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**Strategic management and programme questions:
functioning of the Commission on Crime Prevention and
Criminal Justice, including its revitalization**

Strengthening the role of the Commission on Crime Prevention and Criminal Justice**

Report of the Secretary-General

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** This document was submitted late.



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I. Introduction

1. The present report has been prepared pursuant to the implementation of the following resolutions:

(a) Economic and Social Council resolution 2003/31 of 22 July 2003, entitled “Functioning of the Commission on Crime Prevention and Criminal Justice”;

(b) Economic and Social Council resolution 2003/24 of 22 July 2003, entitled “Work of the Centre for International Crime Prevention, including the management of the United Nations Crime Prevention and Criminal Justice Fund”.

2. At its second intersessional meeting, held on 23 November 2005, the Commission decided to discuss the revitalization of the Commission on Crime Prevention and Criminal Justice under agenda item 9 of its provisional agenda, entitled “Strategic management and programme questions”, and requested the Secretariat to prepare a report on the subject, including on the role of the Commission vis-à-vis the United Nations Crime Prevention and Criminal Justice Fund.

3. The present report briefly describes (a) the establishment and mandates of the Commission on Crime Prevention and Criminal Justice and discusses the implementation of those mandates; (b) the relationship between the Commission, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption; (c) the role of the Commission in relation to the United Nations Crime Prevention and Criminal Justice Fund as compared to the role of the Commission on Narcotic Drugs in relation to the Fund of the United Nations International Drug Control Programme; and (d) the methods of work of the Commission. The report presents recommendations on how the Commission on Crime Prevention and Criminal Justice could be revitalized.

II. Commission on Crime Prevention and Criminal Justice

A. Establishment and mandates of the Commission

4. In its resolution 46/152 of 18 December 1991, entitled “Creation of an effective United Nations crime prevention and criminal justice programme”, the General Assembly, established the United Nations Crime Prevention and Criminal Justice Programme and requested the Economic and Social Council to establish a commission on crime prevention and criminal justice as a functional commission of the Council. In accordance with Article 68 of the Charter of the United Nations, the Council therefore subsequently established the Commission on Crime Prevention and Criminal Justice, by its resolution 1992/1 of 6 February 1992, as a functional commission of the Council. The Council adopted the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, contained in the annex to General Assembly resolution 46/152, paragraphs 23-26 of which contain the terms of reference of the Commission and paragraph 26 of which provides the following mandates for the Commission:

(a) To provide policy guidance to the United Nations in the field of crime prevention and criminal justice;

(b) To develop, monitor and review the implementation of the United Nations Crime Prevention and Criminal Justice Programme on the basis of a system of medium-term planning in accordance with the priority principles provided in paragraph 21 of the statement of principles and programme of action;

(c) To facilitate and help to coordinate the activities of the United Nations institutes for the prevention of crime and the treatment of offenders;

(d) To mobilize the support of Member States for the programme;

(e) To prepare for the United Nations congresses on the prevention of crime and the treatment of offenders (now called the United Nations congresses on crime prevention and criminal justice) and to consider suggestions regarding possible subjects for the programme of work as submitted by the congresses.

5. The Commission on Crime Prevention and Criminal Justice was recognized as the “principal policymaking body of the United Nations in the field of crime prevention and criminal justice” and given additional mandates by the Economic and Social Council in its resolution 1992/22 of 30 July 1992, entitled “Implementation of General Assembly resolution 46/152 concerning operational activities and coordination in the field of crime prevention and criminal justice”. In that resolution, the Council requested the Commission to coordinate, as appropriate, relevant activities in the field of crime prevention and criminal justice. The Council further reaffirmed the crucial role of the Commission in mobilizing the support of Member States for the United Nations Crime Prevention and Criminal Justice Programme, and decided that the Commission should include in its agenda a standing item on technical assistance, which would deal with the most practical course of action to be followed to render the Programme fully operational and enable it to respond to the specific needs of Governments, including financial needs, if possible.

B. Implementation of mandates

6. Through its annual sessions and intersessional work, the Commission has provided policy guidance to the United Nations in the field of crime prevention and criminal justice. As reflected in the reports on each of its sessions, the Commission has addressed a broad spectrum of high-priority issues, has conducted an in-depth policy dialogue on those issues and has formulated policy and programme recommendations. Those recommendations have subsequently been endorsed by the Economic and Social Council and the General Assembly.

7. The guidance and recommendations of the Commission have led to the negotiation and adoption of the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annex I) and its three Protocols (Assembly resolutions 55/25, annexes II and III, and 55/255, annex) and the United Nations Convention against Corruption (Assembly resolution 58/4, annex). The entry into force of those instruments has led to the establishment of the Conference of the Parties to the United Nations Convention against Transnational

Organized Crime and the Conference of States Parties to the United Nations Convention against Corruption (see chapter III below).

