through cooperation and coordination between criminal justice institutions and other governmental sectors and to foster multi-stakeholder partnerships with the private sector, civil society, academia, the scientific community and other relevant stakeholders. Member States also highlighted the importance of working together, and of respective technical assistance, including material assistance and training, taking into account the specific challenges faced by and the particular needs of requesting countries.

B. Main issues/substantive focus

1. Partnerships and cooperation at the national level

120. Participants in the regional preparatory meetings and the Fifteenth Crime Congress may wish to discuss the tangible gains that can result from, and strategies to overcome current obstacles that hinder enhanced cooperation between criminal justice institutions and other governmental partners on the one hand, and with the private sector, civil society, academia, the scientific community and other relevant stakeholders on the other hand.

121. While adhering to their distinct mandates and limitations associated therewith, enhancing cooperation and information-sharing among criminal justice stakeholders and consolidating criminal justice data can generate significant efficiency gains and

a strong evidence-base for informed decision-making. Efforts should also be undertaken to mobilize support from other governmental stakeholders to embed criminal justice interventions in an all-of-government approach to public safety, rule of law and human rights. The latter should encompass social welfare, educational, employment, protection and health support services for people in contact with the criminal justice system, including drug prevention, treatment and care services, including those of a gender- and age-responsive nature, as well as those targeting populations at risk of stigma, discrimination, marginalization or exclusion.

122. There is significant potential to equally build on the expertise of, and actively involve, non-governmental stakeholders in the field of crime prevention and criminal justice. While core functions must remain a State responsibility, the involvement of civil society, the use of community volunteers and traditional leaders, as applicable, as well as carefully designed public-private partnerships can enhance the effectiveness, relevance and legitimacy of crime prevention and criminal justice interventions. Academia can play a pivotal role in supporting policy and strategy development that is based on solid research findings.

123. The value of multidisciplinary partnerships should also be seen through the lens of the overall theme of the Crime Congress and its reference to climate change and digitalization. While a dedicated workshop of the Congress will cover the use of new technologies, Member States may wish to discuss the emerging threats that climate change poses on the operation of criminal justice systems and its potential to influence patterns of crime. Exploring how the climate change resilience of criminal justice systems can be enhanced would exemplify how Sustainable Development Goal 13 (climate action) can become an integral part of efforts to advance on Sustainable Development Goal 16 (peace, justice and strong institutions).⁴⁸

2. Partnerships and cooperation at regional and international levels

124. Participants of the regional preparatory meetings and the Fifteenth Crime Congress may wish to discuss strategies on advancing international cooperation to prevent all forms of crime, including those of a new, emerging and evolving nature, on depriving criminals of their proceeds of crime and on the building of international networks of relevant criminal justice professionals.

125. Without enhanced bilateral, regional and international cooperation, the gap between the responsive capacity of Member States and the sophistication of criminal groups and their *modi operandi* risks becoming insurmountable. This applies to both crime categories that are of a transnational nature by definition and those that stand out in terms of complexity. In transnational criminal cases, legal systems necessitate both a sufficient degree of harmonization as well as related institutions and procedures to support international cooperation in criminal matters, including through extradition, mutual legal assistance, the transfer of sentenced persons and of criminal proceedings, international cooperation for the purpose of confiscation, and international law enforcement cooperation.

3. Technical assistance, training and material assistance

126. Participants of the regional preparatory meetings and the Fifteenth Crime Congress may wish to discuss good practices related to technical assistance in crime prevention and criminal justice, focusing on key features that should guide advisory services, training methods and techniques and material assistance with a view to ensure efficiency, effectiveness, innovation, sustainability and continuous compliance with the international legal framework.

