



SUMMARY RECORD OF THE 39th MEETING

Chairman: Mrs. MAIR (Jamaica)

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The meeting was called to order at 10.55 a.m.

COMMEMORATION OF THE SIXTIETH ANNIVERSARY OF THE GREAT OCTOBER SOCIALIST REVOLUTION

1. The CHAIRMAN said that all citizens of the Union of Soviet Socialist Republics and of socialist republics throughout the world were celebrating the sixtieth anniversary of the Great October Socialist Revolution. The international community recognized the importance of an event which had transformed the lives of millions of men and women, inspired Governments and peoples throughout the world and changed the course of history. She congratulated the Governments and peoples of the Soviet Republics.

2. Miss MELCICKA (Czechoslovakia), speaking on behalf of the People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic, the Republic of Cuba, the Polish People's Republic, the Mongolian People's Republic, the Socialist Republic of Romania and the Czechoslovak Socialist Republic, congratulated the Union of Soviet Socialist Republics, the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic on the occasion of the sixtieth anniversary of the Great October Socialist Revolution and wished them success in their enterprise: the building of socialist society. The Great October Revolution was an event that had changed the course of history not only in the USSR but throughout the world. It had helped to eliminate exploitation of man by man and to promote respect for human dignity, freedom, brotherhood and equality, and it had had striking repercussions throughout the world. As the culmination of the struggle of the proletariat against the oppression of the governing classes of Tsarist Russia, the October Revolution had also served to liberate oppressed peoples. Its victories against reactionary and aggressive forces had enabled mankind to take a major step towards peace and progress.

3. The socialist countries and the countries that had liberated themselves from the colonial yoke knew from experience that the Soviet Union was engaged in establishing peaceful relations with all peoples and that it was working for international détente, particularly in the military sphere. In that connexion, she referred to the proposal submitted by the Soviet Union at the current session of the General Assembly on the consolidation and promotion of international détente and preventing the danger of nuclear war, in conformity with the objectives of the October Revolution. Moreover, the Soviet Union had always endeavoured to resolve its foreign policy problems by negotiation and in a spirit of peaceful co-operation, with emphasis on respecting the rights of peoples and human rights. That policy strengthened the efficacy of the Charter of the United Nations and other instruments embodying those peaceful principles, which were reiterated in the new Constitution recently adopted by the USSR, a constitution which not only reflected socialist reality but also testified to the strength of the doctrine on which it was founded and to the progress of mankind toward socialism.

4. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the commemoration of the Great October Socialist Revolution had a very special significance for all Soviet citizens and progressive peoples. Sixty years earlier Russian workers and peasants, under the leadership of Lenin, had overthrown capitalist power, thus marking the first victory of the Socialist Revolution in the history of mankind. That had been a historic event for the world, and it had led to considerable economic and social progress, to ending the exploitation of man by man, to giving society ownership of the means of production and to establishing a scientifically planned economy. In that way a huge, economically backward country had been able to become in a few short years a developed agricultural and industrial country.

5. One of the greatest victories of the October Revolution had been to establish firmly the principles of equality and social justice which guaranteed to the Soviet citizen the full exercise of his rights and freedoms; he was therefore sure of being able to take an active part in political life, to choose a profession corresponding to his abilities and skills, and to enjoy ever-improving conditions of life and work and professional, medical and social security in a society in which his rights were protected and his dignity as a man and citizen respected. The new Constitution adopted on 7 October 1977 fully reflected those facts of Soviet society.

6. The Soviet Power had been born under the sign of peace, as Lenin's Decree on Peace demonstrated. Since that time the USSR had been pursuing a peaceful policy directed to ensuring the security of all peoples and international co-operation, and it was proud of having advocated détente throughout the 1970s: the process of détente should be further strengthened by adopting new specific measures. That indeed was the aim of the proposal submitted by the Soviet Union at the current session of the General Assembly. That was also what the President of the Presidium of the Supreme Soviet of the USSR, Mr. Brezhnev, had meant when on 2 November 1977 he had proposed that all Governments should decide to suspend simultaneously the manufacture of nuclear weapons, to prohibit nuclear-weapons testing within a specific period and to declare a moratorium on explosions for peaceful purposes. It was only by removing the threat of another world war and guaranteeing lasting peace that the necessary conditions could be provided for solving the problems facing all mankind, such as the supply of commodities, raw materials and energy sources in sufficient quantity, and overcoming the economic backwardness of the countries of Asia, Africa and Latin America, the legacy of capitalism, so as to promote the normal development of relations among States and the progress of all mankind.

7. In conclusion, speaking on behalf of his own delegation and those of the Byelorussian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic, he thanked the Chairman and the representative of Czechoslovakia for their congratulations.