8. Paragraph 21 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme states that, in developing the Programme, areas of priority should be determined in response to the needs and concerns of Member States, with particular consideration being given to the following:

(a) Empirical evidence, including research findings and other information on the nature and extent of crime and on trends in crime;

(b) The social, financial and other costs of various forms of crime and/or crime control to the individual, the local, national and international community, and to the development process;

(c) The need of developing or developed countries, which are confronting specific difficulties related to national or international circumstances, to have recourse to experts and other resources necessary for establishing and developing programmes for crime prevention and criminal justice that are appropriate at the national and local levels;

(d) The need for a balance within the programme of work between programme development and practical action;

(e) The protection of human rights in the administration of justice and the prevention and control of crime;

(f) The assessment of areas in which concerted action at the international level and within the framework of the programme would be most effective;

(g) Avoidance of overlapping with the activities of other entities of the United Nations system or of other organizations.

9. The Commission has served as the substantive intergovernmental body overseeing the development, monitoring and review of implementation of the United Nations Crime Prevention and Criminal Justice Programme. Legislative mandates are translated into concrete programme activities through the preparation of a strategic framework, which has replaced the four-year medium-term plan in accordance with General Assembly resolution 58/269 of 23 December 2003, and includes a biennial programme plan for the programme on drugs and crime. The biennial programme plan for the programme on crime is reviewed and commented on by the Commission.

10. During each of its sessions, the Commission has paid special attention to guiding and supporting the work of the institutes of the United Nations Crime Prevention and Criminal Justice Programme network. It has regularly reviewed reports on the activities of the institutes and promoted their role in different aspects of the Programme, such as research, technical assistance and the United Nations congresses on crime prevention and criminal justice. The institutes have also been given the opportunity to showcase their work during a workshop held during the annual sessions of the Commission.

11. The Commission has made efforts to mobilize the support of Member States for the Programme, both for substantive programme direction and for financial

resources, the latter through increased regular budget allocations, voluntary financial contributions and in kind contributions. However, the Commission might wish to consider how it could enhance its role regarding the mobilization of additional regular budget resources as well as of the extrabudgetary resources required for the delivery of technical assistance to requesting States. Whereas improvement has occurred regarding allocation of resources for implementing the Programme, especially through increased voluntary contributions, those improvements have taken place against a very small resource base and the level of available resources remains far below the full scale of programme requirements, in particular for enabling expeditious substantive initiatives and delivery of technical assistance to requesting States.

12. Following the integration of the crime and drug programme within the United Nations Office on Drugs and Crime (UNODC), the budgets for both programmes are presented in a consolidated document. However, whereas the Commission on Narcotic Drugs has the power to approve the budget of the Fund of the United Nations International Drug Control Programme, the Commission on Crime Prevention and Criminal Justice does not have similar authority vis-à-vis the United Nations Crime Prevention and Criminal Justice Fund. Hence, the Commission might wish to consider its role vis-à-vis the United Nations Crime Prevention and Criminal Justice Fund, if deemed appropriate (see chapter IV below).

13. The Commission on Crime Prevention and Criminal Justice has served as the preparatory body for the United Nations congresses on crime prevention and criminal justice. The Commission fulfils that responsibility by debating and formulating recommendations on organizational and substantive aspects of the congresses, including recommendations on substantive agenda items to be discussed at the congresses and on topics for workshops to be held during the congresses. Its recommendations on the congresses are submitted through the Economic and Social Council for adoption by the General Assembly. The Commission also determines and reviews action on follow-up to the conclusions and recommendations of the congresses. For example, the Commission developed plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (General Assembly resolution 56/261, annex) and has assessed the progress made in implementing those plans of action. At its fifteenth session, the Commission has been requested to consider the follow-up to be given to the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice.¹

¹ Adopted at the high-level segment of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005 (A/CONF.203/18, chap. I, resolution 1).

III. Relationship with the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption

A. Establishment and mandates of the Conference of the Parties to the Organized Crime Convention and the Conference of the States Parties to the Convention against Corruption

14. The Conference of the Parties to the United Nations Convention against Transnational Organized Crime was established in accordance with article 32, paragraph 1, of the Organized Crime Convention. Its two main objectives are “to improve the capacity of States Parties to combat transnational organized crime” and “to promote and review the implementation of this Convention”. This provision applies, *mutatis mutandis*, to the Protocols supplementing the Organized Crime Convention, in accordance with article 1, of each Protocol.

