

ECHOES AND HOPES

**The United Nations Committee
on Crime Prevention and Control**

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**Canberra 1979
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ISBN 0 642 91220 3

Published and printed by the Australian Institute of
Criminology, 10-18 Colbee Court, Phillip. ACT. Australia. 2606

FOREWORD

This paper has appeared in an abridged form in the United Nations *International Review of Criminal Policy* No.34, 1978, but contains more detail than space would allow in that publication.

For that reason and its historical relevance the Australian Institute of Criminology is reproducing it as a paper for general information.

William Clifford
Canberra
January 1979

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THE UNITED NATIONS COMMITTEE ON CRIME PREVENTION AND CONTROL

by

W. CLIFFORD*

Tucked neatly away in the interstices of the massive edifice of councils, agencies, programmes, funds and standing conferences which now constitute the United Nations, is a small committee of fifteen specialists on crime prevention and control which sometimes seems like an aging and handicapped David facing the ever young and increasingly vigorous Goliath of crime. Inheriting, as this Committee does, a tradition of informed and international concern for crime prevention which pre-dates the United Nations, this inconspicuous group echoes the past efforts of notable and dedicated people to achieve a more positive and co-ordinated form of international action for the prevention of crime. And within this committee there reside still the only real hopes the world may have for effective United Nations leadership in dealing with a crime problem progressively overspilling its national boundaries and mocking so many of our criminal justice systems. Unsung, marginally financed and virtually unnoticed on the turbulent international scene, this reserved (and now constrained) committee strives manfully to place the United Nations in the leadership role so generously accorded to it by other international bodies whilst it was still finding its feet at Lake Success.

Historical Perspective

The Committee on Crime Prevention and Control is a creature of the historical endeavour to move the United Nations into a central position in the control of crime, long before crime developed into the global menace which it is today. In its task the Committee is still confronting the attitudes and reservations which give crime prevention a relatively low priority in national and international affairs.

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Law and order has always been acknowledged to be the local and direct responsibility of a Member State. Thus at its first session in May 1972 the report of the Committee on Crime Prevention and Control re-iterated that

"It was fully understood that a proposed action plan or programme, though international, would not impinge upon national legal systems or on any local systems for the administration of justice ..."

and few States have ever liked the idea of having an international body looking over their sovereign shoulders.

In sanctioning the development of services for international co-operation by the United Nations, therefore, States had been enthusiastic from the beginning about subjects like education, labour, health, industry, trade and even aviation or atomic power. Member States were happy about these having separate, well-endowed international organisations for co-ordination, guidance, research and training; but they backed off quietly when law and order was mentioned. Legal drafting, interpretation and arbitration were within the conventional boundaries of international law with its traditional respect for national integrity and sovereign power. An International Law Commission was innocuous for all kinds of protracted drafting exercises and an International Court of Justice could be held to resolve major inter-state disputes; but the International Court was not a criminal court and the legal operations of the Secretariat more preoccupied with Conventions and Agreements had no direct law and order connotations. The threat seemed to appear when crime prevention as such might possibly imply international consideration of the law and order area which to each State wished to guard jealously as its own. This looked more like interference (or possible interference) with the internal affairs of a country so that the response to crime prevention becoming an integral part of the UN operation was decidedly lukewarm. Of course, not all States took this view and some went very far in sponsoring the concept of international collaboration

for crime prevention: but the reluctance was always very marked even amongst the fifty or so States which originally signed and ratified the United Nations Charters.

The effect of this is conspicuous today. The UN family of organisations provides a forum and a machinery for the exchange of information and international development for practically every Minister of the government of a Member State - except the Minister of Justice or his equivalent. Ministers of Education have UNESCO, Ministers of Labour have ILO, Ministers of Health have WHO - and so on: but those responsible for law and order, be they Ministers of Justice or the Interior find no similar forum within the United Nations. The Council of Europe and the Warsaw Pact countries bring together their Ministers of Justice regularly - the United Nations does not. Within the UN structure there are only the five-yearly Congresses held on the Prevention of Crime and the Treatment of Offenders which Ministers of Justice or Interior might attend - and of course the Committee on Crime Prevention and Control which has only 15 places to offer to cover official representation and professional expertise.

It is this fact which gives the Committee greater significance than can be accorded to other committees of a similar type. As a technical committee it can advise and guide without being able to implement plans and policies which even an agency fully endowed with resources would find it difficult to execute. It is the only body which operates in an area for which no agency exists and with a small secretarial staff it is the only hope of developing within the United Nations a capacity for reducing the impact of crime nationally and internationally.

In this same general context it may be observed that the United Nations owes the development of the five-yearly Congress¹ on Crime Prevention and the Crime Control Committee itself not to the thrust of its Member States but to the initiative and persistence of a non-governmental organisation, namely, the International Penal and Penitentiary Commission which in 1950 handed over its work to the UN Secretariat (on condition that such a Congress be held quinquennially and that an ad hoc advisory committee of experts be formed).

The former League of Nations with headquarters in Geneva, had, for the reasons already given, no section or service devoted to the prevention of crime or the treatment of offenders. It had a Child Welfare Bureau, however, which could not easily evade the problems of juvenile delinquency. From time to time it might commission work on juvenile delinquency by outside bodies interested in the treatment of offenders - and it worked particularly closely on juvenile delinquency with the International Penal and Penitentiary Commission. As long as the prevention of crime amongst young people could fall under the general title of Child Welfare it had the support of Member States and of the League Secretariat as well. It never got further than this before the Second World War; although it should be noted that the control of traffic in women and children, obscene publications and the control of drugs were peripheral areas which received a lot of valuable attention and even developed their own conventions. As long as the welfare interests covered one of these, and pharmacists the other there seemed no serious law and order implications which could be at all threatening to the sovereignty of States in dealing with crime.

After the Second World War and the setting up of the United Nations at San Francisco there was a predictable scramble for the establishment of UN professional agencies (although it was never envisaged at that time that they might become so independent as to raise their own funds and operate virtually autonomously from the UN Secretariat as they have done.⁽¹⁾)

1. Only in recent years has an ad hoc consultative group of all agencies been developed to bring programmes and interests into line - but still by voluntary co-operation. See footnote 12. below.

The ILO was already in existence as were the Postal Union and others. Health interests established the WHO, educational interests UNESCO and the agriculturalists got FAO. Many others were to come. Not surprisingly, the International Penal and Penitentiary Commission saw, at that time, a possibility of extending the scope and impact of its work for prisoners and crime prevention by obtaining similar consideration. The Commission could not become an agency of the UN but it could pass its work to the UN if an agency could be formed.

The negotiations with the UN were not easy. Spain had been a member of IPPC but was not held in repute at that time by the UN. Nor did the Secretariat of the UN wish to get involved without having complete control and no overlapping with IPPC (an attitude not quite paralleled by the way in which health and education agencies had been established). A "Penal and Penitentiary" commission was too near to the law and order concept so little supported. So, the new service had to be euphemised. It became "social defence" and was accepted not as an agency but as a small section of the Social Affairs Division. It is significant that for a long time its main interests were juvenile delinquency, probation and parole. It was cautious to avoid a law enforcement or law and order image and was, in fact, encouraged to see itself as part of a wider programme for social improvement. Actually, as we shall see, the Social Defence Section predated the assumption by the United Nations of the function of the International Penal and Penitentiary Commission but the negotiations for this were already under way.

It is worth noting that during this early period of its existence the UN Secretariat consisted of only two divisions - one economic and the other social; and, of the two, the social was the most developed having taken over so much of the work and personnel of UNRRA, the end of the War relief organisation. How different this became later as the economic division swamped the social and the latter was eventually constrained to justify its existence in economic terms! It is relevant to the status of crime prevention in the United Nations for the next three decades that it belonged

to the Social Affairs Division which had a declining influence in the structure. Social Defence had not only to justify its "social" complexion but its relevance to social "development" as well. In such a restricted and subordinate position it was bound to get low priority. On the one hand it was social and was therefore second class in a structure dominated by economics. Worse still it was not too obviously developmental and therefore could not command priority even within the social division.

The United Nations Assumption of Responsibility

The terms and conditions on which the UN assumed responsibility for the work of the IPPC are set out in General Assembly and in Economic and Social Council Resolutions. These begin with Resolution 415(V) adopted by the General Assembly at its 314th Plenary meeting on 1 December 1950. This was the instrument by which the United Nations took over the work of the International Penal and Penitentiary Commission which thereafter ceased to exist. However, the Commission although it transferred its library and archives to the United Nations did not hand over its financial assets which a new International Penal and Penitentiary Foundation was set up to administer for the future.

The preliminary work for General Assembly Resolution 415(V) had been done by the Economic and Social Council and by a dovetailing resolution of the International Penal and Penitentiary Commission dated 12 August 1950. The Resolution of the General Assembly therefore

"noted resolutions 262 B (ix) and 333 H (xi) of the Economic and Social Council and the resolution adopted by the International Penal and Penitentiary Commission on 12 August 1950"

and it approved the plan contained in the Secretary-General's report for the transfer of the functions of the Commission and the United Nations which was annexed to the resolution. In brief, that plan provided for -

1. The appointment of national correspondents by each State;
2. The establishment of Consultative Groups (of the national correspondents) to meet biennially or more often if required;
3. *The setting up of a small international Ad Hoc Advisory Committee of Experts to advise the Secretary-General and the Social Commission in "devising and formulating programmes for study on an international basis and policies for international action in the field of the prevention of crime and the treatment of offenders and also to advise on the co-ordination of the work of the United Nations consultative groups".*
It was hoped (but not required) that the Ad Hoc Advisory Committee of Experts could meet annually at United Nations Headquarters. And the committee was to be constituted by the Secretary-General inviting each consultative group to submit names from among its members to assist the Secretary-General in selecting the members.
4. The convening every five years of an international congress similar to those previously organised by the IPPC.
5. The publication of an international review.

