Chapter IX

Social policy, crime prevention and human resources development

In 2003, the United Nations continued to promote social, cultural and human resources development, and to strengthen its crime prevention and criminal justice programme.

The Commission for Social Development, in May, considered as its priority theme national and international cooperation for social development and adopted agreed conclusions on the theme, which were endorsed by the Economic and Social Council. The General Assembly considered follow-up to the 1995 World Summit for Social Development and to the Assembly’s twenty-fourth (2000) special session, which adopted further initiatives, and preparations for the observance of the tenth anniversary of the International Year of the Family in 2004.

In December, the Assembly endorsed a June decision of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities to establish a working group to prepare a draft text for the convention, which would be the basis for negotiation by Member States. The Assembly proclaimed 2005 the International Year for Sport and Physical Education, as a means to promote education, health, development and peace. As preparations gathered momentum for the twenty-eighth (2004) Olympic Games, the Assembly urged Governments to observe the Olympic Truce while the Games were under way.

In the area of crime prevention, the Assembly, in October, adopted the United Nations Convention against Corruption, which was opened for signature (December, Merida, Mexico). The United Nations Convention against Transnational Organized Crime entered into force in September, as did its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in December. Preparations continued for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, to be held in 2005.

The Commission on Crime Prevention and Criminal Justice considered trafficking in persons, transnational organized crime, preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, the work of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime, international cooperation and technical assistance in preventing and combating terrorism, urban crime, kidnapping, crimes against cultural heritage, UN standards and norms in crime prevention, the Commission’s functioning and illicit trafficking in protected species of wild flora and fauna.

The Secretary-General, in September, described the need to increase investment in human resources development and to promote strategies for information technologies. Also calling for increased investment, the Assembly recognized the importance of developing human resources as a means to promote sustained economic growth and eradicate poverty.

Social policy and cultural issues

Social development

Follow-up to 1995 World Summit and to General Assembly special session

The Secretary-General, in response to General Assembly resolution 57/163 [YUN 2002, p. 1087], submitted a July report [A/58/172] on the implementation of the Copenhagen Declaration on Social Development and the Programme of Action, adopted at the 1995 World Summit for Social Development [YUN 1995, p. 1113], and of the further initiatives for social development adopted by the Assembly’s twenty-fourth (2000) special session [YUN 2000, p. 1022]. The report focused on the coherence of policies to promote social development, and participation and partnership as objectives and means of social development, and brought to the Assembly’s attention the agreed conclusions on national and international cooperation for social development [E/C.15/2003/26], adopted by the Commission for Social Development (see p. 1086). The report stated that the Commission approached the coherence of policies to promote social development from four angles: policies in relation to the goals and objec-
the integration of social and economic policies; the coherence between national and international cooperation for development policies; and the specific case of employment. Regarding participation and partnerships, which had emerged as objectives and instruments of social development, three main elements were found in the Commission’s agreed conclusions: the participation of developing countries in international affairs; partnership among all actors of the development process: the private sector and civil society; and the New Partnership for Africa’s Development (NEPAD) (see p. 937) as an example of partnerships. The report made a series of recommendations to the Assembly, which were incorporated into resolution 58/130 (below).

**General Assembly Action**

On 22 December [meeting 77], the General Assembly, on the recommendation of the Third (Social, Humanitarian and Cultural) Committee [A/58/496], adopted resolution 58/130 without vote [agenda item 105].

**Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly**

The General Assembly,

Recalling the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995, and the twenty-fourth special session of the General Assembly, entitled “World Summit for Social Development and beyond: achieving social development for all in a globalizing world”, held at Geneva from 26 June to 1 July 2000,

Reaffirms that the Copenhagen Declaration on Social Development and the Programme of Action and the further initiatives for social development adopted by the General Assembly at its twenty-fourth special session and contained in the further initiatives for social development;

1. Takes note with appreciation of the report of the Secretary-General;

2. Reaffirms the need to take effective measures to implement the commitments made by heads of State and Government at the World Summit for Social Development, contained in the Copenhagen Declaration on Social Development and the Programme of Action, which established a new consensus to place people at the centre of development policies and pledged to eradicate poverty, promote full and productive employment and foster social integration so as to achieve stable, safe and just societies for all;

3. Also reaffirms the decisions on further action and initiatives to accelerate social development for all, adopted by the General Assembly at its twenty-fourth special session and contained in the further initiatives for social development;

4. Further reaffirms that the aim of social integration is to create a “society for all”, in which every individual, each with rights and responsibilities, has an active role to play, and that such an inclusive society must be based on respect for all human rights and fundamental freedoms, cultural and religious diversity, social justice and the special needs of vulnerable and disadvantaged groups, democratic participation and the rule of law;

5. Recognizes the need to promote respect for human rights and fundamental freedoms in order to address the most pressing social needs of people living in poverty, including through the design and development of appropriate mechanisms to strengthen and consolidate democratic institutions and governance;

6. Reaffirms the commitment to gender equality and to strengthening policies and programmes that improve, ensure and broaden the full participation of women in all spheres of political, economic, social and cultural life, as equal partners, and to improving their access to all resources needed for the full exercise of all their human rights and fundamental freedoms by removing persistent barriers;

7. Stresses that, in addition to social policies, progress in the realization of long-term goals, such as equity, social cohesion and an adequate accumulation of human capital, requires supportive and coherent short-term and long-term economic policies at the national and international levels;

8. Emphasizes the importance of integrating economic and social policies in promoting human resources development and enhancing the process of development, invites the Economic and Social Council, at the highest possible level, to assess the effectiveness of such integration and make recommendations in this regard to the General Assembly; requests the Commission for Social Development to continue giving particular attention to this issue in its forthcoming sessions, and invites the different entities of the United Nations system, within their respective mandates, to take into account the integration of economic and social policies in their respective domains;
9. Stresses the necessity of ensuring the effective involvement of developing countries in the international economic decision-making process through, inter alia, greater participation in international economic forums, thereby ensuring the transparency and accountability of international financial institutions with respect to according a central position for social development in their policies and programmes;

10. Reaffirms that, given the growing and multifaceted interdependence of all regions and countries, coherent and strengthened international cooperation as well as a favourable external economic environment are indispensable complements to the efforts of developing countries, including least developed countries and countries with economies in transition, to promote their social development and eradicate poverty;

11. Recognizes that achieving the internationally agreed development goals, including those contained in the United Nations Millennium Declaration, demands a new partnership between developed and developing countries, and in this context stresses the importance of achieving sound policies, good governance at all levels and the rule of law, as well as mobilizing domestic resources, attracting international flows, promoting international trade as an engine for development, increasing international and financial and technical cooperation for development, sustainable debt financing and external debt relief and enhancing the coherence and consistency of the international monetary, financial and trading systems;

12. Also recognizes that a substantial increase in official development assistance and other resources will be required if developing countries are to achieve the internationally agreed development goals and objectives, including those contained in the Millennium Declaration, and further recognizes that, in order to build support for official development assistance, heads of State and Government have pledged further to improve policies and development strategies, both nationally and internationally, to enhance aid effectiveness;

13. Urges developed countries that have not done so to make concrete efforts towards achieving the target of providing 0.7 per cent of their gross national product as official development assistance to developing countries and from 0.15 to 0.20 per cent of their gross national product as official development assistance to least developed countries, as reaffirmed at the Third United Nations Conference on the Least Developed Countries, held at Brussels from 14 to 20 May 2001, encourages developing countries to build on progress achieved in ensuring that official development assistance is used effectively to help to achieve development goals and targets, acknowledges the efforts of all donors, commends those donors whose official development assistance contributions exceed, reach or are increasing towards the targets, and underlines the importance of undertaking an examination of the means and time frames for achieving the targets and goals;

14. Reaffirms that recipient and donor countries, as well as international institutions, should strive to make official development assistance more effective;

15. Underlines the importance of adopting effective measures, including new financial mechanisms, as appropriate, to support the efforts of developing countries to achieve sustained economic growth, sustainable development, poverty reduction and the strengthening of their democratic systems, while reaffirming that each country has primary responsibility for its own economic and social development and that national policies have the leading role in the development process;

16. Reaffirms that social development requires the active involvement of all actors in the development process, including civil society organizations, corporations and small businesses, and that partnerships among all relevant actors are increasingly becoming part of national and international cooperation for social development, reaffirms also that, within countries, partnerships among the Government, civil society and the private sector can contribute effectively to the achievement of social development goals, and underlines the fact that, at the international level, the recent initiatives towards building voluntary partnerships for social development should be encouraged and discussed further at, inter alia, the intergovernmental level;

17. Underlines the responsibility of the private sector, at both the national and the international levels, including small and large companies and transnational corporations, regarding not only the economic and financial, but also the development, social, gender and environmental implications of their activities, their obligations towards their workers and their contributions to achieving sustainable development, including social development, and emphasizes the need to take concrete actions within the United Nations system and through the participation of all relevant stakeholders on corporate responsibility and accountability;

18. Reaffirms that education, employment creation and improvement in working conditions, which are some of the indispensable elements of poverty eradication, social integration, gender equality and overall development, should be at the centre of development strategies and international cooperation in support of national policies, and recognizes the need to promote employment that meets labour standards as defined in relevant instruments of the International Labour Organization and other international instruments;

19. Encourages, in this context, current initiatives of the United Nations system on the elaboration of comprehensive employment strategies and measures to foster youth employment, bearing in mind relevant international instruments pertaining to youth;

20. Reaffirms the call of the Economic and Social Council for enhanced coordination within the United Nations system and the ongoing efforts to harmonize the current initiatives on Africa, and requests the Commission for Social Development to continue to give due prominence in its work to the social dimension of the New Partnership for Africa’s Development;

21. Welcomes the contribution of the Commission for Social Development in the follow-up to and review of the further implementation of the commitments made at the World Summit for Social Development and the further initiatives agreed upon at the twenty-fourth special session of the General Assembly, reaffirms that the Commission will continue to have the primary responsibility in this regard, and encourages Governments, the relevant specialized agencies, funds and programmes of the United Nations system and civil society to enhance their support to its work;
22. **Recalls**, in this regard, its request to each functional commission of the Economic and Social Council to examine its methods of work in order to better pursue the implementation of the outcomes of the major United Nations conferences and summits, recognizing that there is no need for a uniform approach since each functional commission has its own specificity, while also noting that modern methods of work can better guarantee the review of progress made in implementation at all levels, on the basis of a report with recommendations to be submitted by the Secretary-General to each functional commission and relevant subsidiary body of the Council on its methods of work, in accordance with the provisions defined by the respective outcomes and relevant decisions taken by each body, bearing in mind the progress recently achieved in this regard by certain commissions, in particular by the Commission on Sustainable Development; the functional commissions and other relevant bodies of the Council should report to it no later than 2005 on the outcome of this examination;

23. **Notes** its decision to review in 2005 the progress achieved in implementing all the commitments made in the Millennium Declaration, and notes also that there is scope for a major event in this context, and in this regard calls upon the Commission for Social Development to transmit to the General Assembly, through the Economic and Social Council, the substantive outcome of its review of the further implementation of the World Summit for Social Development and the outcome of the twenty-fourth special session of the General Assembly for its consideration in 2005;

24. **Invites** the Secretary-General, the Economic and Social Council, the Commission for Social Development, the regional commissions, the relevant specialized agencies, funds and programmes of the United Nations system and other intergovernmental forums, within their respective mandates, to continue to integrate into their work programmes and give priority attention to the commitments and undertakings contained in the Copenhagen Declaration and the Programme of Action and in the further initiatives for social development, to continue to be actively involved in their follow-up and to monitor the achievement of those commitments and undertakings;

25. **Decides** to include in the provisional agenda of its fifty-ninth session the item entitled “Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly”, and requests the Secretary-General to submit a report on this question to the Assembly at that session.

**Commission for Social Development**

The Commission for Social Development, at its forty-first session (New York, 10-21 February) [E/2003/26], adopted agreed conclusions on its priority theme, “National and international cooperation for social development” (see p. 1100). The Commission made recommendations for action by the Economic and Social Council on: the drafting of an international convention to promote and protect the rights and dignity of persons with disabilities (see p. 1107); national and international cooperation for social development, in particular the implementation of the social objectives of NEPAD (see p. 937); policies and programmes involving youth (see p. 1296); and modalities for reviewing the 2002 Madrid International Plan of Action on Ageing (see p. 1299). A text on preparations for the observance of the tenth anniversary of the International Year of the Family in 2004 was recommended to the Council for adoption by the General Assembly (see p. 1105).


In an effort to link the Commission’s normative work with its work in the field, a presentation was made on technical cooperation activities. A dialogue with non-governmental organizations (NGOs) was also held.


**Cooperation for social development**

The Secretary-General, in response to Economic and Social Council decision 2002/237 [YUN 2002, p. 1089], submitted to the Commission for Social Development a report on national and international cooperation for social development [E/CN.5/ 2003/5 & Corr.1], the priority theme for the Commission’s 2003 session. The priority theme had five sub-themes: the sharing of experiences and practices in social development; forging partnerships for social development; the social responsibility of the private sector; the impact of employment strategies on social development; and the policies and role of international financial institutions and their effect on national social development strategies. The report analysed the sub-themes, covering such issues as capacity-building for social development, priority-setting and financing, information and evaluation, lessons learned from recent experiences with social development partnerships and approaches to the social responsibility of the private sector. It also reviewed the impact of employment strategies on social development and provided a critical appraisal of the activities and
impact of international financial institutions on national social development strategies.

To study the priority theme, the Secretariat organized expert group meetings on the sharing of experiences and practices in social development (Havana, Cuba, 12-14 June 2002), and on forging partnerships for social development and the social responsibility of the private sector (Copenhagen, Denmark, 26-29 June 2002). The report said that, while economic and social development was generally considered to be a national concern, international support was important for developing countries to achieve development objectives within reasonable time frames, including the Millennium Development Goals (MDGs) [YUN 2000, p. 51]. The report proposed policy recommendations for the Commission’s consideration.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 21 July [meeting 42], the Economic and Social Council, on the recommendation of the Commission for Social Development [E/2003/26], adopted resolution 2003/15 without vote [agenda item 14 (b)].

Agreed conclusions on national and international cooperation for social development

The Economic and Social Council

Endorses the following agreed conclusions adopted by the Commission for Social Development at its forty-first session with respect to its priority theme:

1. The Commission stresses that national and international cooperation for social development should aim at solidarity, equality within and among countries, social justice, good governance at all levels, tolerance and full respect for all human rights and fundamental freedoms.

2. The Commission recognizes that globalization and interdependence are opening new opportunities through trade, investment and capital flows and advances in technology, including information technology, for the growth of the world economy and the development and improvement of living standards around the world. At the same time, there remain serious challenges, including serious financial crises, insecurity, poverty, exclusion and inequality within and among societies. Considerable obstacles to further integration and full participation in the global economy remain for developing countries, in particular the least developed countries, as well as for some countries with economies in transition. Unless the benefits of social and economic development are extended to all countries, a growing number of people in all countries and even entire regions will remain marginalized from the global economy. The Commission reiterates the need for immediate action in order to overcome those obstacles affecting peoples and countries and to realize the full potential of opportunities presented for the benefit of all. The Commission stresses that the social impact and dimension of globalization deserves further attention.

3. Globalization offers opportunities and challenges. The developing countries and countries with economies in transition face special difficulties in responding to those challenges and opportunities. Globalization should be fully inclusive and equitable, and there is a strong need for policies and measures at the national and international levels, formulated and implemented with the full and effective participation of developing countries and countries with economies in transition to help them to respond effectively to those challenges and opportunities.

4. In an increasingly globalizing world, renewed and effective partnerships between developed countries and developing countries as well as countries with economies in transition are required to achieve the internationally agreed social development objectives and commitments, including those adopted at the World Summit for Social Development and the further initiatives adopted at the twenty-fourth special session of the General Assembly, and the internationally agreed development goals, including those contained in the United Nations Millennium Declaration.

5. The Commission welcomes the prominence given to the New Partnership for Africa’s Development in the report of the Secretary-General on national and international cooperation for social development as an example of a partnership among Governments. It also recognizes that the objectives and action plans enunciated in the New Partnership are consistent with the internationally agreed development goals, including those contained in the Millennium Declaration, as well as those spelled out in the Copenhagen Declaration on Social Development, particularly its commitment 7 on accelerating the economic, social and human resource development of Africa and the least developed countries, and the outcome document of the twenty-fourth special session of the General Assembly.

6. The Commission invites the General Assembly and the Economic and Social Council to continue to include consideration of the integration of economic and social policies as one of the thematic areas to be addressed in future debates.

7. National capacity is one of the key factors in implementing social development policies and fulfilling national responsibilities. Each country has primary responsibility for its own economic and social development and the role of national policies and development strategies cannot be overemphasized. Enhanced international cooperation is essential to implement the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development as well as the further initiatives for social development and to address the challenges of globalization. In this regard, international cooperation has a vital role in assisting developing countries as well as some countries with economies in transition in the strengthening of their human, institutional and technological capacity. Without the building of such capacity, it will be difficult to ensure that social policy concerns are integrated within the policy planning and budgeting processes. The Commission therefore urges the international community to continue to assist developing countries in their capacity-building in order to promote social development.

8. Given the importance of education as a primary and critical component in any development strategy, in particular for the elimination of illiteracy, the Commission emphasizes the relevance of cooperation in educational matters at the national and international levels.
9. Achieving the internationally agreed development goals, including those contained in the Millennium Declaration, demands a new partnership between developed and developing countries. In this context, the Commission stresses the importance of the commitment recently made by Heads of State and Government to achieving sound policies, good governance at all levels and the rule of law, as well as to mobilizing domestic resources, attracting international flows, promoting international trade as an engine for development, increasing international financial and technical cooperation for development, sustainable debt financing and external debt relief, and enhancing the coherence and consistency of the international monetary, financial and trading systems.

10. The Commission recognizes that a substantial increase in official development assistance and other resources will be required if developing countries are to achieve the internationally agreed development goals and targets, including those contained in the Millennium Declaration. To build support for official development assistance, Heads of State and Government have pledged to further improve policies and development strategies, both nationally and internationally, to enhance aid effectiveness.

11. In that context, the Commission urges developed countries that have not done so to make concrete efforts towards achieving the target of providing 0.7 per cent of their gross national product as official development assistance to developing countries and from 0.15 to 0.20 per cent of their gross national product as official development assistance to least developed countries, as reconfirmed at the Third United Nations Conference on the Least Developed Countries, and encourages developing countries to build on progress achieved in ensuring that official development assistance is used effectively to help achieve development goals and targets. The Commission acknowledges the efforts of all donors, commends those donors whose official development assistance contributions exceed, reach or are increasing towards the targets, and underlines the importance of undertaking an examination of the means and time frames for achieving the targets and goals.

12. Recipient and donor countries, as well as international institutions, should strive to make official development assistance more effective.

13. The Commission underlines the responsibility of the private sector at the national and international levels, including small and large companies and transnational corporations, regarding not only the economic and financial but also the development, social, gender and environmental implications of their activities, their responsibilities towards their workers and their contribution to achieving and maintaining sustainable development including social development. In this context, the Commission emphasizes the need to take concrete actions within the United Nations system and through the participation of all relevant stakeholders on corporate responsibility and accountability.

14. Partnerships among all relevant actors are increasingly becoming part of national and international cooperation for social development. Within countries, partnerships among the Government, civil society and the private sector can contribute effectively to the achievement of social development goals. At the international level, the recent initiatives towards building voluntary partnerships for social development should be encouraged and discussed further at, inter alia, the intergovernmental level.

15. Cross-sectoral and integrated policies that take into account the needs and interests of all members of society, as well as their contributions to national development, and that mainstream a gender perspective should be promoted.

16. The Commission calls upon all relevant development partners to give adequate attention to productive and sustainable employment, as appropriate to their development policies. Employment strategies can have a substantial impact on poverty eradication, social development and gender equality and should be developed in harmony with economic growth strategies and structural reforms. The Commission sees the involvement of social partners in cooperating with Governments in the formulation and implementation of employment strategies as an important element in ensuring their success. The Commission stresses the need to design appropriate labour and employment policies that will support both growth with employment and employment that supports social development goals.

17. Fulfilment of sustainable development objectives should aim at ensuring, inter alia, quality employment and defending workers’ rights and interests and, to this effect, the Commission notes the need to promote respect for the relevant conventions of the United Nations and the International Labour Organization.

18. The Commission encourages the strengthening of cooperation among countries, inter alia, to address the issues of labour-market information and skills standards certification as well as transnational issues on labour migration, with a view to protecting the rights and dignity of migrant workers.

19. The Commission stresses the necessity of ensuring the effective involvement of developing countries in the international economic decision-making process through, inter alia, greater participation in international economic forums, thereby ensuring the transparency and accountability of international financial institutions with respect to according a central position to social development in their policies and programmes.

20. The Commission notes the increasing operational coordination and cooperation achieved between the United Nations funds and programmes and the international financial institutions, while taking into account their respective competencies and mandates. In this context, the Commission invites the international financial institutions to strengthen further their efforts to ensure that an improved social outcome is incorporated into their programmes of assistance, taking into account the fact that poverty reduction strategies should be nationally owned. Where poverty reduction strategy papers exist, a broad platform is necessary to place them within a wider context where all social objectives would be adequately taken into account.

In resolution 2003/13 of 21 July (see p. 940), the Council underlined the need for partnership and cooperation between Governments and civil society in implementing the outcomes of the World Summit for Social Development [YUN 1995, p. 118] and the twenty-fourth special session of the
General Assembly [YUN 2000, p. 1002], and the need to ensure, within the NEPAD framework, their involvement in the planning, elaboration, implementation and evaluation of social policies at the national, regional and international levels.

UN Research Institute for Social Development

During 2003, the United Nations Research Institute for Social Development (UNRISD) continued to conduct research on the social dimensions of development problems. It sought to promote a holistic and multidisciplinary approach to social development by focusing on decision-making processes, often-conflicting social forces and the effects of growing or contracting economies.

Among issues addressed in its 2003 publications and research papers were communicating in the information society; gender, health and human rights; the expansion of information technology in Senegal; marginalized rural youth in Brazil, Egypt and Nepal; agrarian change in the first half of 2003; global media governance; and citizenship rights and obligations of people of African descent.

UNRISD participated in the second meeting of the Preparatory Committee for the World Summit on the Information Society and participated in the Summit’s first phase (see p. 857). It organized a conference entitled “Corporate Social Responsibility and Development: Towards a New Agenda?” (Geneva, 17-18 November), and collaborated in organizing the conference “Promoting Corporate Social and Environmental Responsibility in the Philippines” (7 March). UNRISD launched a new research project on UN world summits and civil society engagement to assess the impact of various UN summits on civil society activism at global, national and local levels. UNRISD also expanded its access to public media.

Cooperatives in social development

In response to General Assembly resolution 56/114 [YUN 2001, p. 1007], the Secretary-General, in July [A/58/139], submitted the replies he had received from Governments and international organizations on problems encountered in the resolution’s implementation, particularly in promoting a supportive environment for the development of cooperatives and their contribution to poverty eradication, the generation of full and productive employment, and the enhancement of social integration.

The Secretary-General concluded that efforts were being made to create a supportive environment for cooperative development in many countries, particularly in revamping cooperative regulations and legislation. Initiatives had been taken to enhance capacity, efficiency and management to better serve members and communities. Suggestions were made for promoting the development of cooperatives, including strengthening national training and information centres; focusing on integrating and strengthening national and international cooperative networks; research on the cooperative model by the Committee for the Promotion and Advancement of Cooperatives; and UN assistance for human resources development, technical advice and training.

GENERAL ASSEMBLY ACTION

On 22 December [meeting 77], the General Assembly, on the recommendation of the Preparatory Committee [A/58/497], adopted resolution 58/131 without vote [agenda item 106].

Cooperatives in social development

The General Assembly,


Recognizing that cooperatives, in their various forms, promote the fullest possible participation in the economic and social development of all people, including women, youth, older persons and persons with disabilities, and are becoming a major factor of economic and social development,

Recognizing also the important contribution and potential of all forms of cooperatives to the follow-up to the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995, the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, the second United Nations Conference on Human Settlements (Habitat II), held at Istanbul, Turkey, from 3 to 14 June 1996, and their five-year reviews, the World Food Summit, held at Rome from 13 to 17 November 1996, the Second World Assembly on Ageing, held at Madrid from 8 to 12 April 2002, the International Conference on Financing for Development, held at Monterrey, Mexico, from 18 to 22 March 2002, and the World Summit on Sustainable Development, held at Johannesburg, South Africa, from 26 August to 4 September 2002,

1. Takes note of the report of the Secretary-General;
2. Draws the attention of Member States to the proposals contained in the report of the Secretary-General for further action to promote a supportive environment for the development of cooperatives;
3. Also draws the attention of Member States to the revised guidelines aimed at creating a supportive environment for the development of cooperatives, to be considered by them in developing or revising their national policies on cooperatives;
4. Encourages Governments to keep under review, as appropriate, the legal and administrative provisions governing the activities of cooperatives, with a view to ensuring a supportive environment for them and to protecting and advancing the potential of cooperatives to help them to achieve their goals;
5. Urges Governments, relevant international organizations and specialized agencies, in collaboration
with national and international cooperative organizations, to give due consideration to the role and contribution of cooperatives in the implementation of and follow-up to the outcomes of the World Summit for Social Development, the Fourth World Conference on Women, the second United Nations Conference on Human Settlements (Habitat II) and their five-year reviews, the World Food Summit, the Second World Assembly on Ageing, the International Conference on Financing for Development and the World Summit on Sustainable Development by, inter alia:

(a) Utilizing and developing fully the potential and contribution of cooperatives for the attainment of social development goals, in particular the eradication of poverty, the generation of full and productive employment and the enhancement of social integration;

(b) Encouraging and facilitating the establishment and development of cooperatives, including taking measures aimed at enabling people living in poverty or belonging to vulnerable groups to engage on a voluntary basis in the creation and development of cooperatives;

(c) Taking appropriate measures aimed at creating a supportive and enabling environment for the development of cooperatives by, inter alia, developing an effective partnership between Governments and the cooperative movement, promoting and implementing better legislation, training, research, sharing of good practices and human resources development;

6. Invites Governments, in collaboration with the cooperative movement, to develop programmes to promote and strengthen the education of members, the elected leadership and professional cooperative management, where appropriate, and to create or improve statistical databases on the development of cooperatives and on their contribution to national economies;

7. Invites Governments, relevant international organizations, specialized agencies and local, national and international cooperative organizations to continue to observe the International Day of Cooperatives annually, on the first Saturday of July, as proclaimed by the General Assembly in its resolution 47/90;

8. Requests the Secretary-General, in cooperation with the relevant United Nations and other international organizations and national, regional and international cooperative organizations, to render support to Member States, as appropriate, in their efforts to create a supportive environment for the development of cooperatives, to continue to provide assistance for human resources development, technical advice and training, and to promote an exchange of experience and best practices, through, inter alia, conferences, workshops and seminars at the national and regional levels;

9. Also requests the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution, focusing on the role of cooperatives in the eradication of poverty.

Follow-up to International Year of the Family (1994)

By a March note [A/58/67-E/2003/49], the Secretary-General, in response to General Assembly resolution 57/164 [YUN 2002, p. 1090], submitted a report on preparations for the tenth (2004) anniversary of the International Year of the Family [E/CN.5/2003/6], proclaimed by the Assembly in resolution 44/82 [YUN 1989, p. 612] and observed in 1994 [YUN 1994, p. 1144]. At the national level, organizational arrangements had been made, partnerships formed and promotional activities undertaken. The UN regional commissions were playing a lead role and, at the international level, NGOs were acting as partners in the preparation and observance of the anniversary. At the United Nations, DESA promoted awareness of the economic, social and demographic processes affecting families and their members. The report recommended that Governments promote and facilitate the observance of the anniversary, with the participation of all segments of society; raise awareness of family issues; formulate national strategies for enhancing the well-being of families; enlist all segments of society in the development and implementation of national plans; and strengthen partnerships with NGOs working on family issues, particularly with regard to advocacy and policy formulation. Concerned UN agencies and bodies were called on to emphasize the family perspective in development cooperation and encourage regional and subregional cooperation in matters relating to families, monitor progress in the regions, identify needs, collect and analyse information, sponsor research and development, and provide advisory services and training for personnel.

The Economic and Social Council, on 21 July, took note of the Secretary-General’s note (decision 2003/310), as did the Assembly on 22 December (decision 58/530).

ECONOMIC AND SOCIAL COUNCIL ACTION

On 21 July [meeting 42], the Economic and Social Council, on the recommendation of the Commission for Social Development [E/2003/26], adopted resolution 2003/10 without vote [agenda item 14 (b)].

Preparations for and observance of the tenth anniversary of the International Year of the Family in 2004

The Economic and Social Council Recommends to the General Assembly the adoption of the following draft resolution:
[For text, see General Assembly resolution 58/15 below.]

GENERAL ASSEMBLY ACTION

On 3 December [meeting 68], the General Assembly, on the recommendation of the Third Committee [A/58/497], adopted resolution 58/15 without vote [agenda item 106].

