



Fourteenth United Nations Congress on Crime Prevention and Criminal Justice



Kyoto, Japan, 20–27 April 2020

Distr.: General
10 January 2020

Original: English

Annotated provisional agenda

Provisional agenda

1. Opening of the Congress.
2. Organizational matters:
 - (a) Election of the President and of other officers;
 - (b) Adoption of the rules of procedure;
 - (c) Adoption of the agenda;
 - (d) Organization of work;
 - (e) Credentials of representatives to the Congress:
 - (i) Appointment of members of the Credentials Committee;
 - (ii) Report of the Credentials Committee.
3. Comprehensive strategies for crime prevention towards social and economic development.
4. Integrated approaches to challenges facing the criminal justice system.
5. Multidimensional approaches by Governments to promoting the rule of law by, inter alia, providing access to justice for all; building effective, accountable, impartial and inclusive institutions; and considering social, educational and other relevant measures, including fostering a culture of lawfulness while respecting cultural identities, in line with the Doha Declaration.
6. International cooperation and technical assistance to prevent and address all forms of crime:
 - (a) Terrorism in all its forms and manifestations;
 - (b) New and emerging forms of crime.
7. Adoption of the report of the Congress.



Annotations

1. Opening of the Congress

The Fourteenth United Nations Congress on Crime Prevention and Criminal Justice will be opened at the Kyoto International Conference Center in Kyoto, Japan, on Monday, 20 April 2020, at 10 a.m.

2. Organizational matters

(a) Election of the President and of other officers

Pursuant to rule 6 of the rules of procedure for United Nations congresses on crime prevention and criminal justice (A/CONF.234/2), the Fourteenth Congress is to elect from among the representatives of participating States a President, 24 Vice-Presidents and a Rapporteur-General, as well as a Chair for each of the committees provided for in rule 45. Those officers will constitute the General Committee and will be elected on the basis of equitable geographical distribution, according to the following geographical pattern: seven representatives from African States, six from Asian States, three from Eastern European States, five from Latin American and Caribbean States and six from Western European and other States. The Presidency will not be counted for purposes of regional distribution as it has become established practice in major conferences of the United Nations held away from Headquarters that the office of the President of the conference is bestowed on a representative of the host Government. Accordingly, it is expected that the Fourteenth Congress will elect a representative of Japan as its President. The regional groups are requested to make known their nominations for the offices in the General Committee prior to the pre-Congress consultations.

Pre-Congress consultations will be held on Sunday, 19 April 2020 at 3 p.m. Pursuant to rule 43 of the rules of procedure, all elections are to be held by secret ballot, unless the Congress decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

Pursuant to rule 46 of the rules of procedure, in addition to a Chair elected by the Congress pursuant to rule 6, each committee as may be established pursuant to rule 45 is itself to elect a Vice-Chair and a Rapporteur from among the representatives of participating States; moreover, subcommittees and working groups are each to elect a Chair and no more than two Vice-Chairs from among the representatives of participating States.

It is recommended that agreement be reached before the opening of the Fourteenth Congress on the list of candidates for those offices, thus allowing elections by acclamation at the opening of the Congress.

(b) Adoption of the rules of procedure

The rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders were approved in 1993 by the Economic and Social Council (resolution 1993/32) and were reissued in 2004 to reflect the fact that, pursuant to General Assembly resolution [56/119](#), the title of the congresses had been changed from “United Nations congresses on the prevention of crime and the treatment of offenders” to “United Nations congresses on crime prevention and criminal justice” (A/CONF.234/2).

Pursuant to rule 63 of the rules of procedure, the Commission on Crime Prevention and Criminal Justice is to make, after the completion of each Congress, appropriate recommendations to the Economic and Social Council for such amendments to the rules as it may deem necessary.

The rules of procedure were made available to the Commission at its twenty-eighth session (see [E/CN.15/2019/12](#)). In the absence of any amendments, the Fourteenth Congress will be conducted in accordance with the current rules of procedure, supplemented by the guidelines contained in paragraph 2 of General Assembly resolution [56/119](#).

(c) Adoption of the agenda

The provisional agenda for the Fourteenth Congress, as finalized by the Commission at its twenty-sixth session, was approved by the General Assembly in its resolution [72/192](#), entitled “Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice”. In the same resolution, the General Assembly decided that the main theme of the Congress should be “Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda”.

(d) Organization of work

In its resolution [72/192](#), the General Assembly decided that the following issues would be considered in workshops:

1. Evidence-based crime prevention: statistics, indicators and evaluation in support of successful practices.
2. Reducing reoffending: identifying risks and developing solutions.
3. Education and youth engagement as key to making societies resilient to crime.
4. Current crime trends, recent developments and emerging solutions, in particular new technologies as means for and tools against crime.

At its twenty-sixth and following sessions, the Commission discussed substantive and organizational aspects of the Fourteenth Congress on the basis of the reports of the Secretary-General on the follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth Congress ([E/CN.15/2017/11](#), [E/CN.15/2018/11](#) and [E/CN.15/2019/11](#)).

