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PRÁVNÍ PŘEDPISY A JINÉ AKTY

Předmět: ROZHODNUTÍ RADY o postoji, který má být zaujat jménem Evropské unie ke Kjótskému prohlášení o dosažení pokroku v oblasti předcházení trestné činnosti, trestního soudnictví a právního státu v zájmu splnění cílů Agendy pro udržitelný rozvoj 2030 na 14. kongresu OSN věnovaném předcházení trestné činnosti a trestnímu soudnictví, který se bude konat ve dnech 7. až 12. března 2021 v japonském Kjótu
– návrh Kjótského prohlášení

Delegace naleznou v příloze konečné neupravené znění Kjótského prohlášení ze dne 17. února 2021, které má být přijato aklamací při zahájení 14. kongresu Organizace spojených národů věnovaného předcházení trestné činnosti a trestní spravedlnosti (Kjóto, Japonsko, 7. až 12. března 2021).

Kyoto Declaration on Advancing Crime Prevention, Criminal Justice and the Rule of Law: towards the achievement of the 2030 Agenda for Sustainable Development (17 February 2021: agreed upon in informals and submitted by the CCPCJ at its second intersessional meeting to the 14th UN Crime Congress for adoption on the opening day)

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

Assembled at the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice in Kyoto, Japan, from 7 to 12 March 2021, half a century after the Fourth Congress in 1970 in Kyoto, where the international community vowed to coordinate and intensify crime prevention efforts within the context of social and economic development;

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

Recalling the Doha Declaration adopted at the Thirteenth Congress in which we reaffirmed the need to integrate crime prevention and criminal justice issues into the wider agenda of the United Nations in order to enhance system-wide coordination;

Recognizing the need to build upon the progress made since the Thirteenth Congress, including the adoption of the 2030 Agenda for Sustainable Development, its achievement so far and the challenges to overcome;

Declare the following:

1. We express deep concern about the negative impact of crime on the rule of law, human rights, socio-economic development, public health and security, the environment and cultural heritage;
2. We also express deep concern that crime is becoming increasingly transnational, organized and complex and that criminals are increasingly exploiting new and emerging technologies including the Internet to carry out their illicit activities, thus creating unprecedented challenges in preventing and combating existing crimes as well as new and emerging forms of crime;
3. We undertake to contribute to achieving the 2030 Agenda for Sustainable Development through our efforts in crime prevention and criminal justice with the firm recognition that

sustainable development and the rule of law are interlinked and mutually reinforcing, that crime is an impediment to sustainable development and that achieving sustainable development is an enabling factor for states to effectively prevent and combat crime;

4. We undertake to promote the rule of law through multidimensional approaches;

5. We undertake to intensify global concerted efforts to prevent and combat crime by facilitating and strengthening international cooperation in criminal matters;

5bis. We draw attention, in view of rapidly changing realities, to the need for timely adaptation and, if the need arises, strengthening of the international legal framework of international cooperation on criminal matters;

6. We undertake to enhance the capacity of law enforcement and other criminal justice institutions, as central components of the rule of law, and practitioners to effectively prevent and combat crime and provide technical assistance in this regard;

7. We undertake that our law enforcement, criminal justice and other relevant institutions will effectively and appropriately employ new and advanced technologies as tools against crime with adequate and effective safeguards to prevent the misuse and abuse of these technologies in this regard;

7bis. We emphasise our primary role and responsibility as States and Governments for defining crime prevention strategies and policies;

8. We undertake to enhance multi-disciplinary efforts to prevent and combat crime through cooperation and coordination between law enforcement and other criminal justice institutions, and other governmental sectors, as well as support their work, by engaging in and fostering multi-stakeholder partnerships with the private sector, civil society, academia and the scientific community, and with other relevant stakeholders as appropriate;

9. We reaffirm our commitment to strengthen the central role of the Commission on Crime Prevention and Criminal Justice as the main policymaking body of the United Nations in the field of crime prevention and criminal justice;

10. We reaffirm the role of the United Nations Office on Drugs and Crime as the leading entity of the United Nations supporting Member States in the field of crime prevention and criminal justice by the provision of technical assistance, capacity building as well as through its normative work, research and expertise, in cooperation with relevant

stakeholders, towards which we endeavour to provide sufficient, stable and predictable funding, as well as of the Vienna-based intergovernmental fora, including policymaking bodies and their subsidiary bodies, within the United Nations System on crime prevention and criminal justice as a most valuable and global source of knowledge, inputs, guidance and best practices in the field of crime prevention and criminal justice within their respective mandates;

