

20 December 2021

English only

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**Commission on Narcotic Drugs****Sixty-fifth session**

Vienna, 14–18 March 2022

Item 6 of the provisional agenda\*

**Follow-up to the implementation at the national, regional and international levels of all commitments, as reflected in the Ministerial Declaration of 2019, to address and counter the world drug problem****Chair's summary on the thematic discussions on the implementation of all international drug policy commitments, following up to the 2019 Ministerial Declaration (19–21 October 2021)\*\***

1. This document contains a Chair's summary of the thematic discussions held during the first intersessional meeting of the Commission on Narcotic Drugs at its sixty-fourth session from 19–21 October 2021. The thematic discussions were chaired by H.E. Ambassador Dominika KROIS (Poland), Chair of the Commission on Narcotic Drugs at its sixty-fourth session. The summary by the Chair is not subject to negotiation.

**I. Background**

2. At its 62nd session in March 2019, the Commission adopted by consensus the Ministerial Declaration entitled "*Strengthening Our Actions at the National, Regional and International Levels to Accelerate the Implementation of our Joint Commitments to Address and Counter the World Drug Problem*". In the 2019 Ministerial Declaration, Member States, while acknowledging that tangible progress had been achieved over the past decade, noted with concern the persistent and emerging challenges posed by the world drug problem and committed to accelerating, based on the principle of common and shared responsibility, the full implementation of the 2009 Political Declaration and Plan of Action, the 2014 Joint Ministerial Statement and the 2016 UNGASS outcome document, aimed at achieving all commitments, operational recommendations and aspirational goals set out therein. In the stocktaking part of the declaration, Member States identified several challenges to the effective implementation of international commitments.

3. Member States committed in paragraph 7 of the "*Way forward*" to support the CND in continuing transparent and inclusive discussions involving all relevant

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\* E/CN.7/2022/1.

\*\* This document has not been edited.



stakeholders on effective strategies to address and counter the world drug problem, including through the sharing of information, best practices and lessons learned. A core part of the Commission-led follow-up process are annual thematic discussions that are focused on the exchange of good practices, challenges and lessons learned in the implementation of all international drug policy commitments. Based on the challenges identified in the 2019 Ministerial Declaration, the Commission adopted in June 2019 a multi-year workplan to discuss how these challenges can be addressed through effectively implementing the provisions contained in the 2016, 2014 and 2009 documents.

4. The third round of CND Thematic Discussions, in line with the 2019 workplan,<sup>1</sup> was held from 19–21 October 2021 at the United Nations in Vienna. The Commission focused its discussions on how to address the following challenges:

- Increasing links between drug trafficking, corruption, and other forms of organized crime, including trafficking in persons, trafficking in firearms, cybercrime, and money-laundering and, in some cases, terrorism, including money-laundering in connection with the financing of terrorism, are observed;
- The value of confiscated proceeds of crime related to money-laundering arising from drug trafficking at the global level remains low; and
- The criminal misuse of information and communications technologies for illicit drug-related activities is increasing.

5. The 2021 CND Thematic Discussions were held in a hybrid format, with in-person and online participation, and livestreamed to ensure that all interested stakeholders could follow the deliberations. With over 600 registrations, the meeting brought together experts and policymakers from over 100 Member States, United Nations entities partners, intergovernmental and international organizations, and civil society experts from around the world.

6. Each of the three thematic sessions started with introductory presentations by the United Nations Office on Drugs and Crime (UNODC), followed by a panel discussion and an interactive debate. The panels included experts from Member States nominated through the Regional Groups, representatives from United Nations entities, international and regional organizations as well as civil society representatives. Following past practice, civil society panellists and speakers were nominated through the Vienna NGO Committee on Drugs in cooperation with the UNODC Civil Society Unit.

7. Expert panellists participated from Australia, Cabo Verde, Colombia, India, Indonesia, Mexico, Nigeria, Pakistan, Peru, the Russian Federation, South Africa, Switzerland, Turkey and the United States of America. In addition to introductory remarks and presentations by UNODC, representatives nominated by the African Union Commission, the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), the Organization of American States (OAS), the International Criminal Police Organization (INTERPOL), the International Narcotics Control Board (INCB), Office of the United Nations High Commissioner for Human Rights (OHCHR), the European Union Agency for Law Enforcement Cooperation (Europol), the United Nations Interregional Crime and Justice Research Institute (UNICRI), and the Universal Postal Union (UPU), made presentations in their respective field of expertise during the panel discussions. Observers from non-governmental organizations, including from Canada, Colombia, Germany, Indonesia, Italy, Nigeria, Serbia, and the United Kingdom of Great Britain and Northern Ireland also made statements.