In view of General Assembly resolution [71/206](#), in which the Assembly recommended that, building on the experience and the success of the Thirteenth Congress, all efforts be made to ensure that the overall theme and the agenda items and workshop topics of the Fourteenth Congress be interrelated and that agenda items and workshop topics be streamlined, and, in order to allow discussions to feed into each other in a logical flow, the discussion guide ([A/CONF.234/PM.1](#)) and the regional preparatory meetings for the Fourteenth Congress, convened pursuant to the General Assembly resolution [72/192](#), clustered the topics as follows:

(a) Substantive item 3 (“Comprehensive strategies for crime prevention towards social and economic development”) is clustered with workshop 1 (“Evidence-based crime prevention: statistics, indicators and evaluation in support of successful practices”);

(b) Substantive item 4 (“Integrated approaches to challenges facing the criminal justice system”) is clustered with workshop 2 (“Reducing reoffending: identifying risks and developing solutions”);

(c) Substantive item 5 (“Multidimensional approaches by Governments to promoting the rule of law by, inter alia, providing access to justice for all; building effective, accountable, impartial and inclusive institutions; and considering social, educational and other relevant measures, including fostering a culture of lawfulness while respecting cultural identities, in line with the Doha Declaration”) is clustered with workshop 3 (“Education and youth engagement as key to making societies resilient to crime”);

(d) Substantive item 6 (“International cooperation and technical assistance to prevent and address all forms of crime: (a) terrorism in all its forms and manifestations; and (b) new and emerging forms of crime”) is clustered with workshop 4 (“Current crime trends, recent developments and emerging solutions, in particular new technologies as means for and tools against crime”).

In its resolution [74/171](#), entitled “Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United

Nations Congress on Crime Prevention and Criminal Justice”, the General Assembly encouraged Governments to make preparations for the Fourteenth Congress at an early stage by all appropriate means, including, where appropriate, by establishing national preparatory committees, with a view to contributing to a focused and productive discussion on the topics and to participating actively in the organization and conduct of the workshops, by submitting national position papers on the various substantive items of the agenda and by encouraging contributions from the academic community and relevant scientific institutions.

High-level segment

In its resolution [56/119](#), the General Assembly decided that each congress is to include a high-level segment in which States are to be represented at the highest possible level and be given an opportunity to make statements on the topics of the congress.

In its resolution 73/184, entitled “Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice”, the General Assembly decided that the high-level segment of the Fourteenth Congress would be held during the first two days of the Congress in order to allow Heads of State or Government and government ministers to focus on the main theme of the Congress and to enhance the possibility of generating useful feedback. In order to give all high-level participants an opportunity to address the Congress, the high-level segment will be extended to the third day of the Congress.

In the same resolution, the General Assembly reiterated its invitation to Member States to be represented at the Fourteenth Congress at the highest possible level, for example, by Heads of State or Government, government ministers or attorneys general, and to make statements on the theme and topics of the Congress.

Following the opening of the high-level segment, the floor will be given to the high-level representatives of the Member States chairing the regional groups, followed by statements by high-level representatives of Member States speaking in their national capacities. The establishment of the initial list of speakers for the high-level segment by means of drawing of lots will take place at an intersessional meeting of the Commission on Crime Prevention and Criminal Justice, acting as the preparatory body for the Congress, tentatively to be held on 2 April 2020.

Heads of entities of the United Nations, including programmes, funds, specialized agencies and regional commissions, intergovernmental organizations and non-governmental organizations, may also make statements during the high-level segment after Member States, on a first come, first served basis, if time permits. Duly registered representatives of intergovernmental and non-governmental organizations who wish to make a statement during the high-level segment should inform the Secretariat by 3 April 2020.

In order to accommodate all speakers, statements are limited to five minutes (approximately 500 words). Chairs of regional groups will be allotted a speaking time of a maximum of seven minutes.

More information can be found in the information for participants (A/CONF.234/INF/1).

Kyoto declaration

In its resolution [73/184](#), the General Assembly decided that, in accordance with its resolution [56/119](#), the Fourteenth Congress would adopt a single declaration, to be submitted to the Commission for its consideration,

In its resolution [74/171](#), the General Assembly requested the Commission, in accordance with its resolution [73/184](#), to begin to prepare, at intersessional meetings to be held well in advance of the Fourteenth Congress, a structured, short and concise draft declaration with a robust overarching political message addressing the main topics to be discussed at

the Congress, taking into account the outcomes of the regional preparatory meetings, consultations with relevant organizations and entities and the relevant discussions held in preparation for the Congress, as well as the mandate and objectives of the United Nations congresses on crime prevention and criminal justice.

In that resolution, the General Assembly encouraged Member States to finalize their negotiation of the Kyoto declaration in a timely manner prior to the commencement of the Fourteenth Congress. If the draft Kyoto declaration is finalized before the commencement of the Fourteenth Congress, its adoption will be scheduled at the beginning of the above-mentioned high-level segment.

(e) Credentials of representatives to the Congress

(i) Appointment of members of the Credentials Committee

Pursuant to rule 4 of the rules of procedure, a credentials committee composed of nine members is to be appointed by the Fourteenth Congress on the proposal of the President. Its membership, as far as possible, is to be the same as that of the Credentials Committee of the General Assembly at its preceding session. At the seventy-fourth session of the Assembly, the Credentials Committee was composed of the following States: Barbados, Botswana, China, Mauritius, Nepal, Russian Federation, San Marino, United States of America and Uruguay.

