

Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft resolutions for adoption by the Economic and Social Council

1. The Commission on Narcotic Drugs recommends to the Economic and Social Council the adoption of the following draft resolution:

Draft resolution

Support for the development and implementation of the regional programmes of the United Nations Office on Drugs and Crime

The Economic and Social Council,

Recalling General Assembly resolution 63/197 of 18 December 2008, entitled “International cooperation against the world drug problem”,

Recalling also the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,¹ which provides a clear framework for the work of the Office,

1. *Welcomes the adoption by the United Nations Office on Drugs and Crime of a regional approach for programming based on consultation and partnership at the national and regional levels and focused on ensuring that the Office responds in a sustainable and coherent manner to the priorities of Member States;*

2. *Notes the activities of the United Nations Office on Drugs and Crime aimed at achieving a stronger working relationship with other entities of the United Nations system, including the Department of Peacekeeping Operations of the Secretariat, the United Nations Development Programme and the World Bank;*

3. *Welcomes the recent outcomes of the ministerial and expert meetings held for the subregions of East Africa, West Africa, East Asia and the Pacific and the Caribbean, at which programmes were discussed and agreement was reached on the way forward;*

4. *Looks forward to receiving the outcomes of the subregional meetings for Central America and South-Eastern Europe that will take place in the near future;*

5. *Encourages Member States from other subregions to engage with the United Nations Office on Drugs and Crime in the preparation of similar subregional programmes;*

6. *Expresses its appreciation to Governments that have hosted regional conferences and expert group meetings and to Governments that have provided financial support to make those conferences and meetings possible;*

¹ Economic and Social Council resolution 2007/12, annex.

7. *Requests* the United Nations Office on Drugs and Crime to continue to make every effort to ensure an effective process of consultation for the regional programmes and to ensure that such programmes are distributed as widely as possible;

8. *Also requests* the United Nations Office on Drugs and Crime to enhance, in a coordinated manner, its efforts to provide technical assistance and advisory services for the implementation of regional programmes;

9. *Encourages* all Member States to draw, where appropriate, upon the regional programmes of the United Nations Office on Drugs and Crime and the technical assistance activities outlined therein in the development of national legislation, procedures, policies and strategies to strengthen criminal justice systems and related institutions;

10. *Invites* all Member States, as well as subregional and regional institutions, to mainstream measures to counter organized crime, corruption and illicit drug trafficking in their national and regional development strategies, in accordance with the relevant international conventions, and to make every effort to allocate resources for the implementation of those measures;

11. *Encourages* bilateral and multilateral aid agencies and financial institutions to support the implementation of the regional programmes of the United Nations Office on Drugs and Crime;

12. *Invites* relevant entities of the United Nations system, including the Department of Peacekeeping Operations, the United Nations Development Programme and the World Bank, as well as other international agencies and organizations, to continue coordinating with the United Nations Office on Drugs and Crime in order to support the implementation of the regional programmes of the Office and to integrate crime prevention and drug control measures in their development programmes;

13. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to give high priority to the implementation of the regional programmes of the Office and to report on progress made on such implementation to the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice at their sessions to be held in the first half of 2011.

B. Draft decisions for adoption by the Economic and Social Council

2. The Commission recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I

Report of the Commission on Narcotic Drugs on its fifty-second session and provisional agenda and documentation for the fifty-third session of the Commission

The Economic and Social Council takes note of the report of the Commission on Narcotic Drugs on its fifty-second session and approves the provisional agenda and documentation for the fifty-third session of the Commission set out below, on the understanding that intersessional meetings would be held in Vienna, at no additional cost, to finalize the items to be included in the provisional agenda and the documentation requirements for the fifty-third session.

Provisional agenda and documentation for the fifty-third session of the Commission on Narcotic Drugs

1. Election of officers.
2. Adoption of the agenda and other organizational matters.

Documentation

Provisional agenda and annotations

Normative segment

3. Thematic debate [*theme to be decided*].
4. Follow-up to the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem.

Documentation

Reports of the Secretariat (*as necessary*)

5. Improving the collection, reporting and analysis of data to monitor the implementation of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem.

Documentation

Reports of the Secretariat (*as necessary*)

6. Drug demand reduction: world situation with regard to drug abuse.

Documentation

Report of the Secretariat

7. Illicit drug traffic and supply and related measures:

- (a) World situation with regard to drug trafficking and recommendations of the subsidiary bodies of the Commission;
- (b) Reducing the illicit supply of drugs;
- (c) Control of precursors and of amphetamine-type stimulants;

- (d) International cooperation on eradicating the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances and on alternative development.

Documentation

Reports of the Secretariat (*as necessary*)

8. Countering money-laundering and promoting judicial cooperation to enhance international cooperation:
 - (a) Countering money-laundering;
 - (b) Judicial cooperation.

Documentation

Reports of the Secretariat (*as necessary*)

9. Implementation of the international drug control treaties:
 - (a) Changes in the scope of control of substances;
 - (b) International Narcotics Control Board;
 - (c) International cooperation to ensure the availability of narcotic drugs and psychotropic substances for medical and scientific purposes;
 - (d) Other matters arising from the international drug control treaties.

Documentation

Report of the International Narcotics Control Board for 2009

Report of the International Narcotics Control Board for 2009 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1998

Notes by the Secretariat (*as necessary*)

Operational segment

10. Policy directives to the drug programme of the United Nations Office on Drugs and Crime and strengthening the drug programme and the role of the Commission on Narcotic Drugs as its governing body, including administrative, budgetary and strategic management questions:
 - (a) Work of the United Nations Office on Drugs and Crime and policy directives;
 - (b) Role of the Commission as the governing body of the drug programme of the United Nations Office on Drugs and Crime:
 - (i) Strengthening the drug programme of the United Nations Office on Drugs and Crime;
 - (ii) Administrative, budgetary and strategic management questions.

Documentation

Report of the Executive Director

Notes by the Secretariat (*as necessary*)

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11. Provisional agenda for the fifty-fourth session of the Commission.
12. Other business.
13. Adoption of the report of the Commission on its fifty-third session.

Draft decision II

Report of the International Narcotics Control Board

The Economic and Social Council takes note of the report of the International Narcotics Control Board for 2008.²

C. Matters brought to the attention of the Economic and Social Council

3. The following resolutions and Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to counter the World Drug Problem adopted by the Commission are brought to the attention of the Economic and Social Council:

Resolution 52/1

Promoting international cooperation in addressing the involvement of women and girls in drug trafficking, especially as couriers

The Commission on Narcotic Drugs,

Recalling the Political Declaration adopted by the General Assembly at its twentieth special session,³ devoted to countering the world drug problem together, in which the Assembly set goals and targets to be met by all States by the years 2003 and 2008,

Recalling also that in the Political Declaration, Member States reaffirmed their determination to fight all aspects of the world drug problem and undertook to ensure that women and men benefit equally, and without any discrimination, from strategies directed against the world drug problem, through their involvement in all stages of programmes and policymaking,

Recalling further that in the Political Declaration, the General Assembly called upon communities, especially families, and their political, religious, educational, cultural, sports, business and union leadership, non-governmental organizations and

² Report of the International Narcotics Control Board for 2008 (United Nations publication, Sales No. E.09.XI.1).

³ General Assembly resolution S-20/2, annex.

the media worldwide actively to promote a society free of drug abuse, especially by emphasizing and facilitating healthy, productive and fulfilling alternatives to the use of illicit drugs, which must not become accepted as a way of life,

Aware that in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs, Member States acknowledged the important contribution made by women in curbing the world drug problem and committed themselves to ensuring that drug control policies, measures and interventions take into account the specific needs and circumstances that women face with regard to drug problems,

Noting with concern the involvement of women and girls in drug trafficking as couriers and recognizing that such involvement poses a danger to the well-being and development of children, families and communities,

Recognizing the important role of women, as well as that of men, in the upbringing and education of children and in the development of the political, social and cultural life of their societies,

Noting that women and girls tend to be among the most vulnerable groups and have the least access to education and that women tend to have the least access to work and financial services while, at the same time, bearing the main responsibility for the well-being of their families,

Reaffirming that young people are the world's most valuable asset,

1. *Decides* to devote particular attention to the involvement of women and girls in drug trafficking as couriers;

2. *Resolves* to devote particular attention to the worrying trend of the illicit use of drugs, as well as the involvement of women in drug abuse and their involvement in the cultivation of illicit drug crops and in the illicit manufacture, processing, smuggling, distribution and sale of narcotic drugs and psychotropic substances;

3. *Requests* the United Nations Office on Drugs and Crime to carry out scientific research and analysis based on existing information and statistical data received from Member States on activities related to drug trafficking involving women and girls at the national and international levels;

4. *Stresses* the importance of collecting and analysing data disaggregated by sex and age and of conducting research on gender issues relating to drug trafficking, especially the use of women and girls as couriers;

5. *Encourages* Member States to consider providing additional reporting on and analysis of data relating to the use of women and girls as couriers;

6. *Requests* the United Nations Office on Drugs and Crime to ensure that gender issues, especially the use of women and girls as couriers, are given appropriate attention in future reports on the world situation with regard to drug trafficking;

7. *Urges* Member States to implement broad-based programmes aimed at preventing women and girls from being used as couriers for trafficking in drugs and

requests the United Nations Office on Drugs and Crime to assist States in developing such programmes and implementing alternative development policies, including, inter alia, preventive alternative development policies, to counter the use and participation of women in the illicit drug trade and to take proper penal measures against organized criminal groups that use women and girls as couriers;

8. *Calls upon* States to involve all affected communities and individuals in the design and implementation of such policies;

9. *Encourages* States to consider establishing programmes of financial assistance to support income-generating projects for the educational, economic and social development and the rehabilitation of women and girls involved in drug trafficking;

10. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Narcotic Drugs, at its fifty-fourth session, on the implementation of the present resolution.

Resolution 52/2

Strengthening the law enforcement capacity of the main transit States neighbouring Afghanistan, based on the principle of shared responsibility

The Commission on Narcotic Drugs,

Reaffirming the commitments assumed by Member States in the Political Declaration adopted by the General Assembly at its twentieth special session⁴ and the measures to enhance international cooperation to counter the world drug problem,⁵

Also reaffirming the commitments assumed by Member States in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs,

Recalling Economic and Social Council resolutions 2001/16 of 24 July 2001, 2002/21 of 24 July 2002, 2003/34 and 2003/35 of 22 July 2003, 2005/27 of 22 July 2005, 2008/27 of 23 July 2008 and other relevant resolutions on international assistance to States affected by the transit of illicit drugs,

Taking note with concern of the opium survey for Afghanistan for 2008 published by the United Nations Office on Drugs and Crime, in which the Office stated that in 2008 Afghanistan had produced 7,700 tons of opium, representing 93 per cent of global production,

Acknowledging the progress that Afghanistan has made in implementing its National Drug Control Strategy,⁶ including the increase in the number of poppy-free

⁴ General Assembly resolution S-20/2, annex.

⁵ Assembly resolutions S-20/4 A to E.

⁶ S/2006/106, annex.

provinces from 13 in 2007 to 18 in 2008 and the decrease of 19 per cent in the area under opium poppy cultivation,

Welcoming the Paris Pact initiative on assistance to States affected by the transit of illicit drugs originating in Afghanistan,

Acknowledging the ongoing efforts of the Government of Afghanistan and the international community, including States neighbouring Afghanistan, to counter the scourge of illicit drugs, and welcoming the recent declaration by the Government of Afghanistan that it would cease the importation of acetic anhydride until such time as a legitimate need for that chemical arose, in accordance with relevant United Nations resolutions on the diversion and smuggling of precursor chemicals,⁷

Welcoming the ongoing efforts to strengthen regional cooperation in combating illicit trafficking in drugs of Afghan origin and the diversion of precursor chemicals undertaken by the members of the Commonwealth of Independent States, the Shanghai Cooperation Organization, the Economic Cooperation Organization, the Collective Security Treaty Organization and the Eurasian Group on Combating Money Laundering and Financing of Terrorism and other relevant subregional and regional organizations,

Welcoming also the decision of the Government of the Russian Federation to act as host to a special conference on Afghanistan, to be held in Moscow on 27 March 2009 under the auspices of the Shanghai Cooperation Organization, which will be dedicated, *inter alia*, to strengthening the capacity of States neighbouring Afghanistan in countering trafficking in drugs cultivated and produced in Afghanistan,

Acknowledging the increasing risk of illicit drug use in the area,

Also acknowledging that transit States are faced with multifaceted challenges related to the increasing amount of illicit drugs transiting through their territory as a result of the increasing supply of illicit drugs and the demand for illicit drugs in some markets,

Alarmed at the high levels of illicit drug crop cultivation and drug production, especially in Afghanistan,

Concerned that the bulk of the illicit drugs originating in Afghanistan are smuggled through countries neighbouring Afghanistan before reaching their countries of destination,

Also concerned about the smuggling of precursor chemicals along major drug trafficking routes leading to Afghanistan,

Bearing in mind the negative impact of the flow of illicit drugs originating in Afghanistan on the international community, especially on States neighbouring Afghanistan, and that all countries, in particular countries of destination, should

⁷ The Commission on Narcotic Drugs has been invited to consider, in accordance with its mandate, ways to strengthen regional and international cooperation to prevent the diversion and smuggling of chemical precursors to and within Afghanistan and to further opportunities for Member States to support the Government of Afghanistan in developing capacities to tackle the diversion of precursors and trafficking in drugs.

play a role in assisting the most affected transit States neighbouring Afghanistan more effectively and efficiently,

Commending the efforts and achievements of States neighbouring Afghanistan, in particular those registering large quantities of seizures of illicit drugs, in controlling the flow of illicit drugs,

Noting that, in spite of the fact that the most affected States neighbouring Afghanistan have allocated significant financial and human resources to countering the problem, there is still a dire need, on the basis of shared responsibility, for the international community to carry out more effective and serious efforts to provide financial and technical assistance and support to those States and to Afghanistan,

Recognizing that international and regional cooperation in countering the illicit production of, trafficking in and abuse of drugs has shown that positive results can be achieved through sustained and collective efforts, and expressing appreciation for initiatives in that regard,

