

65640



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/CONF.56/BP/2  
26 April 1974

ORIGINAL: ENGLISH

FIFTH UNITED NATIONS CONGRESS ON THE  
PREVENTION OF CRIME AND THE TREATMENT  
OF OFFENDERS  
Toronto, Canada  
1-15 September 1975

X  
REPORT ON THE LATIN AMERICAN REGIONAL PREPARATORY  
MEETING OF EXPERTS ON THE PREVENTION OF CRIME AND  
THE TREATMENT OF OFFENDERS

Note by the Secretary-General

The Secretary-General circulates herewith the report on the Latin American Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders, which was held at Brasilia, Brazil, from 5 to 10 November 1973. The report is circulated to provide participants at the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders with a full account of the proceedings of the preparatory meeting.

CONTENTS

	<u>Paragraphs</u>
INTRODUCTION . . . . .	1 - 5
I. DISCUSSION OF THE AGENDA ITEMS . . . . .	6 - 89
A. Changes in forms and dimensions of criminality - transnational and national . . . . .	6 - 25
B. Improvements in criminal legislation, law enforcement, judicial administration and correctional systems with a view to the prevention of crime and the treatment of the offender in the community . . . . .	26 - 47
C. The emerging role of the police and other law enforcement agencies, with special reference to changing expectations and minimum standards of performance . . . . .	48 - 63

65640

CONTENTS (continued)

	<u>Paragraphs</u>
D. Treatment of offenders in custody, with special reference to implementation of the Standard Minimum Rules for the Treatment of Prisoners adopted by the United Nations . . . . .	64 - 74
E. Economic and social consequences of crime: new challenges for research and planning . . . . .	75 - 89
II. PROPOSAL FOR A UNITED NATIONS LATIN AMERICAN INSTITUTE FOR THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS . . . . .	90 - 95

Annexes

- I. List of participants
- II. List of documents

## INTRODUCTION

1. The Latin American Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders was the second of a series of regional meetings convened to discuss the provisional agenda and make appropriate recommendations concerning the preparations for the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held at Toronto, Canada, from 1 to 15 September 1975, in pursuance of General Assembly resolution 415 (V), annex, paragraph (d). It therefore adopted as its agenda the same one for the Congress as approved by the Committee on Crime Prevention and Control at its second session (May 1973) (E/CN.5/494, para. 62).
2. The participants felt strongly about the need to use the opportunity of that particular regional meeting of experts to discuss the long-standing proposal to establish a United Nations institute for the prevention of crime and the treatment of offenders in Latin America. The meeting therefore added this item to the agenda.
3. The participants at the meeting are given in annex I. The list of documents before the meeting is given in annex II. The Government of Canada, which is to be the host Government for the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, sent special observers to the meeting.
4. José Arthur Rios, Professor of Sociology, Catholic University, Rio de Janeiro, was elected Chairman of the meeting.
5. The meeting was opened by His Excellency Mr. Alfredo Buzaid, Minister of Justice, Federal Government of Brazil, who welcomed the participants on behalf of the host Government.

I. DISCUSSION OF THE AGENDA ITEMS

A. Changes in forms and dimensions of criminality -  
transnational and national

6. Having before it the report of the Asian Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders held at Tokyo from 16 to 21 July 1973, the present meeting endorsed the Asian experience expressed in the following paragraph as being equally important in the Latin American area:

"Crime was already internationalized to a degree which made it difficult to talk of purely national crime. In any event, crime in one country could not be regarded with equanimity by other countries: not only were there international implications to national crime caused by tourism, greater mobility, legal or illegal immigration, smuggling etc.; there were also international implications of growing crime in one country just as there are international implications of poverty in any one country. Just as countries have realized that it is in their own interest to help neighbours deal with poverty it is equally in their own interest to give any help needed to deal with crime. There was, nevertheless, a difference which could be drawn between crimes of a specifically transnational nature like drug trafficking, currency offences or skyjacking and the more directly national issues of local crime. Either way, it was felt that both national and transnational crime were subjects of legitimate concern for an international congress. Of course, there should be no question of interference with national sovereignty. It went without question that each country would deal with crime in its own way. The need was for countries to share their experience and to work together to improve international co-operation so as to bring international criminal law from its rudimentary and customary state to a condition of greater effectiveness. International crime had outstripped international criminal law and had proved far more resourceful than any measures to deal with it" (A/CONF.56/BP/1, para. 6).

7. Latin America had its own special problems of crime, often typical of the region rather than limited to any one or two countries in it. Aerial hijacking had, for some time, been more prevalent there than elsewhere (although perhaps this was no longer true); political assassination had a long history in that region, although it was by no means peculiar to it. More indigenous perhaps was the practice of kidnapping for a variety of motives, from vengeance or illegal profit to high moral or political principles. The kidnapping of diplomats, for example, had become only one aspect of a wider business of kidnapping for profit which affected a number of countries. In one country there had been four kidnappings - with four deaths - in a single month; and in another the same person had been held for ransom twice in a period of three months. Nearly everywhere there was a form of extortion practised with kidnapping and death as the intimidation if families did not contribute to their "protection". Drug addicts had also begun to use this method of obtaining the funds to feed their habit.

So efficiently organized, so widespread and apparently immune from successful prosecution were these offences that they seemed to be possible only with police or administrative connivance in some cases.

8. Latin America had also become deeply enmeshed in the drug traffic of the world. All kinds of drugs were manufactured, traded or consumed there. While the trade generally moved in the direction of North America, the Latin American States were themselves becoming more profitable markets.

9. Finally, Latin America provided a classic example of a region within which it was possible for transnational crime syndicates to operate across borders or for multinational corporations to illegally exploit differences in national legislation.

10. In considering this first item of the agenda, the meeting drew attention to changes in the forms and dimensions of society itself, since this change in the structure of a society and in the movement or settlement of its people had inevitable consequences for behaviour. Changes in types or amounts of crime, therefore, could only be understood with reference to the social, political and economic context within which the variations in individual motivation and decision-making occurred. Moreover, with the rise in the levels of education and the experience of corporate organizations, there were more developed forms of legal protection for rich offenders and of styles of operation only possible with modern techniques.

11. With regard to crime, its significance for society and the statements which it was possible to make about the crime situation in its various interpretations, the discussion showed that the participants represented different approaches to the problem; there were national, traditional, philosophical, transformational, academic and professional interests represented. It became clear in the discussion that there were differences between those interested in research and practice, those interested in law and sociology, those interested in causation and those interested in control. These differences were sometimes more apparent than real, but they could be reconciled only if they were openly acknowledged and if their implications were accommodated in the preparation of papers for the Congress.