(ii) Report of the Credentials Committee

Pursuant to rule 4 of the rules of procedure, the Credentials Committee is to examine the credentials of representatives and report to the Fourteenth Congress.

Documentation

Annotated provisional agenda (A/CONF.234/1)

Rules of procedure for United Nations congresses on crime prevention and criminal justice (A/CONF.234/2)

Information for participants (A/CONF.234/INF/1)

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

Socioeconomic conditions and social inequality play an important role in why certain individuals engage in criminal behaviour, as well as in determining levels of crime in societies at large. In the Doha Declaration¹ adopted at the Thirteenth Congress in April 2015, Member States expressed their commitment to planning and implementing comprehensive policies and programmes that foster socioeconomic development, with a focus on the prevention of crime. The 2030 Agenda for Sustainable Development, adopted that same year, includes numerous crime- and violence-related targets, in recognition of the fact that the prevention of crime and violence is key to sustainable social and economic development.

As underlined in the report of the Secretary-General on progress towards the Sustainable Development Goals,² rising income and wealth inequality threatens to erode social cohesion, entrench insecurity and dampen productivity growth, thereby undermining efforts to achieve the Goals. Progress towards the targets of reducing violence and crime and ensuring equal access to justice for all, under Goal 16, continues to be limited.

¹ Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation (General Assembly resolution 70/174, annex).

² *The Report of the Secretary-General on SDG Progress 2019: Special Edition* (United Nations publication, Sales No. E.19.I.6).

Crime prevention is key to achieving Goal 16, in terms of reducing violence and crime, as well as injustice. Effective prevention requires a multi-stakeholder approach. As such, it is crucial for the justice system to collaborate with other sectors to address the root causes of crime and disputes, and avert conflict, violence and human rights abuses. For crime and violence, this means moving towards evidence-based prevention that reduces levels of violence, especially violence against women, children and vulnerable members of society. The United Nations standards and norms on crime prevention and criminal justice, including the Guidelines for the Prevention of Crime,³ provide Member States with guidance on effective crime prevention, and that guidance points to the need to target the root causes of crime and to the clear evidence that well-planned crime prevention strategies not only prevent crime and victimization but also promote community safety and contribute to sustainable development.

The discussions held during the regional preparatory meetings for the Fourteenth Congress underlined that comprehensive crime prevention strategies are key to social and economic development and highlighted the importance of evidence-based strategies, as well as cross-sectoral and inter-agency cooperation. In view of that, the Congress may wish to elaborate on the link between crime prevention and social and economic development in more detail. Participants in the Congress may also share best practices and experiences in preventing and reducing crime in the context of the 2030 Agenda, discussing what works in prevention, including with regard to violence and crime affecting women and children, and urban crime. The Congress may also consider the role of the police in crime prevention and address the challenges related to sustaining and scaling up effective programmes in order to achieve an impact through the entire population. In this regard, it is important to note the importance of investing in youth crime prevention while leveraging the power of education and sports.

Workshop on evidence-based crime prevention: statistics, indicators and evaluation in support of successful practices

As a response to the different layers, types and spheres of criminal activities, crime prevention efforts are a multi-level effort, reaching from the local level to the global level. Particularly in the context of achieving the Sustainable Development Goals, efforts at all these levels are even more important in providing evidence for policymaking and for ensuring that robust evaluation mechanisms and systems are in place.

Preventing crime requires concerted and well-coordinated efforts by the government and other relevant stakeholders, and there are many theories of and practices for crime prevention that may work in one situation but fail in another. Evidence-based policymaking is essential, in particular in the context of the complexity of crime prevention as well as the overarching efforts for achieving the Sustainable Development Goals of the 2030 Agenda. Evidence-based crime prevention aims at identifying the factors associated with different types of crime, leading to the selection of a set of strategies and programmes that can address those underlying factors in order to prevent crime and help policymakers develop correctly targeted actions.

The workshop will discuss different elements that constitute evidence for crime prevention: data, statistics, analysis, qualitative research and evaluation – at all levels, namely the local, national, regional and international levels.

Statistics play a primary role in evidence-based crime prevention: they build the base for a shared understanding of criminal phenomena and their risk, as well as resilience factors. Knowledge of the basic facts about crime – such as the prevalence of the various crime types and their trends, their geographical distribution and the population groups most at risk – is of paramount importance for establishing the priority areas for crime prevention interventions.

³ See *Handbook on the Crime Prevention Guidelines: Making Them Work*, Criminal Justice Handbook Series (United Nations publication, Sales No. E.10.IV.9).

National-level entities responsible for statistics on crime and criminal justice are making considerable efforts to upgrade their production of statistics, implement global standards such as the International Classification of Crime for Statistical Purposes, produce data for the Sustainable Development Goals indicators in the area of crime prevention and disseminate those data according to the principles of open data. In addition to traditional data sources and methods, new producers of data are emerging, and the unlimited data supply provided by new digital sources is being explored to produce high-quality data for understanding crime and its drivers, as well as vulnerable members of society and factors for protecting from crime.

Important challenges exist in relation to data quality and gaps in the data. Addressing these challenges requires methodological guidance and the testing of innovative solutions. Strengthened mechanisms for data collection, dissemination and use are key to improving the shared understanding of crime for the development of comprehensive and multi-stakeholder policies for crime prevention.