In practice it proved financially and administratively difficult for a number of consultative groups of national correspondents to be formed and convened at regular intervals. Instead the five-yearly Congresses were punctuated by the biennial meetings of a Consultative Group to which Member States were invited to send representatives. Sometimes these representatives were the national correspondents but very often they were not. In fact, the maintenance of regular correspondence in all the different languages proved

difficult and, as governments changed, the lists of national correspondents grew dated; and not infrequently nominees were held on the lists long after they had died or retired - or perhaps after they had been imprisoned by the new governments of different political complexions! For such reasons, the nominations for membership of the Ad Hoc Advisory Committee of Experts were not made by the consultative groups and the practice developed of the Secretariat choosing its members on a basis of professional expertise and renown, geographical representation and due respect for the interests of the former International Penal and Penitentiary Commission.

The Ad Hoc Advisory Committee of Experts

By Resolution 155(VII)C of 13 August 1948 the Economic and Social Council anticipated the assumption of IPPC functions. By this resolution the Council created an advisory group of experts for crime prevention and the treatment of offenders. This "International Group of Experts on the Prevention of Crime and the Treatment of Offenders" met twice - in 1949 and in 1950. At the meeting of August 1949 the committee was composed of Donnedieu de Vabres (French - Chairman), Thorsten Sellin (U.S. - rapporteur), Stanford Bates (U.S.), Dennis Carroll (U.K.), Martinez (Cuba) and Kumarappa (India).^(2.) The basis for this particular selection of members is now difficult to ascertain but it should be borne in mind that at that time Bates was president of the IPPC which was meeting the same week in Berne to discuss, *inter alia*, the IPPC relationship with the United Nations: and Thorsten Sellin, Professor of Sociology at the University of Pennsylvania, had been invited to accept the Secretary-Generalship of the IPPC. It seems that Carroll appeared as a substitute for Edward Glover, a distinguished forensic psychiatrist, who had been the original U.K. invitee.

The December 1950 meeting of the International Group of Experts was chaired by Marjorie Fry (U.K.) with Marc Ancel (France) as rapporteur. Marjorie Fry, of course,

2.. From a private communication to the author by Thorsten Sellin.

came from a family renowned in the field of penal reform and had established her own reputation with the Howard League. Marc Ancel, Director of the Paris Centre de Droit Compare, was an acknowledged legal authority famous for his work on social defence. Since criminal statistics was one of the items on the agenda the membership of the Group was augmented with Ronald Beattie (U.S.A.), Veli Verkko (Finland) and Sebastian Soler (Argentina). (3.)

Although this body was replaced by the new committee formed as a consequence of General Assembly Resolution 415(V) the effect of this resolution was to continue its existence. The first meeting of the new Ad Hoc Advisory Committee was held in New York from 15-24 June 1953 with the following agenda -

- (a) Organisation of the World Quinquennial Congress in the field of the prevention of crime and the treatment of offenders;
- (b) Prison labour;
- (c) The prevention of types of criminality resulting from social changes and accompanying economic development in less developed countries;
- (d) Other matters.

The legal basis for this meeting is set out in the Introduction to the report of the first meeting -

"By Resolution 415(V) of 1 December 1950 the General Assembly set up a small international Ad Hoc Advisory Committee of Experts

'to advise the Secretary-General and the Social Commission in devising and formulating programmes for study on an international basis and policies for international action in the field of the prevention of crime and the treatment of offenders ...'

The above provision replaced that of Economic and Social Council Resolution 155(VII)C of 13 August 1948 on the basis of which a committee with similar terms of reference known as the "International Group of Experts on the Prevention of Crime and the Treatment of Offenders" had met in 1949 and 1950."

At this first meeting of the new Ad Hoc Committee of Experts Thorsten Sellin (U.S.) was Chairman, Paul Cornil (Belgium) was rapporteur, Samuel T. Barnett (New Zealand), Behram H. Metha (India) and Sebastian Soler (Argentina) were members. The International Labour Office sent a Mr. A. Dawson to the Committee for the discussion of prison labour.

Considering the constitution of this committee, it may be thought that the Secretariat had sought a balance of academic and administrative interests. Barnett was at the time the Secretary for Justice in New Zealand carrying thereby responsibility for courts and prisons. Cornil, as Secretary-General of the Belgian Ministry of Justice carried similar responsibilities. Metha and Sellin were full time professors and Soler now in private practice as a barrister was a former professor of criminal law in Argentina.

Looking back from the vantage point of 1976 it is interesting to see how the subjects of the agenda - or subjects very much like them - have been a continuing concern of this and other committees - and of the Congresses which the Committee has organised over the years. Prison labour was discussed at the conference held in Frankfurt in 1857 and at the London Congress in 1872. The effects of social change were agenda items for the first four United Nations Congresses - 1955-1970. (4.) The focal points of the international concern with crime do not vary as much as might be thought.

The Ad Hoc Committee of Experts was convened again in Geneva (just prior to the First Congress) with Thorsten Sellin again in the chair and Charles Germain (France) as rapporteur. Israel Drapkin (Chile) and Ernest Lamers (Netherlands) were members. B. Thien (Burma) had also been invited but did not attend. (5.)

4. See B.S. Alper and J.F. Boren "Crime, International Agenda" Lexington Books, D.C. Heath, Lexington, Mass.-1972.

5. Ibid.

To this committee, so varied in constitution at its several meetings, should go much of the credit for the great success of the First United Nations Congress of 1955 in adopting for submission to the Economic and Social Council of the United Nations the United Nations Standard Minimum Rules for the Treatment of Prisoners. This early draft has stood the test of time and, despite many attempts at amendment, remains, to this day virtually unchanged, as the most progressive and hopeful Charter for Prisoners.

The Ad Hoc Advisory Committee next met in 1958 in New York under the Chairmanship of Lionel Fox (U.K.) with Thorsten Sellin as rapporteur and with Paul Cornil (Belgium), Bunye (Phillipines), El Shafei (U.A.R.), Cesar Selgado and James V. Bennett (U.S.) who was represented at some sessions by his assistant director of Federal Prisons, G. Moeller.

Lionel Fox (later Sir Lionel) was Chairman of the Prison Commission in the United Kingdom and a talented administrator who did a great deal for the improvement of penal systems. The U.K. Chairmanship is probably explained by the fact that preparations were now being made for the Second UN Congress which was held in London in 1960. At a further meeting in 1960 Srzentich was Chairman, V.N. Pillai (Ceylon) was rapporteur and Francois Clerc (Switzerland), Garcia Basalo (Argentina), Paul Tappan (U.S.), Gerima (Ethiopia) and Francis Graham-Harrison (U.K.) were members. And at another meeting in 1963 when arrangements were being made for the Third United Nations Congress to be held in Stockholm in 1965, Thorsten Eriksson (Sweden) was Chairman with Moore (Liberia) as rapporteur and with Ahmad (Malaya), Garcia Basalo (Argentina), James Bennett (U.S.), Arthur Peterson (U.K.), L.N. Smirnov (U.S.S.R.) and Babek (U.A.R.) as members. A 1965 meeting of the Ad Hoc Advisory Committee of Experts had Thomas Lambo (Nigeria) as Chairman, Norval Morris (Australia) as rapporteur and Myrl Alexander (U.S.), Yoshitsuga Baba (Japan), M.R. Damour (France), Mrs. Durgabai Desimukh (India), Thorsten Sellin (Sweden), Ahmad Khalifa (U.A.R.), L.N. Smirnov (U.S.S.R.) and Alfonso Quiroz Cuaron (Mexico) as members⁽⁶⁾.

6. Ibid.

It will be seen that the Committee was not always meeting annually and that the selection of its members depended very greatly upon the views of the Secretariat. Whilst it is not easy to unravel the policy behind the selection of members of the Ad Hoc Committee there was an evident attempt to balance acknowledged interests. It should be remembered that criminology was not a particularly well developed subject in the universities in these early years so that older established governmental interests in crime prevention and the treatment of offenders tended to prevail. The governmental administrators seemed to have more status and to wield more influence than did the academics.

However, in the names reviewed here, a number of disciplines are represented including law, sociology, psychiatry, statistics: and administrators are alongside professors, judges, doctors and social workers.

Positions of power were usually respected as when the IPPC appointments are taken into account. Thorsten Eriksson's inclusion coincided with his international status as a correctional reformer and his Chairmanship of the Council of Europe Crime Problems Committee. Thorsten Sellin's undisputed scholarship as well as his membership of and influence in both IPPC and IPPF were clearly factors favouring his choice. In those cases where the representation of a country was thought to be as important as the individual selected, a governmental nominee would be readily accepted by the U.N. (cf. U.S.S.R. or U.A.R.). In the case of the U.S.A. the incumbent Director of the Federal Bureau of Prisons was automatically chosen, just as in the U.K., the Home Office was obviously relied upon to supply appropriate members.

Some of the reasons for the changes in membership of the Ad Hoc Committee are readily discernible from the developments in either crime prevention itself or from the changes in membership of the United Nations. The introduction of African representation had to follow the increase in the UN membership of the newly independent countries of the African continent. Japan came to the fore with the establishment of United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders at Fuchu outside Tokyo.

in 1962. Mr. Baba as Vice Minister of the Ministry of Justice had been largely instrumental in organising Japanese governmental support for this and Norval Morris (Australia) had been selected as UNAFEI's first Director. V.N. Pillai retired from his position as Commissioner of Prisons in Ceylon (now Sri Lanka) to become the first UN Senior Advisor to the new Institute and he later succeeded Morris as its Director continuing in this post until the United Nations withdrew its financial support in 1970. The emergence of U.S.S.R. membership followed from the more active participation of that country in the five-yearly Congresses. Mr. Smirnov, President, at the time, of the Supreme Court of the Russian Soviet Republic had led successive USSR delegations to the Congresses. As mentioned, the U.S.A. representation traditionally followed, from the time of Stanford Bates, the practice of inviting the Director of the Federal Bureau of Prisons in the U.S.A. to accept membership. Bates was followed by Bennett in this post of Director of the Federal Bureau of Prisons and Myrl Alexander succeeded Bennett in the same post. Paul Cornil of Belgium and Francois Clerc were prominent officials of the former IPPC and later of its successor the IPPF.

