

Resolution 9 (XXXVIII)

Operational measures to ensure and strengthen cooperation
between the United Nations International Drug Control
Programme and the Crime Prevention and Criminal
Justice Branch of the Secretariat*

The Commission on Narcotic Drugs,

Convinced that the scope of international cooperation in the fields of drug abuse control and crime prevention and criminal justice should be increased as a matter of urgency,

Bearing in mind that effective action and cooperation at the national, regional and international levels depend on improved coordination of all activities related to drug control and crime prevention and criminal justice within the United Nations system,

Recalling General Assembly resolutions 45/179 of 21 December 1990, 46/152 of 18 December 1991, 47/91 of 16 December 1992, 48/103 and 48/112 of 20 December 1993 and 49/158 of 23 December 1994, Economic and Social Council resolutions 1992/22 of 30 July 1992 and 1994/13 of 25 July 1994, Council decision 1993/245 of 27 July 1993, Commission on Narcotic Drugs resolutions 8 (XXXVI) and 10 (XXXVI) of 7 April 1993 and 1 (XXXVII) of 20 April 1994, and Commission on Crime Prevention and Criminal Justice resolution 3/5 of 6 May 1994,

Recalling General Assembly resolution 48/228 of 23 December 1993, in which the Secretary-General was requested to strengthen the coordination between the United Nations International Drug Control Programme and the Crime Prevention and Criminal Justice Branch of the Secretariat, taking into account the role of the Director-General of the United Nations Office at Vienna and the observations contained in paragraph IV.51 of the report of the Advisory Committee on Administrative and Budgetary Questions, 1/

Bearing in mind that the General Assembly, in its resolution 49/159 of 23 December 1994, approved the Naples Political Declaration and Global Action Plan against Organized Transnational Crime,2/ adopted by the World Ministerial Conference on Organized Transnational Crime, held at Naples, Italy, from 21 to 23 November 1994,

Considering that the Global Action Plan has provided an orientation for the action of States and the United Nations against organized crime, of which illicit drug trafficking represents one of the more widespread and alarming aspects,

Convinced that the Global Action Plan represents a strong unanimous commitment requiring follow-up action by Member States, through coordination of the efforts of all competent entities of the United Nations system,

Recalling the Global Programme of Action adopted by the General Assembly at its seventeenth special session 3/ on 23 February 1990,

Reiterating the need for effective and coordinated action by the United Nations International Drug Control Programme and the Crime Prevention and Criminal Justice Branch through the identification of appropriate measures on which there is governmental consensus,

Noting the respective mandates and separate budgets of the United Nations International Drug Control Programme and the Crime Prevention and Criminal Justice Branch,

Calling attention to the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, to be held at Cairo from 29 April to 8 May, which will deal with drug control matters under item 4 of its provisional agenda,

Reiterating also the requests contained in paragraphs 5, 6 and 7 of Commission on Narcotic Drugs resolution 1 (XXXVII) of 20 April 1994 and in paragraphs 4, 5 and 6 of Commission on Crime Prevention and Criminal Justice resolution 3/5 of 4 May 1994,

1. Requests Member States to implement the Naples Political Declaration and Global Action Plan, with reference to the prevention and control of drug abuse and to the distribution of, and illicit trafficking in, narcotic drugs and psychotropic substances, taking into account that illicit trafficking constitutes one of the more alarming activities of organized transnational crime because of its capacity to destabilize social, economic and political institutions and to prejudice development;

2. Requests the United Nations International Drug Control Programme, in cooperation with the Crime Prevention and Criminal Justice Branch of the Secretariat within the framework of their respective mandates and existing resources, to jointly provide to requesting States technical assistance in the training of judicial and investigative personnel, and in the elaboration of legislation and treaties of mutual assistance in criminal matters and of extradition, particularly in connection with measures already described in paragraphs 15 to 17, 31 and 33 of the Global Action Plan;

3. Requests the Programme, in cooperation with the Branch within the framework of their respective mandates and existing resources, to jointly provide to requesting States assistance in the prevention and control of money-laundering and the illicit transfer of assets, on the basis of the recommendations contained in the Naples Political Declaration and Global Action

Plan, as well as in other relevant United Nations resolutions, particularly in the following areas:

(a) Introduction into national legislation of penal and administrative measures designed to identify and effectively control the laundering of all proceeds from drug-related crime, taking into account that the accumulation of illicit capital and the need to invest it in the legitimate economy constitute central activities of all operations in which organized crime is engaged;

(b) Adoption of legislative measures for the confiscation or seizure of illicit proceeds, preventive measures designed to promote ethical standards in public administration, the business sector, financial institutions and relevant professions, as well as measures to foster cooperation between the authorities in charge of regulating the financial and economic sectors and those applying penal laws;

4. Requests the Programme in cooperation with the Branch, within the framework of their respective mandates and existing resources, in undertaking joint technical cooperation activities, to seek to use the expertise of all competent organizations and entities, for the purpose of ensuring maximum effectiveness in the utilization of resources, in the elaboration of international instruments and in assisting States in needs assessment,

5. Requests the Programme to coordinate with the Branch in reporting annually to the Commission on Narcotic Drugs, and to assist the Branch in reporting to the Commission on Crime Prevention and Criminal Justice on progress achieved in the strengthening of coordination and the implementation of the present resolution;

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

1/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 7 (A/48/7).

2/ See A/49/748, sect. I.

3/ See resolution S-17/2, annex.