Different types of analysis are also needed depending on whether the crime prevention initiative is international, regional, national or local in character. International-level information enhances the ability to understand the dynamics of transnational criminal markets. National-level data can produce evidence on crime and its connection to many factors such as inequalities, cultural practices and social tensions. Local-level data generation and analysis tools such as safety audits can ensure that all relevant community-level stakeholders are included in crime prevention processes.

Evaluation is one key source of evidence that fosters the engagement and ownership of various stakeholders by providing reliable evidence and thereby supporting results-based management systems.

Evaluations of crime prevention policies usually focus on three main components, namely the activity, output and impact, to ensure that the results of evaluation are of the greatest utility for different audiences, in order to respond to the complexity of crime prevention efforts. In this context, participatory approaches in evaluations in particular are considered essential to ensure that the universally recognized human rights and gender equality principles are fully mainstreamed throughout evaluation processes.

The International Centre for the Prevention of Crime, which is part of the United Nations crime prevention and criminal justice programme network, has assisted in the preparation and organization of the workshop.

Documentation

Report of the Secretary-General on the state of crime and criminal justice worldwide (A/CONF.234/3)

Working paper prepared by the Secretariat on comprehensive strategies for crime prevention towards social and economic development (A/CONF.234/4)

Background paper prepared by the Secretariat on the workshop on evidence-based crime prevention: statistics, indicators and evaluation in support of successful practices (A/CONF.234/8)

Report of the Secretariat on the outcome of the expert group meeting on integrating sport into youth crime prevention and criminal justice strategies (A/CONF.234/14-E/CN.15/2020/14)

Discussion guide for the Fourteenth Congress on Crime Prevention and Criminal Justice ([A/CONF.234/PM.1](#))

Reports of the regional preparatory meetings for the Fourteenth Congress ([A/CONF.234/RPM.1/1](#), [A/CONF.234/RPM.2/1](#), [A/CONF.234/RPM.3/1](#), [A/CONF.234/RPM.4/1](#) and [A/CONF.234/RPM.5/1](#))

4. Integrated approaches to challenges facing the criminal justice system

Criminal justice systems around the world are expected to respond to wide-ranging and complex challenges, including persistently high levels of crime and violence, new forms of criminality that require adaptive responses in a constantly evolving context, and an urgent need to enhance responses to criminal behaviours that have long pervaded many societies but now have ceased to be invisible and condoned, including corruption and specific forms of violence such as violence against women and violence against children.

Responding to these long-existing and new challenges requires achieving a careful balance between the need of communities for safety, the need of victims for justice and reparation and the need to hold offenders accountable while ensuring their rehabilitation and social reintegration. Many criminal justice systems are overburdened with heavy caseloads and have at their disposition insufficient financial and human resources. This leads to various dysfunctions, including high levels of impunity, delays in the administration of justice, overuse of pre-trial detention and detention for lengthy periods, insufficient use of the whole range of available sentencing options and alternative options, overcrowded prisons that cannot fulfil their rehabilitative function and high rates of recidivism. Against this background, communities often perceive criminal justice systems as lacking effectiveness and fairness in their responses to crime and violence, which in turn undermines respect for the rule of law and increases perceptions of insecurity in the community. Moreover, criminal justice systems often suffer from a lack of integration of the different components of the criminal justice chain, as well as a lack of coordination and collaboration with other sectors essential for ensuring integrated responses to crime and violence.

Further to the regional preparatory meetings for the Fourteenth Congress, at which Member States emphasized the need to take an integrated approach to meeting the challenges facing the criminal justice system, the Congress may wish to elaborate on the discussion and exchange national experiences on the ways and means of developing and promoting integrated, multisectoral and coordinated approaches. The Congress may also wish to pay particular attention to the specific challenges outlined in the working paper (A/CONF.234/5), namely violence against women, violence against children, and support to and protection of victims, issues to which the 2030 Agenda for Sustainable Development calls to give priority attention as they are justice challenges that have to be addressed if sustainable development is to be achieved.

Effective responses to violence against women and violence against children require multifaceted, targeted and sustained interventions by the criminal justice system, in close cooperation with other sectors, such as social welfare, education and health services. Equally, victims – despite being those most affected by crime – have all too often been overlooked by conventional criminal justice systems, with little to no support, protection or opportunity to be heard and participate in criminal justice processes. An integrated approach involving criminal justice agencies at all stages of the criminal justice process, as well as other actors such as social welfare agencies and victim service organizations, is critical to ensuring protection and support for victims.

Workshop on reducing reoffending: identifying risks and developing solutions

Reducing reoffending is critical to building inclusive, sustainable societies as envisioned by the 2030 Agenda for Sustainable Development. Although reliable global statistics on reoffending rates are currently not available, the issue of reoffending poses a challenge for both developed and developing countries.

Reducing reoffending leads to fewer victims, greater community safety and less pressure on – and lower costs for – the criminal justice system. It requires effective offender rehabilitation and social reintegration practices: in prison, in the community, and throughout the time that the offender is in contact with the criminal justice system. But seamless and rehabilitative interventions cannot be accomplished by criminal justice authorities alone. It is imperative that criminal justice authorities develop robust partnerships with various public- and private-sector stakeholders, engaging them throughout the process for the social reintegration of offenders.