12. Whatever the interest or approach, however, it was agreed that in the Latin American region there were new forms and dimensions of crime. For example, LSD was unknown in Chile until 1968, but consumption of it has grown since then. There had been bank robberies of a type not previously known and which had been organized with a novel and alarming military efficiency. There had been changes in the modus operandi of many of the conventional crimes. For example, electronic devices were being used, and computerized systems were being exploited in relation to checking accounts, credit cards and negotiable securities.

13. While it was true that on a world scale all obvious changes in styles of living were going to be reflected in the shape of international and national crimes, the Latin American region, with its extremes of prosperity and poverty, urban and rural living, traditional and modern economies, still allowed comparison between

the old and new sizes and dimensions of crime. The mobility of people in the region provided on the one hand a balance between national and international interests and affiliations, and, on the other hand, a problem for the containment of crime.

14. Mexico had lately developed more discriminating and selective research on drug abuse and treatment of drug offenders; in Costa Rica and Colombia, a crime had sometimes developed out of attempts to implement official changes in systems of land tenure. These could be regarded as examples of new developments in crime and crime prevention.

15. The meeting stressed that in presenting its view to the Congress it should be made clear that the participants appreciated the need to avoid any oversimplification of this issue. It was aware of the existence of experts who were prepared to reverse rises in crime rates by redefining society's crime problems in such a way that any references to "changes in the forms and dimensions of crime" could become meaningless. Those experts claimed that if the penal code were revised to tolerate behaviour previously forbidden by law, if penal systems were regarded as politically motivated "labelling processes" or if the emphasis were taken from the individual and placed on the criminality of society itself, then the trend of crime increases or changes could really be reversed.

16. The meeting felt, however, that these were sophistic escapes from a reality that most citizens understood only too well when they were robbed at home or in the street, forced to pay extortionately for so-called protection, obliged to move their homes to less crime-ridden areas, constrained to pay higher insurance rates for their cars or property, or when they were cheated by false packaging, underweighing or unwarranted price increases. In whatever way crime was redefined, therefore, the meeting believed that, considering the increase in violence of international crimes and the enormous sophistication of the behaviour regarded as crime in any society, it was necessary to consider the fear and insecurity in which so many people lived rather than to avoid the problem by a redefinition of crime.

17. In looking at some of the current crime issues in society, the meeting noted that alcohol is as serious a problem for society as other drugs, that decriminalization could reduce much crime by rationalizing legislation, and that crime prevention services could sometimes generate as much crime as they resolved. On the other hand, it was stressed that in this area new techniques were often applied to old forms of deviance. For example, aerial hijacking was not without its comparable precedents. Robberies or counterfeiting were still robberies or instances of fraud even if they used modern fire-arms, corporate planning or computers.

18. Modern technology, which can claim to have served to raise criminology and forensic studies of crime to the highest level they have yet reached, has opened up at the same time a vast range of new opportunities for crime and criminals. Economic and social development had therefore to be related to the realities of the time if crime was to be reduced. This was especially necessary with regard to young people and providing for their legitimate hopes and aspirations. It was

explained that 70 per cent of Brazil's minor offenders came from broken homes, and a recent WHO report referred to the fact that 34 per cent of children brought up in institutions became antisocial and as much a problem for society as diphtheria and typhoid. One participant gave examples of new dimensions of crime - or new motivations for crime - being produced by the laws themselves. In Colombia, a land reform law had created new conflicts over property, sometimes leading to physical assault or even murder when squatters were evicted. Costa Rica also quoted instances of such crime produced by legal changes. Crime therefore should be recognized as a problem of the entire society, often produced as much by society and its institutions as by individuals themselves. It could be reduced only with the collaboration of the entire society.

19. Some participants felt that any approach to future types of crime to be expected in the last quarter of the century required an explicit recognition that not all values were relative. Immorality may not always be crime, but experience with the decriminalization of laws showed that there were some absolute values without which any society must expect a decline in its quality of life. A significant aspect of the modern situation of crime was the marked reduction in the extent and degree of social condemnation, or what could be conversely described as a rise in the "rate of impunity". There was a growth not only in tolerance of, but also in indifference to crime, which often changed its meaning for society as a whole. This could not be overlooked in its lack of inhibiting effect on crime, and it underlined the need for basic values commonly held and supported by public response both formally and informally.

20. Another factor in the modern situation was the common experience in Latin American countries of the merging of traditional and modern structures, controls and norms. People were often caught between two worlds with very different standards of conduct and with divergent if not always conflicting values.

21. Throughout Latin America the modernization and development process had meant urbanization and the migration of young people to towns, with economic and social changes bringing variations in crime. Margarita Island in Venezuela, for example, had been a small community of fishermen and peasants with practically no crime until the Government had decided to develop the area economically by making it a "free port". Now their income had improved and there was greater diversity of life; but this included a higher rate of crime, and offences were committed on the island which were not known before. Ecuador had a boom in the export of bananas, with interesting consequences flowing from the changes in its international trade. An accompanying change was increased importation of whisky; the price of whisky had thus fallen, and its consumption had grown enormously, further encouraged in this case by a system whereby whisky vendors ran a lottery on the return of caps from the whisky bottles sold. For labourers in Ecuador whisky had now displaced cheap rum, and the effect on social behaviour was becoming evident. The change in living styles fed into problems with traffic (drunken drivers) and into other forms of addiction. Ecuador was now also a cross-road for the international drug traffic. Other countries had similar experiences indicating changes and increases in crime correlated with development. In looking to the future of crime, it was necessary to look at the investment of funds for economic growth. The

benefits and costs of development had therefore to be balanced as far as possible - or if there needed to be a "trade-off", this should be understood. Sometimes it might be thought that an increase in incomes was worth the risk of crime involved or that the rise in GNP was necessary even if the benefits ended up in the wrong pockets. But this should be consciously calculated and not an unexpected negative by-product of a process still inadequately understood.

22. Planners had thus far given little thought to the negative social consequences of material improvement. Social planning and social defence planning needed to become integrated with other forms of national planning.

23. The relevance of development for new forms and dimensions of crime could not therefore be minimized; but the ambiguity of the terms "development" and "crime" called for some kind of reformulation of the subject. It was proposed that the term "transformation" was a better term than development since it was less charged with preconceptions and, in the future, society should be prepared to accommodate, by preventive measures, the kinds of deviance which transformation undoubtedly generated. However, there was no necessary chronology about development or crime styles, and with the increased mobility of populations relatively little developed areas were sometimes troubled by imported ideas or methods if not by the actual importation of criminals. One participant felt that even the smaller developing countries already had all the problems of the larger and so-called developed countries: the crimes and their consequences were no less grave in developing than in developed areas; even the techniques employed were the same, only the degree and extent of crime differed in these areas - and they too often lacked the material resources to deal with them.