It will be observed that whilst membership changed and the offices of chairman and rapporteur were never the same there was a useful carry over of membership. Continuity was provided for by the fact that each meeting had some members of previous meetings and, as a rule, the various regions of the world were represented. Yet there were fundamental changes in that none of the five original members reappeared after 1958. It might be significant that about that time the social affairs division of the United Nations was under pressure from developing and centrally planned economies to drop its hitherto concern with social work and social problems and to adopt a more general sociological and developmental approach to the problems of newly emergent countries especially. In this reorientation of the division there had been a distinct possibility that social defence as a separate subject might disappear, its functions becoming

part of the more general concern with social development. Members of the Ad Hoc Committee were, of course, opposed to this and campaigned successfully to keep the section specialised.

Of course membership had to change from time to time to allow other countries to participate: but we may reasonably observe that it is typical of any bureaucratic process that Secretariat preferences as well as, in this case, political, professional or diplomatic considerations should play their part when selections had to be made. There would always be a possibility of awkward or antagonistic members being dropped in favour of others more amenable. This would be ostensibly because other Member States had to be given a turn or because different kinds of expertise had to be accommodated.

The role of the early committee with its IPPC connections as a pressure group upon the Secretariat cannot however be discounted in reviewing the evolution of its membership. The IPPF now acted as a kind of watchdog on the United Nations with the latter determinedly asserting its independence. The relationships were sometimes intensely personal at this early period when the world criminological "club" was more clannished than it can be today.

In 1965, with the advent of the Third Congress and the need to reconsider a situation which had led a few years earlier to the Social Defence Section being transferred to Geneva, Mr. Thorsten Eriksson was engaged as a consultant to review the work of the United Nations in Social Defence. He was handicapped by having to keep his recommendations within the confines of the existing budget but he managed nevertheless to make an impact. His report led to the setting up of a Social Defence Trust Fund largely supported by Italy and Sweden and mainly used to finance another of Eriksson's recommendations - the establishment of the United Nations Social Defence Research Institute in Rome. A third of his recommendations which was eventually approved by the Economic and Social Council was for the dropping of the "Ad Hoc" designation of the Committee of Experts and for its membership to be increased to ten.

In December 1966 there was a meeting of this reinforced Advisory Committee in New York. On this occasion Ahmad Khalifa (U.A.R.) was in the Chair and Norval Morris (Australia) was rapporteur. The meeting was attended by Thorsten Sellin (Sweden), T.A. Lambo (Nigeria), H.G. Moeller (U.S. - representing Myrl Alexander), A. Nagashima (Japan - representing Y. Baba), Alfonso Quiroz-Cuaron (Mexico) and L.N. Smirnov (U.S.S.R.). Louis Damour (France) and Mrs. Durgabai Deshmukh (India) were invited but were unable to attend. This meeting dealt with specific subjects on the work programme of the social defence section and studied particularly the proposed establishment of the United Nations Social Defence Research Institute in Rome (opposed by the U.S. and only nominally acknowledged by the U.S.S.R.).

By now, preparations were in train for the Fourth UN Congress to be held in Kyoto, Japan in 1970 and the Committee of Experts was convened again in Rome in June 1969. This meeting was held in such a way as to follow a preceding meeting of criminological and economic experts which had been held to study the problems of integrating planning for the prevention of crime with more general economic and social planning at the national level - a subject proposed for the Kyoto agenda. Some of those invited to this special study group were also invited as members of the Expert Committee so that costs were reduced for the two meetings. At the Rome meeting of the Committee, Norval Morris (Australia) was elected to the Chairmanship, T.A. Lambo (Nigeria) was rapporteur and members included Alfonso Quiroz-Cuaron (Mexico), Thorsten Eriksson (Sweden), Ahmad Khalifa (U.A.R.), Baba (Japan), L.N. Smirnov (U.S.S.R.), Moeller (U.S. - representing Myrl Alexander), Pierre Franck (representing M.R. Damour of France) and Pietro Manca (Italy).

The final meeting of the Advisory Committee of Experts was held in Kyoto immediately after the Fourth Congress there. The reason was to take advantage of the presence of most members of the Advisory Committee in Kyoto for the Congress. This time Myrl Alexander of the U.S.A. was elected Chairman and Norval Morris (Australia) became rapporteur. There were nine members in all, the other seven being

Mr. Yoshitsugu Baba (Japan), Mr. Thorsten Eriksson (Sweden), Mr. Ahmad Khalifa (Egypt), Mr. Duncan Fairn (U.K.), Mr. Jose Arturo Alves da Cruz Rios (Brazil), Mr. K.A. Naqui (India) and Mr. Boris Alekseevich Victorov (U.S.S.R.) .

This final meeting of the Advisory Committee was extremely important ^{for} the future of Social Defence. It reviewed the recommendations of the Fourth Congress and made positive recommendations for changes. The climate seemed favourable:

"The Advisory Committee noted with particular satisfaction the observation made by the Under-Secretary General for Economic and Social Affairs in a Statement at the Congress that the United Nations would devote more energy and more resources to the elucidation of the problems of social defence ...".(7)

The Congress recommendations were translated by the Committee into positive proposals which eventually found their way via the Commission for Social Development to the Economic and Social Council and to the General Assembly. The need to strengthen and reconstitute the Advisory Committee itself became a part of these proposals and this led directly to the establishment of the present Committee on Crime Prevention and Control which had its first meeting in 1972.

(N.B. In place of consultative group).

The Establishment of the Committee

The Committee on Crime Prevention and Control was accordingly created by the United Nations Economic and Social Council Resolution 1584(L) on 21 May 1971. It emerged in the after-glow of the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders held by Kyoto, Japan in 1970 when nearly 90 nations had unanimously affirmed that:

"inadequacies in the attention paid to all aspects of life in the process of development are manifest in the increasing seriousness and proportions of the problem of crime in many countries".

and which had no less unanimously urged -

- "... the United Nations and other international organisations to give high priority to the strengthening of international co-operation in crime prevention and, in particular, to ensure the availability of effective technical aid to countries desiring such assistance for the prevention and control of crime and delinquency."

Clearly something had to be done at that time because the Social Defence Section of the Social Development Division of the United Nations Secretariat had less staff in 1970 than it had had in 1958. Many people inside and outside the United Nations, painting on the broader canvasses of economic and social planning had begun in the late 1950s and throughout the 1960s to regard preoccupations with special problems like crime and rehabilitation as anachronistic and as better treated within the larger context of total social improvement. Those responsible for the TAB, the Special Fund and later UNDP programmes to assist developing countries were more concerned about standards of living. They had very effectively allowed social defence or crime prevention to fall so low on the priority list for aid that, in a greatly enlarged \$500 million programme covering all fields of development from agriculture, forestry, industry, education and health to housing and social welfare, the subjects of crime prevention (or social defence), could by 1970 barely raise a single UN expert in the Third World and perhaps an occasional six months fellowship. In fact there had been more experts employed by UNDP (inheritor of the Special Fund and the older Technical Assistance Board) in the middle 1950s than twenty years later when both the resources for aid and needs for crime prevention expertise had obviously been greatly increased.⁽⁸⁾

8. This appraisal of the situation remains valid despite the creation by UNDP, at the instigation of the Social Development Division, of two supernumary (or overhead) posts of Inter-regional Adviser for Social Defence in 1970-71. These arose for special reasons connected with the persons appointed. They both worked hard to reverse the low priority given to social defence in technical assistance: but the resistance prevailed.

Moreover, and this is of the utmost importance and significance, crime prevention had lost out over the years because of the hesitation and suspicion of the subject of crime prevention both inside the Secretariat and amongst Member States. Crime prevention as a subject carried no great weight, inspired few enthusiasms in the struggle for a new world of multiplying powers, all much more concerned with material improvement and political influence than with the growth of crime, corruption and international lawlessness in their midst.

The Committee on Crime Prevention and Control was therefore set up as part of the United Nations response to a series of recommendations flowing from the Fourth Congress (via the former Advisory Committee on the Prevention of Crime and the Treatment of Offenders and the Commission for Social Development) to the General Assembly of 1971. These included recommendations for the broadening of social defence planning, more community participation in crime prevention, reductions in the numbers of persons imprisoned - and for more attention to be paid to the needs of youth, to drug abuse, to the amount of bribery and corruption and the rise of "white-collar" and organised crime. Attention was drawn to the deficiency in the sharing of available information on crime prevention methods and for more systematic communication: it was recommended that the International Review of Criminal Policy should be published twice yearly. The need for more technical assistance to be available to developing countries, for more regional institutes for the prevention of crime (on the model of the United Nations Asian and Far East Institute for the Prevention of Crime and the Treatment of Offenders in Japan) and for a better system of national correspondents was stressed. It was thought that there should be more collaboration with the United Nations regional economic commissions in Asia, Africa and Latin America and with the United Nations Economic and Social Office in Beirut: and a United Nations task force of crime prevention was suggested with all the related divisions and agencies of the UN providing members to a group which would monitor crime and recommend co-ordinated action. The

Advisory Committee of Experts on the Prevention of Crime and the Treatment of Offenders which had originated as an ad hoc committee in 1950 and which had been strengthened and placed on a continuing basis by the United Nations Economic and Social Council in 1965 was thought to be an important device for intensifying crime prevention work. It was suggested that its membership be increased from 10 to 15 and its name changed to the "Committee on Crime Prevention".