The United Nations standards and norms in the field of crime prevention and criminal justice recognize and encourage rehabilitative approaches. The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) highlight that the purposes of imprisonment are primarily “to protect society against crime and to reduce recidivism”, and that can be achieved only if the period of imprisonment is used to facilitate offenders’ reintegration into society upon release so that they can lead a law-abiding and self-supporting life. The Nelson Mandela Rules recognize the need to tailor treatment to the individual needs of offenders, assess the risks which prisoners may pose and the needs they may have, and prepare a programme of treatment suitable to their needs, capacities and dispositions. Individual assessments should take account of the special needs of women and juveniles, as emphasized in the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and in the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. Likewise, the Standard Minimum Rules for Non-custodial Measures (Tokyo Rules) promote the use of non-custodial measures, such as probation, parole and fines, and emphasize the importance of the involvement of volunteers and other community resources in the process of offender rehabilitation and reintegration.

The United Nations standards and norms and the collective professional knowledge gained through practice distil important issues that are proposed for consideration in this workshop. First, it is well known that imprisonment alone is insufficient to prevent reoffending and that it has a large adverse effect on social reintegration prospects due to stigmatization, the restriction of contacts with the outside world, including the offender’s family, and the risk of institutionalization. Thus, imprisonment should be imposed as a measure of last resort, without prejudice to the principle of proportionality, the protection of society, and the rights of the victims. Second, imprisonment can have a positive impact of inducing the offender to desist from criminal behaviour (“desistance”) if the prison environment is appropriate and if the prison administration follows a rehabilitative approach to prison management compliant with human rights standards. Third, the use of imprisonment as the default option leads to prison overcrowding, which continues to severely undermine proper prison management and thus negatively impacts the quality and quantity of rehabilitative interventions in prisons. Fourth, community-based treatment, compared with imprisonment, is more cost-effective and better supports the social reintegration of offenders because it allows offenders to receive the necessary interventions and support while maintaining their lives in the community. Fifth, overuse of non-custodial measures, as well as their use without the appropriate community support, can lead to mass supervision and net-widening, by which the number of persons controlled by the criminal justice system increases. Excessive use of supervision for low-risk offenders may increase the risk of reoffending due to unnecessary interventions. Sixth, interventions and support must be gender-responsive and tailored to each offender’s individual risk of reoffending and related needs, which need to be continuously assessed. Seventh, preparation for re-entry into society should commence in prison, and interventions should continue until a successful reintegration has been completed. Finally, in the pursuit of rehabilitative goals, multi-stakeholder involvement is indispensable.

This workshop will seek to identify risks of reoffending and develop solutions for reducing those risks through discussions on the creation of rehabilitative prison environments; the effective use of non-custodial measures, including community-based approaches; and programmes that promote the rehabilitation and social reintegration of offenders. The workshop will facilitate the exchange of national experiences and good practices from a wide range of stakeholders, including government authorities, international organizations, academia and the civil society.

The Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, which is part of the United Nations crime prevention and criminal justice programme network, has assisted in the preparation and organization of the workshop.

Documentation

Working paper prepared by the Secretariat on integrated approaches to challenges facing the criminal justice system (A/CONF.234/5)

Background paper prepared by the Secretariat on the workshop on reducing reoffending: identifying risks and developing solutions (A/CONF.234/9)

Discussion guide for the Fourteenth Congress on Crime Prevention and Criminal Justice (A/CONF.234/PM.1)

Reports of the regional preparatory meetings for the Fourteenth Congress (A/CONF.234/RPM.1/1, A/CONF.234/RPM.2/1, A/CONF.234/RPM.3/1, A/CONF.234/RPM.4/1 and A/CONF.234/RPM.5/1)

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

Access to justice is a key component of the concept of justice. If justice is not accessible, people are unable to exercise their rights, challenge discrimination or hold decision-makers accountable.⁴ Ensuring that all people have access to justice requires Member States to take a comprehensive and multidimensional approach that involves all actors in the criminal justice system, paying attention to measures that respect and protect the rights of vulnerable members of society and groups with special needs in the criminal justice system, including women, children and victims of crime but also indigenous groups and migrants.

The international community has, on several important occasions, recognized the centrality of ensuring that all people have access to justice. In the 2030 Agenda for Sustainable Development, 193 States Members of the United Nations pledged to ensure that “no one will be left behind” and to “endeavour to reach the furthest behind first”.⁵ In practice, this means taking explicit action to end extreme poverty, curb inequalities, confront discrimination and fast-track progress for the furthest behind.⁶

Already in 2012, in the Declaration adopted by the high-level meeting of the General Assembly on the rule of law at the national and international levels,⁷ Member States recognized the right of equal access to justice for all, including members of vulnerable groups, and emphasized the importance of awareness-raising concerning legal rights. In the Doha Declaration, Member States reaffirmed their commitment to providing access to justice for all and to that end endeavoured, inter alia, to ensure the right of everyone to a fair trial without undue delay by a competent, independent and impartial tribunal established by law, and to equal access to justice with due process safeguards.⁸

The recognition of the centrality of access to justice for all people in order to uphold the rule of law was fully reaffirmed and emphasized with the adoption in 2015 of the 2030 Agenda. Under target 16.3 of the Sustainable Development Goals, the international community undertook to promote the rule of law at the national and international levels and to ensure equal access to justice for all.