24. The meeting felt very concerned about the influence of mass communication and returned to this subject on several occasions. Whereas, as one member stressed, research had not been able to establish any direct link between the mass media and crime, other participants could not believe that the problem of mass media was so readily dismissible in any attempt to face the future shape of crime to come. The rise of television and the immediacy of news, not to mention the dramatic presentations of styles of life provided by the mass media with a potential for moulding behaviour and opinions, could not but have an important effect on the future of crime. The image it presented of the police, correctional services or criminal to the public all served, directly or indirectly, to affect public policy and private opinion.

25. Some participants raised special problems now facing their own countries. In some areas new crime potential situations were being created by community, class or labour conflicts. Strikes, "sit-ins", "sick-outs" and other forms of modern protest were creating problems for the police. Others referred to the prevalence of administrative corruption, which had survived nearly all attempts to deal with it and which often grew with the transformation of society. It was of interest to the participants that they could say, as with the Asian Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders, that "all countries of the region were experiencing the same types of problems whatever the local peculiarities. In the national field, almost every country was facing not only a variety of new crimes arising from situations and problems which may or may not be universal but also new dimensions of old crimes" (A/CONF.56/BP/1, para. 8).

B. Improvements in criminal legislation, law enforcement, judicial administration and correctional systems with a view to the prevention of crime and the treatment of the offender in the community

26. The meeting found it necessary to limit the range of this item of the agenda to a consideration of the best ways in which criminal legislation and the administration of justice could be improved so as to foster a greater independence from the traditional concept of imprisonment. Like the Asian Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders, it considered that issues of law enforcement and corrections would receive adequate attention under items 3 and 4 of the agenda. Participants felt that, as presented in the agenda title, this item was too extensive and overlapped with other items. They thought that it would defy effective handling at the Congress unless it could be limited and brought to more manageable proportions before then.

27. These observations served to focus the discussion on the complex problems of providing adequately, within a criminal justice system, for the treatment of offenders outside of penal institutions. It also elicited a profound local concern with the more general problem of crime prevention in the area, since there was a consensus that until now the Latin American region had been wholly absorbed with the repression of crime and punishment of the offender so that the need for a more preventative approach had not yet been appreciated by the authorities. Far too much had been entrusted to and expected of the police, the courts and the penitentiary services.

28. It was recognized that the core of any attempt to deal with offenders in the community lay in developing a capacity for ingenuity and inventiveness in devising extramural penalties based on a better understanding of the complex problems of public participation in crime prevention within modern societies, whether these happened to be developed or developing.

29. Latin America had communities which had managed to preserve the vestiges of older social controls and which often enjoyed rich and resourceful social structures based on the family and the neighbourhood. These were often in a better position to exploit the kind of ingenuity and experimentation needed for the reintegrating of offenders than were the technologically advanced but far more socially fragmented societies. In the less modernized countries there were frequently fewer inflexible commitments to established structures and fewer professional rigidities. Moreover, the community resilience was far more in evidence. The example was given of Latin American countries responding to the disaster and chaos of earthquakes with an adaptability and resourcefulness which testified to the power of the social sinews. These family and community resources were there to be used for crime prevention purposes too if an adequate adaptation could be made. The only danger was that such societies unwittingly neglect their own powerful community advantages and in the name of modernization follow too closely the example of richer countries as if these were more scientific and advanced. This had already happened with prison systems and was a danger for developing areas to avoid.

30. It might therefore be said that the capacity of a society to receive and deal more effectively with the offender in the community might be in inverse relationship to its technological and professional compartmentalization and that progress in this direction might depend upon the extent to which specializations could be rendered more flexible. The social rigidities of the types of specializations necessary for technological advance tended to limit the capacity of a community to absorb and reintegrate its deviates. Sometimes this could be dealt with by redefining deviation, but in many other instances societies needed to develop new strands of elasticity within the specialization necessary for modern growth.

31. A great deal had been written and spoken about "community solutions" to the problems posed by fossilized legal procedures or by old and inadequate penal institutions, but these community solutions were not always easy to specify. Half-way houses, release hostels and open institutions were not necessarily community-oriented or community-supported, and probation and parole did not always imply community support and acceptance. First, there needed to be a "community" - and in some large urban centres it might be necessary to build this before expecting too much from "community solutions". Secondly, it was necessary to integrate the community with the plan for the offender (or vice versa), and this was not always an automatic consequence of release from an institution or discharge to a probation or parole officer. Latin America was perhaps fortunate in that community life was strong even in the largest cities, but as yet there had been little experimentation with any formal community solutions to crime.

32. The problem was one of finding ways and developing opportunities by which families, clubs, formal and informal groups and neighbourhood authorities might be better used in the prevention of crime and in the treatment of offenders so as to reduce as far as possible the reliance upon institutions which have become outmoded or which have already proved to be inefficient and incapable of solving the problems of crime. Many examples were given of this. For one, it was said that in Chile, despite the most enlightened approach to imprisonment, some 80 per cent of the prisoners were still idle or not employed in more than a few small crafts. This represented a great loss to the nation in manpower and diverted funds from more productive uses. As a remedial measure, Chile had adopted legislation that provided for the application of week-end house arrest for certain traffic and narcotic offences and for a person to be sentenced to work on government projects.

33. In Latin America generally there was overcrowding in prison buildings and a lack of use of the available facilities in the community. Most prisons in the region were local and lacked the technical means of evaluating and looking after mentally ill prisoners and even the mental hospitals were not releasing into the community the patients who could be sent home, so that the reliance on segregation and incarceration was general. For instance, only recently had the Latin American countries been making more use of open penal institutions - with very encouraging results, according to reports provided by Mexico, Chile and Brazil - and probation was still largely unknown. There was obvious scope for greater experimentation and for extramural services for offenders.

34. On the other hand, the meeting took exception to any suggestion that it might be condemning all prison institutions simply because they were institutions. It held the view that there would always be a need to segregate the few incorrigibles from society and that with the most revolutionary changes there would still be a need for institutions of some kind to provide for these. Under this agenda item, however, the meeting was more concerned with those who could and should be released to or retained in society. Many more of these persons were in prisons than was strictly necessary in most countries.

35. Since the overuse of prisons in Latin America was encouraged by the legal system, improvements might be made in the drafting of laws: it might even be necessary in some cases to consider amending a national constitution where this could be of greater efficiency for the administration of criminal justice by helping to release persons unnecessarily held in prison. Some participants thought that the administration of penal law could not and should not be dealt with as if it were civil law. Judges with responsibility for sentencing needed to be professionals or specialists in the treatment of offenders with a wider knowledge of the psychological and sociological realities behind the particular offence committed. In particular, specialized penal judges were needed. In this way, automatic recourse to legally provided remedies would be avoided and sentencing would receive more careful attention in a wider than legal context. The meeting acknowledged that in certain other parts of the world great objection was being raised to panels of sentencing specialists who operated with more discretion than was considered just in the circumstances and had been responsible for incarceration in the name of a "treatment" which had never been shown to be effective. But in Latin America the scale needed to be weighted on the other side. Here it was the individualization of treatment which was so often neglected.