15. The Conference of the Parties agrees upon mechanisms for achieving the above-mentioned objectives, including facilitating activities under articles 29-31 of the Convention, by encouraging the mobilization of voluntary contributions; facilitating the exchange of information on patterns and trends in transnational organized crime and on successful practices for combating it; cooperating with relevant intergovernmental and non-governmental organizations; reviewing periodically the implementation of the Convention and the Protocols thereto; and making recommendations to improve the Convention and its Protocols and their implementation (article 32, paragraph 3).

16. The rules of procedure foresee that the Conference of the Parties will meet annually in the first three regular sessions and afterwards will meet biennially in regular sessions, unless otherwise decided by the Conference (rule 3 of the rules of procedure). The first two sessions were held from 28 June to 8 July 2004 and from 10 to 21 October 2005. The Conference allows, in addition to the States parties to the instruments, participation as observers of signatories, non-signatories, entities and intergovernmental and non-governmental organizations (rules 14-17).

17. With the entry into force of the United Nations Convention against Corruption on 14 December 2005, the inaugural session of the Conference of the States Parties to the Convention is to be convened by the Secretary-General of the United Nations within one year. The objectives of the Conference of the States Parties are twofold: “to improve the capacity of and cooperation between States Parties to achieve the objectives set forth in this Convention” and “to promote and review its implementation”. (article 63, paragraph 1).

18. The Conference of the States Parties, once established, is expected to agree upon activities, procedures and methods of work to achieve the above-mentioned objectives, including facilitating activities under articles 60 and 62 and chapters II-V of the Convention, by encouraging the mobilization of voluntary contributions; facilitating the exchange of information on patterns and trends in corruption and on successful practices for preventing and combating it and for the return of proceeds of crime, through, *inter alia*, the publication of relevant

information; cooperating with relevant intergovernmental organizations and mechanisms and non-governmental organizations; making appropriate use of relevant information produced by other intergovernmental mechanisms for combating and preventing corruption in order to avoid unnecessary duplication of work; reviewing periodically the implementation of the Convention by its States parties; making recommendations to improve the Convention and its implementation; and taking note of the technical assistance requirements of States parties with regard to the implementation of the Convention and recommending any action it may deem necessary in that respect (article 63, paragraph 4).

19. In accordance with General Assembly resolution 58/4, the Ad Hoc Committee for the Negotiation of a Convention against Corruption held its eighth meeting on 25 and 26 January 2006 in order to prepare the draft text of the rules of procedure for the Conference of the States Parties, which will be submitted for consideration and action to the Conference of the States Parties at its first session.

B. Relationship with the Commission on Crime Prevention and Criminal Justice

20. At its second session, held in Vienna from 10 to 21 October 2005, the Conference of the Parties to the United Nations Convention against Transnational Organized Crime considered its relationship to the Commission on Crime Prevention and Criminal Justice and to the future Conference of the States Parties to the United Nations Convention against Corruption under item 5 (b) of its agenda. The role of the Commission as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice was emphasized. The Commission provided essential strategic guidance to Member States and was in a position to assess trends and address emerging forms of criminality, such as cybercrime, trafficking in body parts and trafficking in natural resources. There was no redundancy between the three entities, since each had a distinctive area of competence and a fundamental role to play. Many speakers were therefore of the opinion that avoiding duplication of work would not constitute a major issue, as long as each body remained within its own clearly defined area of competence. It was noted that the main responsibility for avoiding duplication would lie with the States participating in the deliberations of the bodies. The fact that the secretariats of the Conferences and the Commission were staff of one and the same entity, would in that context prove helpful, as the secretariats would be in a position to alert each body to any risk of duplication that might arise from decisions envisaged by the others. Adequate coordination and communication were also essential in preventing duplication and fostering the most efficient use of resources. Several speakers suggested that the reports of the Conference of the Parties to the Organized Crime Convention and the Conference of the States Parties to the Convention against Corruption should be brought to the attention of the Commission and that the Conferences should be kept apprised of the work of the Commission.

21. Hence, at its fifteenth session the Commission might wish to build upon the discussions held at the second session of the Conference of the Parties to the Organized Crime Convention. In doing so, the Commission might wish to take into account the conclusions reached at the Conference of the Parties and elaborate further on ways and means to make full use of and strengthen the potential for

coordination based on the fact that the three bodies in question share the same secretariat. The Commission will have before it, for its information, the report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its second session (CTOC/COP/2005/8).

IV. Role of the Commission in relation to the United Nations Crime Prevention and Criminal Justice Fund

A. Origin and evolution of the Fund

22. The United Nations Crime Prevention and Criminal Justice Fund was originally established in 1967, pursuant to Economic and Social Council resolution 1086 B (XXXIX) of 30 July 1965, and was initially named the United Nations Trust Fund for Social Defence. In accordance with paragraph 44 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, the Fund was renamed the United Nations Crime Prevention and Criminal Justice Fund and became an integral part of the Programme.