Commending the support provided by the United Nations Office on Drugs and Crime to the Triangular Initiative within the framework of the Paris Pact initiative and the Rainbow Strategy in an effort to promote enhanced and operational drug control coordination at the subregional, regional and international levels,

Also commending the activities carried out in the framework of the Triangular Initiative involving Afghanistan, Iran (Islamic Republic of) and Pakistan to promote cooperation to counter trafficking in narcotic drugs originating in Afghanistan and to control the smuggling of precursor chemicals into Afghanistan,

Welcoming the decision taken by the Governments of Afghanistan, Iran (Islamic Republic of) and Pakistan at the second ministerial meeting of the Triangular Initiative, held in Tehran on 7 May 2008, including the establishment in Tehran of a joint planning cell and the conduct of joint operations within national borders against drug traffickers, and looking forward to the continued implementation of the Triangular Initiative,

Also welcoming the announcement by the Government of Pakistan that it will act as host to the third ministerial meeting of the Triangular Initiative in Islamabad in June 2009,

1. *Requests* the international community, in particular countries of destination, to provide, based on the principle of shared responsibility, urgent and sufficient technical assistance and support to the most affected transit States, in order to promote the capacities of such States to counter the flow of illicit drugs;

2. *Urges* all Member States and the United Nations Office on Drugs and Crime to provide or facilitate the provision of the technical assistance and support needed for implementing the initiatives of Afghanistan, Iran (Islamic Republic of) and Pakistan, including the Triangular Initiative within the framework of the Paris Pact initiative and the Rainbow Strategy;

3. *Urges* the relevant international organizations, financial institutions and donors to support and provide the necessary technical and financial assistance to the States most affected by the transit of illicit drugs and to Afghanistan, including by building and promoting human resource capacity available in those States and by

providing relevant technical equipment and facilities, thus enabling those States to combat drug trafficking more effectively;

4. *Urges* the United Nations Office on Drugs and Crime and Member States with the capacity to do so to organize training seminars and workshops for the relevant law enforcement agencies of Afghanistan and its neighbouring States most affected by the transit of drugs in order to strengthen the capacities of those agencies to respond to drug-related threats, including those posed by synthetic drugs, especially amphetamine-type stimulants, and by the diversion of precursor chemicals;

5. *Requests* Member States to consider ways and means of paying proper tribute to law enforcement officers who have given their lives in the fight against drug trafficking and to consider providing the names of those officers for inclusion in an online roll of honour to be hosted by the United Nations Office on Drugs and Crime;

6. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Narcotic Drugs, at its fifty-third session, on the implementation of the present resolution.

Resolution 52/3

International support to States in East Africa in their efforts to combat drug trafficking

The Commission on Narcotic Drugs,

Recalling the provisions of the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,⁸ the Convention on Psychotropic Substances of 1971⁹ and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,¹⁰

Recalling also the Political Declaration adopted by the General Assembly at its twentieth special session,¹¹ in which Member States reaffirmed their unwavering determination and commitment to overcoming the world drug problem through domestic and international strategies to reduce both the illicit supply of and the demand for drugs,

Aware that, in the Political Declaration on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs, Member States recognized that transit States were faced with multifaceted challenges,

Taking into account the challenges faced by States situated along the new international trafficking routes and the horrendous effects resulting from the traffic in illicit drugs through the territory of those States,

⁸ United Nations, *Treaty Series*, vol. 976, No. 14152.

⁹ Ibid., vol. 1019, No. 14956.

¹⁰ Ibid., vol. 1582, No. 27627.

¹¹ General Assembly resolution S-20/2, annex.

Taking note with concern of the information contained in reports of the United Nations Office on Drugs and Crime, including the annual World Drug Report, and in reports of the International Narcotics Control Board, in which it is emphasized that the countries in the East African subregion, in particular Ethiopia and Kenya, are increasingly being used by drug traffickers,

Deeply concerned that East Africa is emerging as a main transit area used for smuggling consignments of illicit drugs, especially heroin, destined for international markets,

Fully aware of the threat that drug trafficking and abuse pose to safety, security, stability, development, the rule of law and public health in those countries and of the fact that other organized criminal activities closely linked with drug trafficking may operate to the detriment of the subregion and the international community if not contained without delay,

Recognizing that the problem of the transit of illicit drugs may hinder the development of States in the subregion and aggravate the socio-economic challenges faced by them and that such a problem requires the adoption and implementation of a holistic approach,

Realizing that most States in East Africa require technical support and financial assistance to deal effectively with the problem of drug trafficking,

Acknowledging the ongoing efforts of States in East Africa and of the African Union, including the Revised African Union Plan of Action on Drug Control and Crime Prevention (2007-2012),

Recognizing the need for a coordinated and sustainable response to addressing the problem of the transit of illicit drugs through East Africa, in particular coordination among donors, as well as the development of local capacity and ownership of the process by the States in the subregion,

1. *Reaffirms* its determination and commitment to grapple with the world drug problem in all its manifestations, using a common, coordinated and balanced approach based on the principle of shared responsibility, including with regard to the increasing use of East Africa as a transit area for heroin consignments destined for international markets;

2. *Invites* Member States and relevant international organizations to intensify their efforts in support of those East African States most affected by the problem of drug trafficking, in particular Ethiopia and Kenya, bearing in mind the specific dimensions of the problem in those States and the need to combat the problem ab initio;

3. *Urges* international financial institutions and other potential donors to provide financial assistance to East African States affected by the traffic in illicit drugs through their territory and to assist them in empowering and building the capacity of locally available human resources so that those States may intensify their efforts to combat drug trafficking;

4. *Urges* the States in East Africa to continue their efforts to combat drug trafficking;

5. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to facilitate the coordination of efforts, in consultation with the States of East Africa and international partners, to address the problem of the smuggling of heroin through East Africa;

6. *Also requests* the Executive Director to report to the Commission, at its fifty-fourth session, on the implementation of the present resolution.

Resolution 52/4

Progress made towards strengthening international support for States in West Africa in their efforts to combat drug trafficking

The Commission on Narcotic Drugs,

Recalling the provisions of the Single Convention on Narcotic Drugs of 1961,¹² that Convention as amended by the 1972 Protocol,¹³ the Convention on Psychotropic Substances of 1971¹⁴ and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,¹⁵

Recalling also its resolution 51/18, entitled “Strengthening international support for States in West Africa in their efforts to combat drug trafficking”, in which it called upon Member States and relevant international organizations, in coordination with the Economic Community of West African States, to strengthen ongoing initiatives and programmes, in particular those designed by States in West Africa and the Economic Community of West African States, and to facilitate the development of other relevant programmes in order to combat drug trafficking through West Africa by providing technical and financial assistance,

Taking into consideration the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted during the high-level segment of its fifty-second session, in which Member States reaffirmed their unwavering determination and commitment to overcoming the world drug problem through national and international strategies to reduce both the illicit supply of and the demand for drugs and recognized that action against the world drug problem was a common and shared responsibility requiring an integrated and balanced approach, with full respect for the sovereignty of States,

Bearing in mind that at the meeting of the Security Council held on 21 January 2009 at which the Council considered the report of the Secretary-General on the United Nations Office for West Africa,¹⁶ speakers highlighted the critical situation related to drug trafficking and organized crime and the need for immediate action and a concerted response to that scourge, which posed a serious threat to security and stability in the subregion, and called for joint efforts to address the impact of drug trafficking and related crime through implementation of the Regional Response

¹² United Nations, *Treaty Series*, vol. 520, No. 7515.

¹³ Ibid., vol. 976, No. 14152.

¹⁴ Ibid., vol. 1019, No. 14956.

¹⁵ Ibid., vol. 1582, No. 27627.

¹⁶ S/2009/39.

Action Plan, adopted, together with the Political Declaration on the Prevention of Drug Abuse, Illicit Drug Trafficking and Organized Crime in West Africa, by the Heads of State and Government of the Economic Community of West African States in Abuja on 19 December 2008,

Also bearing in mind that the Secretary-General, in his report to the Security Council on the United Nations Office for West Africa, reiterated his appeal to the international community to support the subregion in facing the formidable challenge posed by drug trafficking and stressed the critical importance of building capacity in the countries of the subregion and mobilizing resources to help regional States in confronting the threat at the national and cross-border levels,¹⁷

Recalling that the Secretary-General, in his address to the African Union at its summit meeting on 2 February 2009, stated that drug trafficking posed a major challenge to security and governance in West Africa and that the United Nations and the Economic Community of West African States were working closely to roll back that dangerous phenomenon,

Fully aware of the threats that illicit drug trafficking can pose to safety, security, stability, development, the rule of law and public health in the countries of West Africa and of the risk that other organized criminal activities and threats closely linked with drug trafficking may affect the subregion,

Aware of the likely adverse consequences of trafficking in illicit drugs on the population of the countries in West Africa, especially the harm to public health resulting from the abuse of illicit drugs,

Concerned that the progress made in the subregion in the areas of safety, security and stability may be undermined by the flow of illicit drugs from other subregions and the proceeds derived from the illicit drug trade, often fuelled by the activities of organized criminal groups,

Acknowledging the ongoing efforts of the States of West Africa, the African Union and the Economic Community of West African States to address the problem of illicit drugs in Africa,

Welcoming the progress made in the implementation of the Guinea-Bissau programme entitled “Combating and preventing drug trafficking to and from Guinea-Bissau: promoting the rule of law and the effective administration of justice, 2007-2010” through the provision of equipment and specialized training in investigation and the strengthening of judicial police entities,

Aiming to provide an effective response to the growing phenomenon of drug trafficking through West Africa, with the full participation and involvement of the States of West Africa and with the support of the international community,

1. *Notes with appreciation* the convening by the Executive Director of the United Nations Office on Drugs and Crime of an informal ministerial session on West Africa to discuss the growing threat of drug trafficking and related crimes in West Africa, with a special focus on the Sahel, held in parallel with the seventeenth session of the Commission on Crime Prevention and Criminal Justice, on 15 April

¹⁷ Ibid., para. 32.

2008, and the report of the Office on drug trafficking as a security threat in West Africa;

2. *Welcomes* the organization and successful outcome of the Economic Community of West African States Ministerial Conference on Drug Trafficking as a Security Threat to West Africa, organized with the support of the United Nations Office on Drugs and Crime and the United Nations Office for West Africa and in partnership with the European Union, and held in Praia on 28 and 29 October 2008;

3. *Also welcomes* the adoption of the Political Declaration on the Prevention of Drug Abuse, Illicit Drug Trafficking and Organized Crime in West Africa and the Regional Response Action Plan, adopted by the Heads of State and Government of the Economic Community of West African States in Abuja on 19 December 2008, in which Heads of State and Government called for a concerted response to the challenges of drug trafficking and related crimes, directed the Commission of the Economic Community of West African States to prepare an implementation plan and called on development partners to support that plan;

4. *Takes note* of the commitments made by States members of the Economic Community of West African States in the Political Declaration and the Regional Response Action Plan as an expression of the political commitment of those States to confronting the threats of drug trafficking, other forms of organized crime and drug abuse in those States;

5. *Reaffirms* its determination and commitment to confronting the world drug problem in all its manifestations, with a common, coordinated and balanced approach by Member States and in accordance with the principle of shared responsibility, expresses the conviction that the world drug problem must be addressed in a multilateral setting and calls for the international community and development partners to provide assistance for the implementation of the Regional Response Action Plan;

6. *Calls upon* Member States, especially the main countries of origin, transit and destination of consignments of illicit drugs, in particular cocaine, that are smuggled through West Africa, to strengthen their efforts to reduce the supply of, trafficking in and demand for illicit drugs, in conformity with the provisions of the international drug control treaties;

7. *Encourages* Member States and multilateral organizations to collaborate with the States of West Africa on drug control measures, including, as appropriate, law enforcement cooperation, in order to enhance knowledge of drug trafficking operations and to facilitate and strengthen the prosecution of those involved in drug trafficking and the laundering of the proceeds of drug trafficking;

8. *Invites* Member States and relevant intergovernmental and international organizations and non-governmental organizations to provide financial and material assistance, including expertise, to support the Commission of the Economic Community of West African States and States members of the Community in their efforts to counter drug trafficking and prevent drug abuse through the Regional Response Action Plan;

9. *Calls on* Member States, and invites all donors and regional organizations, to strengthen their technical assistance programmes and cooperation with the Commission of the Economic Community of West African States and States

members of the Community, within the framework of the implementation of the Regional Response Action Plan;

10. *Endorses* the integrated approach taken in the implementation of the Regional Response Action Plan, led by the United Nations Office on Drugs and Crime in partnership with the Department of Peacekeeping Operations of the Secretariat, the United Nations Office for West Africa and the International Criminal Police Organization (INTERPOL), with the support of the European Commission;

11. *Welcomes* the continued support of the European Union in the implementation of the Regional Response Action Plan;

12. *Invites* the Commission of the Economic Community of West African States to share with it the reports on the progress made towards implementation of the Political Declaration and Regional Response Action Plan, to be submitted to the ordinary summits of Heads of State of the Economic Community of West African States in 2009, 2010 and 2011;

13. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission, at its fifty-fourth session, on the implementation of the present resolution.

Resolution 52/5

Exploration of all aspects related to the use of cannabis seeds for illicit purposes

The Commission on Narcotic Drugs,

Recalling the Single Convention on Narcotic Drugs of 1961,¹⁸ that Convention as amended by the 1972 Protocol,¹⁹ the Convention on Psychotropic Substances of 1971²⁰ and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,²¹

Considering the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development,²² adopted by the General Assembly at its twentieth special session,

Recalling General Assembly resolution 59/160 of 20 December 2004,

Noting that the International Narcotics Control Board, in its report for 2008,²³ drew attention to the problem of the misuse of postal and courier services for the purpose of drug trafficking, including the shipment of cannabis seeds,

Stressing that cannabis is one of the most widely produced, trafficked and abused illicit drugs worldwide,

¹⁸ United Nations, *Treaty Series*, vol. 520, No. 7515.

¹⁹ Ibid., vol. 976, No. 14152.

²⁰ Ibid., vol. 1019, No. 14956.

²¹ Ibid., vol. 1582, No. 27627.

²² General Assembly resolution S-20/4 E.

²³ *Report of the International Narcotics Control Board for 2008* (United Nations publication, Sales No. E.09.XI.1).

