



Brussels, 28 February 2020  
(OR. en)

6227/20

JAI 138  
COPEN 50  
EUROJUST 29

**NOTE**

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From:	Presidency
To:	Delegations

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No. prev. doc.:	11431/19, 11432/19
Subject:	14th United Nations Congress on Crime Prevention and Criminal Justice (Kyoto, Japan, April 2020) - Information / discussion on ongoing negotiations for a declaration

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**Introduction**

The 14<sup>th</sup> United Nations Congress on Crime Prevention and Criminal Justice will take place in Kyoto (Japan), from 20 to 27 April 2020. It is intended that at the beginning of the Congress, a declaration will be adopted which will have been prepared in advance.

In order to prepare and reach agreement on the declaration, some steps have already been taken:

- from January to April 2019, five regional preparatory meetings took place (in Bangkok, Santiago, Beirut, Addis Ababa and Vienna);
- a governmental expert meeting, involving representatives of the five regional groups, was convened on 9-11 September 2019 in Kyoto;
- the Commission on Crime Prevention and Criminal Justice (CCPCJ) has organised four intersessional meetings in Vienna to prepare the draft declaration. So far, the first 31 paragraphs of the zero-draft, as prepared by the Japanese organisers, have been examined.

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In order to reach agreement on the declaration, the following additional steps are foreseen:

- three more intersessional meetings organised by the CCPCJ in Vienna:
  - 10-13 March (5<sup>th</sup> round of negotiations; it is intended to finish at this meeting the first examination of the zero-draft text as from paragraph 32, and to start the second examination of the text on the basis of a revised draft);
  - 16-20 March (6<sup>th</sup> round of negotiations);
  - 23-27 March (7<sup>th</sup> round of negotiations). It is intended to finish the draft text of the declaration at the end of this round of negotiations.
- pre-Congress consultations scheduled for Sunday 19 April 2020 in Kyoto;
- adoption of the declaration at the Congress (20-27 April 2020, Kyoto).

### **Position of the EU and its Member States**

With a view to the negotiations for the declaration, a position of the EU and its Member States has been prepared. This position, set out in 11431/19, was agreed by the Council in July 2019.

In December 2019, the Member States agreed to submit this position to the organisers in Kyoto, so as to help them to prepare the zero draft for the declaration.

As stated in 11432/19, the following was also agreed by the Council:

*“The negotiations leading to the Kyoto Congress will be followed by the Council and its preparatory bodies as appropriate. In view of the developments and the progress made on the drafting of the declaration, new positions of the EU and its Member States could be drawn up.*

*Prior to adoption of the declaration by the 14<sup>th</sup> UN Congress, the (draft) text as negotiated in the relevant fora will be submitted to Coreper/Council for approval.”*

### **State of play of negotiations**

At this stage of the negotiations, the Presidency considers that it is appropriate to inform the Member States about the state of play in the negotiations and to discuss whether any issue would deserve particular attention.

To this end, Member States find attached the following documents:

- a revised draft, as presented by the Japanese organisers following the fourth round of negotiations and which will be examined at the 5<sup>th</sup> round of negotiations (10-13 March) (ANNEX I);
- additional paragraphs, as proposed by the parties (ANNEX II);
- the suggestions presented by the Commission in advance of the fourth round of negotiations (ANNEX III).

The Presidency is aware that these documents, in particular Annexes I and II, are not easy to read. The Presidency hopes however that these documents provide an insight into the state of play of the current negotiations.

### **Questions**

1. Following a comparison of the texts in Annexes I and II with the position of the EU and its Member States as set out in 11431/19, the Presidency considers that the following line should be taken by the EU and its Member States:

- Defend the declaration against calls for new international instruments in new texts in the domain of cybercrime;
- Defend the declaration against calls for new international instruments in new texts in the domain of asset recovery;
- Keep language on Child Sexual Exploitation (including proposed changes by COM, see Annex III, point 16);
- Include language on environmental crime (see language proposed by COM in Annex III, point 43 and 44)
- Keep the structure of the document as set out in the UNGA Resolution.

**Member States are invited to confirm this approach.**

2. Member States that so wish, are invited to indicate

- whether any (other) point in the texts in Annexes I and II is clearly not acceptable, in the light of the position of the EU and its Member States as set out in 11431/19; and

- whether any (other) point set out in the position of the EU and its Member States in 11431/19, which does not yet figure in the texts in Annexes I and II, should be inserted in the declaration.

### **Conclusion**

The Presidency will communicate the views by the Member States on the above questions to the negotiators in Vienna.

The Presidency will continue to keep the Member States informed in this file as appropriate.

When the text of the draft declaration is (more or less) stable, Coreper/Council and Member States will be invited to agree that the declaration be adopted at the 14<sup>th</sup> UN Congress in Kyoto.

Revised Draft of the Political Declaration prepared by the Chair

**Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development**

*We, the Heads of State and Government, Ministers and Representatives of the Member States,*

*Assembled* at the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice in Kyoto, Japan, from 20 to 27 April 2020, after half a century since the Fourth Congress in 1970 in Kyoto [RUS, SGP], where the international community vowed itself to coordinate and intensify crime prevention efforts within the context of social and economic development (agreed);

*Taking stock* of the 65 year legacy of the United Nations congresses on crime prevention and criminal justice, their continuing significant role as the largest and most diverse international fora in the area of crime prevention and criminal justice, and their ~~achievements in advancing policy discussions and commitments by Member States~~ influence on national and international policies and professional practices [CHN; retain original: CAN, THA];

*Recalling* ~~our political aspiration manifested in [FRA]~~ the Doha Declaration adopted at the Thirteenth Congress in which we endeavored [EGY] to integrate crime prevention and criminal justice issues into the wider agenda of the United Nations in order to enhance system-wide coordination, and *recognizing* the need to build upon the progress made since then, including the adoption of the 2030 Agenda for Sustainable Development and the Urban Agenda as well as the review mechanism of the United Nations Convention against Transnational Organized Crime with the full recognition that our efforts on crime prevention and criminal justice constitute an enabling factor for sustainable development [MEX; retain original: NGA, BRA, EGY, IRN, RUS, QAT, TUR, THA, USA; appropriate placement of addition to be considered: COL, GTM, AUS, FRA] its implementation so far;

*Recognizing* the significant gap still remaining between ~~our political commitment to achieve~~ [USA; retain original: EGY, SYR, ZAF, IRN] the Sustainable Development Goals and their effective implementation including [RUS, NGA, BRA] in the field of crime prevention and criminal justice, and *convinced* of the need to step up our actions to fill the gap;

PP4 ALT1 Welcoming progress made so far towards the achievement of the 2030 Agenda for Sustainable Development and emphasizing that significant gaps still remain between the political commitment to achieve it, and that its effective and comprehensive implementation, including in the field of crime prevention and criminal justice, requires sustained political commitments and acceleration of action to fill those gaps: [COL, EGY, SYR, NGA, BRA, ZAF, IRN, ALG, CUB, VEN]

PP4 ALT2 Convinced of the needs to step up our efforts in the field of crime prevention and criminal justice, also with a view to contributing to the effective implementation of the 2030 Agenda for Sustainable Development: [ITA, USA, DEU, FRA, NLD, UK]

PP4 ALT3 Welcoming progress made towards the achievement of the 2030 Agenda for Sustainable Development and recognizing that stronger and sustained political commitments have to be undertaken to accelerate the effective and comprehensive implementation of the Sustainable Development Goals. [including: CAN; retain original: RUS] in the field of crime prevention and criminal justice. [GTM,QTA,SGP]

[Move OP6 here: GTM; Add emphasis on human dignity: DEU; Move also OP7 here and insert the element of the rule of law: CHN; Move OP6 and OP7 here separately: USA, SWE; Oppose replacement of OP6: UK]

*Declare the following:*

1. We are deeply concerned about the negative impact of crime on human rights, rule of law, security, socio economic development, environment and public health.[ITA.FRA.EU.NDL.BEL.UK.DEU; oppose:RUS] We are ~~gravely concerned that recognize that~~ [COL]/acknowledge that[AUS] the unprecedented scale of globalization and urbanization as well as advances in information and communication technologies have provided significant economic and social advantages to societies:AUS/ the exponential pace of innovations in technology have had positive impact on society.[AUS] but at the same time, has set the grounds to make crime increasingly transnational, organized and complex~~transforms~~ [COL, BRA,NDL,BEL,NGA,AUS] and posing new and unprecedented challenges [COL,BRA; ALT: At the same time, criminal elements have exploited these conditions to their advantages.:USA] ~~crime increasingly transnational, organized and complex. Therefore,~~ [EGY;move everything before here to PP] ~~we~~ We undertake to intensify global concerted efforts and international cooperation in our endeavor to prevent and fight crime and seek justice to fight/prevent and combat[ITA,EU,FRA] crime [and to deny criminals or organized criminal groups, the proceeds of their crime [ITA,EU,FRA,NDL,BEL,NGA,AUS] and where applicable, confiscate proceeds of crime and return to their country of origin [NGA] and promote the rule of law on the national and international levels, as well as to achieve sustainable development and the 2030 Agenda for Sustainable Development [EGY,IRN,NGA], and renew our commitment to multilateralism and global partnerships to this effect. We undertake to provide each other to the greatest possible extent of international cooperation in criminal matters, and to [EGY,IRN,NGA,RUS; delete:FRA,BEL] effectively, step up our efforts to fully and effectively [FRA] and comprehensively [COL; delete:USA] implement the obligations set forth in [COL] the United Nations Convention against Transnational Organized Crime, Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Protocol against the Smuggling of Migrants by Land, Sea and Air, and Protocol to against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition and the Protocols thereto[MEX, AUS], the United Nations Convention against Corruption, the international drug control conventions, and relevant international conventions and protocols related to counter-terrorism, as well as other relevant international instruments[MEX,FRA,BEL,AUS; delete:RUS] and to identify and address any existing gaps in the international legal framework pertaining to combatting

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crime, including by formulating new international legal instruments, as necessary[EGY,IRN,COL,RUS; delete:ITA,USA,FRA,EU,NDL,BEL,AUS], [as well as to strengthen the central [FRA] role of the Commission on Crime Prevention and Criminal Justice as the main policymaking body of the United Nations in the field of crime prevention and criminal justice;COL.] We also undertake to more effectively address the links between corruption and other forms of crime, in particular organized crime and economic crime including money laundering[ITA,FRA,NDL];