All this appeared to be developing in a favourable climate since, as we have seen, the Under-Secretary General opening the Congress had mentioned the lack of international attention and resources and the member nations had expressed themselves as increasingly concerned with crime. It should be remembered, however, that "Member States" in the sense of those represented at Congresses on Crime Prevention means the Ministry of Justice or Ministry of Interior officials. But it is the Ministry of Foreign Affairs officials who make policy at the Economic and Social Council and at the General Assembly so that these recommendations would have to be vetted by other Ministers and would have to compete for priority before they were implemented.

If the Congresses were for a Specialised Agency of the United Nations their recommendations could have direct effect: in this case the Ministers concerned are not making recommendations but deciding policy. When, however, a number of recommendations have to be channelled through committees and commissions before they can reach the Economic and Social Council (where the Ministers of Justice are not represented and where their colleagues from Foreign Affairs may have different orders of priority) it is clear that the most vehement Congress resolutions will run the risk of dilution over time.

At its 27th Session in 1972 the General Assembly endorsed the Economic and Social Council's action in strengthening the Committee and changing its name: it also called for an International Plan of Action for Crime Prevention and asked the Secretary General to explore the possibility of a meeting of Ministers of Justice - both of these proposals being modified in later years. For the first time it appeared as if the United Nations as a whole was swinging behind the Congress.

It is typical of a body like the United Nations however moving, as it does, in several directions at once, that as the General Assembly was supporting these new initiatives for crime prevention with the augmented committee as the driving force for improvement, the Economic and Social Council (in a laudable attempt to check the proliferation of meetings and reduce expenditure), should have been seeking to reduce the number of committees and the frequency with which they should meet. In one year of changes in the Secretariat of ECOSOC and in the Missions, the movement to improve crime prevention was in conflict with the movement to reduce expenditure on meetings. By 1973 the Commission for Social Development and the Committee on Crime Prevention and Control were allowed to meet only once in every two years: and since the latter had to report to the former there needed to be a careful adjustment of dates if a recommendation was not to take two or more years before it could get to the Economic and Social Council for action - and even more time if it was hoped to reach the General Assembly.

The Committee on Crime Prevention and Control was therefore hampered almost from its inception. It knew well what it must do but it was constrained not to do it. Funds were just not available for example for its members to meet in task-oriented sub-committees between its regular meetings: and it was obliged to fall back upon a small group of Secretariat officers to implement, from very limited resources, a variety of far reaching recommendations. No account of its work can exclude this kind of administrative straitjacketing of its operations. However justifiable it might have been from the point of view of rationalising United Nations expenditures, it effectively evaporated much of the steam of the Fourth Congress. This background of administrative constraint explains what might not have been done - and it reflects greater credit on the members of the Committee and the Secretariat for what was in fact done.

The Committee in Action

At the time of writing there have been four meetings of the newly constituted Committee on Crime Prevention and Control. It should be remembered that members were appointed for three years: this was originally intended to give continuity and the capacity for the Committee to follow through on any policy or plan which might have been decided. This was a plan formulated, however, at a time when the Committee was expected to meet every year. When first appointed the Committee did in fact set to work on a consistent plan of action.

At the first meeting of the Committee on Crime Prevention and Control held in New York in June 1972 Mr. Ahmad Khalifa (Egypt) was elected as Chairman, Mrs. Inkeri Antilla (Finland) as Vice-Chairman and Jose A. Rios (Brazil) as rapporteur. There was, for a while, some doubt about whether this bureau of officers should remain unchanged for the three years of the Committee's life but the Committee itself resolved the issue by deciding that the incumbents should remain in office for all of the three meetings which were held before membership had to be reviewed. Other members were Maurice Aydalot (France), Alphonse Boni (Ivory Coast) and Taslim O. Elias (Nigeria), William R. Cox (U.K.), Jozsef Gödöny (Hungary), Pietro Manco (Italy), Atsushi Nagashima (Japan), Khaleeq A. Naqvi (India), Jorge A. Montero-Castro (Costa Rica), Hamood'ur Rahman (Pakistan), Norman Carlson (U.S.A.) and Boris A. Victorov (U.S.S.R.).

The constitution of this first group was intended to be a nice adjustment of interests, professional competence and spheres of influence. The earlier Advisory Committee of Experts and its predecessors had always been expected to consist of experts in the field. These might be persons holding official positions and, as we have seen, they very frequently were. The formal reason for their appointment however was their acknowledged expertise in the field of crime prevention - not their official office. This idea of specialists meeting to provide technical or professional advice for policy makers is a well worn expedient in both national and international affairs. Just as well established, is the knowledge

that it does not always work in practice. In certain nations there is a body of independent expertise which may or may not be within the government structure: in other nations all expertise if recognised at all is a part of the government structure. In some areas of the world the Secretariat might know the particular individuals needed and may be able to invite them in their individual capacities: in other areas (which may have to be represented on a committee for diplomatic reasons) either the Secretariat may not know the experts and may therefore have to ask the governments to nominate them - or else it may be a country within which a bureaucracy operates in such a way that an invited individual would have to apply for official clearance - and he may not be the person his superiors would like to reflect the true position in their countries. Either way the world is divided into areas where it would be unthinkable for any person to receive nomination if he is not a government-sponsored individual and areas where a government nominated or supported person might be suspect.

Another consideration for the United Nations Secretariat is that a committee composed purely of experts without any official connections, contacts or influence might be a voice in a vacuum of power. Unless Member States respect the expertise, the advice formulated might be worse than useless: it might in fact generate opposition in the very quarters where support is most needed when at a later stage the Economic and Social Council or the General Assembly have to deal with the proposals. Conversely, a group of government representatives or career diplomats many of whom may lack the necessary professional formation and who may be changed by their governments for every meeting, is equally handicapped. However effective they might be in the later policymaking they attract little technical respect from the professional establishments in crime prevention or any other technical subjects.

These divisive and complicating factors help to explain the combinations sought by the Secretariat in the constitution of the Advisory Committees of earlier years. They explain too the rationale for the setting up of a Committee in 1971 which did not have to necessarily wear the

mantle of expertise. The expansion from 10 to 15 members was intended to provide the Committee with both erudition and experience, with both expertise and authority and with the capacity for both strategies and tactics.

There were influential officials able to ensure the maximum support of their governments - like Carlson of the U.S.A., the Director of the Federal Bureau of Prisons, who inherited the benefice of Stanford Bates, Bennett and Myrl Alexander who had served previous Committees: the link between the Bureau and the State Department in Washington was close. Victorov, as Deputy Minister of the Interior in the Soviet Union, occupied a strategic position for influencing U.S.S.R. policy in this field, as did Gödöny who was also a Deputy Minister of the Interior in Hungary. Pietro Manca was Director-General of Prison Administration in the Italian Ministry of Grace and Justice and William Cox was Director-General of Prison Administration in the United Kingdom. There were, in effect, four Chief Justices - Rahman was Chief Justice of Pakistan, Elias, Chief Justice of Nigeria, Aydalot of France was Premier President de la cour de Cassation, Paris and Boni was President of the Supreme Court of the Ivory Coast. Representing professional interests in criminology were Khalifa, Chairman of the National Institute for Social and Criminological Research in Cairo, Mrs. Antilla, Director of the Finnish Institute of Criminology and Chairman of the Scandinavian Criminology Research Council, Rios, Head of the Sociology Department at the Catholic University of Rio de Janeiro and of course the directors of the United Nations' two regional institutes - Nagashima, Director of the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, Fuchu, Japan: and Montero-Castro, the Director-designate of the fledgling United Nations Latin America Institute for the Prevention of Crime and the Treatment of Offenders at San Jose, Costa Rica. Professor Naqvi of India was a Professor of Economics and therefore brought to bear another specialisation much needed by a Committee expected to take a greater interest in the process of planning to prevent crime.

In membership, therefore, the new Committee was equipped to get the best of both the administrative and academic worlds. It had an economist and sociologists, criminologists as well as lawyers and skilled administrators. Moreover several of its members like Aydalot, Gödöny, Victorov and Manco had actually led their countries' official delegations to the Kyoto Congress. Others like Carlson and Nagashima had been members of their respective delegations. Thus there was a body of experience and persons well equipped to implement that which the Congress had expected of the United Nations and the Member States.

As usual, all the specialised agencies of the United Nations and the other Secretariat divisions with an interest in crime were invited to send representatives as observers to the meeting. The United Nations institutes in Rome and Tokyo were represented as were many of the non-governmental organisations like the IPPF and the International Society of Criminology, Amnesty International and others. Interpol, as usual, sent an observer and Canada as the host country for the Fifth Congress was represented by observers. The tradition of these meetings had always been for observers to be given the floor after the members of the Committee had spoken. The Committee had therefore an even wider range of experience to call upon than that represented by its own membership.

It should be noted that, in its Resolution 1554(L), the Economic and Social Council had tried to give to the new Committee a more strategic position within the United Nations. It had been called upon to report not only (like the former advisory body) to the Commission for Social Development but also (as appropriate) to the Commission on Human Rights and the Commission on Narcotic Drugs. Both of these divisions of the Secretariat sent observers to the meetings of the Committee on Crime Prevention and Control.

As members gathered for the Committee's first meeting in May 1972 it was clear that they were anxious to get to grips with the problem of crime prevention and control and they regarded themselves as representing a new initiative by the United Nations. Their agenda called upon them to develop

a "new strategy for crime prevention", to discuss drug abuse and criminality and the issues of human rights in the administration of justice. The Committee was also asked to review a report on "Criminality and Social Change" which had been prepared by the Secretariat for the Commission for Social Development and to look at the Social Development aspects of crime prevention. Under the title of "Other Matters" the Committee was advised of the early work being done on the preparations for the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders due to be held in Toronto, Canada in 1975 - and to hear reports on the work of the institutes and other UN bodies concerned directly or indirectly with crime prevention.