127. With a view to address priority needs and identify responses that are tailored to the national context, technical assistance in crime prevention and criminal justice

⁴⁸ More information is included in the Section of this report that covers Substantive item 2 “Promoting people-centred, inclusive and responsive criminal justice systems in a world of continuous change”.

should be based on a prior assessment, in close collaboration with the government and further informed by consultations with other relevant stakeholders. A clear theory of change, national ownership, a due consideration of South-South and triangular cooperation and a continuous focus on sustainability are pre-conditions to maximize prospects for lasting impact. Infrastructure and material assistance, where necessary, should be coupled with capacity-building, showcase the value of pilot initiatives for potential replication, or form part of broader government-led criminal justice initiatives.⁴⁹

4. The international legal framework and technical guidance

128. In all of the above, maximum use should be made of the practical application of the **United Nations standards and norms in crime prevention and criminal justice** with a view to establish effective, fair and accountable criminal justice systems that serve as an indispensable foundation for efforts to address specific forms of crime.

129. As regards specific forms of crime, use should be made of the **international conventions and protocols related to counterterrorism, organized crime and corruption**, including the related review mechanisms, wherever applicable.

130. Member States may wish to draw on **practical tools** developed to advance crime prevention and criminal justice and to strengthen international cooperation, including e-learning tools.

C. Questions for discussion

131. Participants in the regional preparatory meetings and the Fifteenth Congress may wish to consider the following questions for further discussion:

(a) How can countries promote enhanced inter-agency collaboration in crime prevention and criminal justice among governmental agencies and services, and in what areas? What are good practices of regional or subregional networks of justice professionals that facilitate cooperation in criminal matters, including on new and emerging forms of crime?

(b) What are promising models to engage civil society, academia and the private sector in crime prevention and criminal justice, and in which areas have their contributions proven to be particularly valuable?

(c) What are the opportunities and limitations of public-private partnerships in crime prevention and criminal justice? Which core functions must be retained by the State?

(d) Which experiences have enhanced the integration of social, educational, employment, protection and health support services in crime prevention and criminal justice?

(e) Which structures, tools and analysis methods have proven effective to collect and use crime prevention and criminal justice data for evidence-based decision-making?

(f) How can (a)–(e) help to address shortcomings in crime prevention, policing, access to justice, victim support, prison/offender management as well as gender- and age-responsive justice? How can (a)–(e) help to prevent and respond to organized crime, corruption and terrorism as well as to new and emerging forms of crime?

(g) What is the concrete impact of climate change on the operation of criminal justice systems? Which entities and special populations have found to be particularly

⁴⁹ In terms of policy guidance issued by the United Nations, technical assistance in crime prevention and criminal justice should also be informed by the principles and actions contained in the New Vision of the Secretary-General for the Rule of Law (2023).

affected? Does evidence exist that would point to changing crimes patterns in jurisdictions that are particularly affected by climate change? If so, how have countries responded to these? Which steps should be considered to render criminal justice systems more resilient against climate change disruptions and/or to reduce their environmental footprint?

(h) Which approaches have found to be most successful to support countries in enhancing the application of the United Nations standards and norms in crime prevention and criminal justice?

(i) How can the United Nations conventions related to organized crime, corruption and counterterrorism be more effectively utilized as a basis for international cooperation in criminal matters?

(j) How can the provision of training and other capacity-building for criminal justice officials be rendered more effective, with due consideration of multiplier effects and sustainability? What is the accumulated experience of partnering with and enhancing the capacity of national training institutes for the police, prosecutors, the judiciary and prison officials? What is the evidence-base as regards knowledge gains resulting from e-learning or other innovative capacity-building measures, in comparison to traditional in-person training?

(k) How can material assistance in crime prevention and criminal justice, including construction, refurbishment and procurement, be most effectively integrated in technical assistance?

Workshop 4. Turning the digital age into an opportunity: promoting the responsible use of technologies in crime prevention and criminal justice⁵⁰

A. Scope

132. There is increasing international attention to the potential of harnessing technologies for the global good. The United Nations Secretary-General's Global Digital Compact sets out the requirements for an "open, free and secure digital future for all" that is anchored in human rights and aimed at achieving the 2030 Agenda for Sustainable Development.⁵¹ The Secretary-General's Roadmap for Digital Cooperation outlines strategies to advance digital capacity building, digital public goods, universal connectivity, digital inclusion, digital trust and security, digital human rights and digital cooperation.⁵²

133. In emphasizing the importance of strengthening the positive potential of digital inclusion and digital public goods, the Secretary-General also notes that the expansive application of technologies entails risks. "Our data is being bought and sold to influence our behaviour – while spyware and surveillance are out of control – all, with no regard for privacy; artificial intelligence can compromise the integrity of information systems, the media, and indeed democracy itself".⁵³ This same need to assess both the positives and potential risks of technology has been identified by the United Nations High Commissioner for Human Rights, in the call for a human

⁵⁰ The text is the result of productive joint work between UNODC, KICJ and UNICRI, with the contribution of other PNIs.