8. In preparation for the 2021 CND Thematic Discussions, a background note,<sup>2</sup> based on the findings of the 2021 World Drug Report and contributions by the

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<sup>1</sup> [www.unodc.org/hlr/en/Follow-upProcess.html](http://www.unodc.org/hlr/en/Follow-upProcess.html).

<sup>2</sup> [www.unodc.org/documents/commissions/CND/CND\\_Sessions/CND\\_64/HONLEA/CNDTD\\_BN\\_ENGLISH.pdf](http://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_64/HONLEA/CNDTD_BN_ENGLISH.pdf).

UNODC substantive sections, was prepared by the Secretariat and shared with Permanent Missions. Presentations and statements made during the thematic sessions are available on the Commission's website dedicated to the follow-up of the 2019 Ministerial Declaration ([www.unodc.org/hlr/en/Follow-upProcess.html](http://www.unodc.org/hlr/en/Follow-upProcess.html)).

## II. Chair's summary of the deliberations

### (a) Opening session

9. In the opening segment of the intersessional meeting, the UNODC Executive Director welcomed the holding of the CND Thematic Discussions and highlighted that a sophisticated criminal infrastructure has been developed around drug trafficking, creating pockets of mutual interest between traffickers, terrorists, and other criminals.

10. The opening statement was followed by an intervention by the Ambassador of Singapore, speaking on behalf of the Friends of UNODC Research.

### (b) 2019 Ministerial Declaration Challenge: **“Increasing links between drug trafficking, corruption and other forms of organized crime, including trafficking in persons, trafficking in firearms, cybercrime and money-laundering and, in some cases, terrorism, including money-laundering in connection with the financing of terrorism, are observed”**

11. On 19 October 2021, the Commission discussed the challenge that increasing links between drug trafficking, corruption, and other forms of organized crime, including trafficking in persons, trafficking in firearms, cybercrime, and money-laundering and, in some cases, terrorism, including money-laundering in connection with the financing of terrorism, are observed.

12. Following the opening segment, the thematic session was kicked off by an introductory presentation by the Chief of the Research and Trend Analysis Branch of UNODC. The expert panel included experts from Colombia, Mexico, Nigeria, Turkey, Europol, INTERPOL, OAS, OHCHR, and UNICRI, as well as an expert from the Vienna NGO Committee on Narcotic Drugs, representing civil society.

13. The Chief of the UNODC Research and Trends Analysis Branch highlighted that **evidence regarding the links between drug trafficking, corruption and other forms of organized crime** was limited, particularly regarding trends at the global level. One speaker mentioned that the evidence of links could be found domestically, but that there was not sufficient evidence about the impact of the observed links. Several speakers shared insights about national challenges regarding the interlinkages between drug trafficking and other forms of organized crime.

14. Many speakers emphasized the **importance of the collection, analysis, and dissemination of comparable and reliable data at the national, regional, and international levels** with a view to increasing the understanding of the links between drug trafficking and other forms of organized crime. Several speakers underlined that the World Drug Report and other UNODC publications presented a valuable source of information for the international community, but that there still existed gaps in data gathering at the global level. Referring to the revised ARQ adopted by the CND, Member States were encouraged to share data and submit the completed ARQ to UNODC to build a comprehensive and factual picture of the situation. One speaker also requested UNODC to continue providing technical support to Member States in completing the ARQ. Member States were encouraged to appoint a national ARQ focal point to facilitate the submission of the ARQ.

15. Several speakers underlined that **profit-driven transnational criminal organizations were involved in different forms of criminal activities at the global level**, that they networked and cooperated with other criminal groups, thereby impeding the rule of law beyond borders. Some speakers reported that **encrypted communication platforms** had been deployed by criminal groups, and key crime

areas were identified through several investigations on the encrypted platforms, including but not limited to drug trafficking, money-laundering, corruption, terrorism, firearms trafficking, forgery of documents, or extreme violence. Some speakers reported having observed that criminal groups funded with the illicit gains obtained from one type of criminal activity other criminal activities. One speaker mentioned that among others, drug trafficking remained the cornerstone of criminal organizations and accounted for the largest proportion of criminal groups' profits.