23. The Fund is administered under regulations 4.13, 4.14 and 6.2 of the Financial Regulations of the United Nations and is subject to audit by the Board of Auditors. The Fund has been included in the annual United Nations pledging conference for development activities, in line with General Assembly decision 34/440 of 17 December 1979. Recognizing that the Fund is an invaluable source for increasing the capacity of the United Nations to respond more effectively to the needs of Member States for technical assistance in the field of crime prevention and criminal justice, the Assembly has over the years repeatedly appealed for increased contributions to the Fund.

24. In its resolution 55/25 of 15 November 2000, by which it adopted the United Nations Convention against Transnational Organized Crime and two of the Protocols thereto, the General Assembly decided that, until the Conference of the Parties to the Convention decided otherwise, the account referred to in article 30 of the Convention would be operated within the United Nations Crime Prevention and Criminal Justice Fund. In its resolution 58/4 of 31 October 2003, by which it adopted the United Nations Convention against Corruption, the Assembly decided that, until the Conference of the States Parties to the Convention decided otherwise, the account referred to in article 62 of the Convention would also be operated within the United Nations Crime Prevention and Criminal Justice Fund.

25. A table providing information on the current financial status of the Crime Prevention and Criminal Justice Fund is contained in the annex to the present report.¹

B. Management and governance of the Fund

26. In order to make the operations of the United Nations Crime Prevention and Criminal Justice Fund as timely and effective as possible, the United Nations Controller delegated the authority to manage the Fund to the Director-General of the

United Nations Office at Vienna, effective 1 January 2003, and then subsequently to the Director for Management of the Office, effective 1 August 2004. The delegation of authority has enabled procedures to be streamlined and harmonized with the policies and procedures concerning the administration of technical cooperation projects managed under the Fund of the United Nations International Drug Control Programme and under the United Nations Crime Prevention and Criminal Justice Fund.

27. The Commission on Crime Prevention and Criminal Justice, however, has not been granted similar functions in respect of the United Nations Crime Prevention and Criminal Justice Fund as those enjoyed by the Commission on Narcotic Drugs in respect of the Fund of the United Nations International Drug Control Programme.

28. At the time of the creation of the United Nations International Drug Control Programme,² the General Assembly had endorsed the proposal of the Secretary-General to place the financial resources of the existing United Nations Fund for Drug Abuse Control under the direct responsibility of the head of the United Nations International Drug Control Programme as a fund for financing operational activities, mainly in developing countries. The Commission on Narcotic Drugs, as the principal United Nations policymaking body on drug control issues, was not only mandated to provide policy guidance to the United Nations International Drug Control Programme and to monitor the activities of the Programme,³ but was also entrusted with administrative and budgetary functions related to the biennial programme budget of the Programme's Fund. In its resolution 46/185 of 20 December 1991,⁴ the General Assembly decided to establish, as from 1 January 1992, under the direct responsibility of the Executive Director of the United Nations International Drug Control Programme, the Fund of the Programme as a fund for financing the Programme's operational activities. The Assembly authorized the Commission on Narcotic Drugs to approve, on the basis of the proposals of the Executive Director of the Programme, both the budget of the programme of the Fund and the administrative and programme support costs budget, other than expenditures borne by the regular budget of the United Nations, and requested the Commission to report to the General Assembly, through the Economic and Social Council, on the ways in which it planned to carry out the administrative and financial functions. The Assembly requested the Advisory Committee on Administrative and Budgetary Questions to submit its comments and recommendations on the administrative and programme support costs budget of the United Nations International Drug Control Programme to the Commission on Narcotic Drugs. References to the role and functions of the Commission in the financial rules for the Fund, to be promulgated by the Secretary-General in accordance with the Financial Regulations of the United Nations, would be consistent with the role given to the Commission. The Executive Director of the Programme would maintain the accounts of the Fund of the Programme and be responsible for submitting the said accounts and related financial statements, not later than 31 March following the end of the financial period, to the Board of Auditors and for submitting financial reports to the Commission on Narcotic Drugs and to the General Assembly.

29. The Commission on Narcotic Drugs has developed a methodology to carry out its administrative and financial functions related to the Fund,⁵ which the

Commission on Crime Prevention and Criminal Justice might consider using as a model, if deemed appropriate.

30. While considering its relationship vis-à-vis the United Nations Crime Prevention and Criminal Justice Fund, the Commission might wish to take into account rule 72 of the rules of procedure of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and rule 72 of the draft rules of procedure for the Conference of the States Parties to the United Nations Convention against Corruption.

V. Methods of work of the Commission on Crime Prevention and Criminal Justice

31. Since its establishment, the Commission on Crime Prevention and Criminal Justice has sought to manage its work effectively by holding meetings of its bureau and extended bureau and intersessional meetings; by establishing multi-year work plans and establishing priority themes for discussion at each of its sessions; and by soliciting the submission of proposals from Member States for consideration by the Commission well in advance of its sessions.