Preparations for and observance of the tenth anniversary of the International Year of the Family in 2004

The General Assembly, Recalling its resolutions 44/82 of 8 December 1989, 45/133 of 14 December 1990, 46/92 of 16 December 2001 and 55/269 of 20 December 2000, adopts the present resolution, whereby it encourages Governments, international organizations, specialized agencies, United Nations agencies and the United Nations system, as well as other entities, to cooperate closely in order to raise awareness of the International Year of the Family in 2004 and to mobilize resources to enable it to promote the well-being of families all over the world, and decides on the arrangements to be made for the observance of the International Year of the Family in 2004.
Welcomes the decision of Benin to host a regional preparatory conference in Benin in May 2004 in collaboration with the United Nations, within existing resources;

2. Also welcomes the decision of the State of Qatar to host an international conference to celebrate the tenth anniversary of the International Year of the Family in November 2004;

3. Welcomes the launching by the Secretary-General of the celebration of the tenth anniversary of the International Year of the Family on 4 December 2003;

4. Further welcomes decisions by members of the international community (Governments, non-governmental organizations, civil society) to host events in observance of the tenth anniversary of the International Year of the Family;

5. Encourages Governments to make every possible effort to realize the objectives of the tenth anniversary of the International Year of the Family and to integrate a family perspective in the planning process;

6. Recalls its invitation to all States to set the end of 2004 as a target date for finalizing a programme for the observance of the tenth anniversary of the International Year of the Family;

7. Also recalls its invitation to Governments that had not already done so to set up national coordinating committees or similar mechanisms, as appropriate, for the tenth anniversary of the International Year of the Family, and invites them, as well as the Governments of countries with existing bodies responsible for preparations for and observance of the International Year of the Family in 1994 and its tenth anniversary in 2004,

Recognizing that the tenth anniversary of the International Year of the Family constitutes an important opportunity to strengthen and enhance the effectiveness of efforts at all levels to carry out specific programmes within the framework of the objectives of the Year,

Recognizing also that 2004 is to be viewed as a target year but which time concrete achievements will have been produced with respect to identifying and elaborating issues of direct concern to families and mechanisms will have been set up to plan and coordinate activities by the appropriate governmental and non-governmental bodies and agencies,

Emphasizing that equality between women and men and respect for all human rights and fundamental freedoms of all family members are essential to family well-being and to society at large, noting the importance of reconciliation of work and family life, and recognizing the principle that both parents have common responsibilities for the upbringing and development of the child;

Noting with satisfaction the close collaboration of the Department of Economic and Social Affairs of the Secretariat with intergovernmental and non-governmental organizations active in the family field, as well as its research efforts and preparations for the tenth anniversary of the International Year of the Family,

Appreciating the active role of the regional commissions in the preparatory process of the tenth anniversary of the International Year of the Family, particularly in facilitating regional cooperation in that regard,

Recalling that one plenary meeting at its fifty-ninth session, in 2004, will be devoted to the observance of the tenth anniversary of the International Year of the Family, building upon the events to be held on 13 May 2004 on the occasion of the International Day of Families,

1. Welcomes the decision of Benin to host a regional preparatory conference in Benin in May 2004 in collaboration with the United Nations, within existing resources;

2. Also welcomes the decision of the State of Qatar to host an international conference to celebrate the tenth anniversary of the International Year of the Family in November 2004;

3. Welcomes the launching by the Secretary-General of the celebration of the tenth anniversary of the International Year of the Family on 4 December 2003;

4. Further welcomes decisions by members of the international community (Governments, non-governmental organizations, civil society) to host events in observance of the tenth anniversary of the International Year of the Family;

5. Encourages Governments to make every possible effort to realize the objectives of the tenth anniversary of the International Year of the Family and to integrate a family perspective in the planning process;

6. Recalls its invitation to all States to set the end of 2004 as a target date for finalizing a programme for the observance of the tenth anniversary of the International Year of the Family;

7. Also recalls its invitation to Governments that had not already done so to set up national coordinating committees or similar mechanisms, as appropriate, for the tenth anniversary of the International Year of the Family, and invites them, as well as the Governments of countries with existing bodies responsible for preparations for and observance, to intensify preparatory measures already under way;

8. Recommends that all relevant actors, inter alia, Governments, civil society, including relevant non-governmental organizations, and research and academic institutions, contribute to developing strategies and programmes aimed at strengthening the livelihood of families;

9. Encourages United Nations agencies and bodies, including the regional commissions, as well as intergovernmental and non-governmental organizations and research and academic institutions, to work closely with the Department of Economic and Social Affairs of the Secretariat in a coordinated manner on family-related issues, inter alia, by sharing experience and findings, in recognition of their valuable role in family policy development at all levels;

10. Calls upon United Nations agencies and bodies, including the regional commissions, within existing resources, and invites intergovernmental organizations and research and academic institutions to support regional events of the year 2004 to contribute to the success of those events;

11. Requests the Secretary-General:

(a) To strengthen the programme of work of the Department of Economic and Social Affairs on family policy development at all levels;

(b) To address family issues, where relevant, in his reports to the General Assembly;

(i) The development and strengthening of a family-focused perspective in relevant policies and programmes of United Nations bodies as well as in the follow-up to the outcomes of the relevant United Nations conferences and summits in the economic and social fields;

(ii) The provision of policy guidance on emerging issues and trends affecting the family, through the preparation of studies and research papers aimed in particular at enhancing the role of the family in society;

(iii) The provision of technical assistance to countries, upon request, to enhance, where appropriate, their national capacities in the area of family-related work;

(c) To address family issues, where relevant, in his report on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields;

12. Also requests the Secretary-General to submit an interim report to the Commission for Social Development at its forty-second session and a substantive report to the General Assembly at its fifty-ninth session.
on the implementation of the present resolution and on the preparations for and the celebration of the tenth anniversary of the International Year of the Family at all levels.

**Persons with disabilities**

**World Programme of Action concerning Disabled Persons**


The report assessed trends in policies and programmes since the previous review [YUN 1997, p. 1107], noting the widespread support for the goals and objectives of the Programme of Action and for the guidance provided by the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, adopted by Assembly resolution 48/96 [YUN 1993, p. 977], on disability-sensitive policy design, planning, evaluation and drafting of national legislation. However, Governments had yet to pronounce on the proposed supplement to the Standard Rules, contained in a 2002 report of the Special Rapporteur on disability [YUN 2002, p. 1091]. Views of Governments on the proposed supplement would be considered by the Commission for Social Development in 2004. Recommendations for further action included identifying options to bring a disability perspective into international development instruments, such as the MDGs, which did not address specifically the situation of persons with disabilities; and defining disability within the proposed convention (see p. 1107). Three priorities were identified for action: the dimension of environmental accessibility; ways in which persons with disabilities could benefit from measures for implementing the MDGs by 2015 on the basis of equality with non-disabled populations; and the development of international agreements on employment indicators, such as labour force participation and unemployment rates for persons with disabilities.

Proposals for action to the Assembly involved identifying policy options and target areas that could be used by UN funds and programmes to incorporate a disability perspective in their activities; identifying priorities for action related to statistics and indicators; and expressing its views on options and priorities to strengthen joint planning and evaluation of the outcomes of the UN system in promoting the advancement of persons with disabilities in the context of development.

Annexed to the report was an overview of recent policy and programme activities taken by Governments.

The Economic and Social Council, by decision 2003/310 of 24 July, took note of the Secretary-General’s report.

**GENERAL ASSEMBLY ACTION**

On 22 December [meeting 77], the General Assembly, on the recommendation of the Third Committee [A/58/957], adopted resolution 58/132 without vote [agenda item 106].

**Implementation of the World Programme of Action concerning Disabled Persons: towards a society for all in the twenty-first century**

The General Assembly,

Recalling the purposes and principles of the Charter of the United Nations, and reaffirming the obligations contained in relevant human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child,

Recalling also its relevant resolutions, in particular resolution 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons, resolution 48/96 of 20 December 1993, by which it adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and resolution 56/115 of 19 December 2001, as well as the relevant resolutions of the Economic and Social Council and its functional commissions,

Recalling further the United Nations Millennium Declaration, adopted on 8 September 2000 by heads of State and Government at the Millennium Summit of the United Nations, stressing the need to promote and protect the full enjoyment of all human rights and fundamental freedoms by persons with disabilities, and recognizing the importance of incorporating the disability perspective in the implementation of the outcomes of the major United Nations conferences and summits, with a view to achieving internationally agreed development goals, including those contained in the Millennium Declaration,

Noting with appreciation the initiatives and actions of Governments to implement relevant sections of the Standard Rules and of relevant resolutions that give special attention to the questions of accessible environments and information and communication technologies, health, education and social services, employment and sustainable livelihoods, including the relevant activities of intergovernmental and non-governmental organizations,

Reaffirming the outcomes of the major United Nations conferences and summits and their respective follow-up reviews,

Noting that the Madrid International Plan of Action on Ageing, 2002, adopted by the Second World Assembly on Ageing, considers “older persons and disabilities” as a specific issue for policy concern,

Noting also the preparatory work of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities in establishing a working group with the aim of prepar-
General relating to policy options to promote the full enjoyment of all human rights by persons with disabilities, including in the context of development,

Recognizing the strong commitment of Governments to the equalization of opportunities and to the rights of persons with disabilities and the promotion and protection of the full enjoyment of all human rights by persons with disabilities, including in the context of development,

Acknowledging the important role of non-governmental organizations in the promotion and protection of the full enjoyment of all human rights by persons with disabilities, and noting in this regard their work in promoting the elaboration of an international convention on the rights of disabled persons,

Noting with appreciation the important contributions of regional intergovernmental organizations and the regional commissions of the United Nations in promoting awareness and building capacities for the full participation and equality of persons with disabilities, as well as the outcome of international conferences relating to persons with disabilities,

Mindful of the need to adopt and implement effective policies and strategies to promote the rights and the full and effective participation of persons with disabilities at all levels,

Recognizing the importance of accessibility both of the physical environment and of information and communication in enabling persons with disabilities to enjoy fully their human rights,

Reiterating that technology, in particular information and communication technologies, provides new possibilities for improving accessibility and employment for persons with disabilities and for facilitating their full and effective participation and equality, and welcoming the initiatives of the United Nations and contributions from regional groups in promoting information and communication technologies as a means of achieving the universal goal of a society for all,

Recognizing the importance of timely and reliable data on disability-sensitive topics, programme planning and evaluation and the need for the further development of practical statistical methodology for the collection and compilation of data on populations with disabilities,

Recognizing also the challenge of better incorporating the disability perspective in development and technical cooperation activities,

Recognizing further the need to improve the quality of life of persons with disabilities worldwide through the enhancement of awareness of and sensitivity to disability issues and respect for the full enjoyment of all human rights by persons with disabilities,

Recognizing that, in the elaboration of national and international development strategies, consideration needs to be given to the impact of poverty, especially in rural areas, on the conditions of persons with disabilities,

Expressing grave concern that situations of armed conflict continue to have especially devastating consequences for the human rights of persons with disabilities,

1. Takes note with appreciation of the report of the Secretary-General on the implementation of the World Programme of Action concerning Disabled Persons, including the recommendations of the Secretary-General relating to policy options to promote the full enjoyment of all human rights by persons with disabilities;

2. Welcomes the work of the Special Rapporteur on disability of the Commission for Social Development to promote the full enjoyment of all human rights by, and the equalization of opportunities for, persons with disabilities;

3. Calls upon Governments to take all necessary measures to advance beyond the adoption of national plans for people with disabilities through, inter alia, the creation or reinforcement of arrangements for the promotion and awareness of disability issues and the allocation of sufficient resources for the full implementation of existing plans and initiatives, and emphasizes in this regard the importance of supporting national efforts through international cooperation;

4. Encourages Governments, intergovernmental and non-governmental organizations and the private sector, as appropriate, to continue to take concrete measures to mainstream the disability perspective in development and technical cooperation activities,

5. Acknowledging the important contributions of relevant United Nations resolutions and agreed international standards concerning persons with disabilities, in particular the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and for the further equalization of opportunities for persons with disabilities;

6. Encourages Governments to continue their support to non-governmental organizations and other groups, including organizations of persons with disabilities, that contribute to the fulfilment of the implementation of the World Programme of Action;

7. Calls upon Governments to take all necessary measures to advance beyond the adoption of national plans for people with disabilities through, inter alia, the creation or reinforcement of arrangements for the promotion and awareness of disability issues and the allocation of sufficient resources for the full implementation of existing plans and initiatives, and emphasizes in this regard the importance of supporting national efforts through international cooperation;

8. Encourages Governments to continue their support to non-governmental organizations and other groups, including organizations of persons with disabilities, that contribute to the fulfilment of the implementation of the World Programme of Action;

9. Also encourages Governments to involve persons with disabilities in the formulation of strategies and plans, in particular those pertaining to them;

10. Urges relevant organizations and bodies of the United Nations system, including relevant human rights treaty bodies and the regional commissions, as well as intergovernmental and non-governmental organizations and institutions, to incorporate the disability perspective in their activities, as appropriate, and to continue to work closely with the Division for Social Policy and Development of the Secretariat for the promotion of the full enjoyment of all human rights and fundamental freedoms by persons with disabilities, including activities at the field level, by sharing experiences, findings and recommendations on persons with disabilities;

11. Stresses the importance of improving data and statistics on persons with disabilities, in compliance with national legislation on the protection of personal data, so that they can be compared internationally and domestically for purposes of policy design, planning and evaluation from the disability perspective, urges Governments, in this regard, to cooperate with the Statistics Division of the Secretariat in the continuing development of global statistics and indicators on disability, and encourages them to avail themselves of the technical assistance of the Division to build national capacities for national data-collection systems into the development process and promote the implementation of relevant United Nations resolutions and agreed international standards concerning persons with disabilities, in particular the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and for the further equalization of opportunities for persons with disabilities;

12. Urges Governments, intergovernmental and non-governmental organizations and the private sector, as appropriate, to continue to take concrete measures to mainstream the disability perspective in development and technical cooperation activities,

13. Calls upon Governments to take all necessary measures to advance beyond the adoption of national plans for people with disabilities through, inter alia, the creation or reinforcement of arrangements for the promotion and awareness of disability issues and the allocation of sufficient resources for the full implementation of existing plans and initiatives, and emphasizes in this regard the importance of supporting national efforts through international cooperation;

14. Encourages Governments, intergovernmental and non-governmental organizations and the private sector, as appropriate, to continue to take concrete measures to mainstream the disability perspective in development and technical cooperation activities,

15. Calls upon Governments to take all necessary measures to advance beyond the adoption of national plans for people with disabilities through, inter alia, the creation or reinforcement of arrangements for the promotion and awareness of disability issues and the allocation of sufficient resources for the full implementation of existing plans and initiatives, and emphasizes in this regard the importance of supporting national efforts through international cooperation;

16. Also encourages Governments to involve persons with disabilities in the formulation of strategies and plans, in particular those pertaining to them;

17. Urges relevant organizations and bodies of the United Nations system, including relevant human rights treaty bodies and the regional commissions, as well as intergovernmental and non-governmental organizations and institutions, to incorporate the disability perspective in their activities, as appropriate, and to continue to work closely with the Division for Social Policy and Development of the Secretariat for the promotion of the full enjoyment of all human rights and fundamental freedoms by persons with disabilities, including activities at the field level, by sharing experiences, findings and recommendations on persons with disabilities;

18. Stresses the importance of improving data and statistics on persons with disabilities, in compliance with national legislation on the protection of personal data, so that they can be compared internationally and domestically for purposes of policy design, planning and evaluation from the disability perspective, urges Governments, in this regard, to cooperate with the Statistics Division of the Secretariat in the continuing development of global statistics and indicators on disability, and encourages them to avail themselves of the technical assistance of the Division to build national capacities for national data-collection systems into the development process and promote the implementation of relevant United Nations resolutions and agreed international standards concerning persons with disabilities, in particular the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and for the further equalization of opportunities for persons with disabilities;

19. Urges Governments, intergovernmental and non-governmental organizations and the private sector, as appropriate, to continue to take concrete measures to mainstream the disability perspective in development and technical cooperation activities,

20. Calls upon Governments to take all necessary measures to advance beyond the adoption of national plans for people with disabilities through, inter alia, the creation or reinforcement of arrangements for the promotion and awareness of disability issues and the allocation of sufficient resources for the full implementation of existing plans and initiatives, and emphasizes in this regard the importance of supporting national efforts through international cooperation;

21. Also encourages Governments to involve persons with disabilities in the formulation of strategies and plans, in particular those pertaining to them;

22. Urges relevant organizations and bodies of the United Nations system, including relevant human rights treaty bodies and the regional commissions, as well as intergovernmental and non-governmental organizations and institutions, to incorporate the disability perspective in their activities, as appropriate, and to continue to work closely with the Division for Social Policy and Development of the Secretariat for the promotion of the full enjoyment of all human rights and fundamental freedoms by persons with disabilities, including activities at the field level, by sharing experiences, findings and recommendations on persons with disabilities;

23. Stresses the importance of improving data and statistics on persons with disabilities, in compliance with national legislation on the protection of personal data, so that they can be compared internationally and domestically for purposes of policy design, planning and evaluation from the disability perspective, urges Governments, in this regard, to cooperate with the Statistics Division of the Secretariat in the continuing development of global statistics and indicators on disability, and encourages them to avail themselves of the technical assistance of the Division to build national capacities for national data-collection systems into the development process and promote the implementation of relevant United Nations resolutions and agreed international standards concerning persons with disabilities, in particular the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, and for the further equalization of opportunities for persons with disabilities;
and promoting their full enjoyment of all human rights.

10. Urges Governments to address the situation of persons with disabilities with respect to all actions taken to implement existing human rights treaties to which they are parties;

11. Invites States to continue to participate actively in the negotiations within the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities;

12. Encourages Governments, intergovernmental organizations, concerned non-governmental organizations and the private sector to continue to support the United Nations Voluntary Fund on Disability, with a view to strengthening its capacity to support catalytic and innovative activities to implement fully the World Programme of Action and the Standard Rules, including the work of the Special Rapporteur, and to support activities to build national capacities, with emphasis on priorities for action identified in the present resolution;

13. Requests the Secretary-General to continue to support the initiatives of relevant organizations and bodies of the United Nations system, as well as those of regional, intergovernmental and non-governmental organizations and institutions, for the promotion of the full enjoyment of all human rights by, and non-discrimination in respect of, persons with disabilities and the further implementation of the World Programme of Action, as well as their efforts to integrate persons with disabilities in technical cooperation activities, both as beneficiaries and as decision makers;

14. Expresses its appreciation to the Secretary-General for his efforts in improving the accessibility of the United Nations for persons with disabilities, and urges him to continue to implement plans to provide a barrier-free environment;

15. Welcomes the review by the Secretary-General in his current report on the fourth quinquennial review and appraisal of the World Programme of Action, and requests the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution.

International convention on the rights of persons with disabilities

In accordance with General Assembly resolution 57/229 [YUN 2002, p. 1095], the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities, established by Assembly resolution 56/168 [YUN 2001, p. 1012], held its second session (New York, 16-27 June). It established a working group to prepare a draft text for a convention, which would be the basis for negotiation by Member States. The working group would be composed of 27 governmental representatives and 12 NGO representatives. The Committee recommended holding its third session in 2004 and invited the Assembly to examine further the provision of reasonable accommodation for persons with disabilities in order to facilitate accessibility to UN premises, technology and documents.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 21 July [meeting 42], the Economic and Social Council, on the recommendation of the Commission for Social Development [E/2003/26], adopted resolution 2003/12 without vote [agenda item 14 (b)].

Comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities

The Economic and Social Council,

Recalling relevant provisions of the major United Nations conferences and summits, and their respective follow-up reviews, for the promotion of the rights and well-being of persons with disabilities on an equal and participatory basis,

Encouraged by the increased interest of the international community in the promotion and protection of the rights and dignity of persons with disabilities under a comprehensive and integral approach,

Recalling General Assembly resolution 56/168 of 19 December 2001, by which the Assembly established an Ad Hoc Committee to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, based on the holistic approach in the work carried out in the fields of social development, human rights and non-discrimination, and taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development,

Recalling also General Assembly resolution 57/229 of 18 December 2002, in which the Assembly took note with appreciation of the report of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities on its first session and reaffirmed the need to promote and protect the equal and effective enjoyment of all human rights and fundamental freedoms by persons with disabilities, aware of the contribution that a convention could make in that regard and thus convinced of the need to continue to consider proposals,

Recalling further its resolution 2002/7 of 24 July 2002 on a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities,

Stressing the primary responsibility of Governments in the promotion and protection of all human rights and fundamental freedoms and their full enjoyment by persons with disabilities,

Welcoming the work of national, regional and international meetings of Governments, experts and non-governmental organizations that contribute to the work of the Ad Hoc Committee, including the regional initiatives taken previous to the second session of the Ad Hoc Committee in Africa, Latin America, Asia and Europe,

Taking note of the report of the Secretary-General on the fourth quinquennial review and appraisal of the World Programme of Action concerning Disabled Persons,
Stressing the need for additional efforts to ensure accessibility with reasonable accommodation regarding facilities and documentation at the United Nations for all persons with disabilities, in accordance with General Assembly decision 56/474 of 23 July 2002.

Deeply concerned about the disadvantaged and vulnerable situation faced by 600 million persons with disabilities around the world,

1. Acknowledges the contributions of the Special Rapporteur on disability of the Commission for Social Development to the process established by the General Assembly in resolution 56/168 on a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, and encourages the Special Rapporteur to continue to contribute to this process in accordance with Assembly resolution 57/229.

2. Also acknowledges the contributions of the Office of the United Nations High Commissioner for Human Rights and the United Nations Programme on Disability in order to provide support to the Ad Hoc Committee, as requested by the General Assembly in resolution 57/229.

GENERAL ASSEMBLY ACTION

On 23 December [meeting 79], the General Assembly, on the recommendation of the Third Committee [A/58/508/Add. 2], adopted resolution 58/246 without vote [agenda item 17(16)].

Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

The General Assembly,

Recalling its resolution 56/168 of 19 December 2001, by which it decided to establish an Ad Hoc Committee open to the participation of all Member States and observers to the United Nations, to consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, based on a holistic approach in the work done in the fields of social development, human rights and non-discrimination and taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development,

Recalling also its resolution 57/229 of 18 December 2002, as well as relevant resolutions of the Commission for Social Development and the Commission on Human Rights,

Reaffirming the universality, indivisibility and interdependence of all human rights and fundamental freedoms and the need for persons with disabilities to be guaranteed their full enjoyment without discrimination,

Convinced of the contribution that a convention can make in this regard,

Encouraging Member States and observers to participate actively in the Ad Hoc Committee in order to present to the General Assembly, as a matter of priority, a draft text of a convention,

Stressing the importance of the active participation of intergovernmental and non-governmental organizations and national human rights institutions in the work of the Ad Hoc Committee, and their valuable contribution to the promotion of the full enjoyment of all human rights and fundamental freedoms by persons with disabilities,

Recognizing the important contributions made thus far to the Ad Hoc Committee by all stakeholders,

1. Welcomes the report of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities;
2. Requests the Secretary-General to transmit the report of the Ad Hoc Committee to the Commission for Social Development at its forty-second session and to the Commission on Human Rights at its sixty-sixth session, and further requests both Commissions to continue to contribute to the work of the Ad Hoc Committee;
3. Endorses the decision of the Ad Hoc Committee to establish a Working Group with the aim of preparing and presenting a draft text, which would be the basis for negotiations on the draft convention in the Ad Hoc Committee, taking into account all contributions;
4. Notes that the Working Group will present the outcome of its work on a draft text to the Ad Hoc Committee at the third session of the Committee; 5. Decides that the Ad Hoc Committee shall start the negotiations on a draft convention at its third session; 6. Decides also that the Ad Hoc Committee shall hold, within existing resources, two sessions in 2004 of ten working days each, prior to the fifty-ninth session of the General Assembly; 7. Underlines the importance of strengthening the cooperation and coordination between the Office of the United Nations High Commissioner for Human Rights and the Department of Economic and Social Affairs of the Secretariat in order to support jointly the work of the Ad Hoc Committee; 8. Urges that further efforts be made to ensure the active participation of non-governmental organizations in the Ad Hoc Committee, in accordance with General Assembly resolution 56/30 of 23 July 2002 and based on the decision of the Ad Hoc Committee on the modalities for the participation of non-governmental organizations in its work; 9. Stresses the need for additional efforts to ensure accessibility at the United Nations, with reasonable accommodation regarding facilities and documentation, for all persons with disabilities, in accordance with General Assembly decision 56/47 of 23 July 2002; 10. Requests the Secretary-General to continue to provide the Ad Hoc Committee with the facilities necessary for the performance of its work; 11. Encourages Member States to continue to include in their delegations to the meetings of the Ad Hoc Committee persons with disabilities and/or other experts in the field; 12. Urges Member States, observers, civil society and the private sector to contribute to the voluntary fund established pursuant to its resolution 57/229 to support the participation of non-governmental organizations and experts from developing countries, in particular least developed countries, in the work of the Ad Hoc Committee; 13. Requests the Secretary-General to transmit a comprehensive report of the Ad Hoc Committee to the General Assembly at its fifty-ninth session and to report on the implementation of paragraphs 7, 8 and 9 of the present resolution.

Cultural development

Follow-up to United Nations Year for Cultural Heritage

Following the observance of the United Nations Year for Cultural Heritage in 2002 [YUN 2002, p. 1096], the United Nations Educational, Scientific and Cultural Organization (UNESCO) General Conference, on 17 October 2003, adopted the Convention for the Safeguarding of the Intangible Cultural Heritage and the Declaration concerning the Intentional Destruction of Cultural Heritage. The Convention, the fifth of its kind adopted by UNESCO for the protection of cultural heritage, was designed to make the States parties take measures to ensure the safeguarding of the international cultural heritage and to strengthen solidarity and cooperation at regional and international levels. The Declaration outlined possible protection measures by States to combat the intentional destruction of cultural heritage, in both peacetime and in the event of armed conflict, including during an occupation.

GENERAL ASSEMBLY ACTION

On 17 December [meeting 75], the General Assembly adopted resolution 58/124 [draft: A/58/L.11/Rev.2 & Add.1] without vote [agenda item 42].

United Nations Year for Cultural Heritage, 2002

The General Assembly,
Recalling the international conventions dealing with the protection of cultural and natural heritage, including the Convention for the Protection of Cultural Property in the Event of Armed Conflict adopted at The Hague in 1954 and the two Protocols thereto, the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, and the 1972 Convention for the Protection of the World Cultural and Natural Heritage, as well as the 1989 Recommendation on the Safeguarding of Traditional Culture and Folklore and the 2001 Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization,
Welcoming the ratification of the Convention for the Protection of the World Cultural and Natural Heritage by one hundred and seventy-six States parties, and noting the inscription of seven hundred and fifty-four sites on the World Heritage List,

NOTING the adoption of the Convention on the Protection of the Underwater Cultural Heritage by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 2 November 2001,

Mindful of the importance of protecting the world cultural tangible and intangible heritage as a common ground for the promotion of mutual understanding and enrichment among cultures and civilizations,

NOTING the work already undertaken to protect the world cultural and natural heritage by the United Nations Educational, Scientific and Cultural Organization, including international campaigns,
Recalling its resolutions 56/8 of 21 November 2001, in which it proclaimed 2002 the United Nations Year for Cultural Heritage, and 57/158 of 16 December 2002, in which it declared the Year concluded,

1. Notes the activities of the United Nations Educational, Scientific and Cultural Organization undertaken during the United Nations Year for Cultural Heritage;
3. Welcomes the adoption of the Declaration concerning the Intentional Destruction of Cultural Heritage by the General Conference of the United Nations

4. Invites the United Nations Educational, Scientific and Cultural Organization, in collaboration with Member States, observers, relevant United Nations bodies, within their respective mandates, other international organizations and relevant non-governmental organizations, to continue to intensify the implementation of programmes, activities and projects aimed at the promotion and protection of the world cultural heritage;

5. Invites Member States and observers to continue to promote education and raise public awareness so as to foster respect for national and world cultural heritage.

Culture of peace

The General Assembly, by decision 58/565 of 23 December, decided that the agenda item on the culture of peace would remain for consideration during its resumed fifty-eighth (2004) session.

Religious and cultural understanding

On 19 December [meeting 76], the General Assembly adopted resolution 58/128 [draft: A/58/L.52 & Add.1] without vote [agenda item 44].

Promotion of religious and cultural understanding, harmony and cooperation

The General Assembly,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,

Underlining the importance of promoting understanding, tolerance and friendship among human beings in all their diversity of religion, belief, culture and language, and recalling that all States have pledged themselves under the Charter to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Affirming that inter-religious dialogue is an integral part of the efforts to translate shared values, as reflected in the United Nations Millennium Declaration, into actions, in particular the efforts to promote a culture of peace and dialogue among civilizations,

Recalling its resolution 57/6 of 4 November 2002, in which it invited Member States to expand their activities promoting a culture of peace and non-violence at the national, regional and international levels,

Recalling also its other relevant resolutions,

Recalling with satisfaction the proclamation of the Global Agenda for Dialogue among Civilizations, bearing in mind the valuable contribution that dialogue among civilizations can make to an improved awareness and understanding of the common values shared by all humankind,

Reaffirming the importance of implementing the Universal Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization and the principles contained therein,

Emphasizing the need, at all levels of society and among nations, for strengthening freedom, justice, democracy, tolerance, solidarity, cooperation, pluralism, respect for diversity of culture and religion or belief, dialogue and understanding, which are important elements for peace,

Reaffirming that freedom of expression, media pluralism, multilingualism, equal access to art and to scientific and technological knowledge, including in digital form, and the possibility for all cultures to have access to the means of expression and dissemination are the guarantees of cultural diversity, and that in ensuring the free flow of ideas by word and image, care should be exercised that all cultures can express themselves and make themselves known,

Recognizing all efforts made by the United Nations system to promote understanding, tolerance and friendship among human beings in all their diversity of culture, religion, belief and language,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, are on the increase in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Considering that tolerance for cultural, ethnic, and religious and linguistic diversities, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world,

Emphasizing that combating hatred, prejudice, intolerance and stereotyping on the basis of religion or culture represents a significant global challenge that requires further action,

1. Acknowledges that respect for the diversity of religious and cultural traditions, tolerance, dialogue and cooperation in a climate of mutual trust and understanding can contribute to the combating of ideologies and practices based on discrimination, intolerance and hatred and help to reinforce world peace, social justice and friendship among peoples;

2. Reaffirms the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law; the universal nature of these rights and freedoms is beyond question;

3. Also reaffirms the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions in a national and international atmosphere of peace, tolerance and mutual respect;

4. Recognizes that respect for religious and cultural diversity in an increasingly globalizing world contributes to international cooperation, promotes enhanced dialogue among religious, cultures and civilizations, and helps to create an environment conducive to the exchange of human experience;

5. Also recognizes that all cultures and civilizations share a common set of universal values;

6. Further recognizes that, while the significance of national and regional particularities and historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of
their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

7. *Reaffirms* that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural diversity and heritage of society as a whole in the States in which such persons live, and urges States to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic and political institutions, organizations and practices so that they are more fully participatory and avoid the marginalization and exclusion of, and discrimination against, specific sectors of society;

8. *Encourages* Governments to promote, including through education, understanding, tolerance and friendship among human beings in all their diversity of religion, belief, culture and language, which will address the cultural, social, economic, political and religious sources of intolerance, and to apply a gender perspective while doing so, in order to promote understanding, tolerance, peace and friendly relations among nations and all racial and religious groups, recognizing that education at all levels is one of the principal means to build a culture of peace;

9. *Calls upon* all States to exert their utmost efforts to ensure that religious sites are fully respected and protected in compliance with their international obligations and in accordance with their national legislation, and to adopt adequate measures aimed at preventing acts or threats of damage to and destruction of these sites;

10. *Urges* States, in compliance with their international obligations, to take all necessary action to combat incitement to or acts of violence, intimidation and coercion motivated by hatred and intolerance based on culture, religion or belief, which may cause discord and disharmony within and among societies;

11. *Also urges* States to take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life and to make all efforts to enact or rescind legislation, where necessary, to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or beliefs;

12. *Further urges* States to ensure that, in the course of their official duties, members of law enforcement bodies and the military, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs, and that any necessary and appropriate education or training is provided;

13. *Welcomes* the efforts of States, relevant entities of the United Nations system and other intergovernmental organizations, civil society, including religion-based and other non-governmental organizations, and the media in developing a culture of peace, and encourages them to continue such efforts, including the promotion of inter-religious and intercultural interaction within and among societies through, inter alia, congresses, conferences, seminars, workshops, research work and related processes;

14. *Requests* the Secretary-General to ensure the widest dissemination of the relevant United Nations material related to the present resolution in as many different languages as possible through the United Nations system, including the United Nations information centres, within available resources;

15. *Also requests* the Secretary-General to present to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution.

**Sport for development and peace**

In October, the Secretary-General published the report of the United Nations Inter-Agency Task Force on Sport for Development and Peace, entitled *Sport for Development and Peace: Towards Achieving the Millennium Development Goals* [ODG/2004/12]. The report provided a synthesis of the relationship between the world of sport and the UN system. It found that sports-based initiatives were practical and cost-effective tools to achieve objectives in development and peace. Sport could cut across barriers that divided societies, making it a means to support conflict prevention and peace-building efforts, both symbolically and practically. Sport programmes could promote social integration and foster tolerance, help to reduce tension and generate dialogue. Sport could be an effective tool for advocacy and communication.

**International Year of Sport and Physical Education (2005)**

On 3 November [meeting 52], the General Assembly adopted resolution 58/5 [draft: A/58/L.2 & Add.1] without vote [agenda item 25 (b)].

*Sport as a means to promote education, health, development and peace*

The General Assembly,

Recalling its decision to include in its agenda an item entitled “Sport for peace and development” and a sub-item thereof entitled “International Year of Sport and Physical Education”,

Considering the role of sport and physical education as a means to promote education, health, development and peace,

Acknowledging the major role of the United Nations, its funds and programmes and the United Nations Educational, Scientific and Cultural Organization and other specialized agencies, in promoting human development through sport and physical education, through its country programmes,

Taking note of the communiqué issued by the round table of ministers responsible for sports and physical education, held in Paris on 9 and 10 January 2003, in which they expressed their commitment to ensuring that the role of physical education and sport is fully recognized and developed,

Recalling the Convention on the Rights of the Child and the outcome document of the special session of
the General Assembly on children, entitled "A world fit for children", stressing that education shall be directed to the development of children's personality, talents and mental and physical abilities to their fullest potential.