36. Still on the question of improved judicial administration, many participants referred to the prevalence of official corruption in the region. One member referred to the recent dismissal of the entire panel of the supreme court judges in his country because of corruption and felt that this was only one example of a much more extensive scandal in legal and judicial administration in the entire region. Another participant declared himself against penal reform in general because penalties had not proved effective and the system was unduly repressive. He argued for the better training of judges and said that even a bad system could be effective if administered by a wise, honest and well-trained judge, whereas a good and reformed penal system could be repressive in the hands of an unwise, untrained or dishonest judge.

37. This consideration drew the attention of participants to the need for more careful studies of all the implications of legislation and the drafting of legislation for the development of a more logical and efficient approach to criminal justice reform and planning. This included consideration of whether the swift recourse to new legislation in so many countries was always as necessary as it first seemed. Stemming the flow of bills, acts, decrees and ordinances was in itself a major undertaking, but one which would have to be faced as in so many areas the citizen could be held less and less accountable for not knowing the law he was supposed to obey.

38. Again the question involved consideration of whether decriminalization could be applied more effectively to reducing the serious problems of excessive law enforcement for the police and reducing the consequent burden on the courts and on the criminal justice system generally. Undoubtedly there was scope for decriminalization if only to limit the volumes of penal laws which even the libraries were now finding it difficult to accommodate.

39. At the same time participants observed that, except where a law was totally in disuse, decriminalization alone could only shift some of the burdens onto other parts of a society and that it was a great mistake to think that a social problem evaporated when it was no longer the subject of law. For some types of decriminalized behaviour adequate alternative facilities would need to be made available by other government departments. For example, removing drunkenness from the penal code might be a questionable advantage for the alcoholic if (as had actually happened), because he was no longer a problem for the police, the alcoholic died in the street with no one to care for him. (It was recognized that there was a difference between common law and civil law systems in the terminology which might make the term "decriminalization" misleading. A crime was often defined by criminologists as any breach of law, and "decriminalization" was used in this sense. But just as common law systems had their "felonies" and "misdemeanours", so the civil law systems had their "crimes" and "contraventions". Thus drunkenness and vagrancy in Latin American legislations are usually contraventions only.) The criminal justice system was too frequently misused, but the social significance of such misuse was also a factor to be considered in arguing for a change in the system. Similarly, a society could not be expected to shoulder serious responsibilities for dangerous or maladjusted offenders who really needed adequate expert supervision and control simply to justify an expedient emptying or pious closing of criticized institutions.

40. Allowing for all these qualifications, however, the meeting felt that there was in most countries the possibility of reducing the vast quantity of criminal legislation in such a way that the criminal justice system could be unburdened of some of its greatest problems and resources could be released for more effective treatment of the offender within the community.

41. In some parts of the world the participants noted that this process of decriminalization had been made necessary by changes in the formal values of a society, i.e. the increase in tolerance due to a change in the public standards had allowed the legalization of homosexuality, abortion or forms of pornography, and types of previously illegal prostitution.

42. Not all Latin American countries were in such a position of change in formal values, however; in some areas, at least, the process was very much slower than in others. One participant took exception to the idea that moral standards could be separated from the law. For him human values constituted the essence of personal right which was designed to protect them, and these human values were not purely relative. To consider them purely relative was to deprive personal right of its essence and to transform it into no more than an instrument of repression. Whereas not all participants took exactly the same view, and it was stated that the rate of

change was more rapid in some areas than in others, there was general agreement that in the movement towards decriminalization of the criminal justice system the approach in Latin America might be different from other parts of the world.

43. On the other hand, there were not likely to be such differences in motivation when it came to some kind of criminalization. Thus, Latin America shared in the movement for the criminalization of pollution.

44. Moving from the issue of a more effective orientation of criminal legislation, with its subissues of discrimination and incrimination, the meeting acknowledged the element of discretion which sometimes involved discrimination in the administration of any legal system - whether this occurred at the level of reporting offences to the authorities; whether it derived from the selective way in which most police forces had to operate when faced with so many laws to enforce in a variety of different circumstances; or whether it was a discretion mainly reserved to specially selected and trained judges.

45. The tendency in some societies was to trust judges and to remove as far as possible all discretion from other officials, be they police, administrators or correctional authorities. Other societies had developed a confidence in official integrity and a tolerance of official discretion which relieved the courts of many cases which might otherwise overload the calendar and lead to unfairness in judicial administration for no other reason than that judges did not have sufficient time to ponder professionally on the cases before them. One participant quoted the example of a magistrate, so overworked, that all his cases were prepared by an assistant. Adding more judges did not always solve the problem where the cases were increasing at an even faster rate than extra judges could possibly handle and where innumerable appeals, adroitly used by vastly increased numbers of lawyers, prolonged the handling of each case and choked the system.

46. The problems of Latin America in this connexion were not unlike those of other regions of the world. There was a need to streamline the system. Widening the scope of official discussion at administrative levels could divert much work from the courts; which points to the advantages of an oral hearing rather than a written one, but this would be possible only where the public had confidence in such discretion and official corruption was not an issue. In Latin America as elsewhere, the possibility of developing a range of more informal tribunals or making a wider use of non-legal social controls should not be overlooked. The resources of a community could be almost infinite where it combined both traditional and modern systems. These resources, which were available to avoid the increasing tendency to rely upon fully professionalized services at high cost (and reduced value when the courts were overloaded), needed more careful scrutiny by all countries.

47. Nevertheless the crux of this problem lay essentially in how far a society was actually capable of dealing with an offender without sending him to prison. Far more was assumed on this subject than was really known. Often this capacity of a society had not been studied and its lawmaking had been purely pragmatic. Consequently the laws were sometimes hopes rather than actualities in force.

Criminal legislation, judicial administration, informal social controls of behaviour and indeed the whole range of crime prevention in a community could be more efficient if the social resilience to absorb and reintegrate a deviant member could in some way be strengthened and further developed. Unfortunately, the growth of the cities and the disruption of social and community life moved in the opposite direction in more countries so that the approach to the treatment of the offender outside the institution was, too often, a confusion of assumptions with no real provision for a scientific follow-up of the decisions taken on criminal policy.

C. The emerging role of the police and other law enforcement agencies, with special reference to changing expectations and minimum standards of performance

48. The peculiarities of historical development, geography and political evolution and their effects on police administration throughout the region of Latin America gave a very special meaning to the discussion of the third item of the agenda. While the diverse and varied record of different types of police forces in Latin America was impossible to summarize in this report, it nevertheless indicated a background of community policing from above rather than from within the society.

49. The meeting welcomed the inclusion of a law enforcement subject as an item for the Congress agenda and endorsed the title. Participants thought that the Latin American experience of the organization and operation of a variety of different types of police forces could be of special relevance to the world study of the problem of law enforcement in its modern urban and industrial context.