It is expected that the discussion and exchange to be held in the framework of item 5 of the agenda of the Fourteenth Congress will identify the most successful multidisciplinary approaches undertaken by Member States to promote access to justice for all. In particular,

⁴ More information is available at www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice/.

⁵ More information in this regard is available at www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice/.

⁶ See United Nations Development Programme, “What does it mean to leave no one behind?”, discussion paper, July 2018.

⁷ General Assembly resolution 67/1.

⁸ Assembly resolution 70/174, annex, para. 5 (b).

the Congress will provide an opportunity to take stock of and exchange views on best practices to ensure and strengthen access to justice for the more vulnerable members of society and groups with special needs in the criminal justice system, including women, children, victims of crime (in particular victims of trafficking in human beings), indigenous groups and migrants. Furthermore, the discussion under item 5 will also assist in the identification of measures that countries could undertake to improve and broaden access to legal information by using accessible language and information technology and to bring criminal justice systems closer to citizens.

Effective, accountable, impartial and inclusive institutions are key to meeting Goal 16 of the 2030 Agenda. To achieve peace, justice and inclusion as outlined in Goal 16, Governments, civil society and communities must work together to implement lasting solutions to reduce violence, deliver justice, combat corruption and ensure inclusive participation. Accountable institutions, in particular, are essential for the promotion of the rule of law and fostering a culture of lawfulness.

Criminal justice institutions have multiple responsibilities. They are accountable for the protection of society, which they must do while observing the principles of the rule of law, justice, peace and security, and at the same time they must be accountable to the individual members of society who seek the fair administration and delivery of justice.

Accountability also needs to go hand-in-hand with effectiveness, impartiality, integrity, transparency, competence and inclusiveness. Criminal justice institutions, in particular the judiciary, are required to facilitate access to justice and carry out institutional functions in an effective and efficient manner. A multifaceted approach is required to build institutions that function on the basis of those principles.

The rule of law is fundamental in all aspects of society for forging relationships of mutual accountability, reliability and building public trust. To promote and protect the safety, dignity and human rights of all peoples, governments must assume a key role in upholding the rule of law in the daily lives of their citizens, in particular by acting through the public institutions established to serve citizens. On the other hand, individuals also have an active role to play. People have the responsibility of pro-actively contributing to the quality of institutions to ensure that they respond to the needs of all individuals and uphold human rights and fundamental freedoms. In this context, it is important to recognize the important role of education and other social measures such as sports to promote the rule of law.

Education functions as a catalyst that can enhance the proactive contributions of people. Education has an important role in promoting the rule of law and a culture of lawfulness – that is, an environment in which the rule of law is understood, respected and upheld. In addition, education provides the ideal platform for discussing concerns and understanding of what the rule of law means in a dynamic, fast-paced and global environment, as a result of high mobility of persons, technological advancement, population growth and urbanization resulting in densely populated cities.

Workshop on education and youth engagement as key to making societies resilient to crime

The 2030 Agenda has an indivisible and integrated approach to sustainable development, and its goals are complementary and interlinked. However, the road to fully implementing the targets and achieving Sustainable Development Goal 16 is long. Prior to the high-level political forum on sustainable development held in New York from 9 to 18 July 2019, the Secretary-General issued a report on the status of implementation of the Sustainable Development Goals. According to this report, actions towards the achievement of Goal 16 “are uneven and continue to deprive millions of their security, rights and opportunities and undermine the delivery of public services and broader economic development”.⁹

⁹ E/2019/68, para. 37.

Given that context, it is more urgent than ever to involve a wide variety of stakeholders, including youth. This was a strong message that emerged during the Economic and Social Council Youth Forum, held in New York on 8 and 9 April 2019.¹⁰ The world's population of young people is about 1.8 billion. Member States increasingly recognize the importance of involving youth. After all, addressing some of the major challenges in today's world inherently requires consideration of how those challenges will affect such a significant part of the population. This is as true for issues such as the climate crisis as it is for crime prevention and criminal justice. Since 2015, a series of landmark documents has further reinforced the existing commitments that had been agreed by States Members of the United Nations. Examples include the Doha Declaration and Security Council resolution 2250 (2015), which include specific reference to the importance of youth engagement in order to promote the rule of law.

It is broadly recognized that education has a major role to play in shaping the values of future generations, building collective consciousness and reshaping societal preferences. In addition, education helps develop the necessary skills to enact those values. Education can play a key role in fostering a culture of lawfulness and engaging society at large in promoting the rule of law. Therefore, within the framework of the overarching theme of the Fourteenth Congress, education is a key enabler for making youth positive agents of change and promoters of the rule of law – especially Goal 16 and other related Sustainable Development Goals.

However, notwithstanding the provisions contained in the Doha Declaration, the incorporation of rule-of-law issues into teaching curricula and extracurricular initiatives has not yet advanced sufficiently at the primary, secondary and tertiary levels, despite the fact that Member States attribute importance to the matter.¹¹ The 2030 Agenda and the Doha Declaration recognize that crime prevention, criminal justice and other aspects of the rule of law are not the sole responsibility of Governments and law enforcement authorities, and, in this regard, the education sector – the formal and non-formal sectors and also informal learning – can play a key role in developing a whole-of-society approach to fostering a culture of lawfulness.