Recalling also the International Charter of Physical Education and Sport of the United Nations Educational, Scientific and Cultural Organization and the Dakar Framework for Action adopted at the World Education Forum in April 2000, as well as other relevant documents emphasizing the role of sport and physical education,

Taking note of the report of the United Nations Inter-agency Task Force on Sport for Development and Peace,

Noting that sport and physical education in many countries face increasing marginalization within education systems even though they are a major tool not only for health and physical development but also for acquiring values necessary for social cohesion and intercultural dialogue,

Acknowledging with concern the dangers faced by sportsmen and sportswomen, in particular young athletes, including, inter alia, child labour, violence, doping, early specialization, over-training and exploitative forms of commercialization, as well as less visible threats and deprivations, such as the premature severance of family bonds and the loss of sporting, social and cultural ties,

Recognizing the need for greater coordination of efforts at the international level to facilitate a more effective fight against doping, and noting in this regard the Anti-Doping Convention established by the Council of Europe, the Copenhagen Declaration on Anti-doping in Sport, adopted during the World Conference on Doping in Sport, held from 3 to 5 March 2003, and any other relevant international instrument,

1. Invites Governments, the United Nations, its funds and programmes, the specialized agencies, where appropriate, and sport-related institutions:
   (a) To promote the role of sport and physical education for all when furthering their development programmes and policies, to advance health awareness, the spirit of achievement and cultural bridging and to entrench collective values;
   (b) To include sport and physical education as a tool to contribute towards achieving the internationally agreed development goals, including those contained in the United Nations Millennium Declaration and the broader aims of development and peace;
   (c) To work collectively so that sport and physical education can present opportunities for solidarity and cooperation in order to promote a culture of peace and social and gender equality and to advocate dialogue and harmonious coexistence;
   (d) To recognize the contribution of sport and physical education towards economic and social development and to encourage the building and restoration of sports infrastructures;
   (e) To further promote sport and physical education, on the basis of locally assessed needs, as a tool for health, education, social and cultural development;
   (f) To strengthen cooperation and partnership between all actors, including family, school, clubs/leagues, local communities, youth sports associations and decision makers as well as the public and private sectors, in order to ensure complementarities and to make sport and physical education available to everyone;
   (g) To ensure that young talents can develop their athletic potential without any threat to their safety and physical and moral integrity;

2. Encourages Governments, international sports bodies and sport-related organizations to elaborate and implement partnership initiatives and development projects compatible with the education provided at all levels of schooling to help achieve the Millennium Development Goals;

3. Invites Governments and international sports bodies to assist developing countries, in particular the least developed countries and small island developing States, in their capacity-building efforts in sport and physical education;

4. Encourages the United Nations to develop strategic partnerships with the range of stakeholders involved in sport, including sports organizations, sports associations and the private sector, to assist in the implementation of sport for development programmes;

5. Encourages Governments and the United Nations system to seek new and innovative ways to use sport for communication and social mobilization, particularly at the national, regional and local levels, engaging civil society through active participation and ensuring that target audiences are reached;

6. Stresses the need for all parties to cooperate closely with international sports bodies to elaborate a "code of good practice";

7. Invites Governments to accelerate the elaboration of an international anti-doping convention in all sports activities, and requests the United Nations Educational, Scientific and Cultural Organization, in cooperation with other relevant international and regional organizations, to coordinate the elaboration of such a convention;

8. Decides to proclaim 2005 the International Year for Sport and Physical Education, as a means to promote education, health, development and peace, and invites Governments to organize events to underline their commitment and to seek the assistance of sports personalities in this regard;

9. Requests the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution and on the preparation of events at the national and international levels to celebrate the year 2005, under the sub-item entitled "International Year of Sport and Physical Education".

Olympic Truce and ideal

On 3 November [meeting 32], the General Assembly adopted resolution 58/6 [draft: A/58/L.9 & Add.1] without vote [agenda item 23 (a)].

Building a peaceful and better world through sport and the Olympic ideal

The General Assembly,

Recalling its resolution 56/75 of 11 December 2001, in which it decided to include in the provisional agenda of its fifty-eighth session the item entitled "Building a peaceful and better world through sport and the Olympic ideal" and its decision to consider this...
item every two years in advance of each Summer and Winter Olympic Games.

Recalling also its resolution 48/11 of 25 October 1993, which, inter alia, revived the ancient Greek tradition of ekheirion or “Olympic Truce” calling for a truce during the Games that would encourage a peaceful environment and ensuring the safe passage and participation of athletes and others at the Games and, thereby, mobilizing the youth of the world to the cause of peace,

Taking into account the inclusion in the United Nations Millennium Declaration of an appeal for the observance of the Olympic Truce now and in the future and support for the International Olympic Committee in its efforts to promote peace and human understanding through sport and the Olympic ideal,

Noting that the Games of the XXVIII Olympiad will take place from 13 to 29 August 2004 in Athens, in Greece, where the Olympic Games were born in ancient times and revived in 1896, and where the tradition of the Olympic Truce was first established,

Welcoming the initiative of the Secretary-General to establish the United Nations Inter-agency Task Force on Sport for Development and Peace,

Recognizing the important role of sport in the implementation of the internationally agreed development goals, including those contained in the Millennium Declaration,

Recognizing also the valuable contribution that the appeal launched by the International Olympic Committee for an Olympic Truce, with which the National Olympic Committees of the Member States are associated, could make towards advancing the purposes and principles of the Charter of the United Nations,

Noting with satisfaction the flying of the United Nations flag at all competition sites of the Olympic Games, and the joint endeavours of the International Olympic Committee and the United Nations system in fields such as poverty alleviation, human and economic development, humanitarian assistance, education, health promotion, gender equality, environmental protection and HIV/AIDS prevention,

Welcoming the establishment by the International Olympic Committee of an International Olympic Truce Foundation and an International Olympic Truce Centre to promote further the ideals of peace and understanding through sport, on whose Board the President in office of the General Assembly sits and the Secretary-General and the Director-General of the United Nations Educational, Scientific and Cultural Organization are represented,

Welcoming also the individual support of world personalities for the promotion of the Olympic Truce,

1. Urges Member States to observe, within the framework of the Charter of the United Nations, the Olympic Truce, individually and collectively, during the Games of the XXVIII Olympiad, to be held in Athens;

2. Welcomes the decision of the International Olympic Committee to mobilize all international sports organizations and the National Olympic Committees of the Member States to undertake concrete actions at the local, national, regional and world levels to promote and strengthen a culture of peace based on the spirit of the Olympic Truce;

3. Calls upon all Member States to cooperate with the International Olympic Committee in its efforts to use the Olympic Truce as an instrument to promote peace, dialogue and reconciliation in areas of conflict during and beyond the Olympic Games period;

4. Welcomes the increased implementation of projects for development through sport, and encourages Member States and all concerned agencies and programmes of the United Nations system to strengthen their work in this field, in cooperation with the International Olympic Committee;

5. Requests the Secretary-General to promote the observance of the Olympic Truce among Member States and support for human development initiatives through sport, and to cooperate with the International Olympic Committee in the realization of these objectives;

6. Decides to include in the provisional agenda of its sixtieth session the sub-item entitled “Building a peaceful and better world through sport and the Olympic ideal” and to consider this sub-item before the XX Olympic Winter Games.

On 23 December, the Assembly decided that the agenda item entitled “Building a peaceful and better world through sport and the Olympic ideal” would remain for consideration at its resumed fifty-eighth (2004) session (decision 58/565).

Cultural property

Return of cultural property

The Secretary-General, in August [A/58/341], transmitted to the General Assembly the UNESCO Director-General’s report on action taken by the organization to implement the 2001 recommendations adopted by the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation [YUN 2001, p. 107]. Submitted in response to General Assembly resolution 56/97 [ibid.], the report contained seven recommendations adopted by the Committee at its twelfth session (Paris, 25-28 March).

The Committee recommended that the Director-General assist in facilitating a meeting between the United Kingdom and Greece to discuss the latter’s proposal that the United Kingdom, in view of the planned Olympic Games in Athens in 2004, grant a long-term loan of the Parthenon marbles. He should continue his good offices towards resolving the issue of Turkey’s request that Germany return the Bogaskoy Sphinx and report to the Committee at its next session. The Committee invited UNESCO to submit examples of returns and restitutions upon which a database might be developed, to examine the dissemination of information on returns and restitution, and to promote the implementation of an identi-
ification standard system and the International Code of Ethics for Dealers in Cultural Property, adopted by UNESCO. Member States were called on to implement the relevant UNESCO conventions and take security measures to protect cultural property. The Director-General should establish a database on cultural heritage legislation, including import and export certificates, and prepare an explanatory note on the procedure for assessing projects submitted pursuant to the Operational Guidelines of the Fund of the Intergovernmental Committee. He should also communicate to all UNESCO member States the report of the meetings of experts on the settlement of disputes concerning cultural objects displaced as a result of the Second World War and the non-binding Principles on the settlement of such disputes elaborated at those meetings so that they could submit their observations.

GENERAL ASSEMBLY ACTION

On 3 December [meeting 68], the General Assembly adopted resolution 58/17 [draft A/58/L.20 & Add.1] without vote [agenda item 45].

Return or restitution of cultural property to the countries of origin

The General Assembly,

Reaffirming the relevant provisions of the Charter of the United Nations,


Recalling also its resolution 56/8 of 21 November 2001, in which it proclaimed 2002 the United Nations Year for Cultural Heritage,


Recalling also the Convention concerning the Protection of the World Cultural and Natural Heritage, adopted on 16 November 1972 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

Recalling further the Convention on Stolen or Illegally Exported Cultural Objects, adopted in Rome on 24 June 1995 by the International Institute for the Unification of Private Law,


Welcoming the report of the Secretary-General submitted in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization,

Aware of the importance attached by some countries of origin to the return of cultural property that is of fundamental spiritual and cultural value to them, so that they may constitute collections representative of their cultural heritage,

Expressing concern about the illicit traffic in cultural property and its damage to the cultural heritage of nations,

Expressing concern also about the loss, destruction, removal, theft, pillage, illicit movement or misappropriation of and any acts of vandalism or damage directed against cultural property, in particular in areas of armed conflict, including territories that are occupied, whether such conflicts are international or internal,

Recalling Security Council resolution 1483 (2003), adopted on 22 May 2003, in particular paragraph 7 relating to the restitution of the cultural property of Iraq,

Reaffirming the United Nations Educational, Scientific and Cultural Organization and the Intergovernmental Committee for the Return of Cultural Property to its Countries of Origin or its Restoration in Case of Illicit Appropriation on the work they have accomplished, in particular through the promotion of bilateral negotiations, for the return or restitution of cultural property, the preparation of inventories of movable cultural property and the implementation of the Object-ID standard related thereto, as well as for the reduction of illicit traffic in cultural property and the dissemination of information to the public;

1. Commends the United Nations Educational, Scientific and Cultural Organization and the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restoration in Case of Illicit Appropriation on the work they have accomplished, in particular through the promotion of bilateral negotiations, for the return or restitution of cultural property, the preparation of inventories of movable cultural property and the implementation of the Object-ID standard related thereto, as well as for the reduction of illicit traffic in cultural property and the dissemination of information to the public;

2. Calls upon all relevant bodies, agencies, funds and programmes of the United Nations system and other relevant intergovernmental organizations to work in coordination with the United Nations Educational, Scientific and Cultural Organization, within their mandates and in cooperation with Member States, in order to continue to address the issue of return or restitution of cultural property to the countries of origin and to provide appropriate support accordingly;

3. Welcomes the adoption of the Declaration concerning the Intentional Destruction of Cultural Heritage, adopted by the General Conference of the
United Nations Educational, Scientific and Cultural Organization on 17 October 2003;

4. Reaffirms the importance of the principles and provisions of the Convention for the Protection of Cultural Property in the Event of Armed Conflict, and invites Member States that have not already done so to become parties to the Convention and to promote its implementation;

5. Also reaffirms the importance of the Second Protocol to the Convention, adopted at The Hague on 26 March 1999, and invites all States Parties to the Convention to consider becoming parties to the Second Protocol;

6. Welcomes the most recent efforts made by the United Nations Educational, Scientific and Cultural Organization for the protection of the cultural heritage of countries in conflict, including the safe return to those countries of cultural property and other items of archaeological, historical, cultural, rare scientific and religious importance that have been illegally removed, and calls upon the international community to contribute to these efforts;

7. Invites Member States to consider adopting and implementing the Convention on the Means of Preventing and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property;

8. Urges Member States to introduce effective national and international measures to prevent and combat illicit trafficking in cultural property, including special training for police, customs and border services;

9. Reaffirms the importance of the provisions of the Convention on Stolen or Illegally Exported Cultural Objects of the International Institute for the Unification of Private Law, and invites Member States that have not already done so to consider becoming parties to it;

10. Invites Member States, in cooperation with the United Nations Educational, Scientific and Cultural Organization, to continue to draw up systematic inventories of their cultural property, as well as to work towards the creation of a database of the cultural legislation of Member States, in particular in an electronic form;

11. Reaffirms the efforts of the United Nations Educational, Scientific and Cultural Organization to promote the use of identification systems, in particular the application of the Object-ID standard, and to encourage the linking of identification systems and existing databases, including the one developed by the International Criminal Police Organization-Interpol, to allow for the electronic transmission of information in order to reduce illicit trafficking in cultural property, and encourages the United Nations Educational, Scientific and Cultural Organization to make further efforts in this regard in cooperation with Member States, where appropriate;

12. Recognizes the public awareness and increased mobilization and action in favour of heritage values that was achieved in 2002, the United Nations Year for Cultural Heritage, and calls upon the international community and the United Nations to continue to cooperate with the United Nations Educational, Scientific and Cultural Organization on the basis of that work;

13. Welcomes the adoption of the International Code of Ethics for Dealers in Cultural Property by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 16 November 1999, and invites those who deal with trade in cultural property and their associations, where they exist, to encourage the implementation of the Code;

14. Recognizes the importance of the creation, by the General Conference of the United Nations Educational, Scientific and Cultural Organization, of the International Fund for the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation, launched in November 2000, and encourages the United Nations Educational, Scientific and Cultural Organization to promote the Fund and render it operational;

15. Requests the Secretary-General to cooperate with the United Nations Educational, Scientific and Cultural Organization in its efforts to bring about the attainment of the objectives of the present resolution;

16. Also requests the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization, to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

17. Decides to include in the provisional agenda of its sixtieth session the item entitled "Return or restitution of cultural property to the countries of origin".

Prevention of crimes against cultural heritage

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2003/30], adopted resolution 2003/29 without vote [agenda item 14 (c)].

Prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property

The Economic and Social Council, aware of the serious harm done to States and to the objects themselves by the theft and illicit export of objects regarded as part of States' cultural heritage, in particular as a result of the plundering of archaeological sites and of other sites of historical and cultural value,

Recognizing the importance for States of protecting and preserving their cultural heritage in accordance with the Convention on the Means of Preventing and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, adopted by the United Nations Educational, Scientific and Cultural Organization on 16 November 1970, the preamble to which refers, inter alia, to the duty of every State to protect the cultural property existing within its territory against the dangers of theft, clandestine excavation and illicit export, and also the commitment by States and relevant international organizations to combat such practices with all the means at their disposal, in particular with regard to international cooperation on the return of such property,

Wishing to promote mutual cooperation in preventing illegal acts against the historical and cultural legacy of peoples,
Aware of the urgent need to establish standards for the restitution and return of movable property forming part of the cultural heritage of peoples after it has been stolen or illicitly exported, and for its protection and preservation,

Recognizing that one of the main objectives of the United Nations in the field of crime prevention and criminal justice is the promotion and strengthening of international cooperation in the fight against transnational organized crime,


Recalling also the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples, adopted by the Eighth Congress,

Welcoming the organization by the Andean Community of Nations and the Government of France of a regional workshop on theft and illicit trafficking of cultural property, held in Lima from 14 to 16 May 2003,

1. Encourages Member States to consider, where appropriate and in accordance with national law, when concluding relevant agreements with other States, the model treaty for the prevention of crimes that infringe on the cultural heritage of peoples in the form of movable property, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders;

2. Calls upon all Member States to continue to strengthen international cooperation and mutual assistance in the prevention and prosecution of crimes against movable property that forms part of the cultural heritage of peoples;

3. Requests the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its thirteenth session on the implementation of the present resolution.

Crime prevention and criminal justice

Commission on Crime Prevention and Criminal Justice

The Commission on Crime Prevention and Criminal Justice, at its twelfth session (Vienna, 13-22 May) [E/2003/30], recommended to the Economic and Social Council four draft resolutions for adoption by the General Assembly and eight draft resolutions and two draft decisions for adoption by the Council. The draft resolutions related to trafficking in persons, transnational organized crime, preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, the work of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime (UNODC), international cooperation and technical assistance in preventing and combating terrorism, urban crime, kidnapping, crimes against the cultural heritage of peoples, UN standards and norms in crime prevention, and the functioning of the Commission (see specific headings below). A draft text on illicit trafficking in protected species of wild Flora and fauna, adopted by the Council in resolution 2003/27 of 22 July, urged Member States to cooperate with the relevant UN system entities to prevent, combat, and eradicate the trafficking (see p. 1069). A thematic discussion was held on trafficking in human beings, especially women and children. The Commission also considered strategic management and programme questions and the provisional agenda for its 2004 session.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2003/30], adopted resolution 2003/31 without vote [agenda item 11 (c)].

Functioning of the Commission on Crime Prevention and Criminal Justice

The Economic and Social Council,

Mindful of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, annexed to General Assembly resolution 46/152 of 18 December 1991,


Recalling in particular Commission resolution 5/3, in which the Commission requested member States to submit to the Bureau draft proposals, together with the information required in accordance with the annex to Commission resolution 4/3, one month prior to the commencement of the session of the Commission, in order to ensure the smooth and effective functioning of the Commission,

Recognizing the need for the Bureau of the Commission to have adequate time to prepare for sessions of the Commission,

Recalling its resolution 1999/30 of 28 July 1999, in particular paragraph 3 of section I thereof regarding the method of election of the Bureau of the Commission on Narcotic Drugs,

1. Encourages States members of the Commission on Crime Prevention and Criminal Justice to submit their draft proposals to it in accordance with Commission resolution 5/3 and to include in such proposals the information required in accordance with the annex to Commission resolution 4/3, including information on the proposed activity, the timetable and the identification of the United Nations or other body that could carry out the activity, one month prior to the commencement of the session of the Commission;
2. Endorses the request of the Commission to its Bureau to report on its intersessional work annually, including on its experience with regard to the adherence of member States to the procedural requirements for the submission of draft proposals;

3. Decides that the Commission shall examine during the intersessional period, with a view to taking a decision at its thirteenth session, the duration of the session of the Commission on the basis of the experience gained from its twelve sessions held so far and taking into account the requirements of the United Nations Crime Prevention and Criminal Justice Programme, the requirements of the work of the Commission, the judicious use of the resources allocated to the Commission and the experience to be gained from its intersessional meetings;

4. Requests the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime to submit to the Commission at its thirteenth session a report on the status of implementation of the mandates assigned to it by or through the recommendation of the Commission, including information on the requirements of that implementation;

5. Decides that, with effect from 2004, the Commission shall, 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 decides that the Chairman shall, 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.

Also on 22 July, the Council took note of the Commission's report on its twelfth session and approved the provisional agenda and documentation for its thirteenth (2004) session (decision 2003/233).

Preparations for Eleventh Crime Congress


In accordance with Assembly resolution 57/171 (YUN 2002, p. 1109), the Secretary-General, in May [A/58/97-E/2003/82], described preparations for the Congress, including a summary of the views in his report (above), and highlighted the organizational arrangements. The Commission's recommendations regarding substantive issues, such as the provisional agenda of the Congress and guidance on workshops during the Congress, were incorporated into General Assembly resolution 58/138 (below).

On 24 July, the Economic and Social Council took note of the Secretary-General's May report on preparations for the Congress (decision 2003/310), as did the General Assembly on 22 December (decision 58/551). The Council, in resolution 2003/26 of 22 July (see p. 1154), recommended that the issue of urban crime be given due attention in the Congress programme.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2003/30], adopted resolution 2003/23 without vote [agenda item H (6)].

Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

The Economic and Social Council recommends to the General Assembly the adoption of the following draft resolution:

[For text, see General Assembly resolution 58/138 below.]

GENERAL ASSEMBLY ACTION

On 22 December [meeting 77], the General Assembly, on the recommendation of the Third Committee [A/58/899], adopted resolution 58/138 without vote [agenda item 108].

Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly, recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, and its resolution 57/171 of 18 December 2002 on preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, considering that, pursuant to its resolutions 415(V) of 1 December 1990 and 46/152 of 18 December 1991, the Eleventh Congress is to be held in 2005,

Recognizing the significant contributions of the United Nations congresses in promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations and individual experts representing various professions and disciplines,

Recalling that, in its resolution 57/171, it requested the Commission on Crime Prevention and Criminal
Justice, at its twelfth session, to finalize the programme for the Eleventh Congress and to make its final recommendations, through the Economic and Social Council, to the General Assembly.

Recalling also that, in its resolution 51/171, it decided that the main theme of the Eleventh Congress should be “Synergies and responses: strategic alliances in crime prevention and criminal justice”.

Recalling further its resolution 51/170 of 18 December 2002 on the follow-up to the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,

Stressing the importance of undertaking all the preparatory activities for the Eleventh Congress in a timely and concerted manner,

Having considered the report of the Secretary-General,

1. Notes the progress made thus far in the preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice;

2. Decides to hold the Eleventh Congress from 18 to 25 April 2005, with pre-congress consultations to be held on 18 April 2005;

3. Also decides that the high-level segment of the Eleventh Congress shall be held during the last three days of the Congress in order to allow heads of State or Government or government ministers to focus on the main substantive agenda items of the Congress;

4. Approves the following provisional agenda for the Eleventh Congress, finalized by the Commission on Crime Prevention and Criminal Justice:

i. Opening of the Congress;

ii. Organizational matters;

iii. Effective measures to combat transnational organized crime;

iv. International cooperation against terrorism and links between terrorism and other criminal activities in the context of the work of the United Nations Office on Drugs and Crime;

v. Corruption: threats and trends in the twenty-first century;

vi. Economic and financial crimes: challenges to sustainable development.


viii. Adoption of the report of the Congress;

v. Decides that the following issues shall be considered by workshops within the framework of the Eleventh Congress:

(a) Enhancing international law enforcement cooperation, including extradition measures;

(b) Enhancing criminal justice reform, including restorative justice;

(c) Strategies and best practices for crime prevention, in particular in relation to urban crime and youth at risk;

(d) Measures to combat terrorism, with reference to the relevant international conventions and protocols;

(e) Measures to combat economic crime, including money-laundering;

(f) Measures to combat computer-related crime;

6. Reiterates its request to the Secretary-General to prepare, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, a discussion guide for the regional preparatory meetings and the workshops of the Eleventh Congress;

7. Urges the regional preparatory meetings to examine the substantive items on the agenda and the workshop topics of the Eleventh Congress and to make action-oriented recommendations to serve as a basis for the draft recommendations and conclusions for consideration by the Congress and the Commission at its fourteenth session;

8. Emphasizes the importance of the workshops, and invites Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime and to the institutes of the United Nations Crime Prevention and Criminal Justice Programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

9. Requests the Secretary-General to include in the discussion guide requested in paragraph 6 above consideration of technical cooperation ideas, projects and documents related to enhancing bilateral and multilateral efforts in technical assistance activities in crime prevention and criminal justice;

10. Invites donor countries to cooperate with developing countries to ensure their full participation in the workshops;

11. Approves the plan for documentation for the Eleventh Congress, as proposed by the Secretary-General in his report on preparations for the Congress, taking into account the recommendations of the Commission related thereto;

12. Invites Governments and relevant intergovernmental and non-governmental organizations to inform the Eleventh Congress about their activities with a view to the implementation of the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, as guidance for the formulation of legislation, policies and programmes in the field of crime prevention and criminal justice at the national and international levels;

13. Reiterates its request to the Secretary-General to make available the necessary resources for the participation of the least developed countries in the regional preparatory meetings for the Eleventh Congress and at the Congress itself, in accordance with past practice;

14. Encourages Governments to undertake preparations for the Eleventh Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees, with a view to contributing to a focused and productive discussion on the topics and to participating actively in the organization of and follow-up to the workshops;

15. Requests the Secretary-General to provide resources, as required, in accordance with established United Nations budgetary practice and within the overall appropriations of the programme budget for the biennium 2004-2005, in order to ensure a wide and effective programme of public information relating to the preparations for the Eleventh Congress, to the Congress itself and to the follow-up to and implementation of its recommendations;
16. 

Reiterates its invitation to Member States to be represented at the Eleventh Congress at the highest possible level, for example, by heads of State or Government or government ministers and attorneys general, to make statements on the theme and topics of the Congress and to participate in thematic interactive round tables;

17. 

Requests the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Eleventh Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress;

18. 

Again encourages the relevant specialized agencies, United Nations programmes and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the Centre for International Crime Prevention in the preparations for the Eleventh Congress;

19. 

Requests the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Eleventh Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

20. 

Requests the Commission to accord sufficient time at its thirteenth session to reviewing the progress made in the preparations for the Eleventh Congress, to finalize in good time all the necessary organizational and substantive arrangements and to make its recommendations through the Economic and Social Council to the General Assembly;

21. 

Requests the Secretary-General to ensure the proper follow-up to the present resolution and to report thereon to the General Assembly through the Commission on Crime Prevention and Criminal Justice at its thirteenth session.

Crime prevention programme

In response to General Assembly resolution 57/173 [YUN 2002, p. 1122], the Secretary-General, in an August report on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity [A/58/222], reviewed progress in the negotiation of the United Nations Convention against Corruption (see p. 1126) and in promoting the ratification of the United Nations Convention against Transnational Organized Crime, which, together with one of its supplementary Protocols, entered into force in 2003 (see p. 1125). The report also covered the global programmes for countering terrorism, organized crime, trafficking in human beings and corruption, and supporting reconstruction of criminal justice systems, justice reform and crime prevention. Other areas discussed were research, the implementation of standards and norms, the dissemination of information, coordination of activities and the mobilization of resources (see also under relevant headings below).

Overall, the Programme’s technical assistance activities had increased, particularly in criminal justice reform, reconstruction and crime prevention and terrorism prevention. Technical cooperation was provided by the Centre for International Crime Prevention for four global projects: assistance to signatories of the United Nations Convention against Transnational Organized Crime (see p. 1125); establishing a database on flows of trafficking in persons; enhancing judicial integrity; and strengthening the legal regime against terrorism.

Contributions and pledges to the United Nations Crime Prevention and Criminal Justice Fund from January 2002 to June 2003 totalled $9,546,300, of which 95 per cent was earmarked for specific projects. As at 1 January 2003, the authority to manage the Fund, as well as the sub-account for the United Nations Interregional Crime and Justice Research Institute, was delegated to the Executive Director of UNODC.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2003/30], adopted resolution 2003/25 without vote [agenda item 14 (c)].

International cooperation, technical assistance and advisory services in crime prevention and criminal justice

The Economic and Social Council,

Recalling the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and endorsed by the General Assembly in its resolution 55/39 of 4 December 2000,

Recalling also General Assembly resolution 57/173 of 18 December 2002 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Recalling further its resolution 1998/24 of 28 July 1998 on technical cooperation and advisory services in crime prevention and criminal justice, and its resolution 2002/19 of 24 July 2002 on strengthening international cooperation and technical assistance within the framework of the activities of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime in preventing and combating terrorism,

Emphasizing the importance of enhancing international cooperation and coordination among Member States in the field of crime prevention and criminal justice for the achievement of the objectives of the United Nations, including sustainable development, improved quality of life, democracy and human rights,

Noting the increasing number of requests for technical assistance received by the Centre from least de-
veloped countries, developing countries, countries with economies in transition and countries emerging from conflict.

Expressing its appreciation for funding provided by Member States in 2002, which has permitted the Centre to enhance its capacity to conduct an increasing number of technical assistance activities,

1. Takes note with appreciation of the report of the Executive Director of the United Nations Office on Drugs and Crime on the work of the Centre for International Crime Prevention, in particular its technical cooperation activities, and the reports of the Secretary-General on ratification of the United Nations Convention against Transnational Organized Crime and the Protocols thereto and on strengthening international cooperation and technical assistance in preventing and combating terrorism;

2. Commends the Centre for assisting Member States in the improvement of their criminal justice systems by responding to an increasing number of requests for technical assistance in the implementation of projects;

3. Recognizes the expansion of technical assistance activities of the Centre, and encourages international, regional and national funding agencies, as well as international financial institutions, to support the technical cooperation activities and interregional advisory services of the Centre;

4. Urges relevant entities of the United Nations system, including the United Nations Development Programme, the World Bank and the International Monetary Fund, as well as other international and regional organizations, to increase their interaction with the Centre in order to ensure that, as appropriate, activities in the fields of crime prevention and criminal justice, including activities to combat terrorism and corruption, are considered in their country and regional programmes and development frameworks, to ensure the full utilization of the expertise of the Centre in activities related to crime prevention and criminal justice and to promotion of the rule of law and to avoid duplication of effort;

5. Expresses its appreciation to Member States for supporting the technical assistance activities of the Centre by providing financial or in-kind contributions to the United Nations Crime Prevention and Criminal Justice Programme;

6. Expresses the need to have adequate resources available in order to make progress in the further operationalization of the activities of the Centre and in order to implement the projects carried out under its global programmes against trafficking in human beings, terrorism, corruption and organized crime;

7. Urges Member States to make or increase, as appropriate, voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, as well as to make or increase, as appropriate, contributions in direct support of activities and projects of the Centre, including through contributions to institutes of the United Nations Crime Prevention and Criminal Justice Programme network, in order to strengthen further the capacity of the Centre to provide technical assistance;

8. Encourages Member States, in particular, developing countries and countries with economies in transition, that are beneficiaries of technical assistance provided by the Centre and are in a position to do so to contribute to the activities of the Centre through such means as the provision of necessary infrastructure or human resources or by allotting national funds to projects implemented in partnership with the Centre;

9. Encourages developing countries and countries with economies in transition to include in their requests for assistance from the United Nations Development Programme, in particular within its country programme framework, projects and/or elements on crime prevention and criminal justice;

10. Requests the Secretary-General to enhance further the resources available within the existing overall budgetary framework of the United Nations for the operational activities and, in particular, the interregional advisory services of the Centre under section 23, Regular programme of technical cooperation, of the programme budget of the United Nations;

11. Also requests the Secretary-General to make all possible efforts, including appeals to donors in the private sector, mobilization of resources and fundraising, to increase extrabudgetary resources, including general-purpose funds, bearing in mind the need to safeguard the independence and international character of the Centre.

**GENERAL ASSEMBLY ACTION**

On 22 December [meeting 77], the General Assembly, on the recommendation of the Third Committee [A/58/499], adopted resolution 58/140 without vote [agenda item 108].

**Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity**

The General Assembly,

Recalling its resolution 46/132 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, in which it approved the statement of principles and programme of action annexed to that resolution,

Recalling also its resolution 57/173 of 18 December 2002 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Bearing in mind its resolution 58/135 of 22 December 2003 on international cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,

Bearing in mind also its resolution 58/136 of 22 December 2003 on strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime,

Recalling Economic and Social Council resolution 2003/24 of 22 July 2003 on the work of the Centre for International Crime Prevention, including the management of the United Nations Crime Prevention and Criminal Justice Fund,

Recalling also Economic and Social Council resolution 2003/28 of 22 July 2003 on international coopera-
tion in the prevention, combating and elimination of kinds and forms of corruption, including corruption in public office.

Emphasizing the role of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and the rule of law, and promotion of the highest standards of fairness, humanity and professional conduct,

Recognizing that action against global criminal activity is a common and shared responsibility,

Convinced of the desirability of closer coordination and cooperation among States in combating crime, including organized crime, corruption, the smuggling of migrants and trafficking in persons, especially women and children, drug-related crimes, money-laundering, the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and the criminal misuse of information technologies, as well as criminal activities carried out for the purpose of furthering terrorism in all its forms and manifestations, bearing in mind the role that could be played by both the United Nations and regional organizations in this context,

Recognizing existing efforts at the regional level that complement the work of the United Nations Crime Prevention and Criminal Justice Programme in combating the smuggling of migrants and trafficking in persons, especially women and children, and noting in this context the ongoing work of the Bali and Puebla Process,

Recognizing also existing efforts that complement the work of the United Nations Crime Prevention and Criminal Justice Programme in combating corruption, and noting the outcome of the third Global Forum on Fighting Corruption and Safeguarding Integrity, held at Seoul from 28 to 31 May 2003,

Acknowledging the role of United Nations standards and norms in crime prevention and criminal justice and their development, as reflected in Economic and Social Council resolution 2003/30 of 22 July 2003,

Recognizing the urgent need to increase technical cooperation activities to assist countries, in particular developing countries and countries with economies in transition, with their efforts in translating United Nations conventions and other legal instruments and policy guidelines into practice,


Welcoming the adoption of its resolution 58/4 of 31 October 2003 on the United Nations Convention against Corruption,

Recognizing the need to maintain a balance in the technical cooperation capacity of the United Nations Office on Drugs and Crime between all priorities identified by the General Assembly and the Economic and Social Council,

Recalling its relevant resolutions, in which it requested the Secretary-General, as a matter of urgency, to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandate, in conformity with the high priority attached to the Programme,

Bearing in mind the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,

Recalling the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,

Recalling also Economic and Social Council resolution 2003/25 of 22 July 2003 on international cooperation, technical assistance and advisory services in crime prevention and criminal justice,

Aware of the continued increase in requests for technical assistance forwarded to the United Nations Office on Drugs and Crime by least developed countries, developing countries, countries with economies in transition and countries emerging from conflict,

Appreciating the funding provided by certain Member States in 2002 and 2003 that has permitted the United Nations Office on Drugs and Crime to enhance its capacity to execute an increased number of projects in the field of crime prevention and criminal justice,

1. Takes note with appreciation of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 55/179;

2. Affirms the importance of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including to prevent and combat terrorism, in particular in strengthening international cooperation and providing technical assistance, upon request, which complements the work of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism;

3. Reaffirms the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime;

4. Resolves its appreciation of the decision of the Commission on Crime Prevention and Criminal Justice to mainstream a gender perspective into its activities and its request that a gender perspective be integrated into all activities of the United Nations Office on Drugs and Crime;

5. Reaffirms the role of the United Nations Office on Drugs and Crime in providing to Member States, upon request, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the areas of prevention and control of transnational organized...
crime, corruption and terrorism as well as in the area of reconstruction of national criminal justice systems;

6. Recognizes the progress made in the implementation of the global programmes addressing the trafficking in human beings, corruption, organized crime and terrorism, formulated on the basis of close consultations with Member States and review by the Commission on Crime Prevention and Criminal Justice, and calls upon the Secretary-General to enhance further the visibility of those programmes and to strengthen the United Nations Office on Drugs and Crime by providing it with the resources necessary for the full implementation of its mandate in crime prevention and criminal justice;

7. Supports the high priority given to technical cooperation and advisory services in the field of crime prevention and criminal justice, including in the areas of prevention and control of transnational organized crime, corruption and terrorism, and stresses the need to enhance the operational activities of the United Nations Office on Drugs and Crime to assist, in particular, developing countries, countries with economies in transition and countries emerging from conflict;

8. Urges States and relevant international organizations to develop national, regional and international strategies and other necessary measures which complement the work of the United Nations Crime Prevention and Criminal Justice Programme in addressing effectively the significant problems posed by the smuggling of migrants and trafficking in persons and related activities;

9. Invites all States to support the operational activities of the United Nations Crime Prevention and Criminal Justice Programme, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, or through voluntary contributions in direct support of such activities, including for the provision of technical assistance for the implementation of the commitments entered into at the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, including the measures outlined in the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century;

10. Encourages relevant programmes, funds and organizations of the United Nations system, in particular the United Nations Development Programme, international financial institutions, in particular the World Bank, and regional and national funding agencies, to support the technical operational activities of the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice;

11. Urges States and funding agencies to review, as appropriate, their funding policies for development assistance and to include a crime prevention and criminal justice component in such assistance;

12. Welcomes the efforts undertaken by the Commission on Crime Prevention and Criminal Justice to exercise more vigorously its mandated function of resource mobilization, and calls upon the Commission to strengthen further its activities in this direction, in accordance also with Economic and Social Council resolution 2008/31 of 22 July 2003 on the functioning of the Commission;

13. Notes with appreciation the decision to organize a senior-level discussion during the thirteenth session of the Commission on Crime Prevention and Criminal Justice on progress made with regard to the criminal justice aspects of terrorism and international conventions and protocols related to terrorism;

14. Expresses its appreciation to non-governmental organizations and other relevant sectors of civil society for their support to the United Nations Crime Prevention and Criminal Justice Programme;

15. Invites relevant entities of the United Nations system, including the United Nations Development Programme and the World Bank, and other international funding agencies to increase their interaction with the United Nations Office on Drugs and Crime in order to benefit from synergies and avoid duplication of effort, and to ensure that, as appropriate, activities on crime prevention and criminal justice, including activities related to the prevention of corruption, are considered in their sustainable development agenda and that the expertise of the Office in activities related to crime prevention and criminal justice, including activities related to the prevention of corruption and the promotion of the rule of law, is fully utilized;

16. Requests the Secretary-General to take all necessary measures to provide adequate support to the Commission on Crime Prevention and Criminal Justice, as the principal policy-making body in this field, in performing its activities, including cooperation and coordination with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other relevant bodies;


18. Emphasizes the importance of the expeditious entry into force of the remaining Protocols to the Convention;

19. Urges all States and regional economic organizations that have not yet done so to ratify or accede to the Convention as soon as possible, so as to participate in the conference of the States parties at its inaugural session, to be held at Vienna from 28 June to 9 July 2004;

20. Welcomes the voluntary contributions already made, and encourages States to make adequate and regular voluntary contributions for the implementation of the Convention and the Protocols thereto, through the United Nations funding mechanism specifically designed for that purpose in the Convention or in direct support of implementation activities and initiatives;

21. Also welcomes the successful outcome of the negotiations on the United Nations Convention against Corruption and the participation of States and competent regional economic integration organizations in the High-level Political Conference for the Purpose of Signing the Convention, held at Mérida, Mexico, from 9 to 11 December 2003, and urges them to take all nec-
essary measures to ratify the Convention as soon as possible.

22. Requests the Secretary-General to take all necessary measures and provide adequate support to the United Nations Office on Drugs and Crime so as to enable it to promote the speedy entry into force of the United Nations Convention against Corruption;

23. Encourages States to make adequate and regular voluntary contributions for the entry into force of the United Nations Convention against Corruption, through the United Nations funding mechanism specifically designed for that purpose in the Convention or in direct support of implementation activities and initiatives;

24. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its fifty-ninth session.

Work of the Centre for International Crime Prevention

The Executive Director of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime reported in March [E/CN.15/2003/2] on the Centre’s activities in 2002. One of the Centre’s core activities was the promotion of the ratification process of the United Nations Convention against Transnational Organized Crime and its Protocols (see p. 1125) and the provision of assistance to States seeking to ratify them. A Global Programme against Terrorism was launched in 2002 to respond to requests for counter-terrorism assistance by the Security Council’s Counter-Terrorism Committee (see p. 63) or directly from requesting States. Thirteen Member States responded to the Secretary-General’s request for information on steps taken to implement the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-First Century, annexed to General Assembly resolution 56/261 [YUN 2002, p. 1099]; a number of them indicated that they were being guided by the plans of action. The Centre published statistical information on crime and criminal justice for the period 1998-2000 received from over 80 Member States and expanded its dissemination of information by electronic means. Work focused on initiating the Centre’s global trends study, which examined the links between institutional arrangements and organized crime and public sector corruption. The report presented statistical data on the Centre’s technical cooperation activities and described coordination with the United Nations Crime Prevention and Criminal Justice Programme network.

A March report of the Secretary-General [E/CN.15/2003/4] summarized the activities of the institutions comprising the United Nations Crime Prevention and Criminal Justice Programme network—the United Nations Inter-regional Crime and Justice Research Institute (UNICRI), 11 regional and affiliated institutes and the International Scientific and Professional Advisory Council—based on their contributions submitted pursuant to General Assembly resolution 58/170 [YUN 2002, p. 1108]. UNICRI activities focused on juvenile justice; criminal justice reform; trafficking in persons; terrorism; and the production of crime surveys. The regional and affiliated institutes emphasized similar activities, in addition to those relating to prison conditions, extradition and legal assistance, trafficking in illicit firearms and ammunition, restorative justice, violence, property crime and drugs, transnational organized crime, extradition and terrorism, and high-technology and computer-related crime.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2003/30], adopted resolution 2003/24 without vote [agenda item 14 (c)].

Work of the Centre for International Crime Prevention, including the management of the United Nations Crime Prevention and Criminal Justice Fund

The Economic and Social Council,

Recalling General Assembly resolution 46/152 of 18 December 1991, in which the Assembly approved the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme,

Recalling also General Assembly resolutions 56/125 of 19 December 2001 and 57/175 of 18 December 2002 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Welcoming the increase in voluntary contributions made by donors to the United Nations Crime Prevention and Criminal Justice Fund, which enables the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime to execute a larger number of technical assistance projects,

Welcoming also other contributions made by donors in direct support of activities and projects of the Centre, including through contributions made to institutes of the United Nations Crime Prevention and Criminal Justice Programme network,

Recognizing the importance of transparency and close communication between the Centre and Member States in order to raise the confidence of Member States in the work of the Centre,

1. Takes note with appreciation of the report of the Executive Director of the United Nations Office on Drugs and Crime on the work of the Centre for International Crime Prevention;

2. Invites Member States to make appropriate voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund in order to strengthen the capacity of the Centre to provide technical assistance to requesting States;
3. Encourages Member States to continue to make contributions in direct support of activities and projects of the Centre, including through contributions to institutes of the United Nations Crime Prevention and Criminal Justice Programme network;

4. Welcomes the efforts being made by the United Nations Office on Drugs and Crime to ensure transparency in its work, as well as to maintain a continuous dialogue with Member States, including through appropriate informative documentation, with a view to enhancing its accountability to Member States, and to improve the synergy between the activities of the Centre and those of the United Nations International Drug Control Programme;

5. Encourages the Centre to provide Member States with more information on a regular basis on funding requirements for projects in order to increase voluntary contributions;

6. Encourages the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary financial resources, to extend the Programme and Financial Information Management System to the activities funded by the United Nations Crime Prevention and Criminal Justice Fund, so that Member States are provided with up-to-date online financial information on those activities;

7. Stresses the importance of monitoring and evaluation of projects financed by the Fund, and welcomes in that respect the recent decision to establish an independent evaluation function in the United Nations Office on Drugs and Crime;

8. Welcomes the recent delegation of authority from the Secretary-General to the Director-General of the United Nations Office at Vienna for the management of the Fund, which should increase the efficiency of the Centre in managing its financial resources and enhance its reporting to the Commission on Crime Prevention and Criminal Justice on the financial status of the Fund;

9. Encourages the Executive Director of the United Nations Office on Drugs and Crime to use the experience of the Fund-Raising Unit of the United Nations International Drug Control Programme in areas such as broadening the donor base, cost-sharing, private sector funding and other innovative means to increase the resources of the Centre;

10. Requests the Executive Director of the United Nations Office on Drugs and Crime to include in his annual report to the Commission information on the financial status of the Fund and the results of the evaluation of projects financed by the Fund;

11. Also requests the Executive Director of the United Nations Office on Drugs and Crime to provide Member States with relevant information on the Fund when required.

UN African crime prevention institute


UNAFRI, as part of the main focus of its activities, held a series of national workshops with a view to sharing valuable experience and disseminating information regarding the prevalence of transnational criminality and the need for concerted action at the regional and subregional levels. It informed countries about relevant UN conventions as an effective means of combating crime. Other activities related to a draft convention on mutual legal assistance and extradition to control transnational organized crime, combating trafficking in firearms and ammunition in Africa, a UN survey on kidnapping, means to combat terrorism, workshops on crime prevention strategies and preventing trafficking in women and children.

The Institute’s total resources for 2002-2003 amounted to $952,691, which came from member states, assessed contributions, a UN grant, and rent and interest income.

Proposals to strengthen the Institute included increasing cooperation and partnership with UNODC; calling on potential donors and relevant international funding agencies for contributions for the effective implementation of the UNAFRI work programme; and urging members to meet their financial obligations to the Institute.

GENERAL ASSEMBLY ACTION

On 22 December [meeting 77], the General Assembly, on the recommendation of the Third Committee [A/58/499], adopted resolution 58/139 without vote [agenda item 108].


The General Assembly,

Recalling its resolution 57/172 of 18 December 2002 and all other relevant resolutions,

Taking note of the report of the Secretary-General,

Bearing in mind the urgent need to establish effective crime prevention strategies for Africa, as well as the importance of law enforcement agencies and the judiciary at the regional and subregional levels,

Noting that the financial situation of the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders has greatly affected its capacity to deliver its services to African Member States in an effective and comprehensive manner,


2. Commends the Secretary-General for his efforts to mobilize the financial resources necessary to provide the Institute with the core professional staff required...
to enable it to function effectively in the fulfilment of its mandated obligations;

3. **Reiterates** the need to strengthen further the capacity of the Institute to support national mechanisms for crime prevention and criminal justice in African countries;

4. **Urges** the States members of the Institute to make every possible effort to meet their obligations to the Institute;

5. **Calls upon** all Member States and non-governmental organizations to adopt concrete practical measures to support the Institute in the development of the requisite capacity and to implement its programmes and activities aimed at strengthening crime prevention and criminal justice systems in Africa;

6. **Requests** the Secretary-General to intensify efforts to mobilize all relevant entities of the United Nations system to provide the necessary financial and technical support to the Institute to enable it to fulfill its mandate;

7. **Also requests** the Secretary-General to continue his efforts to mobilize the financial resources necessary to maintain the Institute with the core professional staff required to enable it to function effectively in the fulfilment of its mandated obligations;

8. **Calls upon** the United Nations Crime Prevention and Criminal Justice Programme and the United Nations International Drug Control Programme to work closely with the Institute;

9. **Requests** the Secretary-General to enhance the promotion of regional cooperation, coordination and collaboration in the fight against crime, especially in its transnational dimension, which cannot be dealt with adequately by national action alone;

10. **Also requests** the Secretary-General to make concrete proposals, including the provision of additional core professional staff, to strengthen the programmes and activities of the Institute and to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

### Transnational crime

In 2003, the United Nations continued its efforts to counter transnational organized crime by promoting the signature and ratification of the United Nations Convention against Transnational Organized Crime and its supplementary protocols. In September, the Convention entered into force, as did its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children—entered into force (on 29 September and 25 December, respectively), while the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition had yet to fulfill the criteria to do so. The Convention and Protocols thereto on trafficking and migrants were adopted by the General Assembly in resolution 55/25 [YUN 2000, p. 1048] and the Protocol on firearms in resolution 55/255 [YUN 2000, p. 1056]. The first meeting of the Conference of the Parties to the Convention and its Protocols was scheduled for 2004.

As at 31 December, there were 59 parties and 147 signatories to the Convention, 45 parties and 117 signatories to the Protocol on trafficking, 40 parties and 112 signatories to the Protocol on migrants, and 12 parties and 52 signatories to the Protocol on firearms.

In a March report [E/CN.15/2003/5], updated by a July report [A/58/165] prepared by the UNODC Centre for International Crime Prevention, the Secretary-General described efforts to promote the signature and ratification of the Convention and Protocols thereto. On 22 December, the Assembly took note of the July report (**decision 58/531**).

**Communication.** Egypt, on 14 October [A/C.3/58/4], transmitted the Cairo Declaration issued by the Regional Ministerial Conference of French-speaking Countries of Africa for the promotion of ratification of the UN Convention against Transnational Organization Crime and the Protocols thereto (Cairo, 2-4 September) and the report of the Conference. The ministers recommended that the French-speaking countries of Africa that were not party to the Convention and its Protocols accede to them as soon as possible.

### Economic and Social Council action

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2003/30], adopted **resolution 2003/21** without vote [agenda item H (c)].

**International cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto**

The Economic and Social Council

**Recommends** to the General Assembly the adoption of the following draft resolution:

[For text, see General Assembly resolution 58/135 below.]
GENERAL ASSEMBLY ACTION

On 22 December [meeting 77], the General Assembly, on the recommendation of the Third Committee [A/58/499], adopted resolution 58/135 without vote [agenda item 108].

International cooperation in the fight against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

The General Assembly,


Recalling also its resolution 55/255 of 31 May 2001, by which it adopted the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime,

Recalling further its resolution 56/120 of 19 December 2001 on action against transnational organized crime: assistance to States in capacity-building with a view to facilitating the implementation of the Convention and the Protocols thereto,

Reaffirming its deep concern at the impact of transnational organized crime on the political, social and economic stability and development of societies,

Reaffirming that the adoption of the Convention and the Protocols thereto is a significant development in the operation against transnational organized crime,

Requests the Secretary-General to report on the implementation of the Convention against Transnational Organized Crime and the Protocols thereto;

2. Welcomes the entry into force of the United Nations Convention against Transnational Organized Crime, and notes the number of signatures and ratifications of the three Protocols to the Convention, which is likely to lead to the expected entry into force at an early date of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime;

3. Commends the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime for its work in promoting the ratification of the Convention and the Protocols thereto, including, in particular, the preparation of legislative guides designed to facilitate the ratification and subsequent implementation of those instruments, and invites the Centre to finalize the legislative guides and to disseminate them as widely as possible;

4. Welcomes the organization by the Secretary-General, in cooperation with the Centre and the Office of Legal Affairs of the Secretariat, of the treaty event “Focus 2005: treaties against transnational organized crime and terrorism”, held at United Nations Headquarters from 23 to 26 September 2003, in accordance with General Assembly resolution 57/173 of 18 December 2002, welcomes the participation of Member States in that event, and urges Member States that have not yet done so to deposit their instruments of ratification or approval of or accession to the Convention and the Protocols thereto, in order to ensure the widest possible participation in those instruments and thus to maximize their effectiveness;

5. Also welcomes the financial support provided by several donors to promote the entry into force and implementation of the Convention and the Protocols thereto, and encourages Member States to make sufficient voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund, as well as contributions in direct support of activities and projects of the Centre, including through contributions to the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, for the provision of technical assistance to developing countries and countries with economies in transition for the implementation of those international legal instruments;

6. Requests the Centre, in its capacity as secretariat of the Conference of the Parties to the Convention, to undertake all activities necessary to ensure the efficient preparation of the inaugural session of the Conference of the Parties, in 2004;

7. Also requests the Centre, within existing regular or extrabudgetary resources, in preparing to provide services to the Conference of the Parties, as mandated, to undertake a study on the functioning of existing mechanisms, including bilateral, regional and multilateral agreements or arrangements;

8. Requests the Secretary-General to continue to provide the Centre with the resources necessary to enable it to promote, in an effective manner, the implementation of the Convention and the Protocols thereto and to discharge its functions as the secretariat of the Conference of the Parties in accordance with its mandate;

9. Also requests the Secretary-General to report on the implementation of the present resolution in his report on the work of the Centre to be submitted to the General Assembly at its fifty-ninth session.

Corruption

Convention against Corruption

In 2005, negotiations were concluded on the United Nations Convention against Corruption by the Ad Hoc Committee for the Negotiation of a Convention against Corruption. The Ad Hoc Committee, which held its first three sessions in

In March [E/CN.15/2003/6], the Secretary-General described the outcomes of the Ad Hoc Committee’s first four sessions and urged the Commission on Crime Prevention and Criminal Justice to provide its views on the Committee’s progress achieved thus far and to explore ways to support the Committee’s work.

**GENERAL ASSEMBLY ACTION**

On 31 October [meeting 54], the General Assembly, on the recommendation of Ad Hoc Committee for the Negotiation of a Convention against Corruption [A/58/422], adopted resolution 58/4 without vote [agenda item 108].

**United Nations Convention against Corruption**

The General Assembly,

Recalling its resolution 55/61 of 4 December 2000, in which it established an ad hoc committee for the negotiation of an effective international legal instrument against corruption and requested the Secretary-General to convene an intergovernmental open-ended expert group to examine and prepare draft terms of reference for the negotiation of such an instrument, and its resolution 55/188 of 20 December 2000, in which it invited the intergovernmental open-ended expert group to be convened pursuant to resolution 55/61 to examine the question of illegally transferred funds and the return of such funds to the countries of origin,

Recalling also its resolutions 56/186 of 21 December 2001 and 57/244 of 20 December 2002 on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin,

Recalling further its resolution 56/260 of 31 January 2002, in which it requested the Ad Hoc Committee for the Negotiation of a Convention against Corruption to complete its work by the end of 2003,

Recalling its resolution 57/169 of 18 December 2002, in which it accepted with appreciation the offer made by the Government of Mexico to host a high-level political conference for the purpose of signing the convention and requested the Secretary-General to schedule the conference for a period of three days before the end of 2003,

Recalling also Economic and Social Council resolution 2001/13 of 24 July 2001, entitled “Strengthening international cooperation in preventing and combatting the transfer of funds of illicit origin, derived from acts of corruption, including the laundering of funds, and in returning such funds”.

Expressing its appreciation to the Government of Argentina for hosting the informal preparatory meeting of the Ad Hoc Committee for the Negotiation of a Convention against Corruption in Buenos Aires from 4 to 7 December 2001,

Recalling the Monterrey Consensus, adopted by the International Conference on Financing for Development, held in Monterrey, Mexico, from 18 to 22 March 2002, in which it was underlined that fighting corruption at all levels was a priority,

Recalling also the Johannesburg Declaration on Sustainable Development, adopted by the World Summit on Sustainable Development, held in Johannesburg, South Africa, from 26 August to 4 September 2002, in particular paragraph 19 thereof, in which corruption was declared a threat to the sustainable development of people,

Concerned about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law,

1. Takes note of the report of the Ad Hoc Committee for the Negotiation of a Convention against Corruption, which carried out its work at the headquarters of the United Nations Office on Drugs and Crime in Vienna, in which the Ad Hoc Committee submitted the final text of the draft United Nations Convention against Corruption to the General Assembly for its consideration and action, and commends the Ad Hoc Committee for its work;

2. Adopts the United Nations Convention against Corruption annexed to the present resolution, and opens it for signature at the High-level Political Signing Conference to be held in Merida, Mexico, from 9 to 11 December 2003, in accordance with resolution 57/169;

3. Urges all States and competent regional economic integration organizations to sign and ratify the United Nations Convention against Corruption as soon as possible in order to ensure its rapid entry into force;

4. Decides that, until the Conference of the States Parties to the Convention establishes pursuant to the United Nations Convention against Corruption, and encourages Member States to begin making adequate voluntary contributions to the above-mentioned Account for the provision to developing countries and countries with economies in transition of the technical assistance that they might require to prepare for ratification and implementation of the Convention;

5. Also decides that the Ad Hoc Committee for the Negotiation of a Convention against Corruption will complete its tasks arising from the negotiation of the United Nations Convention against Corruption by holding a meeting well before the convening of the first session of the Conference of the States Parties to the Convention in order to prepare the draft text of the rules of procedure of the Conference of the States Parties and of other rules described in article 63 of the Convention, which will be submitted to the Conference
of the States Parties at its first session for consideration.

6. Requests the Conference of the States Parties to the Convention to address the criminalization of bribery of officials of public international organizations, including the United Nations, and related issues, taking into account questions of privileges and immunities, as well as of jurisdiction and the role of international organizations, by, inter alia, making recommendations regarding appropriate action in that regard;

7. Decides that, in order to raise awareness of corruption and of the role of the Convention in combating and preventing it, 9 December should be designated International Anti-Corruption Day;

8. Requests the Secretary-General to designate the United Nations Office on Drugs and Crime to serve as the secretariat for and under the direction of the Conference of the States Parties to the Convention;

9. Also requests the Secretary-General to provide the United Nations Office on Drugs and Crime with the resources necessary to enable it to promote in an effective manner the rapid entry into force of the United Nations Convention against Corruption and to discharge the functions of secretariat of the Conference of the States Parties to the Convention, and to support the Ad Hoc Committee in its work pursuant to paragraph 5 above;

10. Further requests the Secretary-General to prepare a comprehensive report on the High-level Political Signing Conference to be held in Merida, Mexico, in accordance with resolution 57/169, for submission to the General Assembly at its fifty-ninth session.

Annex

United Nations Convention against Corruption

Preamble

The States Parties to this Convention,

Concerned about the seriousness of problems and threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice and jeopardizing sustainable development and the rule of law,

Concerned also about the links between corruption and other forms of crime, in particular organized crime and economic crime, including money-laundering,

Concerned further about cases of corruption that involve vast quantities of assets, which may constitute a substantial proportion of the resources of States, and that threaten the political stability and sustainable development of those States,

Concerned that corruption is no longer a local matter but a transnational phenomenon that affects all societies and economies, making international cooperation to prevent and control corruption essential,

Concerned also that a comprehensive and multi-disciplinary approach is required to prevent and combat corruption effectively,

Concerned further that the availability of technical assistance can play an important role in enhancing the ability of States, including by strengthening capacity and by institution-building, to prevent and combat corruption effectively,

Concerned that the illicit acquisition of personal wealth can be particularly damaging to democratic institutions, national economies and the rule of law,

Determined to prevent, detect and deter in a more effective manner international transfers of illicitly acquired assets and to strengthen international cooperation in asset recovery,

Acknowledging the fundamental principles of due process of law in criminal proceedings and in civil or administrative proceedings to adjudicate property rights,

 Bearing in mind that the prevention and eradication of corruption is a responsibility of all States and that they must cooperate with one another, with the support and involvement of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, if their efforts in this area are to be effective,

 Bearing also in mind the principles of proper management of public affairs and public property, fairness, responsibility and equality before the law and the need to safeguard integrity and to foster a culture of rejection of corruption,

Commending the work of the Commission on Crime Prevention and Criminal Justice and the United Nations Office on Drugs and Crime in preventing and combating corruption,

Recalling the work carried out by other international and regional organizations in this field, including the activities of the African Union, the Council of Europe, the Customs Cooperation Council (also known as the World Customs Organization), the European Union, the League of Arab States, the Organisation for Economic Cooperation and Development and the Organization of American States,


Welcoming the entry into force on 29 September 2003 of the United Nations Convention against Transnational Organized Crime,

Have agreed as follows:

Chapter I

General provisions

Article 1

Statement of purpose

The purposes of this Convention are:

(a) To promote and strengthen measures to prevent and combat corruption more efficiently and effectively;
(b) To promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery;
(c) To promote integrity, accountability and proper management of public affairs and public property.

Article 2
Use of terms
For the purposes of this Convention:
(a) "Public official" shall mean: (i) any person holding a legislative, executive, administrative or judicial office of a State Party, whether appointed or elected, whether permanent or temporary, whether paid or unpaid, irrespective of that person's seniority; (ii) any other person who performs a public function, including for a public agency or public enterprise, or provides a public service, as defined in the domestic law of the State Party and as applied in the pertinent area of law of that State Party; (iii) any other person defined as a "public official" in the domestic law of a State Party. However, for the purpose of some specific measures contained in chapter II of this Convention, "public official" may mean any person who performs a public function or provides a public service as defined in the pertinent area of law of that State Party;
(b) "Foreign public official" shall mean any person holding a legislative, executive, administrative or judicial office of a foreign country, whether appointed or elected; and any person exercising a public function for a foreign country, including for a public agency or public enterprise;
(c) "Official of a public international organization" shall mean an international civil servant or any person who is authorized by such an organization to act on behalf of that organization;
(d) "Property" shall mean assets of every kind, whether corporeal or incorporeal, movable or immovable, tangible or intangible, and legal documents or instruments evidencing title to or interest in such assets;
(e) "Proceeds of crime" shall mean any property derived from or obtained, directly or indirectly, through the commission of an offence;
(f) "Freezing" or "seizure" shall mean temporarily prohibiting the transfer, conversion, disposition or movement of property or temporarily assuming custody or control of property on the basis of an order issued by a court or other competent authority;
(g) "Confiscation", which includes forfeiture where applicable, shall mean the permanent deprivation of property by order of a court or other competent authority;
(h) "Predicate offence" shall mean any offence as a result of which proceeds have been generated that may become the subject of an offence as defined in article 23 of this Convention;
(i) "Controlled delivery" shall mean the technique of allowing illicit or suspect consignments to pass out of, through or into the territory of one or more States, with the knowledge and under the supervision of their competent authorities, with a view to the investigation of an offence and the identification of persons involved in the commission of the offence.

Article 3
Scope of application
1. This Convention shall apply, in accordance with its terms, to the prevention, investigation and prosecution of corruption and to the freezing, seizure, confiscation and return of the proceeds of offences established in accordance with this Convention.
2. For the purposes of implementing this Convention, it shall not be necessary, except as otherwise stated herein, for the offences set forth in it to result in damage or harm to state property.

Article 4
Protection of sovereignty
1. States Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States.
2. Nothing in this Convention shall entitle a State Party to undertake in the territory of another State the exercise of jurisdiction and performance of functions that are reserved exclusively for the authorities of that other State by its domestic law.

Chapter II
Preventive measures

Article 5
Preventive anti-corruption policies and practices
1. Each State Party shall, in accordance with the fundamental principles of its legal system, develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.
2. Each State Party shall endeavour to establish and promote effective practices aimed at the prevention of corruption.
3. Each State Party shall endeavour to periodically evaluate relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption.
4. States Parties shall, as appropriate and in accordance with the fundamental principles of their legal system, collaborate with each other and with relevant international and regional organizations in promoting and developing the measures referred to in this article. That collaboration may include participation in international programmes and projects aimed at the prevention of corruption.

Article 6
Preventive anti-corruption body or bodies
1. Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies, as appropriate, that prevent corruption by such means as:
(a) Implementing the policies referred to in article 5 of this Convention and, where appropriate, overseeing and coordinating the implementation of those policies;
(b) Increasing and disseminating knowledge about the prevention of corruption.
2. Each State Party shall grant the body or bodies referred to in paragraph 1 of this article the necessary independence, in accordance with the fundamental principles of its domestic law.
principles of its legal system, to enable the body or bodies to carry out its or their functions effectively and free from any undue influence. The necessary material resources and specialized staff, as well as the training that such staff may require to carry out their functions, should be provided.

3. Each State Party shall inform the Secretary-General of the United Nations of the name and address of the authority or authorities that may assist other States Parties in developing and implementing specific measures for the prevention of corruption.