OPI ALT[GTM, supported by THA]

We are gravely concerned that the unprecedented scale of globalization and urbanization as well as the exponential pace of innovations in technology has been utilized by criminal groups to transform [crime/criminal activities] increasingly transnational, organized and complex. *Therefore*, we undertake to intensify global concerted efforts and international cooperation in our endeavor to prevent and fight crime and seek justice, and renew our commitment to multilateralism and global partnerships to this effect.[finish here:URY] We undertake to effectively implement the obligations set forth in the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption, the international drug control conventions, and relevant international conventions and protocols related to counter-terrorism; as well as to strengthen the role of the Commission on Crime Prevention and Criminal Justice as the main policymaking body of the United Nations in the field of crime prevention and criminal justice;

Support the original structure[DEU]

2. [We are also deeply concerned of the continued and evolving ~~threats~~ challenges[BRA] by persistent and emerging crimes as well as new dimensions of persistent crimes, and convinced of the need to further enhance the capacity of law enforcement and criminal justice institutions and practitioners to effectively address such ~~threats~~challenges[BRA]. *Therefore*, delete until here:EGY,RUS,CHN,DEU,IRN,FIN,SYR] We emphasize the core role of law enforcement and criminal justice institutions in crime prevention and criminal justice. [CHN; oppose:NOR] we undertake to enhance capacities of law enforcement, border control [RUS; issue in translation: EU], other criminal justice or relevant governmental institutions[RUS,SYR] and criminal justice institutions and practitioners[RUS], including through renewed national measures, [UK] strengthening international cooperation and [COL, RUS, IRN, SYR] technical assistance, provision of equipment and technology along with necessary training and maintenance in order to prevent and counter all forms of transnational organized crime[RUS,IRN,SYR; oppose:EU] as well as taking full advantage of advancednew[FRA] and emerging[UK] technologies as tools against crime[FRA] in this regard [COL], while fully respecting the rule of law, human rights and fundamental freedoms[CHE, UK,FRA,FIN,EU,NOR,AUT; delete: CHN,IRN,SYR][CHE: delete reference to advance technologies or use language contained in OP38]. [We reaffirm, in this regard, the role of the United

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Nations Office on Drugs and Crime as the leading entity of the United Nations in the field of crime prevention and criminal justice in supporting Member States by the provision of technical assistance and expertise, as well as the Vienna-based intergovernmental fora as the most valued sources of knowledge and best practices dealing with crime prevention and criminal justice policies (language to be merged with OP1.51-53.COL);

OP2 ALT We undertake to enhance capacities [of law enforcement and criminal justice institutions and practitioners / of crime prevention and criminal justice practitioners:FRA / of criminal justice institutions, including law enforcement [, border control.:RUS] and practitioners:CAN] [including:ITA,TUR] through [effective and sustainable:CAN] technical assistance and training [and provision of equipment [and new technology:GTM,SGP,BRA / of technology:RUS] [along with necessary maintenance support to prevent and counter all forms of transnational organized crime:RUS / all forms of crime:GTM; delete both: FRA], bearing in mind the advantages and challenges in using [new:EGY] technologies as tools against crime [stop here:GTM, SGP, BRA] and the need to ensure full respect for human rights and fundamental freedoms in this respect [CAN,USA], domestic measures.[AUS] technical assistance, training as well as taking advantage of new technologies as tools against crime, while ensuring full respect for human rights and fundamental freedom in this regard [DEU, FIN, ITA, TUR, SVN, CRO, BRA, USA, FRA] In this regard, we recognize [FRA] the role of the United Nations Office on Drugs and Crime as the leading entity of the United Nations in the field of crime prevention and criminal justice in supporting Member States by the provision of technical assistance and expertise, as well as the Vienna-based intergovernmental fora as the most valued sources of knowledge, normative work [FRA] and best practices [dealing with [AUS, AUT, EGY, USA / in the field of:FRA] crime prevention and criminal justice policies [AUS, AUT, EGY,USA] (avoid repetition with OP1: BRA, GTM);

3. We reaffirm our determination in the 2030 Agenda for Sustainable Development that sustainable development cannot be realized without peace and security; and peace and security will be at risk without sustainable development. Our efforts in crime prevention and criminal justice and in achieving sustainable development are mutually reinforcing. We are convinced that, given We reaffirm that [EGY,CAN] given / just as the [USA] all Sustainable Development Goals are integrated and indivisibleinterlinked [USA], and that [EGY] our efforts in crime prevention and criminal justice need to be holistic and multi-disciplinary[delete until here and work on AG proposal] on OP1: ITA, RUS, CHN, SGP, CAN]-Therefore, and [EGY] we undertake to prevent and fight crime in a holistic and multi-disciplinary manner by addressing root causes and risk factors of crime in order to realize the SDGs [CHN,SGP] discuss placement of the last sentence:IRN;

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4.4. We [reaffirm:SWE/recall:USA] ~~that our determination in~~ Global Partnership as set out in [FRA,ITA,AUT,CRO: oppose:USA,RUS] the 2030 Agenda for Sustainable Development [that [revitalization of :CHN,RUS,IRN,ALG] Global Partnership:FRA,UK] will facilitate its implementation [an intensive global engagement in support of implementation of all the Goals and targets:FRA: retain:RUS: JPN noted para 60 of 2030 Agenda), bringing together Governments, civil society, academia, the scientific community[FRA,CRO], the private sector, the United Nations system[FRA] and other [international and regional organizations and other: FRA,ARG,CRO: oppose:RUS] actors and mobilizing all available resources. ~~Therefore, in our efforts of crime prevention and criminal justice.~~ [NGA,RUS,EGY,SGP,IRN,ALG] (USA,EGY,SWE:retain only the reference to the Global Partnership set out in the first line and continue from here)we undertake to enhance multi-stakeholder partnerships [in the field of crime prevention and criminal justice[CAN], inter alia[USA] / to support the achievement of the SDGs[CHN,SGP,ALG,CUB] in our efforts of crime prevention and criminal justice.[NGA,EGY,SGP,IRN,ALG,CUB]] including, inter alia,in particular[RUS] coordination between law enforcement authorities.[CHN,CUB] criminal justice institutions including law enforcement authorities[CAN: deletion:CHN] and other governmental sectors as well as fostering [collaboration between Member States, the private sector, the civil society, local community, United Nations entities and other stakeholders:CHN/ public-private partnerships, civil society[UK,CAN,USA,AUT] and the engagement of [other actors: MEX,USA / all sectors of society: ITA,AUT][ARG] las appropriate and in accordance with domestic law[IRN,TUR: delete: CAN]/encourage and promote public, public-private and civil society partnerships (language to replace the text from “fostering” onwards)[EGY,NGA,SWE]: (IRN,RUS: oppose to the proposal of FRA)(UK,ITA:support FRA)

5. [We reaffirm that sustainable development and the rule of law are interlinked and mutually reinforcing and further acknowledge that the rule of law is the bedrock for sustainable development considering that a peaceful, safe and secure society where the rule of law prevails is the fundamental infrastructure for social and economic development.; delete and retain AG proposal on OPI:ITA,COL,FRA,BRA,SWE] We also recognize that corruption [undermines the rule of law and: NLD,UK,BEL,SWE] can erode public confidence and cooperation necessary to achieve our objectives in the field of crime prevention and criminal justice.[USA,ITA,NLD,UK,BEL,SWE: corruption already mentioned in AG proposal: ALG] Therefore, we undertake to promote the rule of law through multidimensional approaches, including ~~through enhancing~~ providing equal [UK,BEL,TUR,SWE] access to justice, underline the importance of transparency in the judicial process[TUR]; building fair.[UK,TUR,SWE] effective, accountable, impartial and inclusive institutions; [preventing and combatting corruption based on comprehensive and multi-disciplinary approach: FRA,SGP/ combatting public corruption: USA,NLD,UK] and ~~promoting~~encouraging youth engagement and promoting[THA, SGP] a culture of lawfulness, ~~while respecting cultural~~

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identities, ~~[TUR,ITA,NGA,POR,NLD,UK,SWE]~~ by social, educational and other measures;

~~(delete the entire para and replace with the AG proposal; EGY, RUS,IRN,TUR,NGA,CUB; retain original:USA,THA)~~

~~(work on GTM proposal on OP3: GTM; work on GTM proposal:POR,BEL)~~

6. We emphasize the responsibilities of all States ~~—[COL; retain: USA,CAN,SVN,UK,TUR]~~ to uphold the principle of human dignity and the respect for and observance of all human rights and fundamental freedoms, including to ensure the fair administration of justice.~~[end here: USA,THA,CAN; oppose:NGA]~~ and the responsibility of all States ~~to[COL,SYR] ensure fair administration and transparency[TUR,POR,SVN] of justice and safeguarding victims [FRA, POR, SVN, BEL, MLT, CRO, FIN, DEU, AUT (consider that this is already in OP19-21:GTM)], and prevent, prosecute and punish all forms of torture and other cruel and inhuman or degrading treatment or punishment, and end impunity [BEL,FIN,DNK,DEU,AUT; oppose inclusion of “end impunity”: USA] in full conformity with the purposes and principles of the Charter of the United Nations, international law and [EU,POR; delete only “international law”: COL; only delete “the purposes and principles of”[TUR]; oppose deletion if we retain this para: NGA]the Universal Declaration of Human Rights, the rule of law and the principle of proportionality of sentencing in our efforts to prevent and combat crime and in the administration of justice[FRA, HON, ROU, POR, SVN, BEL, ISR, MLT, CRO, FIN, DNK, DEU, AUT; add “as appropriate”: USA; move this text to OP28-30:GTM; oppose moving: FRA] and all our respective international obligations[COL,HON; delete:FRA]. We also recognize the value and impact of the UN standards and norms in the field of crime prevention and criminal justice as guiding principles in our work [CAN]; ~~(delete this para or move to PP: RUS, SGP, CHN, IRN, CUB; oppose: AUS, CAN, NZL, POR, CHE, SVN, UK, ISR, MLT,FIN,DEU,AUT)~~  
~~(consider the new para by EGY: EGY, CHN)~~  
~~(revert to original language and move to OP1: GTM)~~  
~~(support original language: CRI,ARG,URY)~~~~