Noting that a number of Member States have reported an increase in the availability of cannabis plant, notably of cannabis plant cultivated indoors, and an average overall increase in the tetrahydrocannabinol content of some varieties of cannabis plant,

Stressing the health effects of cannabis as reported by the World Health Organization in *Cannabis: a Health Perspective and Research Agenda*, published in 1997, which is the only international assessment of cannabis,

Deeply concerned about the abuse of cannabis, especially among young people, often leading to risk-taking behaviour, and about the health and social consequences associated with the abuse of cannabis, in particular the abuse of varieties of cannabis plant with a high content of tetrahydrocannabinol,

Also deeply concerned about trafficking in cannabis,

Concerned that there is a trend in some regions for illicit opium poppy crops to be replaced with cannabis crops,

Emphasizing the primary importance of international cooperation in combating trafficking in and the abuse of cannabis, paying attention to trafficking in cannabis seeds derived from illicitly cultivated cannabis plants,

Noting that the focus of the present resolution is the use of cannabis seeds for the illicit cultivation of cannabis plants,

Recognizing that cannabis seeds are tradable goods not controlled by the international drug control conventions,

1. *Urges* all Member States to take strong measures against the illicit cultivation of cannabis plant, in compliance with the Single Convention on Narcotic Drugs of 1961;²⁴

2. *Requests* the United Nations Office on Drugs and Crime to share information regarding the health risks posed by cannabis with the Expert Committee on Drug Dependence of the World Health Organization, and, in that regard, looks forward to an updated report on cannabis by the Expert Committee, subject to the availability of extrabudgetary resources;

3. *Requests* the International Narcotics Control Board, within its mandate under the international drug control treaties and, as appropriate, in cooperation with other competent international bodies, to gather from Member States regulatory information on cannabis seeds, including on the sale of cannabis seeds through the Internet, and to share that information with Member States;

4. *Requests* the United Nations Office on Drugs and Crime to conduct a global survey on cannabis seeds, starting with a market survey, and to report to the Commission, at its fifty-third session, on the results of that survey, and invites Member States and other donors to provide extrabudgetary contributions for those purposes in accordance with the rules and procedures of the United Nations;

5. *Urges* all Member States to consider not allowing trade in cannabis seeds for illicit purposes;

²⁴ United Nations, *Treaty Series*, vol. 520, No. 7515.

6. Requests the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission, at its fifty-third session, on the implementation of the present resolution.

Resolution 52/6

Promoting best practices and lessons learned for the sustainability and integrality of alternative development programmes

The Commission on Narcotic Drugs,

Bearing in mind the provisions of the Single Convention on Narcotic Drugs of 1961,²⁵ that Convention as amended by the 1972 Protocol,²⁶ the Convention on Psychotropic Substances of 1971²⁷ and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,²⁸

Recalling the Political Declaration adopted by the General Assembly at its twentieth special session,²⁹ the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development,³⁰ the Universal Declaration of Human Rights³¹ and the United Nations Millennium Declaration,³² in particular the millennium development goals of eradicating extreme poverty and hunger (goal 1) and ensuring environmental sustainability (goal 7),

Taking into consideration the reports of the United Nations Office on Drugs and Crime and the report of the International Narcotics Control Board for 2008³³ and reaffirming Economic and Social Council resolutions 2003/37 of 22 July 2003, 2006/33 of 27 July 2006 and 2008/26 of 24 July 2008 and Commission on Narcotic Drugs resolutions 45/14 and 48/9,

Stressing the commitments contained in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs,

1. *Acknowledges* that alternative development³⁴ is an important component in generating and promoting lawful, viable and sustainable economic alternatives to the illicit cultivation of drug crops and is one of the key components of the policy and programmes for reducing illicit drug production;

²⁵ Ibid.

²⁶ Ibid., vol. 976, No. 14152.

²⁷ Ibid., vol. 1019, No. 14956.

²⁸ Ibid., vol. 1582, No. 27627.

²⁹ General Assembly resolution S-20/2, annex.

³⁰ General Assembly resolution S-20/4 E.

³¹ General Assembly resolution 217 A (III).

³² General Assembly resolution 55/2.

³³ Report of the International Narcotics Control Board for 2008 (United Nations publication, Sales No. E.09.XI.1).

³⁴ In accordance with Economic and Social Council resolutions 2006/33, 2007/12 (annex) and 2008/26, the concept of alternative development includes preventive alternative development.

2. *Recognizes the role played by developing countries with extensive expertise in alternative development, which includes in some cases preventive alternative development, and the importance of promoting a set of best practices and lessons learned in those areas and of sharing them with States affected by illicit cultivation of drug crops and with States facing the risks of illicit cultivation of drug crops, with a view to using those best practices and lessons learned, where appropriate, in accordance with the national specificities of each State and in line with the international drug control conventions, the Political Declaration adopted by the General Assembly at its twentieth special session³⁵ and the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs;*

3. *Notes that the above-mentioned best practices and lessons learned may include:*

- (a) *The collection of data and the development of assessment tools, taking into account the specific characteristics of the target area;*
- (b) *The long-term political commitment and involvement of local and regional authorities, civil society, the private sector and grass-roots communities in the formulation, implementation, evaluation and monitoring of programmes focusing on the sustainability and integrality of uplifting people's livelihoods, thereby building trust among all stakeholders;*
- (c) *The promotion of organizations of producers, such as farmer associations, cooperatives or other organizations;*
- (d) *The participation of governments at the local and regional levels in the long-term financing and management of those programmes;*
- (e) *The diversification of market-driven production, including for export-oriented goods, consistent with multilateral trade rules;*
- (f) *The building of producers' capacities with regard to issues of enterprise management, product quality development, value-added production chains and trade capabilities in national and international markets;*
- (g) *The establishment of public-private partnerships to provide producers with technical and financial support;*
- (h) *The long-term investment by Governments in the development of social and productive infrastructure for the sustainability of programmes;*
- (i) *The fostering of private investment in agro-industry, reforestation and tourism in the target area;*
- (j) *The use of the relevant United Nations Development Programme indicators reflecting the Millennium Development Goals;*
- (k) *The fostering of bilateral agreements for the exchange of experiences, including for policy orientation and capacity-building activities;*

³⁵ General Assembly resolution S-20/2, annex.

(l) The recognition of experiences of States in different regions of the world, such as Colombia, Ecuador, Peru and Thailand;

(m) The incorporation of appropriate measures to encourage the above-mentioned programmes, including revenue-generating activities, and to discourage the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances, where appropriate and in accordance with the national specificities of each State;

4. *Urges* Governments, in conformity with the principle of common and shared responsibility, and multilateral agencies and international and regional financial institutions to increase and sustain their support of integrated and sustainable alternative development programmes and, where appropriate, preventive alternative development programmes, and to strengthen cross-border bilateral, subregional and regional technical assistance and cooperation, including South-South cooperation;

5. *Calls upon* Member States, consistent with their national and international obligations, and relevant international organizations to consider measures enabling the products of the above-mentioned programmes to have easier access to markets, taking into account applicable multilateral trade rules;

6. *Requests* the United Nations Office on Drugs and Crime, as appropriate, in collaboration with relevant international bodies, to continue promoting best practices and lessons learned from the above-mentioned programmes, including by organizing an international conference on that topic in 2010, and invites Member States and other donors to provide extrabudgetary contributions for that purpose in accordance with the rules and procedures of the United Nations;

7. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission, at its fifty-third session, on the measures taken and on progress achieved in the implementation of the present resolution.

Resolution 52/7

Proposal concerning quality evaluation of the performance of drug analysis laboratories

The Commission on Narcotic Drugs,

Recalling General Assembly resolutions 49/168, section II, of 23 December 1994 and 52/92, section II, of 12 December 1997, in which the Assembly requested the United Nations International Drug Control Programme, now called the United Nations Office on Drugs and Crime, to continue providing assistance to Member States requesting support in establishing or strengthening national drug detection laboratories,

Recalling also Economic and Social Council resolution 2003/32 of 22 July 2003, in which the Council urged relevant international organizations, in consultation with the United Nations Office on Drugs and Crime, to provide financing and other support for the training of experts in various subjects related to

the fight against the world drug problem, with particular emphasis on, inter alia, drug-testing laboratories and laboratory quality assurance,

Recognizing, in accordance with its resolution 50/4, the important role of drug analysis laboratories as part of national drug control systems and the value of laboratory results and data to criminal justice systems, law enforcement and health authorities and policymakers, and recognizing that the quality of the analysis and results of such laboratories has significant implications for the justice system, law enforcement and preventive health care, as well as for the international harmonization and worldwide exchange and coordination of drug information and data,

Acknowledging, in accordance with its resolution 50/4, the added value of the international quality assurance support of the United Nations Office on Drugs and Crime in providing means for the continued monitoring of the situation of laboratories throughout the world and in identifying factors affecting laboratory performance and areas where improvements can be made, including how best to target support, thus providing an evidence base for technical assistance projects and for monitoring their effectiveness,

Recognizing the cost-effectiveness of having a sustainable international network of laboratories and scientific support services allowing the transfer of specialized technical and forensic expertise from States with adequate resources to those in need of assistance, in order to promote equality and reduce gaps between Member States,

Concerned about the growing need for laboratories, including forensic and other laboratories, to be certified with respect to good laboratory practices in drug analysis and about the lack of an international certification programme and certification authority,

Also concerned about the differences between Member States in terms of the technical level of their scientific and laboratory services, which prevent the comparison of expert results between laboratories,

1. *Recommends* that the United Nations Office on Drugs and Crime continue to support the analytical work of laboratories and the training of experts;

2. *Requests* the United Nations Office on Drugs and Crime to continue to evaluate, upon request, the performance of laboratories through its quality assurance programme for drug analysis laboratories and to provide such services at a reasonable cost to Member States participating in the programme, thus ensuring, to the extent possible, the sustainability and self-sufficiency of the quality assurance programme;

3. *Invites* Member States to consider a certification process coordinated by the United Nations Office on Drugs and Crime, and requests the Office to report to the Commission, at its fifty-third session, on progress made in that regard, taking into account, inter alia, the results of the quality assurance programme;

4. *Calls upon* Member States and subregional, regional and international entities to contribute, in all areas within their purview, to the work of the United Nations Office on Drugs and Crime set out in the present resolution, in particular by providing expertise for the development of cooperative networks among

laboratories and scientists and by exploring innovative ways to ensure the more effective exchange of expertise and information worldwide.

Resolution 52/8

Use of pharmaceutical technology to counter drug-facilitated sexual assault (“date rape”)

The Commission on Narcotic Drugs,

Recalling the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,³⁶ in which it is stated that scientific and forensic findings enrich policy and trend analysis by providing the basis for accurate information in specific areas,

Recalling also its resolution 48/1 on promoting the sharing of information on emerging trends in the abuse of and trafficking in substances not controlled under the international drug control conventions,

Concerned about the scale of the problem of the use, by predators, of licit and illicit substances, both under international control and not under international control, *inter alia*, alcohol (in fruit drinks, beer, wine and spirits), alprazolam, 1,4-butanediol, *gamma*-butyrolactone, cannabis, chloral hydrate, clonazepam, diazepam, flunitrazepam, *gamma*-hydroxybutyric acid (GHB), ketamine, meprobamate, midazolam, phencyclidine, scopolamine, secobarbital, temazepam, triazolam and zolpidem, in order to incapacitate their victims and facilitate the commission of sexual assault (“date rape”),

Aware that its mandate pertains to controlled substances,

Recalling that, by its decision 4 (XXXVIII), flunitrazepam was transferred from Schedule IV to Schedule III of the Convention on Psychotropic Substances of 1971³⁷ and that, by its decision 44/3, GHB was included in Schedule IV of the 1971 Convention,

Recognizing that the International Narcotics Control Board, in its reports for 2004,³⁸ 2005³⁹ and 2006,⁴⁰ noted the widespread abuse of substances, in particular ketamine, not subject to control under the international drug control treaties,

Welcoming the decision by the World Health Organization to conduct a critical review of ketamine,

Noting the work being carried out in other international forums to consider the implementation of legislation on offences involving the use of drugs as a means of committing other offences,

³⁶ Economic and Social Council resolution 2007/12, annex.

³⁷ United Nations, *Treaty Series*, vol. 1019, No. 14956.

³⁸ *Report of the International Narcotics Control Board for 2004* (United Nations publication, Sales No. E.05.XI.3).

³⁹ *Report of the International Narcotics Control Board for 2005* (United Nations publication, Sales No. E.06.XI.2).

⁴⁰ *Report of the International Narcotics Control Board for 2006* (United Nations publication, Sales No. E.07.XI.11).

Noting also the measures taken by certain pharmaceutical companies to safeguard their products against criminal use and, through the use of innovative pharmaceutical technology, to discourage such use and alert potential victims to the contamination of their drinks by causing the drinks to turn blue,

1. *Urges Member States, in accordance with the mandates of the Commission on Narcotic Drugs, to address the emerging problem of the use of substances to facilitate the commission of sexual assault (“date rape”), which affects many Member States, by adopting measures such as the enhancement of public awareness;*

2. *Also urges Member States, as appropriate and consistent with their national legal frameworks, to consider imposing stricter controls on those substances or taking other measures aimed at discouraging the use of such substances for the commission of drug-facilitated sexual assault, including with regard to those substances not under international control;*

3. *Invites industries concerned to cooperate in developing formulations with safety features, such as dyes and flavourings, to alert potential victims to the contamination of their drinks, without affecting the bioavailability of the active ingredients in legitimate drugs;*

4. *Urges Member States to share, through bilateral, regional and international channels, information on emerging trends in the use of drugs to commit such offences.*

Resolution 52/9

Strengthening measures against the laundering of assets derived from drug trafficking and related offences

The Commission on Narcotic Drugs,

Recognizing that an international framework for countering the laundering of assets derived from drug trafficking has been established through the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,⁴¹

Recalling that, in the Political Declaration adopted by the General Assembly at its twentieth special session,⁴² Member States undertook to make special efforts against the laundering of money linked to drug trafficking,

Recalling also that the General Assembly, at its twentieth special session, adopted measures to enhance international cooperation to counter the world drug problem,⁴³ including measures for countering money-laundering,⁴⁴ in which the Assembly recognized that the problem of laundering of money derived from, inter alia, illicit trafficking in narcotic drugs had become a global threat,

⁴¹ United Nations, *Treaty Series*, vol. 1582, No. 27627.