11. We express grave concern about the situation derived from the coronavirus disease 2019 (COVID-19) and its social and economic implications which has created new opportunities for and transformed the *modi operandi* of criminals and organized criminal groups in different forms and to different extents, as well as posed challenges to criminal justice in multiple aspects;

11bis. We equally express grave concern on the vulnerability of prisons, especially in terms of health, safety and security, to the real risk of a rapid spread of the virus in closed settings, which can be further aggravated by long-standing challenges such as prison overcrowding and poor prison conditions;

12. We commit ourselves to take decisive actions and action-oriented measures to address challenges and remove international impediments posed and aggravated by COVID-19 to crime prevention and criminal justice, including by a multilateral approach and strengthen resilience of law enforcement and other criminal justice institutions through multilateral cooperation and multi-stakeholder partnership with special attention to the urgent capacity-building and technical-assistance needs of developing countries in this regard, bearing in mind the long-term social and economic implications of the pandemic, including those on sustainable development and international cooperation, and recognizing that the poorest and most vulnerable are the hardest hit by the impact of the pandemic;

13. We recognise, in light of the ongoing experience of the COVID-19 pandemic, and in preparation for any future similar challenges, the need to review and make criminal justice systems more effective, accountable, transparent, inclusive and responsive through promoting digitalization;

13bis. We recommit to a multilateral approach in preventing and combatting crimes and promoting the rule of law at the local, national, regional and international levels, and we reaffirm the central role of the United Nations, including the role of the United Nations Office on Drugs and Crime as the leading entity of the United Nations in supporting Member States in this regard;

14. We strongly reaffirm the responsibility of all States to fully promote and protect all human rights and fundamental freedoms, as well as uphold the principle of human dignity, in the impartial administration of justice and throughout all our efforts in preventing and combatting crime;

15. We strongly reaffirm the responsibility of all States to uphold the Charter of the United Nations in its entirety and fully respect the principles of sovereign equality and territorial integrity of States and that of non-intervention in the domestic affairs of other States throughout all our efforts in preventing and combatting crime;

15bis. We commit to make full and effective use of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption, the three international drug control conventions, relevant international conventions and protocols related to counter-terrorism, as parties to those instruments, and other relevant international obligations, including as a basis to facilitate international cooperation;

We therefore endeavour to take the following actions.

Advancing Crime Prevention

Addressing the causes, including the root causes of crime

16. Develop, implement and evaluate crime prevention strategies, including their effectiveness, that address the causes, including the root causes, and risk factors that make different segments of society more vulnerable to crime and share best practices to strengthen our capacity;

Evidence-based crime prevention

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

18. Improve the quality and availability of data on crime trends, considering the development of statistical indicators and share such data, on a voluntary basis, to strengthen our capacity to better understand global crime trends and improve the effectiveness of strategies to prevent and combat crime;

Addressing the economic dimension of crime

19. Develop and implement effective measures to address the economic dimensions of crime and deprive criminals and criminal organizations of any illicit gains through, inter

alia, identifying, tracing, seizing, confiscating, recovering and returning proceeds of crime, as well as establishing robust domestic frameworks for financial investigations, and to develop strategies to prevent and combat money laundering and illicit financial flows;

19bis. Consider, review and implement efficient measures to regulate the management of seized and confiscated proceeds of crime, bearing in mind the study prepared by the UNODC on effective management and disposal of seized and confiscated assets, with a view to efficiently preserving and managing such proceeds of crime;

Tailor-made crime prevention strategies

20. Promote tailor-made crime prevention strategies that take into account local contexts, including by fostering among the general public a culture of lawfulness, cognizant of cultural diversity, based on respect for the rule of law, in order, inter alia, to advance cooperation amongst stakeholders and the police, promote positive conflict resolution, as well as community-oriented policing in accordance with national legislation, and prevent gang-related and urban crime, and all forms of organized crime;