7. We also emphasize our commitment to effectively prevent and fight crime in full conformity with ~~the purposes and principles of [TUR]~~ the Charter of the United Nations, fully respecting the sovereignty and territorial integrity of States, the principle of non-intervention ~~in the internal affairs of States, [UK]~~ and mutual respect among States;  
~~(delete this para and have new para proposed by EGY:CHN,IRN,EGY)~~  
~~(keep this para:GTM)~~

~~[To achieve these commitments, [GTM]we endeavor to take the following actions (delete all and start with We endeavor to in all paras [RUS])=~~

(Delete all titles and sub-titles in brackets: RUS,CHN,IRN; keep them: AUS,UK,BEL,CAN,FRA)

[Advancing crime prevention]

**[Effective implementation of international obligations to fight crime]**

8. [Design or update[USA,RUS] and implement national crime prevention strategies to address all persistent, new and emerging forms of crime, including by strengthening the role of law enforcement as the central component of crime prevention, [ITA,USA,EGY,RUS,DEU,NDL,FIN,BRA,FRA] and (delete until here: COL)]by fully and effectively implementing the obligations set forth in[FRA] all[MEX] relevant international conventions and protocols in preventing and combatting [MEX,FRA] [organized/all kinds of: CHN]crime (stop here: CHN), including[corruption, [FRA]trafficking in persons, smuggling of migrants, illicit [RUS,FRA] manufacturing and [ARG] trafficking in firearms, its parts and components and ammunitions[MEX,FRA,ARG], corruption, [FRA] drug trafficking, trafficking in cultural property,[EGY,IRN], [smuggling of commercial goods:,COL; delete:IRN] money laundering,[MEX] terrorism in all its forms and manifestations, and crimes of violence[USA] [motivated by hate-speech and [MEX] intolerance or discrimination of any kind[NGA]; delete: RUS]. and crimes in the fisheries, forestry, and mining sectors and other crimes that have a significant impact on the environment [MEX; delete: EGY,IRN] /, and crimes that have a significant impact on the environment: USA]; (delete additions by MEX: RUS, DEU, NDL, BRA, NGA, ARG) (delete “trafficking in cultural property” and onwards: FRA)

**[Addressing economic aspect of crime]**

8-9. Develop and or update [USA] strengthen strategies to attack the [evolving:USA] criminal business model and [AUS,NDL,FRA](not clear:TUR) prevent and address economic and financial[ITA,POR,DEU,TUR,NDL,BEL,FRA] crime, the economic dimension of organized crime[ITA,POR,DEU,TUR,BEL,FRA- and its links with financing of terrorism[TUR;delete:NDL,FRA](covered by OP44:GTM) and the infiltration of organized crime into the legal economies, [RUS] as well as adopt effective measures against money-laundering and drug trafficking[TUR;delete:FRA]-and illicit financial flows-[CHE,UK; retain:NGA,POR,GTM,EGY,TUR,AUS,ALG] by having in place robust domestic legal frameworks for financial investigations [, asset recovery:NGA,RUS/, asset recovery and return:EGY,ALG,TUN,USA/confiscate proceeds of crime:DEU,UK,CHE,NDL,FRA/confiscate, recover and return the proceeds of crime:GTM,NGA] and mobilizing resources in this regard;

**[Addressing the root causes and risk factors conducive to crime]**

10. [Design and implement and evaluate the effectiveness of: CAN / Design, update and implement tailor-made: GTM] holistic and pluralistic [DEU,GTM,BEL,] crime prevention strategies addressing including through education to address[GTM,DEU] (delete until here and start here with “Addressing”: DEU) the root and other[USA,GTM] causes and risk factors conducive to— that makes [natural resources and: UK,AUS,NOR,SWE; delete:BRA] different segments of society more vulnerable to [COL,GTM,HON,BRA,SGP,AUS] crime, bearing in mind the different implications these may have on various members of society[, and in this regard, ensuring significant mobilization of resources from a variety of sources, including through enhanced

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development cooperation, in order to provide adequate and predictable means for developing countries to implement programmes and policies to end poverty in all its dimensions: EGY,NGA,IRN,ALG, NAM/retain original and add “,on the social and economic development”: NAM] taking into account that crime affects differently the multiple segments of society[COL,HON] as well as recognizing that crime prevention measures should be decided in conformity with the rule of law and international human rights obligations[FIN,DEU,GTM,HON,BEL,CAN,NOR,SWE]:

(Support the original text: RUS, EGY, NGA, IRN, BRA, SGP, ALG,NAM, stop at “conducive to crime”:GTM)  
(move this before OP8: BEL)

#### **[Crime prevention by multi-stakeholder partnerships]**

~~9-11.~~ Develop and strengthen multi-stakeholder partnerships in holistic crime prevention strategies, which include: multi-agency coordination between ~~law enforcement authorities~~[CAN], criminal justice institutions including law enforcement authorities[CAN] and other ~~governmental sectors~~ relevant government entities responsible for, inter alia, ~~such as~~ ~~[USA(avoid repeating “sector” afterwards)]~~ social welfare sector, health-care and medical sector, environmental sector.; UK,FRA,DEU,ALG,EU,USA,NOR; environmental protection: FRA,AUS; delete:RUS educational sector, and labour and employment sector; public-private partnerships(end here:IRN) with the collaboration with[UK,AUS,CAN] business and financial and technology[UK,AUS] sector, local community, Indigenous peoples.[CAN,AUS,NOR; delete:RUS,TUR] civil society, academia, the scientific community [FRA,RUS,AUS,EU] and other relevant organizations;  
(support original: EGY,IRN,NGA,ALG,SGP)

#### **[Community-based crime prevention strategy]**

~~10-12.~~ Promote community-based crime prevention strategies aimed at addressing the root causes of crime[CAN], including innovative approaches to prevent urban crime/violence in urban areas:RUS; violence in urban and rural areas: GTM; crime:SGP,URY; retain original or replace with “gang related violence in urban areas”: SLV; gang related violence:HON; urban crime and violent crime:UK,MLT; crime in particular urban crime:CAN,MLT], that ~~permeate~~ advance[USA,THA] communal values ~~and~~, [THA] positive conflict resolution and alternative measures[THA] focusing on local contexts through cooperation with: the police, including community policing[EGY,RUS; retain: NDL,NGA,CAN,MLT,FIN; retain and replace “including” with “such as”: USA,JPN,SGP,NGA,CAN,MLT,FIN; community-oriented policing: SWE,FIN,EGY]; schools; the welfare sector; local government and community strengthening the engagement of the community /organizations and residents into crime prevention, involving police, school, welfare sector, local government: CHN, including community courts[ISR;delete:RUS,TUR,GTM; reservation:EGY; “such as community courts”:CAN]; fostering a culture of lawfulness among the general public, while respecting cultural identities.[EGY,IRN,RUS; retain:USA,JPN,GTM,DEU,BEL; retain and add “in particular through educating youth”DEU,HON; retain without “, while respecting cultural identities”: TUR,ITA,CAN,SWE,FIN] to build trust among citizens towards ~~law enforcement~~ public [ITA]institutions, which is the precondition of partnership ~~collaboration~~[EGY,IRN] between the police and communities(stop

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here:URY.GTM.CHN), further recognizing that providing essential victim services to those impacted by violence can have a significant preventive, deterrent effect as victims who receive assistance are in a better position to cooperate with law enforcement and prosecutors to resolve cases successfully holding offenders accountable and resulting in safer communities[USA,ITA,CAN,SWE; delete:IRN], in addition, develop effective strategies to prevent, investigate and prosecute hate crimes[and crimes against migrants: EGY] motivated by hostility, bias[, xenophobia: EGY] or prejudice, in order to reduce community tensions and uphold human rights, particularly of [migrants and: EGY] minority groups [UK, ITA, CAN, SWE, FIN, BEL, EU; delete:IRN];

#### [Evidence-based crime prevention]

~~11~~-13. Enhance evidence-based crime prevention strategies through collection and analysis of data using systematic and coherent criteria, bearing in mind the International Classification of Crime for Statistical Purposes (ICCS), and evaluate the effectiveness of such strategies~~(agreed)~~;

~~12~~-14. Produce and share data on crime trends and drivers[UK] internationally, including with the assistance of UNODC and United Nations Statistics Division[MEX; reservation:NGA], in order to strengthen the collective capacity of Member States to better[COL] understand global crime trends and the effectiveness of strategies[UK] with a view to inter alia[COL] facilitating international cooperation in the context of evidence-based crime prevention;  
(retain original:IRN)  
(delete entire para:RUS)

#### [Gender-mainstreaming in crime prevention]

~~13~~-15. Mainstream a gender perspective into crime prevention and criminal justice[AUS,CAN,SWE,FIN,DEU,BRA,UK,URY,ARG,BEL,USA,NOR,FRA] policies and programmes, addressing the specific needs of men and women in order to prevent their victimization, programmes, legislations and other actions by undertaking gender-sensitive analysis[, addressing specific needs of men and women: SWE, FIN, DEU, BRA, CHE; oppose:CHN], [boys and girls:AUS,USA; oppose:CHN] soliciting contributions from impacted groups and addressing their specific situations and needs in the development and implementation of these actions [AUS, CAN, SWE, FIN, DEU, BRA, UK, URY, CHE, ARG, BEL, USA, NOR, THA, CRI, ISR, FRA], taking into account the important role and specific needs of women and girls[URY];  
(retain original:EGY, IRN,RUS,VAT) (consider with OP24: BRA,SGP,CRI)  
(agree with the change on condition of merging with OP24: CHN, IRN; oppose:AUS, BEL,USA,NOR,SWE,CAN,CRI,ISR,FRA)(Move to the overarching message:SWE)

#### [Children and youth in crime prevention]

~~14~~-16. Give due consideration to the vulnerabilities of children and youth to crime including youth unemployment[NAM; delete:USA,SWE], abuse, [human:USA]trafficking[EGY] and all serious forms of violence[NOR,MEX,EGY,UK,SWE]], including child sexual abuse and child sexual[AUS,ARG,SLV,FRA] exploitation, including production, acquiring, possession and demonstration of child pornography[RUS,IRN;delete:AUS,SWE,NOR] — such as — online child pornography[AUS,BEL,UK,SLV,USA,SWE], / recruitment and exploitation of children by armed and criminal groups including:CHN [those designated as terrorist