AGENDA ITEM 77: CRIME PREVENTION AND CONTROL: REPORT OF THE SECRETARY-GENERAL (continued) (A/32/3, chap. VI, sect. A, A/32/163; A/32/199; E/CN.5/536; A/C.3/32/5 and Corr.1, A/C.3/32/L.18, L.19, L.20 and L.21)

8. Mr. MERKEL (Federal Republic of Germany) said, with reference to item 77, that the exchange of experience on crime prevention and control constituted an important task for the United Nations; in that connexion, the Fifth United Nations Congress in Geneva had been very constructive. His delegation had supported draft resolutions A and B in document A/32/163. It had become a sponsor of the amendment (A/C.3/32/L.18) to the latter of those draft resolutions and was also prepared to become a sponsor of the draft resolution submitted by Sweden on the question of capital punishment (A/C.3/32/L.21).

9. A preparatory European meeting for the Sixth United Nations Congress had been held at Bonn from 10 to 14 October 1977, the participants in which had been all the European countries, the United States, Canada and Australia. Experts from the Council of Europe and Interpol had also attended the meeting, as had representatives of 10 non-governmental organizations. A degree of agreement had emerged at the meeting in spite of the different social and legal systems represented.

10. During the discussion on effective strategies for crime prevention and control, it had been felt that there was a need for the work of the judiciary and law enforcement agencies to be complemented by a strategy involving cross-sectoral crime prevention efforts by Government and the population. While juvenile criminality continued to be a serious phenomenon, increasing emphasis seemed to be given to prevention rather than repression. It was for that reason that assistance to families and parental counselling were being perceived as a very effective form of social control. Moreover, it had been recognized that certain categories of crime - "white collar" crime, abuses of economic, social or political power - should be dealt with in a more adequate way in criminal codes. In many countries corporate criminal liability did not exist. Moreover, while previous discussions had concentrated on the treatment of prisoners and the humanization of imprisonment, emphasis had recently shifted to the question of whether prisons had a negative effect on inmates and whether they should not be regarded only as a last resort. In other words, the question was whether deprivation of liberty really constituted the best approach to the problem.

11. The need had become apparent for new international norms in the area of criminal justice, with the following priorities:

1. Minimum rules for the treatment of offenders in the community;
2. Inmate grievance procedures for prisoners;

. A convention to facilitate the return of persons convicted of crimes abroad to their domicile for the serving of their sentences;

4. Guidelines for the expeditious and equitable handling of criminal cases;

(Mr. Merkel, Federal Republic of  
Germany)

5. Standards to improve the situation of persons detained by the police or in prison before trial, including safeguards against arbitrary interference with correspondence and freedom of expression;

6. Guidelines for the prevention of international terrorism, counterfeiting and drug traffic and for protection against fraudulent exploitation of cultural values and of the national heritage.

12. In addition, it had been thought appropriate that the Sixth Congress, to be held in Sydney, should explore possibilities for further restricting the use of the death penalty and of elaborating safeguards against abuse. With respect to torture and other cruel, inhuman or degrading treatment or punishment, which all penal codes regarded as criminal offences, it had been stressed that both national and international action was needed to secure their total elimination.

13. Mr. VOICU (Romania) noted that crime had become a problem whose national and international implications could not be underestimated. It was therefore the duty of the United Nations to promote and strengthen international co-operation in that area, as it had undertaken to do. However, as had been stressed in all the documentation on the subject prepared by the Secretariat, each State had the right to formulate and implement, in the light of the circumstances, the political, legal and administrative measures needed to combat crimes and offences. That fundamental precept had been reiterated at all the major international meetings held on the subject under consideration.

14. The studies made in Romania on offenders and the reasons for their offences showed that crime was on the decrease in that country, because of the improvement of living conditions and of the established social structure. As part of its policy in criminal matters, which was an integral part of its general policy of economic and social development, the Romanian Government was stressing the prevention of crime and the re-education of offenders through work and through a series of cultural and political measures combined with punitive measures. It was convinced that, however perfect it might be, a strictly penal system of justice was not enough effectively to counteract crime. That presupposed increasingly close co-operation between the organs of social justice and the general public who, through workers' collectives, themselves organized in socialist units the rehabilitation and reintegration of offenders. Except in the case of offences which were extremely harmful to society and which were punished by sentences of imprisonment, offenders were no longer subjected to the penitentiary system. The people's courts thus formed would be required to decide - with or without the participation of a judge, depending on the seriousness of the case - most penal cases which had previously been within the exclusive competence of the regular courts. In those matters, the collectives ensured the involvement of all citizens and would thus become an effective instrument of prevention.

