

Economic and Social Council

Distr.
GENERAL

1193rd Meeting
15 March 2000

CND Res.43/5. Enhancing multilateral cooperation in combating illicit traffic by sea*

The Commission on Narcotic Drugs,

Recognizing the increasing prevalence of illicit traffic by sea of narcotic drugs and psychotropic substances,

Reaffirming that full respect for sovereignty and territorial integrity and for the principles of the international law of the sea should govern international cooperation in the fight against illicit traffic by sea,

Reaffirming the obligation of all parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[19](#) under article 17 thereof, to cooperate to the fullest extent possible to suppress illicit traffic by sea,

Recalling that the General Assembly, at its twentieth special session, devoted to countering the world drug problem together, adopted, in resolution S-20/4 C of 10 June 1998, measures to promote judicial cooperation to counter illicit traffic by sea,

Recalling also that in paragraph 6 (d) of resolution S-20/4 C, the Assembly recommended that States negotiate and implement bilateral and multilateral agreements to enhance cooperation in combating the illicit drug traffic by sea in accordance with article 17 of the 1988 Convention,

Noting that in paragraph 6 (b) of resolution S-20/4 C, the Assembly recommended that States review communication channels and procedures between competent authorities to facilitate coordination and cooperation with the objective of ensuring rapid responses and decisions,

*Noting also that in resolution S-20/4 C, the Assembly called upon States, *inter alia*, to review their national legislation to ensure that the legal requirements of the 1988 Convention are met, for example, the identification of competent national authorities, the maintenance of ship registries and the establishment of adequate law enforcement powers,*

Reaffirming the importance of bilateral and regional cooperation in maritime counter-narcotics activities, in accordance with article 17, paragraph 9, of the 1988 Convention, and noting the agreement concluded by the Council of Europe to supplement article 17,

Noting the informal consultations that have taken place and the decision to convene, no later than December 2000, a preparatory meeting with a view to calling a diplomatic conference among interested Governments concerning cooperation in suppressing illicit maritime trafficking in narcotic drugs and psychotropic substances in the Caribbean area,

Cognizant of the possibility of deceptive practices of masters of vessels engaged in illicit traffic by sea, including the provision of false or incomplete information regarding vessel nationality to impede expeditious responses to requests,

Observing that such requests may sometimes relate to difficult operational situations, and that the opportunity to take appropriate action may be lost unless responses are received in a timely manner,

Emphasizing that, in accordance with international law, ships should sail under the flag of one State only, and a ship which sails under the flags of two or more States, using them according to convenience, may not claim any of the nationalities in question with respect to any other State, and may be assimilated to a ship without nationality,

1. *Encourages* interested Governments, where appropriate, to develop regional maritime agreements;
2. *Requests* the United Nations International Drug Control Programme, drawing on voluntary resources and upon the request of interested Governments, to provide, through its regional offices, the necessary technical support to negotiation processes for agreements concerning cooperation in suppressing illicit maritime trafficking in narcotic drugs and psychotropic substances;
3. *Supports*, through available voluntary contributions, efforts by the Programme to facilitate coordination by States parties, under article 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,¹⁹ of practical ways to ensure more effective suppression of maritime drug trafficking;
4. *Urges* States parties to the 1988 Convention:
 - (a) To regularly review and update changes to the information submitted for inclusion in the United Nations publication entitled *Competent National Authorities under the International Drug Control Treaties*;
 - (b) To respond expeditiously to a request made in accordance with article 17, bearing in mind the operational imperatives of the request;
5. *Encourages* States parties to the 1988 Convention, within available resources and where appropriate, to consider the possibility of establishing a mechanism to respond to requests, such as to provide for availability at all times, subject to national procedures, and to work towards maintaining adequate telephone, facsimile and other possible communication links with the competent authority or authorities.

1193rd meeting
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*/ For the discussion, see chap. IV, para. 92.

¹⁹/ 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).