⁵¹ Secretary-General's Policy Brief, A Global Digital Compact – an Open, Free and Secure Digital Future for All. May 2023. United Nations, New York.

⁵² Secretary-General's Roadmap for Digital Cooperation: implementation of the recommendations of the High-level Panel on Digital Cooperation. Seventy-fourth session of the United Nations General Assembly, 29 May 2020 (A/74/821).

⁵³ Secretary-General remarks at the Opening of the General Debate of the 77th session of the United Nations General Assembly on 22 September 2022.

rights-based approach to technology “to help societies to identify ways to prevent and limit harm while maximizing the benefits of technological progress”.⁵⁴

1. Human rights and the use of technology in crime prevention and criminal justice

134. Successive resolutions at the global level emphasize that harnessing the positive potential of technology requires clear guidance about effective strategies to promote human rights while safeguarding against discrimination and an interference with privacy and human dignity.⁵⁵ Noting the potential for digitalization to make criminal justice systems “more effective, accountable, transparent, inclusive and responsive through promoting digitalization”, the Kyoto Declaration calls for “adequate and effective safeguards” to prevent the improper use of such technologies.⁵⁶

135. The efficiencies offered by digitalization have precipitated rapid growth in the use of new and advanced technologies at all stages of the criminal justice process and across all criminal justice institutions. Key to promoting trust in public institutions and upholding human rights in the administration of justice are the long-standing principles of open justice, and principles of oversight and accountability for justice sector institutions and actors. The global commitment to promote equal access to justice for all, to leave no one behind, underscores the importance of ensuring that all current and future applications of technology in the criminal justice sector adhere to international human rights law and the United Nations standards and norms in crime prevention and criminal justice, with a particular focus on the core human rights principles of equality, human dignity, privacy, non-discrimination, and freedom of expression and of association.

136. When used responsibly, technology offers considerable potential to assist public and private sector institutions with the prevention, detection, investigation, disruption and removal of technology-enabled and technology-dependent crime and criminal content (e.g. online scams, and child sexual abuse material). Technology also offers efficiencies and increased capabilities for the prevention, detection, investigation, and prosecution of crime (e.g. through digital case management systems and strengthened international cooperation in criminal matters through networks for securely transmitting information).

137. Used responsibly, technology has the potential to enhance equal access to justice for all through the provision of online legal information, legal aid services, and victim support services. With the informed consent of all parties, remote hearings have the potential to reduce court backlogs, reduce the trauma of court appearances and overcome geographic barriers in access to service.

138. Technology can be used to enhance transparency in criminal justice processes and reduce risks of corruption, abuse of power, or unlawful use of force, through the digitalization of investigation, evidence, and judicial records, the recording of investigation and judicial procedures, and the responsible use of vehicle and body worn cameras.

139. Technology can also be used to detect and assist victims of crime and people in distress, with drones and satellite imagery used to detect smuggled refugees and migrants in distress at sea; and image matching technologies used to identify victims of human trafficking and child sexual abuse.

2. Governance and partnerships for responsible use of technologies

140. Achieving the responsible use of technology in the field of crime prevention and criminal justice requires strong oversight mechanisms and public/private sector partnerships that prioritize human rights by design and rigorous human rights

⁵⁴ A/HRC/48/31 para. 37.

⁵⁵ See, for example, A/RES/75/1 para. 13; A/HRC/48/31; A/HRC/38/47 and; CRC/C/GC/25.

⁵⁶ Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development (A/CONF.234/16), paras. 13 and 16.

assessments. Public/private sector partnerships have the potential to actively uphold human rights by strengthening the prevention, detection, and prosecution of crime, and to ensure that the development of future technologies is human rights compliant and tailored to meet the evolving needs within the criminal justice sector.