⁴² General Assembly resolution S-20/2, annex.

⁴³ General Assembly resolutions S-20/4 A to E.

⁴⁴ General Assembly resolution S-20/4 D.

Reaffirming the commitment made by Member States in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted during the high-level segment of the fifty-second session of the Commission, to implementing effectively that Political Declaration and its Plan of Action and to strengthening the implementation of regimes for countering money-laundering, and stressing the need to respond to the challenges posed by the links between drug trafficking and other forms of organized crime,

Bearing in mind the Global Programme against Money-Laundering, established in 1997 in response to the mandate entrusted to the United Nations Office on Drugs and Crime pursuant to the 1988 Convention,

Noting that the General Assembly, in its resolution 63/197 of 18 December 2008, entitled "International cooperation against the world drug problem", urged all States to strengthen their efforts to achieve the goals set at the twentieth special session of the Assembly by promoting national and international initiatives to eliminate or reduce significantly transnational criminal activities, including money-laundering, and to strengthen action, in particular international cooperation and technical assistance, aimed at preventing and combating the laundering of proceeds derived from drug trafficking and related criminal activities,

Bearing in mind that the United Nations Convention against Transnational Organized Crime⁴⁵ and the United Nations Convention against Corruption⁴⁶ provide a framework for countering money-laundering,

Welcoming the report of the meeting of the open-ended intergovernmental expert working group on countering money-laundering and promoting judicial cooperation held in Vienna on 30 June and 1 July 2008,⁴⁷

Recognizing that strengthening national and international measures against the laundering of assets derived from drug trafficking will contribute to weakening the economic power of criminal organizations engaged in drug trafficking and related offences, such as trafficking in firearms and the diversion of precursor chemicals,

Recognizing also that the cultivation of illicit drug crops and the illicit production, manufacture and distribution of and trafficking in drugs have increasingly merged to form a consolidated organized crime industry generating enormous amounts of money laundered through the financial and other sectors,

Taking note of the initiative on financial flows in and around Afghanistan and the meeting on that subject held within the framework of the Paris Pact initiative in Vienna on 6 and 7 November 2008,

Also taking note of the work undertaken and the progress achieved in countering money-laundering within the framework of specialized regional and international bodies, such as the World Bank, the International Monetary Fund, the Egmont Group of Financial Intelligence Units, the Financial Action Task Force on Money Laundering (FATF) and the FATF-style regional bodies, the Organization for

⁴⁵ United Nations, *Treaty Series*, vol. 2225, No. 39574.

⁴⁶ Ibid., vol. 2349, No. 42146.

⁴⁷ UNODC/CND/2008/WG2/3.

Economic Cooperation and Development, the International Criminal Police Organization (INTERPOL) and the World Customs Organization,

Bearing in mind that the laundering of assets derived from drug trafficking and drug-related offences can deprive Member States of substantial resources that could otherwise be used to further their development,

1. *Urges* States parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988⁴⁸ to apply fully the provisions of that Convention, in particular with regard to the laundering of assets derived from drug trafficking, and invites Member States that have not yet done so to consider taking measures to ratify or accede to the Convention;

2. *Invites* States parties to the United Nations Convention against Transnational Organized Crime⁴⁹ and the United Nations Convention against Corruption⁵⁰ to apply fully the provisions of those conventions, in particular with a view to countering money-laundering, and invites Member States that have not yet done so to consider taking measures to ratify or accede to those conventions;

3. *Urges* Member States, in accordance with their national legal frameworks, to strengthen bilateral, regional and international cooperation for combating the laundering of assets derived from drug trafficking, in particular with respect to information exchange, above all among financial intelligence units and other competent authorities engaged in countering the laundering of money and other assets, and invites Member States to enhance effective international judicial cooperation in detecting and prosecuting those involved in money-laundering and such cooperation in developing witness protection programmes;

4. *Encourages* Member States that are in a position to do so to provide training and technical assistance to States requesting such assistance, particularly for building the capacity of institutions to counter the laundering of assets;

5. *Invites* Member States, where appropriate, to review and strengthen their national legislation against the laundering of assets derived from drug trafficking and drug-related offences and to review the criminal and administrative penalties applicable to such offences, in conformity with relevant international standards;

6. *Also invites* Member States, where appropriate and in accordance with their national legal frameworks, to expand the predicate offences to the crime of money-laundering to include, at a minimum, serious offences that facilitate drug trafficking, including those related to new forms of criminal activity, such as the misuse of new technologies, cyberspace and electronic money transfer systems, and to the smuggling of cash across borders;

7. *Urges* Member States to establish or, where applicable, strengthen national institutions specializing in financial intelligence by allowing them to receive, obtain, analyse and disseminate information relevant to the prevention, detection and countering of money-laundering. In addition, such institutions should have the ability to facilitate, in accordance with the national legal frameworks, the exchange of such information with relevant international partners;

⁴⁸ United Nations, *Treaty Series*, vol. 1582, No. 27627.

⁴⁹ Ibid., vol. 2225, No. 39574.

⁵⁰ Ibid., vol. 2349, No. 42146.

8. *Calls upon* Member States to promote, in accordance with their national legal frameworks, the sharing of information between law enforcement authorities to facilitate criminal investigations and prosecutions;

9. *Urges* Member States to make use of available state-of-the-art technologies and techniques to investigate and prosecute the laundering of assets derived from drug trafficking in recognition of the fact that such laundering is a phenomenon in constant evolution, always involving new methods;

10. *Also urges* Member States to adopt appropriate measures, including, where feasible, monitoring measures, to prevent the use of cash transactions and negotiable bearer instruments for the purpose of laundering the proceeds of drug trafficking and related offences;

11. *Calls upon* Member States, in accordance with their national legislation, to complement national and international measures against the laundering of assets derived from drug trafficking through such strategies as the establishment of procedures for the forfeiture of the proceeds of drug-related crime, by natural or legal persons, and of the right of ownership in respect of assets proved to be of illegal origin and, pursuant to article 5 of the 1988 Convention, to conclude agreements on sharing funds that have been transferred abroad as the result of illegal acts, with the aim of weakening the economic power of criminal organizations engaged in drug trafficking and related offences;

12. *Suggests* that Member States consider establishing transparent mechanisms to distribute confiscated funds derived from activities linked to drug trafficking and related offences to help finance law enforcement and international cooperation activities and that Member States consider implementing mechanisms and strategies in support of measures against the laundering of assets derived from drug trafficking and related offences;

13. *Invites* Member States, consistent with their international obligations, to ensure that banking secrecy laws do not constitute an impediment to criminal investigations into the laundering of assets derived from drug trafficking and related offences so as to avoid undermining the effectiveness of mechanisms against the laundering of assets;

14. *Requests* the United Nations Office on Drugs and Crime to continue, within its mandate, to provide technical assistance and training, upon request, for preventing and countering the laundering of assets derived from drug trafficking with a view to ensuring that the problem is better understood and receives greater attention, particularly among judges, investigators and prosecutors, and to cooperate with relevant specialized international and regional bodies to that effect, and invites Member States and other donors to provide extrabudgetary contributions for those purposes in accordance with the rules and procedures of the United Nations;

15. *Urges* Member States to promote the involvement of the private sector, including financial entities, in preventing activities that may be linked to the laundering of assets derived from drug trafficking and related offences, with a view to addressing that scourge in a comprehensive manner;

16. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to transmit the text of the present resolution to all Member States.

Resolution 52/10

Strengthening interregional cooperation among the States of Latin America and the Caribbean and the States of West Africa in combating drug trafficking

The Commission on Narcotic Drugs,

Recalling the Political Declaration adopted by the General Assembly at its twentieth special session,⁵¹ in which Member States reaffirmed their unwavering determination and commitment to overcoming the world drug problem through domestic and international strategies to reduce both the illicit supply of and the demand for drugs and recognized that action against the world drug problem was a common and shared responsibility requiring an integrated and balanced approach with full respect for the sovereignty and territorial integrity of States,

Concerned that West Africa is emerging as a major transit area for consignments of illicit drugs, especially cocaine from Latin America, intended for international markets, particularly in Europe,

Noting that the majority of States in West Africa, in particular those most affected by the problem of drug trafficking, require financial and technical support in order to take effective action against that problem,

Recalling the deliberations of the meetings of the heads of national drug law enforcement agencies, Africa, held in 2006, 2007 and 2008, during which the importance of establishing and maintaining contacts among the drug law enforcement agencies of the States of Latin America and the Caribbean and the States of West Africa in order to counter the increase in cocaine trafficking was underscored,

Recalling also the recommendations adopted at the Eighteenth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, held in Tegucigalpa from 13 to 17 October 2008, in which it was emphasized that the Governments of States in that region should promote greater cooperation and coordination between their drug law enforcement authorities and their counterparts in West Africa in order to identify and arrest those responsible for trafficking in cocaine between the region of Latin America and the Caribbean and the African continent,

Recognizing the efforts of the United Nations Office on Drugs and Crime to arrange for the participation of representatives of African States in the meetings of heads of national drug law enforcement agencies, Latin America and the Caribbean, with a view to establishing and facilitating contact among national drug law enforcement agencies on both sides of the Atlantic and improving the exchange between the two regions of information and intelligence on drug trafficking,

Acknowledging with appreciation the offer by the Bolivarian Republic of Venezuela to act as host to the Nineteenth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean,

⁵¹ General Assembly resolution S-20/2, annex.

1. *Invites* the Government of the Bolivarian Republic of Venezuela, as host of the Nineteenth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, to revise, in consultation with Member States and the United Nations Office on Drugs and Crime, the agenda of the Nineteenth Meeting in order to ensure that particular focus is placed on cooperation among the bodies involved in tackling drug trafficking between the States of Latin America and the Caribbean and the States of Africa, in particular West Africa;
2. *Invites* the Member States concerned to participate in the Nineteenth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, and to provide resources through the United Nations Office on Drugs and Crime to ensure the participation of senior officials of drug law enforcement agencies from States in West Africa, particularly from those States affected by drug trafficking;
3. *Requests* the Secretariat to include in its report to the Commission at its fifty-third session on action taken by the subsidiary bodies of the Commission the recommendations adopted by the Nineteenth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, on how to improve cooperation between the States of Latin America and the Caribbean and the States of West Africa in combating drug trafficking, for consideration and action by the Commission.

Resolution 52/11

Follow-up to the Ministerial Conference on Illicit Drug Trafficking, Transnational Organized Crime and Terrorism as Challenges for Security and Development in the Caribbean

The Commission on Narcotic Drugs,

Reaffirming the commitments contained in the Political Declaration on Combating Illicit Drug Trafficking, Organized Crime, Terrorism and Other Serious Crime in the Caribbean, which was adopted by ministers of Antigua and Barbuda, Barbados, Belize, Cuba, the Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago at the Ministerial Conference on Illicit Drug Trafficking, Transnational Organized Crime and Terrorism as Challenges for Security and Development in the Caribbean, held in Santo Domingo from 17 to 20 February 2009,

Concerned about transnational organized crime, drug trafficking and related offences and the fact that local crime is increasing and taking new forms, owing in part to the geographical location of the Caribbean as a transit area between countries that are major producers of illicit drugs and those that are major consumers of such drugs,

Bearing in mind the provisions of the Single Convention on Narcotic Drugs of 1961,⁵² that Convention as amended by the 1972 Protocol,⁵³ the Convention on

⁵² United Nations, *Treaty Series*, vol. 520, No. 7515.

Psychotropic Substances of 1971⁵⁴ and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,⁵⁵

Also bearing in mind the provisions of the United Nations Convention against Transnational Organized Crime and the Protocols thereto⁵⁶ and the United Nations Convention against Corruption,⁵⁷

Taking note with concern of the information contained in the report on crime, violence and development with respect to trends, costs and policy options in the Caribbean, prepared by the United Nations Office on Drugs and Crime and the World Bank in 2007, in which it is stated that the high rates of crime and violence in the subregion have direct effects on human welfare and, in the long run, on economic growth and social development and that the drug trade is undoubtedly an important contributing factor to crime and violence in the subregion,

Aware that, at the high-level segment of the fifty-second session of the Commission on Narcotic Drugs, States reviewed the implementation of the goals and targets established by the General Assembly at its twentieth special session,

Reaffirming the principle of shared responsibility as the basis for a comprehensive, broad, balanced and sustainable approach to combating illicit drugs,

Recognizing the determination and efforts of the States of the Caribbean to combat drug trafficking, transnational organized crime and terrorism individually, bilaterally and multilaterally,

Recognizing also the work of the United Nations Office on Drugs and Crime in preparing the Political Declaration adopted in Santo Domingo and the action plan for the Caribbean,

1. *Welcomes* the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs;

2. *Encourages* the implementation of the Political Declaration on Combating Illicit Drug Trafficking, Organized Crime, Terrorism and Other Serious Crime in the Caribbean, adopted in Santo Domingo on 19 February 2009;

3. *Supports* the implementation of the action plan for the Caribbean and the establishment of the Santo Domingo partnership monitoring mechanism as a technical assistance project facilitating periodic consultations and strategic thinking between partners at the expert and policy levels, in order to jointly discuss, identify and set in motion coordinated actions to stem the increasing flow of illicit drugs smuggled through the Caribbean and address the drug abuse situation in countries of the subregion;

4. *Requests* the United Nations Office on Drugs and Crime to prepare, as soon as possible, a draft of the Santo Domingo partnership monitoring mechanism

⁵³ Ibid., vol. 976, No. 14152.

⁵⁴ Ibid., vol. 1019, No. 14956.

⁵⁵ Ibid., vol. 1582, No. 27627.