Mainstreaming a gender perspective into crime prevention

21. Mainstream a gender perspective into crime prevention policies, programmes, legislation and other actions to, inter alia, prevent all forms of gender-related violence, crime and victimization, including gender-related killings by undertaking an analysis of gender-related specific needs and circumstances, as well as by soliciting contributions from impacted groups;

24bis. Prevent and counter domestic violence, and to that end, take effective measures within our domestic legislation such as ensuring appropriate handling of cases, coordinating the role of welfare and criminal justice institutions and providing a safe environment for victims;

Children and youth in crime prevention

22. Address the needs and protect the rights of children and youth, with due consideration to their vulnerabilities, to ensure their protection from all forms of crime, violence, abuse and exploitation both online and offline, such as sexual abuse and exploitation of children and trafficking in persons, noting the particular vulnerabilities of children in the context of smuggling of migrants, as well as recruitment by organized criminal groups including gangs, as well as terrorist groups;

Youth empowerment for crime prevention

23. Empower youth to become active agents of positive change in their communities to

support crime prevention efforts including by organizing social, educational, cultural, recreational, sports-related youth programmes and youth fora as well as using social media platforms and applications or other digital tools to amplify their voice;

Advancing the Criminal Justice System

Safeguarding victims' rights and protection of witnesses and reporting persons

24. Protect the rights and interests of victims of crime and make efforts to assist them at every stage of criminal justice proceedings, giving due attention to the special needs and circumstances of victims, including age, gender-specific and other needs, disabilities, as well as to the harms caused by crime including trauma, and endeavour to provide victims with the means that may assist in their recovery, including the possibility to obtain compensation and reparation;

25. Encourage victims to report crime by providing them with adequate support including in criminal proceedings, such as effective access to translation services;

26. Take appropriate measures to provide effective protection for witnesses in criminal proceedings and for reporting persons;

27. Provide adequate resources and training to practitioners to strengthen their capacity to provide victim-centred assistance and support that take into account the specific needs of victims;

Improving prison conditions

28. Improve the detention conditions for both pre-trial and post-trial detainees and the capacities of prison, correction and other relevant officers in this regard including by promoting the practical applications of relevant provisions of the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) as well as United Nations Rules for the Treatment of Women Prisoners and Non-Custodial measures for Women Offenders (Bangkok Rules);

29. Take measures to address overcrowding in detention facilities and to improve the overall effectiveness and capacity of the criminal justice system, including by considering the use of alternatives to pre-trial detention and custodial sentences, giving due consideration to the United Nations Rules for Non-Custodial Measures (the Tokyo Rules);

Reducing reoffending through rehabilitation and reintegration

30. Promote a rehabilitative environment in correctional facilities including through designing and implementing effective treatment programmes based on an individual assessment of the needs and risks of the offenders, and provide offenders with access to

vocational and technical training and educational programmes to support them to develop necessary skills for reintegration;

31. Promote a rehabilitative environment in the community to facilitate the social reintegration of offenders with the active involvement of local communities, giving due regard to the need for protection of society and individuals and the rights of victims and offenders;

32. Promote multi-stakeholder partnership to reduce reoffending by fostering inter-agency coordination among relevant government authorities, such as employment and social welfare agencies and local governments, as well as public-private partnerships between those authorities and the community including cooperating employers and community volunteers that support the long-term and social reintegration of offenders;

33. Raise awareness of the importance of the public acceptance of offenders as members of the community and the significance of community engagement in assisting their long-term and social reintegration;

34. Promote, where appropriate, cooperation on the transfer of sentenced persons to serve the rest of their sentences in their own countries, and conclude bilateral or multilateral agreements or arrangements in this regard as necessary, taking into consideration the rights of sentenced persons and issues relating to consent, rehabilitation and reintegration, as appropriate, and raise awareness among these prisoners about the availability of such measures;

39. Facilitate, where appropriate and in accordance with domestic legal frameworks, restorative justice processes at relevant stages in criminal proceedings in order to assist the recovery of victims and the reintegration of offenders, as well to prevent crime and recidivism, and assess their usefulness in this regard;

Mainstreaming a gender perspective into criminal justice systems

35. Develop and implement appropriate and effective policies and plans to achieve gender equality and remove impediments to the advancement of women and women's empowerment in law enforcement and other criminal justice institutions at all levels, and in this regard pledge to take further concrete action to ensure the full, effective and accelerated implementation of the Beijing Declaration and Platform for Action and the Outcome Documents as adopted at the 23rd Special Session of the General Assembly;