Article 7
Public sector

1. Each State Party shall, where appropriate and in accordance with the fundamental principles of its legal system, endeavour to adopt, maintain and strengthen systems for the recruitment, hiring, retention, promotion and retirement of civil servants and, where appropriate, other non-elected public officials:
(a) That are based on principles of efficiency, transparency and objective criteria such as merit, equity and aptitude;
(b) That include adequate procedures for the selection and training of individuals for public positions considered especially vulnerable to corruption and the rotation, where appropriate, of such individuals to other positions;
(c) That promote adequate remuneration and equitable pay scales, taking into account the level of economic development of the State Party;
(d) That promote education and training programmes to enable them to meet the requirements for the correct, honourable and proper performance of public functions and that provide them with specialized and appropriate training to enhance their awareness of the risks of corruption inherent in the performance of their functions. Such programmes may make reference to codes or standards of conduct in applicable areas.

2. Each State Party shall also consider adopting appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to prescribe criteria concerning candidacy for and election to public office.

3. Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to prescribe criteria concerning candidacy for and election to public office.

4. Each State Party shall also consider adoption of appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to establish measures and systems requiring public officials to make declarations to appropriate authorities regarding, inter alia, their outside activities, employment, investments, assets and substantial gifts or benefits from which a conflict of interest may result with respect to their functions as public officials.

5. Each State Party shall also, in accordance with the fundamental principles of its domestic law, to establish measures and systems requiring public officials to make declarations to appropriate authorities, when such acts come to their notice in the performance of their functions.

6. Each State Party shall consider taking, in accordance with the fundamental principles of its domestic law, disciplinary or other measures against public officials who violate the codes or standards established in accordance with this article.

Article 9
Public procurement and management of public finances

1. Each State Party shall, in accordance with the fundamental principles of its legal system, take the necessary steps to establish appropriate systems of procurement, based on transparency, competition and objective criteria in decision-making, that are effective, inter alia, in preventing corruption. Such systems, which may take into account appropriate threshold values in their application, shall address, inter alia:
(a) The public distribution of information relating to procurement procedures and contracts, including information on invitations to tender and relevant or pertinent information on the award of contracts, allowing potential tenderers sufficient time to prepare and submit their tenders;
(b) The establishment, in advance, of conditions for participation, including selection and award criteria and tendering rules, and their publication;
(c) The use of objective and predetermined criteria for procurement decisions, in order to facilitate the subsequent verification of the correct application of the rules or procedures;
(d) An effective system of domestic review, including an effective system of appeal, to ensure legal recourse and remedies in the event that the rules or procedures established pursuant to this paragraph are not followed;
(e) Where appropriate, measures to regulate matters regarding personnel responsible for procurement, such as declaration of interest in particular public procurements, screening procedures and training requirements.

2. Each State Party shall, in accordance with the fundamental principles of its legal system, take appro-
priate measures to promote transparency and account-
ability in the management of public finances. Such
measures shall encompass, inter alia:
(a) Procedures for the adoption of the national budget;
(b) Timely reporting on revenue and expenditure;
(c) A system of accounting and auditing standards and
related oversight;
(d) Effective and efficient systems of risk manage-
ment and internal control; and
(e) Where appropriate, corrective action in the case of
failure to comply with the requirements established
in this paragraph.
3. Each State Party shall take such civil and admin-
istrative measures as may be necessary, in accordance
with the fundamental principles of its domestic law, to
preserve the integrity of accounting books, records, fi-
nancial statements or other documents related to pub-
lic expenditure and revenue and to prevent the falsifi-
cation of such documents.

Article 10
Public reporting
Taking into account the need to combat corruption,
each State Party shall, in accordance with the funda-
mental principles of its domestic law, take such meas-
ures as may be necessary to enhance transparency in
private sector and, where appropriate, provide effec-
tive, proportionate and dissuasive civil, administrative
or criminal penalties for failure to comply with such
measures.
2. Measures to achieve these ends may include,
inter alia:
(a) Promoting cooperation between law enforce-
ment agencies and relevant private entities;
(b) Promoting the development of standards and
procedures designed to safeguard the integrity of rele-
vant private entities, including codes of conduct for the
correct, honourable and proper performance of the
activities of business and all relevant professions and
the prevention of conflicts of interest, and for the pro-
motion of the use of good commercial practices among
businesses and in the contractual relations of busi-
nesses with the State;
(c) Promoting transparency among private entities,
including, where appropriate, measures regarding the
identity of legal and natural persons involved in the es-
tablissement and management of corporate entities;
(d) Preventing the misuse of procedures regulating
private entities, including procedures regarding subsi-
dies and licences granted by public authorities for
commercial activities;
(e) Preventing conflicts of interest by imposing re-
strictions, as appropriate and for a reasonable period
of time, on the professional activities of former public
officials or on the employment of public officials by
the private sector after their resignation or retirement,
where such activities or employment relate directly to
the functions held or supervised by those public offi-
cials during their tenure;
(f) Ensuring that private enterprises, taking into ac-
count their structure and size, have sufficient internal
auditing controls to assist in preventing and detecting
acts of corruption and that the accounts and required
financial statements of such private enterprises are
subject to appropriate auditing and certification proce-
dures.
3. In order to prevent corruption, each State Party
shall take such measures as may be necessary, in ac-
cordance with its domestic laws and regulations re-
garding the maintenance of books and records, finan-
cial statement disclosures and accounting and auditing
standards, to prohibit the following acts carried out for
the purpose of committing any of the offences estab-
lished in accordance with this Convention:
(a) The establishment of off-the-books accounts;
(b) The making of off-the-books or inadequately
identified transactions;
(c) The recording of non-existent expenditure;
(d) The entry of liabilities with incorrect identifica-
tion of their objects;
(e) The use of false documents; and
(f) The intentional destruction of bookkeeping doc-
uments earlier than foreseen by the law.
4. Each State Party shall disallow the tax deduct-
bility of expenses that constitute bribes, the latter be-
ing one of the constituent elements of the offences es-
established in accordance with articles 15 and 16 of this
Convention and, where appropriate, other expenses
incurred in furtherance of corrupt conduct.
Article 13
Participation of society

1. Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as:

(a) Enhancing the transparency of and promoting the contribution of the public to decision-making processes;

(b) Ensuring that the public has effective access to information;

(c) Undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula;

(d) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption. That freedom may be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary:

(i) For respect of the rights or reputations of others;

(ii) For the protection of national security or ordre public or of public health or morals.

2. Each State Party shall take appropriate measures to ensure that the relevant anti-corruption bodies referred to in this Convention are known to the public and shall provide access to such bodies, where appropriate, for the reporting, including anonymously, of any incidents that may be considered to constitute an offence established in accordance with this Convention.

Article 14
Measures to prevent money-laundering

1. Each State Party shall:

(a) Institute a comprehensive domestic regulatory and supervisory regime for banks and non-bank financial institutions, including natural or legal persons that provide formal or informal services for the transmission of money or value and, where appropriate, other bodies particularly susceptible to money-laundering, within its competence, in order to deter and detect all forms of money-laundering, which regime shall emphasize requirements for customer and, where appropriate, beneficial owner identification, record-keeping and the reporting of suspicious transactions;

(b) Without prejudice to article 46 of this Convention, ensure that administrative, regulatory, law enforcement and other authorities dedicated to combating money-laundering (including, where appropriate under domestic law, judicial authorities) have the ability to cooperate and exchange information at the national and international levels within the conditions prescribed by its domestic law and, to that end, shall consider the establishment of a financial intelligence unit to serve as a national centre for the collection, analysis and dissemination of information regarding potential money-laundering.

2. States Parties shall consider implementing feasible measures to detect and monitor the movement of cash and appropriate negotiable instruments across their borders, subject to safeguards to ensure proper use of information and without impeding in any way the movement of legitimate capital. Such measures may include a requirement that individuals and businesses report the cross-border transfer of substantial quantities of cash and appropriate negotiable instruments.

3. States Parties shall consider implementing appropriate and feasible measures to require financial institutions, including money remitters:

(a) To include on forms for the electronic transfer of funds and related messages accurate and meaningful information on the originator;

(b) To maintain such information throughout the payment chain; and

(c) To apply enhanced scrutiny to transfers of funds that do not contain complete information on the originator.

4. In establishing a domestic regulatory and supervisory regime under the terms of this article, and without prejudice to any other article of this Convention, States Parties are called upon to use as a guideline the relevant initiatives of regional, interregional and multilateral organizations against money-laundering.

5. States Parties shall endeavour to develop and promote global, regional, subregional and bilateral cooperation among judicial, law enforcement and financial regulatory authorities in order to combat money-laundering.

Chapter III
Criminalization and law enforcement

Article 15
Bribery of national public officials

Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(a) The promise, offering or giving, to a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties;

(b) The solicitation or acceptance by a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.

Article 16
Bribery of foreign public officials and officials of public international organizations

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, the promise, offering or giving to a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties, in order to obtain or retain business or other undue advantage in relation to the conduct of international business.
2. Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, the solicitation or acceptance by a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.

Article 17
Embezzlement, misappropriation or other diversion of property by a public official

Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally, the embezzlement, misappropriation or other diversion by a public official for his or her benefit or for the benefit of another person or entity, of any property, public or private funds or securities or any other thing of value entrusted to the public official by virtue of his or her position.

Article 18
Trading in influence

Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(a) The promise, offering or giving to a public official or any other person, directly or indirectly, of an undue advantage in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the State Party an undue advantage for the original instigator of the act or for any other person;

(b) The solicitation or acceptance by a public official or any other person, directly or indirectly, of an undue advantage for himself or herself or for another person in order that the public official or the person abuse his or her real or supposed influence with a view to obtaining from an administration or public authority of the State Party an undue advantage.

Article 19
Abuse of functions

Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, the abuse of functions or position, that is, the performance of or failure to perform an act, in violation of laws, by a public official in the discharge of his or her functions, for the purpose of obtaining an undue advantage for himself or herself or for another person or entity.

Article 20
Illicit enrichment

Subject to its constitution and the fundamental principles of its legal system, each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, illicit enrichment, that is, a significant increase in the assets of a public official that he or she cannot reasonably explain in relation to his or her lawful income.

Article 21
Bribery in the private sector

Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally in the course of economic, financial or commercial activities:

(a) The promise, offering or giving, directly or indirectly, of an undue advantage to any person who directs or works, in any capacity, for a private sector entity, for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting;

(b) The solicitation or acceptance, directly or indirectly, of an undue advantage by any person who directs or works, in any capacity, for a private sector entity for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting.

Article 22
Embezzlement of property in the private sector

Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally in the course of economic, financial or commercial activities, embezzlement by a person who directs or works, in any capacity, for a private sector entity, of an undue advantage to any person who directs or works, in any capacity, for a private sector entity, for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting.

Article 23
Laundering of proceeds of crime

1. Each State Party shall adopt, in accordance with fundamental principles of its domestic law, such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(a) The conversion or transfer of property, knowing that such property is the proceeds of crime, for the purpose of concealing or disguising the illicit origin of the property or of helping any person who is involved in the commission of the predicate offence to evade the legal consequences of his or her action;

(b) Subject to the basic concepts of its legal system:

(i) The acquisition, possession or use of property, knowing, at the time of receipt, that such property is the proceeds of crime;

(ii) Participation in, association with or conspiracy to commit, attempts to commit and aiding, abetting, facilitating and counselling the commission of any of the offences established in accordance with this article.

2. For purposes of implementing or applying paragraph 1 of this article:

(a) Each State Party shall seek to apply paragraph 1 of this article to the widest range of predicate offences;

(b) Each State Party shall include as predicate offences at a minimum a comprehensive range of crimi-
nal offences established in accordance with this Convention;

(c) For the purposes of subparagraph (b) above, predicate offences shall include offences committed both within and outside the jurisdiction of the State Party in question. However, offences committed outside the jurisdiction of a State Party shall constitute predicate offences only when the relevant conduct is a criminal offence under the domestic law of the State where it is committed and would be a criminal offence under the domestic law of the State Party implementing or applying this article had it been committed there;

(d) Each State Party shall furnish copies of its laws that give effect to this article and of any subsequent changes to such laws or a description thereof to the Secretary-General of the United Nations;

(e) If required by fundamental principles of the domestic law of a State Party, it may be provided that the offences set forth in paragraph 1 of this article do not apply to the persons who committed the predicate offence.

Article 24
Concealment

Without prejudice to the provisions of article 23 of this Convention, each State Party shall consider adopting such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally after the commission of any of the offences established in accordance with this Convention without having participated in such offences, the concealment or continued retention of property when the person involved knows that such property is the result of any of the offences established in accordance with this Convention.

Article 25
Obstruction of justice

Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally:

(a) The use of physical force, threats or intimidation or the promise, offering or giving of an undue advantage to induce false testimony or to interfere in the giving of testimony or the production of evidence in a proceeding in relation to the commission of offences established in accordance with this Convention;

(b) The use of physical force, threats or intimidation to interfere with the exercise of official duties by a justice or law enforcement official in relation to the commission of offences established in accordance with this Convention. Nothing in this subparagraph shall prejudice the right of States Parties to have legislation that protects other categories of public official.

Article 26
Liability of legal persons

1. Each State Party shall adopt such measures as may be necessary, consistent with its legal principles, to establish the liability of legal persons for participation in the offences established in accordance with this Convention.

2. Subject to the legal principles of the State Party, the liability of legal persons may be criminal, civil or administrative.

3. Such liability shall be without prejudice to the criminal liability of the natural persons who have committed the offences.

4. Each State Party shall, in particular, ensure that legal persons held liable in accordance with this article are subject to effective, proportionate and dissuasive criminal or non-criminal sanctions, including monetary sanctions.

Article 27
Participation and attempt

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as a criminal offence, in accordance with its domestic law, participation in any capacity such as an accomplice, assistant or instigator in an offence established in accordance with this Convention.

2. Each State Party may adopt such legislative and other measures as may be necessary to establish as a criminal offence, in accordance with its domestic law, any attempt to commit an offence established in accordance with this Convention.

3. Each State Party may adopt such legislative and other measures as may be necessary to establish as a criminal offence, in accordance with its domestic law, the preparation for an offence established in accordance with this Convention.

Article 28
Knowledge, intent or purpose as elements of an offence

Knowledge, intent or purpose required as an element of an offence established in accordance with this Convention may be inferred from objective factual circumstances.

Article 29
Statute of limitations

Each State Party shall, where appropriate, establish under its domestic law a long statute of limitations period in which to commence proceedings for any offence established in accordance with this Convention and establish a longer statute of limitations period or provide for the suspension of the statute of limitations where the alleged offender has evaded the administration of justice.

Article 30
Prosecution, adjudication and sanctions

1. Each State Party shall make the commission of an offence established in accordance with this Convention liable to sanctions that take into account the gravity of that offence.

2. Each State Party shall take such measures as may be necessary to establish or maintain, in accordance with its legal system and constitutional principles, an appropriate balance between any immunities or jurisdictional privileges accorded to its public officials for the performance of their functions and the possibility, when necessary, of effectively investigating, prosecuting and adjudicating offences established in accordance with this Convention.

3. Each State Party shall endeavour to ensure that any discretionary legal powers under its domestic law relating to the prosecution of persons for offences established in accordance with this Convention are exercised to maximize the effectiveness of law enforcement measures in respect of those offences and with due re-
1. Each State Party shall take, to the greatest extent possible within its domestic legal system, such measures as may be necessary to enable confiscation of:

(a) Proceeds of crime derived from offences established in accordance with this Convention or property the value of which corresponds to that of such proceeds;
(b) Property, equipment or other instrumentalities used in or destined for use in offences established in accordance with this Convention.

2. Each State Party shall take such measures as may be necessary to enable the identification, tracing, freezing or seizure of any item referred to in paragraph 1 of this article for the purpose of eventual confiscation.

3. Each State Party shall adopt, in accordance with its domestic law, such legislative and other measures as may be necessary to regulate the administration by the competent authorities of frozen, seized or confiscated property covered in paragraphs 1 and 2 of this article. If such proceeds of crime have been transformed or converted, in part or in full, into other property, such property shall be liable to the measures referred to in this article instead of the proceeds.

4. If such proceeds of crime have been intermingled with property acquired from legitimate sources, such property shall, without prejudice to any powers relating to freezing or seizure, be liable to confiscation up to the assessed value of the intermingled proceeds.

5. Income or other benefits derived from such proceeds of crime, from property into which such proceeds of crime have been transformed or converted or from property with which such proceeds of crime have been intermingled shall also be liable to the measures referred to in this article, in the same manner and to the same extent as proceeds of crime.

6. For the purpose of this article and article 55 of this Convention, each State Party shall empower its courts or other competent authorities to order that bank, financial or commercial records be made available or seized. A State Party shall not decline to act under the provisions of this paragraph on the ground of bank secrecy.

7. States Parties may consider the possibility of requiring that an offender demonstrate the lawful origin of such alleged proceeds of crime or other property liable to confiscation, to the extent that such a requirement is consistent with the fundamental principles of their domestic law and with the nature of judicial and other proceedings.

8. Nothing contained in this article shall affect the principle that the description of the offences established in accordance with this Convention and of the applicable legal defences or other legal principles controlling the lawfulness of conduct is reserved to the domestic law of a State Party and that such offences shall be prosecuted and punished in accordance with that law.

9. States Parties shall endeavour to promote the reintegration into society of persons convicted of offences established in accordance with this Convention.

10. Protection of witnesses, experts and victims

1. Each State Party shall take appropriate measures in accordance with its domestic legal system and within its means to provide effective protection from potential retaliation or intimidation for witnesses and experts who give testimony concerning offences established in accordance with this Convention and, as appropriate, for their relatives and other persons close to them.

2. The measures envisaged in paragraph 1 of this article may include, inter alia, without prejudice to the rights of the defendant, including the right to due process:

(a) Establishing procedures for the physical protection of such persons, such as, to the extent necessary and feasible, relocating them and permitting, where appropriate, non-disclosure or limitations on the disclosure of information concerning the identity and whereabouts of such persons;
(b) Providing evidentiary rules to permit witnesses and experts to give testimony in a manner that ensures the safety of such persons, such as permitting testi-
mony to be given through the use of communications technology such as video or other adequate means.

3. States Parties shall consider entering into agreements or arrangements with other States for the relocation of persons referred to in paragraph 1 of this article.

4. The provisions of this article shall also apply to victims insofar as they are witnesses.

5. Each State Party shall, subject to its domestic law, enable the views and concerns of victims to be presented and considered at appropriate stages of criminal proceedings against offenders in a manner not prejudicial to the rights of the defence.

Article 33
Protection of reporting persons

Each State Party shall consider incorporating into its domestic legal system appropriate measures to provide protection against any unjustified treatment for any person who reports in good faith and on reasonable grounds to the competent authorities any facts concerning offences established in accordance with this Convention.

Article 34
Consequences of acts of corruption

With due regard to the rights of third parties acquired in good faith, each State Party shall take measures, in accordance with the fundamental principles of its domestic law, to address consequences of corruption. In this context, States Parties may consider corruption a relevant factor in legal proceedings to annul or rescind a contract, withdraw a concession or other similar instrument or take any other remedial action.

Article 35
Compensation for damage

Each State Party shall take such measures as may be necessary, in accordance with principles of its domestic law, to ensure that entities or persons who have suffered damage as a result of an act of corruption have the right to initiate legal proceedings against those responsible for that damage in order to obtain compensation.

Article 36
Specialized authorities

Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies or persons specialized in combating corruption through law enforcement. Such bodies or bodies or persons shall be granted the necessary independence, in accordance with the fundamental principles of the legal system of the State Party, to be able to carry out their functions effectively and without any undue influence. Such persons or staff of such body or bodies should have the appropriate training and resources to carry out their tasks.

Article 37
Cooperation with law enforcement authorities

Each State Party shall take appropriate measures to encourage persons who participate or who have participated in the commission of an offence established in accordance with this Convention to supply information useful to competent authorities for investigative and evidentiary purposes and to provide factual, specific help to competent authorities that may contribute to depriving offenders of the proceeds of crime and to recovering such proceeds.

2. Each State Party shall consider providing for the possibility, in appropriate cases, of mitigating punishment of an accused person who provides substantial cooperation in the investigation or prosecution of an offence established in accordance with this Convention.

3. Each State Party shall consider providing for the possibility, in accordance with fundamental principles of its domestic law, of granting immunity from prosecution to a person who provides substantial cooperation in the investigation or prosecution of an offence established in accordance with this Convention.

4. Protection of such persons shall be, mutatis mutandis, as provided for in article 32 of this Convention.

5. Where a person referred to in paragraph 1 of this article located in one State Party can provide substantial cooperation to the competent authorities of another State Party, the States Parties concerned may consider entering into agreements or arrangements, in accordance with their domestic law, concerning the potential provision by the other State Party of the treatment set forth in paragraphs 2 and 3 of this article.

Article 38
Cooperation between national authorities

Each State Party shall take such measures as may be necessary to encourage, in accordance with its domestic law, cooperation between, on the one hand, its public authorities, as well as its public officials, and, on the other hand, its authorities responsible for investigating and prosecuting criminal offences. Such cooperation may include:

(a) Informing the latter authorities, on their own initiative, where there are reasonable grounds to believe that any of the offences established in accordance with articles 15, 21 and 23 of this Convention has been committed; or

(b) Providing, upon request, to the latter authorities all necessary information.

Article 39
Cooperation between national authorities and the private sector

1. Each State Party shall take such measures as may be necessary to encourage, in accordance with its domestic law, cooperation between national investigating and prosecuting authorities and entities of the private sector, in particular financial institutions, relating to matters involving the commission of offences established in accordance with this Convention.

2. Each State Party shall consider encouraging its nationals and other persons with a habitual residence in its territory to report to the national investigating and prosecuting authorities the commission of an offence established in accordance with this Convention.

Article 40
Bank secrecy

Each State Party shall ensure that, in the case of domestic criminal investigations of offences established in accordance with this Convention, there are appropriate mechanisms available within its domestic legal system to overcome obstacles that may arise out of the application of bank secrecy laws.
Article 41
Criminal record

Each State Party may adopt such legislative or other measures as may be necessary to take into consideration, under such terms as and for the purpose that it deems appropriate, any previous conviction in another State of an alleged offender for the purpose of using such information in criminal proceedings relating to an offence established in accordance with this Convention.

Article 42
Jurisdiction

1. Each State Party shall adopt such measures as may be necessary to establish its jurisdiction over the offences established in accordance with this Convention when:

(a) The offence is committed in the territory of that State Party; or

(b) The offence is committed on board a vessel that is flying the flag of that State Party or an aircraft that is registered under the laws of that State Party at the time that the offence is committed.

2. Subject to article 4 of this Convention, a State Party may also establish its jurisdiction over any such offence when:

(a) The offence is committed against a national of that State Party; or

(b) The offence is committed by a national of that State Party or a stateless person who has his or her habitual residence in its territory; or

(c) The offence is one of those established in accordance with article 23, paragraph 1 (b) (ii), of this Convention and is committed outside its territory with a view to the commission of an offence established in accordance with article 23, paragraph 1 (a) (i) or (ii) or (b) (i), of this Convention within its territory; or

(d) The offence is committed against the State Party.

3. For the purposes of article 44 of this Convention, each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences established in accordance with this Convention when the alleged offender is present in its territory and it does not extradite him or her.

4. Each State Party may also take such measures as may be necessary to establish its jurisdiction over the offences established in accordance with this Convention when the alleged offender is present in its territory and it does not extradite him or her.

5. If a State Party exercising its jurisdiction under paragraph 1 or 2 of this article has been notified, or has otherwise learned, that any other States Parties are conducting an investigation, prosecution or judicial proceedings in respect of the same conduct, the competent authorities of those States Parties shall, as appropriate, consult one another with a view to coordinating their actions.

6. Without prejudice to norms of general international law, this Convention shall not exclude the exercise of any criminal jurisdiction established by a State Party in accordance with its domestic law.

Chapter IV
International cooperation

Article 43
International cooperation

1. States Parties shall cooperate in criminal matters in accordance with articles 44 to 50 of this Convention. Where appropriate and consistent with their domestic legal system, States Parties shall consider assisting each other in investigations of and proceedings in civil and administrative matters relating to corruption.

2. In matters of international cooperation, whenever dual criminality is considered a requirement, it shall be deemed fulfilled irrespective of whether the laws of the requested State Party place the offence within the same category of offence or denominate the offence by the same terminology as the requesting State Party, if the conduct underlying the offence for which assistance is sought is a criminal offence under the laws of both States Parties.

Article 44
Extradition

1. This article shall apply to the offences established in accordance with this Convention where the person who is the subject of the request for extradition is present in the territory of the requested State Party, provided that the offence for which extradition is sought is punishable under the domestic law of both the requesting State Party and the requested State Party.

2. Notwithstanding the provisions of paragraph 1 of this article, a State Party whose law so permits may grant the extradition of a person for any of the offences covered by this Convention that are not punishable under its own domestic law.

3. If the request for extradition includes several separate offences, at least one of which is extraditable under this article and some of which are not extraditable by reason of their period of imprisonment but are related to offences established in accordance with this Convention, the requested State Party may apply this article also in respect of those offences.

4. Each of the offences to which this article applies shall be deemed to be included as an extraditable offence in any extradition treaty existing between States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them. A State Party whose law so permits, in case it uses this Convention as the basis for extradition, shall not consider any of the offences established in accordance with this Convention to be a political offence.

5. If a State Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention the legal basis for extradition in respect of any offence to which this article applies.

6. A State Party that makes extradition conditional on the existence of a treaty shall:

(a) At the time of deposit of its instrument of ratification, acceptance or approval of or accession to this Convention, inform the Secretary-General of the United Nations whether it will take this Convention as the legal basis for cooperation on extradition with other States Parties to this Convention; and
(b) If it does not take this Convention as the legal basis for cooperation on extradition, seek, where appropriate, to conclude treaties on extradition with other States Parties to this Convention in order to implement this article.

7. States Parties that do not make extradition conditional on the existence of a treaty shall recognize offenses to which this article applies as extraditable offenses between themselves.

8. Extradition shall be subject to the conditions provided for by the domestic law of the requested State Party or by applicable extradition treaties, including, inter alia, conditions in relation to the minimum penalty requirement for extradition and the grounds upon which the requested State Party may refuse extradition.

9. States Parties shall, subject to their domestic law, endeavour to expedite extradition procedures and to simplify evidentiary requirements relating thereto in respect of any offenses to which this article applies.

10. Subject to the provisions of its domestic law and its extradition treaties, the requested State Party may, upon being satisfied that the circumstances so warrant and are urgent and at the request of the requesting State Party, take a person whose extradition is sought and who is present in its territory into custody or take other appropriate measures to ensure his or her presence at extradition proceedings.

11. A State Party in whose territory an alleged offender is found, if it does not extradite such person in respect of an offense to which this article applies solely on the ground that he or she is one of its nationals, shall, at the request of the State Party seeking extradition, be obliged to submit the case without undue delay to its competent authorities for the purpose of prosecution. Those authorities shall take their decision and conduct their proceedings in the same manner as in the case of any other offense of a grave nature under the domestic law of that State Party. The States Parties concerned shall cooperate with each other, in particular on procedural and evidentiary aspects, to ensure the efficiency of such prosecution.

12. Whenever a State Party is permitted under its domestic law to extradite or otherwise surrender one of its nationals only upon the condition that the person will be returned to that State Party to serve the sentence imposed as a result of the trial or proceedings for which the extradition or surrender of the person was sought and that State Party and the State Party seeking the extradition of the person agree with this option and other terms that they may deem appropriate, such conditional extradition or surrender shall be sufficient to discharge the obligation set forth in paragraph 11 of this article.

13. If extradition, sought for purposes of enforcing a sentence, is refused because the person sought is a national of the requested State Party, the requested State Party shall, if its domestic law so permits and in conformity with the requirements of such law, upon application of the requesting State Party, consider the enforcement of the sentence imposed under the domestic law of the requesting State Party or the remainder thereof.

14. Any person regarding whom proceedings are being carried out in connection with any of the offenses to which this article applies shall be guaranteed fair treatment at all stages of the proceedings, including enjoyment of all the rights and guarantees provided by the domestic law of the State Party in the territory of which that person is present.

15. Nothing in this Convention shall be interpreted as imposing an obligation to extradite if the requested State Party has substantial grounds for believing that the request has been made for the purpose of prosecuting or punishing a person on account of that person’s sex, race, religion, nationality, ethnic origin or political opinions or that compliance with the request would cause prejudice to that person’s position for any one of these reasons.

16. States Parties may not refuse a request for extradition on the sole ground that the offense is also considered to involve fiscal matters.

17. Before refusing extradition, the requested State Party shall, where appropriate, consult with the requesting State Party to provide it with ample opportunity to present its opinions and to provide information relevant to its allegation.

18. States Parties shall seek to conclude bilateral and multilateral agreements or arrangements on the transfer to their territory of persons sentenced to imprisonment or other forms of deprivation of liberty for offenses established in accordance with this Convention in order that they may complete their sentences there.

Article 46 Mutual legal assistance

1. States Parties shall afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the offenses covered by this Convention.

2. Mutual legal assistance shall be afforded to the fullest extent possible under relevant laws, treaties, agreements and arrangements of the requested State Party with respect to investigations, prosecutions and judicial proceedings in relation to the offenses for which a legal person may be held liable in accordance with article 26 of this Convention in the requesting State Party.

3. Mutual legal assistance to be afforded in accordance with this article may be requested for any of the following purposes:

(a) Taking evidence or statements from persons;

(b) Effecting service of judicial documents;

(c) Executing searches and seizures, and freezing;

(d) Examining objects and sites;

(e) Providing information, evidentiary items and expert evaluations;

(f) Providing originals or certified copies of relevant documents and records, including government, bank, financial, corporate or business records;

(g) Identifying or tracing proceeds of crime, property, instrumentalities or other things for evidentiary purposes;

(h) Facilitating the voluntary appearance of persons in the requesting State Party;

(i) Any other type of assistance that is not contrary to the domestic law of the requested State Party;
(j) Identifying, freezing and tracing proceeds of crime in accordance with the provisions of chapter V of this Convention;

(k) The recovery of assets, in accordance with the provisions of chapter V of this Convention.

4. Without prejudice to domestic law, the competent authorities of a State Party may, without prior request, transmit information relating to criminal matters to a competent authority in another State Party where they believe that such information could assist the authority in undertaking or successfully concluding inquiries and criminal proceedings or could result in a request formulated by the latter State Party pursuant to this Convention.

5. The transmission of information pursuant to paragraph 4 of this article shall be without prejudice to inquiries and criminal proceedings in the State of the competent authorities providing the information. The competent authorities receiving the information shall, with a request that the information remain confidential, even temporarily, or with restrictions on its use. However, this shall not prevent the receiving State Party from disclosing its proceedings information that is exculpatory to an accused person. In such a case, the receiving State Party shall notify the transmitting State Party prior to the disclosure and, if so requested, consult with the transmitting State Party. If, in an exceptional case, advance notice is not possible, the receiving State Party shall inform the transmitting State Party of the disclosure without delay.

6. The provisions of this article shall not affect the obligations under any other treaty, bilateral or multilateral, that governs or will govern, in whole or in part, mutual legal assistance.

7. Paragraphs 9 to 29 of this article shall apply to requests made pursuant to this article if the States Parties in question are not bound by a treaty of mutual legal assistance. If those States Parties are bound by such a treaty, the corresponding provisions of that treaty shall apply unless the States Parties agree to apply paragraphs 9 to 29 of this article in lieu thereof. States Parties are strongly encouraged to apply those paragraphs if they facilitate cooperation.

8. States Parties shall not decline to render mutual legal assistance pursuant to this article on the ground of bank secrecy.

