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Draft report

Rapporteur: Olawale **Maiyegun** (Nigeria)

Addendum

Illicit drug traffic and supply

A. Structure of the debate

1. At its 1255th and 1256th meetings, on 10 March, the Commission considered agenda item 6, which read as follows:

“Illicit drug traffic and supply:

“(a) World situation with regard to drug trafficking and action taken by the subsidiary bodies of the Commission;

“(b) Follow-up to the twentieth special session of the General Assembly:

“(i) Measures to promote judicial cooperation (extradition, mutual legal assistance, controlled delivery, trafficking by sea and law enforcement cooperation, including training);

“(ii) Countering money-laundering;

“(iii) Action Plan on International Cooperation on the Eradication of Illicit Crops and on Alternative Development.”

For its consideration of the item, the Commission had before it the following documents:

(a) Report of the Secretariat on the world situation with regard to drug trafficking (E/CN.7/2005/4);

(b) Report of the Secretariat on action taken by the subsidiary bodies of the Commission on Narcotic Drugs (E/CN.7/2005/5 and Add.1).



2. An introductory statement was made by the Director of Operations and Deputy Director of UNODC, and a representative of the Secretariat made an audio-visual presentation on current trends in global illicit drug trafficking and the meetings of the subsidiary bodies of the Commission. Statements were made by the observer for Bolivia (on behalf of the Group of Latin American and Caribbean States) and by the observer for Luxembourg (on behalf of the members of the European Union (the candidate countries Bulgaria, Croatia, Romania and Turkey, as well as the Countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Serbia and Montenegro and the former Yugoslav Republic of Macedonia (and the EFTA members Iceland and Norway, members of the European Economic Area), associated themselves with that statement)). Statements were also made by the representatives of Croatia, Turkey, Lebanon, the United Arab Emirates, Argentina, Spain, China, the Islamic Republic of Iran, Norway, Indonesia, Peru, Japan, the Russian Federation and the United States. Statements were also made by the observers for the Republic of Korea, Iraq, Paraguay, Ecuador and Bolivia. The observer for the Transnational Radical Party also made a statement.

B. Deliberations

(a) World situation with regard to drug trafficking and action taken by the subsidiary bodies of the Commission

3. Representatives expressed appreciation for the reports submitted to the Commission and for the work undertaken by UNODC in the assessments and special reports on illicit drug production, manufacture and trafficking. Support was also expressed for the regional meetings of HONLEA and the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East, as they contributed to the development of strategies against illicit drug trafficking and the strengthening of contacts and cooperation within regions.

4. A number of speakers emphasized that, to be truly effective in countering illicit drug trafficking, there must be good cooperation between law enforcement agencies, at the national and international levels. Several speakers referred to the development of formal cooperation agreements between their law enforcement agencies, joint training initiatives and efforts to harmonize their domestic drug law enforcement activities. Examples of operational cooperation were provided where large consignments of illicit drugs—heroin, cocaine and amphetamine-type stimulants—had been recovered in international operations involving law enforcement agencies from different States and regions. An illustration of international cooperation in maritime capacity-building was also provided. Following on from the need for operational cooperation was the call for collection and exchange of drug seizure data and other related data as a necessary tool in assessing the real dimensions of the world drug situation and achieving a better understanding of the latest trends in illicit drug production and trafficking. Significant interceptions of illicit drugs were being made and reported by States that, until recently, had considered themselves to be primarily used as transit points for consignments bound for larger consumer markets. The Commission noted the increased cooperation and partnership at the international level, citing as an example the recent memorandum of understanding signed by UNODC and the European

Commission as an expression of their joint commitment to increase mutual cooperation in efforts to prevent and combat illicit drug production and trafficking.