50. The relationship between the public and the police varied in the different countries of the region; but, in general, the meeting felt it would be very much to the advantage of police forces throughout Latin America to devise minimum standards of performance for themselves and to seek closer relations with the populations which they serve. As a matter of fact, to promote a better image, the various police forces of the region were already thinking in terms of minimum standards of performance.

51. Several participants complained of the "promiscuity" and "ignorance" of police services in the region, though there were notable exceptions, and examples were given of some very fine police units in Mexico and Chile. One unit of police women, appointing only qualified social workers or teachers who were then given further specialized training, received favourable mention. In general, it was thought that the police of this region were handicapped by a lack of adequate training, education and public relations.

52. The lack of discipline in many police forces in the region was one serious concern; there had been instances of the police not answering official calls or taking advantage of their special authoritative position, and there were widespread instances of corruption. In fact, one member pointed out that in Latin America

"organized crime" was often misunderstood as referring to the corruption within or to crimes actually committed by the police; and another participant stated that in his country the police officers themselves provided most of the clientele for pornographic films.

53. However, the meeting was aware that this presented only one side of the case, and it was careful not to castigate only the institutions of law enforcement in the region. It was pointed out that the police belonged to the community and were not a race apart. They came from the society and returned to it. A country was therefore likely to get the kind of police force which it deserved. A corrupt society would be likely to have a corrupt police, and a society with a low impression of police service would reflect this in pay scales, so that it could not expect performances beyond its own evaluation of the importance of the task given to the police to perform.

54. The policeman looked up to his superiors in the Government, courts and legislative chambers; but in looking up as a policeman, he saw more of how people behaved and of what went on than most other people. He would know about corruption in high places more quickly than others and he might be in closer touch with it for a longer period. Therefore to find him either disillusioned or human enough to follow the examples he was given was not a matter for surprise. When their masters were corrupt, the police were likely to be corrupt. There was consequently a great need for standard minimum rules for police performance in Latin America; but the meeting emphasized that such rules were unlikely to be meaningful if they were expected to be effective within a system which itself was operating on the opposite principles.

55. Participants were provided with an analysis of the general police situation in Latin America. Again with special and notable exceptions, it was suggested that Latin American countries were still operating within the first of three developmental stages. Police evolution, it was suggested, went through three stages of growth: the "criminal" stage, the empirical stage and the scientific stage. In the first stage, a hard, even ruthless, type of policeman was selected, with power but little training. In the second stage, of empiricism, training began and an attempt was made to dispense with dependence on pure force. Finally came a scientific stage, where true professionalism in police work emerged. It was thought that some countries of Latin America were still in the earliest "criminal" stage of police development, although some had moved to the empirical stage. However, the meeting again took note of some special exceptions where excellent training was being given.

56. With regard to public expectations of the police, Latin America suffered from the quasi-military nature of policing which generally applied in civil law system. Allowing for exceptions, Latin America, as a whole, had police forces serving centralized authorities; and they were regarded by the public as maintaining the central order rather than protecting basic human rights against invasion from any quarter. Generally, in Latin America, there were two types of police: the gendarmerie (a "preventative police"), which included the traffic police and all those in direct contact with the public; and the judiciary police,

which performed investigative work and acted only at the instance of a judge or Ministry of Justice. An example was given of a highway police force in São Paulo, Brazil, which had been mainly civil but was now becoming more military, with marked changes in its relationship with the public.

57. Mention was also made of the growth of private security forces. In some of the Caribbean countries represented, the official police controlled all appointments to these forces. In Latin America, however, private police forces were sometimes relatively uncontrolled and standards of performance were typically unchecked. The result was that they were sometimes found to be involved in corrupt practices or the commission of crimes. One member, speaking from experience, gave the opinion that bank police were useless and provided only a very false security; he thought that the security function could not be delegated and that police functions were unnecessarily duplicated by private security systems like the bank police. Brazil, on the other hand, claimed considerable success with the use of police boxes in banks, in which armed guards sat behind bullet-proof glass and deterred potential bank robbers.

58. Within the police forces of Latin America there was frequently a difference between the training and quality of the preventative police (gendarmerie) and the judiciary police. Sometimes the former were of low education and given little training, whereas the latter were already well educated, well trained and highly professionalized. It was suggested by one participant that the division between these two levels was probably unnecessary. A comparison between the Caribbean and Latin American experiences encouraged the view that this older division of standards or levels of operation required deeper study for its relevance to modern needs.

59. In the course of the discussion, reference was made to an experience obtained in Brazil with the training of Indian police. At first the educational level of the Indians had been over-estimated. The training they received was therefore often opposed to native values and could not be culturally integrated. The newly trained policemen thought of themselves as a privileged class, no longer obliged to work and having special powers. Since military ranks were used and the former Indian chiefs became "sergeants", they regarded themselves as having status above that of the local chiefs. The result was conflict between the police and the local chiefs and between the new arrogant Indian policemen and the white people. Only when the situation was clarified by anthropological studies was this error corrected. A similar example was given of the attempt to delegate police authority to the leaders of the subcultures in the favelas of Rio de Janeiro to deal with minor offences and to prevent crime by solving local family conflicts. In São Paulo the police chief had successfully delegated police functions to "cell" leaders in the community.

60. The meeting therefore believed that Latin America could benefit from a sharing of its experiences with other civil-law and common-law countries. It might well be that a new role and structure of the police could derive from a deeper appreciation of the present problems of law enforcement within the legal framework of Latin America and within a historical setting which in the past might have created certain barriers between the police officials and those they served.

/...

61. The discussion reviewed a large number of special projects for closer police/public co-operation: the importance of having police officers living within the community they serve; lectures being given by the police in the schools, trade unions, clubs, neighbourhood associations and so on, with a view to preventing crime and promoting safety on the roads; the use of special officers to advise householders and car or other property owners on the prevention of stealing; the use of other specialized staff to work in the streets advising young people and protecting girls in moral danger; the involvement of the public in crime prevention activities, including neighbourhood patrols or the delegation of police functions to auxiliary forces or civilian aides; and the use of the public in the search for wanted offenders. All of these methods had been used in Latin America, but were unevenly known or applied.

62. The countries of Latin America could therefore benefit from both regional and interregional efforts to develop better standards of police performance.

63. At the same time, the police in Latin America required a better understanding by the public of their difficult role. The meeting hoped that one result of the Congress would be the sponsoring of wider public discussions of police work and its inevitable social, economic and political significance. Participants hoped that politicians and public agencies of all kinds would show a greater willingness to swing public support behind a police system which was trying to meet public expectations and to help prevent the development of a situation wherein the police would be asked to move in contradictory directions or would be expected to be more ethical and incorruptible than those who employed them. Secondly, the meeting stressed the need for the public to develop social structures of a non-legal nature which could support police activity. Finally, the meeting believed that for effective action all these could be incorporated in a basic code for the police, which would clarify, if not always resolve, the difficult problems of law enforcement.

