

ECOSOC Resolution 2005/21

Strengthening the technical cooperation capacity of the United Nations Crime Prevention and Criminal Justice Programme in the area of the rule of law and criminal justice reform

The Economic and Social Council,

Recalling General Assembly resolutions 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme and 59/159 of 20 December 2004 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Recalling also its resolution 2004/25 of 21 July 2004, in which it requested the United Nations Office on Drugs and Crime to consider specific practical strategies to assist in promoting the rule of law, and encouraged the Office to continue to provide technical assistance and advisory services to Member States upon request in support of criminal justice reform and to incorporate elements concerning the rule of law into such assistance,

Recalling further the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,¹ adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000, and the plans of action for the implementation of the Vienna Declaration,² and welcoming the progress made by Member States in implementing the Vienna Declaration and its plans of action,

Recalling the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,³ adopted at the high-level segment of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005,

Conscious of the support expressed in the Bangkok Declaration for a more integrated approach within the United Nations in relation to the provision of assistance for building capacity in crime prevention and criminal justice, and in cooperation in criminal matters of a transnational character, as a contribution to the establishment and strengthening of the rule of law,

Conscious also of the commitment expressed in the Bangkok Declaration to the development and maintenance of fair and efficient criminal justice institutions, including the humane treatment of all those in pre-trial and correctional facilities, in accordance with applicable international standards,

Welcoming the commitment expressed in the Bangkok Declaration to strengthening the legal and financial framework for providing support to victims of crime and terrorism, to promoting access to

¹ General Assembly resolution 55/59, annex.

² General Assembly resolution 56/261, annex.

³ A/CONF.203/18, chap. I, resolution 1.

justice, to considering the provision of legal aid, to facilitating training for prison officials, prosecutors, the judiciary and other relevant professional groups, taking into account the United Nations standards and norms in crime prevention and criminal justice, to reviewing the adequacy of standards and norms in relation to prison management and prisoners, to ensuring that the problems of HIV/AIDS are addressed in pre-trial and correctional facilities, to further developing restorative justice policies, procedures and programmes that include alternatives to prosecution and to ensuring the provision of services to child victims and children in conflict with the law, in particular those deprived of their liberty,

Taking note of the report of the High-level Panel on Threats, Challenges and Change entitled “A more secure world: our shared responsibility”,⁴

Taking note also of the report of the Secretary-General entitled “In larger freedom: towards development, security and human rights for all”,⁵

Recognizing that effective criminal justice systems can only be developed based on the rule of law and that the rule of law itself requires the protection of effective criminal justice measures,

Recognizing also that effective criminal justice systems based on the rule of law are a prerequisite for combating transnational organized crime, trafficking in human beings, terrorism, corruption and other forms of transnational and domestic criminal activity,

1. *Emphasizes* the role of the United Nations Office on Drugs and Crime in developing and maintaining expertise on the rule of law in criminal justice systems and in providing advice and assistance on issues relating to criminal justice and the rule of law, where appropriate, to Member States, other United Nations entities and intergovernmental organizations at their request;

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice and in assisting Member States in developing and maintaining fair and efficient criminal justice institutions, including through comprehensive and integrated approaches to criminal justice reform;

3. *Invites* relevant entities of the United Nations system, including the United Nations Development Programme, as well as the World Bank and other international funding agencies, to increase their cooperation and coordination with United Nations entities concerned with supporting the rule of law, including the United Nations Office on Drugs and Crime, in order to promote a more integrated approach to the provision of assistance for building capacity in crime prevention and criminal justice, and in cooperation in criminal matters of a transnational character, as a contribution to the establishment and strengthening of the rule of law;

⁴ A/59/565 and Corr.1.

⁵ A/59/2005.

4. *Reaffirms* the role of the United Nations Office on Drugs and Crime in responding to requests from Member States for technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the area of criminal justice reform and reconstruction of national criminal justice systems, and recognizes the need to continue to enhance the provision of assistance in that field to Member States, upon request, in particular to least developed countries, developing countries, countries with economies in transition and countries emerging from conflict;

5. *Invites* all States to support the operational activities of the United Nations Crime Prevention and Criminal Justice Programme, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund or through voluntary contributions in direct support of such activities, including, where appropriate, for the provision of technical assistance for the implementation of the commitments entered into at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005;

6. *Expresses its appreciation* to non-governmental organizations and other relevant sectors of civil society for their support for the United Nations Crime Prevention and Criminal Justice Programme, and stresses the necessity to strengthen the role of civil society in criminal justice reform efforts;

7. *Encourages* the United Nations Office on Drugs and Crime to continue providing assistance to Member States, upon request, in particular to least developed countries, developing countries and countries with economies in transition, as well as to countries emerging from conflict, taking into account the leading role of other United Nations entities, such as the Department of Peacekeeping Operations of the Secretariat and the United Nations Development Programme in that area, in reinforcing the rule of law through technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice reform and reconstruction of national criminal justice systems;

8. *Also encourages* the United Nations Office on Drugs and Crime to continue developing tools and training manuals on criminal justice reform, based on international standards and best practices;

9. *Requests* the Secretary-General to report on the implementation of the present resolution to the Commission on Crime Prevention and Criminal Justice at its sixteenth session.

*36th plenary meeting
22 July 2005*