

High Level General Assembly Thematic Debate on

***“Integrating Crime Prevention and Criminal Justice in the Post-2015 Development Agenda”***

25 February 2015

UN Headquarters, New York

Following a proposal by the Permanent Missions of Qatar, Thailand, Italy, Mexico and Morocco, together with the United Nations Office on Drugs and Crime, the President of the 69th Session of the United Nations General Assembly will convene a High Level General Assembly Thematic Debate on *“Integrating Crime Prevention and Criminal Justice in the Post-2015 Development Agenda”* that will be held on 25 February 2015.

**1. The scope and objective**

Over the last decade, a number of UN documents, reports and surveys pointed to the intrinsic link between effective and accessible criminal justice systems and institutions that operate in accordance with the rule of law on the one hand, and the sustained and inclusive economic growth, sustainable development and the full realization of all human rights and fundamental freedoms, on the other.

The different inputs to the post-2015 development agenda provide that access to fair justice systems, accountable and inclusive institutions as well as measures to combat corruption and curb illicit financial flows, all forms of exploitation, trafficking, violence and torture, are integral to sustainable development.

This thematic debate will contribute to the deliberations on the upcoming intergovernmental negotiations on the post-2015 development agenda as well as to provide an input to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice to take place in Doha in April 2015, the theme of which is *“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”* (GA Res. 68/185).

The overarching question that will be addressed in the thematic debate is how to tackle social and economic challenges and promote sustainable development through strengthening crime prevention and criminal justice systems, norms and standards, while combating the threats that undermine them, in particular transnational organized crime, illicit trafficking and corruption. In this vein, the debate will focus on priorities, gaps and emerging issues that require further attention and support in the

implementation of the post-2015 development agenda - both from the point of view of national policies and international cooperation.

The morning session titled “*Towards sustainable development: Successes and challenges in implementing comprehensive crime prevention and criminal justice policies*” will focus on the following questions:

- 1) How criminal justice systems and the institutions comprising them can incorporate public policies geared towards greater coordination and cooperation with state institutions dedicated to addressing social and economic challenges;
- 2) The role of criminal justice institutions and standards and norms in promoting sustainable development;
- 3) Sharing best practices and experiences in promoting crime prevention and criminal justice systems as critical agents of development, including on the role of civil society and private sector;

The afternoon session titled “*Shaping the Post-2015 Development Agenda: Fostering international cooperation to promote crime prevention and criminal justice policies*” will focus on the following questions:

- 1) Identifying priorities, gaps and emerging issues in strengthening crime prevention that will require further attention and support in the implementation of the post-2015 development agenda;
- 2) Opportunities for raising awareness of crime prevention and criminal justice as critical enablers of development and as development ends in themselves;
- 3) How criminal justice policies can better reflect the unique needs of women and children.

### **Format and Outcome**

This one-day High-Level Thematic Debate will consist of an opening session in the morning followed by morning and afternoon interactive multi-stakeholder panel discussions. The President’s Summary will be issued at the conclusion and will be subsequently made available to all Member States and stakeholders as well as transmitted to the UN Congress on Crime Prevention and Criminal Justice for consideration.

### **Background**

In 2000, the UN Convention against Transnational Organized Crime recognized “*the negative effects of organized crime on society in general, in particular on sustainable development.*” (See Article 30(1)). In 2005, the General Assembly expressed “*grave concern at the negative effects on development, peace and security and human rights posed by transnational crime.*” (See GA Res. 60/1 at par. 111, 2005 World Summit Outcome Document).

In 2011, *The World Development Report* directly linked development and justice, arguing that threats to development stemming from organized violence, conflict, and fragility, cannot be resolved by short-term or partial solutions without legitimate institutions that provide all citizens equal access to security, justice, and jobs. As such, efforts to strengthen justice systems, manage and reduce vulnerabilities, and legally empower the poor, are not only crucial for dealing with crime effectively, but are also key for national development planning and policy.

In June 2012, the General Assembly held a Thematic Debate on “*Drugs and Crime as a Threat to Development*” in which the linkages between crime and development were discussed with participants highlighting the need to further integrate criminal justice and crime prevention into the broader work of the United Nations. The Presidential Summary suggested a follow up debate.

Recently, Member States reiterated that “*the rule of law and development are interrelated and mutually reinforcing and that the advancement of the rule of law at the national and international levels is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental freedoms, including the right to development, all of which in turn reinforce the rule of law.*” (Resolution E/RES/2014/19).<sup>1</sup>

They also recognized “*the cross-cutting nature of the rule of law, crime prevention and criminal justice and development, and recommend[ed] that such linkages and interrelationships be properly addressed and further elaborated,*” underscoring that “*discussions on the post-2015 development agenda should take into account respect for and promotion of the rule of law and that crime prevention and criminal justice have an important role in that regard....*” (Resolution E/RES/2014/19 paras. 1 and 2).

Moreover, they acknowledged the centrality of crime prevention and the criminal justice system to the rule of law, and also that long-term sustainable economic and social development and the establishment of a functioning, efficient, effective and humane criminal justice system have a positive influence on each other.

Member States have also highlighted the importance of strengthened international cooperation, in order to dismantle illicit networks and counter transnational organized crime, which “*undermine sustainable development and the rule of law.*” They have likewise emphasized “*the importance of*

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<sup>1</sup> See also Resolution A/C.3/69/L.16/Rev.1: “*the rule of law and development are strongly interrelated and mutually reinforcing, and that the advancement of the rule of law at the national and international levels, including through crime prevention and criminal justice mechanisms, is essential for sustained and inclusive economic growth and sustainable development and the full realization of all human rights and fundamental freedoms, including the right to development, all of which in turn reinforce the rule of law.*”; and . Resolution 68/188, “*the rule of law and development are strongly interrelated and mutually reinforcing and that crime prevention and criminal justice elements that support the rule of law should therefore be considered in implementing the post-2015 international development agenda.*”

*integrating crime prevention and criminal justice into the wider United Nations agenda to address, inter alia, social and economic challenges and to promote the rule of law at the national and international levels, and public participation.”* (GA Res. 68/193).

The General Assembly has stressed *“that crime prevention should be considered an integral element of strategies to foster social and economic development.”* (Third Committee Resolution A/C.3/69/L.16/Rev.1 para. 12).

These points were further underscored in the April 2014 General Assembly Thematic Debate on *“Ensuring Stable and Peaceful Societies,”* recognizing the role of organized crime and illicit trafficking in people, wildlife, drugs and arms as stressors to peace and development, and the June 2014 General Assembly High Level Event on the *“Contributions of Human Rights and the Rule of Law in the post-2015 Development Agenda,”* highlighting that it is the poor who are most vulnerable to crime and violence, and that the rule of law prohibits corruption, illicit financial flows and transnational crime.

Moreover, proposed Goal 16 of the report of the Open Working Group on Sustainable Development (A/68/L.61), *“Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”* includes targets on ending all forms of exploitation, trafficking, violence and torture, promoting the rule of law at all levels and ensuring access to justice for all. It also includes targets on reducing illicit financial and arms flows, strengthening recovery and return of stolen assets, and combating all forms of organized crime.

And most recently, the *Synthesis Report of The Secretary-General on the Post 2015 Agenda*, provided that *“crime ... and the erosion of the rule of law are daily realities”* and that *“access to fair justice systems, accountable institutions of democratic governance, measures to combat corruption and curb illicit financial flows, and safeguards to protect personal security are integral to sustainable development ... The rule of law must be strengthened at the national and international level, to secure justice for all.”*