Obviously the main interest was in the development of a strategy for crime prevention. Whilst the Committee could not in full session provide a detailed programme, it did see itself as having a responsibility to provide expertise and practical guidance. It suggested that it should break up into smaller groups to produce suitable papers either on short term programmes or on the broadening of the concepts and methods of crime prevention. It felt that in smaller groups its members could consider such things as prospects for international co-operation, reform of criminal justice systems, the patterns of criminality, statistical procedures or perhaps the more effective application of social services for crime prevention. There were great hopes for an international plan of action which might minimise the costs and the sufferings attributable to crime as well as to relieve the burdens which seemed to fall most heavily on the underprivileged. (9.)

The members had been invited merely to explore the issues of Human Rights in the Administration of Justice. This they did and at this meeting formed a useful future relationship with the Division of Human Rights, later to be developed more fully. Similarly on drug abuse, much was already being done which the Committee heard about from the observers who had been sent by these other agencies and divisions. It did, however, press for better co-ordination and more use by other bodies of the facilities available in the institutes already established for the prevention of crime. (10.)

9. E/AC.57/L.1/Add. 2, 12 May 1972

10. E/AC.57/L.1/Add. 3, 12 May 1972

It was already apparent at this first meeting of the new Committee, however, that all the resources which it might need to do its work more effectively might not be available. At that time a re-organisation of the Secretariat consequent upon the appointment of the first woman Assistant Secretary General was imminent and interests were coalescing which did not quite see the role of the Committee in the terms which had been set for it by the Kyoto Congress and by the surge of interest which had led the Economic and Social Council to upgrade the crime prevention committee. New forces were at work already to curtail the activities of functional committees and commissions which had proliferated over the years. The need to rationalise the growth of new committees and to keep them within manageable financial limits was undeniable: but for this kind of restraint to begin to be applied as soon as the new members began to face their task hopefully was both psychologically, and in world terms, a sad regression to the past inertia of the United Nations in crime prevention which the new Committee had been expected to overcome.

The Working Group and the International Plan of Action

An important decision of the Committee at its first session was that the Secretariat should seek ways of convening a meeting of a special Working Group of the Committee comprising the bureau of the Committee and one other member to draft for consideration at the second session in 1973 an international plan of action for crime prevention. (11)

The Chairman, Mr. Ahmad M. Khalifa, offered to host this meeting at the National Institute for Social and Criminological Research in Cairo. The Working Group of the Chairman, Vice-Chairman (Mrs. Inkeri Antilla), Rapporteurs (Mr. Jose Rios and Mr. Naqvi) met at the Cairo Institute from 18-22 December 1972 with the Chief of Social Defence Programmes, Mr. W. Clifford as Secretary. But, before this Working Group met, the subject of crime had been discussed by the General Assembly at its 27th session in 1972 and General Assembly Resolution 3021(XXVII) had been adopted. This had called for an International Plan of Action for Crime Prevention and inter alia had asked the Secretary-General to explore the possibility of a special meeting of Ministers of Justice. In accordance with that

resolution and the Committee's mandate the Working Group discussed :

- (a) The terms of reference for the Committee on Crime Prevention and Control
- (b) The International Plan of Action
- (c) The Agenda to be proposed for the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders to be held in Toronto in 1975.

It sought to co-ordinate these subjects in such a way as to allow proposals for anyone of these to support and facilitate proposals for the others. The terms of reference item was deferred for further Secretariat consideration in the light of General Assembly resolution 3021(XXVII).

A later note prepared by the Secretariat on this subject contains the following significant passage :

"As a Standing Committee of the Council (i.e., Economic and Social Council) the Committee reflects the position enjoyed by this body under Articles 62 and 63 of the Charter as the Organisation's principal organ entrusted with "economic, social, cultural, educational, health and related matters" and with the co-ordination of the system's activities in those fields.(12) The Committee's tasks will inevitably have to extend in scope to the full range of activities related to crime prevention and control of the agencies which have entered into agreements with the United Nations under Article 63 of the Charter, even if these are usually of a rather special character.(13)

Indeed it was because it was "mindful of the need for closer working relationships in crime prevention among all United Nations bodies" that the Council by resolution 1584(L) established the Committee.

In certain questions, such as, for example, capital punishment, the Committee has been asked to report directly to the Council. The Committee's mandate

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- 12. Actually the Council had proved inadequate in co-ordinating the specialised agencies of the United Nations with their own funds and governing bodies so that in later years there had emerged the Administrative Committee on Co-ordination (A.C.C.) and its sub-committees (e.g., on Human Resources).
 - 13. This reference was to UNESCO's concern with schooling as preventative of juvenile delinquency, with WHO's interest in the psychiatric aspects of drug abuse, juvenile delinquency and the treatment of abnormal offenders, ICAO's preoccupation with the hijacking of aircraft.

as defined by its terms of reference is in itself a matter requiring the Council's direct attention and approval. It may also be expected that the increasing complexity and inter-relatedness of the various aspects bearing on crime prevention and control and the importance of ensuring proper co-ordination and establishing priorities will increase the need for direct involvement of the Council in the Committee's work and multiply the instances of direct reporting to it."

The note then went on to suggest a list of duties and responsibilities for consideration by the Working Group. According to this the Committee's mandate would be :

- (a) To be the focus in the United Nations system for the development and execution of policies and activities related to the prevention of crime and criminal justice ...
- (b) To initiate and encourage planning and action by Member States and organisations in the United Nations system on ... crime prevention and criminal justice.
- (c) To determine the needs and make recommendations for the co-ordination of activities in the field of crime prevention and control within the United Nations system.
- (d) To identify and consider those multi-sectoral or multi-disciplinary problems relating to crime prevention and control which are not the exclusive responsibility of any one body or agency in the United Nations system and to formulate policy recommendations concerning them.
- (e) To assess the economic, social and human implications of crime and suggest more adequate methods of prevention and more equitable ways for its control.
- (f) To stimulate research of an action-oriented character.

- (g) To promote the training of personnel in the different services concerned with crime prevention and criminal justice particularly through the development of and support to the regional training and research institutes.
- (h) To ensure the provision of the required technical aid to governments requesting it.
- (i) To provide for, and further, the international exchange and dissemination of information on promising policies and programmes.
- (j) To help secure a broad base of public support and public involvement in efforts at more effective crime prevention and control.
- (k) To formulate and ensure the implementation of an International Plan of Action for crime prevention and control.
- (l) To establish priorities among the problems requiring international attention.
- (m) To secure the organisational arrangements and administrative machinery required to strengthen the capacity of the United Nations to carry out its obligations in the prevention of crime and the treatment of offenders in accordance with the decisions of the policymaking bodies of the Organisation.

This was indeed a far-reaching change in the United Nations approach to crime prevention and control if it had ever been realised. In fact, as it emerged, the Committee never got near to this kind of expected role and effectiveness. The Committee was never presented with the terms of reference: it was never on the Committee agenda.

The main thrust of the Working Group in Cairo was towards a practical and viable "International Plan of Action". An account of this is provided here at some length because it still contains proposals of value for the United Nations and Members States in any future work on crime.

The Working Group was of the opinion that a developmental approach to criminology as adopted at the Kyoto Congress and as subsequently elaborated could fruitfully provide the basis for the development of an international plan of action. It stressed the need for a policy of social costing whereby a society would deal with crime. The Group explicitly rejected the view of criminal policies based only on the objective of punishment with its moral connotation which had exacted avoidable costs in terms of both individual and social welfare. The social cost approach was interpreted as meaning that any set of policies which aim at crime prevention and control should be viewed in terms of their total costs to society. The principle should be the minimization of the social costs of crime and crime prevention.

This policy implied a relationship being established between the costs and benefits of crime and crime prevention and the Group recognized that methods and techniques did not exist which would permit a rigorous cost-benefit analysis. Despite the difficulties presented by the existence of non-quantifiable elements in this field it was thought that more should be done to reach manageable and quantifiable data - especially as work in this direction had been marginal so far. In this way, a meaningful dialogue with development planners would become a reality so that, whilst crime prevention policies could not be expected to get top priority in the planning process, it would not be ignored. (14)

The Working Group prefaced its suggestions for an International Plan of Action with a statement of principles and concepts. These were :

1. The obligation to accept as fundamental the right of each nation to deal with its crime problem in its own way.

14. Committee on Crime Prevention and Control: Second Session: Item 3 of the Agenda: E/AC.57/9.

2. The need to acknowledge the reality of cultural variations in the world and the questionability of universal formulae. This however was not to detract from the obvious value of regional cultural similarities in the world and the usefulness of promoting common approaches from the evidence of similar social problems (e.g., unemployment, migration or overcrowding) being related to particular periods or levels of economic and social development - and sometimes needing to be dealt with in comparable ways. The importance here was to recognise the diversity of local circumstances and then to look for the threads of common experience and to seek ways of building on these.
3. The need to acknowledge the effects of modern travel, mass communications and a common technology. The world was shrinking and a common urban or industrial culture was spreading, making crime a distinctly international problem and even encouraging the evolution of new and special forms of crime deriving from the new styles of living.

Whatever the longer term international plan of action for crime prevention might be, the Group thought that the problems posed by transnational crime (in such forms as drug trafficking, the kidnapping or killing of diplomats, counterfeiting and the stealing of masterpieces, etc.) were of particular urgency and should therefore be the object of immediate action to develop common policies and programmes among nations. Also any international plan of action to be formulated should be a systematic development of a trichotomy as follows :

1. The support of national strategies for crime prevention.
2. The development of regional programmes of action to prevent crime.
3. The elaboration of an international plan of action for crime prevention. (15)

The Group then explored these three aspects.