16. With regards to the **challenges imposed by the COVID-19 pandemic**, some speakers expressed the concern that criminal groups were adept at turning obstacles into criminal opportunities, and that the COVID-19 crisis could lead to an increase of drug production, trafficking and consumption, which would potentially further strengthen the nexus between drug trafficking and other forms of crime. A number of speakers reported on national experiences involving criminal groups adapting their trafficking routes, means of transportation and other modus operandi to continue their drug trafficking business during the pandemic. For example, it was reported that due to the reduction of commercial flights, drug traffickers in some countries had expanded the use of smaller "narco-planes" and clandestine landing strips, which posed among others also a serious threat to the environment. It was further noted by some speakers that tools and vehicles employed by criminals for drug trafficking, such as drone and submarines, could also be used for other criminal activities, such as firearms trafficking.

17. The thematic session also touched upon **the nexus between drug trafficking and crimes that affect the environment**. One panellist referred to the example of deforestation and illicit cultivation in Southern America, explaining that illicit cultivation and the consolidation of coca production centres had resulted in the loss of natural resources and impacted protected areas. Another speaker highlighted that deforestation at the national level had been facilitated by the presence of organized crime networks that were related to illicit economies and activities leading to the destruction of forests and natural resources. One of the expert panellists also addressed the convergence between illegal gold mining and illicit cultivation.

18. Several speakers expressed concerns over **the impact of corruption on the illicit drug trade**, highlighting that corruption could occur at every stage of combating drug-related crime and at every level of the society. In one of the examples highlighted by a speaker, it was suggested that corrupted organizations that were responsible for drug interdiction at the border entry and exits points could further weaken the rule of law, State institutions and hinder economic development. A number of speakers stressed that human rights and the rule of law should be respected, protected, and promoted when addressing corruption and other related crimes. It was further underlined by a number of speakers that good governance, transparency, and accountability should be promoted by ensuring that all acts of corruption were investigated independently and impartially and that those responsible were brought to justice, with asset recovery processes to be initiated, where appropriate.

19. Some speakers also focused on the **increasing links between drug trafficking and terrorism**, and shared good practices during the meeting. For example, some speakers reported that terrorist groups had secured significant financial resources via varied illicit trafficking in goods, including controlled substances. On the other hand, it was reported that in some countries criminal groups were increasingly disinterested in cooperating with terrorist groups to circumvent the scrutiny from law enforcement. In addition, one of the panellists underlined that existing studies suggested that a disproportionate number of militants, a considerable percentage of whom were radicalized militants, had links to criminality, in particular drugs.

20. The **links between trafficking in persons and drug-related crime** were also discussed during the meeting. Some speakers reported that trafficking victims were among those at risk of being exploited in the illicit cultivation and trafficking of drugs. In that context it was highlighted that the fear of the victims to be treated as criminals could be taken advantage of by traffickers to prevent them from reporting to

authorities. It was highlighted that the early identification of trafficking victims was key to ensuring the provision of adequate protection and assistance.

21. Some speakers reported that they had observed at the national level **links between drug trafficking and the smuggling of firearms and ammunition**, thereby referring to the observation of a systematic link between armed violence and drug trade, apart from the use of firearms in homicides. One example shared by a speaker suggested that organized criminal groups used firearms to solve territorial and contractual disputes, and to threaten officials. It was underscored that a multidisciplinary and integrated approach was needed to better understand how to address these links.

22. Many speakers stressed the **importance of strengthening bilateral, regional, and international cooperation and of sharing good practices** to address drug trafficking and all other related forms of organized crime and to protect the rule of law, and foster peace and development. It was highlighted that tailor-made and coordinated actions were needed to address the world drug problem. By referring to domestic statistics concerning information requests and mutual legal-aid requests, one speaker alluded to the gaps related to international cooperation in this field and reiterated the importance of prompt responses and cooperation. The importance of developing partnerships, including with civil society in combating transnational organized crime, was highlighted.

(c) **2019 Ministerial Declaration Challenge: “The value of confiscated proceeds of crime related to money-laundering arising from drug trafficking at the global level remains low”**

23. On 20 October 2021, the Commission discussed the challenge that the value of confiscated proceeds of crime related to money-laundering arising from drug trafficking at the global level remained low. Introductory presentations on the challenge were delivered by the Chief of the UNODC Research and Trend Analysis Branch and the Head of The Global Programme Against Money Laundering of UNODC Cybercrime and Anti-Money Laundering Section.