A. Meetings of the bureau and extended bureau and intersessional meetings

32. In its resolution 2003/31, the Economic and Social Council decided that, with effect from 2004, the Commission on Crime Prevention and Criminal Justice should, at the end of its session, elect its bureau for the subsequent session and encourage it to play an active role in the preparation of the regular as well as the informal intersessional meetings of the Commission, so as to enable the Commission to provide continuous and effective policy guidance to the United Nations Crime Prevention and Criminal Justice Programme, and also decided that the Chairman should, whenever appropriate, invite the chairmen of the five regional groups, the chairman of the Group of 77 and China and the Presidency of the European Union to participate in the meetings of the bureau.

33. Between the conclusion of the fourteenth session of the Commission and the end of January 2006, three meetings of the extended bureau and two intersessional meetings were held. The intersessional meetings provided follow-up to the fourteenth session of the Commission, in particular in relation to relevant resolutions of the General Assembly and the Economic and Social Council; discussed the follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice; and finalized the provisional agenda, documentation and arrangements for the fifteenth session of the Commission, including its thematic discussion.

34. The provisional agenda and the list of documents, as approved by the Economic and Social Council in its decision 2005/249 of 22 July 2005, was endorsed at the first intersessional meeting, held on 4 October 2005. That intersessional meeting also endorsed the questionnaires on standards and norms, related primarily to persons in custody, non-custodial sanctions, juveniles and

restorative justice, which were subsequently transmitted to Member States for completion, as envisaged in Council resolution 2004/28 of 21 July 2004.

35. At its second intersessional meeting, on 23 November 2005, the Commission decided that the theme of the thematic discussion would be “maximizing the effectiveness of technical assistance provided to Member States in crime prevention and criminal justice”. In order to facilitate the thematic discussion, an informal open-ended working group was established, chaired by Vasyl Pokotylo, Vice-Chairman of the fifteenth session of the Commission. It was also agreed at that meeting that the fifteenth session would have a duration of five working days and that the session would be preceded by informal consultations. The meeting further decided to set the provisional deadline for the submission of draft resolutions at noon on the first day of the session.

36. While the intersessional meetings play an important role in the work of the Commission, there are also limitations. Not all Member States have permanent missions to the United Nations in Vienna, thus intersessional meetings effectively risk disenfranchising a number of Member States, in particular those from developing countries. Those Member States are de facto excluded from the preparatory work undertaken for the sessions of the Commission during the intersessional period.

B. Multi-year programme of work

37. In section I of its resolution 6/1, entitled “Strategic management by the Commission on Crime Prevention and Criminal Justice of the United Nations Crime Prevention and Criminal Justice Programme”, the Commission decided to establish a multi-year work plan, each year being devoted to a specific theme, in an effort to simplify its agenda and to plan substantive discussions in advance. Thus, the Commission was already in compliance when the Economic and Social Council adopted resolution 1999/51 of 29 July 1999, in which functional commissions were invited to consider adopting multi-year programmes of work. At its sixth session, the Commission established the themes for its seventh, eighth and ninth sessions. At its ninth session, the Commission agreed that it would decide each year on the prominent theme for its subsequent session, as that would provide it with flexibility in selecting the most appropriate theme.

38. The practice of the Commission to identify the issues for the thematic discussion two years in advance was altered by the convening of the Eleventh Congress. However, the hope was expressed during the discussions on this issue at the fourteenth session that the Commission would revert to its past practice of adopting a multi-year programme of work and that sufficient time would be devoted by the Commission at its fifteenth session to discuss the topics for the thematic discussions for future sessions and that participants would come well-prepared for that discussion.

C. Timely submission and discussion of draft proposals

39. In its resolution 2003/31, the Economic and Social Council encouraged States members of the Commission to submit their draft proposals in accordance with

Commission resolution 5/3, that is, one month prior to the commencement of the session, and to include in such proposals the information required in accordance with the annex to Commission resolution 4/3.

40. The experience of the Commission has been mixed with regard to the provision by member States of advance detailed information on proposals for its consideration. Following the adoption of its resolution 5/3, proposals submitted for consideration by the Commission at its sixth session were accompanied by statements regarding the required information, albeit of differing extent. Thereafter, such statements have not been provided.

41. The experience from the fourteenth session as well as from earlier sessions of the Commission indicates that the fulfilment of the request contained in resolution 5/3 for the submission of draft proposals one month prior to the commencement of the session has seldom been met, with the majority of draft resolutions being submitted either during the session or, in a very few cases, one or two days before the commencement of the session. In this context, reference is to be made to rule 52 of the rules of procedure of the functional commissions of the Economic and Social Council, which foresees that, unless the Commission decides otherwise, proposals and substantive amendments shall be discussed or put to the vote no earlier than 24 hours after copies have been circulated to all members.