36. Mainstream a gender perspective into the criminal justice system by promoting gender-responsive measures that address gender specific needs of both offenders and

victims, including the protection of women and girls from re-victimization in criminal justice proceedings;

Addressing the vulnerabilities of children and youth in contact with the criminal justice system

37. Establish or strengthen juvenile justice systems or other similar proceedings that address the seriousness of the offending behaviour and degree of responsibility of juveniles, as well as their vulnerabilities and the causes, including the root causes, and risk factors of their offending behaviour, in order to facilitate their rehabilitation and reintegration, including by promoting the practical application of relevant provisions of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules);

38. Implement, and strengthen as appropriate, measures to assist the rehabilitation and reintegration of children and youth who have been involved in all forms of organized criminal groups including gangs, as well as in terrorist groups, while protecting their rights and giving full recognition to the importance of delivering justice and protecting the safety of victims of these criminal groups and society throughout the implementation of such measures;

Improving criminal investigation processes

40. Encourage the use and sharing of good practices on legally-grounded, evidence-based interviewing methods designed to obtain only voluntary statements, thereby reducing the risk of unlawful, abusive and coercive measures being used during criminal investigation processes and enable the obtaining of best evidence, thereby improving the legitimacy and quality of criminal investigations, prosecutions and convictions, and the efficient use of resources, as well as continue to welcome the collaboration between practitioners, experts and other relevant stakeholders on the elaboration of a set of international guidelines for non-coercive interviewing methods and procedural safeguards in this regard;

Promoting the Rule of Law

Access to justice and equal treatment before the law

41. Ensure equal access to justice and application of law to all, including vulnerable members of society, regardless of their status, including by taking appropriate measures to ensure treatment with respect and without discrimination or bias of any kind by criminal justice institutions;

Access to legal aid

42. Take measures to ensure access to timely, effective, adequately-resourced and affordable legal aid to those without sufficient means or when the interests of justice so require and raise awareness on the availability of such aid, including by promoting the practical application of relevant provisions of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, UNODC tools on ensuring the quality of legal aid services in criminal justice processes and other related tools, by encouraging the development of guidance tools, as well as the collection and sharing of data on legal aid access and by developing a specialized network of legal aid providers to exchange information and best practices and to assist each other in carrying out their work;

National sentencing policies

42bis. Promote national sentencing policies, practices or guidelines for the treatment of offenders in which the severity of penalties for offenders is proportionate to the gravity of offenses in accordance with national legislation;

Effective, accountable, impartial and inclusive institutions

43. Ensure the integrity and impartiality of law enforcement and other institutions comprising the criminal justice system as well as the independence of the judiciary and ensure the fair, effective, accountable, transparent and appropriate administration and delivery of justice, while taking into consideration the documents¹ noted by relevant General Assembly and ECOSOC resolutions;

43bis. Take effective legislative, administrative, judicial or other relevant measures to prevent, investigate, prosecute and punish all forms of torture and end impunity in this regard, and to prevent other cruel, inhuman or degrading treatment or punishment;

Effective anti-corruption efforts

44bis. Effectively avail ourselves of the existing tools of the international anti-corruption architecture, particularly by implementing the United Nations Convention against Corruption (UNCAC), the United Nations Convention against Transnational Organized Crime (UNTOC), and other relevant tools where applicable;

¹ These documents include the Basic Principles on the Independence of the Judiciary and its complementary document, the Bangalore Principles of Judicial Conduct, the Basic Principles on the Role of Lawyers and the United Nations Guidelines on the Role of Prosecutors, and the Istanbul Declaration on Transparency in the Judicial Process and Measures for the Effective Implementation of the Istanbul Declaration.

