

Resolution 6 (XXXVIII)

Encouraging the reporting of suspicious or unusual transactions to a national organization in each State, and the development of effective communication among competent authorities to facilitate the investigation and prosecution of money-laundering activities*

The Commission on Narcotic Drugs,

Recognizing the growing threat posed to national economies by money-laundering activities, including those carried out by drug-trafficking and other criminal organizations,

Aware that the proceeds generated by drug trafficking and other illicit activities are being placed into legitimate financial institutions and non-financial businesses,

Underlining the fact that the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 ^{1/} requires each party to the Convention to make money-laundering a criminal offence and to adopt the measures necessary to enable authorities to identify, trace and freeze or seize the proceeds of illicit drug trafficking,

Noting that the 1988 Convention calls upon parties to that Convention to develop training programmes for law enforcement and other personnel to target money-laundering related to drug trafficking operations and to assist one another in developing such programmes,

Recognizing the need for parties to the 1988 Convention to strengthen the implementation of that Convention, particularly in the area of combating money-laundering,

Acknowledging that in carrying out their obligations under the 1988 Convention the parties to that Convention should take the necessary measures in conformity with the fundamental provisions of their domestic legislation,

1. Urges States to encourage the reporting of suspicious or unusual transactions, or patterns of transactions, by banks, other financial institutions and, if possible, non-financial businesses dealing in large volumes of currency, in order to identify possible money-laundering operations, including those carried out by drug-trafficking and other criminal organizations;

2. Encourages each State to consider establishing a national organization to collect, review and analyse data on suspicious or unusual financial transactions;

3. Believes that a national organization established pursuant to paragraph 2 above could share its information with the competent authorities, in order to assist them in case development and in the identification, tracing, and freezing or seizing of assets gained from illicit activities, including illicit drug trafficking;

4. Invites the United Nations International Drug Control Programme and Member States to consider including the establishment of such national organizations as a further element in the master-plan process of the Programme;

5. Emphasizes that effective communication among competent authorities as appropriate, including regulatory agencies, law enforcement agencies, prosecutors, the financial community, and the non-financial sector if possible, is important in facilitating the investigation and prosecution of those involved in illicit drug-trafficking organizations and in assisting in asset identification and forfeiture, and considers that one example of such communication might be the formation of a multidisciplinary financial investigative task force;

6. Recommends that Member States with experience in financial investigations and other relevant bodies should be encouraged to provide training, advice and other assistance to Member States at their request, particularly to those States whose financial systems put them at an increased risk of being targeted for money-laundering activities by drug-trafficking and other criminal organizations, and to ensure maximum coordination of such assistance;

7. Calls upon the United Nations International Drug Control Programme to facilitate as appropriate the provision of such assistance by transmitting requests to States and other relevant bodies prepared to provide it;

8. Urges Member States to inform the Programme of their plans to provide international investigative training to counter money-laundering activities, so that they may be included in the annual training calendar of the Programme;

9. Requests the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

1/ Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988, vol. I (United Nations publication, Sales No. E.94.XI.5).