

#### Procedure 4

States shall ensure that the Basic Principles are widely publicized in at least the main or official language or languages of the respective State. Judges, lawyers, members of the executive, the legislature, and the public in general, shall be informed in the most appropriate manner of the content and the importance of the Basic Principles so that they may promote their application within the framework of the justice system. In particular, States shall make the text of the Basic Principles available to all members of the judiciary.

#### Procedure 5

In implementing principles 8 and 12 of the Basic Principles, States shall pay particular attention to the need for adequate resources for the functioning of the judicial system, including appointing a sufficient number of judges in relation to case-loads, providing the courts with necessary support staff and equipment, and offering judges appropriate personal security, remuneration and emoluments.

#### Procedure 6

States shall promote or encourage seminars and courses at the national and regional levels on the role of the judiciary in society and the necessity for its independence.

#### Procedure 7

In accordance with Economic and Social Council resolution 1986/10, section V, Member States shall inform the Secretary-General every five years, beginning in 1988, of the progress achieved in the implementation of the Basic Principles, including their dissemination, their incorporation into national legislation, the problems faced and difficulties or obstacles encountered in their implementation at the national level and the assistance that might be needed from the international community.

#### Procedure 8

The Secretary-General shall prepare independent quinquennial reports to the Committee on Crime Prevention and Control on progress made with respect to the implementation of the Basic Principles, on the basis of the information received from Governments under procedure 7, as well as other information available within the United Nations system, including information on the technical co-operation and training provided by institutes, experts and regional and interregional advisers. In the preparation of those reports the Secretary-General shall also enlist the co-operation of specialized agencies and the relevant intergovernmental organizations and non-governmental organizations, in particular professional associations of judges and lawyers, in consultative status with the Economic and Social Council, and take into account the information provided by such agencies and organizations.

#### Procedure 9

The Secretary-General shall disseminate the Basic Principles, the present implementing procedures and the periodic reports on their implementation referred to in procedures 7 and 8, in as many languages as possible, and make them available to all States and intergovernmental and non-governmental organizations concerned, in order to ensure the widest circulation of those documents.

#### Procedure 10

The Secretary-General shall ensure the widest possible reference to and use of the text of the Basic Principles and the present implementing procedures by the United Nations in all its relevant programmes and the inclusion of the Basic Principles as soon as possible in the United Nations publication entitled *Human Rights: A Compilation of International Instruments*, in accordance with Economic and Social Council resolution 1986/10, section V.

#### Procedure 11

As part of its technical co-operation programme, the United Nations, in particular the Department of Technical Co-operation for Development of the Secretariat and the United Nations Development Programme, shall:

(a) Assist Governments, at their request, in setting up and strengthening independent and effective judicial systems;

(b) Make available to Governments requesting them, the services of experts and regional and interregional advisers on judicial matters to assist in implementing the Basic Principles.

(c) Enhance research concerning effective measures for implementing the Basic Principles, with emphasis on new developments in that area;

(d) Promote national and regional seminars, as well as other meetings at the professional and non-professional levels, on the role of the judiciary in society, the necessity for its independence, and the importance of implementing the Basic Principles to further those goals;

(e) Strengthen substantive support for the United Nations regional and interregional research and training institutes for crime prevention and criminal justice, as well as other entities within the United Nations system concerned with implementing the Basic Principles.

#### Procedure 12

The United Nations regional and interregional research and training institutes for crime prevention and criminal justice as well as other concerned entities within the United Nations system shall assist in the implementation process. They shall pay special attention to ways and means of enhancing the application of the Basic Principles in their research and training programmes, and to providing technical assistance upon the request of Member States. For this purpose, the United Nations institutes, in co-operation with national institutions and intergovernmental and non-governmental organizations concerned, shall develop curricula and training materials based on the Basic Principles and the present implementing procedures, which are suitable for use in legal education programmes at all levels as well as in specialized courses on human rights and related subjects.

#### Procedure 13

The regional commissions, the specialized agencies and other entities within the United Nations system as well as other concerned intergovernmental organizations shall become actively involved in the implementation process. They shall inform the Secretary-General of the efforts made to disseminate the Basic Principles, the measures taken to give effect to them and any obstacles and shortcomings encountered. The Secretary-General shall also take steps to ensure that non-governmental organizations in consultative status with the Economic and Social Council become actively involved in the implementation process and the related reporting procedures.

#### Procedure 14

The Committee on Crime Prevention and Control shall assist the General Assembly and the Economic and Social Council in following up the present implementing procedures, including periodic reporting under procedures 7 and 8 above. To this end, the Committee shall identify existing obstacles to, or shortcomings in, the implementation of the Basic Principles and the reasons for them. The Committee shall make specific recommendations, as appropriate, to the Assembly and the Council and any other relevant United Nations human rights bodies on further action required for the effective implementation of the Basic Principles.

#### Procedure 15

The Committee on Crime Prevention and Control shall assist the General Assembly, the Economic and Social Council and any other relevant United Nations human rights bodies, as appropriate, with recommendations relating to reports of *ad hoc* inquiry commissions or bodies, with respect to matters pertaining to the application and implementation of the Basic Principles.