D. Treatment of offenders in custody, with special reference to implementation of the Standard Minimum Rules for the Treatment of Prisoners adopted by the United Nations

64. The history of imprisonment in Latin America had been particularly unfortunate and dramatic. In some areas no less than 80 per cent of arrested persons were still held in prison at the time immediately prior to sentencing by the court. Conversely, the overcrowding of institutions nearly everywhere in the region had ensured the premature release of many offenders into the community, not by design, but simply because there had been no other place to put them in. The crowding of institutions had tended to correspondingly reduce the level of treatment in prisons and to make the practical realization of minimum standards more difficult, even where this was part of official policy. In the Caribbean countries the high rate of unemployment made it difficult for trade unions to accept the kind of productivity in prisons which would perhaps be more in keeping with the spirit of the Standard Minimum Rules for the Treatment of Prisoners.

65. On occasion offenders requiring the constraints of an institution in Latin America had been placed under suspended sentence or else fined because they could not be dealt with in any other way, i.e. they had been released against the better judgement of the court. Conversely, among those held in institutions there had too often been persons who it would have been better to release immediately upon passing of the sentence. If they had not been released, it was frequently because judges had no alternative sentences for such an offender at their disposal, or else because they did not believe that the available alternatives adequately expressed society's disapproval of the crime.

66. The judicial system as developed in Latin America had not provided those countries with the flexibility required for the evolution of extra mural or non-institutional forms of treatment for offenders. Probation, as known in the Anglo-Saxon countries, had not been widely adopted in Latin America, nor had the system of liberté surveillée or its equivalent (as known in the civil law countries of Europe) been introduced in Latin America to anything like the same extent. Sentences could be suspended, and there were various forms of police supervision, but the entire philosophy of treating an offender outside the range of the older-type penal structures as provided by the law had not taken root.

67. The meeting was given examples of various practices indicating that a movement was developing in the region towards open institutions operating without guards and with great freedom for the offenders; and instances were also cited of a turn in the direction of less repressive treatment of offenders. The meeting recognized, however, that Latin America as a whole still had a long way to go to reach the level of extramural or non-institutional treatment already developed in North America and Europe, with the familiar variety of open institutions, half-way houses, home leaves and so on. Some interesting laws had already been drafted to provide for that in the region, but there was no widespread practice.

68. This meant that the operation of the Standard Minimum Rules for the Treatment of Prisoners adopted by the United Nations would look rather different when viewed from the Latin American angle. There the physical facilities would be of special importance, and the progressive move to a greater range of extramural types of treatment would make it easier for the Rules to be implemented more effectively in the years ahead. In fact, Latin America had probably greater opportunities for developing extramural or non-institutional treatment and community integration for offenders. The strong community and family ties throughout the region should make it easier in Latin America to develop these community resources to provide for a wide and diverse system of community reintegration for persons who were unfortunate enough to come into conflict with the law. The meeting considered that research institutions and Governments should concentrate on making more effective experimental use of the resources at their disposal within the community.

69. Mexico had had a federal law since 1971 which incorporated the United Nations Standard Minimum Rules and decreed minimum standards of treatment for offenders; and several Mexican States were adopting similar state laws to provide for minimum standards. Other countries had prison regulations which in principle gave maximum support for the Rules, but here as elsewhere the declared policies and laws were

no real guide to actual practice, and a reduction was needed in pressure of work loads and overcrowding to foster better standards of the daily routine. In this respect Latin America followed a world trend in having difficulties of a practical nature in trying to live up to the standards which it had set for itself.

70. A fact quoted for inclusion under item 5 of the agenda had equal relevance to this part of the agenda. This showed that in one institution of a model nature in Ecuador the actual cost of maintaining an inmate was about 40 cents in terms of the United States dollar. However, the cost to the Government amounted to more than one dollar a day per inmate, the balance being accounted for by the maintenance of a large bureaucracy of a non-professional and superstructural nature. Clearly the extent to which it was necessary to maintain a bureaucracy would divert resources from the improvement of actual treatment, and the meeting felt that this could be a very special issue in Governments finding the funds to ensure a better implementation of the Rules.

71. Latin America also had the problem (Listed in the report of the Asian Preparatory Meeting of Experts (A/CONF.56/BP/1)) of outdated and badly equipped penal institutions being used for numbers of persons or for purposes for which they were never designed.

72. In reviewing the Latin American difficulties in the implementation of the Standard Minimum Rules, the participants felt that the total situation needed to be taken into account and that an effort had to be made to achieve common regulations. The expert from Costa Rica, being the Minister of Justice there, extended the invitation of his Government to the United Nations to hold a meeting of selected specialists from Latin America to work on the implementation of minimum standards for penal law and its administration generally. A similar group of experts had been gathered to draft a model penal code for Latin America, and it was thought that similar work could be done on a model for penitentiary institutions. This would carry forward the local implementation of the United Nations Standard Minimum Rules into precise detail for action. He believed this would be of great value to Latin America.

73. The proposed meeting could either be an expert meeting paid for by the Government of Costa Rica under the auspices of the United Nations or it could be a larger meeting of representatives from all countries of the region with each Government meeting the costs of its own representation. Under either form the offer was warmly received by the participants, who formally asked the Government of Costa Rica to hold further discussions with the United Nations on this possibility. If it could lead to positive recommendations of value for the Congress at Toronto, so much the better, but in any case participants believed that the meeting was necessary.

74. In general, the meeting confirmed the difficulties in implementing the Standard Minimum Rules which had been noted at the Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 1/ held at Kyoto in 1970.

---

1/ See United Nations publication, Sales No. E.71.IV.8, chap. II, sect. C.

and felt that there had been few changes in the Latin American situation since then. However, the notable incorporation of the Rules into a law by Mexico, the recent liberalization of incarceration by "week-end house arrest" in Chile and the move to open institutions in several countries of the region were very important achievements.

E. Economic and social consequences of crime: new challenges for research and planning

75. The calculation of the actual cost of crime in Latin America provided substance to the theme of the debate on this item of the agenda. The participant from Mexico gave a calculation based upon an average of 6,124 homicides a year in that country. He stated that these included death caused by criminal negligence in traffic as well as murders and manslaughters investigated by the police. It had been calculated that, when all the economic consequences were considered, each of these deaths cost the state 5 million pesos. Multiplying this by 6,124, the cost to the Republic could be assessed at about 30 thousand million pesos. Another interesting indicator from the same country was that expenditure on the direct services used to control crime was at present absorbing an amount equal to 5.5 per cent of the national debt; and this figure did not of course include the amount expended in secondary and tertiary services to prevent crime, such as special education, mental health and youth development services.