⁵⁶ Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

⁵⁷ Ibid., vol. 2349, No. 42146.

for approval by the States having signed the Political Declaration adopted in Santo Domingo and for submission to partners active at the subregional, regional and international levels in order to seek support for its implementation and financing;

5. *Also requests* the United Nations Office on Drugs and Crime to facilitate mobilization of the resources necessary for effective implementation of the action plan for the Caribbean and the Santo Domingo partnership monitoring mechanism;

6. *Urges* Member States, in accordance with the principle of shared responsibility, to provide voluntary contributions and technical assistance, in accordance with the rules and procedures of the United Nations, for the implementation of the Santo Domingo partnership monitoring mechanism;

7. *Invites* financial institutions and intergovernmental, non-governmental and international organizations to provide financial and technical assistance, including consultation services, in order to support the States of the Caribbean in their efforts to counter illicit drugs, organized crime, terrorism and financial crime;

8. *Encourages* the United Nations Office on Drugs and Crime to implement or strengthen, as the case may be, similar mechanisms at the subregional level with the States of Central America, North America and South America with a view to joining forces in combating organized crime, drug trafficking and terrorism;

9. *Requests* the United Nations Office on Drugs and Crime to provide periodic updates on the implementation of the present resolution.

Resolution 52/12

Improving the collection, reporting and analysis of data to monitor the implementation of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem

The Commission on Narcotic Drugs,

Bearing in mind the provisions of the Single Convention on Narcotic Drugs of 1961,⁵⁸ that Convention as amended by the 1972 Protocol,⁵⁹ the Convention on Psychotropic Substances of 1971⁶⁰ and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,⁶¹

Aware of the need to establish adequate procedures to fulfil the mandates assigned to it with regard to the examination of reports submitted in accordance with the above-mentioned treaties,

Recognizing the urgent need to improve both the quality and quantity of data on the cultivation of illicit drug crops and the illicit production and manufacture of and trafficking in narcotic drugs and psychotropic substances, including access to

⁵⁸ Ibid., vol. 520, No. 7515.

⁵⁹ Ibid., vol. 976, No. 14152.

⁶⁰ Ibid., vol. 1019, No. 14956.

⁶¹ Ibid., vol. 1582, No. 27627.

substances controlled under the international drug control conventions, and of data on the diversion of chemical precursors, the use of illicit drugs and the adverse consequences of drug abuse and the measures to address those problems, including data on prevention and treatment, for the purpose of developing evidence-based policies,

Bearing in mind the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs, in which Member States took account of the need for indicators and instruments for the collection and analysis of accurate, reliable and comparable data on all relevant aspects of the world drug problem and, where appropriate, the enhancement or development of new indicators and instruments,

Also bearing in mind that in the Political Declaration and Plan of Action, Member States committed themselves to report to the Commission on their efforts to fully implement the Political Declaration and Plan of Action,

Underscoring the importance of improving data collection tools in order to ensure a simple and more efficient process, thus encouraging and motivating a greater number of Member States to submit the required information on time and ensuring a more representative assessment, at the global level, of all relevant aspects of the world drug situation,

Recognizing the importance of building the capacity of Member States to collect and report such information,

1. *Invites* Member States to strengthen their efforts to review and improve data collection tools in order to attain an objective, scientific, balanced and transparent assessment of the progress made and the obstacles encountered in implementing the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted during the high-level segment of the fifty-second session of the Commission on Narcotic Drugs, and of all other relevant aspects of the world drug situation;

2. *Decides* to convene an open-ended intergovernmental expert group, and invites Member States and other donors to provide extrabudgetary contributions for that purpose, in accordance with the rules and procedures of the United Nations, in order to review the current data collection tools and collection, collation, analysis and reporting processes, based, *inter alia*, on the following general considerations:

- (a) The need to design a simple and efficient reporting system that will encourage more Member States to report, in a coordinated and integrated way, on their efforts, achievements and challenges in the area of illicit drug control, as well as provide information relating to the nature and extent of the world drug situation;
- (b) The need to identify deficiencies in existing reporting tools;
- (c) The need to avoid duplication of efforts to the extent possible by duly taking into account existing reporting procedures, including those of relevant regional and international bodies;

(d) The need for accurate, reliable and internationally comparable data on all relevant aspects of the world drug situation, bearing in mind the value of comparing those data with previously collected data where possible;

(e) The possibility of a single, comprehensive data collection tool;

(f) The importance of learning from the experience acquired by the United Nations Office on Drugs and Crime through the data collection mechanisms for the United Nations Convention against Transnational Organized Crime⁶² and the United Nations Convention against Corruption;⁶³

3. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to conduct a consultative process with Member States that draws on the technical knowledge of experts in data development and collection, information systems and the evaluation of public policies and programmes, and on practical experience in providing drug data, with due regard for the principle of equitable geographic representation and taking into account the general considerations enumerated in paragraph 2 above, and to submit to the open-ended intergovernmental expert group a report containing proposals in that regard;

4. *Invites* relevant international and regional organizations, upon request, to provide to the United Nations Office on Drugs and Crime information on their experiences in collecting drug-related data;

5. *Requests* the open-ended intergovernmental expert group to submit to the Commission, at its fifty-third session, for consideration and possible adoption, a revised set of data collection tools and mechanisms for the collection, collation, analysis and reporting of data;

6. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to submit to the Commission, at its fifty-third session, proposed measures to build the capacity of Member States to collect and report information.

Resolution 52/13

Improving the governance and financial situation of the United Nations Office on Drugs and Crime

The Commission on Narcotic Drugs,

Recalling its decision 51/1,

Recalling also the report of the Executive Director on the financial issues and difficulties faced by the United Nations Office on Drugs and Crime in implementing its mandates and an initial assessment of the ways and means of improving the financial situation,⁶⁴ the report of the Office of Internal Oversight Services on the inspection of programme management and administrative practices in the United Nations Office on Drugs and Crime⁶⁵ and the financial report and audited financial

⁶² Ibid., vol. 2225, No. 39574.

⁶³ Ibid., vol. 2349, No. 42146.

⁶⁴ E/CN.7/2008/11–E/CN.15/2008/15.

⁶⁵ MECD-2006-003.

statements for the biennium ended 31 December 2007 and the report of the Board of Auditors on the United Nations Office on Drugs and Crime,⁶⁶

Reaffirming the role of the Commission on Narcotic Drugs as the principal policymaking organ of the United Nations on matters of international drug control and as the governing body of the drug programme of the United Nations Office on Drugs and Crime,

Noting with concern the financial challenges facing the United Nations Office on Drugs and Crime as set out in the report of the Executive Director on the implementation of the consolidated budget for the biennium 2008-2009 for the Office,⁶⁷ in particular the shortfall in general-purpose funding,

1. *Adopts* the recommendations of the open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime, contained in the annex to the present resolution, subject to the provisions of the present resolution;

2. *Decides* to establish a standing open-ended intergovernmental working group on governance and finance, whose mandate shall be in effect until the session of the Commission to be held in the first half of 2011, at which time the Commission shall carry out a thorough review of the functioning of the working group and consider the extension of its mandate;

3. *Emphasizes* that the working group, in its formal and informal meetings, should be a forum for dialogue among Member States and between Member States and the Secretariat on the development of the programmes of the United Nations Office on Drugs and Crime;

4. *Recommends*, with regard to the recommendation contained in paragraph 10 of the report of the Secretariat on the recommendations of the open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,⁶⁸ through the Economic and Social Council, that the General Assembly, as part of the budget process for the biennium 2010-2011, should reallocate available resources in such a way that reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice can be held back to back in the second half of each year, in order to consider the reports of and recommendations proposed by the working group;

5. *Decides* that the working group shall hold at least two formal meetings, one in the third quarter of 2009 and one in the first quarter of 2010, and that the dates of those and possible additional informal meetings shall be determined by the co-chairpersons of the working group in consultation with the Secretariat;

6. *Requests* that the relevant documentation be provided to the working group in a timely manner and approves the provisional agenda of the working group as follows:

⁶⁶ *Official Records of the General Assembly, Sixty-third Session, Supplement No. 51*
(A/63/5/Add.9).

⁶⁷ E/CN.7/2009/11-E/CN.15/2009/11.

⁶⁸ E/CN.7/2009/10-E/CN.15/2009/10.

1. Consolidated budget for the biennium 2010-2011 for the United Nations Office on Drugs and Crime.
 2. Governance and financial situation of the Office.
 3. Evaluation and oversight.
 4. Other matters.
7. *Decides* that the work of the working group shall be based on existing documents of the United Nations, including the thematic and regional programmes of the United Nations Office on Drugs and Crime, as well as on briefings by the Secretariat and additional information provided by the Secretariat in the form of conference room papers, in order to be cost-effective;
8. *Requests* the Secretariat to provide the necessary assistance to facilitate the work of the working group, bearing in mind the limited resources available to the Secretariat;
9. *Calls upon* Member States to engage, within the framework of the working group, in a pragmatic, result-oriented, efficient and cooperative manner, in order to achieve the common objective of strengthening the performance and effectiveness of the United Nations Office on Drugs and Crime.

Annex

Recommendations of the open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

1. The working group made recommendations to the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice in the areas indicated below.

Creating a standing, open-ended working group on governance and finance

2. The two commissions should establish a standing, open-ended working group on governance and finance that should submit to the commissions recommendations on administrative, programmatic and financial matters within the areas of their respective mandates.
3. The commissions should maintain their present role as decision-making bodies of the United Nations Office on Drugs and Crime (UNODC) and should fulfil their important normative and governing functions. Consequently, no formal decisions should be adopted by the working group, as that would remain the prerogative of the commissions. At their sessions held in the first half of the year, the commissions should adopt the annual work programme for the working group.
4. The functions of the working group should include considering:
 - (a) The implementation by UNODC of:

- (i) The strategy for the period 2008-2011 for UNODC⁶⁹ and any subsequent strategies that may be adopted in the future;
 - (ii) Programmes and initiatives, including on cross-cutting policy issues, in particular thematic programmes;
 - (iii) Resolutions and decisions of the commissions and relevant resolutions of the General Assembly and the Economic and Social Council;
 - (iv) Recommendations of the working group;
- (b) Programme 13 of the proposed biennial programme plan and the consolidated budget for UNODC;
- (c) Oversight and evaluation policy and reports by external and internal oversight and evaluation mechanisms of the United Nations, such as the Independent Evaluation Unit, the Office of Internal Oversight Services and the Joint Inspection Unit;
- (d) The audited financial statements, including the report of the External Auditor;
- (e) Ways and means of achieving stable, adequate and predictable funding for UNODC;
- (f) Any other matter that the commissions may refer to it.
5. The working group should serve as a mechanism for open-ended consultations among the Secretariat, States receiving technical assistance and donors with a view to the reinforcement of such technical assistance and to the funding of UNODC and its programmes.
6. The working group should have the following terms of reference:
- (a) It should be open-ended;
 - (b) It should be participatory and driven by Member States;
 - (c) It should operate and prepare its recommendations by consensus, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council;
 - (d) It should meet regularly, holding at least two formal meetings a year. For the scheduling of those meetings and of additional informal meetings and to ensure the efficient functioning of the working group, particular attention should be given to the following three elements:
 - (i) The calendar for the preparation of the proposed biennial programme plan and the proposed consolidated budget for UNODC;
 - (ii) The availability of oversight and evaluation reports of the United Nations;
 - (iii) The availability of conference services;
 - (e) It should be led by co-chairpersons jointly nominated by the extended bureaux of the two commissions and endorsed in plenary meeting. The

⁶⁹ Economic and Social Council resolution 2007/12, annex.

co-chairpersons should act in their personal capacities and should hold office for a period of one year. The commissions may decide to renew that mandate, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council and with established practice of those subsidiary bodies regarding the election of officers.

7. The Secretariat should provide the following services to ensure the effective functioning of the working group:

- (a) Make meeting rooms available;
- (b) Distribute to Member States, at least 10 working days before a meeting of the working group, the relevant documentation requested by the commissions or by the working group;
- (c) Make available, during formal meetings, interpretation services and translations of the supporting documentation into all the official languages of the United Nations.

8. The two commissions should reallocate available resources in such a way that reconvened sessions of the two commissions could be held back to back in the second half of each year, in order to consider the reports of and recommendations proposed by the working group.

9. The proposed terms of reference for the working group should be reviewed by the two commissions.

Improving the governing role and functioning of the commissions

10. The agendas of the annual sessions of the commissions should be restructured to place governance issues, including budget and funding matters, in a more prominent position. This should be done by:

- (a) Ensuring that the report and recommendations of the working group are dealt with under the appropriate agenda item of each commission's session;
- (b) Ensuring observance of the rules and procedures for reports presented to the commissions by the Secretariat, including that such reports should not be removed from the agenda unless the commissions have acted upon them;
- (c) Utilizing existing meeting resources more effectively, for instance by using the Friday afternoon preceding each commission's session, if not required for the allotted purpose of consultations on draft resolutions, to discuss governance and financial issues;
- (d) Appealing to Member States to consider limiting the number of resolutions considered at each commission session, including through consolidation or the establishment of agreed periods (for instance, two-year cycles).

Evaluation

11. The General Assembly should be invited to review the current administrative structure and funding of the Independent Evaluation Unit with a view to enhancing the Unit's independence and functional efficiency.

12. Reports of the Independent Evaluation Unit should be delivered to Member States in a timely manner, with the UNODC management response being provided subsequently. The evaluation reports should be presented automatically to the commissions for consideration.

Measures to improve the funding situation of the United Nations Office on Drugs and Crime

13. UNODC should adopt and implement a thematic approach for the formulation of operational programmes and the provision of voluntary contributions, within the framework of the priorities established in the strategy for the period 2008-2011 for UNODC. Member States should further discuss how that approach could be promoted and supported.

14. UNODC should in general provide more transparent, result-based and outcome-oriented reporting in order to enhance Member States' confidence in and political ownership of UNODC activities and convince donors to maintain or increase their flexible contributions, including to general-purpose funds.

15. UNODC should continue to align, within the strategic framework of the United Nations for the period 2010-2011,⁷⁰ the consolidated budget for UNODC with the strategy for the period 2008-2011 for UNODC, thereby ensuring integrated planning and budgeting as a basis for better result-based reporting to Member States and compliance with their policy directives.

16. Member States should be encouraged to commit a share of their contributions to general-purpose funding, to maintain a sustainable balance between general-purpose funds and special-purpose funds and to introduce flexibility into a funding system that is driven mostly by earmarked contributions.

17. Member States should be encouraged to commit themselves to making, on a voluntary basis, biennial indicative pledges for general-purpose and special-purpose contributions, aligned with the UNODC biennial budget cycle, in order to enhance the predictability and stability of funding for UNODC.