44. Develop, adequately resource, and implement effective policies and measures, including by, inter alia, enhancing the collection and assessment of data to analyse corruption, strengthening the integrity, transparency and accountability of public institutions in order to prevent, detect, investigate, prosecute and adjudicate corruption in a holistic manner for ending impunity;

45. Ensure the use of appropriate measures to effectively disrupt the existing links between organized criminal groups and corruption, including by preventing and combatting bribery and laundering of proceeds of crime into the legitimate economy, and thus develop strategies to prevent and combat illicit financial flows;

46. Provide protection against any unjustified treatment for any persons who report acts of corruption in good faith and on reasonable grounds to the competent authorities, and thereby promote the reporting of corruption;

46bis. Investigate, prosecute and punish threats and acts of violence, falling within their jurisdiction, committed against journalists and media workers, whose professional duties put them at specific risk of intimidation, harassment and violence through the conduct of impartial, efficient and effective investigations, in particular in the context of fighting corruption and organized crime activities, including in conflict and post-conflict situations, with a view to ending impunity for crimes committed against them, in accordance with national legislation and applicable international law;

47. Increase public awareness of means for reporting instances of corruption, including by disseminating information regarding the responsibilities and rights of reporting persons including available measures for their protection;

Social, educational and other measures

48. Provide access to quality education and promote awareness-raising activities regarding law and policies, including public law-related education for all, to equip the public with the necessary values, skills and knowledge to foster among the general public a culture of lawfulness, cognizant of cultural diversity, based on respect for the rule of law;

Promoting international cooperation and technical assistance to prevent and address all forms of crime

International cooperation including through capacity building and technical assistance

50. Actively participate in and contribute to the recently-launched mechanism for the review of the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols as well as the mechanism for the review of the implementation of the United Nations Convention against Corruption, in order to assist State Parties in the implementation of the instruments, identify and substantiate specific needs for technical assistance, and share best practices and promote effective international cooperation;

51. Increase the efficiency and effectiveness of central authorities and other competent authorities responsible for facilitating international cooperation such as mutual legal assistance and extradition, including by providing adequate human and material resources, expertise and tools such as modern communication and case management tools, enhancing capacity-building programmes and technical-assistance programmes, and updating and disseminating tools such as the SHERLOC knowledge management portal, the UNODC MLA Request Writer Tool, and the Online Directory of Competent National Authorities with the cooperation and coordination of the UNODC;

52. Strengthen effective international cooperation in criminal matters, including in the areas of extradition and mutual legal assistance, while effectively addressing existing challenges and difficulties, especially in regard to requests, and promoting good practices, and facilitate using existing regional and international instruments, including UNCAC and UNTOC, as a legal basis for extradition and mutual legal assistance cooperation, and implement and conclude, as necessary, agreements or arrangements to enhance international cooperation in this regard;

53. Establish or strengthen regional and cross-regional cooperation networks of law enforcement and other criminal justice practitioners to exchange information and best practices with a view to, inter alia, building trust among them and further facilitating international cooperation;

54. Facilitate the formal and, to the extent permitted under domestic law, non-formal exchange of information and communication necessary to prevent and combat crime including through the support of intergovernmental organizations such as INTERPOL;

55. Continue to enhance international cooperation through technical assistance and capacity building including with the support of the United Nations Office on Drugs and Crime, and build upon ongoing initiatives and good practices such as the Global Programme for the Implementation of the Doha Declaration;

55quat. Promote, facilitate and support the widest measures of technical assistance, including material support and training with a view to enabling law enforcement authorities and criminal justice institutions to effectively prevent and combat crimes taking into account the specific challenges faced by and the particular needs of developing countries;

58ter. Recognize the fundamental role of effective international cooperation in preventing and combating crime and to this end, underline the importance of addressing, tackling and effectively responding to international challenges and barriers, in particular measures, that hinder such cooperation, and which are not consistent with the Charter of the United Nations and obligations under international law, and in this regard urge States, consistent with their international obligations, to refrain from applying such measures;

International cooperation to deprive criminals of their proceeds of crime

56. Strengthen international cooperation and assistance regarding the identification, tracing, freezing, seizing and confiscation of proceeds or other property and instrumentalities of crime and their disposal including by return, including in accordance with all the relevant provision and principles of the UNTOC and UNCAC, and where appropriate, give special consideration to concluding agreements or mutually acceptable arrangements in this regard on a case-by-case basis for the return and final disposal of confiscated property pursuant to article 57, paragraph 5 of UNCAC, as well as due consideration to agreeing to measures to enhance transparency and accountability, recognizing that consistent with article 4 of UNCAC, States cannot unilaterally impose terms in this regard;