Action at the National Level

Allowing for national sovereignty in crime prevention it was still possible to improve the information and co-operation links both between nations and between the United Nations and

its Member States. These were sometimes weak if not non-existent. The key to improvement here was considered by the Group to lie in the development of the existing United Nations system of national correspondents. Whilst this device had not worked well in crime prevention, the Group pointed out that similar networks established by some of the United Nations specialised agencies (e.g., WHO and ILO with their expert/correspondents) had proved extremely effective. In these other cases the Secretariats responsible for maintaining and developing contacts with correspondents were adequately manned for the purpose. The Group called for the establishment of a Bureau at the United Nations for national correspondents which they could regard as their own and with which they could be in regular and sustained contact. Conversely Member States should meet their obligation to nominate their foremost experts as national correspondents and to provide them with the facilities they would need to discharge their obligations more effectively. Access to official records and freedom to report activities were essential. Each country might set up a national committee of its United Nations correspondents and the Group saw no necessity to limit the number of such correspondents. Such a committee in each country could serve a double purpose, providing guidance on social defence to the various ministries of the governments as well as to the United Nations. It could be a focal point for the development of effective crime prevention nationally and internationally.

Moreover, wherever possible, the work of these national committees of national correspondents could be linked with the work of regional institutes for the prevention of crime and the treatment of offenders. The regional institutes could then be used to provide guidance, stimulation and leadership in the development of an international network co-ordinated and directed by the United Nations.

Action at the Regional Level

The Group noted that despite repeated calls for more technical assistance and for more United Nations support for regional institutes (e.g., UNAFEI (Japan) and the Cairo Institute) it was clear that a tremendous regional potential for crime prevention remained virtually unexploited by the United Nations and its Member States. In addition to servicing and developing the national committees of United Nations correspondents the regional institutes could become regional data banks and clearing houses for the collection and dissemination of regional information. They could be more fully used by the United Nations Fund for Drug Abuse or by the Commission on Narcotic Drugs. The Group noted with satisfaction the use of the Institutes by the Human Rights Division for special courses on Human Rights in the Administration of Justice. Properly organised and developed the regional institutes could well become virtual powerhouses for crime prevention throughout the world. With all regions covered by such institutes they could easily provide a highly effective international network for any plan of international action. (16)

Action at the International Level

The Group noted that from General Assembly resolutions 415(V) and 3021(XXVII) as well as Economic and Social Council resolutions 1584(L) and 1086B (XXXIX) it was clear that not only Member States but the international community was looking to the United Nations to provide the leadership required in crime prevention. However, neither structurally nor in funding had the United Nations responded effectively to the repeated calls for action.

The Group observed that the United Nations family of organisations lacked an adequate forum for ministers responsible for crime prevention and control. The United Nations should provide for a gathering of ministers responsible for crime prevention from time to time on a regular basis. This could be achieved either by making the quinquennial Congresses on Crime Prevention and Control and the Treatment of Offenders a continuing feature of the United Nations structure (e.g.,

like UNCTAD, the Conference on the Environment, etc.) or by making provision for a Special Council of Crime Prevention Ministers to meet between Congresses to guide United Nations policy at the highest level.

Within the United Nations structure funds and facilities should be provided to allow the Secretariat to

- (a) monitor crime trends in the world
i.e., collecting data, processing it for publication, reporting to the General Assembly, the Economic and Social Council, etc. on the world crime situation, commissioning studies on special subjects and the development of questionnaires for gathering comparable data so as to provide uniform crime statistics;
- (b) develop an international information and advice centre for Member States and for the regional institutes;
- (c) provide a secretariat for the proposed Council of Ministers and the Committee on Crime Prevention and Control;
- (d) provide co-ordinating machinery for the inter-governmental/non-governmental organisations in crime prevention. This would include funds necessary to permit these bodies to meet together occasionally with the United Nations, to rationalise the work, avoid overlapping, etc.;
- (e) provide a headquarters structure to service the system of national correspondents already described;
- (f) provide policy control and guidance for the Regional Institutes and the United Nations Social Defence Research Institute in Rome.

There was much more. The Group had special recommendations for technical assistance, publications, private funding and the like. All this has been explained in detail here to indicate the extent of work performed by this special Working Group which, in addition, provided the full agenda for the Fifth Congress.

It was an ambitious programme in keeping with the Kyoto expectations but not at all in accordance with the financially restrictive policies of the Secretariat at the time. Of course, whenever, in a government or the United Nations, policies of economic restraint are being applied it is the less influential departments and sections which are likely to suffer. Those with status and position can usually defend themselves: crime prevention could not. Therefore in due course this hopeful programme was subtly tailored to existing resources with the result that the plan of action still awaits the vigorous implementation which only additional resources can make available.

The second session of the Committee on Crime Prevention and Control was held in New York from 14-23 May 1973. The plan of action elaborated by the Working Group was accepted with minor modifications. For instance, the term "monitoring" gave some difficulty because, in some translations, this carried the impression of "supervising". But the basic idea of the United Nations collecting data for sharing was readily accepted.

By now, however, the re-organisation of the Secretariat had taken effect. The older section of social defence had become the section for crime prevention and criminal justice but it remained subordinate to the social development part of the new Centre for Social and Humanitarian Affairs. The Committee's status had therefore to be maintained at the older "Advisory" level with reports being channelled through the Commission for Social Development before they could reach the Economic and Social Council. Any hope of the Committee growing with a new Secretariat were quickly dissipated. Members quickly became aware of this and of the effect it was likely to have on the drive to improve crime prevention within the organisation.

On funding and the regularity of meetings, therefore, the Committee's report is reflective of the frustration and quite instructive.

"Current restraints of organisation and finance within the Secretariat seemed to threaten the effectiveness of the international plan of action. The Committee noted that it would not meet again until 1974 and that in accordance with Economic and Social Council resolution 1768(LIV) it would meet thereafter only once every two years. The Committee further noted that the Council at the fifty-fourth session had adopted a decision that its subsidiary bodies with the exception of the regional economic commissions may not create either standing or ad hoc intersessional subsidiary bodies without prior approval by the Council.

The Committee took full account of those constraints but was still in some difficulty in understanding how it could respond to General Assembly resolution 3021(XXVII) or carry out the work it would be required to do in preparation for the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders ... The Committee therefore felt obliged to draw the attention of the Secretary-General and of the Economic and Social Council to its dilemma.

The matter became all the more pressing since, again and again, the need was felt for the Committee to be in a position to set up sub-committees and working groups to deal in depth with specific issues which were raised in connexion with law enforcement, judicial procedure, correctional practice and the broader area of crime prevention." (17)

The Sub-Committees

The Committee's members were prepared to work and offered to produce papers. Members were allocated to four proposed sub-committees :

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17. Commission for Social Development, Twenty-Fourth Session, Report of the Committee on Crime Prevention and Control on its Second Session, E/CN.5/494: E/AC.57/14, 22 October 1973, paras. 25-27.

One to deal with the international plan of action with particular reference to new and special problems such as transnational crime and violence.

One to deal with correctional practices for the prevention of crime.

One to deal with law enforcement in relation to the prevention of crime.

One to deal with judicial procedures in relation to crime prevention.

"It was recognised that the possibility of any sub-committees being set up would depend upon the resources which the Secretary General might be able to find and that that presented financial or personal problems for the Secretariat. However it remained clear that without some such help the Committee would be unable to carry out the tasks entrusted to it both by the General Assembly and in relation to the Fifth United Nations Congress ..."(18)

In the event, no such additional funds were forthcoming and the requirement for sub-committees as proposed was not met until the next session of the Committee in Geneva when the main Committee was allowed to split up during its regular meeting into four groups between the plenary sessions. This was a poor substitute for the continuing work which the members had hoped to do: but even constrained in this way the members did produce detailed and considered papers between the sessions so that, within the limitations imposed, there was quite valuable work accomplished.

The second session of the Committee had seven items on its agenda. In addition to the International Plan of Action it studied the report of a special Working Group which had been set up by the Secretariat in response to a Congress request to review the United Nations Standard Minimum Rules for the Treatment

18. Ibid, para. 32.

of Prisoners. It endorsed this Working Group's recommendations that there should be no convention on or any substantive changes in the Rules for the time being and that more attention should be given to their presentation and implementation. Again there was a call to make better use of the United Nations national correspondents in social defence for the implementation of the Rules and it was thought that the inter-regional advisers might be useful.

Drug abuse and criminality was again on the agenda. The Committee recognised that its own study at its first session had been rather inconclusive and it underlined the need for interdisciplinary studies on the relationship between drug abuse and criminality and thought that medical and legal research could profit from more intensive sociological studies.

Human rights came up again under the title of "Study of Equality in the Administration of Justice" and the Director of the Human Rights expressed his gratification with the co-operation established with the Committee on Crime Prevention and Control and the regional institutes. Significantly some members of the Committee felt that, in the future development of its work, attention might be given to the possibility of formulating standard minimum rules for ensuring equality in the administration of justice. This was carried over into the Fifth Congress' consideration of the question of torture and ethics for police performance.

The Committee discussed the latest position in the reports prepared for the Economic and Social Council on the death penalty and noted that the Council had by its resolution 1745(LIV) assigned a special role to the Committee on Crime Prevention and Control. It heard reports on the work of the United Nations institutes and endorsed the call for a meeting of Ministers of Justice - the Italian representative offering host facilities for such a meeting to be held in his country. There was a call for closer liaison with non-governmental bodies and increased technical assistance in the field of crime prevention and criminal justice.

Finally the second session of the Committee approved the agenda for the forthcoming Congress and took note of some of the complications being experienced in making the administrative arrangements for a Congress on the American Continent where the numbers qualified to attend might exceed the places available.

There followed a year of work by the members for the proposed sub-committees and inevitable disappointment that these could only be convened as part of the next regular session of the Committee more than a year away. In fact the fourth and final session of this particular membership of the Committee was held in Geneva from 23 September to 3 October 1974.