The aim of this workshop is to assess the extent to which there are challenges and opportunities to advance education on the rule of law. The workshop will, firstly, focus on the issue of youth engagement and young people as drivers of change, particularly to support the implementation of the 2030 Agenda and the goals related to crime prevention, criminal justice and other rule of law aspects. Secondly, the workshop will address how education can be a driver of youth engagement and strengthen the links between society in general and the crime prevention and criminal justice sectors in promoting the rule of law. The workshop will draw on experiences from the primary, secondary, tertiary education sectors as well as the sector of informal learning where, for example, sports and the development of life skills for youth at risk have been identified as good practices.

The United Nations Interregional Crime and Justice Research Institute, an institute of the United Nations crime prevention and criminal justice programme network, has assisted in the preparation and organization of the workshop.

Documentation

Report of the Secretary-General on the follow-up to the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation (A/CONF.234/12)

Report of the Executive Director on advancing criminal justice in the context of Sustainable Development Goal 16 (A/CONF.234/13)

¹⁰ More information on the youth-led session on the Sustainable Development Goals at the Youth Forum is available at www.un.org/ecosoc/en/2019youthforum.

¹¹ During its twenty-sixth session, the Commission on Crime Prevention and Criminal Justice discussed the matter (see [E/2017/30](#)).

Working paper prepared by the Secretariat on multidimensional approaches by Governments to promoting the rule of law by, inter alia, providing access to justice for all; building effective, accountable, impartial and inclusive institutions; and considering social, educational and other relevant measures, including fostering a culture of lawfulness while respecting cultural identities, in line with the Doha Declaration (A/CONF.234/6)

Background paper prepared by the Secretariat on the workshop on education and youth engagement as key to making societies resilient to crime (A/CONF.234/10)

Report of the Secretariat on the outcome of the expert group meeting on integrating sport into youth crime prevention and criminal justice strategies ([A/CONF.234/14-E/CN.15/2020/14](#))

Discussion guide for the Fourteenth Congress on Crime Prevention and Criminal Justice ([A/CONF.234/PM.1](#))

Reports of the regional preparatory meetings for the Fourteenth Congress ([A/CONF.234/RPM.1/1](#), [A/CONF.234/RPM.2/1](#), [A/CONF.234/RPM.3/1](#), [A/CONF.234/RPM.4/1](#) and [A/CONF.234/RPM.5/1](#))

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

(a) Terrorism in all its manifestations

(b) New and emerging forms of crime

Enhancing international cooperation is crucial in addressing any crime of a transnational nature, including all forms of terrorism, as well as new and emerging forms of crime, such as cybercrime, maritime crime, wildlife crime and trafficking in cultural property, human organs and falsified medical products. Technical assistance is key to enabling national competent authorities to effectively cooperate, especially in criminal matters of considerable complexity.

The Congress may address possible challenges to the effective implementation of mechanisms for international cooperation to counter terrorism and various forms of new, evolving and emerging crimes, including challenges related to the provision of information and the complexity of procedures, the lack of internal coordination among agencies, the lack of secure communication channels, and ambiguities about the possible bases for conducting international cooperation.

The Congress may wish to discuss the diversification of the profiles of terrorists and of their means of attack. *Modi operandi* include insurgent tactics and focusing on autonomous individuals and cells, as such radicalization efforts can be carried out relatively easily through the Internet and using social media. Recent mass stabbings, shootings and vehicle-ramming attacks against civilians show how unpredictability and uncertainty dominate the global security environment.

The links between terrorism and transnational organized crime deserve greater attention from national authorities, because illicit trafficking in arms, cultural property or persons can provide sources of funding. Furthermore, weaknesses in the international financial system, such as the low level of scrutiny of systems that allow illegal money and value transfers, facilitate fundraising and training activities for terrorism.

New and emerging forms of crime pose unique challenges. The international community has been discussing means of preventing and countering the use of information and communications technologies for criminal purposes, including by enhancing the capacity of national authorities to deal with all forms of cybercrime, through the use of existing instruments at the international, regional and national levels. The development of an international legal instrument is under consideration.

The Congress will also have the opportunity to discuss the need to strengthen national legislation for the prevention, investigation, prosecution and appropriate punishment of illegal trade in wildlife products, as well as efforts to raise awareness about the associated

problems and risks. Trafficking in cultural property is another type of crime that has received considerable attention, especially given the vulnerability of cultural property in areas of conflict, and because it can be used as a source of terrorism financing.

Workshop on current crime trends, recent developments and emerging solutions, in particular new technologies as means for and tools against crime

Crime, policing and security are enabled by technologies and co-evolve with them. As criminals compete with law enforcement and criminal justice authorities to gain a technological advantage, the criminal misuse of technological innovations, in different areas and manifestations, has lowered the bar of entry to the criminal world, which, in turn, has provided fertile ground for crime to flourish.

On the other hand, while advances in technology have enabled criminals and organized criminal groups to target more victims, expand their illicit businesses and conceal crimes, criminals also leave behind virtual traces that can be followed. This means that well-trained law enforcement and criminal justice authorities can benefit from advancements in technology and the innovations fuelled by them. This co-existence of benefits and risks characterizes the use of technology, which is a “double-edged sword”.