18. Member States and UNODC should discuss ways and means of broadening the donor base through a fund-raising strategy that would encourage any new donors to contribute to general-purpose funding.

19. With a view to improving the financial sustainability of the UNODC field office network, Member States should discuss ways to encourage host countries to make voluntary contributions to the regular operating costs of country and programme offices.

Workplan to further improve the efficiency and funding situation of the United Nations Office on Drugs and Crime

20. The working group should consider concrete ways and means of further improving the efficiency and funding of UNODC, including the possibility of proposing to the two commissions a workplan in this regard.

⁷⁰ *Official Records of the General Assembly, Sixty-third Session, Supplement No. 6*, (A/63/6/Rev.1).

21. Such an exercise should be conducted in cooperation with the Secretariat with the aim of creating a better common understanding among Member States of the financial situation of UNODC. The findings should be presented to both commissions, together with a set of recommendations on improving the efficiency and financial situation of UNODC, for further consideration by the commissions at their sessions to be held in the first half of 2010.

22. In addition, Member States are invited to consider within the framework of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Conference of the States Parties to the United Nations Convention against Corruption the feasibility of establishing funding mechanisms that would effectively address the funding of activities related to the review of the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto⁷¹ and the United Nations Convention against Corruption.⁷²

Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem

Political Declaration

One decade after the commitments made at the twentieth special session of the General Assembly⁷³ to address the world drug problem,⁷⁴ notwithstanding the ever-increasing efforts and progress made by States, relevant international organizations and civil society, the drug problem continues to pose a serious threat to the health, safety and well-being of all humanity, in particular youth, our most precious asset. Furthermore, the world drug problem undermines sustainable development, political stability and democratic institutions, including efforts to eradicate poverty, and threatens national security and the rule of law. Drug trafficking and abuse pose a major threat to the health, dignity and hopes of millions of people and their families and lead to the loss of human lives. We are determined to tackle the world drug problem and to actively promote a society free of drug abuse in order to ensure that all people can live in health, dignity and peace, with security and prosperity; therefore:

We, the States Members of the United Nations,

Gravely concerned about the growing threat posed by the world drug problem, having assembled, in a spirit of trust and cooperation, at the high-level segment of the fifty-second session of the Commission on Narcotic Drugs to decide on future priorities and urgent action to counter the world drug problem beyond 2009, and mindful of the important lessons learned from the implementation of the Political

⁷¹ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

⁷² Ibid., vol. 2349, No. 42146.

⁷³ See General Assembly resolutions S-20/2, S-20/3 and S-20/4 A to E.

⁷⁴ The illicit cultivation, production, manufacture, sale, demand, trafficking and distribution of narcotic drugs and psychotropic substances, including amphetamine-type stimulants, the diversion of precursors and related criminal activities.

Declaration, action plans and guidelines adopted by the General Assembly at its twentieth special session with the aim of achieving measurable results,

Fully aware that the world drug problem remains a common and shared responsibility that requires effective and increased international cooperation and demands an integrated, multidisciplinary, mutually reinforcing and balanced approach to supply and demand reduction strategies,

1. *Reaffirm* our unwavering commitment to ensure that all aspects of demand reduction, supply reduction and international cooperation are addressed in full conformity with the purposes and the principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights⁷⁵ and, in particular, with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States, all human rights, fundamental freedoms, the inherent dignity of all individuals and the principles of equal rights and mutual respect among States;

2. *Reaffirm also* that the ultimate goal of both demand and supply reduction strategies and sustainable development strategies is to minimize and eventually eliminate the availability and use of illicit drugs and psychotropic substances in order to ensure the health and welfare of humankind and encourage the exchange of best practices in demand and supply reduction, and emphasize that each strategy is ineffective in the absence of the other;

3. *Assert* that the world drug problem is most effectively addressed in a multilateral setting and that the three international drug control conventions⁷⁶ and other relevant international instruments remain the cornerstone of the international drug control system, and urge all Member States that have not yet done so to consider taking measures to ratify or accede to those instruments;

4. *Support* the traditional and established supplier countries in maintaining a balance between the licit supply of and demand for opioids and opiate raw materials used for medical and scientific purposes;

5. *Reaffirm* the Political Declaration adopted by the General Assembly at its twentieth special session,⁷⁷ the Declaration on the Guiding Principles of Drug Demand Reduction,⁷⁸ the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development,⁷⁹ the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction⁸⁰ and the Joint Ministerial Statement adopted during the ministerial segment of the forty-sixth session of the Commission on Narcotic Drugs;⁸¹

⁷⁵ General Assembly resolution 217 A (III).

⁷⁶ The Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol (United Nations, *Treaty Series*, vol. 976, No. 14152), the Convention on Psychotropic Substances of 1971 (*ibid.*, vol. 1019, No. 14956) and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (*ibid.*, vol. 1582, No. 27627).

⁷⁷ General Assembly resolution S-20/2, annex.

⁷⁸ General Assembly resolution S-20/3, annex.

⁷⁹ General Assembly resolution S-20/4 E.

⁸⁰ General Assembly resolution 54/132, annex.

⁸¹ A/58/124, sect. II.A.

6. *Recall also* the United Nations Millennium Declaration,⁸² the provisions of the 2005 World Summit Outcome⁸³ addressing the world drug problem, the Political Declaration on HIV/AIDS⁸⁴ and other relevant United Nations resolutions, including General Assembly resolution 63/197 of 18 December 2008 and those on regional and international cooperation to prevent the diversion and smuggling of precursors;

7. *Note* the commemoration, in Shanghai, China, on 26 and 27 February 2009, of the centennial of the convening of the International Opium Commission;

8. *Express deep concern* at the high price paid by society and by individuals and their families in the fight against the world drug problem, and pay special tribute to the law enforcement and judicial personnel who have sacrificed their lives and to the health-care and civil society personnel who have dedicated themselves to addressing this scourge;

9. *Acknowledge* the important contribution made by women in curbing the world drug problem, commit ourselves to ensuring that drug control policies, measures and interventions take into account the specific needs and circumstances that women face with regard to drug problems, and decide to undertake effective measures to ensure that women, as well as men, have access to, and benefit equally and without discrimination from, drug control policies and strategies by involving them actively in all stages of programme and policy development and implementation;

10. *Welcome* the important role played by civil society, in particular non-governmental organizations, in addressing the world drug problem, and note with appreciation their important contribution to the review process, also noting that representatives of affected populations and civil society entities, where appropriate, should be enabled to play a participatory role in the formulation and implementation of drug demand and supply reduction policy;

11. *Welcome also* the reports of the Executive Director of the United Nations Office on Drugs and Crime on the world drug problem, the annual *World Drug Report* and the annual report of the International Narcotics Control Board and, on the basis of those reports, recognize that some progress has been made, through positive achievements, at the local, regional and international levels in implementing the Political Declaration adopted by the General Assembly at its twentieth special session but also recognize that there are still considerable challenges, as well as emerging challenges, to efforts to sustainably reduce, or at least effectively contain, illicit drug production, trafficking and consumption;

12. *Acknowledge* the continuing efforts made and progress achieved in countering the world drug problem, note with great concern the unprecedented surge in illicit opium production and trafficking, the continuing illicit cocaine manufacture and trafficking, the increasing illicit cannabis production and trafficking and the increasing diversion of precursors, as well as the related distribution and use of illicit drugs, and stress the need to strengthen and intensify joint efforts at the national, regional and international levels to tackle those global

⁸² See General Assembly resolution 55/2.

⁸³ See General Assembly resolution 60/1.

⁸⁴ General Assembly resolution 60/262, annex.

challenges in a more comprehensive manner, in accordance with the principle of a common and shared responsibility, including by means of enhanced and better coordinated technical and financial assistance;

13. *Agree* that amphetamine-type stimulants and psychotropic substances continue to pose a serious and constantly evolving challenge to international drug control efforts, which threatens the security, health and welfare of the population, especially youth, and requires a focused and comprehensive national, regional and global response, based on scientific evidence and experience, in an international and multisectoral setting;

14. *Decide* to continue to raise public awareness of the risks and the threats posed to all societies by the different aspects of the world drug problem;

15. *Take account* of the need for indicators and instruments for the collection and analysis of accurate, reliable and comparable data on all relevant aspects of the world drug problem and, where appropriate, the enhancement or development of new indicators and instruments, and recommend that the Commission on Narcotic Drugs take further measures to address that issue;

16. *Reaffirm* the principal role of the Commission on Narcotic Drugs and its subsidiary bodies, together with the International Narcotics Control Board, as the United Nations organs with prime responsibility for drug control matters, and decide to promote and facilitate the effective implementation of and follow-up to the present Political Declaration and its Plan of Action;

17. *Reaffirm also* our support and appreciation for the efforts of the United Nations, including those of the United Nations Office on Drugs and Crime as the leading entity in the United Nations system for countering the world drug problem, reiterate our intention to continue to improve the governance and financial situation of the Office, stressing the need for adequate and stable financial resources to enable the Office to fulfil its mandates effectively, and request the Office to continue its efforts to carry out all its mandates under the international drug control conventions, as well as other relevant international instruments, and to continue to cooperate with relevant regional and international institutions and Governments by providing, *inter alia*, technical assistance to Member States that request it;

18. *Reaffirm further* the leading role of the International Narcotics Control Board, as an independent treaty-based body, in monitoring the implementation of the international drug control conventions, in accordance with its mandate, including the control of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, welcome the annual reports of the Board and support the Board in implementing all its mandates under those conventions;

19. *Call for* continued cooperation between Member States, the International Narcotics Control Board and the World Health Organization to ensure the adequate availability of narcotic drugs and psychotropic substances under international control, including opiates, for medical and scientific purposes, while concurrently preventing their diversion into illicit channels, pursuant to the international drug control conventions;

20. *Note with great concern* the adverse consequences of drug abuse for individuals and society as a whole, reaffirm our commitment to tackle those

problems in the context of comprehensive, complementary and multisectoral drug demand reduction strategies, in particular such strategies targeting youth, also note with great concern the alarming rise in the incidence of HIV/AIDS and other blood-borne diseases among injecting drug users, reaffirm our commitment to work towards the goal of universal access to comprehensive prevention programmes and treatment, care and related support services, in full compliance with the international drug control conventions and in accordance with national legislation, taking into account all relevant General Assembly resolutions and, when applicable, the *WHO, UNODC, UNAIDS Technical Guide*,⁸⁵ and request the United Nations Office on Drugs and Crime to carry out its mandate in this area in close cooperation with relevant organizations and programmes in the United Nations system, such as the World Health Organization, the United Nations Development Programme and the Joint United Nations Programme on HIV/AIDS;

21. *Reiterate* our commitment to promote, develop, review or strengthen effective, comprehensive, integrated drug demand reduction programmes, based on scientific evidence and covering a range of measures, including primary prevention, early intervention, treatment, care, rehabilitation, social reintegration and related support services, aimed at promoting health and social well-being among individuals, families and communities and reducing the adverse consequences of drug abuse for individuals and society as a whole, taking into account the particular challenges posed by high-risk drug users, in full compliance with the three international drug control conventions and in accordance with national legislation, and commit ourselves to investing increased resources in ensuring access to those interventions on a non-discriminatory basis, including in detention facilities, bearing in mind that those interventions should also consider vulnerabilities that undermine human development, such as poverty and social marginalization;

22. *Reaffirm*, consistent with the objective of promoting a society free of drug abuse, our determination, within the framework of national, regional and international strategies, to counter the world drug problem and to take effective measures to emphasize and facilitate healthy, productive and fulfilling alternatives to the illicit consumption of drugs, which must not become accepted as a way of life;

23. *Reaffirm also* our commitment to invest in and work with youth in a range of settings, including in families, schools, workplaces and communities, by raising public awareness and providing youth with information, skills and opportunities to choose healthy lifestyles, taking into account the World Programme of Action for Youth to the Year 2000 and Beyond, and working in coordination with the United Nations Programme on Youth of the Department of Economic and Social Affairs of the Secretariat;

24. *Recognize* that:

(a) Sustainable crop control strategies targeting the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances require international cooperation based on the principle of shared responsibility and an

⁸⁵ WHO, UNODC, UNAIDS Technical Guide for Countries to Set Targets for Universal Access to HIV Prevention, Treatment and Care for Injecting Drug Users (World Health Organization, Geneva, 2009).

integrated and balanced approach, taking into account the rule of law and, where appropriate, security concerns, with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States and all human rights and fundamental freedoms;

- (b) Such crop control strategies include, inter alia:
 - (i) Alternative development and, where appropriate, preventive alternative development programmes;
 - (ii) Eradication;
 - (iii) Law enforcement measures;
- (c) Such crop control strategies should be in full conformity with article 14 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,⁸⁶ appropriately coordinated and phased in accordance with national policies in order to achieve the sustainable eradication of illicit crops, noting furthermore the need for Member States to undertake to increase long-term investment in such strategies, coordinated with other development measures, in order to contribute to the sustainability of social and economic development and poverty eradication in affected rural areas, taking due account of the traditional licit uses of crops where there is historical evidence of such use and giving due consideration to the protection of the environment;

25. *Reiterate our commitment to promote and implement balanced policies and strategies on precursor control with a view to preventing the diversion of precursors used in the illicit manufacture of drugs while ensuring that the legitimate trade in and use of those precursors are not adversely affected;*

26. *Emphasize that continued and persistent national, regional and international efforts based on improved understanding of the problem through the examination of scientific evidence and the sharing of experiences, forensic data and information are essential to preventing the diversion of precursors and other substances under international control that are used in the illicit production and manufacturing of narcotic drugs and psychotropic substances, including amphetamine-type stimulants;*

27. *Express deep concern at the growing violence resulting from activities of criminal organizations involved in drug trafficking, and call for urgent measures to prevent those organizations from acquiring the means, in particular firearms and ammunition, to pursue their criminal activities;*

28. *Stress the urgent need to respond to the serious challenges posed by the increasing links between drug trafficking, corruption and other forms of organized crime, including trafficking in humans, trafficking in firearms, cybercrime and, in some cases, terrorism and money-laundering, including money-laundering in connection with the financing of terrorism, and to the significant challenges faced by law enforcement and judicial authorities in responding to the ever-changing means used by transnational criminal organizations to avoid detection and prosecution;*

⁸⁶ United Nations, *Treaty Series*, vol. 1582, No. 27627.