As was to be expected, the fourth session of this Committee was dominated by the work of the sub-groups seeking to do, in a day or two each, what might well have taken several sessions of each group. Nevertheless, as already indicated, the groups did yeoman work in identifying the issues under each of the four headings: new and special problems, correctional practices, law enforcement and judicial procedures. Attention was drawn to the need to deal more effectively with corruption and crimes against the economy, illicit drug traffic and drug abuse, violence, terrorism and torture. Whilst acknowledging that there was a relationship between terrorism and unresolved social or international conflicts or real or felt injustice it felt that "there was a universal need to protect the innocent victims of such acts". It drew attention to modern forms of slavery involving the export and exploitation of migrant labour, offences against labour safety and against consumers (adulteration of products, misrepresentation). It highlighted pollution offences and felt that negligence as well as criminal intent had to be taken into account.

On corrections, it noted that, with the steady reduction of capital and physical punishment, there was increasing reliance on the prisons: but prisons had many disadvantages (which were listed) and therefore custody should be avoided "where the public can be sufficiently protected and reassured by other penal measures".

It noted that in several countries recently dissatisfaction on the part of prisoners had led to extensive riots and disturbances which, in turn, had undermined attempts to set up liberal rehabilitation regimes. It went on to provide recommendations for alternatives to imprisonment and drew attention to the problems which would arise as those took effect and a more incorrigible hard core of offenders would make up the prison population.

Dealing with law enforcement the Committee called for a rationalisation of laws, for restraints on the growth of private security forces and for the development of standards of performance for law enforcement personnel - hopefully by the law enforcement personnel themselves. And in the area of judicial procedure it sought to reduce the number of cases flowing through the courts by various devices for diversion. For those cases which had to be dealt with by the courts, it called for a simple, expeditious, efficacious and equitable procedure.

This report of the fourth session of the Committee is in itself a valuable blueprint for reform of criminal justice systems and is fuller and more detailed than all preceding reports of this Committee or the Advisory Committee before it. It was a worthy wind up of the activities of a group which had struggled valiantly to inject more effectiveness into the United Nations concern with the problem of crime.

The rest is a history recent enough to be well known. The Fifth UN Congress was not held in Toronto because of difficulties with the host government about the attendance of the PLO. The United Nations had decided at the time of the Caracas Law of the Sea Conference that freedom movements which had the support of Member States should be invited to such Congresses. Instead the Fifth UN Congress on the Prevention of Crime and the Treatment of Offenders took place in Geneva in 1975.

Steadily the emphasis shifted from the concern with crime control to a wider and less controversial preoccupation with human rights and standards embodied in a Congress resolution against torture, a move to establish the rights of prisoners more effectively and an interest in developing standards of performance for law enforcement.

The term of office of the first members of the Committee on Crime Prevention and Control had run out: so that the fifth session of the Committee which took place in New York in June 1976 was in effect the first meeting of a new body of selected persons.

When the new group assembled on 21 June 1976 for a meeting which lasted until 2 July, Mr. G. di Gennaro, Judge of the Supreme Court of Cassation, Italy, was elected as Chairman. Mr. di Gennaro had had continuous association with the previous Committee and with the earlier Advisory Committee of Experts in that he had always attended as spokesman for Pietro Manco. He had also been consultant to the United Nations Social Defence Research Institute in Rome from its inception so that he had both academic and administrative expertise to contribute as well as a knowledge of the inner workings of the United Nations Crime Prevention and Criminal Justice Section of the Secretariat. The rapporteur was Dr. Tolani Asuni, a psychiatrist from Nigeria, Medical Superintendent of Aro Hospital Abeokuta, Nigeria, who had been associated with the Congresses since 1965 and who had served on various working groups set up by the United Nations, the latest of these being the Working Group on the Standard Minimum Rules for the Treatment of Prisoners. M. Aydalot of France was re-appointed from the earlier Committee as was Mr. Montero-Castro of Costa Rica, the Director of the United Nations Latin America Institute for Social Defence who was now Director of Rehabilitation for his Government, and Mr. Victorov of the U.S.S.R. (though Mr. Victorov did not attend this fourth session of the Committee). Cox of the U.K. was replaced by Sir Arthur Peterson, the most senior permanent official at the Home Office in the U.K. Sir Arthur had succeeded the late Sir Lionel Fox in 1960 as Chairman of the U.K. Prison Commission and had, in that capacity, served the earlier United Nations Advisory Committee. He had also been General Rapporteur for

the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Geneva in 1975.

Other new members of the Committee were N. Christie (Norway) of the Oslo University Institute of Criminology and Criminal Law, S. Heckmat (Iran), Professor of Forensic Medicine and Criminology at the Teheran University, R.P. Singh, Attorney-General of Nepal and Yip Yak Hoong (Malaysia), Deputy Vice Chancellor and Professor of Applied Economics at the University of Malaysia. For the first time the United States appointee did not come from the United States Federal Bureau of Prisons. Instead R.W. Velde, Administrator of the Law Enforcement Assistance Administration of the Department of Justice was selected. The Ivory Coast was still represented but now by Mr. Ette Bogui, Director of the Institute of Criminology, Abidjan, a doctor of medicine and a specialist in forensic pathology. M. el Augi (Lebanon) a Supreme Court Justice who had previously served the United Nations, as a technical assistance consultant for social defence, represented the Arab area and S. Garcia Ramirez, Under-Secretary of the Secretariat de Gobernacion in Mexico strengthened the Latin American representation. In place of Hungary was Poland with W. Michalski, Director of the Research Institute on Judicial Law, Warsaw.

The positions of influence remain on this Committee, the members of which are now appointed for four years to allow them to attend at least two meetings. Victorov, Garcia Ramirez, Sir Arthur Peterson and Singh are all in strong positions to influence policy in their governments - and Velde in the United States as head of a huge grant-aiding facility for the improvement of criminal justice in the States obviously has considerable impact on the direction of United States action in crime prevention and the treatment of offenders. Though only one of the most senior judges was carried over to the new Committee - M. Aydalot, there is ^{di}Gennaro and el Augi to maintain judicial strength. The academic side has been augmented considerably because, in addition to the inclusion of academics from Norway, the Ivory Coast, Iran and Malaysia, Asuni, Gennaro, el Augi and Garcia Ramirez are respected authorities on criminology in their own regions. A very notable change in the constitution of the

Committee was the number of medical doctors serving: Asuni, Ette Bogui and Hekmat were all medical men with expertise in forensic medicine.

This group assembled in June 1976 to carry on the distinguished tradition of the Committee on Crime Prevention and Control. They were asked to discuss the following agenda -

Report of the Fifth Congress

Methods and ways likely to be most effective in preventing crime and improving the treatment of offenders. (The earlier International Plan of Action.)

Human Rights in the Administration of Justice

Code of Conduct for Law Enforcement Officials

Review of the Rule of Procedure for UN Congresses on Crime

Progress Report on United Nations Activities in Crime Prevention and Control and the medium-term plan 1978-81

Consideration of the Provisional Agenda for the next session of the Committee on Crime Prevention and Control.

Discussing the report of the Fifth Congress the Committee had some reservations about the accuracy of some of the information submitted. For example, it asked for further study of certain items included amongst the conclusions and recommendations in Chapter I, especially those relating to the international code of criminal justice and international police co-operation to be referred back to the Secretariat for checking: and it thought that it was probably a misinterpretation to say (para. 22(a)) that the establishment of an international police academy had actually been recommended by the Congress. It also wondered whether another narcotics convention was needed in view of the Protocol to the Single Convention on Narcotic Drugs 1961 which had recently been negotiated and which required parties to make all drug offences listed in the treaty extraditable offences.

In connection with para. 17 of the report the Committee felt that the "establishment of an international agency of world wide competence to deal with immigrant workers ..." could be fruitfully initiated on a regional basis. And on para. 21(i) it stressed the need for legislation to widen the options and flexibility of sentencing procedures and the training of judges in the use of alternative sentences.

The Committee also underlined the importance of finding ways of maintaining continuity in the work of the Congresses - perhaps *inter alia* by a feedback of activities emanating from the Congress recommendations. Communication with governments, scientific institutions and various other agencies could be strengthened.

The Committee drafted a resolution to pass through the various channels to the General Assembly endorsing the conclusions and recommendations of the Fifth Congress and asking the Secretary-General to give them the widest possible circulation, to analyse criminal and violent behaviour with an emphasis on preventing conditions conducive to violence, to gather and disseminate information about economic criminality (including studies of corruption and abuses of economic power), to provide advice and assistance on request to Member States seeking to revalue and reassess their criminal justice systems - and to elaborate guidelines for making criminal justice systems more responsive to current social needs.

Dealing with methods and ways likely to be most effective in preventing crime and improving the treatment of offenders, the Committee did not appear to like the bracketing of the "International Plan of Action" but agreed to retain the sub-title. A paper prepared by the Secretariat modified the proposals in the report of the third session of the Committee in the light of the discussions at the Fifth Congress (for example in dealing with violence the need to protect innocent lives had been omitted: and female criminality had been added to the list of subjects: also the Working Party's division into national, regional and international levels of action had not survived). The Committee worked on the Secretariat draft and approved a submission to the General Assembly.

The Committee dealt at length with the proposals for the Sixth Congress and had the benefit of the views of the host government presented by Mr. P. Loof, appointed by the Australian Government as Co-ordinator for the Sixth Congress. Members were in broad agreement with the paper prepared by the Secretariat but some did not like the proposed theme "The quest for freedom from crime" and others did not like the expression "gilded criminality". Some wanted to see juvenile delinquency included in the topic relating to crime prevention strategies. Australia thought it desirable to ensure an emphasis on practical issues connected with crime prevention control and sought continuity between the recommendations of Congresses.

The Committee felt that the unifying theme for the Congress should reflect the past successes and future endeavour for the development of humane crime prevention policies: and members agreed on the following general observations :

- (a) The Congress should expose practical issues ... and devise practical solutions.
- (b) Research and evaluation aspects should be incorporated into the Congress topics wherever possible.
- (c) The Sixth Congress should provide information on achievements as well as failures of crime prevention policies and should make reference to the progress made with regard to topics covered by the conclusions of the Fifth Congress.
- (d) The Congress should deal with preferably four but not more than five main topics.