The workshop will build on these considerations and, taking stock of recent developments in various areas where technology can be used both ways, as described above, has the aim of promoting dialogue and the exchange of views in order to gain a better understanding of the impact and role of technology as both a driving force for, and a shield against, crime. The workshop will cover such areas and topics as cryptocurrencies; technology and darknet markets, including drug markets; firearms and technology-related security threats; technology as a facilitating factor in cases of trafficking in persons; technology and smuggling of migrants; the effects of new information and communications technologies on the abuse and exploitation of children; artificial intelligence; robotics and drones; the use of technology in the field of international cooperation in criminal matters; and ethical considerations, as well as procedural and human rights safeguards pertaining to the use of technology in the law enforcement and criminal justice landscape.

As such, the workshop will continue and expand a discussion that had started at the Thirteenth Congress, at which participants exchanged views and experiences, in both plenary meetings and a dedicated workshop, on the role of social media and new communications technologies within the broader framework of public participation and contribution in strengthening crime prevention and criminal justice.

The workshop will also provide an opportunity to share experiences from different countries and from different stakeholders, including not only competent governmental authorities but also academia, civil society and the private sector. It will also serve as a forum for the discussion, evaluation and the sharing of good practices.

In view of its interconnection with agenda item 6, the workshop will be designed to offer substantive contributions to, and supplement, as appropriate, those elements related to the discussion under this agenda item which refer to the growing use of information and communications technologies by terrorists.

The following institutes of the United Nations crime prevention and criminal justice programme network have assisted in the preparation and organization of the workshop: the Korean Institute of Criminology and the National Institute of Justice of the Department of Justice of the United States.

Documentation

Working paper prepared by the Secretariat on international cooperation and technical assistance to prevent and address all forms of crime: terrorism in all its manifestations; and new and emerging forms of crime (A/CONF.234/7)

Background paper prepared by the Secretariat on the workshop on current crime trends, recent developments and emerging solutions, in particular new technologies as means for and tools against crime (A/CONF.234/11)

Discussion guide for the Fourteenth Congress on Crime Prevention and Criminal Justice ([A/CONF.234/PM.1](#))

Reports of the regional preparatory meetings for the Fourteenth Congress ([A/CONF.234/RPM.1/1](#), [A/CONF.234/RPM.2/1](#), [A/CONF.234/RPM.3/1](#), [A/CONF.222/RPM.4/1](#) and [A/CONF.234/RPM.5/1](#))

7. Adoption of the report of the Congress

Pursuant to rule 52 of the rules of procedure, the Fourteenth Congress is to adopt a report, the draft of which is to be prepared by the Rapporteur-General. It is recommended that the report of the Fourteenth Congress contain the declaration, conclusions and recommendations of the Congress on the various substantive items of its agenda and the outcome of the workshops. The report should also contain the decisions of the Fourteenth Congress, a brief account of the events leading up to the Congress, the proceedings, including a summary of the substantive work conducted by the plenary and the committees, a summary of the proceedings of the high-level segment and an account of the action taken.

In its resolution 74/171, entitled “Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice”, the General Assembly requested the Commission on Crime Prevention and Criminal Justice, at its twenty-ninth session, to give high priority to considering the declaration of the Fourteenth Congress, with a view to recommending, through the Economic and Social Council, appropriate follow-up by the Assembly at its seventy-fifth session. In the same resolution, the Assembly requested the Secretary-General to ensure proper follow-up to that resolution and to report thereon, through the Commission, to the Assembly at its seventy-fifth session.

Annex

Proposed organization of work for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

Day	Plenary	Committee I	Committee II
Sunday, 19 April 2020			
Afternoon	Pre-Congress consultations		
Monday, 20 April 2020			
Morning	Agenda item 1. Opening of the Congress Agenda item 2. Organizational matters High-level segment		
Afternoon	High-level segment (<i>continued</i>)		
Tuesday, 21 April 2020			
Morning	High-level segment (<i>continued</i>)	Workshop 1	
Afternoon	High-level segment (<i>continued</i>)	Workshop 1 (<i>continued</i>)	
Wednesday, 22 April 2020			
Morning	High-level segment (<i>continued</i>)	Workshop 1 (<i>continued</i>)	Workshop 2
Afternoon	High-level segment (<i>continued</i>)		Workshop 2 (<i>continued</i>)
Thursday, 23 April 2020			
Morning	Agenda item 3	Workshop 3	Workshop 2 (<i>continued</i>)
Afternoon	Agenda item 3 (<i>continued</i>)	Workshop 3 (<i>continued</i>)	
Friday, 24 April 2020			
Morning	Agenda item 4	Workshop 3 (<i>continued</i>)	Workshop 4
Afternoon	Agenda item 4 (<i>continued</i>)		Workshop 4 (<i>continued</i>)
Saturday, 25 April 2020			
Morning	Agenda 5		Workshop 4 (<i>continued</i>)
Afternoon	Agenda 5 (<i>continued</i>)		
Sunday, 26 April 2020			
Morning	Agenda item 6	Adoption of the report of Committee I	
Afternoon	Agenda item 6 (<i>continued</i>)		Adoption of the report of Committee II
Monday, 27 April 2020			
Morning	Consideration of the reports of Committee I and Committee II		
Afternoon	Agenda item 7. Adoption of the report of the Congress Closure of the Congress		