15. However, efforts to combat crime could not stop at the frontiers of a country; they should therefore be the subject of international co-operation. As

(Mr. Voicu, Romania)

President Ceausescu himself had stated, Romania wanted to participate in such co-operation, particularly in order to combat a number of rampant phenomena which were harmful to the physical and moral health of people and of young people in particular - drugs, pornography, propagation of violence, hatred and racism - which were degrading the human person and sowing discord among nations.

16. The Romanian Government was already applying the numerous standards and guidelines of the United Nations on the subject of criminal justice and it considered that those standards were compatible with regional ones and reflected the growing desire to guarantee human rights in relation to criminal justice. Considering that public opinion was one of the principal forces likely to promote the maintenance of law and order, the Romanian Government had organized a whole educational process to supplement the information campaign which it was conducting through the mass media.

17. The Romanian delegation endorsed the conclusions set out in document A/32/199. All studies on criminal tendencies and the documentation of the United Nations confirmed the theory that efforts undertaken in that area under United Nations auspices should be part of the general efforts to construct a new international order, since there was no doubt that economic disparities, by increasing social inequality and tension and preventing homogeneous development, were conducive to crime. In addition, if meetings on the subject were to produce results, they should be less general in nature. In that connexion, the Sydney Congress must really live up to the expectations of Member States. His delegation therefore supported draft resolution A/C.3/32/L.19, which it hoped would be adopted by consensus. It also fully supported the draft resolutions in document A/32/163.

18. Mr. WEERASINGHE (Sri Lanka) said that his delegation noted with satisfaction the progress made in United Nations activities concerning crime prevention and control, and particularly the work of the United Nations Asia and the Far East Institute for the Prevention of Crime and Treatment of Offenders. That Institute, which was managed and funded entirely by the Japanese Government, played an important role at the regional level and its activities should be expanded.

19. The report of the Committee on Crime Prevention and Control showed that low priority was given to crime prevention projects in national planning programmes and that there was a lack of funds for United Nations technical assistance for those projects. That was particularly worrying when crime was increasing in many developing countries. The United Nations should see that the situation was remedied. International conferences and reports were not enough, and technical assistance was also needed. He stressed the role which could be played by interregional advisers in social defence, working with national development planners; the services of the advisers had been discontinued some years previously, although they were in the best position to bring pressure to bear on Governments in that area. The cost of those advisory services had been met from the regular United Nations budget; in order to restore them it would be sufficient to make slight adjustments in the Manning table, within the limit of the total budget allocation for the Office of Technical Co-operation.

(Mr. Heerasinghe, Sri Lanka)

20. In Sri Lanka, where measures to deal with crime were taken within the context of national development planning, the concept of punishment had been replaced by the concept of social rehabilitation of the offender. The laws and procedures of the country had given effect to that concept. Suspended sentences of imprisonment, performance of community service, open-air prison camps and the privilege of home leave for long-term prisoners had been introduced with a view to improving the treatment of offenders. In addition, one measure taken by the Government to combat crime in the metropolitan area of Colombo had been to set up special crime detection bureaux.

21. While welcoming the measures taken by the United Nations in the area in question, he was surprised that the Secretary-General's reports on the question never mentioned one of the root causes of crime - rapid urbanization. Yet the United Nations, which 20 years previously had already been considering that question through several of its organs, had recognized the link between the two phenomena. It had subsequently recommended that Governments should check migration to rural areas and draw up comprehensive rural and community development programmes in order to revitalize rural economies and ensure a suitable balance of population between urban and rural areas. The developing countries were urbanizing more rapidly than the industrialized ones, so that by the end of the century one half of the population of six billion which would inhabit the planet would be living in urban areas. It was therefore time for the United Nations to give thought to that problem; it would have an opportunity to do so at the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, which was to be held in 1980 in Sydney.

22. Since the two United Nations Development Decades had not produced the hoped for results, the acceleration of economic growth could hardly be expected to end the evils that plagued the developing countries. During those two Decades the population of those countries had grown rapidly and migration to urban areas, far from diminishing, had increased, leading to uncontrolled urbanization that was posing increasingly acute problems. He suggested that the United Nations Social Defence Research Institute should organize a research meeting on urbanization in relation to crime within the framework of the next Congress. That suggestion could be noted for implementation by the Secretary-General in connexion with paragraph 8 of the resolution on the report of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

23. Mr. AL JASSIM (United Arab Emirates) said that crime control, which involved all the means used by society to protect itself against criminals, must be combined with study of the causes of crime. Those causes, whether personal or social, should be understood, and penal codes should be prepared on the basis of in-depth studies of all the elements relating to the personality of the offender and his environment. The establishment of penalties was not enough to control crime. The offender must be re-educated and re-integrated into the life of society. Penal legislation was often based on a misconception in so far as it regarded offenders as enemies to be subdued and therefore recommended that they be isolated. However, offenders should rather be considered as sick people who needed care and could only be dissuaded from wrongdoing by appropriate treatment. Imprisonment, far from reforming the prisoner, intensified his hatred for society and prompted him to commit further crimes.