29. *Recognize* that, despite our past efforts, illicit crop cultivation and illicit drug production, manufacturing, distribution and trafficking have been increasingly consolidated into a criminally organized industry generating enormous amounts of money, laundered through the financial and non-financial sectors and, therefore, commit ourselves to strengthening the effective and comprehensive implementation of regimes for countering money-laundering and to improving international cooperation, including judicial cooperation, in order to prevent, detect and prosecute such crimes, dismantle criminal organizations and confiscate their illicit proceeds, and also recognize the need to train law enforcement and judicial personnel to utilize the tools available in the international framework, as well as the need to encourage the development of such training;

30. *Acknowledge* the entry into force of the United Nations Convention against Transnational Organized Crime and the Protocols thereto⁸⁷ and the United Nations Convention against Corruption,⁸⁸ recognize that those conventions and other relevant international instruments constitute valuable tools for confronting the world drug problem, and urge Member States that have not yet done so to consider taking measures to ratify or accede to those instruments;

31. *Acknowledge also* the importance of promoting, in order to enhance the effectiveness of drug control measures, an integrated approach in drug policies, including addressing comprehensively the impact and consequences of such measures and strengthening their coordination and the assessment of their implementation;

32. *Recognize* that transit States are faced with multifaceted challenges resulting from illicit drugs being trafficked through their territory, and reaffirm our willingness to cooperate with those States and to assist them in progressively enhancing their capacity to counter the world drug problem;

33. *Undertake* to promote bilateral, regional and international cooperation, including through intelligence-sharing and cross-border cooperation, aimed at countering the world drug problem more effectively, in particular by encouraging and supporting such cooperation by those States most directly affected by illicit crop cultivation and the illicit production, manufacture, transit, trafficking, distribution and abuse of narcotic drugs and psychotropic substances;

34. *Call for* increased technical and financial assistance to Member States, in particular those most directly affected by the world drug problem, in order to ensure that they have the capacity to prevent and respond to that threat in all its forms and manifestations;

35. *Commit ourselves* to increasing cooperation at the regional and international levels, taking due account of situations where States are significantly affected by the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances and illicit trafficking in drugs and precursors, in order to counter the world drug problem and its impact on political stability, democratic institutions, security, the rule of law and sustainable development, including efforts to eradicate poverty;

⁸⁷ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

⁸⁸ Ibid., vol. 2349, No. 42146.

36. *Decide* to establish 2019 as a target date for States to eliminate or reduce significantly and measurably:

- (a) The illicit cultivation of opium poppy, coca bush and cannabis plant;
- (b) The illicit demand for narcotic drugs and psychotropic substances; and drug-related health and social risks;
- (c) The illicit production, manufacture, marketing and distribution of, and trafficking in, psychotropic substances, including synthetic drugs;
- (d) The diversion of and illicit trafficking in precursors;
- (e) Money-laundering related to illicit drugs;

37. *Recognize* the need to increase investment in research and evaluation in order to properly implement and assess, based on evidence, effective policies and programmes for countering the world drug problem;

38. *Adopt* the Plan of Action, set out below, which constitutes an integral part of the present Political Declaration and complements the Political Declaration adopted by the General Assembly at its twentieth special session, the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development and the Action Plan for the Implementation of the Declaration on the Guiding Principles of Drug Demand Reduction;

39. *Commit ourselves* to implementing effectively the present Political Declaration and its Plan of Action through resolute international cooperation, in collaboration with relevant regional and international organizations, with the full assistance of the international financial institutions and other relevant agencies and in cooperation with civil society, including non-governmental organizations, as well as the private and public sectors, and to reporting biennially to the Commission on Narcotic Drugs on the efforts to fully implement the Political Declaration and the Plan of Action, and also consider it necessary for the Commission to include on its agenda a separate item on follow-up to the Political Declaration and its Plan of Action;

40. *Decide* that the Commission on Narcotic Drugs at its fifty-seventh session, in 2014, should conduct a high-level review of the implementation by Member States of the present Political Declaration and its Plan of Action, recommend that the Economic and Social Council devote a high-level segment to a theme related to the world drug problem, and also recommend that the General Assembly hold a special session to address the world drug problem.

Plan of Action

Part I. Demand reduction and related measures

A. Reducing drug abuse and dependence through a comprehensive approach

1. Enhancing international cooperation

Problem

1. The commitments made by Member States in 1998⁸⁹ to attain significant and measurable results in the area of drug demand reduction have been attained only to a limited extent, owing largely to the lack of a balanced and comprehensive approach.

Action

2. Member States should:

(a) Pursue a balanced and mutually reinforcing approach to supply and demand reduction, devoting more effort to the realization of demand reduction with a view to achieving proportionality of effort, resources and international cooperation in addressing drug abuse as a health and social issue, while upholding the law and its enforcement;

(b) Scale up international assistance in addressing drug demand reduction in order to achieve a significant impact; to that end, long-term political and financial commitments from Governments and the international community need to be ensured, including the strengthening of the United Nations Office on Drugs and Crime and other relevant international agencies;

(c) Comprehensively support the reinforcement of the work that the United Nations Office on Drugs and Crime undertakes in drug demand reduction, in consultation with each other and with relevant United Nations and other intergovernmental organizations, in accordance with the Declaration on the Guiding Principles of Drug Demand Reduction,⁹⁰ the Action Plan for the implementation of those principles⁹¹ and the strategy of the United Nations Office on Drugs and Crime for the period 2008-2011;⁹²

(d) Encourage, in cooperation with multilateral agencies and international and regional financial institutions, short-, medium- and long-term planning and continuous financial support for drug demand reduction programmes;

(e) Encourage international and regional agencies working on drug demand reduction, in particular the United Nations Office on Drugs and Crime, the World Health Organization, the United Nations Development Programme, the Joint United Nations Programme on HIV/AIDS and the International Narcotics Control Board, to

⁸⁹ See General Assembly resolutions S-20/2 and S-20/3.

⁹⁰ General Assembly resolution S-20/3, annex.

⁹¹ General Assembly resolution 54/132, annex.

⁹² Economic and Social Council resolution 2007/12, annex.

engage in dialogue in order to strengthen inter-agency cooperation for a more effective response to drug use and dependence, while respecting each organization's role and mandate;

(f) Also encourage dialogue regarding drug demand reduction with the International Narcotics Control Board, and other relevant United Nations bodies including, as appropriate, human rights bodies, in accordance with the three international drug control conventions;⁹³

(g) Develop and implement, in cooperation with international and regional agencies, a sound and long-term advocacy strategy, including harnessing the power of communication media, aimed at reducing discrimination that may be associated with substance abuse, promoting the concept of drug dependence as a multifactorial health and social problem and raising awareness, where appropriate, of interventions based on scientific evidence that are both effective and cost-effective;

(h) Promote the sharing of effective models for demand reduction that address the problem in a comprehensive manner.

2. Comprehensive approach to drug demand reduction

Problem

3. Some countries have implemented effective drug demand reduction policies. However, drug demand reduction measures are often limited in the range of interventions they offer. Measures are frequently planned and carried out in isolation and address only part of the health and socio-economic problems associated with drug use and dependence.

Action

4. Member States should:

(a) Develop, review and strengthen, as appropriate, comprehensive and integrated drug demand reduction policies and programmes, providing a continuum of prevention and care in the health-care and social services, from primary prevention to early intervention to treatment and to rehabilitation and social reintegration, and in related support services, aimed at promoting health and social well-being among individuals, families and communities and reducing the adverse consequences of drug abuse for individuals and society as a whole, taking into account the particular challenges posed by high-risk drug users, in full compliance with the three international drug control conventions and in accordance with national legislation;

(b) Deliver comprehensive policies and programmes using a multi-agency approach, including health-care, social-care, criminal justice, employment and education agencies, non-governmental organizations and civil society, which should take full advantage of the activities of non-governmental and civil society organizations;

⁹³ The Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol (United Nations, *Treaty Series*, vol. 976, No. 14152), the Convention on Psychotropic Substances of 1971 (*ibid.*, vol. 1019, No. 14956) and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (*ibid.*, vol. 1582, No. 27627).

- (c) Develop, implement and disseminate demand reduction strategies as part of their respective comprehensive and balanced national drug control strategies, clearly describing objectives, interventions and funding, as well as defining roles, responsibilities and mechanisms for different partners in all relevant sectors;
- (d) Undertake drug demand reduction efforts to address all forms of drug use, including misuse and dependence related to the consumption of two or more substances at the same time;
- (e) Ensure that drug demand reduction efforts address the vulnerabilities, such as poverty and marginalization, that undermine sustainable human development;
- (f) Deliver prevention programmes based on scientific evidence, both universal and targeted, in a range of settings (such as schools, families, the media, workplaces, communities, health and social services and prisons);
- (g) Consider integrating scientifically established mechanisms for the voluntary and early identification, diagnosis and intervention of drug disorders as part of routine health-care services;
- (h) Consider developing a comprehensive treatment system offering a wide range of integrated pharmacological (such as detoxification and opioid agonist and antagonist maintenance) and psychosocial (such as counselling, cognitive behavioural therapy and social support) interventions based on scientific evidence and focused on the process of rehabilitation, recovery and social reintegration;
- (i) Strengthen their efforts aimed at reducing the adverse consequences of drug abuse for individuals and society as a whole, taking into consideration not only the prevention of related infectious diseases, such as HIV, hepatitis B and C and tuberculosis, but also all other health consequences, such as overdose, workplace and traffic accidents and somatic and psychiatric disorders, and social consequences, such as family problems, the effects of drug markets in communities and crime.

3. Human rights, dignity and fundamental freedoms in the context of drug demand reduction

Problem

5. There is an insufficient emphasis on human rights and dignity in the context of drug demand reduction efforts, in particular regarding access to the highest attainable standard of health services. There is also a need for an improved understanding of addiction and the growing recognition of it as a chronic but treatable multifactorial health disorder.

Action

6. Member States should:

- (a) Ensure that drug demand reduction measures respect human rights and the inherent dignity of all individuals and facilitate access for all drug users to prevention services and health-care and social services, with a view to social reintegration;

- (b) Promote meaningful livelihood activities and employment to instil a sense of purpose and self-esteem in individuals to steer them away from drugs;
- (c) Develop demand reduction programmes that focus on primary prevention, early intervention, treatment, care, rehabilitation and related support services, aimed at promoting health and social well-being among individuals, families and communities and reducing the adverse consequences of drug abuse for individuals and society as a whole, taking into account the particular challenges posed by high-risk drug users, in full compliance with the three international drug control conventions and in accordance with national legislation; and work within existing legal systems to develop mechanisms that link law enforcement processes to health-care systems, including, in the area of drug-related treatment, in accordance with national legislation.

4. Measures based on scientific evidence

Problem

7. In many cases, drug use and dependence interventions aimed at prevention and care have been developed spontaneously by well-intentioned institutions responding to the urgency of a rapidly developing drug problem. Too often, however, those interventions were not based entirely on scientific evidence and a multidisciplinary approach.

Action

8. Member States should:

- (a) Invest adequate resources in measures based on scientific evidence, building on the significant scientific progress achieved in that area;
- (b) Support and widely disseminate, in collaboration with the international community, further research to develop measures based on scientific evidence that are relevant to different socio-cultural environments and social groups;
- (c) Encourage innovative measures and incorporate evaluation in order to respond to present and future challenges; and take into account the possibilities given by new media and technologies, including the Internet, with a view to developing the scientific evidence base.

5. Availability of and accessibility to drug demand reduction services

Problem

9. A range of barriers to specific drug demand reduction services makes it difficult for those in need to access those services.

Action

10. Member States should:

- (a) Ensure that access to drug treatment that is affordable, culturally appropriate and based on scientific evidence is available and that drug dependence care services are included in health-care systems, whether public or private, with the

involvement of primary and, where appropriate, specialized health-care services, in accordance with national legislation;

(b) Ensure, where appropriate, the sufficient availability of substances for medication-assisted therapy, including those within the scope of control under the international drug control conventions, as part of a comprehensive package of services for the treatment of drug dependence;

(c) Continue to comply with the procedures established under the international drug control conventions and relevant resolutions of the Economic and Social Council relating to the submission to the International Narcotics Control Board of estimates of their requirements for narcotic drugs and assessments of requirements for psychotropic substances so as to facilitate the import of the required narcotic drugs and psychotropic substances and to enable the Board, in cooperation with Governments, to maintain a balance between the demand for and the supply of those drugs and substances in order to ensure the relief of pain and suffering and the availability of medication-assisted therapy as part of a comprehensive package of services for the treatment of drug dependence, while bearing in mind, in accordance with national legislation, the World Health Organization Model List of Essential Medicines.

6. Mainstreaming community involvement and participation

Problem

11. In many cases, interventions tend to be supported through isolated and short-term initiatives and are not mainstreamed in the regular provision by Governments of public health, education and social services. Moreover, they do not involve all stakeholders at the community level in the planning, delivery, monitoring and evaluation of drug demand reduction measures, and they do not take full advantage of the activities of non-governmental organizations and civil society.

Action

12. Member States should:

(a) Ensure, to the extent possible, that measures are mainstreamed in the provision of public and private health, education and social services (such as family, housing and employment services);

(b) Involve all stakeholders at the community level (including the target populations, their families, community members, employers and local organizations) in the planning, delivery, monitoring and evaluation of drug demand reduction measures;

(c) Involve communication media in supporting ongoing drug prevention programmes through well-targeted campaigns;

(d) Promote collaboration between governmental and non-governmental organizations and other members of civil society in the establishment of drug demand reduction measures at the local level.

7. Targeting vulnerable groups and conditions

Problem

13. Drug demand reduction interventions too often target the general population at large with a single standard approach and do not provide specialized programmes tailored to vulnerable groups with specific needs. Those groups include, among others, children, adolescents, vulnerable youth, women, including pregnant women, people with medical and psychiatric co-morbidities, ethnic minorities and socially marginalized individuals. A person may belong to more than one of these groups and thus have multiple needs.