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~~groups :CHN,SWE(flexible with placement)/gangs and terrorist groups:SLV] in developing age specific crime prevention initiatives and programmes and enhance the protection of children against crime, including through promoting multi-stakeholder partnership among law enforcement agencies, the digital industry; in developing evidence-based crime and violence-prevention strategies and increased protection of children against crime and violence, including through enhancing multi-stakeholder partnerships among law enforcement agencies [NOR,THA, UK(retain digital industry); retain original:ARG, SLV; integrate the idea with OP23:EGY,SGP,BRA,IRN]schools, the welfare sector, business sector[NAM], ~~and~~ the community and families(support:FRA), [including comprehensive victim services to children and non-offending parents:USA]and promulgation and improvement of children and youth protection [laws/policies:UK,USA,NOR](stop here:UK,BRA,USA,NOR), and combatting all types of pornographies, including online pornography, which is the cause contributing to juvenile delinquency and crimes aiming at children and youth[CHN(flexible in modifying),IRN; delete:CAN]; (devide the paragraph to one on crime towards child and the other on youth and child sexual abuse:CAN)~~

**[Child and [NOR,CAN;delete:USA,CHN]Youth empowerment for crime prevention]**

17. ~~17.~~ Include children and youth voices in the development and evaluation of crime prevention approaches initiatives and strategies, particularly, in the case of vulnerable and at-risk youth, and [CAN,USA; reformulate:ESP,BEL,CHN; delete:RUS] Empower children and [NOR, CAN; delete: USA, RUS, CHN] youth to become active agents of positive change in their communities to support crime prevention efforts including [developing and implementing family oriented programmes and by organizing youth fora;(end here:GTM,SWE,VEN) by strengthening families; (oppose:ESP); education and family assistance:GTM (oppose:CHN) / and improving relationships between youth and their parents, and :USA,SGP,SLV; strengthening parenting [and family skills:SWE] and supporting parents and the adult community around children and youth in their efforts to support resilience and healthy development of children and youth, and:FRA,SWE]organizing youth fora]and youth programmes.[CHN,SGP,THA], including in the context of the family[USA]; (need to reformulate taking into account that there are two concepts:MEX) (retain original:BEL,GTM(with the amendment above; support:VEN), MEX, CRO, NGA, COL, EGY, ARG, IRN,VAT)
18. ~~integrate~~ Promote programmes related to[CAN] crime [and corruption:RUS] prevention.[CHN,CAN] criminal justice and rule-of-law aspects into at [CAN]all levels -including[USA] the primary, secondary and tertiary level - of educational systems and explore other effective approaches to awareness-raising [CAN] including the use of social, cultural, recreational, and sports activities and social media platforms and applications [CAN]in youth-crime prevention[GTM];

*[Addressing challenges facing the criminal justice systems]*

**[Safeguarding victims' rights and protection of witnesses and reporting persons]**

19. [Promote a victim-centred/oriented approach to :ITA,SWE; delete:CHN,VNM,DEU,RUS,IRN / Promote a victim-centred approach to crime

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prevention strategies and programmes to:USA,CAN / ~~Protect and assist-Safeguard the legitimate rights and interests of:~~ CHN; ~~oppose~~ :USA,FRA,BEL,CAN,ITA,THA,VNM,SWE / Protect, assist and safeguard rights of: ESP,UK,DEU,BRA,SGP] all victims and survivors[AUS,CAN,ESP,MEX,USA,UK,VNM,SWE,HON,DOM; delete: CHN,RUS,IRN; reservation:EGY,VEN] of crime at every stage of criminal proceedings, thereby giving due attention to age ~~and~~ ~~[GTM] gender-specific~~ the specific needs of women and girls[USA,SGP,SLV,VAT,RUS,BRA; retain original: CHN,HON,BEL,CAN,COL,ESP,MEX,THA,SWE,IRN] needs [and persons with disabilities: GTM,NAM,ISR,SGP,SLV,FRA,EGY,HON,CAN,VAT,ESP,ITA,MEX,RUS,BRA,AUS/ and people with special needs:VEN/ delete:IRN], and encourage and facilitate victims and survivors [AUS,CAN,ESP,MEX,USA,UK,VNM,SWE,HON,DOM; delete: CHN,RUS,IRN; reservation:EGY] to report crime by providing them adequate support, as well as provide effective access to translation [USA,ESP] compensation and reparation, as appropriate.[COL; delete:GTM] to assist in their recovery[USA,BEL,ESP,SGP]; (retain original text:RUS,IRN,VAT,GTM,CUB)

19-20. Take appropriate measures to provide effective protection for witnesses in criminal proceedings and for reporting persons(agree):

20-21. Provide adequate resources and ~~victims-centred and trauma-informed~~ [USA,EGY,SWE,HON,AFG,VAT,CAN,UK,DOM,SGP,SVN,ESP] training to practitioners who provide assistance and support to victims including victims of gender-based violence and child victims of crime and other groups with special needs, as well as to strengthen the capacity of practitioners to prevent and handle such cases (end here) [FIN,SWE,AFG,CAN,UK,FRA,URY,ARG,SVN,ESP; oppose: CHN] ~~deal~~ engage(interact)[USA,GTM,SGP,DOM] with victims and survivors[AUS,HON,CAN,UK,DOM] including [USA,CAN,SWE] of domestic violence[BGR,UK,FRA,URY,SWE,ARG,SVN,ESP,COL(work on placement: support VEN,HON,DOM)], in particular violence against women and children; (prefer original:EGY,GTM,PHL,SYR,ZAF,VAT,SGP,ALG,CUB,VEN) (retain original or delete this para: RUS,CHN,IRN)

#### [Approaches to address vulnerability of children and youth in contact with the criminal justice system]

22. Establish ~~and or~~[ESP] strengthen ~~evidence-based juvenile justice or other proceedings~~ justice for children [NOR,RUS,CAN,AFG,CHN,GTM,DOM; retain original:USA,NDL,URY] and analyze juvenile delinquency cases[CHN/ and analyze juvenile in conflict with law:GTM,SLV] in order to address ~~[vulnerability-root causes~~[CHN,HON; retain both:NDL] and risk factors of ~~children~~ juvenile delinquency [CHN: juvenile in conflict with law:GTM,SLV] and youth[NOR,RUS,CAN,SGP]/, in a manner proportionate to the seriousness of the offending behavior and the degree of responsibility of the child, his or her risk factors, thereby facilitating their rehabilitation and reintegration of children in contact with the justice system, and preventing their further involvement in [the justice system/future conflict with the law(end here):GTM]:CAN,NDL,URY], [thereby closing loop holes and strengthening prevention policies: CHN / facilitating possible diversion from the criminal justice system, rehabilitation, [NAM] the reintegration of youth in contact with the ~~criminal~~ [USA,CAN,AFG,DOM] justice system]; (prefer original:GTM,SLV,DOM,HON)

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~~24-23.~~ Consider targeted approaches to prevent children and youth recruitment into, and involvement in, organized criminal groups, including gangs, armed [AFG,USA,PHL,DOM] and terrorist groups as well as to socially[RUS, SYR: delete:USA] rehabilitate and reintegrate ~~them~~ convicted criminals:RUS,CHN,IRN,SYR/retain original:NDL,USA,HON,CAN,TUR/ children engaged in those activities(end here: MEX, CHN/ retain original text from onwards with amendment:DOM) as constructive [ESP,NDL,USA,HON,TUR,DOM]members of society with the full recognition of the importance of delivering justice to victims and society; (retain original:SGP,IRN,PHL,TUR)

**[Gender-mainstreaming in criminal justice systems/Gender-equality and empowerment of women:AUS,ESP,SWE,SVN,URY(oppose:IRN)]**

24. [Recognize the particular importance of gender equality and of empowering women as powerful agents of change, and in that regard. :CAN,FIN,AUS,FRA,UK / Recognizing the importance of empowering women.:USA,FIN,ARG,AUS,FRA,UK,ESP,PHL,AFG,URY / delete:IRN,RUS] Develop and implement appropriate and effective national strategies and plans for the advancement of women in law enforcement and criminal justice institutions ~~at the leadership, managerial and other levels~~[RUS: retain original:UK,SWE,SVN,AFG,ISR]; (merge idea with OP15: CHN,SGP) (keep paras separate:FIN,COL,ARG,FRA,UK,ESP,SWE,SVN,ISR) (retain original:FRA,PHL,CUB) (delete the para or merge with other paras:IRN)

**[Approaches to improve custodial conditions]**

25. Improve the ~~custodial~~ detention[DEU,THA,USA,DOM,ITA,URY]conditions for both pre-trial and post-trial detainees[DEU,THA,USA,DOM,ITA,URY], including by promoting the practical application of ~~[through intensifying our efforts to fully apply in practice:DEU,THA,DOM,ITA,URY/ by applying relevant provisions of:USA / by applying relevant provisions or adapting, as appropriate, in accordance with domestic legal framework: SGP,CHN,EGY,IRN/retain original: COL,EGY,BRA]~~ the United Nations Standard Minimum Rules for the Treatment of Offenders (Nelson Mandela Rules), the United Nations Standard Minimum Rules for Non-custodial Measures (Tokyo Rules) and the United Nations Rules for the Treatment of Women Offenders (Bangkok Rules), including through the provision of appropriate health care. [THA,ITA,CHN: delete:USA] by [investing in: delete:USA]the training of prison, correction and probation/ and other relevant:CHN] officers[DEU,THA, DOM,ITA,UK] to those standards[USA]; (retain original:SGP,BRA,MEX,RUS,IRN,ARG,CUB)

~~25-26.~~ Consider the use of pretrial diversion as well as [THA] alternatives to pre-trial and post-trial [EU,IRN] detention and custodial sentences [to/and:UK,ISR] address overcrowding in detention facilities[CHN], including plea bargaining and community services sentences[NAM] and ensure that the severity of the sentence is proportionate with the crime committed[MEX: delete:CHN], where appropriate and in accordance with domestic law particularly and as a priority for women and other groups in vulnerable situations[ARG]; (retain original:RUS,SGP,IRN) (delete this para:EGY)

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**[Restorative justice]**

27. Consider, where appropriate, facilitating [Increase the use of :CAN, THA, PHL/ retain original][USA, ESP] and in line with best practices[USA]/ Consider, to the extent possible and in accordance with [applicable/national:NGA] law, facilitating: GTM,BRA] restorative justice processes involving non-violent crimes[USA,GTM; delete:BRA] [, especially in juvenile justice processes: BEL, ESP, GTM, BRA / for children and adults: CAN; oppose: GTM], at relevant stages in the criminal justice ~~process~~ proceedings[CAN], to the extent possible and in accordance with applicable law and evaluate these processes to assess their usefulness in preventing crime, victimization and recidivism: CAN, USA,AUS; (retain original:SGP,IRN,BRA,COL,SYR,NGA,PHL) (delete this para:CHN,RUS)