As potential topics for the Congress the Committee accepted :

- I. Crime Prevention: trends, goals and strategies.
- II. Juvenile Justice: before and after the onset of delinquency.
- III. "Gilded" Criminality: offences and offenders beyond the reach of the law (except for the title).
- IV. De-institutionalisation of corrections: prospects for the most feared offenders.

- V. Victims of crime and of criminal justice.
- VI. Norms and Guidelines: from standard setting to implementations.

It was thought that the Secretariat might proceed with the elaboration of topics I, II, III, IV and VI, that V might be absorbed in I, IV and VI respectively and that if necessary II could be regarded as a sub-topic of I.

Space precludes a full summary of the other deliberations of the Committee but there was a decided emphasis on the development of standards and ethics with a view to protecting human rights in the development of crime prevention. At the time of writing the full report of the work of the Committee at its fourth session is not available to the writer.

Prospects and Expectations

When Mr. Philippe de Seynes, the Under-Secretary General for Economic and Social Affairs had opened the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders at Kyoto in 1970 he had (speaking on behalf of the Secretary General) called for

"bolder and better co-ordinated action, both nationally and internationally to meet the problem of crime".

He complained that

"internationally too little energy and too few resources were being devoted to the elucidation of a problem that was beginning to be recognised as being of major importance to the future of society and to the humanitarian ideals which inspired the Organisation" (19)

And as we have seen he greatly heartened those who had been striving to get more positive United Nations action and leadership by at least implying if not specifically pledging more UN resources. (20) Of course he was in no position to make promises since all such allocations of resources have to be

19. Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders: A/Conf. 43/5 United Nations, New York 1971, p. 6, para. 54.

20. See (7) above.

the subject of resolutions by the governing bodies of the United Nations: but at the time he was reflecting a mood and a desire to pull crime prevention or social defence from the doldrums in which it had drifted for so many years before.

Mr. de Seynes confirmed this when he opened the first session of the Committee for Crime Prevention and Control on 8 May 1972. Obviously having in the past encountered views negative to the UN's involvement in this subject he declared to the Committee that

"the Fourth United Nations Congress had put an end to the idea that the United Nations as an international organisation should not become involved in dealing with crime. Representation of diverse regions from different geographical areas and a variety of social systems had found that they had a great deal in common in so far as the forms and methods of crime prevention were concerned and were anxious that the United Nations should become an instrument to promote international co-operation to prevent crime. The establishment of the Committee was a direct result of the Congress."

The fact that Mr. de Seynes appeared to believe this universal wish to get the UN active and effective in crime prevention was something new was itself significant. As indicated in the foregoing pages this desire, by all concerned with crime, for the UN to do more had been declared, emphasised, stressed and underlined time and time again since Lake Success. What was new was the realisation - the apparent awakening by the United Nations itself - to the fact that this persistent and repeated demand which had in the past fallen on ears only attuned to other types of programmes, that this felt need by the international community, as forcefully and unanimously expressed at Kyoto, did really merit more consideration, more attention and perhaps more resources than it had been accorded in the past. It was this greater degree of receptiveness by those in high places which had raised hopes in so many who had grown accustomed to the relatively unimpressive level of the United Nations past efforts in crime prevention. For example

Mr. K. Jansson, Director of the Social Development Division, had told the first session of the new Committee that the establishment of the Committee by the Economic and Social Council

"had marked a new stage in the social defence programmes within the United Nations. The Fourth United Nations Congress in 1970 had signalled the beginning of that new situation and the setting up of the Committee when the trend of the United Nations was away from new committees and related bodies, represented a significant decision by the Organisation."

Reading this passage alongside the complaints of the Committee only a year later about the lack of minimal resources to adequately fulfil tasks given by the United Nations General Assembly, is very revealing: it shows the changes that have taken place in personnel and attitudes. If the Committee was an exception to the trend towards greater economies and new bodies it was immediately curtailed in activities so that it could not go too far. Of course, it was not so much rationalising or economising on the total UN machine as a matter of priorities. At the same time that the Committee for Crime Prevention and Control was feeling frustrated, the new Environmental Agency was being set up with impressive inputs of funds, work was beginning on a new service to monitor multi-national corporations and on the Administration side permanent posts in the Secretariat were being created for management experts. By resolution 2847(XXVI) of 20 December 1971 the General Assembly had adopted an amendment to Article 61 of the Charter doubling the members of the Economic and Social Council itself (from 27 to 54 members). On the one hand the rise of a more effective structure for crime prevention in the Secretariat was being resisted and on the other hand the Ministers involved in crime in the Member States did not have a voice in the Organisation except via surrogates who had many other preoccupations at the time. Although the Committee had influential members they could only reach the international policymaking bodies very indirectly because their Ministers had no UN forum.

The Committee wanted for example, a meeting of Ministers of Justice and even obtained the backing of the General Assembly to obtain governmental views: but the request for opinions which went out to Member States was framed in such a way that the forthcoming Congress was implied to be too close to make such a meeting necessary or profitable with the result that the initiative was dissipated despite its wide support by the developing nations.

As this is written the long discussed International Plan of Action is going before the General Assembly. The opportunity exists here for yet another initiative by the United Nations. It will be interesting to see what happens to this remnant of a promising drive in 1970 for more positive action by the United Nations in this field so long under-supported.

This paper began advisedly with the reference to the Committee on Crime Prevention and Control being "tucked away" in the interstices of the United Nations bodies. This was not mere rhetoric. At its first session in 1972 the Committee was one of 24 subsidiary and related bodies of the Economic and Social Council.⁽²¹⁾ It had in no sense the status, autonomy or resources of an agency of which there are many in the United Nations operating with large budgets like FAO, ILO, UNESCO, UNCTAD, WHO, ICAO, etc. It was very far from being as prominent or independent as related bodies such as UNICEF, the High Commission for Refugees, UNDP, the WFP or the International Narcotics Control Board and its Secretariat service was not a Department or even a Division but only one small section of one division of the Centre for Social and Humanitarian Affairs. It had nothing like the status of a functional Commission of ECOSOC such as the Statistical Commission (24 members), the Population Commission (27 members), the Commission on Human Rights (32 members and a sub-commission of 26 members on the Prevention of Discrimination and the Protection of Minorities), the Commission on the Status of Women (32 members) or the Commission on Narcotic Drugs (24 members) each of which was served by a Department or Division. It was in fact subordinate to the Commission for Social Development (32 members). It was

21. Composition of the Economic and Social Council and of its subsidiary and related bodies in 1972: E/INF/120, 1 February 1972.

one of nine standing committees of ECOSOC all of which (except one - the Committee on Non-Government Organisations) had more members and more substantial Secretariat services. Even if it had been able to do what it wanted to do it would still have been in a very minor role in terms of the total organisation of the United Nations.

Nevertheless, as the foregoing account well indicates, the United Nations has benefitted greatly from the efforts of the earlier International Group of Experts, the Ad Hoc Advisory Committee, the Advisory Committee and particularly the Committee on Crime Prevention and Control. Progress has been slow but by no means imperceptible in terms of the status of the body - even if this has not been complemented by corresponding improvements in Secretariat staffing and structure. The Committee has been pivotal in developing United Nations efforts to become effective in the field of crime prevention and criminal justice. On it has turned the involvement of the UN in this field. And if that turning has been characterised by a circulating of subjects and preoccupations over the years this is because the successive memberships of the Committee and its preceding Committees have been pushing consistently for United Nations action in areas discussed frequently but still not developed. The ground has been covered time and time again without being (so far) significantly cultivated.

Looking forward now to what the next steps should be it is difficult to escape the conclusion that if the international community really wants to move more seriously in the directions indicated by so many Congresses, it will need to upgrade the Committee again to at least the status of a Commission of ECOSOC - and its Secretariat unit to the level of a Division if not indeed a Department. Its reporting should be directly to the Economic and Social Council - not, as now, via the Commission for Social Development which, after all, has more than enough subjects for its agenda. In any case "crime prevention and control" falls no more logically into the social development domain than it falls into economic development, legal affairs, or human rights. This is an argument greatly corroborated by the realisation that, in reality, the social development side of the Economic and Social Council can deal directly only with the residue of subjects left

after the social agencies like ILO, UNESCO, WHO, Narcotics and FAO have staked their claims: and obviously the educational, health, labour, narcotic and nutritional sides of crime prevention can hardly be considered outside the range of the interests of the Committee on Crime Prevention and Control. Indeed if it is also expected to review criminalistics or the forensic sciences it is well into the bailiwick of the Committee for Science and Technology. Even then this does not include its interests in Interpol, Amnesty International, the International Commission for Jurists, the International Society of Criminology, the International Society for Social Defence, the International Society of Penal Law and the International Penal and Penitentiary Foundation. The case for greater scope and independence of operation is therefore not difficult to justify: it is indeed stronger than the grounds on which a number of quite separate UN specialised agencies have been established.

This will not happen perhaps until the problem of crime, national and international, becomes so great that everyone wants to do something about it. Then the Member States will perhaps seek to give to the UN a new orientation with crime as a no less serious subject for the world than pollution, population and economic growth. The real significance of crime has not been faced internationally and the failure to deal with terrorism only highlights the failure to deal with international crime generally. Nationally, however, there are countries within which crime prevention or law and order is already a serious political issue. There are other countries in which it has ceased to be an issue only because the fact that crime could not be controlled has led to a breakdown of services and to the emergence of the most powerful as the lawmakers - even if these were not always the most legitimate. We can already see this kind of disorder spilling over to the international arena. If the United Nations is to deal with it there must be an early recognition of the principles and ideals which were entertained by the IPPC in 1950 when it transferred its functions to the world body.