9. (a) A requested State Party, in responding to a request for assistance pursuant to this article in the absence of dual criminality, shall take into account the purposes of this Convention, as set forth in article 1;

(b) States Parties may decline to render assistance pursuant to this article on the ground of absence of dual criminality. However, a requested State Party shall, where consistent with the basic concepts of its legal system, render assistance that does not involve coercive action. Such assistance may be refused when requests involve matters of a de minimis nature or matters for which the cooperation or assistance sought is available under other provisions of this Convention;

(c) Each State Party may consider adopting such measures as may be necessary to enable it to provide a wider scope of assistance pursuant to this article in the absence of dual criminality;

10. A person who is being detained or is serving a sentence in the territory of one State Party whose presence in another State Party is requested for purposes of identification, testimony or otherwise providing assistance in obtaining evidence for investigations, prosecutions or judicial proceedings in relation to offences covered by this Convention may be transferred if the following conditions are met:

(a) The person freely gives his or her informed consent;

(b) The competent authorities of both States Parties agree, subject to such conditions as those States Parties may deem appropriate.

11. For the purposes of paragraph 10 of this article:

(a) The State Party to which the person is transferred shall have the authority and obligation to keep the person transferred in custody, unless otherwise requested or authorized by the State Party from which the person was transferred;

(b) The State Party to which the person is transferred shall without delay implement its obligation to return the person to the custody of the State Party from which the person was transferred if the agreement is agreed beforehand, or as otherwise agreed, by the competent authorities of both States Parties;

(c) The State Party to which the person is transferred shall not require the State Party from which the person was transferred to initiate extradition proceedings for the return of the person;

(d) The person transferred shall receive credit for service of the sentence being served in the State from which he or she was transferred for time spent in the custody of the State Party to which he or she was transferred.

12. Unless the State Party from which a person is to be transferred in accordance with paragraphs 10 and 11 of this article so agrees, that person, whatever his or her nationality, shall not be prosecuted, detained, punished or subjected to any other restriction of his or her personal liberty in the territory of the State to which that person is transferred in respect of acts, omissions or convictions prior to his or her departure from the territory of the State from which he or she was transferred.

13. Each State Party shall designate a central authority that shall have the responsibility and power to receive requests for mutual legal assistance and either to execute them or to transmit them to the competent authorities for execution. Where a State Party has a special region or territory with a separate system of mutual legal assistance, it may designate a central authority that shall have the same function for that region or territory. Central authorities shall ensure the speedy and proper execution or transmission of the requests received. Where the central authority transmits the request to a competent authority for execution, it shall encourage the speedy and proper execution of the request by the competent authority. The Secretary-General of the United Nations shall be notified of the central authority designated for this purpose at the time each State Party deposits its instrument of ratification, acceptance or approval of or accession to this Convention. Requests for mutual legal assistance and any communication related thereto shall be transmitted to the central authorities designated by the States Parties. This requirement shall be without prejudice to the right of a State Party to require that such requests and communications be addressed to it through diplomatic channels and, in ur-
gent circumstances, where the States Parties agree, through the International Criminal Police Organization, if possible.

14. Requests shall be made in writing or, where possible, by any means capable of producing a written record, in a language acceptable to the requested State Party, under conditions allowing that State Party to establish authenticity. The Secretary-General of the United Nations shall be notified of the language or languages acceptable to each State Party at the time it deposits its instrument of ratification, acceptance, or approval of or accession to this Convention. In urgent circumstances and where agreed by the States Parties, requests may be made orally but shall be confirmed in writing forthwith.

15. A request for mutual legal assistance shall contain:

(a) The identity of the authority making the request;
(b) The subject matter and nature of the investigation or judicial proceedings to which the request relates and the name and functions of the authority conducting the investigation, prosecution or judicial proceeding;
(c) A summary of the relevant facts, except in relation to requests for the purpose of service of judicial documents;
(d) A description of the assistance sought and details of any particular procedure that the requesting State Party wishes to be followed;
(e) Where possible, the identity, location and nationality of any person concerned; and
(f) The purpose for which the evidence, information or action is sought.

16. The requested State Party may request additional information when it appears necessary for the execution of the request in accordance with its domestic law or when it can facilitate such execution.

17. A request shall be executed in accordance with the domestic law of the requested State Party and, to the extent not contrary to the domestic law of the requested State Party and where possible, in accordance with the procedures specified in the request.

18. Wherever possible and consistent with fundamental principles of domestic law, when an individual is in the territory of a State Party and has to be heard as a witness or expert by the judicial authorities of another State Party, the first State Party may, at the request of the other, permit the hearing to take place by video conference if it is not possible or desirable for the individual in question to appear in person in the territory of the requesting State Party. States Parties may agree that the hearing shall be conducted by a judicial authority of the requesting State Party and attended by a judicial authority of the requested State Party.

19. The requesting State Party shall not transmit or use information or evidence furnished by the requested State Party for investigations, prosecutions or judicial proceedings other than those stated in the request without the prior consent of the requested State Party. Nothing in this paragraph shall prevent the requesting State Party from disclosing in its proceedings information or evidence that is exculpatory to an accused person. In the latter case, the requesting State Party shall notify the requested State Party prior to the disclosure and, if so requested, consult with the requested State Party. If, in an exceptional case, advance notice is not possible, the requesting State Party shall inform the requested State Party of the disclosure without delay.

20. The requesting State Party may require that the requested State Party keep confidential the fact and substance of the request, except to the extent necessary to execute the request. If the requested State Party cannot comply with the requirement of confidentiality, it shall promptly inform the requesting State Party.

21. Mutual legal assistance may be refused:
(a) If the request is not made in conformity with the provisions of this article;
(b) If the requested State Party considers that execution of the request is likely to prejudice its sovereignty, security, ordre public or other essential interests;
(c) If the authorities of the requested State Party would be prohibited by its domestic law from carrying out the action requested with regard to any similar offence, had it been subject to investigation, prosecution or judicial proceedings under their own jurisdiction;
(d) If it would be contrary to the legal system of the requested State Party relating to mutual legal assistance for the request to be granted.

22. States Parties may not refuse a request for mutual legal assistance on the sole ground that the offence is also considered to involve fiscal matters.

23. Reasons shall be given for any refusal of mutual legal assistance.

24. The requested State Party shall execute the request for mutual legal assistance as soon as possible and shall take as full account as possible of any deadlines suggested by the requesting State Party and for which reasons are given, preferably in the request. The requesting State Party may make reasonable requests for information on the status and progress of measures taken by the requested State Party to satisfy its request. The requested State Party shall respond to reasonable requests by the requesting State Party on the status, and progress in its handling, of the request. The requesting State Party shall promptly inform the requested State Party when the assistance sought is no longer required.

25. Mutual legal assistance may be postponed by the requested State Party on the ground that it interferes with an ongoing investigation, prosecution or judicial proceeding.

26. Before refusing a request pursuant to paragraph 21 of this article or postponing its execution pursuant to paragraph 25 of this article, the requested State Party shall consult with the requesting State Party to consider whether assistance may be granted subject to such terms and conditions as it deems necessary. If the requesting State Party accepts assistance subject to those conditions, it shall comply with the conditions.

27. Without prejudice to the application of paragraph 12 of this article, a witness, expert or other person who, at the request of the requesting State Party, consents to give evidence in a proceeding or to assist in an investigation, prosecution or judicial proceeding in the territory of the requesting State Party shall not be prosecuted, detained, punished or subjected to any other restriction of his or her personal liberty in that territory in respect of acts, omissions or convictions prior to his or her departure from the territory of the
requested State Party. Such safe conduct shall cease when the witness, expert or other person having had, for a period of fifteen consecutive days or for any period agreed upon by the States Parties from the date on which he or she has been officially informed that his or her presence is no longer required by the judicial authorities, an opportunity of leaving, has nevertheless remained voluntarily in the territory of the requesting State Party or, having left it, has returned of his or her own free will.

28. The ordinary costs of executing a request shall be borne by the requested State Party, unless otherwise agreed by the States Parties concerned. If expenses of a substantial or extraordinary nature are or will be required to fulfill the request, the States Parties shall consult to determine the terms and conditions under which the request will be executed, as well as the manner in which the costs shall be borne.

29. The requested State Party:
(a) Shall provide to the requesting State Party copies of government records, documents or information in its possession that under its domestic law are available to the general public;
(b) May, at its discretion, provide to the requesting State Party in whole, in part or subject to such conditions as it deems appropriate, copies of any government records, documents or information in its possession that under its domestic law are not available to the general public.

30. States Parties shall consider, as may be necessary, the possibility of concluding bilateral or multilateral agreements or arrangements that would serve the purposes of, give practical effect to or enhance the provisions of this article.

Article 47
Transfer of criminal proceedings
States Parties shall consider the possibility of transferring to one another proceedings for the prosecution of an offence established in accordance with this Convention in cases where such transfer is considered to be in the interests of the proper administration of justice, in particular in cases where several jurisdictions are involved, with a view to concentrating the prosecution.

Article 48
Law enforcement cooperation
1. States Parties shall cooperate closely with one another, consistent with their respective domestic legal and administrative systems, to enhance the effectiveness of law enforcement action to combat the offences covered by this Convention. States Parties shall, in particular, take effective measures:
(a) To enhance and, where necessary, to establish channels of communication between their competent authorities, agencies and services in order to facilitate the secure and rapid exchange of information concerning all aspects of the offences covered by this Convention, including, if the States Parties concerned deem it appropriate, links with other criminal activities;
(b) To cooperate with other States Parties in conducting inquiries with respect to offences covered by this Convention concerning:
(i) The identity, whereabouts and activities of persons suspected of involvement in such offences or the location of other persons concerned;
(ii) The movement of proceeds of crime or property derived from the commission of such offences;
(iii) The movement of property, equipment or other instrumentalities used or intended for use in the commission of such offences;
(c) To provide, where appropriate, necessary items or quantities of substances for analytical or investigative purposes;
(d) To exchange, where appropriate, information with other States Parties concerning specific means and methods used to commit offences covered by this Convention, including the use of false identities, forged, altered or false documents and other means of concealing activities;
(e) To facilitate effective coordination between their competent authorities, agencies and services and to promote the exchange of personnel and other experts, including, subject to bilateral agreements or arrangements between the States Parties concerned, the posting of liaison officers;
(f) To exchange information and coordinate administrative and other measures taken as appropriate for the purpose of early identification of the offences covered by this Convention.
2. With a view to giving effect to this Convention, States Parties shall consider entering into bilateral or multilateral agreements or arrangements on direct cooperation between their law enforcement agencies and, where such agreements or arrangements already exist, amending them. In the absence of such agreements or arrangements between the States Parties concerned, the States Parties may consider this Convention to be the basis for mutual law enforcement cooperation in respect of the offences covered by this Convention. Whenever appropriate, States Parties shall make full use of agreements or arrangements, including international or regional organizations, to enhance the cooperation between their law enforcement agencies.
3. States Parties shall endeavour to cooperate within their means to respond to offences covered by this Convention committed through the use of modern technology.

Article 49
Joint investigations
States Parties shall consider concluding bilateral or multilateral agreements or arrangements whereby, in relation to matters that are the subject of investigations, prosecutions or judicial proceedings in one or more States, the competent authorities concerned may establish joint investigative bodies. In the absence of such agreements or arrangements, joint investigations may be undertaken by agreement on a case-by-case basis. The States Parties involved shall ensure that the sovereignty of the State Party in whose territory such investigation is to take place is fully respected.

Article 50
Special investigative techniques
1. In order to combat corruption effectively, each State Party shall, to the extent permitted by the basic principles of its domestic legal system and in accordance with the conditions prescribed by its domestic law, take such measures as may be necessary, within its means, to allow for the appropriate use by its compe-
tent authorities of controlled delivery and, where it
deems appropriate, other special investigative tech-
niques, such as electronic or other forms of surveil-
lance and undercover operations, within its territory,
and to allow for the admissibility in court of evidence
derived therefrom.

2. For the purpose of investigating the offences
covered by this Convention, States Parties are encour-
aged to conclude, when necessary, appropriate bilat-
eral or multilateral agreements or arrangements for
using such special investigative techniques in the con-
text of cooperation at the international level. Such
agreements or arrangements shall be concluded and
implemented in full compliance with the principle of
sovereign equality of States and shall be carried out
strictly in accordance with the terms of those agree-
ments or arrangements.

3. In the absence of an agreement or arrangement
as set forth in paragraph 2 of this article, decisions to
use such special investigative techniques at the inter-
national level shall be made on a case-by-case basis and
may, when necessary, take into consideration financial
arrangements and understandings with respect to the
exercise of jurisdiction by the States Parties concerned.

4. Decisions to use controlled delivery at the inter-
national level may, with the consent of the States Par-
ties concerned, include methods such as intercepting
and allowing the goods or funds to continue intact or
be removed or replaced in whole or in part.

Chapter V
Asset recovery

Article 51
General provision
The return of assets pursuant to this chapter is a
fundamental principle of this Convention, and States
Parties shall afford one another the widest measure of
cooperation and assistance in this regard.

Article 52
Prevention and detection of transfers of proceeds of crime
1. Without prejudice to article 14 of this Conven-
tion, each State Party shall take such measures as may
be necessary, in accordance with its domestic law, to re-
quire financial institutions within its jurisdiction to
verify the identity of customers, to take reasonable
steps to determine the identity of beneficial owners of
funds deposited into high-value accounts and to con-
duct enhanced scrutiny of accounts sought or main-
tained by or on behalf of individuals who are, or have
been, entrusted with prominent public functions and
their family members and close associates. Such en-

chanced scrutiny shall be reasonably designed to detect
suspicious transactions for the purpose of reporting to
competent authorities and should not be so construed
as to discourage or prohibit financial institutions from
doing business with any legitimate customer.

2. In order to facilitate implementation of the
measures provided for in paragraph 1 of this article,
each State Party, in accordance with its domestic law
and as directed by relevant initiatives of regional, inter-

national and multilateral organizations against money-
laundering, shall:

(a) Issue advisories regarding the types of natural
or legal person to whose accounts financial institutions
within its jurisdiction will be expected to apply en-

hanced scrutiny, the types of accounts and transactions
to which to pay particular attention and appropriate
account-opening, maintenance and record-keeping
measures to take concerning such accounts; and

(b) Where appropriate, notify financial institutions
within its jurisdiction, at the request of another State
Party or on its own initiative, of the identity of particu-
lar natural or legal persons to whose accounts such in-
stitutions will be expected to apply enhanced scrutiny,
in addition to those whom the financial institutions
may otherwise identify.

3. In the context of paragraph 2 (a) of this article,
each State Party shall implement measures to ensure
that its financial institutions maintain adequate rec-
ords, over an appropriate period of time, of accounts
and transactions involving the persons mentioned in
paragraph 1 of this article, which should, as a min-
imum, contain information relating to the identity of
the customer as well as, as far as possible, of the benefi-
cial owner.

4. With the aim of preventing and detecting transfer-
fers of proceeds of offences established in accordance
with this Convention, each State Party shall implement
appropriate and effective measures to prevent, with the
help of its regulatory and oversight bodies, the estab-
lishment of banks that have no physical presence and
that are not affiliated with a regulated financial group.
Moreover, States Parties may consider requiring their
financial institutions to refuse to enter into or con-
tinue a correspondent banking relationship with such
institutions and to guard against establishing relations
with foreign financial institutions that permit their ac-
counts to be used by banks that have no physical pres-
ence and that are not affiliated with a regulated financial
group.

5. Each State Party shall consider establishing, in
accordance with its domestic law, effective financial
disclosure systems for appropriate public officials and
shall provide for appropriate sanctions for non-
compliance. Each State Party shall also consider taking
such measures as may be necessary to permit its com-
petent authorities to share that information with the
competent authorities in other States Parties when
necessary to investigate, claim and recover proceeds of
offences established in accordance with this Conven-
tion.

6. Each State Party shall consider taking such mea-
sures as may be necessary, in accordance with its domes-
tic law, to require appropriate public officials having
an interest in or signature or other authority over a fi-
nancial account in a foreign country to report that re-
lationship to appropriate authorities and to maintain
appropriate records related to such accounts. Such
measures shall also provide for appropriate sanctions
for non-compliance.

Article 53
Measures for direct recovery of property
Each State Party shall, in accordance with its domes-
tic law:

(a) Take such measures as may be necessary to per-
mit another State Party to initiate civil action in its
courts to establish title to or ownership of property ac-
quired through the commission of an offence estab-
lished in accordance with this Convention;

(b) Take such measures as may be necessary to per-
mit its courts to order those who have committed of-
fences established in accordance with this Convention to pay compensation or damages to another State Party that has been harmed by such offences; and

(c) Take such measures as may be necessary to permit its courts or competent authorities, when having to decide on confiscation, to recognize another State Party’s claim as the legitimate owner of property acquired through the commission of an offence established in accordance with this Convention.

Article 54
Mechanisms for recovery of property through international cooperation in confiscation

1. Each State Party, in order to provide mutual legal assistance pursuant to article 55 of this Convention with respect to property acquired through or involved in the commission of an offence established in accordance with this Convention, shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit its competent authorities to give effect to an order of confiscation issued by a court of another State Party;

(b) Take such measures as may be necessary to permit its competent authorities, where they have jurisdiction, to order the confiscation of such property of foreign origin by adjudication of an offence of money-laundering or such other offence as may be within its jurisdiction or by other procedures authorized under its domestic law; and

(c) Consider taking such measures as may be necessary to allow confiscation of such property without a criminal conviction in cases in which the offender cannot be prosecuted by reason of death, flight or absence or in other appropriate cases.

2. Each State Party, in order to provide mutual legal assistance upon a request made pursuant to paragraph 2 of article 55 of this Convention, shall, in accordance with its domestic law:

(a) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a freezing or seizure order issued by a court or competent authority of a requesting State Party that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (a) of this article;

(b) Take such measures as may be necessary to permit its competent authorities to freeze or seize property upon a request that provides a reasonable basis for the requested State Party to believe that there are sufficient grounds for taking such actions and that the property would eventually be subject to an order of confiscation for purposes of paragraph 1 (a) of this article; and

(c) Consider taking additional measures to permit its competent authorities to preserve property for confiscation in accordance with the domestic legal system:

(1) Submit the request to its competent authorities for the purpose of obtaining an order of confiscation and, if such an order is granted, give effect to it; or

(2) Submit to its competent authorities, with a view to giving effect to it to the extent requested, an order of confiscation issued by a court in the territory of the requesting State Party in accordance with articles 31, paragraph 1, and 34, paragraph 1 (a), of this Convention insofar as it relates to proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, situated in the territory of the requested State Party.

2. Following a request made by another State Party having jurisdiction over an offence established in accordance with this Convention, the requested State Party shall take measures to identify, trace and freeze or seize proceeds of crime, property, equipment or other instrumentalities referred to in article 31, paragraph 1, of this Convention for the purpose of eventual confiscation to be ordered either by the requesting State Party or, pursuant to a request under paragraph 1 of this article, by the requested State Party.

3. The provisions of article 46 of this Convention are applicable, mutatis mutandis, to this article. In addition to the information specified in article 46, paragraph 15, requests made pursuant to this article shall contain:

(a) In the case of a request pertaining to paragraph 1 (a) of this article, a description of the property to be confiscated, including, to the extent possible, the location and, where relevant, the estimated value of the property and a statement of the facts relied upon by the requesting State Party to seek the order under its domestic law;

(b) In the case of a request pertaining to paragraph 1 (b) of this article, a legally admissible copy of an order of confiscation upon which the request is based issued by the requesting State Party, a statement specifying the measures taken by the requesting State Party to provide adequate notification to bona fide third parties and to ensure due process and a statement that the confiscation order is final;

(c) In the case of a request pertaining to paragraph 2 of this article, a statement of the facts relied upon by the requesting State Party and a description of the actions requested and, where available, a legally admissible copy of an order on which the request is based.

4. The decisions or actions provided for in paragraphs 1 and 2 of this article shall be taken by the requested State Party in accordance with and subject to the provisions of its domestic law and its procedural rules or any bilateral or multilateral agreement or arrangement to which it may be bound in relation to the requesting State Party.

5. Each State Party shall furnish copies of its laws and regulations that give effect to this article and of any subsequent changes to such laws and regulations.
or a description thereof to the Secretary-General of the United Nations.

6. If a State Party elects to make the taking of the measures referred to in paragraphs 1 and 2 of this article conditional on the existence of a relevant treaty, that State Party shall consider this Convention the necessary and sufficient treaty basis.

7. Cooperation under this article may also be refused or provisional measures lifted if the requested State Party does not receive sufficient and timely evidence or if the property is of a de minimis value.

8. Before lifting any provisional measure taken pursuant to this article, the requested State Party shall, wherever possible, give the requesting State Party an opportunity to present its reasons in favour of continuing the measure.

9. The provisions of this article shall not be construed as prejudicing the rights of bona fide third parties.

Article 56
Special cooperation
Without prejudice to its domestic law, each State Party shall endeavour to take measures to permit it to forward, without prejudice to its own investigations, prosecutions or judicial proceedings, information on proceeds of offences established in accordance with this Convention to another State Party without prior request, when it considers that the disclosure of such information might assist the receiving State Party in initiating or carrying out investigations, prosecutions or judicial proceedings or might lead to a request by that State Party under this chapter of the Convention.

Article 57
Return and disposal of assets
1. Property confiscated by a State Party pursuant to article 31 or 35 of this Convention shall be disposed of, including by return to its prior legitimate owners, pursuant to paragraph 3 of this article, by that State Party in accordance with the provisions of this Convention and its domestic law.

2. Each State Party shall adopt such legislative and other measures, in accordance with the fundamental principles of its domestic law, as may be necessary to enable its competent authorities to return confiscated property, when acting on the request made by another State Party, in accordance with this Convention, taking into account the rights of bona fide third parties.

3. In accordance with articles 46 and 55 of this Convention and paragraphs 1 and 2 of this article, the requested State Party shall:
   (a) In the case of embezzlement of public funds or of laundering of embezzled public funds as referred to in articles 17 and 23 of this Convention, when confiscation was executed in accordance with article 35 and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party;
   (b) In the case of proceeds of any other offence covered by this Convention, when the confiscation was executed in accordance with article 55 of this Convention and on the basis of a final judgement in the requesting State Party, a requirement that can be waived by the requested State Party, return the confiscated property to the requesting State Party, when the requesting State Party reasonably establishes its prior ownership of such confiscated property or when the requested State Party recognizes damage to the requesting State Party as a basis for returning the confiscated property;
   (c) In all other cases, give priority consideration to returning confiscated property to the requesting State Party, returning such property to its prior legitimate owners or compensating the victims of the crime.

4. Where appropriate, unless States Parties decide otherwise, the requested State Party may deduct reasonable expenses incurred in investigations, prosecutions or judicial proceedings leading to the return or disposition of confiscated property pursuant to this article.

5. Where appropriate, States Parties may also give special consideration to concluding agreements or mutually acceptable arrangements, on a case-by-case basis, for the final disposal of confiscated property.

Article 58
Financial intelligence unit
States Parties shall cooperate with one another for the purpose of preventing and combating the transfer of proceeds of offences established in accordance with this Convention and of promoting ways and means of recovering such proceeds and, to that end, shall consider establishing a financial intelligence unit to be responsible for receiving, analysing and disseminating to the competent authorities reports of suspicious financial transactions.

Article 59
Bilateral and multilateral agreements and arrangements
States Parties shall cooperate with one another for the purpose of preventing and combating the transfer of proceeds of offences established in accordance with this Convention and recovering such proceeds; and
c) Training competent authorities in the preparation of requests for mutual legal assistance that meet the requirements of this Convention;

(d) Evaluation and use. States Parties may also give special consideration to concluding agreements or mutually acceptable arrangements, on a case-by-case basis, for the final disposal of confiscated property.

Chapter VI
Technical assistance and information exchange
Article 60
Training and technical assistance
1. Each State Party shall, to the extent necessary, initiate, develop or improve specific training programmes for its personnel responsible for preventing and combating corruption. Such training programmes could deal, inter alia, with the following areas:
   (a) Effective measures to prevent, detect, investigate, punish and control corruption, including the use of evidence-gathering and investigative methods;
   (b) Building capacity in the development and planning of strategic anti-corruption policy;
   (c) Training competent authorities in the preparation of requests for mutual legal assistance that meet the requirements of this Convention;

2. Each State Party shall, to the extent necessary, initiate, develop or improve specific training programmes for its personnel responsible for preventing and combating corruption. Such training programmes could deal, inter alia, with the following areas:
   (a) Effective measures to prevent, detect, investigate, punish and control corruption, including the use of evidence-gathering and investigative methods;
   (b) Building capacity in the development and planning of strategic anti-corruption policy;
   (c) Training competent authorities in the preparation of requests for mutual legal assistance that meet the requirements of this Convention;

(e) Preventing and combating the transfer of proceeds of offences established in accordance with this Convention and recovering such proceeds;

(f) Detecting and freezing of the transfer of proceeds of offences established in accordance with this Convention;

(g) Surveillance of the movement of proceeds of offences established in accordance with this Convention.
2. States Parties shall, according to their capacity, consider assisting each other with the widest measure of technical assistance, especially for the benefit of developing countries, in their respective plans and programmes to combat corruption, including material support and training in the areas referred to in paragraph 1 of this article, and training and assistance and the mutual exchange of relevant experience and specialized knowledge, which will facilitate international cooperation between States Parties in the areas of extradition and mutual legal assistance.

3. States Parties shall strengthen, to the extent necessary, efforts to maximize operational and training activities in international and regional organizations and in the framework of relevant bilateral and multilateral agreements or arrangements.

4. States Parties shall consider assisting one another, upon request, in conducting evaluations, studies and research relating to the types, causes, effects and costs of corruption in their respective countries, with a view to developing, with the participation of competent authorities and society, strategies and action plans to combat corruption.

5. In order to facilitate the recovery of proceeds of offences established in accordance with this Convention, States Parties may cooperate in providing each other with the names of experts who could assist in achieving that objective.

6. States Parties shall consider using subregional, regional and international conferences and seminars to promote cooperation and technical assistance and to stimulate discussion on problems of mutual concern, including the special problems and needs of developing countries and countries with economies in transition.

7. States Parties shall consider establishing voluntary mechanisms with a view to contributing financially to the efforts of developing countries and countries with economies in transition to apply this Convention through technical assistance programmes and projects.

8. Each State Party shall consider making voluntary contributions to the United Nations Office on Drugs and Crime for the purpose of fostering, through the Office, programmes and projects in developing countries with a view to implementing this Convention.

Article 61
Collection, exchange and analysis of information on corruption

1. Each State Party shall consider analysing, in consultation with experts, trends in corruption in its territory, as well as the circumstances in which corruption offences are committed.

2. States Parties shall consider developing and sharing with each other and through international and regional organizations statistics, analytical expertise concerning corruption and information with a view to developing, insofar as possible, common definitions, standards and methodologies, as well as information on best practices to prevent and combat corruption.

3. Each State Party shall consider monitoring its policies and actual measures to combat corruption and making assessments of their effectiveness and efficiency.

Article 62
Other measures: implementation of the Convention through economic development and technical assistance

1. States Parties shall take measures necessary to the optimal implementation of this Convention to the extent possible, through international cooperation, taking into account the negative effects of corruption on society in general, in particular on sustainable development.

2. States Parties shall make concrete efforts to the extent possible and in coordination with each other, as well as with international and regional organizations:

(a) To enhance their cooperation at various levels with developing countries, with a view to strengthening the capacity of the latter to prevent and combat corruption;

(b) To enhance financial and material assistance to support the efforts of developing countries to prevent and fight corruption effectively and to help them implement this Convention successfully;

(c) To provide technical assistance to developing countries and countries with economies in transition to assist them in meeting their needs for the implementation of this Convention. To that end, States Parties shall endeavour to make adequate and regular voluntary contributions to an account specifically designated for that purpose in a United Nations funding mechanism. States Parties may also give special consideration, in accordance with their domestic law and the provisions of this Convention, to contributing to that account a percentage of the money or of the corresponding value of proceeds of crime or property confiscated in accordance with the provisions of this Convention;

(d) To encourage and persuade other States and financial institutions as appropriate to join them in efforts in accordance with this article, in particular by providing more training programmes and modern equipment to developing countries in order to assist them in achieving the objectives of this Convention.

3. To the extent possible, these measures shall be without prejudice to existing foreign assistance commitments or to other financial cooperation arrangements at the bilateral, regional or international level.

4. States Parties may conclude bilateral or multilateral agreements or arrangements on material and logistical assistance, taking into consideration the financial arrangements necessary for the means of international cooperation provided for by this Convention to be effective and for the prevention, detection and control of corruption.

Chapter VII
Mechanisms for implementation

Article 63
Conference of the States Parties to the Convention

1. A Conference of the States Parties to the Convention is hereby established 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.

2. The Secretary-General of the United Nations shall convene the Conference of the States Parties not later than one year following the entry into force of this Convention. Thereafter, regular meetings of the Conference of the States Parties shall be held in accordance with the rules of procedure adopted by the Conference.

3. The Conference of the States Parties shall adopt rules of procedure and rules governing the functioning of the activities set forth in this article, including rules concerning the admission and participation of observers, and the payment of expenses incurred in carrying out those activities.

4. The Conference of the States Parties shall agree upon activities, procedures and methods of work to achieve the objectives set forth in paragraph 1 of this article, including:
   (a) Facilitating activities by States Parties under articles 60 and 62 and chapters II to V of this Convention, including by encouraging the mobilization of voluntary contributions;
   (b) Facilitating the exchange of information among States Parties 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 as mentioned in this article;
   (c) Cooperating with relevant international and regional organizations and mechanisms and non-governmental organizations;
   (d) Making appropriate use of relevant information produced by other international and regional mechanisms for combating and preventing corruption in order to avoid unnecessary duplication of work;
   (e) Reviewing periodically the implementation of this Convention by its States Parties;
   (f) Making recommendations to improve this Convention and its implementation;
   (g) Taking note of the technical assistance requirements of States Parties with regard to the implementation of this Convention and recommending any action it may deem necessary in that respect.

5. For the purpose of paragraph 4 of this article, the Conference of the States Parties shall acquire the necessary knowledge of the measures taken by States Parties in implementing this Convention and the difficulties encountered by them in doing so through information provided by them and through such supplemental review mechanisms as may be established by the Conference of the States Parties.

6. Each State Party shall provide the Conference of the States Parties with information on its programmes, plans and practices, as well as on legislative and administrative measures to implement this Convention, as required by the Conference of the States Parties. The Conference of the States Parties shall examine the most effective way of receiving and acting upon information, including, inter alia, information received from States Parties and from competent international organizations. Inputs received from relevant non-governmental organizations duly accredited in accordance with procedures to be decided upon by the Conference of the States Parties may also be considered.

7. Pursuant to paragraphs 4 to 6 of this article, the Conference of the States Parties shall establish, if it deems it necessary, any appropriate mechanism or body to assist in the effective implementation of the Convention.

Article 64
Secretariat

1. The Secretary-General of the United Nations shall provide the necessary secretariat services to the Conference of the States Parties to the Convention.

2. The secretariat shall:
   (a) Assist the Conference of the States Parties in carrying out the activities set forth in article 65 of this Convention and make arrangements and provide the necessary services for the sessions of the Conference of the States Parties;
   (b) Upon request, assist States Parties in providing information to the Conference of the States Parties as envisaged in article 63, paragraphs 5 and 6, of this Convention; and
   (c) Ensure the necessary coordination with the secretariats of relevant international and regional organizations.

Chapter VIII
Final provisions

Article 65
Implementation of the Convention

1. Each State Party shall take the necessary measures, including legislative and administrative measures, in accordance with fundamental principles of its domestic law, to ensure the implementation of its obligations under this Convention.