**[Approaches to reduce reoffending]**

28. Promote ~~flexible application of less restrictive sanctions and use of non-custodial sanctions and dispositions in appropriate cases to facilitate evidence-based recidivism reduction programme, and community placement where practicable and applicable to promote~~[USA,SGP; retain original:CAN] [including, promoting greater community involvement with sufficient safeguards: CAN / the social reintegration of offenders, as appropriate with the [consent/ the active involvement:ITA,JPN,CAN,SGP,SWE,AUT] of local communities, with sufficient safeguards to protect individuals, families, and communities:USA] Consider the development of community corrections system to place offenders who meet the conditions in the community with the assistance of the communities and social volunteers, to correct their criminal psychology and behaviors, for their smooth return to their society[CHN; avoid repetition:SWE,AUT,BEL]; (retain original:RUS,IRN,ZAF,THA,GTM,NGA,BEL) OP28 ALT. Explore the most adequate ways for reintegrating ex-offenders: [MEX,SGP,GTM] (add the idea in the beginning of the original:GTM)

26-29. Promote ~~rehabilitative environments/~~ rehabilitative policies:RUS; / rehabilitation:UK,CRI / and implement rehabilitative programmes and policies:ZAF / rehabilitative policies within the correctional and penitentiary system:GTM,SGP/ retain original:JPN, SWE, THA,SGP, GTM] [in correctional facilities:GTM,SGP/retain original:USA,JPN] and in the community [JPN,UK,VNM,SGP,HON,CAN,THA] to reduce reoffending through designing and implementing effective treatment programmes that are based on the individual assessment of needs and risks of the offenders, and providing offenders with access to vocational and technical [CHN,CAN] training and educational programmes and community services [CHN,HON,CAN; delete: JPN] to support them to develop social[, working:VNM,HON,CAN / .employment:SGP] and other skills;

27-30. Promote multi-stakeholder partnership to reduce reoffending, by fostering inter-agency coordination among relevant authorities, such as employment agencies, social welfare agencies and local governments; as well as ~~public-private partnerships multi-stakeholder partnerships:UK /~~ collaborations:CHN] between those authorities and the community, including cooperating employers and community volunteers that support offenders reintegrate into society, and by raising awareness of the importance of public acceptance of ex-offenders[GTM; retain original:JPN] in the community and the significance of the community engagement in assisting their social-reintegration, and also to improve the likelihood that offenders will pay restitution to victims for crimes

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committed [USA];

*[Promoting the rule of law]*

**[Equal treatment before the law]**

~~28-31.~~ Ensure equal application of law to all individuals, including by taking appropriate measures to ensure that all members of society are treated without discrimination or bias of any kind by crime prevention and criminal justice institutions and that any crimes motivated by discrimination or bias are given adequate attention by the criminal justice system~~[CAN; delete:SGP,CHN,IRN];~~

**[Access to justice, including legal aid]**

~~29-32.~~ Take measures to ~~develop and enhance an ensure~~ [ARG] early prompt~~[CHN]~~ /timely~~[CAN]~~ and equal access to justice for all, [including by/retain:COL] by promoting [measurable:USA,CAN/delete:EGY,RUS,CHN,IRN/practical: COL, EGY] [implementation: ARG/ use: RUS,CHN/ application:COL, EGY] of United Nations Principles and Guidelines on Access to Legal Aid in criminal justice system, in particular by encouraging the development of guidance tools and [collection and:USA] sharing of data [on legal aid access and quality with a view to:USA] on establishing accessible, ~~establishing~~ [ARG,HON,CRI] effective, credible and sustainable quality legal aid system that provide prompt access to quality legal aid [from the moment of the arrest/ to all persons arrested, detained, suspected or charged with a criminal offense: CAN] and at all stages of criminal justice process [to all persons suspected or charged of criminal offence; delete:CAN] giving due regard to the specific need of victims [and survivors: CAN] of crime, women, children and those who are [vulnerable/in vulnerable situation:CRI] (end here)~~[ARG,HON,CRI; reservation:SGP,IRN]~~ accessible to those without sufficient means or when the interests of justice so require~~[CHN]~~, including through promoting the practical application of the United Nations Principles and Guidelines on Access to Legal Aid, ~~while where appropriate~~ [SGP] giving due regard to the specific needs of [victims and survivors of crime, and those who may be vulnerable, including:AUS, USA /victims and survivors of crime:CAN/victims of crime:CHN,RUS,IRN], women, children and those who are vulnerable~~[groups:HON/individuals:EGY,RUS,IRN] with special needs [CHN,SGP] /groups and individuals who are vulnerable or/groups and individuals who are in vulnerable situations~~~~[CRI]and have special needs~~~~[COL];(reservation for all additions:RUS,IRN)~~

**[Effective, accountable, impartial and inclusive institutions]**

~~30-33.~~ Ensure that the law enforcement, criminal justice system and institutions comprising them perform fair administration and delivery of justice by securing the integrity and independence of such institutions and by respecting the right to fair trial, including trial by independent and impartial judges, and the right to defense;

**[Effective anti-corruption efforts]**

~~34-34.~~ Detect, prevent and counter corruption by strengthening transparency and accountability of public institutions, deploying adequate resources and enhancing capacity of law enforcement and criminal justice institutions to effectively investigate cases of corruption, promoting the reporting of corruption to appropriate authorities, and providing

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protections against any unjustified treatment for people who report in good faith and on reasonable grounds facts concerning offenses of corruption to the competent authorities;

**[Social, educational and other measures]**

~~32-35.~~ Provide quality education for all and promote awareness-raising activities in communities, particularly for children and youth to equip them with the necessary values, skills and knowledge to foster a culture of lawfulness among the general public that supports the rule of law while respecting cultural identities;

~~33-36.~~ Support community-based educational activities which contribute to empower children and youth to become citizens respecting the rule of law, human rights and fundamental freedoms;

***[Intensifying international cooperation and technical assistance to prevent and address all forms of crime]***

**[International cooperation and capacity building for efficient international cooperation]**

37. Fully and effectively implement the obligations set forth in the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption, the three international drug control conventions and relevant international conventions and protocols related to counter-terrorism; efficiently use them as legal bases to foster and enhance international cooperation in criminal matters, as well as actively participate in, and contribute to, review mechanisms of such instruments, including the implementation of and support for the recently adopted mechanism for the review of the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols, with a view to their full implementation and further utilization;

38. Increase the efficiency and effectiveness of central authorities and other competent authorities responsible for mutual legal assistance in criminal matters and extradition by providing adequate resources, expertise and tools, such as modern communication and case management tools, as well as enhancing capacity building programmes and technical assistance activities, particularly supported by the UNODC and including, as appropriate, the updating and dissemination of tools such as the SHERLOC knowledge management portal, the UNODC MLA Request Writer Tool, and the Online Directory of Competent National Authorities;

39. Establish and strengthen regional and cross-regional cooperation networks on the law enforcement and criminal justice among Member States to build trust among themselves and facilitate, including through the support of intergovernmental organizations, the formal and non-formal exchange of data, information and communication necessary to prevent and combat crime, especially in its transnational dimensions, such as INTERPOL and its Global Secure Communications System 24/7;

**[International cooperation to deprive criminals of their proceeds of crime]**

40. Strengthen international cooperation regarding the identification, freezing, seizure and confiscation of proceeds of crime through information-sharing and mutual legal assistance to tackle the economic dimension of crime in order to deny criminals or criminal organizations the proceeds of their crimes;

41. Provide the widest measure of cooperation and assistance to recover the proceeds of crime

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- and demonstrate strong commitment to ensuring the return of confiscated property in accordance with Chapter V of the United Nations Convention against Corruption;
42. Implement the necessary measures to obtain and share reliable information on beneficial ownership of companies, legal structures or other complex legal mechanisms, thus facilitating the investigation process and execution of mutual legal assistance requests;

**[Terrorism in all its forms and manifestations]**

43. Strengthen formal and informal channels of communication and cooperation at the international, regional and sub-regional levels by effectively implementing the relevant international conventions and protocols related to counter-terrorism with a view to prevent, detect and prosecute terrorism in all its forms and manifestations;
44. Identify, analyze and counter potential, existing and in some cases growing links between transnational organized crime, the financing of terrorism including money-laundering, and hostage-taking for ransom by terrorist groups in order to enhance criminal justice responses to those crimes;
45. Address issues related to the treatment of foreign terrorist fighters, in particular their return or extradition, prosecution and social-reintegration in the countries of origin; counter terrorism incitement, recruitment and radicalization, including through the use of the Internet, particularly targeting the youth; and prevent safe havens for terrorists;

**[New and emerging forms of crime and new dimensions of persistent crimes]**

46. Strengthen the capacity of law enforcement and criminal justice institutions, intensify international cooperation and foster cooperation with the private sector to combat new and emerging forms of crime as well as effectively address new dimensions of persistent crimes;
47. Make maximum use of the relevant conventions, particularly, the United Nations Convention against Transnational Organized Crime, as well as examine trends and progress of modus operandi of such crimes, and develop effective ways of international cooperation to address them, including through exchange of views and experiences within the framework of the Commission on Crime Prevention and Criminal Justice and other global and regional fora;

**[Mobilization of information communication technologies]**

48. Take measures to address the criminal misuse of information and communication technologies, including cryptocurrencies, artificial intelligence and social media, and its impact on persistent, emerging and new forms of crime;
49. Promote the utilization of information communication technologies by law enforcement and criminal justice authorities, such as artificial intelligence and big data, to address sophisticated and complex crimes that take full advantage of such innovations, provide necessary training for law enforcement and criminal justice practitioners in that regard, and promote ethical standards in the use of such technologies with due respect to human rights and fundamental freedoms such as the right to privacy;
50. Promote public-private partnerships, especially with the digital industry and communication service providers to gather electronic evidence, utilize information communication technologies and counter their criminal misuse more effectively;

*In order to ensure appropriate follow-up to this Declaration and to our commitments:*

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51. We invite the Commission on Crime Prevention and Criminal Justice to adopt appropriate follow-up to the Kyoto Declaration, considering progress made in the course of implementation of this declaration;
52. We reaffirm that the United Nations Office on Drugs and Crime remains the leading entity in supporting Member States for the achievement of our aspirations in the field of crime prevention and criminal justice and for the implementation of the abovementioned specific measures adopted by the Commission on Crime Prevention and Criminal Justice;
53. We invite the Commission on Crime Prevention and Criminal Justice to engage with other relevant stakeholders in order to strengthen global partnership in advancing crime prevention, criminal justice and the rule of law towards achieving the 2030 Agenda for Sustainable Development.

