

Resolution 4 (XXXV)

Proposed measures concerning legal  
cooperation and legal assistance\*

The Commission on Narcotic Drugs,

Considering that illicit traffic in narcotic drugs and psychotropic substances is a criminal activity that extends beyond national boundaries,

Taking into account the work undertaken by the Commission and the Model Treaty on Extradition, the Model Treaty on Mutual Assistance in Criminal Matters and the Model Treaty on the Transfer of Proceedings in Criminal Matters, adopted by the General Assembly in its resolutions 45/116, 45/117, 45/118 of 14 December 1990,

Aware of the need to strengthen international legal cooperation in general, and mutual assistance between States in particular, using expeditious and efficient means that permit the effective prosecution of persons involved in illicit drug trafficking and related offences,

Recognizing the need to adopt concrete measures to facilitate the exchange of evidence between countries for use in judicial proceedings,

Reaffirming the urgency of giving practical effect, if steps have not already been taken to do so, to article 7 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, 1/

Bearing in mind that the strengthening of judicial and legal systems and law enforcement agencies is one of the activities accorded priority by the General Assembly in the Political Declaration and Global Programme of Action adopted at its seventeenth special session 2/ and by the Commission on Narcotic Drugs in its resolution 2 (XXXIV) of 9 May 1991,

1. Calls upon all States that have not already done so to adopt legislative measures to facilitate mutual legal assistance in investigations, prosecutions and judicial proceedings, and to establish internal mechanisms to permit the timely transfer of evidence in investigations, prosecutions and judicial proceedings in connection with illicit drug trafficking and related offences, to the extent permitted in accordance with domestic law;

2. Urges the international community to conclude bilateral or multilateral agreements or arrangements to permit the efficient and expeditious processing of requests for mutual legal assistance;

3. Requests the Executive Director of the United Nations International Drug Control Programme, in collaboration with the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs, to include, among the priorities of the five-year plan for the implementation of the Global Programme of Action, legal cooperation in general and, in particular, cooperation in mutual legal assistance connected with illicit drug trafficking and related offences.

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\* See paragraph 33 above.

1/ E/CONF.82/15 and Corr.2.

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