(Mr. Al Jassin, United Arab Emirates)

24. His country attached great importance to the rehabilitation of criminals. The detention centres in his country were conceived with a view to rehabilitating the criminal by modern methods, of which work was a basic component. At the Dubai detention centre, for example, prisoners worked and received wages whose value was primarily symbolic, but which they could use as they wished. In most cases crime originated from ignorance and an educated person, who realized the significance of his acts, would be better capable of finding his place in society. The prisoners had therefore been provided with reading rooms, were shown films and could watch television. Furthermore, religious education was not neglected. Generally speaking, the Ministry of the Interior sought to modify penal methods in the light of scientific progress and to raise the level of the officials responsible for the application of the penal system. It also did everything possible to ensure the security of its citizens. His country was a member of an Arab organization for the protection of society which provided its member countries with information on the activities of criminals and on the most modern methods of crime prevention and control. His country was also a member of Interpol.

25. Mrs. CASTRO de BARISH (Costa Rica) expressed her gratitude to Mr. Mueller, Assistant Director, Crime Prevention and Criminal Justice Branch, who had introduced the item under consideration. He had stressed the most striking aspects of the work of the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, whose purpose had been to draw up an international code of ethics for law enforcement officials. He had also mentioned the work of the Committee on Crime Prevention and Control, which had sought to bring the text of the code into line with the United Nations instruments dealing with the often delicate question of police abuse in the field of human rights.

26. She noted with satisfaction documents A/32/163 and A/32/199, which had been submitted pursuant to General Assembly resolution 3021 (XXVII). Her delegation whole-heartedly endorsed the conclusions in paragraph 7 of document A/32/199 and the conclusions and measures proposed in chapter V, especially in paragraph 108, which referred to regional co-operation. It attached great importance to the role to be played by the United Nations, which could not only enable States to derive benefit from their common experience but could also provide countries with technical assistance and advisory services on request.

27. She recalled that in 1950 her country had called for the establishment of a regional institute for the prevention of crime and the treatment of offenders which would help the countries of the region to cope with the increase in crime and to remedy the deplorable situation in the prisons. However, it was only in July 1975 that the Latin American Institute for the Prevention of Crime and the Treatment of Offenders, whose headquarters was in San José, had been established by an agreement between the United Nations and her Government. Among other things, the Institute organized seminars and courses, devised training programmes, gathered information, carried out surveys to assist in crime control planning and provided technical assistance services to Governments on request. Since its establishment it had performed those diverse tasks successfully and had in particular carried out a model survey on the causes of offences in a given area and had published eight documents



(Mrs. Castro de Barish, Costa Rica)

on that problem. It was currently collecting statistics on criminality in Latin America and intended in coming years to serve the whole region by co-operating with Governments to ensure that the Latin American countries achieved balanced economic and social development.

28. Her delegation supported the two draft resolutions submitted by the Economic and Social Council to the General Assembly which were annexed to document A/32/163. Draft resolution A contained important recommendations aimed at strengthening the role of the United Nations and increasing the means available to it, especially the United Nations Trust Fund for Social Defence. Draft resolution B recalled, among other things, the primordial responsibility of the United Nations in the field of crime prevention. Furthermore, her delegation whole-heartedly supported the amendment (A/C.3/32/L.18) to paragraph 8 of draft resolution B, for each region had special characteristics and trends in the evolution of criminality, which should be studied separately. The amendment was essential if the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held in Australia in 1980, was to be properly prepared. Her delegation also wished to become a sponsor of draft resolution A/C.3/32/L.21 on capital punishment and hoped that that draft would be adopted by consensus. In conclusion, her delegation was ready to support any steps aimed at strengthening the United Nations system.

29. The CHAIRMAN reminded the Committee it had before it the draft resolutions contained in document A/32/163, together with the relevant amendments issued in documents A/C.3/32/L.18 and L.20, and draft resolutions A/C.3/32/L.19 and L.21. She inquired whether the Committee was ready to take a decision on those draft resolutions.

30. Mr. SHIRNOV (Union of Soviet Socialist Republics), supported by Mr. ALFONSO (Cuba), proposed that the adoption of the draft resolutions relating to agenda items 77 and 80 should be postponed until the following meeting, since consultations were still under way.

31. It was so decided.

32. The CHAIRMAN announced that Norway and the Federal Republic of Germany had become sponsors of draft resolutions A/C.3/32/L.13 and L.15 respectively.

The meeting rose at 12.20 p.m.