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Distr.: Limited

27 April 2007

Original: English

**Commission on Crime Prevention and
Criminal Justice**

Sixteenth session

Vienna, 23-27 April 2007

Item 5 of the provisional agenda*

**Use and application of United Nations standards and
norms in crime prevention and criminal justice**

Canada: draft resolution

The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolution:

**Information-gathering instrument in relation to United Nations
standards and norms ~~related to victim issues in crime prevention~~
and criminal justice**

The Economic and Social Council,

Recalling its resolution 1996/16 of 23 July 1996, in which it requested the Secretary-General to continue to promote the use and application of United Nations standards and norms in crime prevention and criminal justice,

Recalling also Taking note of its resolution 2003/30 of 22 July 2003 on United Nations standards and norms in crime prevention and criminal justice, in which it decided to group such standards and norms into four categories for the purpose of targeted collection of information, in order to better identify the specific needs of Member States with a view to improving technical cooperation, and in which it called upon Member States, in responding to inquiries on the application of such standards and norms, to focus on identifying difficulties encountered in their application, ways in which technical assistance could overcome those difficulties and desirable practices in prevention and control of crime,

Aware of the collection of information that has taken place in relation to the first three categories of United Nations standards and norms in crime prevention and criminal justice,

* E/CN.15/2007/1.

Recalling its resolution 2006/20 of 27 July 2006 on United Nations standards and norms in crime prevention, in which it requested the Secretary-General to convene an intergovernmental expert group meeting, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, to design an information-gathering instrument in relation to the second component of the third category of United Nations standards and norms in crime prevention and criminal justice, namely, those related primarily to victim issues, and to study ways and means to promote their use and application, and to report on progress made in that connection to the Commission on Crime Prevention and Criminal Justice at its sixteenth session,

~~*Recalling also*~~ *Taking note of* General Assembly resolution 40/34 of 29 November 1985, by which the Assembly adopted the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,¹

Recalling further its resolution 1989/57 of 24 May 1989 on the implementation of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,

Taking note of its resolution 2005/20 of 22 July 2005, in which it adopted the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime,² invited Member States to draw, where appropriate, on the Guidelines in the development of legislation, procedures, policies and practices for children who were victims or witnesses in criminal proceedings, and requested the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its seventeenth session on the implementation of that resolution,

Taking note of General Assembly resolution 56/261 of 31 January 2002, entitled "Plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century", in particular section IX of the plans of action, on action in the context of witnesses and victims of crime to implement the relevant commitments undertaken in the Vienna Declaration,

Aware that in the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice,³ Member States recognized the importance of giving special attention to the need to protect witnesses and victims of crime and terrorism, and committed themselves to strengthening, where needed, the legal and financial framework for providing support to such victims, taking into account, inter alia, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,

1. *Reiterates* its ~~commitment~~ continued support to the ~~implementation~~ use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power;⁴

2. *Notes with appreciation* the work of the Meeting of the Intergovernmental Expert Group to Develop an Information-Gathering Instrument

¹ General Assembly resolution 40/34, annex.

² Economic and Social Council resolution 2005/20, annex.

³ General Assembly resolution 60/177, annex.

⁴ General Assembly resolution 40/34, annex.

on United Nations Standards and Norms Related Primarily to Victim Issues, held in Vienna from 27 to 29 November 2006, in designing an information-gathering instrument in relation to United Nations standards and norms related primarily to victim issues and in identifying proposals to foster the use and application of such standards and norms;

3. *Expresses its gratitude* to the Governments of Canada and Germany for their financial support in the organization of the Meeting of the Intergovernmental Expert Group;

4. *Approves* the questionnaire on United Nations standards and norms related primarily to victim issues, contained in the ~~report of the Secretary-General on the results of the Meeting of the Intergovernmental Expert Group~~ the annex to the present resolution which is designed to identify examples of how individual countries use and apply the relevant standards and norms but such examples are not intended to provide standards of use and application that would necessarily be suitable for all countries;⁵

5. *Requests* the Secretary-General to forward the questionnaire to Member States;

6. *Invites* Member States to reply to the questionnaire and to include any comments or suggestions they may have in relation to that instrument;

7. *Requests* the United Nations Office on Drugs and Crime, ~~within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the United Nations Office on Drugs and Crime, subject to extrabudgetary resources,~~ to seek information from relevant intergovernmental and non-governmental organizations, within the mandate of the Commission on Crime Prevention and Criminal Justice, and from the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other relevant United Nations entities with respect to their capacity to provide technical assistance in relation to the areas outlined in the questionnaire;

8. *Requests* the Secretary-General to convene, ~~within available extrabudgetary resources, not excluding the use of existing resources from the regular budget of the United Nations Office on Drugs and Crime, subject to extrabudgetary resources,~~⁶ and subject to the outcome of discussions in the second Conference of States Parties of the United Nations Convention against Corruption on their information gathering mechanism, an open-ended intergovernmental expert group meeting of experts, based on equitable geographical representation and open to observers, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, to design an information-gathering instrument in relation to the fourth category of United Nations standards and norms in crime prevention and criminal justice, namely, those related primarily to ~~good governance,~~ the independence of the judiciary and the integrity of criminal justice personnel, building on the experience gained from the information-gathering exercises completed to date, in particular in relation to the United Nations Convention against Transnational Organized Crime and the United Nations

⁵ E/CN.15/2007/3, annex I.

⁶ This language does not provide a basis for an increase in the regular budget or requests for supplemental increases.

Convention against Corruption and ensuring that there is no duplication or overlap in the information gathering instrument with the work covered by any existing mechanism or working group bearing in mind the need not to duplicate or overlap with any existing mechanism;

9. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its eighteenth session through the information gathered on the questionnaire referred to in operative paragraph 5 on the use and application of United Nations standards and norms related primarily to victim issues, in particular with regard to the following areas:

(a) Examples of the difficulties encountered in the application of United Nations standards and norms related primarily to victim issues;

(b) Examples of ways in which technical assistance can be provided to overcome those difficulties;

(c) Examples of useful practices in addressing existing and emerging challenges in that field;

(d) Suggestions from Member States on ways to further improve existing standards and norms related primarily to victim issues if Member States add such comments to their responses to the questionnaire.