24. UNODC emphasized **the importance of comparing confiscated proceeds of drug crime with drug profits and related financial flows**. A framework to measure illicit financial flows (IFFs), taking into consideration the value of exported drugs and inward IFFs, and the value of imports of precursors and related outward IFFs, was introduced. According to available data, it was reiterated that the value of assets frozen and confiscated in relation to drug trafficking offences remained low. It was further mentioned regarding the commitment to attain sustainable development goal target 16.4 (by 2030, significantly reduce illicit financial and arms flows, strengthen the recovery, return of stolen assets, and combat all forms of organized crime), that it was estimated that currently less than 1 per cent of criminal proceeds was confiscated. The UNODC experts highlighted that it was not only important to investigate drug trafficking predicate crime and confiscate drugs, but also to conduct parallel financial investigations and confiscate criminal profits and related assets. A number of speakers highlighted in this regard the importance of strengthening inter-agency cooperation and collaboration, including with the public and the private sector, in order to effectively address drug trafficking and money-laundering. UNODC’s work, including technical assistance, capacity-building and inter-agency cooperation, in the field of asset recovery inter-agency networks in different regions was also presented by several speakers from UNODC headquarters and the field, including the support provided to various confiscation networks.

25. While referring to **the lack of parallel financial investigations**, many speakers **alluded to possible reasons** why the value of confiscated proceeds of crime related to money-laundering arising from drug trafficking remained low. Some speakers identified corruption and weak governance as enabling factors for illicit financial flows related to drug trafficking and underlined that a more systematic approach at the national level was needed to address corruption in the recovery of proceeds. It

was further mentioned by some speakers that law enforcement agencies did not always have the necessary financial investigation skillsets to address IFFs. A number of speakers highlighted that different criminal asset confiscation legislations would pose challenges to law enforcement, including regarding the use of conviction-based confiscation and non-conviction-based confiscation in some jurisdictions. One speaker also mentioned that the long duration of asset forfeiture processes could lead to the loss of assets value, low assets productivity, and high administration costs, highlighting that a possible option could be early disposal, allowing certain assets to be sold, such as assets that were at the risk of destruction.

26. A number of speakers focused on **the modus operandi used** by the transnational organized criminals **in money-laundering**, such as mule accounts, using financial services to transfer illicit gains or cash couriers. Some speakers reported that they had observed criminals involved in money-laundering establishing a parallel underground financial system to process transactions and payments isolated from any oversight mechanisms, thereby making it difficult for criminal proceeds to be traced. One speaker shared national experiences and mentioned in that regard that criminal networks had been increasingly outsourcing their money-laundering business with a view to seek external expertise in a wide range of money-laundering services and to distance themselves from the predicate offences.

27. Some speakers reported **challenges for financial investigations related to the use of cryptocurrency and blockchain** and emphasized that cryptocurrencies were used by criminals to sell controlled substances and transfer their illicit gains abroad, with the blockchain technology allowing a high degree of anonymity. Several speakers highlighted that it was important to strengthen international cooperation in financial investigations, as currency exchanges were done in various jurisdictions and territories. Some speakers shared good practices and recommended among others the establishment of inter-agency and multidisciplinary criminal asset confiscation task forces and the deployment of alternative strategies to investigate suspicious money-laundering and related assets.

28. **In light of the COVID-19 pandemic**, some speakers mentioned that the pandemic impeded their work related to data collection from stakeholders, and thus presented a hindrance to the analysis process regarding suspects' assets related to money-laundering crimes. Some speakers further explained that the COVID-19 related travel restrictions made it more challenging for investigators to conduct financial investigations on the suspected locations of hidden assets. With regard to mutual legal assistance during the COVID-19 pandemic, it was underlined that a lack of political will and the differences in legal systems contributed to the low value of assets seized.

29. With regard to the **reuse of confiscated assets**, it was highlighted by some speakers that the confiscated assets could be used to compensate victims, support efforts to undermine organized criminal groups as well as to strengthen the safety of local communities. Some speakers reported that assets from suspects in money-laundering cases were used for prevention purposes or efforts to address drug trafficking offences.

(d) **2019 Ministerial Declaration Challenge: “The criminal misuse of information and communications technologies for illicit drug-related activities is increasing”**

30. On 21 October, the Commission discussed the challenge that “the criminal misuse of information and communications technologies for illicit drug-related activities is increasing.” The Chief of the UNODC Drug Research Section and the Chief of the UNODC Cybercrime and Anti-Money Laundering Section introduced the topic, including the **statistics and trends regarding the use of information and communication technologies (ICTs) for drug-related activities**. It was explained that online drug sales occur on the clear web, the deep and the dark web, and that the main advantage of the dark web was the anonymity. It was stressed that the dark web drug markets had expanded, and cannabis and stimulants accounted for a large

proportion of sales on the dark web. During the panel discussion it was highlighted that dark web markets were spreading geographically, and serious concerns were expressed over the challenges to obtain reliable and credible data regarding online drug sales. UNODC experts underlined that while the traditional offline drug supply remained to be the most widely used means of distribution, online drug sales had increased dramatically.