New paragraphs for the Kyoto Declaration proposed by delegations

Before “We, the Heads of States...” insert:

Convinced that in times of rising of national [GTM] international and transnational [TUR,SGP] crime, it is paramount to strengthen international cooperation, crime prevention and criminal justice, the rule of law, sustainable development and respect for all[IRN, SGP] human rights and fundamental freedoms; [EU, SVN, UK, AUS, SWE, PRT, DEU; delete: EGY, CHN]

Placement could be discussed later: RUS, BRA, IRN, TUR, SGP

If retaining, add reference to “national sovereignty”: CHN, NGA

Should consider length of the Declaration when adding new paras:BRA GTM

Avoid repetitions, should be bracketed:USA

NEW PP5 Recalling all our commitments ~~enshrined~~[USA] in the Charter of the United Nations and relevant [IRN] international law, particularly full respect for all[IRN,SYR] human rights and fundamental freedom, as well as and[CHN] the principles of national sovereignty and territorial integrity of states, and non-intervention in the domestic affairs of other states, and non-use or threat of use of force in international relations[IRN]

Replace OP6 and OP 7 with this new PP5: EGY, RUS; oppose deletion of OP6 and OP7: FRA

New PP5 ALT Recalling all our commitments to the purposes and principles of the Charter of the United Nations and international law [CAN, stop here: GTM]

Move OP6 to OP1: ITA,CHE, SVN

Move OP7 before OP6: SYR

New OP1 replacing OP5 [We strongly reaffirm that sustainable development and the rule of law are interlinked and mutually reinforcing / We reaffirm that all Sustainable Development Goals are interlinked, and that our efforts in crime prevention and criminal justice need to be holistic and multi-disciplinary: IRN]. We recognize that efforts to achieve the 2030 Agenda including all its Goals and targets represent key enabling factor for states to effectively prevent and combat crime as well as to create an environment conducive to the rule of law. We also recognize that crime, corruption and terrorism represent major obstacles to sustainable development and efforts to achieve the 2030 Agenda, and that effective crime prevention and criminal justice measures

contribute to achieving sustainable development. Therefore, [EGY] [AG, COL, EGY, BRA, IRN, NGA, GTM, VEN] (consider avoiding repetition with OP3 and OP5) [ITA, FRA] (consider link with OP5: USA)

Proposals from RUS on OP 1 (in lieu of OP6 and OP7) (support the idea of separating OP1 into several paras: IRN, NGA, CHN, VEN)

OP1 ALT We are gravely concerned that the unprecedented scale of globalization as well as the exponential pace of innovations in technologies transforms crime increasingly transnational, organized and complex.

OP1 ALT Bis. We reaffirm our fundamental commitment to the principle of sovereignty, mutual respect and equality and to the shared goals of building peaceful, stable and prosperous world.

OP1 ALT Ter. We remain committed to multilateralism (support for multilateralism: FRA), cooperation of sovereign states to build a brighter shared future for the international community. We reaffirm our commitment to helping overcome the significant challenges currently facing multilateralism, as well as upholding the central role of the UN in international affairs and respecting international law. We undertake to intensify global concerted efforts and international cooperation in our endeavour to prevent and fight crime and seek justice [support: VEN].

OP1 ALT Quat. We reaffirm our commitments to fully, effectively and in good faith implement the obligations set forth in the the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption, the international drug control conventions, and relevant international conventions and protocols related to counter-terrorism, as well as other relevant international instruments and to identify and to address any existing gaps in the international legal framework pertaining to combatting crime, including by formulating new international legal instruments, as necessary [support: IRN].

OP1 ALT Quin. We reaffirm our commitments to strengthen the role of the Commission on Crime Prevention and Criminal Justice as the main policymaking body of the United Nations in the field of crime prevention and criminal justice.

OP3 ALT (also replaces first part of OP5) We strongly reaffirm that sustainable development and the rule of law are interlinked and mutually reinforcing. We reaffirm the universal nature of the 2030 Agenda for Sustainable Development, and that its goals and targets are integrated, indivisible and balanced and further recognize the efforts to achieve all sustainable development goals and targets represent a key factor for states to effectively prevent and combat crime, as well as to create an environment conducive to the rule of law. We also recognize that crime, corruption and terrorism represent

major obstacles to sustainable development and efforts to achieve the 2030 Agenda, and that effective crime prevention and criminal justice measures contribute to sustainable development.[GTM supported by BRA,COL]

OP6 Bis. We are convinced that a moratorium on the use of the death penalty contributes to the respect for the human dignity and to the enhancement and progressive development of human rights, and consider that there is no conclusive evidence of the deterrent value of the death penalty. (language from A 73/175)[EU,CAN,ROU,AUS,NZL,POR,CHE,SVN,CRI,UK,FRA,BEL,MLT,CRO,FIN,DNK,URY,DEU,AUT]

Oppose [RUS,SGP,CHN,USA,SYR,EGY,THA,KWT,IRN,NGA,CUB,QAT]

OP6 Bis. ALT We recognize that there is no international consensus on the use of the death penalty:[SGP]

OP8 Bis. Enhance~~Strengthen~~ [BGR] the role of the law enforcement through judicial control[BGR] as a fundamental~~the central~~[BRA,IRN,NGA] component of crime prevention, and enhance law enforcement efforts and policies to effectively deter and combat crime[EGY,CHN,IRN,RUS; delete: DEU, NDL, FIN]

OP16 Bis. Taking note of the terminology guidelines for the protection of children from sexual exploitation and sexual abuse, adopted by the Interagency working group on sexual exploitation of children on 28 January 2016 and emphasizing the importance of using appropriate terminology when referring to child sexual exploitation and sexual abuse in order to reflect the gravity of the criminal activity and the harm that is inflicted on the children involved:[AUS,SWE,UK,CAN, NZ, DOM;support concept:USA; delete: CHN,RUS,IRN,]

OP16 Ter. Strengthen domestic legal frameworks to comprehensively criminalize all forms of child sexual exploitation and abuse online, and support victims and survivors:[AUS,UK,CAN, NZL,DOM; support concept: USA; reservation: RUS]

OP16 Quat. Develop and implement evidence-based measures to facilitate the detection, compel reporting and removal of, child sexual exploitation and abuse material and related content online by digital industry:[AUS,UK,CAN, NZ, DOM; reservation: RUS]

OP22 Bis. Consider the physical and mental development, characteristics of juvenile offenders, and safeguard their legitimate rights and interests, including the right to



privacy, in the criminal proceedings of relevant cases. Establish juvenile offenders protection systems, including the elimination of criminal records in appropriate cases in order to promote their rehabilitation and reintegration into society; [CHN; reservation: USA]

OP24 Bis. (If criminal justice is removed from OP15) Mainstream gender perspective into criminal justice by promoting gender responsive measures as an integral part of the national criminal justice strategies, policies and programmes and by promoting the full protection of women and girls from all acts of violence, including gender-related killings; [CAN, FIN, COL, AUS, FRA; reservation: RUS]

OP29 Bis. Promote rehabilitation and reintegration ~~and rehabilitation~~ [GTM, UK] of foreign national offenders including [BRA, UK] by enabling them, where feasible, [USA, HON, AFG, UK, NGA, UK] to serve their sentences in their own country and thus within the community to which they will be released [UK, ITA, THA, SWE; reservation: CHN];

[Proportionality of sentences]

OP32 Bis. Promote national sentencing policies, practices or guidelines that seek to ensure penalties for offender are consistently applied across domestic jurisdictions and in accordance with applicable international law and domestic legislation (end here: USA, SGP; oppose: BEL, FRA) for the treatment of offenders in which the severity of penalties for offenders is proportionate to the gravity of the offenses-importance of the interest protected [HON] retain and add "and the offenders' degree of responsibility" [CAN, BEL, NZL] and in which both mitigating and aggravating circumstances are taken into account, consistent with applicable international law and in accordance with national legislation; [FRA, HON, AUT, NDL, FIN, SWE, EU, POR, ROU, CRO, AFG, BEL, NZL, AUS; delete: CHN, IRN, EGY, SYR, RUS; reservation: GTM, VEN, SGP]

OP32 Bis. ALT Promote practices that seek to ensure effective and dissuasive sanctions and penalties for offenders, consistent with applicable international law and in accordance with national legislation; [EGY]

**ANNEX III**

February 5

**Message by H.E. Ambassador Takeshi Hikihara,  
Permanent Representative of Japan,  
regarding the upcoming consultations on the Kyoto declaration**

The fourth informal consultations will be held from 12 to 14 February at 10am in room C1 (C Building 2<sup>nd</sup> floor).

The Chair is pleased to attach herewith a “revised draft” of the political declaration. The Chair made utmost efforts to reflect the comments and suggestions received on the “zero-draft”, with a view to providing a basis for further consultations.

During the fourth informal consultations, the Chair wishes to embark on a lineby-line screen editing exercise, listening to concrete proposals from Member States to improve the revised draft. In this regard, Member States are kindly requested to consult with their capitals and prepare concrete text proposals. Furthermore, Member States are also kindly requested to consult in advance, to the extent possible, with other interested Member States, to facilitate the negotiations during the informal consultations towards finding agreeable text(s).

The Chair wishes to remind Member States to bear in mind that the purpose of the consultations is to achieve a “short and concise declaration with a robust overarching political message”, as is requested in the resolution adopted in the General Assembly.

The Chair intends to start the fifth informal consultations shortly after the 63<sup>rd</sup> CND Session, which will finish on 6 March. Confirmation of these dates and further information on additional informal consultations in March will be announced at the end of the fourth informal consultations, bearing in mind the progress made so far. The Chair would like to once again remind Member States of our common goal to conclude our negotiations by the end of March.