D. Agenda and duration

42. A related issue concerns the agenda of the sessions of the Commission on Crime Prevention and Criminal Justice and the duration of those sessions. The Commission deals with matters of high political priority and importance, including terrorism, transnational organized crime and corruption, and has been instrumental in developing standards and norms in crime prevention and criminal justice and in paving the way towards the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Corruption. When discussing the issue of the duration of the Commission, it should be considered that identifying new trends, addressing specialized crime issues and setting standards in these areas requires extensive consultation and expert input from different national institutions, which requires that the agenda of the meetings must be decided upon well in advance of the session.

VI. Conclusions and recommendations

43. While discussing the revitalization of the Commission on Crime Prevention and Criminal Justice, the Commission might wish to keep in sharp focus its mandated functions of being the principal policymaking body of the United Nations in crime prevention and criminal justice and the preparatory body for the United Nations congresses on crime prevention and criminal justice. Furthermore, the Commission may wish to take into account the experience gained from its significant accomplishments of mustering the consensus necessary for launching the successful negotiations on two new conventions. The Commission may also wish to consider building into its work programme the identification of emerging areas of concern to the international community in which policy formulation and guidance

might be necessary, taking into account the mandate and role of the two new intergovernmental bodies, the Conference of the Parties to the Organized Crime Convention and the Conference of the States Parties to the Convention against Corruption.

44. Reference is to be made in the context of the discussions on the strengthening of the role of the Commission to the ongoing negotiations on the reform of the Economic and Social Council. In paragraph 155 of the 2005 World Summit Outcome (General Assembly resolution 60/1), Heads of State and Government recognized the need for a more effective Economic and Social Council as a principal body for coordination, policy review, policy dialogue and recommendations on issues of economic and social development, as well as for implementation of the international development goals agreed at the major United Nations summits and conferences, including the Millennium Development Goals. To achieve those objectives, the Heads of State and Government have proposed, in subparagraph 155 (c), that the Council should hold annual ministerial-level substantive reviews to assess progress, drawing on its functional and regional commissions and other international institutions, in accordance with their respective mandates. Pursuant to subparagraph 155 (e), the Council should also play a major role in the overall coordination of funds, programmes and agencies, ensuring coherence among them and avoiding duplication of mandates and activities. Changes in the organization of work, agenda and current methods of work of the Economic and Social Council might have an impact on the work of the Commission on Crime Prevention and Criminal Justice.

45. Considering the fact that UNODC implements crime and drug programmes in an integrated manner for the United Nations Crime Prevention and Criminal Justice Programme and the United Nations International Drug Control Programme, the Commission might deem it appropriate to discuss whether it should be entrusted with the same administrative and budgetary functions in relation to the United Nations Crime Prevention and Criminal Justice Fund as the ones exercised by the Commission on Narcotic Drugs vis-à-vis the Fund of the United Nations International Drug Control Programme.

46. In the context of discussing its revitalization, the Commission might wish to consider the recommendations made by the Advisory Committee on Administrative and Budgetary Questions in its report on the consolidated budget for the biennium 2006-2007 for the UNODC (E/CN.7/2005/13). The Advisory Committee recommended that further thought should be given to the establishment of a consultative body to assist the Executive Director of UNODC with the management of both the drug programme and the crime programme. Following that recommendation, the Commission on Narcotic Drugs, at its reconvened forty-eighth session, in December 2005, agreed⁶ that informal open-ended consultations would begin as soon as possible and that the Secretariat would work with Member States to facilitate exploring the possibility of setting up a formal or informal intergovernmental consultative body. The results of those consultations are to be made available to the Commission on Crime Prevention and Criminal Justice at its fifteenth session.

47. If deemed appropriate, the Commission might also consider that the Advisory Committee on Administrative and Budgetary Questions further recommended, in order to provide a more cohesive decision-making process and better integrate the

management of the two programmes, that thought should be given to unifying the two separate governing bodies into one.

48. At the more organizational level and with the aim of making its work more dynamic and interactive, the Commission might wish to request the Secretariat to include in its presentation of items of the agenda examples of good practice and experiences that might trigger discussion and provide new ideas that could nurture the provision of policy guidance on crime prevention and criminal justice. In addition, delegations could also be invited to make brief presentations along the same lines. Commission sessions could also be used as an opportunity for greater exchange of expertise and best practices among Member States, including through the hosting of specialized workshops and the participation of independent experts in the areas discussed. The Eleventh United Nations Congress on Crime Prevention and Criminal Justice with its interactive workshops provided a good example of how interactive, multimedia meetings can be successful, as do the workshops organized each year by the institutes of the United Nations Crime Prevention and Criminal Justice Programme network. In that context, the Commission might further wish to propose ways to strengthen the participation and contributions of those institutes to the work of the Commission in general and to the discussion on the priority themes in particular, as well as ways to enhance policy guidance provided by the Commission to the institutes. The Commission might also wish to consider encouraging and seeking more active participation and involvement in its work by the United Nations funds and programmes, other entities of the United Nations system and the Bretton Woods institutions, as well as by civil society.