5. The importance of the use of controlled delivery as an investigative tool to counter drug trafficking and dismantle criminal organizations was emphasized. A number of representatives mentioned the changes their countries had made to their national legislation so as to enable and facilitate the undertaking of controlled deliveries. In that area of work, the assistance provided to many controlled delivery operations by the drug liaison officers posted in other States was acknowledged. A number of speakers supported the policy of posting law enforcement liaison officers to neighbouring States and regions to facilitate operational cooperation. There was a call for States to strengthen their cross-border investigation efforts, in particular with their neighbours, so as to better support the technique. It was noted that trafficking organizations were spending more money on developing more sophisticated methods to be used to conceal their illegal consignments from law enforcement authorities. UNODC was encouraged to convene an international working group to review the current state of practices involving controlled delivery.

6. A number of speakers noted the progress their countries had made in introducing and implementing national drug strategies that brought together a number of different government agencies (such as health, drug control, customs, education and the interior) with an interest in combating illicit trafficking, organized crime and the effects of drug abuse. That multidisciplinary approach was proving effective, providing better focus for government resources and expanding the options for their application. The observer for Luxembourg, speaking on behalf of the European Union, referred to the recent adoption of the European Union Drugs Strategy (2005-2012), which set clear objectives for the coming years.

7. Serious concern was expressed at the increased extent of attempted diversion of and trafficking in precursors. There was strong commitment to enhance international precursor control through support for the international initiatives Operation Purple, Operation Topaz and Project Prism. Representatives referred to the changes made to their national legislation in order to apply effective administrative controls over the production, sale and movement of internationally controlled precursor chemicals. Speakers also mentioned initiatives in capacity-building for front-line law enforcement agencies engaged in border control and the identification and dismantling of clandestine drug manufacturing laboratories.

(b) Follow-up to the twentieth special session of the General Assembly

(i) Measures to promote judicial cooperation

8. Several representatives stressed the importance of judicial cooperation in the fight against trafficking in narcotic drugs, psychotropic substances and precursors and reiterated their commitment to implement the goals set at the twentieth special session of the General Assembly. Many speakers also outlined the legal framework for judicial cooperation in their countries, as well as recent simplification or strengthening of legislation or procedures relating to extradition, mutual legal assistance and the fight against drug trafficking by sea. Many States had entered into multilateral and bilateral agreements and memorandums of understanding in those areas. Training activities for the judiciary and other relevant personnel, organized jointly with UNODC, were welcomed. Reference was also made to the

setting up of a secure website for competent authorities designated under articles 6, 7 and 17 of the 1988 Convention, the preparation by UNODC of a practical guide for competent national authorities under article 17 of the 1988 Convention and the development of an e-mail network intelligence-sharing system.

9. One representative explained that the Council of the European Union framework decision on drug trafficking had laid down minimum penal provisions on the constituent elements of criminal acts and penalties in the field of drug trafficking and provided a common European Union definition of drug trafficking punishable in all European Union member States.

10. Representatives also presented statistics and information on requests for extradition and mutual legal assistance formulated or received, in addition to describing measures adopted on the transfer of proceedings and the protection of witnesses. It was noted that liaison officers had been used to increase cooperation with other States.

11. In the area of illicit trafficking by sea, representatives welcomed the conclusion of regional and bilateral agreements in the field of maritime cooperation and supported their swift implementation. Several representatives welcomed the implementation of projects by UNODC in the area of illicit trafficking by sea. One representative presented information about a regional seminar on illicit trafficking by sea that had been held in Japan in 2004, pursuant to Commission resolution 46/3. The seminar, which had been organized to enhance international cooperation in the field of intelligence exchange and practical operations targeting illicit drug smuggling by sea and to increase interdiction capacity at sea in the Asian region, brought together maritime police and relevant drug law enforcement authorities from 26 Asian countries and representatives of UNODC and the United States.

