Effective crime prevention and well-functioning justice institutions are critical to building peace and consolidating development gains. In short, the rule of law is indispensable for sustainable development. The intimate connection between the rule of law and human rights is also widely recognized, with reforms targeting access to justice, corruption, freedom of the press and the independence of the judiciary.

The Secretary-General underlined, in his report on advancing the United Nations development agenda beyond 2015, that “peace and stability, human rights and effective governance based on the rule of law and transparent institutions are outcomes and enablers of development. There can be no peace without development and no development without peace. Lasting peace and sustainable development cannot be fully realized without respect for human rights and the rule of law”. These sentiments were echoed in the regional preparatory meetings for the Thirteenth Crime Congress and have been underscored in discussions in the General Assembly.

Establishing legal frameworks, ensuring enforcement of rules and procedures and reducing corruption have enabled effective delivery of health, education and other social services. Their absence, on the other hand, has been cited as a factor in countries failing to meet targets set under the Millennium Development Goals (MDGs). Appropriate laws and credible enforcement mechanisms have contributed to expanding opportunities, including for women and disadvantaged groups, to participate in economic and political life.

The legal framework
Both the United Nations Convention against Transnational Organized Crime (UNTOC) and the United Nations Convention against Corruption (UNCAC) highlight the negative impact of criminal activities on development. UNCAC also addresses asset recovery—retrieving plundered national wealth—as a fundamental principle with positive development impacts.

The Protocol to the Transnational Organized Crime Convention on human trafficking requires the adoption of measures intended to alleviate factors that make people vulnerable to trafficking such as poverty, under-development and lack of equal opportunity. Similarly, the Protocol on smuggling of migrants gives high priority to preventive measures targeting potential migrants, to combat the root socioeconomic causes of this phenomenon. The Protocol on trafficking of firearms is also concerned with social and economic development and the right of people to live in peace.

The United Nations Crime Congresses have focused, notably over the last fifteen years, on the links between the rule of law and development. As a result, Member States have recognized the positive influence on each other of a functioning, efficient, effective and humane criminal justice system and long-term sustainable economic and social development.

Necessity of data collection
The collection of data and analysis of crime and criminal justice systems is vital for developing and implementing comprehensive crime prevention policies and programmes. Such collection and analysis can be a challenge, particularly for low and middle-income countries.

The United Nations Office on Drugs and Crime supports Member States to strengthen their collection of official statistics and makes relevant information available through the Crime Trends Survey. The results of surveys can help to formulate effective crime prevention policies and increase knowledge about the driving forces behind offending behaviour.
Overcoming the challenges to reform
The reform of criminal justice systems is a sensitive and challenging endeavour. It is inherently political, as it relates to resources and vested interests, and it often touches on delicate areas, such as corruption. Furthermore, corrupt officials are likely to resist changes to the status quo.

Supporting reform processes in countries in transition or emerging from conflict presents particular challenges. In the Democratic Republic of the Congo, various United Nations organizations have developed a joint justice support programme based on national priorities and needs. In Somalia and Burundi, United Nations rule of law strategies have been developed to prevent fragmentation and duplication of effort.

To effectively address all forms of crime, including organized crime, corruption and terrorism, a coordinated approach is required. Strengthening one sector of the criminal justice system is not enough. For example, strengthening only the police has typically led to further delays in courts and increased the use of pretrial detention and thus prison overcrowding. Police, prosecution, courts and prisons function more effectively when they interact and integrate their efforts with the important work done by other sectors and civil society.

In a human rights-based approach to criminal justice reform, those with rights and those with responsibilities can be clearly identified and the specific needs of women, children and people who may be subjected to marginalization and discrimination can be addressed.

Conclusion
Improving governance, strengthening institutions and reducing vulnerability to corruption are core development challenges. The Crime Congress will consider the crucial role of the rule of law as an enabler of development as well as an outcome of it, and as an integral part of sustainable and equitable growth. It will also discuss the importance of including the rule of law, particularly crime prevention and the strengthening of the criminal justice system, in the sustainable development goals.