2. Each State Party may adopt more strict or severe measures than those provided for by this Convention for preventing and combating corruption.

Article 66
Settlement of disputes

1. States Parties shall endeavour to settle disputes concerning the interpretation or application of this Convention through negotiation.

2. Any dispute between two or more States Parties concerning the interpretation or application of this Convention that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

3. Each State Party may, at the time of signature, ratification, acceptance or approval of or accession to this Convention, declare that it does not consider itself bound by paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation.

4. Any State Party that has made a reservation in accordance with paragraph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.
Article 67
Signature, ratification, acceptance, approval and accession
1. This Convention shall be open to all States for signature from 9 to 11 December 2005 in Merida, Mexico, and thereafter at United Nations Headquarters in New York until 9 December 2005.
2. This Convention shall also be open for signature by regional economic integration organizations provided that at least one member State of such organization has signed this Convention in accordance with paragraph 1 of this article.
3. This Convention is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its member States has done likewise. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to matters governed by this Convention. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.
4. This Convention is open for accession by any State or any regional economic integration organization of which at least one member State is a Party to this Convention. Instruments of accession shall be deposited with the Secretary-General of the United Nations. At the time of its accession, a regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Convention. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

Article 68
Entry into force
1. This Convention shall enter into force on the ninetieth day after the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.
2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Convention after the deposit of the thirtieth instrument of such action, this Convention shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Convention enters into force pursuant to paragraph 1 of this article, whichever is later.

Article 69
Amendment
1. After the expiry of five years from the entry into force of this Convention, a State Party may propose an amendment and transmit it to the Secretary-General of the United Nations, who shall thereupon communicate the proposed amendment to the States Parties and to the Conference of the States Parties to the Convention for the purpose of considering and deciding on the proposal. The Conference of the States Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two-thirds majority vote of the States Parties present and voting at the meeting of the Conference of the States Parties.
2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote under this article with a number of votes equal to the number of their member States that are Parties to this Convention. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa.
3. An amendment adopted in accordance with paragraph 1 of this article is subject to ratification, acceptance or approval by States Parties.
4. An amendment adopted in accordance with paragraph 1 of this article shall enter into force in respect of a State Party ninety days after the date of the deposit with the Secretary-General of the United Nations of an instrument of ratification, acceptance or approval of such amendment.
5. When an amendment enters into force, it shall be binding on those States Parties which have expressed their consent to be bound by it. Other States Parties shall still be bound by the provisions of this Convention and any earlier amendments that they have ratified, accepted or approved.

Article 70
Denunciation
1. A State Party may denounce this Convention by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.
2. A regional economic integration organization shall cease to be a Party to this Convention when all of its member States have denounced it.

Article 71
Depositary and languages
1. The Secretary-General of the United Nations is designated depositary of this Convention.
2. The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Convention.

High-level Political Conference. The Convention was opened for signature at the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption (Merida, Mexico, 9-11 December) [A/CONF.205/2], in accordance with General Assembly resolutions 57/169 [YUN 2002, p. 1189] and 58/4 (above), and would remain open for signature thereafter at UN Headquarters until 9 December 2005. The Convention would enter into force 90 days following the deposit of the thirtieth instrument of ratification, acceptance, approval or accession. In addition to signing the Convention, participants discussed follow-up ac-
Corrupt practices and illegal transfer of funds

In response to General Assembly resolution 57/244 [YUN 2002, p. 1120], the Secretary-General transmitted a July report [A/58/125] prepared by the UN Centre for International Crime Prevention on preventing and combating corrupt practices and the transfer of funds of illicit origin and returning such assets to the countries of origin. The report also reflected the content of a global study [A/AC.261/12] on the transfer of funds of illicit origin, especially funds derived from acts of corruption, which was submitted to the Ad Hoc Committee for the Negotiation of a Convention against Corruption (see p. 1126). The report contained a series of recommendations for removing the impediments to the recovery of funds of illicit origin, and for the return of such funds, including through national capacity-building, UN technical assistance and the negotiation of a future convention.

On 22 December, the Assembly took note of the Secretary-General’s report (decision 58/531).

GENERAL ASSEMBLY ACTION

On 23 December [meeting 78], the General Assembly, on the recommendation of the Second (Economic and Financial) Committee [A/58/482], adopted resolution 58/205 without vote [agenda item 92].

Preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin

The General Assembly,
Recalling its resolution 54/205 of 22 December 1999 and its resolutions 56/186 of 21 December 2001 and 57/244 of 20 December 2002, both on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such funds to the countries of origin,
Recalling also the Monterrey Consensus of the International Conference on Financing for Development, which underlined that fighting corruption at all levels is a priority, and the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”),
Deeply concerned about the seriousness of problems posed by continuing corrupt practices and transfer of assets of illicit origin and return of such funds and assets to the countries of origin, which may endanger the stability and security of societies, undermine the values of democracy and civil ethics and jeopardize sustainable and political development, in particular when an inadequate national and international response leads to impunity,
Taking note of the global study on the transfer of funds of illicit origin, especially funds derived from acts of corruption, submitted to the Ad Hoc Committee for the Negotiation of a Convention against Corruption, which noted the substantial amounts of money involved, the economic hardships for countries that are victims of such corruption and the enormous obstacles to recovery faced by those countries,
Noting that Member States have different institutional arrangements and capacities to ensure the implementation of legislation on preventing corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin,
Considering that the prevention of corrupt practices and transfer of assets of illicit origin and the return of such assets to the countries of origin have not been adequately regulated by all national legislations and international legal instruments,
Emphasizing the responsibilities of all Governments to enact laws aimed at preventing and combating corrupt practices and transfer of assets of illicit origin and return of such assets to the countries of origin,
1. Takes note of the report of the Secretary-General on preventing and combating corrupt practices and transfer of funds of illicit origin and returning such assets to the countries of origin;
2. Welcomes the entry into force of the United Nations Convention against Transnational Organized Crime;
3. Notes with appreciation the report of the Ad Hoc Committee for the Negotiation of a Convention against Corruption on the work of its first to seventh sessions;
4. Welcomes the adoption of the United Nations Convention against Corruption;
5. Also welcomes the participation of Member States at a high level, including at the ministerial level, in the High-level Political Conference for the Purpose of Signing the United Nations Convention against Corruption, held at Merida, Mexico, from 9 to 11 December 2003;
6. Invites all Member States and competent regional economic integration organizations to sign, ratify and fully implement the United Nations Convention against Corruption as soon as possible in order to ensure its rapid entry into force;
7. Encourages all Member States that have not yet done so to require financial institutions to properly implement comprehensive due diligence and vigilance programmes that could facilitate transparency and prevent the placement of illicitly acquired funds;
8. Also encourages all Member States that have not yet done so to require financial institutions to properly implement comprehensive due diligence and vigilance programmes that could facilitate transparency and prevent the placement of illicitly acquired funds;
9. Encourages subregional and regional cooperation, where appropriate, in the efforts to prevent and combat corrupt practices and the transfer of assets of
illicit origin and for the return of such assets to the countries of origin;

10. **Calls** for further international cooperation, inter alia, through the United Nations system, in support of national, subregional and regional efforts to prevent and address the transfer of assets of illicit origin, as well as to return such assets to the countries of origin;

11. **Requests** the international community to provide, inter alia, technical assistance to support national efforts to strengthen human and institutional capacity at preventing corrupt practices and the transfer of assets of illicit origin, returning such assets to the countries of origin and formulating strategies for mainstreaming and promoting transparency and integrity in both the public and private sector;

12. **Requests** the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution;

13. **Decides** to include in the provisional agenda of its fifty-ninth session a sub-item entitled “Preventing and combating corrupt practices and transfer of funds and assets of illicit origin and returning such funds and assets to the countries of origin”.

**Strategies for crime prevention**

**Combating terrorism**

In response to Economic and Social Council resolution 2002/19 [YUN 2002, p. 1121], the Secretary-General, in March [E/CN.15/2003/9], summarized information received from 10 Member States on measures they had taken to strengthen international cooperation and technical assistance in preventing and combating terrorism, particularly on such matters as adherence to international instruments, implementation of relevant Security Council resolutions, regional instruments, bilateral agreements, national and international action to combat terrorism, national legal frameworks against terrorism, terrorism and organized crime, and support for the work UNODC against terrorism.

The report also described UN activities, particularly those of UNODC as part of its Global Programme against Terrorism. To support the establishment of a global legal framework against terrorism, a preparatory assistance project on strengthening the legal regime against terrorism was being implemented. As part of the project, a UN legislative guide to the 12 international anti-terrorist conventions and protocols and to the legislative actions required for their ratification was reviewed by a group of international experts (Siracusa, Italy, 3-5 December 2002). A web page containing the UN legislative guide and examples of national counter-terrorism legislation was also created.

The Secretary-General concluded that UN activities should be part of a tripartite strategy supporting global efforts to: dissuade disaffected groups from embracing terrorism; deny groups or individuals the means to carry out acts of terrorism; and sustain broad-based international cooperation in the struggle against terrorism.

The Ad Hoc Committee established by General Assembly resolution 51/210 [YUN 1996, p. 1208] continued work on a draft comprehensive convention on international terrorism (see p. 1338).

**Economic and Social Council action**

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2003/30], adopted resolution 2003/22 without vote [agenda item 14 (c)].

**Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the Centre for International Crime Prevention**

The Economic and Social Council

**Recommends** to the General Assembly the adoption of the following draft resolution:

[For text, see General Assembly resolution 58/136 below.]

**General Assembly action**

On 22 December [meeting 77], the General Assembly, on the recommendation of the Third Committee [A/58/499], adopted resolution 58/136 without vote [agenda item 108].

**Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the Centre for International Crime Prevention**

The General Assembly,


**Recalling also** its resolution 56/1 of 12 September 2001, in which it strongly condemned the heinous acts of terrorism of 11 September 2001, and its resolution 57/27 of 19 November 2002, in which it also condemned those in Bali and Moscow and urgently called for international cooperation to prevent and eradicate acts of terrorism, as well as Security Council resolution 1465 (2003) of 13 February 2003, in which the Council condemned the bombing attack in Bogotá on 7 February 2003,

**Recalling further** its resolution 57/173 of 18 December 2002, in which it affirmed the importance of the role of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime in the fulfillment of its mandate, including to prevent and combat terrorism, and in particular in strengthening international cooperation and providing technical assistance,
upon request, which complements the work of the Security Council Committee established pursuant to resolution 1373(2001) concerning counter-terrorism,

Recalling its resolution 57/292 of 20 December 2002, in section IV of which it approved the strengthening of the Terrorism Prevention Branch of the Secretariat, given that terrorism was one of the priorities of the medium-term plan for the period 2002-2005,

Mindful of its resolution 56/261 of 31 January 2002 on the plans of action for the implementation of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century, which includes a plan of action against terrorism,

Supporting the ongoing efforts of the Executive Director of the United Nations Office on Drugs and Crime to enhance an integrated approach to combating terrorism, drug trafficking, transnational organized crime and other related forms of criminal activity,

Stressing the need for close coordination and cooperation between States, international, regional and subregional organizations and the Counter-Terrorism Committee, as well as the Centre, in preventing and combating terrorism and criminal activities carried out for the purpose of furthering terrorism in all its forms and manifestations,

Convinced of the need, as asserted by the General Assembly and the Security Council in various resolutions, in particular Council resolution 1373(2001), to prevent and suppress acts of terrorism, and noting with deep concern the links between terrorism and transnational organized crime, drug trafficking, money-laundering and trafficking in arms, as well as illegal transfers of nuclear, chemical and biological materials,

Expressing its appreciation to the Government of Austria and the Centre for the organization of the symposium on the theme “Combating international terrorism: the contribution of the United Nations”, held in Vienna on 3 and 4 June 2002, and taking note of the report of the Executive Director,

Recalling that Member States must ensure that any measures taken to combat terrorism comply with all their obligations under international law and that such measures are adopted in accordance with international law, in particular international human rights, refugee and humanitarian law, as appropriate,

Noting with appreciation that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 is continuing the preparation of a draft comprehensive convention on international terrorism and of a draft international convention for the suppression of acts of nuclear terrorism,

1. Encourages the activities of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime within its mandates in the area of preventing terrorism by providing Member States, upon request, with technical assistance, specifically to implement the universal conventions and protocols related to terrorism, thereby strengthening international cooperation in preventing and combating terrorism, working in close coordination with the Security Council Committee established pursuant to resolution 1373(2001) concerning counter-terrorism and the Office of Legal Affairs of the Secretariat, as well as with international, regional and subregional organizations;

2. Welcomes the establishment of the Global Programme against Terrorism, launched by the Centre, which provides the appropriate framework for activities supporting Member States in their fight against terrorism, in particular through the implementation of the universal conventions and protocols related to terrorism;

3. Calls upon Member States that have not yet done so to become parties to and implement the universal conventions and protocols related to terrorism and, where appropriate, to request assistance to that end from the Centre;

4. Notes the preparation of a United Nations legislative guide to the universal conventions and protocols related to terrorism, which was reviewed by an expert group hosted by the International Institute of Higher Studies in Criminal Sciences in Siracusa, Italy, from 3 to 5 December 2002, and invites States that have not yet ratified or acceded to the universal conventions and protocols related to terrorism to make use of the legislative guide in their efforts to incorporate the provisions of those instruments into their national legislation;

5. Urges Member States to continue working together, as well as on a regional and bilateral basis and in close cooperation with the United Nations, to prevent and combat acts of terrorism by strengthening international cooperation and technical assistance within the framework of Security Council resolutions 1373 (2001), 1377(2001) and 1456(2003) and other relevant international instruments and in accordance with the Charter of the United Nations and international law;

6. Requests the Centre, subject to the availability of regular or extrabudgetary resources, to prepare guidelines on technical assistance according to which the Centre, acting in areas within its competence and in coordination with the Counter-Terrorism Committee, will provide assistance related to promoting the ratification of, accession to and implementation of the universal conventions and protocols related to terrorism and to identify concrete elements of such assistance with a view to facilitating cooperation among Member States in combating terrorism, and to submit those guidelines to Member States for their consideration;

7. Also requests the Centre, subject to the availability of extrabudgetary funds, to intensify its efforts to provide technical assistance, upon request, in preventing and combating terrorism through the implementation of the universal conventions and protocols related to terrorism, with particular emphasis on the need to coordinate its work with the Counter-Terrorism Committee and international, regional and subregional organizations;

8. Expresses its appreciation to donor countries that have supported, through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund or through direct contributions to the United Nations Crime Prevention and Criminal Justice Programme network, the launching of the Global Programme against Terrorism, and invites all States to make adequate voluntary contributions to the Fund in order to strengthen the capacity of the Centre to provide technical assistance to requesting Member States, in particular for promoting the ratification of, accession to and implementation of the universal conventions and protocols related to terrorism;
9. **Recommends** that the Commission on Crime Prevention and Criminal Justice, in coordination with other United Nations entities, in particular the Counter-Terrorism Committee, keep under regular review the progress made by Member States in becoming parties to and implementing the universal conventions and protocols related to terrorism and the needs of Member States requesting technical assistance;

10. **Requests** the Secretary-General to organize a senior-level discussion during the thirteenth session of the Commission on Crime Prevention and Criminal Justice on progress made with regard to the criminal justice aspects of terrorism and international cooperation and to the universal conventions and protocols related to terrorism, and invites the Counter-Terrorism Committee and relevant international organizations to participate in that discussion;

11. **Invites** Member States to provide the Secretary-General with information on the nature of links between terrorism and other forms of crime in order to increase synergies in the delivery of technical assistance by the Centre, and requests the Secretary-General to include an analysis of that information in his report on the implementation of the present resolution;

12. **Requests** the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

### Trafficking in persons

In a March note on trafficking in human beings, especially women and children [E/CN.15/2003/3], the Secretary-General outlined topics that the Commission might wish to consider under the sub-themes: trends in trafficking human beings; investigating and prosecuting cases of trafficking in human beings at the national and international levels; and awareness-raising and social intervention, including victim support and the role of civil society. A research workshop on trafficking in human beings, especially women and children: lessons learned and policy implications was held during the Commission’s session on 16 May.

### Economic and Social Council Action

On 22 July, the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2003/30], adopted **resolution 2003/20** without vote [agenda item 14 (a)].

**Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking**

*The Economic and Social Council*

**Recommends** to the General Assembly the adoption of the following draft resolution:

[For text, see General Assembly resolution 58/137, below.]

### General Assembly Action

On 22 December [meeting 77], the General Assembly, on the recommendation of the Third Committee [A/58/499], adopted **resolution 58/137** without vote [agenda item 108].

**Strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking**

*The General Assembly*

**Recalling** the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power,

**Taking note** of guideline 8, Special measures for the protection and support of child victims of trafficking, contained in the report of the United Nations High Commissioner for Human Rights,

**Recalling** the Convention on the Rights of the Child, and noting the entry into force of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,

**Recalling also** the International Labour Organization Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), which prohibits forced or obligatory labour of all people under the age of 18,

**Recalling further** paragraphs 25 and 27 of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,


**Condemning** trafficking in persons as an abhorrent form of modern-day slavery and as an act that is contrary to universal human rights,

**Decrying** the treatment of human beings as commodities bartered, bought or sold by traffickers, in particular exploiters,

**Deeply concerned** at the worldwide occurrence of trafficking in persons for the purpose of exploitation of all kinds by transnational organized criminal groups, many of which are also involved in other forms of illegal activity, including trafficking in firearms, money-laundering, drug trafficking and corruption,

**Profoundly alarmed** by the fact that trafficking in persons is a growing and profitable trade in most parts of the world, aggravated by, inter alia, poverty, armed conflict, inadequate social and economic conditions and demand in the illicit labour and sex markets,

**Expressing dismay** at the ability of criminal networks to avoid punishment while preying on the vulnerabilities of their victims,


**Convinced** of the urgent need for broad and concerted international cooperation among all Member States requesting technical assistance;
States, employing a multidisciplinary, balanced and global approach, including adequate technical assistance, in order to prevent and combat trafficking in persons,

Convinced also that civil society, including non-governmental organizations, can play a role in reducing existing and future opportunities for victimization in the field of trafficking and in assisting Governments in promoting the protection of victims through comprehensive and non-stigmatizing social and appropriate economic assistance to victims, including in the areas of health, education, housing and employment,

Welcoming efforts of Member States, in particular countries of origin, transit and destination, to create awareness in civil society concerning the seriousness of the crime of trafficking and of its various forms, as well as the role of the public in preventing victimization and assisting victims of trafficking,

Noting the thematic discussion on trafficking in human beings, especially women and children, held by the Commission on Crime Prevention and Criminal Justice at its twelfth session,

1. *Urges* Member States to employ a comprehensive approach to combating trafficking in persons, incorporating law enforcement efforts and, where appropriate, the confiscation and seizure of the proceeds of trafficking, the protection of victims and preventive measures, including measures against activities that derive profit from the exploitation of victims of trafficking;

2. *Calls upon* Member States to collaborate with a view to preventing trafficking in persons, especially for the purpose of sexual exploitation, through:
   (a) Improved technical cooperation to strengthen local and national institutions aimed at preventing trafficking in persons, especially women and children, in countries of origin;
   (b) Information campaigns on the techniques and methods of traffickers, programmes of education aimed at prospective targets, as well as vocational training in social skills and assistance in the reintegration of victims of trafficking into society;
   (c) A focus on post-conflict regions where patterns of human trafficking are emerging as a new phenomenon and the incorporation of anti-trafficking measures into early intervention;

3. *Recognizes* that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential to counter effectively the threat of trafficking in persons;


5. *Invites* Member States to adopt measures, in accordance with their domestic law and capacity, inter alia:
   (a) To fight sexual exploitation with a view to abolishing it, by prosecuting and punishing those who engage in that activity;
   (b) To raise awareness, especially through training, among criminal justice officials and others, as appropriate, of the needs of victims of trafficking and of the crucial role of victims in detecting and prosecuting this crime by, inter alia:
      (i) Investigating all cases reported by victims, preventing further victimization and, in general, treating victims with respect;
      (ii) Treating victims and witnesses with sensitivity throughout criminal judicial proceedings, in accordance with articles 24 and 25 of the United Nations Convention against Transnational Organized Crime and article 6, paragraph 2, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

6. *Also invites* Member States to adopt measures, in accordance with their domestic law and capacity, inter alia:
   (a) To provide assistance and protection to victims of trafficking in persons, including measures to permit victims of trafficking to remain in their territory temporarily or permanently, as appropriate;
   (b) To promote the legislative and other measures necessary to establish a wide range of assistance, including legal, psychological, medical and social assistance and, if appropriate, compensation or restitution, to the actual victims of trafficking, subject to the determination of the existence of victimization;
   (c) To provide humane treatment for all victims of trafficking, taking into account their age, gender and particular needs, in accordance with article 6, paragraphs 3 and 4, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
   (d) To assist in the reintegration of victims of trafficking into society;

7. *Further invites* Member States, as appropriate, to develop guidelines for the protection of victims of trafficking before, during and after criminal proceedings;

8. *Urges* Member States to ensure that measures taken against trafficking in persons, especially women and children, are consistent with internationally recognized principles of non-discrimination and that they respect the human rights and fundamental freedoms of victims;

9. *Invites* Member States to set up mechanisms for coordination and collaboration between governmental and non-governmental organizations with a view to responding to the immediate needs of victims of trafficking;

10. *Also invites* Member States to allocate appropriate resources for victim services, public awareness campaigns and law enforcement activities directed at eliminating trafficking and exploitation and to foster international cooperation, including adequate technical assistance and capacity-building programmes, to improve the ability of Member States to take effective measures against trafficking in persons;
11. **Encourages** Member States to examine the role of the exploitation of the prostitution of others in encouraging trafficking in persons;

12. **Also encourages** Member States to adopt legislative or other measures to reduce the demand that fosters all forms of trafficking in persons, including by cooperating with non-governmental organizations and civil society and by raising public awareness of how sexual and other forms of exploitation degrade their victims and the related risks of trafficking in persons, especially women and children;

13. **Further encourages** Member States to take measures, including raising public awareness, to discourage, especially among men, the demand that fosters sexual exploitation, in accordance with article 9, paragraph 5, of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

14. **Encourages** Member States to target the link, where appropriate, between trafficking in persons for purposes of sexual and other forms of exploitation and other types of crime;

15. **Encourages** the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime to continue its close cooperation and coordination with relevant international and regional organizations in this area;

16. **Encourages** Member States to make voluntary contributions to further strengthen and support the Centre and its Global Programme against Trafficking in Human Beings, in particular in the area of technical assistance activities;

17. **Requests** the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its fourteenth session on the implementation of the present resolution.

**Kidnapping**

In response to Economic and Social Council resolution 2002/16 [YUN 2002, p. 117], the Secretary-General submitted a March report [E/CN.15/2003/7 & Add.1] on international cooperation to prevent, combat and eliminate kidnapping and to provide assistance to victims. The report summarized replies received from 64 Member States and three UN entities to a survey on the practice and extent of kidnapping, and the legislative, law enforcement, victim support and international cooperative initiatives taken in response to the problem. All responding countries considered kidnapping to be a serious crime and treated it accordingly. They noted that the various types of kidnapping suggested that the role of organized criminal and terrorist groups differed from jurisdiction to jurisdiction. The report pointed to a relatively dramatic increase in some States in kidnappings carried out within and between criminal groups and the development of new varieties of kidnapping. Although steps had been taken in a number of jurisdictions to counter kidnapping, it was too early to judge their success; lessons were emerging on countering the crime and there was scope for increased exchange of information on best practices and technical cooperation.

**ECONOMIC AND SOCIAL COUNCIL ACTION**

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2003/30], adopted resolution 2003/28 without vote [agenda item 14 (c)].

**International cooperation in the prevention, combating and elimination of kidnapping and in providing assistance to victims**

The Economic and Social Council, Concerned at the practice of kidnapping in various countries of the world and at the harmful effects of that crime on victims and their families, and resolved to support measures to assist and protect them and to promote their recovery,

Reiterating that the kidnapping of persons under any circumstances and for any purpose constitutes a serious crime and a violation of individual freedom and undermines human rights,

Noting the transnational nature of organized crime and the tendency of organized criminal groups and terrorist groups to expand their illegal operations,

Concerned at the growing tendency of organized criminal groups and terrorist groups to resort to kidnapping, especially for the purpose of extortion, as a method of accumulating capital with a view to consolidating their criminal operations and undertaking other illegal activities, such as trafficking in firearms, drugs and persons, money-laundering and crimes related to terrorism,

Concerned that the links between various illegal activities, including terrorism, and organized crime pose an additional threat to security and the quality of life, hindering economic and social development,

Concerned also that the United Nations Convention against Transnational Organized Crime provides the legal framework necessary for international cooperation in the fight against kidnapping,

Recalling its resolution 2002/16 of 24 July 2002, in which it requested the Secretary-General, in coordination with competent entities of the United Nations system, to submit a progress report to the Commission on Crime Prevention and Criminal Justice at its twelfth session on the factual and legal situation of kidnapping throughout the world, including the situation of victims,

1. **Vigorously condemns and rejects once again the practice of kidnapping, in any circumstances and for any purpose, including kidnapping by organized criminal groups and terrorist groups;**

2. **Stresses** that organized criminal groups and terrorist groups as well as all perpetrators are responsible for any harm or death that results from a kidnapping committed by them and should be punished accordingly;

3. **Takes note with appreciation** of the progress report of the Secretary-General, submitted pursuant to resolution 2002/16;

4. **Urges** Member States that have taken new measures in the context of the present resolution to co-
operate with the Secretary-General and competent entities of the United Nations system, in particular the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime, inter alia, by submitting comments on the progress report of the Secretary-General and by providing information on national legislation and on practical measures and experience at the domestic level in that connection;

5. Invites Member States that have not yet done so to provide the Secretary-General with information on the practice of kidnapping and on relevant domestic measures that have been adopted, including any related to support and assistance to the victims and their families;

6. Invites Member States that have not yet done so to adopt the legislative or other measures necessary to establish kidnapping as a serious crime in their domestic legislation, in accordance with the definition of “serious crime” contained in the United Nations Convention against Transnational Organized Crime;

7. Encourages Member States to continue to foster international cooperation, especially extradition, mutual legal assistance, collaboration between law enforcement authorities and information exchange, with a view to preventing, combating and eradicating kidnapping;

8. Calls upon Member States that have not yet done so, in furtherance of the fight against kidnapping, to strengthen their measures against money-laundering and to engage in international cooperation and mutual assistance, inter alia, in the tracing, detection, freezing and confiscation of proceeds of kidnapping in order to combat organized criminal groups and terrorist groups;

9. Requests the Secretary-General, drawing on extrabudgetary funds or voluntary contributions, to provide technical assistance to States, upon request, to enable them to strengthen their capacity to combat kidnapping, including establishing, as appropriate, special law enforcement and prosecution units and mechanisms for cooperation with civil society and international cooperation;

10. Also requests the Secretary-General to complete his report on the implementation of resolution 2002/16, including in it information on the practice of kidnapping and on relevant domestic measures that have been taken, including those related to support and assistance to the victims and their families, and to submit it to the Commission on Crime Prevention and Criminal Justice at its thirteenth session.

Urban crime

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/CN.15/2003/30], adopted resolution 2003/26 without vote [agenda item 4 (c)].

Prevention of urban crime

The Economic and Social Council,

Recalling General Assembly resolutions 55/59 of 4 December 2000, in which the Assembly endorsed the Vienna Declaration on Crime and Justice; Meeting the Challenges of the Twenty-first Century, adopted by the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Vienna from 10 to 17 April 2000, resolution 56/261 of 31 January 2002, in which the Assembly took note with appreciation of the plans of action for the implementation of the Vienna Declaration, annexed to the resolution, including the plan of action on crime prevention, and resolution 57/170 of 18 December 2002, in which the Assembly again invited Governments to use the plans of action as a guide in their efforts to formulate legislation, policies and programmes in the field of crime prevention and criminal justice.

Recalling also its resolution 1995/9 of 24 July 1995, by which it adopted guidelines for cooperation and technical assistance in the field of urban crime prevention,

Recalling further its resolution 2002/13 of 24 July 2002 on action to promote effective crime prevention, in which it accepted the Guidelines for the Prevention of Crime, annexed to the resolution,

Concerned at the continuing rise in urban crime of an increasingly serious nature in many parts of the world,

Mindful of the clear linkages between urban crime and drug trafficking, organized crime and the illegal possession and use of firearms,

Recognizing that, in many countries, criminal activities have become a major threat to public safety in large urban areas,

Expressing particular concern for children at risk in large urban areas,

Recognizing that urban criminality in specific situations hampers economic growth and weakens state institutions, thereby undermining efforts to promote sustainable development and reduce poverty,

Recognizing also the need for a balanced, integrated approach to fighting urban crime, including activities addressing such root causes as poverty, social marginalization and exclusion and lack of opportunities for young people,

Recognizing further that crime prevention strategies and actions should be based on a broad, gender-sensitive, multidisciplinary foundation of knowledge about proven and promising practices,

Reiterating the need for more regional and international collaboration in the fight against urban crime,

1. Encourages Member States to draw upon the Guidelines for the Prevention of Crime, annexed to its resolution 2002/13, when developing, implementing and evaluating urban crime prevention programmes and projects, and to share their experience gained in that regard, including in their inputs to the report of the Secretary-General requested in that resolution;

2. Also encourages Member States to establish effective policies and to pursue the implementation of such policies, where appropriate, to protect children at risk in urban areas;

3. Requests the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime, in consultation with Member States, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, the United Nations Human Settlements Programme (UN-Habitat) and other relevant entities of the United Nations system to continue to assist Member States, upon request, to prepare proposals for the provision of technical assistance in the area of crime prevention, in accordance with the
Guidelines, including through capacity-building and training;

4. Also requests the Centre, subject to the availability of extrabudgetary resources and with the assistance of Governments, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and relevant United Nations entities, to compile an overview of proven and promising practices in the area of urban crime prevention, including in criminal justice, to develop a practical manual on the use and application of the Guidelines and to convene for that purpose an expert group meeting, with participants to be selected on the basis of equitable geographical representation;

5. Again calls upon all relevant United Nations organizations and bodies and international financial institutions to give appropriate consideration to the inclusion of urban crime prevention and law enforcement projects in their assistance programmes;

6. Recommends that, in the programme of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, due attention be given to the issue of urban crime;

7. Welcomes the inclusion of urban crime and youth at risk as one of the issues for the workshops to be held at the Eleventh Congress, which will permit an in-depth discussion of the subject at the regional preparatory meetings for the Congress.

UN standards and norms

In response to Economic and Social Council resolution 2002/15 [YUN 2002, p. 1124], the Secretary-General convened the Meeting of Experts on the Application of United Nations Standards and Norms in Crime Prevention and Criminal Justice (Städtschlaining, Austria, 10-12 February) [E/CN.15/2003/10 & Add.2]. The Meeting evaluated the progress made in the application of the standards and norms, reviewed the current system of reporting on their application and presented proposals on the future application of the standards and norms. The Meeting adopted a series of recommendations addressed to the Commission on Crime Prevention and Criminal Justice, Member States and other entities and UNODC.

The Secretary-General submitted to the Commission a March report and later addendum [E/CN.15/2003/10 & Add.2] on UN standards and norms in crime prevention and criminal justice, in response to Council resolutions 2002/12 [YUN 2002, p. 1129], 2002/13 [ibid., p. 1125], 2002/14 [ibid., p. 1116] and 2002/15 [ibid., p. 1124]. The report summarized replies received from Member States, UN entities, other intergovernmental organizations, NGOs and institutes comprising the UN Crime Prevention and Criminal Justice Programme network on their initiatives and accomplishments in the use and application of the standards and norms. The Secretary-General concluded that the information provided indicated that the use and application of the standards and norms resulted in changes and reforms being introduced in legal systems in many parts of the world with a view to upgrading and strengthening the capacity of criminal justice systems.