58bis. When resolving corruption-related cases that make use of alternative legal mechanisms and non-trial resolution including settlements, that have proceeds of crime for confiscation and return, make use of assistance from affected states, where appropriate and consistent with domestic law, in order to enhance international cooperation, information and evidence sharing, and the recovery of proceeds of crime in accordance with the United Nations Convention against Corruption and domestic law;

56bis. Recognize asset recovery as an important element of crime prevention and criminal justice, particularly in cases involving corruption, and in that regard strengthen political will whilst safeguarding due process;

56ter. Encourage States to remove barriers and overcome obstacles to applying measures for the recovery of assets, in particular by simplifying their legal procedures, where appropriate and in accordance with domestic law, taking into consideration the 2030

Agenda for Sustainable Development in the use of returned assets in accordance with domestic laws and in line with domestic priorities, and bearing in mind that strengthening the recovery of stolen assets and their return will support the implementation of the 2030 Agenda;

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

Terrorism in all its forms and manifestations

59. Strengthen cooperation at the international, regional and sub-regional levels to prevent and combat all acts, methods and practices of terrorism in all its forms and manifestations, including by strengthening the rule of law at all levels and by ensuring the implementation by parties of the relevant international conventions and protocols related to counter-terrorism, formulating strategies aimed at effectively addressing the conditions conducive to the spread of terrorism including violent extremism as and when conducive to terrorism, while recognizing that nothing can justify acts of terrorism, and implement the United Nations Counter-Terrorism Strategy in all its aspects at the international, sub-regional and national levels without delay, including by mobilizing resources and expertise;

60. Ensure more effective actions against terrorism in all its forms and manifestations wherever and by whomsoever committed, in particular investigations and prosecutions supported by credible and verifiable information and evidence, and to this end improve the collection, handling and preservation of relevant information and evidence, and consider participating in information and evidence sharing networks as appropriate;

61. Identify, analyse and counter any existing, growing or potential links, in some cases, between the financing of terrorism and transnational organized crime, illicit drug-related activities, money-laundering, kidnapping and hostage-taking with the aim of raising funds including by demands for ransom, and extortion, to prevent and tackle financial and logistical support to terrorism in all its forms and manifestations and prevent terrorists from acquiring weapons, in compliance with obligations under applicable international law;

62. Address the growing threat posed by foreign terrorist fighters including through the implementation of applicable international obligations, and underline the importance of United Nations capacity-building and facilitation of capacity-building in accordance with existing mandates to assist States, including those in the most affected regions, upon their

request;

63. Improve the security and resilience of critical infrastructure and the protection of particularly vulnerable “soft-targets” including through increased information sharing among law enforcement, the private sector and the public;

64. Take appropriate measures to prevent and combat incitement to commit a terrorist attack and the spread of such terrorist propaganda and expressing alarm at the glorification of terrorism in all its forms and manifestations;

New, emerging and evolving forms of crime

65. Strengthen measures to address new, emerging and evolving forms of crime, including by making maximum use of the relevant and applicable conventions such as the United Nations Convention against Transnational Organized Crime and its Protocols through the measures contained therein, to prevent and combat crimes, facilitate international cooperation, confiscate and return the proceeds of crime;

66. Examine trends and evolution of methods employed in the conduct of crime to develop effective ways of international cooperation and technical assistance including through enhanced information sharing and an exchange of views, experiences and best practices within the framework of the Commission on Crime Prevention and Criminal Justice and other relevant global and regional fora;

64ter. Strengthen efforts to prevent, counter and combat trafficking in persons, including by supporting data collection and sharing as appropriate, through relevant technical assistance by the UNODC, addressing factors that make people vulnerable to trafficking, detecting and dismantling trafficking networks, including in supply chains, discouraging demand that fosters exploitation leading to trafficking, ending impunity of trafficking networks, conducting financial investigations and using special investigative techniques under the conditions prescribed by domestic law, and protecting victims of trafficking in persons;

64quat. Adopt and implement effective measures to prevent and combat the smuggling of migrants and protect the lives and the human rights of migrants, consistent with respective obligations of parties under the UNTOC and its Protocol against the Smuggling of Migrants and all other relevant international obligations, especially on human rights, and strengthen bilateral, regional and international cooperation in this regard, in particular to tackle, including through the concurrent undertaking of financial investigations and special investigative techniques, the increasing role of transnational and national organized criminal groups profiting from such crime and other crimes against migrants,

and underscore to make every possible effort to prevent further casualties and loss of lives;