49. Finally, in order to enhance efficiency, the Commission might wish to examine its methods of work, including in relation to examining means of strengthening further its intersessional work, re-establishing the practice of multi-year programmes of work and facilitating the timely submission and discussion of draft proposals.

Notes

¹ In its resolution 2003/24 of 22 July 2003, the Economic and Social Council requested the Executive Director of the United Nations Office on Drugs and Crime to include in his annual report to the Commission on Crime Prevention and Criminal Justice information on the financial status of the United Nations Crime Prevention and Criminal Justice Fund. Whereas the report of the Executive Director on development, security and justice for all: towards a safer world (E/CN.7/2006/5-E/CN.15/2006/2) addresses the policy and strategic issues pertaining to the work of the United Nations Office on Drugs and Crime, more detailed information pertaining to the Fund is provided in the annex to the present report.

² The Secretary-General was requested by the General Assembly in its resolution 45/179 of 21 December 1990 to create a single drug control programme, to be called the United Nations International Drug Control Programme, based at Vienna, and to integrate fully therein the structures and the functions of the Division of Narcotic Drugs of the Secretariat, the secretariat of the International Narcotics Control Board and the United Nations Fund for Drug Abuse Control with the objective of enhancing the effectiveness and efficiency of the United Nations structure for drug control in keeping with the functions and mandates of the United Nations in that field.

³ In its resolution 46/104 of 16 December 1991, the General Assembly underlined the role of the Commission on Narcotic Drugs as the principal United Nations policymaking body on drug

control issues and endorsed paragraph 1 (c) of Economic and Social Council resolution 1991/38 of 21 June 1991, which calls on the Commission on Narcotic Drugs to give policy guidance to the United Nations International Drug Control Programme and to monitor its activities.

⁴ Taking into account Economic and Social Council resolution 1991/38 of 21 June 1991 and General Assembly resolution 46/104 of 16 December 1991.

⁵ See Commission on Narcotic Drugs resolution 13 (XXXV) on methodology to be followed by the United Nations International Drug Control Programme with reference to the approval by the Commission of the proposed budget estimates of the Fund, and Commission resolution 13 (XXXVI) on the format and methodology for the biennial programme budget and outline for the Fund of the United Nations International Drug Control Programme.

⁶ See footnote 3 to Commission on Narcotic Drugs resolution 48/14 on the final budget for the biennium 2004-2005 and initial budget for the biennium 2006-2007 for the Fund of the United Nations International Drug Control Programme.

Annex

Financial status of the United Nations Crime Prevention and Criminal Justice Fund

Table 1

Consolidated list of contributions and pledges to the United Nations Crime Prevention and Criminal Justice Fund, 1992-2005

(United States dollars)

<i>Donor</i>	<i>Total amount pledged</i>	<i>General purpose</i>	<i>Special purpose</i>
Argentina	12 000	12 000	–
Australia	624 675	45 000	579 675
Austria	4 292 694	860 364	3 432 330
Belgium	840 575	1 873	838 702
Bolivia	1 000	1 000	–
Brazil	1 306 529	45 000	1 261 529
Cambodia	3 000	3 000	–
Canada	1 937 649	279 960	1 657 689
Cape Verde	5 731 707	–	5 731 707
Chile	42 000	42 000	–
China	10 000	10 000	–
Colombia	243 281	80 000	163 281
Croatia	3 264	3 264	–
Cuba	500	500	–
Cyprus	2 500	2 500	–
Czech Republic	117 593	144	117 449
Denmark	919 501	–	919 501
France	2 141 075	–	2 141 075
Germany	1 514 198	3 123	1 511 075
Greece	225 000	60 000	165 000
Hungary	69 477	–	69 477
Iceland	10 416	10 416	–
India	24 000	24 000	–
Ireland	361 882	–	361 882
Israel	10 500	–	10 500
Italy	20 102 563	3 388 850	16 713 713
Japan	1 520 055	8 000	1 512 055
Liechtenstein	78 058	–	78 058
Madagascar	4 806	4 806	–
Malta	1 500	1 500	–
Mexico	69 021	–	69 021
Monaco	16 432	–	16 432
Morocco	14 000	14 000	–
Mozambique	58 000	–	58 000
Netherlands	5 510 294	–	5 510 294
Norway	4 143 437	459 383	3 684 054

