

ISPAC BY-LAWS

PART A PURPOSES AND ACTIVITIES

ARTICLE 1 – PURPOSES

1. Pursuant to General Assembly resolutions 40/32, 41/107, 42/59, 43/99, 44/72 and 45/107 and 46/152 and Economic and Social Council resolutions 1986/11, 1987/53, 1988/44, 1989/68 and 1990/24 and 1992/22 calling for closer co-operation with non-governmental organizations and entities active in the field of crime prevention and criminal justice as an outreach to the scientific and professional community, and as envisaged in the United Nations Guiding Principles for Crime Prevention and Criminal Justice in the Context of Development, adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Milan, Italy, in 1985, and endorsed by the General Assembly, the purposes of the Council are to support and strengthen the United Nations Crime Prevention and Criminal Justice Programme and its Secretariat. To this end the Council will:

- a) assist in the implementation of the mandates of the legislative bodies of the United Nations in the area of crime prevention and criminal justice, including the quinquennial Congresses on Crime Prevention and Criminal Justice;
- b) conduct or collaborate in scientific research, as a basis for policy development and action;
- c) provide substantive support to technical assistance activities of UNODC including the development of training material;
- d) promote the exchange of information and transfer of knowledge in this field, drawing on the contributions of non-governmental organizations in consultative status with ECOSOC, regional entities, the scientific and professional community and the private sector, which are active in promoting compliance with UN standards and norms.

2. The Council shall also serve as the focal point and channel for non-governmental organizations active in the field of crime prevention and criminal justice, and shall endeavour to establish closer links between such non-governmental organizations, other elements of civil society and scientific and professional organizations in order to render more effective the contributions of the scholarly and professional communities in support of the United Nations Crime Prevention and Criminal Justice Programme. In this respect the activity of the Council shall be guided, in particular, by the provisions of General Assembly resolution 45/107, on "International co-operation for crime prevention and criminal Justice in the context of development", which states:

"The United Nations should make more intensive efforts to secure support and co-operation from scientific and professional governmental and non-governmental organizations and institutions

which have an established reputation in the field of crime prevention and criminal justice, so as to make greater use of these resources on subregional, regional, interregional and international levels. To that end, the possibility of establishing an international council of scholarly, scientific, research and professional organizations and academic institutions should be explored. Such a council, consisting of selected representatives of the above-mentioned organizations and institutions in various parts of the world, should strengthen international co-operation in this field by furthering the exchange of information and providing technical and scientific assistance to the United Nations and the world community which it serves"

And:

"In order to fully implement the mandates emerging from the Crime Prevention and Criminal Justice Programme and to provide additional technical and scientific expertise and resources for matters of international co-operation in this field; broader involvement of, and assistance by, non-governmental organizations are required".

To this end the Council shall endeavour to enlist the active involvement of non-governmental organizations, scientific institutions, professional associations, individual experts and private sector entities in activities conducted in the different regions, and shall establish links and networks with regional and local government and within the regions, including appropriate focal points in particular countries, responsible for the sectorial activities of the Council within the region, sub-region or individual countries, particularly developing countries and countries with economies in transition.

The Ministerial meeting on the Creation of an effective United Nations Crime Prevention and Criminal Justice Programme, held at Versailles in late 1991 and the General Assembly in resolution 46/152, endorsing the Statement of Principles and Programme of Action it adopted, emphasized that "Intergovernmental and non-governmental organizations and the scientific community are a valuable source of professional expertise, advocacy and assistance. Their contributions should be fully utilized in programme development and implementation".

The Council shall be guided by the priorities of the Commission on Crime Prevention and Criminal Justice, the Economic and Social Council and the General Assembly in the determination of its work programme and activities. The Council shall develop such programme and activities in close consultation with the Centre for International Crime Prevention of the Office on Drugs and Crime.

ARTICLE 2 – ACTIVITIES

The Council shall develop activities and programmes in the following areas:

- a) Research and policy;
- b) Promotion of the use and application of United Nations standards and norms in crime prevention and criminal Justice;

- c) Documentation and information exchange;
- d) Development of modalities and materials for technical assistance and training;
- e) Development of tools as well as action oriented projects, particularly for technical assistance and training at the national, sub-regional and regional levels, primarily in developing countries in areas of priority concern and emerging challenges in the field of crime prevention and criminal justice;
- f) Other forms of support for the United Nations Crime Prevention and Criminal Justice Programme.