76. Guyana was said to have spent 16 per cent of its national budget on education in 1972 and 8 per cent on health in 1973. In contrast, it spent 6 per cent of its budget on prisons, probation and the police combined, and this represented a proportionate fall from the 8 per cent of the national budget devoted to these three services in 1969 and 1970.

77. In Costa Rica, the national budget amounted to 1.5 million colones, of which amount, 500,000, or one-third, was expended on education; the secondary and tertiary crime prevention services incorporated into education accounted for a considerable part of that expenditure. From Ecuador came figures which seemed to show that the bureaucracy behind the professional crime prevention services was absorbing nearly 60 per cent of the total expenditures. In the correctional field, the cost of an inmate in a penal institution had been calculated at approximately \$US 0.42, but with overheads more than \$US 1 per day was actually required to budget for a single inmate; and this could not be accounted for solely by expenses related to the direct care, treatment or control of the inmate.

78. It was suggested that both on a regional and interregional basis there would be great value in a study of the comparative costs of different penal establishments. Some members thought that greater attention should be paid to the possibility of penal institutions having work programmes designed to earn the funds needed for their own essential requirements. The complication of competition with production in the open market and the contravention of trade union principles should not be allowed to become obstacles to penal institutions becoming largely self-supporting in developing countries where the incarcerated manpower was especially needed for development projects.

/...

79. It seemed that three Latin American countries - Mexico, Colombia and El Salvador - had very high rates of violent deaths, including deaths from road accidents. In Mexico the coefficient of correlation between alcohol consumption and violent deaths was 94, indicating that the consumption of alcohol could not be disregarded in any consideration of the costs of crime.

80. Traffic accidents accounted for over 200,000 deaths a year in the Latin American region. Most participants had given evidence in their papers of massive increases in deaths and damage due to car accidents. Therefore, in calculating the costs of crime, the tremendous damage and loss to the community of road traffic accidents would have to be included.

81. The discussion drew attention to the need for further studies of the over-all costs of crime. There was not only the widespread damage to a society ascribable to crime in its various forms, but an extensive ripple of immediate and remote consequences. There had been practically no studies of the costs of crime in Latin America, and the studies made in other countries were still, by common consent, regarded as rudimentary. Calculations made so far could only deal with identifiable quantitative, economic costs. These produced impressive figures, but they were minimal when compared with the enormous amounts lost to society or illegally diverted by such phenomena as white-collar crimes, consumer exploitation and organized crime in gambling, prostitution or syndicated vice. And even this widened dimension took no account of the depredations attributable ultimately to illegal but unprosecutable offences committed across the borders of different states by multinational corporations or by a variety of international crime (or quasi-crime) organizations.

82. Then even if all these could be calculated, it would still leave unregistered and unassessed the vast and pervading social implications of crime in any society. Here one would have to include the effect not only upon the families of victims and families of offenders but also upon the life styles of communities when some of their more productive members were criminally exploited and sometimes obliged to resettle elsewhere. The insecurity of living in a modern city had enormous significance, not only in terms of the large amounts spent on an entirely new industry of electronic security devices, private police forces and guard dogs, but also in its profound effect upon the total production in a community. There was more cost here than could yet be imagined. So far it was only possible to speculate; there have been no studies of the differences between the productivity of groups of people enjoying security from criminal attack and groups of people living in constant apprehension of attack or victimization.

83. Some participants were particularly concerned about the relative neglect of the victim and his interests in most of the studies already made of crime and its effects on society. Victimology had been studying victims in relation to the offender, but changes effected in their lives and the consequences for society had not attracted much research attention.

84. These considerations of total cost evoked a complementary discussion of planning for crime prevention and of the relationship to this of appropriate research. The meeting was informed that the Oficina de Coordinación y Planificación de la Presidencia de la República (CORDIPLAN) in Venezuela had managed to

co-ordinate national planning in such a way as to provide for "social defence" as a planning sector. Thus police, courts, corrections and social services dealing with crime (as well as investments within health, education, labour and so on proposed for the prevention of delinquency) had all been brought effectively within the framework of national planning. The organization of the planning process had been largely achieved in Venezuela, and the expenditures proposed within various budgets could at least be considered in relation to each other. The question was where to go from there, and the representative of CORDIPLAN sought the views of other participants on CORDIPLAN's work. Could this already be regarded as efficient and effective planning for crime prevention, or was it a false guide to future effectiveness? Did it look better than it was in fact? What could other countries of the region add to Venezuela's experience in this field?

85. It emerged that no other countries in Latin America could claim to have gone that far. Generally, the expenditures on crime prevention in the region were not related to national budgetary policy in any systematic way, and national planning did not include a sector for crime prevention.

86. A macro-view and a micro-view of the research and planning for crime prevention needed to be considered. The macro-view was concerned with principles and policies, and the micro-view was concerned with the interpretation of these in detail. Applying this to planning for future crime prevention an organic structure needed to be developed which would not merely co-ordinate existing expenditures (or expenditures on proposed increases in, or improvements of, existing services), but which would also achieve a greater reconciliation of objectives, a finer sophistication of methods, a more innovative and imaginative approach to programming and a type of evaluative control which would feed back experience from practice for the improvement of future planning.

87. It was apparent from the discussion that, in so far as Latin America was concerned, there was still a great need for the universities and specialists in this field to provide for the benefit of planners far more efficient data for planning and better models for the determination of policy.

88. Only three Latin American countries had attempted any kind of diagnosis of their criminal situation. Effective planning depended upon a very careful diagnosis of the local situation, although this should not be misunderstood as implying that planners needed to have exact information on the precise causes of crime before they could plan. The situation was such that planning could not be deferred to research of a long-term nature.

89. The meeting considered that in pursuing the subject of the economic and social consequences of crime for the Fifth Congress in 1975, the United Nations, government delegations, non-governmental organizations and universities alike might wish to do preliminary work on the shape and direction of future research and future planning methods. Wherever possible, there should be as much information as was available on the ways in which planning for crime prevention could be more effectively implemented. In particular, it was thought that there was immense scope for exploration and demonstration projects in this field, provided these were

effectively evaluated. A most striking example of this opportunity lay in the urban phenomenon of Brasilia itself. This city was a form of political, economic and social development, with its own special effects on human settlement and social behaviour. The participants believed that efforts now made to record criminal events in Brasilia and to trace the social effects of the long-term investments on buildings and physical installations would provide a wealth of valuable information for the future planning of crime prevention in this as well as other countries throughout the world.