**Revised Draft of the Political Declaration prepared by the Chair**

**Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: Towards the Achievement of the 2030 Agenda for Sustainable Development**

*We, the Heads of State and Government, Ministers and Representatives of the Member States,*

*Assembled* at the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice in Kyoto, Japan, from 20 to 27 April 2020, after half a century since the Fourth Congress in 1970, where the international community vowed itself to coordinate and intensify crime prevention efforts within the context of social and economic development;

*Taking stock* of the 65 year legacy of the United Nations congresses on crime prevention and criminal justice, their continuing significant role as the largest and most diverse international fora in the area of crime prevention and criminal justice, and their achievements in advancing policy discussions and commitments by Member States;

*Recalling* our political aspiration manifested in the Doha Declaration adopted at the Thirteenth Congress to integrate crime prevention and criminal justice issues into the wider agenda of the United Nations in order to enhance system-wide coordination, and *recognizing* the need to build upon the progress made since then, including the adoption of the 2030 Agenda for Sustainable Development and its implementation so far;

*Recognizing* the significant gap still remaining between our political commitment to achieve the Sustainable Development Goals and their effective implementation in the field of crime prevention and criminal justice, and *convinced of* the need to step up our actions to fill the gap;

*Declare the following:*

1. We are gravely concerned that the unprecedented scale of globalization and urbanization as well as the exponential pace of innovations in technology transforms crime increasingly transnational, organized and complex. *Therefore*, we undertake to intensify global concerted efforts and international cooperation in our endeavor to prevent and fight crime and seek justice, and renew our commitment to multilateralism and global partnerships to this effect. We undertake to effectively implement the obligations set forth in the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption, the international drug control conventions, and relevant international conventions and protocols related to counter-terrorism, as well as to strengthen the role of the Commission on Crime Prevention and Criminal Justice as the main policymaking body of the United Nations in the field of crime prevention and criminal justice;
2. We are also deeply concerned of the continued and evolving threats by persistent and emerging crimes as well as new dimensions of persistent crimes, and convinced of the need to further [promote building effective, accountable, fair and transparent crime prevention strategies and criminal justice systems respectful of human rights, fundamental freedoms, the rule of law and the principle of proportionality of sentences at all levels](#)~~enhance the capacity of law enforcement and criminal justice institutions and practitioners~~ to effectively address such threats. *Therefore*, we undertake to enhance capacities of law enforcement and criminal justice institutions and practitioners through technical assistance as well as taking full advantage of advanced technologies. We reaffirm, in this regard, the role of the United Nations Office on Drugs and Crime as the leading entity of the United Nations in the field of crime prevention and criminal justice in supporting Member States by the provision of technical assistance and expertise, as well as the Vienna-based intergovernmental fora as the most valued sources of knowledge and best practices dealing with crime prevention and criminal justice policies;
3. We reaffirm our determination in the 2030 Agenda for Sustainable Development that sustainable development cannot be realized without peace and security; and peace and security will be at risk without sustainable development. Our efforts in crime prevention and criminal justice and in achieving sustainable development are mutually reinforcing. We are convinced that, given all Sustainable Development Goals are integrated and indivisible, our efforts in crime prevention and criminal justice need to be holistic and multi-disciplinary. *Therefore*, we undertake to prevent and fight crime in a holistic and multi-disciplinary manner by addressing root causes and risk factors of crime;

4. We reaffirm our determination in the 2030 Agenda for Sustainable Development that Global Partnership will facilitate an intensive global engagement in support of implementation of all the Goals and targets, bringing together Governments, civil society, the private sector, the United Nations system and other actors and mobilizing all available resources. *Therefore*, in our efforts of crime prevention and criminal justice, we undertake to enhance multi-stakeholder partnerships including, inter alia, coordination between criminal justice institutions and other governmental sectors as well as fostering public-private partnerships;
  
5. We reaffirm that sustainable development and the rule of law are interlinked and mutually reinforcing and further acknowledge that the rule of law is the bedrock for sustainable development considering that a peaceful, safe and secure society where the rule of law prevails is the fundamental infrastructure for social and economic development. *Therefore*, we undertake to promote the rule of law through multidimensional approaches, including through enhancing access to justice; building effective, accountable, impartial and inclusive institutions; and promoting a culture of lawfulness, while respecting cultural identities, by social, educational and other measures;
  
6. We emphasize the responsibilities of all States to uphold the principle of human dignity and the respect for and observance of all human rights and fundamental freedoms and ensure fair administration of justice, in full conformity with the purposes and principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights;
  
- ~~6.7.~~ We uphold universal human rights and defend the full range of rights set out in the Universal Declaration of Human Rights and in international human rights treaties. Therefore, we oppose the use of the death penalty and promote its universal abolition, in any circumstances, as a matter of principle.
  
- ~~7.8.~~ We also emphasize our commitment to effectively prevent and fight crime in full conformity with the purposes and principles of the Charter of the United Nations, fully respecting the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States, and mutual respect among States;

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*To achieve these commitments, we endeavor to take the following actions:*

***[Advancing crime prevention]***

**[Effective implementation of international obligations to fight crime]**

8. Design and implement national crime prevention strategies to address all persistent, new and emerging forms of crime, including by strengthening the role of law enforcement as the central component of crime prevention, and by fully and effectively implementing the obligations set forth in relevant international conventions and protocols in preventing organized crime, corruption, trafficking in persons, smuggling of migrants, trafficking in firearms, drug trafficking, terrorism in all its forms and manifestations, and crimes motivated by intolerance;

**[Addressing economic aspect of crime]**

9. Develop and strengthen strategies to prevent and address economic crime, and the infiltration of organized crime into the legal economies, as well as adopt effective measures against money-laundering and illicit financial flows by having in place robust domestic legal frameworks for financial investigations [and asset recovery](#) and mobilizing resources in this regard;

**[Addressing the root causes and risk factors conducive to crime]**

10. Design and implement holistic crime prevention strategies addressing the root causes and risk factors conducive to crime, bearing in mind the different implications these may have on various members of society;

### **[Crime prevention by multi-stakeholder partnerships]**

11. Develop and strengthen multi-stakeholder partnerships in holistic crime prevention strategies, which include: multi-agency coordination between law enforcement authorities, criminal justice institutions and other governmental sectors such as social welfare sector, health-care and medical sector, educational sector, and labour and employment sector; public-private partnerships with the business and financial sector, local community, civil society, academia, and other relevant organizations;

### **[Community-based crime prevention strategy]**

12. Promote community-based crime prevention strategies, including innovative approaches to prevent urban crime, that permeate communal values and positive conflict resolution focusing on local contexts through cooperation with: the police, including community policing; schools; the welfare sector; local government and community; fostering a culture

of lawfulness among the general public, while respecting cultural identities, to build trust among citizens towards law enforcement institutions, which is the precondition of partnership between the police and communities;

### **[Evidence-based crime prevention]**

13. Enhance evidence-based crime prevention strategies through collection and analysis of data using systematic and coherent criteria, bearing in mind the International Classification of Crime for Statistical Purposes (ICCS), and evaluate the effectiveness of such strategies;
14. Produce and share data on crime trends internationally, including with the assistance of UNODC, in order to strengthen the collective capacity of Member States to understand global crime trends with a view to facilitating international cooperation in the context of evidence-based crime prevention;

### **[Gender-mainstreaming in crime prevention]**

15. Mainstream a gender perspective into crime prevention policies and programmes, addressing the specific needs of men and women in order to prevent their victimization;

[Children and youth in crime prevention]

16. Give due consideration to the vulnerabilities of children and youth to crime, including child sexual abuse and exploitation such as online child pornography, in developing age-specific crime prevention initiatives and programmes and enhance the protection of children against crime, including through promoting multi-stakeholder partnership among law enforcement agencies, the digital industry, schools, **health professionals, researchers, private sector** the welfare sector and the community;

**[Youth empowerment for crime prevention]**

17. Empower youth to become active agents of positive change in their communities to support crime prevention efforts including by organizing youth fora;
18. Integrate criminal justice and rule-of-law aspects into all levels – the primary, secondary and tertiary level - of educational systems and explore other effective approaches including the use of social, cultural, recreational, and sports activities in youth crime prevention;

*[Addressing challenges facing the criminal justice systems]*

**[Safeguarding victims’ rights and protection of witnesses and reporting persons]**

19. Protect and assist all victims of crime at every stage of criminal proceedings, thereby giving due attention to age and gender-specific needs, and encourage and facilitate victims to report crime by providing them adequate support, as well as provide effective access to compensation and reparation;
20. Take appropriate measures to provide effective protection for witnesses in criminal proceedings and for reporting persons;
21. Provide adequate resources and training to practitioners who deal with victims, in particular violence against women and children;

**[Approaches to address vulnerability of children and youth in contact with the criminal justice system]**

22. Establish and strengthen evidence-based juvenile justice or other proceedings in order to address vulnerability and risk factors of children and youth, thereby facilitating the reintegration of youth in contact with the criminal justice system;
23. Consider targeted approaches to prevent children and youth recruitment into, and involvement in, organized criminal groups, including gangs, and terrorist groups as well as to rehabilitate and reintegrate them as constructive members of society with the full recognition of the importance of delivering justice to victims and society;



### [Gender-mainstreaming in criminal justice systems]

24. Develop and implement appropriate and effective national strategies and plans for the advancement of women in law enforcement and criminal justice institutions at the leadership, managerial and other levels;

### [Approaches to improve custodial-detention conditions]

25. Improve the custodial-detention conditions for both pre-trial and post-trial detainees, including by monitoring and promoting the practical application of minimum standards developed at global or regional level, such as the United Nations Standard Minimum Rules for the Treatment of Offenders (Nelson Mandela

Rules), the United Nations Standard Minimum Rules for Non-custodial Measures (Tokyo Rules) and the United Nations Rules for the Treatment of Women Offenders (Bangkok Rules) in order to ensure a fair treatment in accordance with human rights;

26. Consider the use of alternatives to pre-trial and post-trial detention and custodial sentences in particular for young offenders, and invest in capacity building in this area, where appropriate and in accordance with domestic law;

### [Restorative justice]

27. Consider, where appropriate, facilitating restorative justice processes, at relevant stages in the criminal justice process, to the extent possible and in accordance with applicable law;

### [Approaches to reduce reoffending]

28. Promote flexible application of less restrictive sanctions and use of alternative measures to detention/non-custodial sanctions and dispositions in appropriate cases to enhance/facilitate the social reintegration of offenders;

29. Promote rehabilitative environments in correctional facilities to reduce reoffending through designing and systematically implementing rehabilitation and reintegration programmes, including de-radicalisation, effective treatment programmes that are based on proper identification and the individual assessment of needs and risks of the offenders, and providing offenders with access to vocational training and educational programmes to support them to develop social and other skills;

30. Enhance training for prison and probation staff in this area. Promote multi-stakeholder partnership to reduce reoffending, by fostering inter-agency coordination among relevant authorities, such as employment agencies, social welfare agencies and local governments; as well as public-private partnerships between those authorities and the community, including cooperating employers and community volunteers that support offenders reintegrate into society, and by raising awareness of the importance of public acceptance of offenders in the community and the significance of the community engagement in assisting their social-reintegration;

**[AI]**

31. Examine the impact of using Artificial Intelligence (AI) tools within criminal justice systems and ensure that appropriate safeguards are applied to guarantee the right to a fair trial, the rights of defence and the presumption of innocence of suspects and accused persons. In this context, explore challenges and opportunities of new technologies also for law enforcement and crime prevention.