PART B

MEMBERSHIP AND STRUCTURE OF THE COUNCIL

ARTICLE 3 – MEMBERSHIP

- a) Membership is open to non-governmental organizations, academic institutions, scientific and professional associations or other appropriate entities including of the private sector and individual experts with demonstrated interest and activities within the areas of competence of the Council.
- b) A prospective member shall submit to the Board a membership application accompanied by a completed questionnaire. The Board shall review the application to determine their compatibility with ISPAC goals and thereafter submit it to the Assembly of the Council for approval.
- c) The following shall be ex officio members of the Council:
 - (i) The United Nations Office on Drugs and Crime;
 - (ii) The United Nations interregional, regional and associated Institutes (UN Programme Network Institutes);
 - (iii) The Centro Nazionale di Prevenzione e Difesa Sociale;
 - (iv) The Lombardy Region;
 - (v) The Permanent Mission of Italy to the International Organizations in Vienna.

ARTICLE 4 – ORGANS

The Organs of the Council are:

- a) The Assembly
- b) The Board
- c) The Executive Committee
- d) The Secretariat

ARTICLE 5 - THE ASSEMBLY

- a) The Assembly shall be composed of representatives of the members including the ex officio members of the Council noted in Article 3 (c), above.
- b) A member shall be represented by a principal delegate and may also have an alternate representative.
- c) Each member shall be entitled to one vote.
- d) The Assembly shall meet in general session on a biennial basis in Milan or at any other agreed place for no less than one working day.
- e) The Assembly shall elect the Board and determine the Council's policies, activities and programmes, to be implemented by the Board.

ARTICLE 6 - THE BOARD

a) The Board shall consist of eleven members: the Director of the Division for Treaty Affairs of UNODC or his or her representative; one member designated by the United Nations Institutes; one Representative of the Ministry of Foreign Affairs of Italy (through the Permanent Mission of Italy to the International Organizations in Vienna); one Representative of the Lombardy Region; two members designated by the Centro Nazionale di Prevenzione e Difesa Sociale; and five members elected by the Assembly.

UNICRI will be an *ex officio* member without the right to vote.

b) The term of office of the Board shall be two years. The Board shall remain in office until the end of the meeting of the Assembly following the second calendar year.

c) The Board shall elect its chairman and other officers as it may deem appropriate. The Chairman of the Board shall also be the President of the Council.

d) The Board shall have competence in operational, administrative and financial matters related to the Council's work, and shall implement the decisions of the Assembly.

e) The Board shall oversee all scientific programmes and activities of the Council.

f) The Board shall report to the Assembly on its activities and the progress made in the various areas of its operations, in line with the United Nations programme of work.

g) The Board may designate one or more Scientific Co-ordinators to lend support and assistance to the Board.

h) The Board shall ordinarily meet twice a year, once preceding the annual meeting of the Assembly, and the other meeting or meetings to be determined by the Board.

i) The Board shall have power to create such ad hoc or standing Committees as it deems necessary.

ARTICLE 7 - THE EXECUTIVE COMMITTEE

There shall be an Executive Committee appointed by the Board. The Executive Committee shall act on behalf of the Board in the period between its meetings in accordance with Board directives.

ARTICLE 8 - THE SECRETARIAT

The Secretariat of the Council shall be assumed by the Centro Nazionale di Prevenzione e Difesa Sociale and located at the Centro's office or at any other location the Centro may determine. Its costs, as well as the supervision of its administrative functions, shall be regulated in accordance with the agreement between the United Nations Office on Drugs and Crime, and the Centro Nazionale di Prevenzione e Difesa Sociale (December 20th, 1990).

PART C

ARTICLE 9 - FINANCIAL MATTERS

a) The initial funding for ISPAC has been provided by the United Nations through a grant from the Italian Ministry for Foreign Affairs. Similar grants may be pursued elsewhere.

b) Funding shall be secured by the Board.

c) The Board may delegate to the Executive Committee or a Member the authority to seek funding for specific programmes, to be undertaken under the auspices of the Council, but all such activities will be subject to approval by the Board.

d) The Centro as the Secretariat arm of the Council shall be responsible for financial and administrative matters, and shall act as the treasurer of the Council. The Centro will make an annual

Report to the Board, which shall be circulated to the Assembly.

Tenth ISPAC Plenary Session
Courmayeur, 28 November 2003