ECONOMIC AND SOCIAL COUNCIL ACTION

On 22 July [meeting 44], the Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice [E/2003/30], adopted resolution 2003/30 without vote [agenda item 14 (c)].

United Nations standards and norms in crime prevention and criminal justice

The Economic and Social Council, recalling its resolution 2002/15 of 24 July 2002, in which it reaffirmed the importance of United Nations standards and norms in crime prevention and criminal justice, including within the framework of peacekeeping and post-conflict reconstruction, and requested the Secretary-General to convene a meeting of a group of experts, subject to the availability of extrabudgetary funds, to make concrete proposals on the application of United Nations standards and norms to be considered by the Commission on Crime Prevention and Criminal Justice at its twelfth session,

recalling also its resolution 2002/17 of 24 July 2002 on international cooperation, technical assistance and advisory services in crime prevention and criminal justice, in which it invited potential donors to make significant and regular contributions, and requested the Secretary-General to enhance further the resources available for operational activities and interregional advisory services,

recalling further its resolution 1993/34 of 27 July 1993, in particular section III, paragraph 7 (c), thereof, in which it requested the Secretary-General to commence without delay a process of information-gathering to be undertaken by means of surveys, such as reporting systems, and contributions from other sources,

welcoming the ongoing collaboration between the United Nations Office on Drugs and Crime and the Office of the United Nations High Commissioner for Human Rights in the areas of juvenile justice, human rights education, professional education for judges and lawyers, technical cooperation, counter-terrorism and human rights, trafficking in persons, the rights of victims, the independence of the judiciary and post-conflict reconstruction,

desiring of reforming and streamlining the current process of information-gathering with respect to the application of United Nations standards and norms in crime prevention and criminal justice in order to make the process more efficient and cost-effective for all those concerned,

aware of the resources that past surveys have required from Member States, and acknowledging the workload of the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime and Member States in relation to the present priorities set by the Commission on Crime Prevention and Criminal Justice,
1. Takes note with appreciation of the report of the Secretary-General;

2. Expresses its appreciation for the work undertaken by the Meeting of Experts on the Application of United Nations Standards and Norms in Crime Prevention and Criminal Justice, held in Stadtschlaining, Austria, from 10 to 12 February 2003, takes note of the recommendations of the Meeting of Experts contained in the annex to the present resolution, and expresses its appreciation to the Governments of Austria, Canada and Germany for their financial support in the organization of the Meeting;

3. Decides to group United Nations standards and norms in crime prevention and criminal justice in the following categories for the purpose of targeted collection of information, in order to better identify the specific needs of Member States and to provide an analytical framework with a view to improving technical cooperation:
   (a) Standards and norms related primarily to persons in custody, non-custodial sanctions and juvenile and restorative justice;
   (b) Standards and norms related primarily to legal, institutional and practical arrangements for international cooperation;
   (c) Standards and norms related primarily to crime prevention and victim issues;
   (d) Standards and norms related primarily to good governance, the independence of the judiciary and the integrity of criminal justice personnel;

4. Calls upon Member States, intergovernmental and non-governmental organizations, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network and United Nations entities, in responding to targeted inquiries on the application of United Nations standards and norms in crime prevention and criminal justice, to focus on identifying difficulties that have been encountered in their application, ways in which technical assistance to requesting States can overcome those difficulties and desirable practices in the prevention and control of crime;

5. Requests the Centre for International Crime Prevention of the United Nations Office on Drugs and Crime, in collaboration with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network:
   (a) To provide support to Member States requesting assistance with specific issues in the use and application of United Nations standards and norms in crime prevention and criminal justice, including by developing resource materials and organizing training courses and workshops;
   (b) To collaborate with other United Nations entities, intergovernmental and non-governmental organizations, national institutions to promote the widest possible dissemination of United Nations standards and norms in crime prevention and criminal justice and to identify experts in that field who may be available to assist requesting Member States;
   (c) To provide advisory services in relation to United Nations standards and norms in crime prevention and criminal justice;

6. Requests the Secretary-General to convene, subject to the availability of extrabudgetary funds, an intergovernmental expert group meeting on the basis of adequate and equitable geographical representation to prepare proposals to be considered by the Commission on Crime Prevention and Criminal Justice at its thirteenth session in relation to:
   (a) The design of information-gathering instruments that are short, simple, complete and understandable in relation to select groups of standards and norms referred to in paragraph 5 above and that are aimed at identifying and addressing specific problems in Member States requesting assistance and at providing an analytical framework with a view to improving technical cooperation;
   (b) New ways and means for maximizing the effectiveness of technical assistance to Member States in specific areas of crime prevention and criminal justice, including in the context of the reconstruction of criminal justice institutions in peacekeeping and post-conflict situations, in particular as regards capacity-building and the promotion of the rule of law;

7. Also requests the Secretary-General to report to the Commission at its fifteenth session on progress made in the first targeted collection of information on the group of standards and norms referred to in paragraph 5 (a) and (b) above, including how that collection of information relates to requests by Member States for technical assistance.

Annex


Recommendations to the Commission on Crime Prevention and Criminal Justice

1. The application and formulation of United Nations standards and norms in crime prevention and criminal justice should continue to be accorded high priority by the Commission on Crime Prevention and Criminal Justice. The standing agenda item on those standards and norms should be maintained and appropriate time and resources should be devoted to it.

2. Possible future United Nations standards and norms in crime prevention and criminal justice should focus on emerging practices in crime prevention or criminal justice, in order to facilitate the development of detailed practical guidelines for use by interested States in carrying out specific tasks.

3. The Commission should establish a mechanism, such as a group of experts and/or a special rapporteur, to supplement existing procedures for undertaking periodic reviews of the application of selected United Nations standards and norms in crime prevention and criminal justice in order to ensure their promotion, as well as to make appropriate recommendations to the Commission.

4. The focus in subsequent review cycles should be on identifying difficulties that have been encountered in the application of United Nations standards and norms, in crime prevention and criminal justice, ways in which technical assistance can be used to overcome those difficulties and desirable practices in crime prevention and control.

5. The resulting data and other information should be shared in order to enhance the level and impact of technical cooperation in the world, the overall objective being to promote criminal justice reform in

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line with applicable United Nations standards and norms in crime prevention and criminal justice.

6. The entire review process should be guided by the need to relate it to the main programme priorities of the United Nations, as noted in the United Nations Millennium Declaration and the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-First Century, including strengthening the rule of law, good governance, sustainable development and the alleviation of poverty.

7. In line with the programme priorities of the United Nations, the Commission, at each of its sessions, should seek to focus on the application of a cluster of United Nations standards and norms in crime prevention and criminal justice. The Commission may wish to consider the possibility of reviewing a presentation of a particular cluster of standards and norms and their application in specific countries. Such a presentation could be prepared in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network.

8. In redesigning the information-gathering mechanisms and within the limits of current programme budget resources, the Commission should examine and propose focusing the future review process on selected clusters of instruments with the most widespread potential and relevance for application in criminal justice reforms in the world, in the following order of priority, bearing in mind gender as a cross-cutting issue, and grouped into clusters as follows:
   (a) Juvenile justice and prison reform, including alternatives to imprisonment and restorative justice;
   (b) The conduct of law enforcement and criminal justice practitioners, including the integrity of the judiciary;
   (c) Public security and crime prevention;
   (d) The treatment of victims and witnesses;
   (e) Legal, institutional and practical arrangements for international cooperation (model treaties).

9. The Commission should request donor States and relevant intergovernmental and non-governmental institutions to support criminal justice reforms, in accordance with United Nations standards and norms in crime prevention and criminal justice, in countries requesting assistance. The Commission could rely on a roster of national and regional experts who could, upon request, provide technical assistance and advice on the use and application of selected standards and norms.

10. The Commission should encourage donor countries to make financial contributions to the United Nations Crime Prevention and Criminal Justice Fund. Contributions should be directed towards technical cooperation projects for implementing and promoting United Nations standards and norms in crime prevention and criminal justice, as well as organizing meetings of experts to identify priority areas for the development of future standards and norms.

Recommendations to Member States and other entities

11. Each of the Member States should be encouraged to identify at least one contact person who could serve as a knowledgeable source for the analysis of the State’s response concerning the application of United Nations standards and norms in crime prevention and criminal justice.

12. Member States should establish mechanisms and provide resources at the national level for promoting and monitoring the application of United Nations standards and norms in crime prevention and criminal justice.

13. Focused efforts should be made to obtain the commitment of policy makers and criminal justice managers to the implementation of United Nations standards and norms in crime prevention and criminal justice.

14. Member States should publish and disseminate, in their local languages, the United Nations standards and norms in crime prevention and criminal justice.

15. United Nations standards and norms in crime prevention and criminal justice should be easily accessible and explained in understandable language.

16. Member States, financial institutions and development agencies should support projects for the implementation of United Nations standards and norms in crime prevention and criminal justice.

17. Member States, intergovernmental and non-governmental organizations and interregional, regional and national training and educational institutions should vigorously promote programmes and projects that advance the United Nations standards and norms in crime prevention and criminal justice.

18. National institutions and non-governmental organizations should integrate United Nations standards and norms fully into their relevant training programmes.

Recommendations to the United Nations Office on Drugs and Crime

19. The United Nations Office on Drugs and Crime should emphasize in its organizational structure and operations the essential role of United Nations standards and norms in crime prevention and criminal justice.

20. The United Nations Office on Drugs and Crime should assist Member States, upon request, in the application of United Nations standards and norms in crime prevention and criminal justice and in the development of projects.

21. The United Nations Office on Drugs and Crime should identify opportunities for sharing data and other information on United Nations standards and norms in crime prevention and criminal justice with Governments and with intergovernmental and non-governmental organizations.

22. The information provided by Member States on the application of United Nations standards and norms in crime prevention and criminal justice should be distributed by the United Nations Office on Drugs and Crime via the World Wide Web.
25. The United Nations Office on Drugs and Crime should encourage financial institutions, development agencies and non-governmental organizations to expand their technical assistance programmes for improving access to justice and the rule of law.

26. The information-gathering mechanisms used by the United Nations Office on Drugs and Crime should be reviewed in order to bring them in line with the overall programme priorities of the United Nations. The goal should be to redesign the mechanisms in a more comprehensive, consistent and operational manner, so that the collected data and other information are more relevant to those priorities. The goal should also be to enhance cooperation among respondents, both in the collection of data and in the execution of technical cooperation projects.

27. New information-gathering mechanisms should be focused on identifying difficulties encountered in application and desirable practices. The mechanisms should be based on the present United Nations priorities unless the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, to be held in 2005, identifies new priorities.

28. Bearing in mind the priorities, the new information-gathering mechanisms should be conceptualized and existing mechanisms reviewed along the following parameters:

(a) Standards and norms related primarily to persons in custody, non-custodial sanctions and juvenile and restorative justice;

(b) Standards and norms related primarily to good governance, the independence of the judiciary and the integrity of criminal justice personnel;

(c) Standards and norms related primarily to crime prevention and victim issues;

(d) Standards and norms related primarily to legal, institutional and practical arrangements for international cooperation.

29. Reviews of United Nations standards and norms related primarily to capital punishment should be conducted pursuant to Economic and Social Council resolution 1995/57 of 28 July 1995, in which the Council recommended that the quinquennial reports of the Secretary-General should continue to cover the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty.

30. In gathering information on the above-mentioned priorities, the United Nations Office on Drugs and Crime should also focus its efforts on practical measures that make it possible to determine their operational usefulness in restoring or maintaining law and order, with particular reference to developing countries, countries with economies in transition and post-conflict situations.

31. The United Nations Office on Drugs and Crime should continue to explore the possibility of additional approaches and techniques in information-gathering in order to develop even more concise, simplified and cross-sectoral methods.

32. The survey instruments should be designed to be short, easy to complete and comprehensible.

33. The Secretary-General is requested to involve the regional institutes of the United Nations Crime Prevention and Criminal Justice Programme network in the review and design of the information-gathering instruments and the analysis of information collected.

34. Procedures should be developed according to which the Secretary-General, in reporting on the application of United Nations standards and norms in crime prevention and criminal justice, would be able to utilize not only other relevant information available within the United Nations, but also the expertise of specialized agencies, relevant intergovernmental and non-governmental organizations and academic institutions.

Recommendations on training

35. The United Nations Office on Drugs and Crime should continue to develop and produce manuals, modules and tools to be used in providing training on United Nations standards and norms in crime prevention and criminal justice, to carry out a limited number of such training courses and workshops and to coordinate such training with other United Nations entities.

36. A training unit should be created within the United Nations Office on Drugs and Crime and resources should be allocated for training and coordination functions.

37. To the maximum extent possible, the institutes of the United Nations Crime Prevention and Criminal Justice Programme network should be utilized in the planning and conduct of such training activities.

38. In cooperation with the Department of Peacekeeping Operations and the Department of Political Affairs of the Secretariat, the United Nations Office on Drugs and Crime should develop basic training materials for peacekeeping and peace-building operations.

Recommendations on technical cooperation

39. The United Nations Office on Drugs and Crime should establish rosters of national and regional experts who would be able to provide, upon request, technical assistance and advice on the application of particular types of United Nations standards and norms in crime prevention and criminal justice. Such rosters should be developed in accordance with the different clusters of such standards and norms.

40. The advisory services of the United Nations Office on Drugs and Crime in relation to United Nations standards and norms in crime prevention and criminal justice should be enhanced. Projects should be evaluated in the light of the information gathered. The lessons learned should be incorporated into future planning so that the capacity to execute technical assistance projects can be improved.

41. At the request of Member States, practical projects should be developed, in particular for victims' support services and witness protection, prison reform and alternatives to imprisonment, juvenile justice and restorative justice.

Human resources development

In response to General Assembly resolution 56/189 [YUN 2001, p. 1047], which recognized the importance of developing human resources as a means of promoting economic growth, eradication-
ing poverty, participating more effectively in the world economic system and benefiting from globalization, the Secretary-General, in a September report [A/58/548], described measures to implement the resolution. The report focused on the issues addressed in resolution 56/189, particularly the need to adopt a comprehensive approach to human resources development, increase investment in human resources development and promote strategies for information and communication technologies, collaboration with the private sector and NGOs, and the harmonization of UN system efforts and partnerships. The report called for human resources development strategies to include developing capacities for all generations and for groups of special concern, such as persons with disabilities, older persons, youth and indigenous peoples, taking into consideration gender equality. It recommended increasing investments to provide access to health care and education to all persons living in poverty, including groups with special needs. The HIV/AIDS pandemic required combining short-term humanitarian responses with long-term development measures to rebuild the human capacity lost to AIDS. The development of core work skills (such as communication and problem-solving) should form an important part of basic education and literacy programmes. Policies for expanding the use of technologies should encourage the use of local resources, including traditional information systems. Efforts should be made to increase the flow of development financing and its greater allocation to human resources development.

GENERAL ASSEMBLY ACTION
On 23 December [meeting 78], the General Assembly, on the recommendation of the Second Committee [A/58/483/Add.2], adopted resolution 58/207 without vote [agenda item 93 (b)].

Human resources development

The General Assembly,

Recalling its resolutions 52/196 of 18 December 1997, 54/211 of 22 December 1999 and 56/189 of 21 December 2001, as well as the relevant sections of the Agenda for Development,

Reaffirming internationally agreed development goals, including those contained in the United Nations Millennium Declaration,

Recalling the outcomes of the major United Nations conferences and summits in the economic, social and related fields,

Recalling also the ministerial declaration of the high-level segment of the substantive session of 2002 of the Economic and Social Council, on the contribution of human resources development, including in the areas of health and education, to the process of development,

Stressing that health and education are at the core of human resources development and the need to ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and will have equal access to all levels of education, as expressed at the World Education Forum, held at Dakar from 26 to 28 April 2000, and in the Millennium Declaration,

Recognizing that human beings are at the centre of concerns for sustainable development and that human resources development is a fundamental aspect of poverty eradication and is vital to the process of sustainable development, contributing to sustained economic growth, social development and environmental protection,

Recognizing also that there is a need to integrate human resources development into comprehensive strategies that mainstream a gender perspective,

Stressing that Governments have the primary responsibility for defining and implementing appropriate policies for human resources development and the need for greater support from the international community for the national efforts of developing countries,

Stressing also the need for enabling national and international environments that will enhance human resources development in developing countries so that they can face the challenges of and benefit from globalization,

Recognizing the need for adequate financial resources to increase investment in human resources development,

Expressing its concern at the increasing development gap between developed and developing countries, including the gap in knowledge and in access to information and communication technologies, and the disparity of income within and among nations and its adverse impact on human resources development in developing countries,

Expressing deep concern at the devastating impact of the HIV/AIDS pandemic, malaria, tuberculosis and other major infectious diseases on human resources development in developing countries, especially in sub-Saharan Africa,

Noting the impact of the movement of highly skilled people and those with an advanced education on human resources development and sustainable development in developing countries, and recognizing the need for further studies and analyses of its effects in the context of globalization,

Emphasizing the continuing need for coordination and integration among the organs and organizations of the United Nations system in assisting developing countries, in particular the least developed among them, in fostering the development of their human resources, especially that of the most vulnerable groups, and for the United Nations to continue to give priority to human resources development in developing countries,

1. Takes note of the report of the Secretary-General;
2. Recognizes the importance of developing human resources as a means, inter alia, of promoting sustained economic growth and sustainable development and eradicating poverty, as well as of participating more effectively in the world economic system and benefiting from globalization;
3. Urges increased investments by all countries, the United Nations system, international organizations,
the private sector, non-governmental organizations and civil society in all aspects of human development, such as health, nutrition, education, training and further capacity-building, with a view to achieving sustainable development and the well-being of all;

4. Also urges the adoption of comprehensive approaches to human resources development in designing and implementing development strategies at the national, subregional, regional and international levels and the sharing of best practices, while recognizing the role that local knowledge systems could play;

5. Further urges the adoption of cross-sectoral approaches to human resources development, which combine, among other factors, economic growth, poverty eradication, provision of basic social services, sustainable livelihoods, empowerment of women, involvement of young people, the needs of vulnerable groups of society, the needs of local indigenous communities, political freedom, popular participation and respect for human rights, justice and equality, all of which are essential for enhancing human capacity in order to meet the challenge of development;

6. Encourages all countries to ensure local and community-level engagement in the formulation and implementation of national and local policies to promote human resources development, and in this regard also encourages them to continue developing individual capacity as well as empowering communities;

7. Emphasizes the need to ensure the full participation of women in the formulation and implementation of national and local policies to promote human resources development;

8. States the importance of ensuring adequate resources for education as a fundamental aspect of eradicating poverty and promoting development with a view to achieving sustainable economic growth and human development;

9. Encourages Governments to manage resources assigned to education in a responsible, accurate and transparent way and to ensure accountability;

10. Recognizes the lack of adequate resources in many developing countries to expand access to and improve the quality of education, and, in particular, to provide free universal primary education;

11. Encourages the international community to provide greater technical assistance, financial support and allocation to human resources development in developing countries in support of their national efforts;

12. Encourages the United Nations system to focus in its cooperation activities on building human and institutional capacity, giving specific attention to women, girls and vulnerable groups;

13. Calls upon the United Nations system to harmonize further its collective human resources development efforts, in accordance with national policies and priorities.

14. Encourages the United Nations system to continue engaging in partnerships with the private sector and other relevant stakeholders, where appropriate, in accordance with United Nations resolutions and national priorities, so as to contribute further to the building of human resources development capacity in developing countries;

15. Recognizes the role of information and communication technologies in promoting human resources development, and in this regard welcomes the World Summit on the Information Society, the first phase of which was held in Geneva from 10 to 12 December 2003 and the second phase of which will be held in Tunis from 16 to 18 November 2005, as an important step towards addressing the challenges of bridging the digital divide as well as identifying a truly information and knowledge-based approach towards the achievement of the internationally agreed development goals, including those contained in the United Nations Millennium Declaration, in developing countries;

16. Also recognizes the need to direct concerted efforts at enhancing the technical skills and know-how of people living in rural and agricultural areas, with a view to improving their means of livelihood and material well-being, and in this regard encourages the allocation of more resources for this purpose so as to facilitate access to appropriate technology and know-how from within countries as well as from other countries, in particular the developed countries, and through South-South cooperation, including triangular arrangements;

17. Invites international organizations, including international financial institutions, within their respective mandates, to give greater priority to supporting the objectives of human resources development and to integrating them into their policies, projects and operations;

18. Requests the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution and to include a separate section therein on the effect of the movement of highly skilled people and those with an advanced education on human resources development in developing countries;

19. Decides to include in the provisional agenda of its sixtieth session, under the item entitled "Sustainable development and international economic cooperation", the sub-item entitled "Human resources development".

UN research and training institutes

UN Institute for Training and Research

A report [A/59/14] of the Executive Director of the United Nations Institute for Training and Research (UNITAR) described the Institute’s activities during the period from 1 July 2002 to 31 December 2003. He reviewed UNITAR’s programmes in international affairs management, which had increased to 150 different programmes and workshops or seminars organized annually, benefiting over 7,600 participants yearly; the activities of outposted offices in New York and at the regional office for Asia and the Pacific in Hiroshima, Japan, which was established in July; and activities related to training and capacity-building in sustainable development.

In response to General Assembly resolution 57/268 [YUN2002, p. 1192], the Secretary-General, in July [A/58/183], provided an overview of UNITAR programmes. He said that, while the financial situation of the programmes funded through special-purpose grants was satisfactory,
the UNITAR General Fund, made up of non-earmarked voluntary contributions, remained weak and vulnerable. The Secretariat and UNITAR had considered ways to solve the long-standing issue of rental and maintenance costs of the premises used in Geneva and New York and the payment of the accumulated debt of UNITAR to the United Nations.

An October report [A/58/544] of the Secretary-General on the financial viability of UNITAR, submitted in response to General Assembly resolution 57/292 [YUN 2002, p. 1375], covered the status of all voluntary contributions and the payment of the accumulated debt of the Institute, as well as provisions offered to other comparable organizations. Based on his consultations with the Institute, the Secretary-General put forward proposals on how to address the issue of past and future maintenance and rental costs. In order to compensate UNITAR for its expenditures under the United Nations, he also proposed the Secretary-General’s report. It believed that the five-year period was too long to repay UNITAR’s debt and recommended that the UNITAR Executive Director repay the amount as soon as possible. The possibility of releasing part of the accrued interest on special-purpose grants so that it could be applied towards loan repayment should be explored.

GENERAL ASSEMBLY ACTION

On 23 December [meeting 78], the General Assembly, on the recommendation of the Second Committee [A/58/489, as orally revised], adopted resolution 58/223 without vote [agenda item 99 (a)].

United Nations Institute for Training and Research

The General Assembly,


Welcoming the recent progress made by the United Nations Institute for Training and Research in its various programmes and activities, including the improved cooperation that has been established with other organizations of the United Nations system and with regional and national institutions,

Expressing its appreciation to the Governments and private institutions that have made or pledged financial and other contributions to the Institute,

Noting with concern that contributions to the General Fund have not increased, while the participation of the developed countries in training programmes in New York and Geneva is increasing,

Noting that the bulk of the resources contributed to the Institute is directed to the Special Purpose Grants Fund rather than to the General Fund, and stressing the need to address that unbalanced situation,

Noting also that the Institute receives no subsidy from the United Nations regular budget and that it provides training programmes to all Member States free of charge,

Reiterating that training activities should be accorded a more visible and larger role in support of the management of international affairs and in the execution of the economic and social development programmes of the United Nations system,

1. Takes note of the report of the Secretary-General;

2. Reaffirms the importance of a coordinated United Nations system-wide approach to research and training, based on an effective coherent strategy and an effective division of work among the relevant institutions and bodies;

3. Also reaffirms the relevance of the United Nations Institute for Training and Research in view of the growing importance of training within the United Nations and the training requirements of States and the relevance of the training-related research activities undertaken by the Institute within its mandate;

4. Welcomes the progress made in building partnerships between the Institute and other organizations and bodies of the United Nations system with respect to their training programmes, and in this context underlines the need to develop further and to expand the scope of those partnerships, in particular at the country level;

5. Also welcomes the establishment of the Institute’s Hiroshima Office for Asia and the Pacific in Hiroshima, Japan;

6.Requests the Board of Trustees of the Institute to continue to ensure fair and equitable geographical distribution and transparency in the preparation of the programmes and in the employment of experts, and in this regard stresses that the courses of the Institute should focus primarily on development issues and the management of international affairs;

7. Renews its appeal to all Governments, in particular those of developed countries, and to private institutions that have not yet contributed financially or otherwise to the Institute, to give it their generous financial and other support, and urges the States that have interrupted their voluntary contributions to consider resuming them in view of the successful restructuring and revitalization of the Institute;
8. Encourages the Board of Trustees of the Institute to continue its efforts to resolve the critical financial situation of the Institute, in particular with a view to broadening its donor base and to increasing the contributions to the General Fund;

9. Also encourages the Board of Trustees to consider diversifying further the venues of the events organized by the Institute and to include the cities hosting regional commissions, in order to promote greater participation and reduce costs;

10. Stresses the need to take action to resolve expeditiously the issues related to the Institute’s rent, debt, rental rates and maintenance costs, taking into account its financial situation, and welcomes the consideration of those issues by the Fifth Committee;

11. Requests the Secretary-General to submit to the General Assembly at its fifty-ninth session a report on the implementation of the present resolution, including details on the status of contributions to and the financial situation of the Institute.

Also on 23 December, the Assembly, in resolution 58/272 (see p. 1417), decided to cancel UNITAR’s debt in respect of rent and maintenance charges in the amount of $321,184 and requested the Secretary-General to invite the UNITAR Board of Trustees to rationalize the financial structure of the Institute, including through the possible application of a consistent programme support rate, to the Special Purpose Grants Fund in order to bring it in line with the standard rate applied by the United Nations. It decided to revert to the matter at its fifth-ninth (2004) session.

University for Peace

In response to General Assembly resolution 56/2 [YUN 2001, p. 1050], the Secretary-General, in October [A/58/430], described progress in revitalizing the Costa Rica-based University for Peace. As part of its five-year expansion and revitalization plan, a newly designed academic programme was being implemented, including five new master’s degree programmes on peace and security issues and a number of short courses for mid-career professionals. The course materials would be disseminated to partner universities worldwide. The Secretary-General noted that the University’s five-year development strategy would be concluded by December 2005. The first phase of development of the academic programme would be financed from tuition and scholarship fees, the regional activities would be self-sustaining and the distance education programme would be revenue generating. Full implementation of the programme depended on broad government support and on financial resources for the University’s institutional functioning and the implementation and dissemination of its academic programme.

On 10 November [meeting 59], the General Assembly adopted resolution 58/12 [draft: A/58/L.26 & Add.1] without vote [agenda item 25].

University for Peace

The General Assembly,
Recalling its resolution 56/2 of 22 October 2001, in which it recalled that, in its resolution 34/111 of 14 December 1979, it had approved the idea of establishing the University for Peace as a specialized international centre for higher education, research and the dissemination of knowledge relative to peace and its universal promotion within the United Nations system, and in which it also recalled its resolution 35/55 of 5 December 1980, in which it approved the establishment of the University for Peace, as well as all preceding resolutions on this item,

Noting that in 1991 the Secretary-General, with the assistance of the United Nations Development Programme, established a Trust Fund for Peace consisting of voluntary contributions in order to provide the University with the means necessary to extend its sphere of activity to the whole world, taking full advantage of its potential capacity for education, research and support of the United Nations and to carry out its mandate of promoting peace in the world,

Noting with appreciation the vigorous actions taken by the Secretary-General, in consultation with the Director-General of the United Nations Educational, Scientific and Cultural Organization and with the encouragement and support of the Government of Costa Rica, to revitalize the University,

Recognizing the important and varied activities carried out by the University during the period from 2001 to 2005, with the valuable assistance and contributions of Governments, foundations and non-governmental organizations, in particular the progress made in the development and implementation of the academic programme and the expansion of its scope worldwide as part of a five-year programme of expansion and revitalization,

Noting with satisfaction the activities directed towards expanding the University’s educational and research programmes to Africa, Asia and the Pacific, Central Asia and Latin America and the Caribbean,

Also noting with satisfaction the progress made in the development of teaching programmes at the master’s level, short courses, programmes to disseminate course materials and distance education and the establishment of a digital library on peace-related issues,

Noting that the University has placed special emphasis on the areas of conflict prevention, peacekeeping, peace-building and the peaceful settlement of disputes, and that it has launched programmes in the areas of democratic consensus-building and the techniques of peaceful settlement of conflicts,

Noting also that the University has launched a broad programme for building a culture of peace in Central America and the Caribbean in the context of the efforts being made by the United Nations and the United Nations Educational, Scientific and Cultural Organization for the development and promotion of a culture of peace,
Noting with appreciation the intensifying collaboration between the University and organizations and agencies of the United Nations, particularly the United Nations University, the United Nations Educational, Scientific and Cultural Organization, the Department of Political Affairs and the Department for Disarmament Affairs of the Secretariat, the United Nations Development Programme, the United Nations Institute for Training and Research and others,

Considering the importance of promoting education that fosters peaceful coexistence among people, including respect for the life, dignity and integrity of human beings, irrespective of their nationality, race, sex, religion or culture, as well as friendship and solidarity among peoples,

1. Takes note with appreciation of the report of the Secretary-General outlining the progress made in revitalizing the University for Peace, especially in regard to implementation of the five-year programme of expansion and revitalization;
2. Requests the Secretary-General, in view of the important work of the University for Peace and its potential role in developing new concepts and approaches to security through research and dialogue in order to respond effectively to emerging threats to peace, to consider further ways to strengthen cooperation between the United Nations and the University for Peace;
3. Also requests the Secretary-General to consider using the services of the University as part of his conflict-resolution and peace-building efforts and in the promotion of the Declaration and Programme of Action on a Culture of Peace;
4. Invites Member States, intergovernmental bodies, non-governmental organizations and interested individuals to contribute to the Trust Fund for Peace or to the budget of the University;
5. Invites Member States to accede to the International Agreement for the Establishment of the University for Peace, thereby demonstrating their support for an educational institution devoted to the promotion of a universal culture of peace;
6. Decides to include in the provisional agenda of its sixtieth session the item entitled “University for Peace”.

On 23 December, the Assembly decided that the agenda item on the University for Peace would remain for consideration during its resumed fifty-eighth (2004) session (decision 58/565).

United Nations University

The Council of the United Nations University (UNU) (Tokyo, Japan 1-5 December) [A/59/31] considered the 2004-2005 academic programme and budget; a review of the financial situation of UNU, including the management of the UNU Endowment Fund; the UNU personnel policy; a policy paper on new UNU associated institutions; a policy on the role of UNU support groups and associations; a UNU-wide strategy for follow-up of the 2002 World Summit on Sustainable Development [YUN 2002, p. 821]; and a report on UNU’s strategy for future activities in and on Africa.

During 2003, the UNU peace and governance programme focused its research and policy analysis activities in four thematic areas: conflict and security; human rights and ethics; policy and institutional frameworks; and international order and international justice. The focus of the UNU environment and sustainable development programme was on the interactions between human activities and the natural environment, and the implications for sustainable human management of natural resources. Networking and capacity-building, particularly in developing countries, were given high priority. In 2003, the programme regrouped its activities under four broad themes: sustainable urbanization; managing fragile ecosystems; solutions to water crises; and environmental governance and information.