31. Many speakers shared information on **national trends regarding illicit drug-related activities facilitated by ICTs**. Some speakers reported that their countries had **during the COVID-19 pandemic** experienced a surge in volume and movement of a wide range of controlled substances, because criminals had swiftly adapted and increased the use of ICTs to avoid disruptions in supply chains. For example, several speakers reported that during the pandemic, e-commerce and the use of postal services including for the movement of illicit goods, had increased. Several speakers also shared details on the prevalent types of drugs available on the clear web, the deep web, and the dark web. It was further reported that new psychoactive substances were frequently traded on the surface web, and heroin, cocaine, cannabis, and amphetamine-type stimulants were primarily traded via the dark web.

32. Several speakers shared **insights of why the Internet had gained attractiveness for criminals engaged in illicit drug-related activities**. It was mentioned, among others, that platforms such as online pharmacies, e-commerce marketplaces, social media platforms and encrypted messaging services, would often lower the technical entry thresholds for criminals to commit crimes online, thereby extending traditional drug trafficking business into virtual domains and reach potential customers worldwide. It was underlined by a number of speakers that by resorting to the dark web, postal services and cryptocurrencies, drug traffickers could minimize the costs and risks of transportation and would allow for funds to be moved instantaneously. Many speakers concurred that due to the anonymity of the dark web and the fact that criminal networks were dispersed globally, it was difficult to target and dismantle drug trafficking operations on the darknet. A further challenge reported during the panel discussion was that with the use of ICT, there was no need for criminals to disclose their identities or meet in person, with the result that even if one member of the group is identified, and detained, often little information would become available that could dismantle the networks.

33. Several speakers shared experiences on how drugs were sold online including **information on the modus operandi used by criminals involved in online drug-related crimes**. It was reported that selling drugs online often had four steps, including advertising online, ordering online, payment through cryptocurrencies and delivering by postal services or drops. It was reported that during the COVID-19 pandemic, drug syndicates adopted trafficking ventures, taking advantage of ICTs to assist them in the transportation of bulk cargo, as well as smaller nodes for redistribution across borders by air, land, and sea. Speakers shared that in some countries criminal organizations increased their control measures by carefully monitoring the movement of their containers and parcels online. One speaker highlighted that some websites had been disguised as “Internet pharmacies” supplying controlled substances without fulfilling the legal and administrative requirements established for traditional pharmacies.

34. Regarding **challenges to address drug-related criminal activities facilitated by ICTs**, speakers mentioned among others the lack of dedicated legislations and technical capacities as well as insufficient international cooperation and collaboration. It was underlined by many speakers that regulatory systems should be strengthened, and legal and policy frameworks should be harmonized to address the challenges. In addition, one speaker mentioned that the need to upgrade equipment and train officers, as well as ensure real-time investigations presented a challenge for some countries, leading to gaps between criminal and investigative capacities. The importance of conducting parallel financial investigations was highlighted by several speakers. One speaker reported that biometric identification systems, facial recognition and other technologies had been deployed to address challenges related

to the dark web. It was also highlighted by one speaker that artificial intelligence could support law enforcement to overcome the challenges of investigating digital supply chains related to controlled substances, including by carrying out keyword searches across the dark web forums that promoted marketplaces.

35. Many speakers reiterated that cooperation and effective multilateralism remained key to addressing these global challenges. The importance of sharing of information and effective coordination at the national, regional, and global level, as well as with relevant industry partners, including through public-private partnerships, was highlighted by several speakers.

### **III. Way forward**

36. As part of the Commission's efforts to enhance the implementation of all international drug policy commitments, following up to the 2019 Ministerial Declaration, the next thematic session is scheduled to be held during the 65th session of the CND in 2022. In line with the multi-year workplan, the Commission will focus on how to address the challenge that responses not in conformity with the three international drug control conventions and not in conformity with applicable international human rights obligations pose a challenge to the implementation of joint commitments based on the principle of common and shared responsibility.

37. Member States, and interested stakeholders are encouraged to initiate timely preparations for the 2022 thematic sessions to facilitate the participation of relevant experts, with a view to sharing good practices and to discussing how to address the highlighted challenges through the implementation of the international drug policy commitments of the 2016 UNGASS outcome document, the 2014 Joint Ministerial Statement and the 2009 Political Declaration and Plan of Action

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