### 1989/61. Guidelines for the effective implementation of the Code of Conduct for Law Enforcement Officials

#### *The Economic and Social Council,*

*Recalling* General Assembly resolution 34/169 of 17 December 1979, by which the Assembly adopted the Code of Conduct for Law Enforcement Officials set forth in the annex to the resolution,

*Recalling also* resolution 14 of the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,<sup>90</sup> in which the Congress, *inter alia*, called attention to the guidelines for the more effective implementation of the Code formulated at the Interregional Preparatory Meeting for the

Seventh Congress on the topic "Formulation and application of United Nations standards and norms in criminal justice", held at Varenna, Italy, in 1984,

*Bearing in mind* its resolution 1986/10, section IX, of 21 May 1986, in which it requested the Committee on Crime Prevention and Control, at its tenth session, to consider measures for the more effective implementation of the Code, in the light of the guidance provided by the Seventh Congress,

*Having considered* the report of the Committee on Crime Prevention and Control on its tenth session,<sup>96</sup>

*Guided* by the desire to promote the implementation of the Code,

1. *Adopts* the Guidelines for the Effective Implementation of the Code of Conduct for Law Enforcement Officials, recommended by the Committee on Crime Prevention and Control and annexed to the present resolution;

2. *Invites* the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders and its preparatory meetings to explore ways and means of stimulating adherence to the Guidelines.

*15th plenary meeting  
24 May 1989*

## ANNEX

### Guidelines for the Effective Implementation of the Code of Conduct for Law Enforcement Officials

#### I. APPLICATION OF THE CODE

##### A. General principles

1. The principles embodied in the Code shall be reflected in national legislation and practice.

2. In order to achieve the aims and objectives set out in article 1 of the Code and its Commentary, the definition of "law enforcement officials" shall be given the widest possible interpretation.

3. The Code shall be made applicable to all law enforcement officials, regardless of their jurisdiction.

4. Governments shall adopt the necessary measures to instruct, in basic training and all subsequent training and refresher courses, law enforcement officials in the provisions of national legislation connected with the Code as well as other basic texts on the issue of human rights.

##### B. Specific issues

1. *Selection, education and training.* The selection, education and training of law enforcement officials shall be given prime importance. Governments shall also promote education and training through a fruitful exchange of ideas at the regional and interregional levels.

2. *Salary and working conditions.* All law enforcement officials shall be adequately remunerated and shall be provided with appropriate working conditions.

3. *Discipline and supervision.* Effective mechanisms shall be established to ensure the internal discipline and external control as well as the supervision of law enforcement officials.

4. *Complaints by members of the public.* Particular provisions shall be made, within the mechanisms mentioned under paragraph 3 above, for the receipt and processing of complaints against law enforcement officials made by members of the public, and the existence of these provisions shall be made known to the public.

#### II. IMPLEMENTATION OF THE CODE

##### A. At the national level

1. The Code shall be made available to all law enforcement officials and competent authorities in their own language.

2. Governments shall disseminate the Code and all domestic laws giving effect to it so as to ensure that the principles and rights contained therein become known to the public in general.

3. In considering measures to promote the application of the Code, Governments shall organize symposia on the role and functions of law enforcement officials in the protection of human rights and the prevention of crime.

##### B. At the international level

1. Governments shall inform the Secretary-General at appropriate intervals of at least five years on the extent of the implementation of the Code.

2. The Secretary-General shall prepare periodic reports on progress made with respect to the implementation of the Code, drawing also on observations and on the co-operation of specialized agencies and relevant intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council.

3. As part of the reports mentioned above, Governments shall provide to the Secretary-General copies of abstracts of laws, regulations and administrative measures concerning the application of the Code, any other relevant information on its implementation, as well as information on possible difficulties in its application.

4. The Secretary-General shall submit the above-mentioned reports to the Committee on Crime Prevention and Control for consideration and further action, as appropriate.

5. The Secretary-General shall make available the Code and the present guidelines to all States and intergovernmental and non-governmental organizations concerned, in all official languages of the United Nations.

6. The United Nations, as part of its advisory services and technical co-operation and development programmes, shall:

(a) Make available to Governments requesting them the services of experts and regional and interregional advisers to assist in implementing the provisions of the Code;

(b) Promote national and regional training seminars and other meetings on the Code and on the role and functions of law enforcement officials in the protection of human rights and the prevention of crime.

7. The United Nations regional institutes shall be encouraged to organize seminars and training courses on the Code and to carry out research on the extent to which the Code is implemented in the countries of the region as well as the difficulties encountered.

### 1989/62. Concerted international action against the forms of crime identified in the Milan Plan of Action

#### *The Economic and Social Council,*

*Recalling* the Milan Plan of Action, unanimously adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders,<sup>91</sup> and resolutions 1 on organized crime, 2 on the struggle against illicit drug trafficking, 22 on crime prevention in the context of development, and 23 on criminal acts of a terrorist character, also unanimously adopted by the Seventh Congress,<sup>90</sup>

*Recalling also* its resolution 1986/10, section I, of 21 May 1986, in which the Secretary-General was urged to accord priority to the development of specific proposals for concerted international action against the forms of crime identified in the Milan Plan of Action,

*Recalling further* General Assembly resolutions 41/107 of 4 December 1986 and 42/59 of 30 November 1987, in which the Assembly called for priority attention to be accorded to the forms of crime identified in the Milan Plan of Action,

*Alarmed* by the marked increase in the transnational dimensions of grave forms of crime and by the comparative impunity enjoyed by the perpetrators of such forms of crime,

*Noting with dismay* the shortcomings of existing international co-operation arrangements and instru-