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*[Promoting the rule of law]*

**[Death penalty]**

32. Oppose the use of the death penalty and promote its universal abolition, in any circumstances, as a matter of principle;

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**[Equal treatment before the law]**

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31. Ensure equal application of law to all individuals, including by taking appropriate measures to ensure that all members of society are treated without discrimination or bias of any kind;

### **[Access to justice, including legal aid]**

32. Strengthen the rule of law and in particular the efficiency, quality and independence of national justice systems. Develop integrated, inclusive and comprehensive approaches to promote and support the rule of law that include relevant stakeholders at national, regional and international levels. Raise awareness, in particular among the general public, about rule of law standards, including through education. Civil society has an important role to play in this respect. Improve the prevention of rule of law challenges and address them adequately.

Take measures to develop and enhance an early and equal access to justice for all by building accountable, impartial and inclusive criminal justice institutions, in particular independent courts. Integrate this objective into national and bilateral assistance efforts, as well as into the UNODC's technical assistance programmes.

Uphold the protection of human rights and fundamental freedoms in criminal proceedings, and in particular strengthen the fair trial rights of suspects and accused persons by ensuring appropriate safeguards in national law, including legal aid~~including, also- including~~ by establishing effective, credible and sustainable quality legal aid accessible to those without sufficient means, including through promoting the practical application of the United Nations Principles and Guidelines on Access to Legal Aid, while giving due regard to the specific needs of victims of crime, women, children and those who are vulnerable;

### **[Effective, accountable, impartial and inclusive institutions]**

33. Ensure that the law enforcement, criminal justice system and institutions comprising them perform fair administration and delivery of justice by securing the integrity and independence of such institutions and by respecting the right to fair trial, including trial by independent and impartial judges, and the right to defense;

### **[Effective anti-corruption efforts]**

34. ~~Detect, P~~prevent, detect and counter corruption by strengthening transparency and accountability of public institutions, deploying adequate resources and enhancing capacity of law enforcement and criminal justice institutions to effectively investigate cases of corruption, promoting the reporting of corruption to appropriate authorities, and providing protections against any unjustified treatment for people who report in good faith and on reasonable grounds facts concerning offenses of corruption to the competent authorities;

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“Prevent corruption by strengthening transparency and accountability of public institutions, by increasing integrity, transparency and the use of open data; detect and counter corruption by deploying adequate resources and by enhancing capacity of law enforcement and criminal justice institutions to effectively investigate cases of corruption, by promoting the reporting of corruption to appropriate authorities, and by providing protection against any unjustified treatment for people who report in good faith and on reasonable grounds facts concerning offenses of corruption to the competent authorities.”

#### **[Social, educational and other measures]**

35. Provide quality education for all and promote awareness-raising activities in communities, particularly for children and youth to equip them with the necessary values, skills and knowledge to foster a culture of lawfulness among the general public that supports the rule of law while respecting cultural identities;
36. Support community-based educational activities which contribute to empower children and youth to become citizens respecting the rule of law, human rights and fundamental freedoms;

*[Intensifying international cooperation and technical assistance to prevent and address all forms of crime]*

#### **[International cooperation and capacity building for efficient international cooperation]**

37. Fully and effectively implement the obligations set forth in the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption, the three international drug control conventions and relevant international conventions and protocols related to counter-terrorism; efficiently use them as legal bases to foster and enhance international cooperation in criminal matters, as well as actively participate in, and contribute to, review mechanisms of such instruments, including the implementation of and support for the recently adopted mechanism for the review of the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols, with a view to their full implementation and further utilization;
38. Increase the efficiency and effectiveness of central authorities and other competent authorities responsible for mutual legal assistance in criminal matters and extradition by providing adequate resources, expertise and tools, such as modern communication and case management tools, as well as enhancing capacity building programmes and technical assistance activities, particularly supported by the UNODC and including, as appropriate, the updating and dissemination of tools such as the SHERLOC knowledge management portal, the UNODC MLA Request Writer Tool, and the Online Directory of Competent National Authorities;

**Commented [A1]:** COM preferred option would be this proposal as a new paragraph instead of the current version.  
This is due to the fact that the current version is missing a reference to measures on integrity and transparency (including the use of open data).

Alternatively, keep current paragraph with COM changes.

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39. Establish and strengthen regional and cross-regional cooperation bodies and networks on the law enforcement and criminal justice among Member States to build trust among themselves and facilitate, including through the support of intergovernmental organizations, and through UN Treaties, where relevant, the formal and non-formal exchange of data, information and communication – in compliance with adequate data protection standards – necessary to prevent and combat crime, especially in its transnational dimensions, such as INTERPOL and its Global Secure Communications System 24/7;

**[International cooperation to deprive criminals of their proceeds of crime]**

40. Strengthen international cooperation regarding the identification, freezing, seizure, management and confiscation of proceeds and instrumentalities of crime through information-sharing and mutual legal assistance to tackle the economic dimension of serious and organised crime in order to deny criminals or criminal organizations the proceeds of their crimes;

41. Provide the widest measure of cooperation and assistance to recover the proceeds and instrumentalities of crime and demonstrate strong commitment to ensuring the return of confiscated property, subject to the implementation of appropriate measures to promote transparency and accountability in the management of public finances, including recovered assets, in accordance with Chapter V of the United Nations Convention against Corruption and the related Resolutions;

42. Implement the necessary measures to obtain and share reliable information on beneficial ownership of companies, legal structures—entities or other arrangements—complex legal mechanisms, thus facilitating the investigation process and execution of mutual legal assistance requests;

[Fighting environmental crime]

43. Strengthen and implement, where necessary, national, regional and international legal standards providing for effective, proportionate and dissuasive penalties for perpetrators of environmental crime, accompanied by liability of legal persons for such crimes, civil compensation and habitat restoration for environmental damages and victims.

44. Encourage the establishment of integrated national entities in charge of the fight against environmental crime, combining law enforcement agencies, customs, environmental agencies, prosecutors and NGOs.”

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**Commented [A2]:** We could probably suggest as an alternative drafting: “the management of finances by serious and organised crime” in order to clarify that the intention is not to restrict the scope to economic crime, such as fraud, money laundering, tax crimes, etc.

**Commented [A3]:** This is agreed language under the UNCAC Resolution 8/9: “Strengthening asset recovery to support the 2030 Agenda for Sustainable Development”.

**Commented [A4]:** This definition includes all types of legal entities and contractual arrangements such as trusts. We suggest not to limit the scope to complex legal mechanisms, but to cover all of them.

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### **[Terrorism in all its forms and manifestations]**

- [43-45.](#) Strengthen formal and informal channels of communication and cooperation at the international, regional and sub-regional levels by effectively implementing the relevant international conventions and protocols related to counter-terrorism with a view to prevent, detect and prosecute terrorism in all its forms and manifestations;
- [44-46.](#) Identify, analyze and counter potential, existing and in some cases growing links between transnational organized crime, the financing of terrorism including money-laundering, and hostage-taking for ransom by terrorist groups in order to enhance criminal justice responses to those crimes;
- [45-47.](#) Address issues related to the treatment of foreign terrorist fighters, in particular their return or extradition, prosecution and social-reintegration in the countries of origin; counter terrorism incitement, recruitment and radicalization, including through the use of the Internet, particularly targeting the youth; and prevent safe havens for terrorists;

### **[New and emerging forms of crime and new dimensions of persistent crimes]**

46. Strengthen the capacity of law enforcement and criminal justice institutions, intensify international cooperation and foster cooperation with the private sector to combat new and emerging forms of crime as well as effectively address new dimensions of persistent crimes;
47. Make maximum use of the relevant conventions, particularly, the United Nations Convention against Transnational Organized Crime, as well as examine trends and progress of modus operandi of such crimes, and develop effective ways of international cooperation to address them, including through exchange of views and experiences within the framework of the Commission on Crime Prevention and Criminal Justice and other global and regional fora;

### **[Mobilization of information communication technologies]**

48. Take measures to address the criminal misuse of information and communication technologies, including cryptocurrencies, artificial intelligence and social media, and its impact on persistent, emerging and new forms of crime;
49. Promote the utilization of information communication technologies by law enforcement and criminal justice authorities, such as artificial intelligence and big data, to address sophisticated and complex crimes that take full advantage of such innovations, provide necessary training for law enforcement and criminal justice practitioners in that regard, and promote ethical standards in the use of such technologies with due respect to human rights and fundamental freedoms such as the right to privacy;
50. Promote public-private partnerships, especially with the digital industry and communication service providers to gather electronic evidence, utilize information communication technologies and counter their criminal misuse more effectively;

*In order to ensure appropriate follow-up to this Declaration and to our commitments:*

51. We invite the Commission on Crime Prevention and Criminal Justice to adopt appropriate follow-up to the Kyoto Declaration, considering progress made in the course of implementation of this declaration;
52. We reaffirm that the United Nations Office on Drugs and Crime remains the leading entity in supporting Member States for the achievement of our aspirations in the field of crime prevention and criminal justice and for the implementation of the abovementioned specific measures adopted by the Commission on Crime Prevention and Criminal Justice;
53. We invite the Commission on Crime Prevention and Criminal Justice to engage with other relevant stakeholders in order to strengthen global partnership in advancing crime prevention, criminal justice and the rule of law towards achieving the 2030 Agenda for Sustainable Development.