<i>Donor</i>	<i>Total amount pledged</i>	<i>General purpose</i>	<i>Special purpose</i>
Oman	3 000	3 000	—
Panama	1 000	1 000	—
Philippines	1 545	1 545	—
Poland	19 726	—	19 726
Portugal	100 000	—	100 000
Qatar	5 000	5 000	—
Republic of Korea	183 241	183 241	—
Singapore	408	408	—
Slovenia	2 498	2 498	—
Spain	203 913	—	203 913
Sri Lanka	1 000	1 000	—
Sweden	3 080 419	139 658	2 940 761
Switzerland	2 321 589	—	2 321 589
Thailand	320 643	6 000	314 643
Togo	381	381	—
Tunisia	9 749	9 749	—
Turkey	360 015	210 015	150 000
United Kingdom of Great Britain and Northern Ireland	4 222 442	—	4 222 442
United States of America	13 982 906	261 410	13 721 496
Venezuela (Bolivarian Republic of)	17 252	17 252	—
Zimbabwe	605	605	—
European Commission	13 384 923	—	13 384 923
Subtotal	90 185 437	6 203 445	83 981 992
Public donations			
Asia Crime Prevention Foundation	110 946	—	110 946
France Telecom Mobile, Lebanon	53 675	—	53 675
Office of the United Nations High Commissioner for Refugees	10 000	—	10 000
United Nations Trust Fund for Human Security	243 960	—	243 960
Instituto Damasino Brazil	30 000	—	30 000
United Nations Development Programme	150 000	—	150 000
Others	79 359	19 765	59 594
Subtotal	677 940	19 765	658 175
Total	90 863 377	6 223 210	84 640 167

Table 2
Contributions and pledges to the United Nations Crime Prevention and Criminal Justice Fund, 2004-2005.
 (United States dollars)

<i>Donor</i>	<i>Total amount pledged</i>	<i>General purpose</i>	<i>Special purpose</i>
Australia	579 675	—	579 675 ^a
Austria	763 322	107 040 ^a	656 282 ^b
Belgium	794 869	—	794 869 ^a
Brazil	945 051	—	945 051 ^a
Canada	1 430 257	191 755 ^a	1 238 502 ^b
Cape Verde	5 731 707	—	5 731 707 ^b
Chile	1 000	1 000 ^a	—
Colombia	163 281	—	163 281 ^a
Croatia	1 000	1 000 ^a	—
Czech Republic	117 449	—	117 449 ^a
Denmark	546 701	—	546 701 ^a
France	869 385	—	869 385 ^a
Germany	1 171 105	—	1 171 105 ^a
Greece	135 000	—	135 000 ^a
Hungary	69 477	—	69 477 ^a
India	6 000	6 000 ^c	—
Ireland	361 882	—	361 882 ^a
Italy	10 333 821	1 539 503 ^a	8 794 318 ^a
Japan ^d	6 160	(60 000)	66 160 ^b
Liechtenstein	50 000	—	50 000 ^c
Madagascar	4 806	4 806 ^a	—
Morocco	2 000	2 000 ^c	—
Mozambique	25 000	—	25 000 ^a
Netherlands	2 168 499	—	2 168 499 ^b
Norway	3 116 500	459 383 ^a	2 657 117 ^a
Qatar	5 000	5 000 ^a	—
Republic of Korea	28 000	28 000 ^a	—
Spain	47 337	—	47 337 ^a
Sweden	2 610 656	139 658 ^a	2 470 998 ^a
Switzerland	1 503 148	—	1 503 148 ^b
Thailand	314 643	—	314 643 ^a
Tunisia	2 452	2 452 ^b	—
Turkey	100 000	—	100 000 ^a
United Kingdom of Great Britain and Northern Ireland	3 759 059	—	3 759 059 ^b
United States of America	6 640 211	—	6 640 211 ^b
Venezuela (Bolivarian Republic of)	4 084	4 084 ^b	—
European Commission	13 260 717	—	13 260 717 ^b

<i>Donor</i>	<i>Total amount pledged</i>	<i>General purpose</i>	<i>Special purpose</i>
Office of the United Nations High Commissioner for Refugees	10 000	—	10 000 ^a
United Nations Trust Fund for Human Security	243 960	—	243 960 ^a
Instituto Damasino Brazil	30 000	—	30 000 ^a
United Nations Development Programme	150 000	—	150 000 ^b
Total	58 103 214	2 431 681	55 671 533

^a Paid.^b Paid in part.^c Pledged.^d Total for the biennium 2004-2005 reflects cancellation of an amount of \$60,000 pledged in 2003.

Figure I
Contributions and pledges to the United Nations Crime Prevention and Criminal Justice Fund, 1992-2005
 (United States dollars)

