

Economic and Social Council

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CND Res.45/9. Connections between organized criminal groups trafficking in drugs and those involved in other types of illicit trafficking: special investigative techniques to counteract such criminality

The Commission on Narcotic Drugs,

Recalling the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,³³

Considering that the fight against drug trafficking can be strengthened by using innovative legal tools to counter new forms of transnational organized crime,

Recalling the outcome of the twentieth special session of the General Assembly, in particular, Assembly resolution S-20/4 C of 10 June 1998, entitled "Measures to promote judicial cooperation", which includes recommendations on the use of controlled delivery,

Taking note of the information contained in the consolidated first biennial report of the Executive Director on the implementation of the outcome of the twentieth special session of the General Assembly, devoted to countering the world drug problem together,³⁴

Drawing the attention of all Member States to the provisions of the United Nations Convention against Transnational Organized Crime³⁵ and the protocols thereto³⁶ aimed at enhancing the measures taken against transnational organized crime and providing, inter alia, a sound basis for international cooperation and effective law enforcement action in order to deal, in an integrated manner, with all aspects related to illicit trafficking,

Recognizing the importance of cooperation at the bilateral and regional levels and the relevance of the experience gained at those levels when discussing practical ways to improve international cooperation in efforts to counter illicit trafficking,

Aware that the accumulation of huge proceeds derived from trafficking in drugs, arms and human beings is facilitated by the globalization of markets and the elimination of borders and that such illicit activities are mainly operated by organized criminal groups,

Noting the transnational nature of organized crime and the tendency of organized criminal groups to expand their illicit activities, which frequently involve illicit crop cultivation, so that they cover wider geographical areas or combine different illicit activities,

Aware, in particular, of the increasing tendency of organized criminal groups to rely on the same criminal networks to carry out operations involving trafficking in drugs and other types of illicit trafficking, such as trafficking in human beings and arms and the smuggling of migrants, and to assist each other by providing logistics and organizational support in different countries,

Convinced that the connections between various illicit activities and organized criminal groups pose an added threat to security and the quality of life by hindering economic and social development,

Aware that transnational organized crime cannot be effectively countered by individual national law enforcement agencies or by using the resources available to individual Member States,

Deeply convinced of the need to strengthen international law enforcement cooperation, in particular at land and sea borders, in order to better safeguard public security,

Noting that organized criminal groups operate also in geographical areas where law enforcement agencies are not adequately provided with technical equipment and training and that common operational standards for such agencies

should be established to facilitate international cooperation,

1. *Calls upon* Member States to enhance their cooperation against drug trafficking through the exchange of information and expertise, with emphasis on measures that can be taken to disrupt criminal networks;
2. *Urges*, in particular, Member States to strengthen international law enforcement cooperation in the field of gathering, analysing and exchanging information on the organizational structure and activities of organized criminal groups, on their networks and connections at the national and transnational levels, as well as on the ways in which drug trafficking is combined on occasion with other types of illicit trafficking;
3. *Invites* each Member State, subject to the basic principles of its legal system and in accordance with its own possibilities and the conditions provided for by its domestic law, to take the measures necessary to allow controlled delivery and, if necessary, other special investigative techniques, such as electronic surveillance or other forms of surveillance and undercover operations, to be carried out by competent national authorities in order to fight organized crime more effectively;
4. *Invites* all Member States concerned to decide to use the technique of controlled delivery in cross-border operations by intercepting the trafficked item and then allowing it to continue to be transported along its original route, either untouched, completely or partially replaced or partially removed, until it reaches its destination, in order to identify all persons involved in organizing the illicit trafficking activity;
5. *Encourages* Member States to upgrade controls at land and sea borders in order to fight more effectively illicit drug trafficking and its connections with other types of illicit trafficking;
6. *Encourages* the enhancement of law enforcement cooperation, at the operational level, in training activities and for the purpose of joint investigations, in the search for fugitive traffickers;
7. *Invites* Member States to study and agree upon ways and means of overcoming difficulties and obstacles resulting from differences in national legal systems;
8. *Requests* the United Nations International Drug Control Programme to give particular attention, within the framework of its activities for the reduction of illicit drug supply, to the connections that exist between drug trafficking and other forms of illicit trafficking and to the use of new investigative techniques, as appropriate, with special emphasis on cases where drug trafficking is combined with other types of illicit trafficking;
9. *Also requests* the United Nations International Drug Control Programme, subject to voluntary contributions, to provide to interested Member States technical assistance and training on the use of new investigative techniques to counter drug trafficking;
10. *Requests* the Executive Director of the United Nations International Drug Control Programme to report to it at its forty-seventh session on the progress achieved in the implementation of the present resolution.

*1223rd meeting
15 March 2002*

33/ *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).

34/ E/CN.7/2001/16.

35/ General Assembly resolution 55/25, annex I.

36/ General Assembly resolutions 55/25, annexes II and III, and 55/255, annex.