55bis. Foster global, regional and bilateral cooperation to prevent criminals and criminal organizations from accessing firearms, and strengthen mechanisms and strategies for border control for preventing and combating the illicit trafficking in and the diversion of firearms, their parts and components and ammunition, including online trade, and the illicit reactivation of deactivated firearms;

55ter. Enhance cooperation to address and counter threats related to technological developments and changing *modi operandi* with regard to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and investigate and prosecute these crimes, including by ensuring the law enforcement cooperation, as well as the systematic tracing of seized arms;

64bis. Effectively address and counter the world drug problem, which requires concerted and sustained action at the national, regional and international levels, including accelerating the implementation of existing drug policy commitments, through a comprehensive and balanced approach and based on the principle of common and shared responsibility;

22ter. Take more effective measures to prevent and end abuse, exploitation, trafficking and all forms of violence against and torture of children, including child sexual exploitation and sexual abuse online and offline, by criminalizing such acts, supporting victims and fostering international cooperation to combat these crimes;

67bis. Adopt effective measures to prevent and combat crimes that affect the environment, such as illicit trafficking in wildlife, including, *inter alia*, flora and fauna as protected by the Convention on International Trade in endangered species of wild fauna and flora; in timber and timber products; in hazardous wastes and other wastes; and in precious metals, stones and other minerals; as well as, *inter alia*, poaching, by making the best possible use of relevant international instruments and by strengthening legislation, international cooperation, capacity-building, criminal justice responses and law enforcement efforts aimed at, *inter alia*, dealing with transnational organized crime, corruption and money-laundering linked to such crimes, and illicit financial flows derived from such crimes, while acknowledging the need to deprive criminals from proceeds of crime;

67ter. Encourage data collection and research on the manufacturing of and trafficking in falsified medical products, while recognizing, within its scope of application, the definition of falsified medical products endorsed by the World Health Assembly in 2017,

and taking this into account, strengthen, as appropriate, measures to respond to the manufacturing of and trafficking in falsified medical products;

67quat. Strengthen national and international responses to trafficking in cultural property and other crimes targeting cultural property, and any links to the financing of organized crime and terrorism, and enhance international cooperation in this regard, including through appropriate channels, the return or restitution of such illicitly trafficked cultural properties to countries of origin, taking into consideration existing instruments such as the UNTOC, the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, and other relevant instruments, and with a view to considering all possible options to make effective use of the applicable international legal framework to combat crimes against cultural property, and considering any proposals to supplement the existing framework for international cooperation, as necessary;

67bis. Undertake efforts to better understand the smuggling of commercial goods with a view to strengthen our responses, in accordance with national law, to this type of crime and its possible linkages with corruption and other crimes;

64sext. Develop effective strategies, including by enhancing the capacity of criminal justice professionals, to prevent, investigate and prosecute hate crimes, as well as engage effectively with victims and victim communities to build public trust when engaging with law enforcement to report such crimes;

67. Strengthen measures to address the threat of other new, emerging and evolving forms of crime, as well as their possible links with organized criminal groups as a source of lucrative profits for their illicit activities;

68. Enhance coordination and international cooperation to effectively prevent and combat the growing threat of cybercrime;

70. Promote the appropriate utilization of technology by law enforcement and other criminal justice institutions through providing technical assistance upon request, capacity building and necessary training, as well as improving legislation, regulations and policies so that they are adaptable to continuous technological developments;

71. Promote at the national, regional and international levels, with due respect for domestic legal frameworks and the principles of international law, public-private

partnerships with the digital industry, the financial sector and communication service providers to enhance international cooperation to combat cybercrime;

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

72. We call upon the Commission on Crime Prevention and Criminal Justice, in accordance with its mandate, to adopt the appropriate policy and operational measures for the follow-up to this Declaration, and to identify innovative ways to make use of information on progress made in the implementation of this declaration, and further invite the Commission to engage with other relevant stakeholders including the Programme Network of Institutes, in order to strengthen global partnership in advancing crime prevention, criminal justice and the rule of law towards the achievement of the 2030 Agenda for Sustainable Development;

73. We express our profound gratitude to the people and Government of Japan for their warm and generous hospitality and for the excellent facilities provided for the Fourteenth Congress.