

CHAPTER XI

RESOLUTIONS AND DECISIONS ADOPTED BY THE COMMISSION
AT ITS THIRTY-FIFTH SESSION

A. Resolutions

231. The Commission, at its thirty-fifth session, adopted the following resolutions:

Resolution 1 (XXXV)

Control of proceeds from illicit traffic in narcotic drugs*

The Commission on Narcotic Drugs,

Aware that the control of money laundering is an essential element in the struggle against the illicit traffic in narcotic drugs,

Convinced that common and homogeneous control measures should be adopted by all Member States,

Mindful of the provisions of articles 3 and 5 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, 1/

Recalling the recommendations contained in the Global Programme of Action adopted by the General Assembly at its seventeenth special session 2/ on measures to be taken against the effects of money derived from, used in or intended for use in illicit drug trafficking, illegal financial flows and illegal use of the banking system,

Bearing in mind the Convention of the Council of Europe on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime of 8 November 1990, 3/

Bearing in mind also the model regulations concerning laundering offences connected with illicit drug trafficking and related offences adopted by the Inter-American Drug Abuse Control Commission at its eleventh session held at Punta del Este in March 1992,

Noting the forty recommendations on strengthening the efforts of the international community in the fight against money laundering, adopted by the Financial Action Task Force established by the heads of State or Government of the Group of Seven major industrialized countries and the President of the Commission of the European Communities at the fifteenth annual economic summit, held in Paris in July 1989,

Welcoming the international efforts already being undertaken in this field to ensure coordination and consultation, including the Council of the European Economic Community Directive of 10 June 1991 on the prevention of the use of the financial system for the purpose of money laundering,

* See paragraph 30 above.

1. Invites the United Nations International Drug Control Programme to collect relevant information on national legislation, as described in the report of the Executive Director on the five-year plan to implement the Global Programme of Action adopted by the General Assembly at its seventeenth special session: 4/
2. Invites Member States to make every effort to bring their national legislation into conformity with the provisions of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, taking into account the recommendations contained in the report of the Financial Action Task Force and in the Global Programme of Action;
3. Also invites Member States, in accordance with the provisions of article 5, paragraph 5, of the 1988 Convention and paragraph 72 of the Global Programme of Action, to consider contributing forfeited property or proceeds to the Fund of the United Nations International Drug Control Programme to assist the latter in carrying out its mandate in the field of international drug abuse control;
4. Invites the United Nations International Drug Control Programme to continue developing, within the framework of existing activities and in consultation with the relevant international financial institutions, programmes of technical cooperation that include assistance in drafting or revising legislation, training for investigative and financial personnel, the development of intercountry collaboration and the provision of advice on strategies and techniques;
5. Invites all Member States to avail themselves, as appropriate, of the assistance of the United Nations International Drug Control Programme in pursuing the objectives set forth in paragraph 2 above;
6. Invites the Programme to implement the present resolution in cooperation with other United Nations entities, in particular, with the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs;
6. Also invites the Programme to report to the Commission on Narcotic Drugs at its thirty-sixth session on the follow-up to the present resolution.

1/ United Nations publication, Sales No. E.91.XI.6.

2/ General Assembly resolution S-17/2, annex, of 23 February 1990.

3/ European Treaty Series, No. 141 (Strasbourg, Council of Europe, 1990).

4/ E/CN.7/1992/10 and Corr.1