141. The expansive use of private sector technologies in the criminal justice sector raises several important considerations, however, including the need to: assess the implications of profit margins; stringently resist the privatization of essential services; and implement legislative and regulatory mechanisms to ensure public oversight of private sector involvement in statutory criminal justice functions. Specific accountability and liability mechanisms are vital for regulating against technologies that infringe human rights, and for instances in which technology companies fail to moderate and/or take-down illegal content.

142. A shared public/private sector commitment is needed to preserve the digital commons and ensure that technology remains a global public good. This requires enhanced efforts to ensure equal access to digital technologies, data, and knowledge – including by combating existing inequalities in digital access and skills, de-monetizing data, and proscribing proprietary rights over public goods.

143. Ongoing efforts are needed to assess the human rights implications of emerging technologies. This requires multidisciplinary and multisectoral research, monitoring and evaluation, and the development of legal and operational frameworks to address new and emerging forms of technology-enabled crime while also ensuring that any use of such technologies in the criminal justice sector adheres to human rights standards.

B. Objectives

144. The objectives of Workshop 4 are the following:

(a) Consistent with the guidance in the Secretary-General's Roadmap for Digital Cooperation, to discuss practical strategies and partnerships to achieve digital inclusion, digital trust and security, digital human rights and digital cooperation in the field of crime prevention and criminal justice;

(b) More specifically, to explore strategies to promote effective, coordinated and inclusive technology governance, including the development and implementation of binding rules, among public and private sectors to prevent and counter the use of technologies for criminal purposes, to ensure that technology use aligns with international law, and to ensure that digital technologies and the Internet function as a sustainable global public good;

(c) To discuss strategies for enhancing digital inclusion, based on the principle of leaving no one behind, and with particular attention to gender dimensions, intersectionality, and the rights and needs of specific groups (including women, children, the elderly, persons with disabilities, etc.) to enhance equal access to digital technologies, data, and knowledge (the digital commons) as a facet of crime prevention strategies and as means of enhancing equal access to justice for all;

(d) To discuss how technologies can assist with the strengthening of data collection, analysis, and application in criminal justice systems, mindful also of data protection safeguards, and human rights considerations including privacy and other fundamental freedoms (movement, assembly, association, etc.);

(e) To identify opportunities to further leverage technology to identify and combat cybercrime and the malicious use of technology (including new and emerging technologies).

C. Questions for discussion

145. Participants in the regional preparatory meetings and in Workshop 4 at the Fifteenth Congress may wish to consider the following questions for discussion:

(a) What are the opportunities for harnessing, further promoting, or advancing the use of technologies (including new and emerging technologies) in the criminal justice system in ways that are lawful, ethical, and consistent with efforts to enhance equal access to justice for all and leaving no one behind, with particular attention to the rights and needs of specific groups (e.g. women, children, people with disabilities, victims of crime, and individuals facing discrimination or marginalization)?

(b) What are the primary challenges and what safeguards and monitoring and compliance mechanisms should be put in place to ensure that the use of technologies in the criminal justice system aligns with international law?

(c) What would be the most effective mechanisms for governing the use of technology in the criminal justice sector and how can the convergence of public and private interests be managed to ensure that both criminal justice services, and digital technologies function effectively as sustainable global public goods?

(d) Through what mechanisms can multisectoral partnerships be strengthened for efficient cooperation between public sector bodies, including telecommunications regulators, and technology manufacturers and service providers in the commercial sector?

(e) Are there ways in which the use of technology in the criminal justice system has exacerbated the marginalization or targeting of individuals and groups already facing discrimination? (What are the gender and intersectionality implications, for example.) How can we leverage these findings to catalyse digital inclusion?

(f) With the rapid development of technologies, what new technology-enabled crimes can we anticipate, and in what ways can technologies assist in preventing, detecting, and combating such crimes while also upholding the rule of law and human rights?

(g) What mechanisms can be put in place to monitor new and emerging technologies, to prevent malicious use, address system deficiency risks, and ensure the effective, lawful and responsible use of these technologies in the criminal justice sector?