(ii) *Countering money-laundering*

12. Several representatives emphasized the importance of having increased cooperation to combat money-laundering and the financing of terrorism. It was noted that many bilateral and multilateral agreements on cooperation to counter money-laundering had already been signed. It was emphasized that there was a need for close cooperation between UNODC and other entities involved in the area, such as the Financial Action Task Force on Money Laundering (FATF), FATF-style regional bodies, the International Monetary Fund, the World Bank and the European Union.

13. Some representatives provided information on new legislation against money-laundering that had been introduced in their countries, including measures that expanded the scope of predicate offences. It was noted that money-laundering was a criminal offence in most countries and that several countries had introduced preventive systems, including the establishment of financial intelligence units, and that financial institutions were obliged to send suspicious transaction reports to the financial intelligence units for analysis. In some countries, financial intelligence units could also take preventive measures and conduct investigations.

14. Some representatives noted that training centres had been set up, to provide a wide range of training in the areas of combating terrorism, drug trafficking and money-laundering. The close connection between illicit drug trafficking, organized crime, money-laundering and the financing of terrorism was stressed.

15. One representative was in favour of considering the negotiation of a comprehensive international instrument against money-laundering. Another underlined the importance of the work of the Global Programme against Money-Laundering in supporting activities to combat money-laundering, in particular through its mentoring programme. Information was also provided on the confiscation of assets and proceeds of crime and the sharing of such proceeds.

(iii) *Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development*

16. Several speakers noted the valuable contribution made by UNODC to enhancing knowledge of the world situation with regard to illicit drug production. Reference was made to the annual surveys conducted by UNODC of opium poppy and coca bush cultivation. It was noted that UNODC statistics and analyses had contributed to a better understanding of the latest trends in illicit drug production and trafficking.

17. Speakers acknowledged that alternative development programmes had been successful in some regions and stressed the need for those programmes to be strengthened and extended to other areas affected by the illicit cultivation of drug crops, pursuant to the various United Nations resolutions on illicit crop reduction and alternative development. A number of speakers referred to the need to implement alternative development plans to address illicit cannabis cultivation.

18. Several speakers referred to the sustained reduction of the illicit cultivation of coca bush and opium poppy in the Andean subregion and in South-East Asia. It was noted that, in the Andean countries, alternative development had not kept pace with the sustained decline in coca bush cultivation due to insufficient financial resources. It was also noted that there was a need to further develop alternative development products and to improve institutional, legal and economic structures. Reference was also made to the need to improve market access for alternative development products, in order to reduce and alleviate poverty in rural areas. Alternative development had a vital role to play in avoiding a reversal of the positive trends in the Andean countries, and international cooperation in that context was welcomed.

19. Some speakers expressed concern about the increased level of opium poppy cultivation in Afghanistan. Several representatives expressed support for the efforts of the Government of Afghanistan, UNODC and the international community aimed at the elimination of illicit opium poppy cultivation and the promotion of sustainable alternative livelihoods in Afghanistan. It was noted that it was important to increase efforts in well-targeted alternative development activities and that it was crucial for donors and agencies to work together with the Government of Afghanistan. It was acknowledged that there was a need for an approach in which measures, including the controlled eradication of opium poppy fields and the creation of alternative livelihoods, as well as law enforcement and information activities, would be applied in the right sequence. Mainstreaming drug control objectives into development programmes was crucial.

20. Speakers expressed their concern that the reduction of funds from development agencies for alternative development activities might affect the capacity of UNODC to support alternative development programmes. A call was made for the members of the international community to increase their contributions

in support of alternative development, including preventive alternative development. In connection with illicit cannabis cultivation, the hope was expressed that UNODC would be able to contribute to efforts to reduce cannabis production. Reference was made to links to drug trafficking and other types of crime, such as financing of terrorism, trafficking in arms and illegal migration, which threatened the political stability and security of both developing and developed countries.

21. Concern was expressed that, in some cases farmers might continue to cultivate illicit drug crops while receiving alternative development assistance. It was noted that alternative development would be appropriate if there was a clear threat of overflow of cultivation from other major areas affected by illicit crop cultivation.