II. PROPOSAL FOR A UNITED NATIONS LATIN AMERICAN INSTITUTE FOR  
THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

90. In bringing the meeting to a close, the participants tried to take a realistic view of the prospects of their conclusions and recommendations having any real effect in Latin America. Some participants had attended similar meetings going back to 1955, when they had proposed to the United Nations the foundation of a Latin American institute for the prevention of crime and the treatment of offenders as the most effective measure for obtaining co-ordinated action in the region to reduce crime and improve conditions for offenders. It seemed to this group of participants that the relatively slow progress made in this region in the past decade towards the ideals of the United Nations in the field of crime prevention was directly attributable to the failure to provide the region with the centralized guidance and technical assistance which it obviously required. The notable progress made in planning for crime prevention in Venezuela was said to be directly traceable to the way in which the United Nations had been able to provide a technical assistance expert for three separate periods of three months over the past two years. Similarly, progress in Costa Rica was thought to be at least partially due to the efforts of a United Nations interregional adviser on crime prevention. In other words, real progress in the region, in the view of all participants at the meeting, awaited an effective technical assistance programme and the kind of integrated training, guidance and research which could in their opinion best be provided by a central regional institute developed along the lines already established by the United Nations in setting up its Asian and Far East Institute for the Prevention of Crime and the Treatment of Offenders.

91. The Latin American region was traditionally divided and difficult to treat as a unit. The countries were diverse and had separate interests and allegiances. Although most of the countries shared a common tongue, the majority of them found it difficult to maintain common programmes or keep in regular contact without help to overcome geographical, political and professional divisions. For this reason, Latin America perhaps more than any other part of the world was in need of a centralized facility to guide and promote future efforts in crime prevention.

92. Stressing the fact that they were subordinating their own professional and national interests to the cause of regional unity, all participants pledged full support for the proposal already being considered by the United Nations to establish the regional institute in Costa Rica. Having considered a special memorandum on the subject prepared by the Minister of Justice of Costa Rica, the meeting unanimously endorsed the proposal to locate the Institute in Costa Rica and called upon the United Nations, the United Nations Development Programme and the Government of Costa Rica to realize as soon as possible this 15-year-old Latin American aspiration.

93. The meeting learned that previous complications in the establishment of such a regional institute had not been associated with problems of technical assistance funding. Since then, however, the position had changed. There was the closest possible understanding and collaboration between the United Nations and the Government of Costa Rica. Costa Rica had already made a firm offer to the

/...

United Nations committing funds and resources for the institute to be established, and the United Nations had been closely associated with the Government in the planning. The remaining obstacle was now one of technical assistance funding.

94. To obtain this, the Government of Costa Rica would need to give priority to a project for experts and fellowships for the Institute within its own Country Programme (which determined the allocation of UNDP funds granted to Costa Rica) It would also be helpful if each country of the region could pledge support for the Costa Rican project from its own UNDP Country Programme. A sum of \$US 5,000 earmarked for the support of the Costa Rica Institute from each UNDP Country Programme in Latin America would probably be sufficient, and would also imply a unity of intention and therefore a priority for additional help from UNDP regional funds in 1975.

95. Each participant agreed to take up this matter with his Government's technical assistance office and with the local UNDP resident representative. Meanwhile a unanimous motion of confidence and support for the project was adopted.

Annex I

LIST OF PARTICIPANTS

Experts invited by the Secretary-General

F. Eustace Bernard  
Commissioner of Police  
Trinidad and Tobago Police Service  
Port of Spain, Trinidad

Omar Lima Quintana  
Abogado  
Profesor de Derecho Penal en las Universidades  
de Buenos Aires y de Morón  
Rector de la Universidad de Morón  
Castelar, Argentina

Eduardo López Proaño  
Presidente, Comité Penitenciario  
Consejo Provincial del Guayas  
Presidente, Patronato de Cárceles  
Guayaquil, Ecuador

Juan Manuel Mayorca  
Director de Prevención del Delito  
Ministerio de Justicia  
Caracas, Venezuela

Eduardo Mimbela de los Santos  
Profesor Ordinario de Criminología y Ciencia Penitenciaria  
Facultad de Derecho  
Universidad Nacional de San Marcos  
Lima, Perú

Jorge A. Montero Castro  
Abogado Criminología - Sistemas Penitenciarios  
Ministro de Gobernación, Policía,  
Justicia y Gracia  
San José, Costa Rica

Cecil N. Murray  
Chief Probation and Welfare Officer  
Probation and Welfare Service  
Georgetown, Guyana

Gustavo Penagos  
Procurador  
Profesor - Ex-Magistrado  
Especializado en Derecho Penal, Criminología,  
Ciencias Penitenciarias y Comercial Penal  
Bogotá, Colombia

Experts invited by the Secretary-General (continued)

Julio Peña Núñez  
Abogado  
Ex-Subdirector de Prisiones  
Santiago, Chile

Alfonso Quiroz Cuarón  
Profesor de Medicina Legal  
Universidad Nacional Autónoma de México  
México, D.F., México

Experts invited by the Government of Brazil

José Arthur Rios (Chairman)  
Sociólogo  
Professor da Pontifícia Universidade Católica  
Rio de Janeiro

Hilton Brandão  
Coordenador Central Policial  
Departamento de Polícia Federal  
Brasília

Paulo José da Costa Jr.  
Professor Catedrático de Direito Penal  
Universidade de São Paulo  
Advogado  
São Paulo

José Salgado Martins  
Professor Titular de Direito Penal  
Diretor da Faculdade de Direito da Universidade Federal  
do Rio Grande do Sul  
Porto Alegre

Armida Bergamini Miotto  
Professora de Direito Penal e de Direito Penitenciário  
Assessora do Gabinete do Ministro da Justiça  
Brasília

José Augusto Cesar Salgado  
Public Solicitor to the Secretary of Justice  
State of São Paulo  
São Paulo

Annex II

LIST OF DOCUMENTS

<u>Symbol</u>	<u>Title</u>
A/CONF.6/1	"Standard Minimum Rules for the Treatment of Prisoners and related recommendations", reproduced from the <u>Report of the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders</u> (United Nations publication, Sales No. 56.IV.4).
Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Kyoto, Japan, 17-26 August 1970:	
<u>Symbol</u>	<u>Title</u>
A/CONF.43/1	Social defence policies in relation to development planning (working paper prepared by the United Nations Secretariat)
A/CONF.43/2	Participation of the public in the prevention and control of crime and delinquency (working paper prepared by the United Nations Secretariat)
A/CONF.43/3	The Standard Minimum Rules for the Treatment of Prisoners in the light of recent developments in the correctional field (working paper prepared by the United Nations Secretariat)
A/CONF.43/4	Organization of research for policy development in social defence (working paper prepared by the United Nations Secretariat)
A/CONF.43/5	<u>Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders</u> (United Nations publication, Sales No. E.71.IV.8)
Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Toronto, Canada, 1-15 September 1975:	
<u>Symbol</u>	<u>Title</u>
A/CONF.56/Misc.1	Discussion guide for regional preparatory meetings for the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
A/CONF.56/BP/1	Report of the Asian Regional Preparatory Meeting of Experts on the Prevention of Crime and the Treatment of Offenders

**END**