Action

14. Member States should:

- (a) Ensure that a broad range of drug demand reduction services, including those in the areas of prevention, treatment, rehabilitation and related support services, provide approaches that serve the needs of vulnerable groups and are differentiated on the basis of scientific evidence so that they respond best to the needs of those groups, taking into account gender considerations and cultural background;
- (b) Ensure that prevention programmes target and involve youth and children with a view to increasing their reach and effectiveness;
- (c) Provide specialized training for those who work with vulnerable groups, such as patients with psychiatric co-morbidities, minors and women, including pregnant women.

8. Drug use and dependence care in the criminal justice system

Problem

15. There are limited alternatives to prosecution and imprisonment for drug-using offenders, and treatment services within the criminal justice system are frequently inadequate. Moreover, issues such as corruption, overcrowding and access to drugs and their adverse effects, including the frequency of transmission of infectious diseases within prisons, need to be addressed. Finally, increased emphasis should be placed on the transition between incarceration and release, re-entry and social reintegration.

Action

16. Member States should:

- (a) Working within their legal frameworks and in compliance with applicable international law, consider allowing the full implementation of drug dependence treatment and care options for offenders, in particular, when appropriate, providing treatment as an alternative to incarceration;
- (b) Take measures to address corruption, reduce overcrowding and prevent access to and use of illicit drugs within detention facilities;
- (c) Implement comprehensive treatment programmes in detention facilities; commit themselves to offering a range of treatment, care and related support

services to drug-dependent inmates, including those aimed at prevention of the transmission of related infectious diseases, pharmacological and psychosocial treatment and rehabilitation; and further commit themselves to providing programmes aimed at preparation for release and prisoner support programmes for the transition between incarceration and release, re-entry and social reintegration;

(d) Provide appropriate training so that criminal justice and/or prison staff carry out drug demand reduction measures that are based on scientific evidence and are ethical and so that their attitudes are respectful, non-judgemental and non-stigmatizing.

9. Quality standards and training of staff

Problem

17. Inadequately trained personnel and a lack of certification and quality standards hinder the effective implementation of demand reduction measures based on scientific evidence.

Action

18. Member States should:

(a) Support the development and adoption of appropriate health-care standards, as well as ongoing training on drug demand reduction measures;

(b) Ensure that services are staffed, to the extent possible and as appropriate, with multidisciplinary teams, including physicians/psychiatrists, nurses, psychologists, social workers, educators and other professionals;

(c) Ensure, where appropriate, that the educational curricula for relevant service providers, including the curricula of universities, medical schools and other relevant professions, include training on the prevention of drug use and dependence and related care;

(d) Provide training to planners and practitioners of governmental agencies, non-governmental organizations, the private sector and others in the community, on a permanent basis, on all aspects of demand reduction activities and strategic programming by identifying local, national, subregional and regional human resources and using their experience in the design of programmes to guarantee their continuity and to create and strengthen local, regional, subregional and national training and technical resource networks and, with the possible assistance of regional and international organizations, to facilitate the exchange of experiences and expertise by encouraging States to include demand reduction personnel from other States in training programmes that they have developed;

(e) Support national, regional and international networks to provide training and develop and disseminate successful practices.

10. Data collection, monitoring and evaluation

Problem

19. The lack of data, particularly on the rapidly changing nature and the extent of drug use, and the lack of systematic monitoring and evaluation by Governments of

the coverage and quality of drug demand reduction measures are matters of great concern. Intensified international cooperation and support is necessary, including for improved and coordinated data collection, monitoring and evaluation of demand reduction programmes to inform demand reduction services and policy.

Action

20. Member States should:

- (a) Increase their efforts in collecting data on the nature and extent of drug use and dependence, including the characteristics of the population in need, strengthening information and monitoring systems and employing methodologies and instruments based on scientific evidence;
- (b) Develop and improve methods of objective national assessment by Governments to understand in a systematic and holistic manner the negative impact of drug abuse on society, health and economies;
- (c) Ensure that drug demand reduction measures are based on scientifically sound assessments of the nature and extent of the drug problem, as well as the social and cultural characteristics of the population in need;
- (d) Ensure that drug demand reduction measures are based on drug use trends in the community and are revised periodically on the basis of new trends, feedback and monitoring and evaluation processes;
- (e) Ensure that drug use and dependence prevention and care interventions, as well as other demand reduction measures, include adequate record-keeping systems, while maintaining confidentiality, and that drug dependence care record-keeping systems are part of an active system for monitoring the nature and extent of the drug problem;
- (f) Take an integrated and comprehensive approach to data collection and analysis to ensure that the information available in international, regional and national bodies is fully and legally utilized; and provide technical assistance to those countries where capacity is less developed;
- (g) Seek agreement on a set of relevant indicators covering key issues to allow for the comparable assessment of the effectiveness of demand reduction measures with a view to developing, adapting and validating simple, standardized United Nations data-collection and evaluation methods, concepts and tools;
- (h) Develop, in cooperation with the international community and in the light of lessons learned in the analysis of replies to the annual reports questionnaire and the biennial reports questionnaire, enhanced data-collection instruments to be considered and adopted by the Commission on Narcotic Drugs, allowing streamlined measurement of the quality, extent and coverage of drug demand reduction measures, ensuring that the tools used are appropriate for the different needs and reporting capacities of countries and are scientifically sound, making full use of existing information resources and, benefiting from, if appropriate, the experience of the existing regional monitoring systems, while minimizing the reporting burden.

Part II. Supply reduction and related measures

B. Reducing the illicit supply of drugs

1. Enhancing cooperation, coordination and law enforcement operations to reduce supply

Problem

21. While the majority of States have adopted and implemented supply reduction policies and made supply reduction an important priority, the commitment made by Member States in 1998 to attain significant and measurable results in the area of supply reduction has been attained only to a limited extent, owing, *inter alia*, to the lack of effective implementation of drug supply policies, the lack of appropriate national legislative frameworks for international cooperation, inadequate information-sharing and monitoring and control mechanisms and the lack of coordinated law enforcement operations, as well as the insufficient and unstable allocation of resources.

Action

22. Member States should:

- (a) In order to reinforce the fight against narcotic drugs and psychotropic substances, ensure, in cooperation with multilateral agencies and international and regional financial institutions, the implementation of short-, medium- and long-term planning so as to ensure a sufficient and stable allocation of resources for drug supply reduction programmes;
- (b) Promote the exchange of best practices and successful experiences in the area of drug supply reduction;
- (c) Ensure that supply reduction measures are carried out in full conformity with the purposes and the principles of the Charter of the United Nations and international law, the three international drug control conventions and, in particular, with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States and all human rights and fundamental freedoms;
- (d) Continue to rely on the three international drug control conventions as the primary legal framework for tackling the world drug problem, taking into account the relevance of the United Nations Convention against Transnational Organized Crime and the Protocols thereto⁹⁴ and the United Nations Convention against Corruption,⁹⁵ and supporting the pursuit of broader adherence to and implementation of those instruments;
- (e) Promote supply reduction measures that take due account of traditional licit uses, where there is historical evidence of such use, as well as environmental

⁹⁴ United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

⁹⁵ Ibid., vol. 2349, No. 42146.

protection, in conformity with the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;⁹⁶

(f) Promote and implement multilateral, regional, subregional and bilateral cooperation among judicial and law enforcement authorities to combat the involvement of criminal organizations in drug production and trafficking and related criminal activities;

(g) Ensure that the international response to the drug problem beyond 2009 continues to be pursued as a common and shared responsibility, requiring a balanced approach for purposes of international cooperation and the provision of technical assistance;

(h) Ensure that international and regional agencies working on drug supply reduction engage in dialogue to strengthen inter-agency cooperation for a more effective response, while respecting each organization's role and mandate;

(i) Further develop and implement effective legislation and legislative frameworks for multilateral, regional, subregional and bilateral cooperation, including agreements on mutual legal assistance and extradition, and address appropriately issues regarding jurisdiction, expedite the processing of mutual legal assistance and extradition requests and, where possible, carry out joint investigations;

(j) Maintain and expand, in collaboration with the international community, projects and programmes to foster bilateral and regional cooperation on specific supply reduction issues;

(k) Consider reassessing the current data-collection strategies and instruments so as to facilitate the compilation of reliable, relevant, comparable and usable data on drug supply in order to ensure a strong and common understanding of the issue, and, in that regard, consider adjusting and standardizing international data collection efforts;

(l) Remain up to date on scientific studies, data and research on the medicinal and other legitimate uses of plants containing narcotic and psychotropic substances, taking into account the provisions of the three international drug control conventions;

(m) Establish, through the Commission on Narcotic Drugs and in coordination with the Statistical Commission of the Economic and Social Council, clear and measurable indicators in the area of supply reduction in order to accurately assess the achievement of any goals and targets that might be set by the international community beyond 2009;

(n) Provide the United Nations entities having pertinent expertise with resources for the collection of data and the provision of technical and financial assistance to States with a view to enhancing their ability to address trafficking in narcotic drugs and psychotropic substances; coordination with and among United Nations entities and various multilateral entities should be strengthened;

(o) Take additional steps to present a coordinated and coherent response to trafficking in narcotic drugs and psychotropic substances by land, air and sea, in

⁹⁶ Ibid., vol. 1582, No. 27627.

partnership with United Nations entities and international partners, so as to close jurisdictional gaps in the investigation, interdiction and prosecution of traffickers;

(p) Ensure that further encouragement and assistance are provided for the sharing of information through official channels in a timely manner, the implementation of border control measures, the provision of equipment, the exchange of law enforcement officers, collaboration between the private and public sectors and the development of practical new methods for effectively monitoring drug trafficking activities;

(q) Establish, when appropriate, multi-agency bodies to ensure that a comprehensive approach is being taken in tackling drug trafficking networks, while remaining aware that organized criminal groups engaged in drug trafficking are likely to be engaged in other forms of trafficking; the multi-agency bodies will help to ensure that agencies fighting other forms of organized crime share relevant information, intelligence, practices and resources with drug law enforcement agencies.

2. Addressing new trafficking trends

Problem

23. As new trends in drug trafficking emerge, they may pose significant challenges to the ability of States to provide a vigorous and effective response.

Action

24. Member States should:

(a) Ensure that law enforcement agencies are able to adapt in order to adequately address the changing nature of the drug trafficking problem, particularly with regard to new technologies, routes and methods used by traffickers, thereby reducing the illicit supply of drugs;

(b) Take into account possible linkages between trafficking in narcotic drugs and trafficking in psychotropic substances, the involvement of terrorist groups in some parts of the world, corruption and transnational organized crime, including trafficking in firearms and money-laundering, when developing and implementing supply reduction strategies;

(c) Continue to give attention to the development of methods for gathering and using hard-to-reach intelligence⁹⁷ and evidence, including judicially sanctioned evidence-gathering techniques such as electronic surveillance, structured informant programmes and controlled delivery;

(d) Promote the exchange of intelligence among countries of origin, transit and destination to combat drug trafficking, while safeguarding the sources and the integrity of information;

(e) Monitor, in collaboration with the international community, the nature, use, extent and impact of cybertechnology on trafficking in narcotic drugs and

⁹⁷ Lawfully gathered information obtained through the use of structured programmes, such as registered informants, undercover officers, electronic surveillance for intercepting audio and/or video, controlled delivery and other techniques acceptable to the judicial process.

psychotropic substances and give consideration to the development and implementation of legislation and training opportunities in order to respond effectively to the emerging problem;

(f) Make efforts to ensure that appropriate procedural and substantive legislation is developed at the national level to deal with drug trafficking carried out in an electronic environment, including a framework for the effective regulation and oversight of online pharmacies operating or delivering pharmaceutical preparations containing internationally controlled narcotic drugs and/or psychotropic substances within their respective jurisdictions;

(g) Implement strategies to disrupt and dismantle major organizations involved in trafficking in narcotic drugs and psychotropic substances and to address emerging trends;

(h) Provide assistance to transit States to combat trafficking in narcotic drugs and psychotropic substances more efficiently.

3. Reducing violence related to drug trafficking

Problem

25. In some cases, criminal organizations involved in drug trafficking are exposing civil society and law enforcement authorities to increasing levels of harm and violence, in particular because of their propensity to be heavily armed with illicitly manufactured and trafficked firearms and to engage in violence to protect themselves and their illicitly trafficked drugs. The international community must take steps to not only reduce the illicit supply of drugs but also reduce the violence that accompanies drug trafficking.

Action

26. Member States should:

(a) Consider ratifying or acceding to and, where possible and appropriate, strengthening the implementation of, the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime⁹⁸ in order to reduce the illicit manufacturing of and trafficking in firearms as a means of reducing the violence associated with drug trafficking;

(b) Implement preventive and enforcement measures to combat all forms of criminal activity that may be linked to trafficking in narcotic drugs and psychotropic substances, such as money-laundering, trafficking in persons, the smuggling of migrants and, where appropriate, the financing of terrorism, including the detection of cash and other negotiable items that cross international borders;

(c) Provide adequate and targeted training to law enforcement, customs and border control authorities in combating trafficking in narcotic drugs and psychotropic substances and, where appropriate, illicit trafficking in firearms, increase, in the case of States with relevant experience, bilateral and multilateral cooperation, including through programmes administered by the United Nations

⁹⁸ United Nations, *Treaty Series*, vol. 2326, No. 39574.

Office on Drugs and Crime and other international partners, United Nations agencies or regional mechanisms, focused on capacity-building and training, and exchange experiences and best practices so as to increase the ability of all States to more effectively fight trafficking in narcotic drugs and psychotropic substances and, where appropriate, illicit trafficking in firearms;

(d) Increase information-sharing among law enforcement authorities and judicial cooperation in order to identify and investigate possible links between the criminal organizations involved in trafficking in narcotic drugs and psychotropic substances and other criminal activities, including, in particular, the illicit manufacturing of and trafficking in firearms.

4. Addressing supply and demand reduction together

Problem

27. While drug trafficking is a multifaceted issue that can be effectively tackled only by reducing both supply and demand, this interlinkage is often not taken into account. Supply reduction must involve the application of a balanced approach to reduce demand under the principle of shared responsibility, just as demand reduction must involve the application of a balanced approach to reduce supply under the principle of shared responsibility.

Action

28. Member States should:

(a) Employ in their national drug control strategies a multidisciplinary approach and include different Government agencies having an interest in combating drug trafficking, including in the areas of health, law enforcement and education, to ensure that all of the factors relevant to reducing supply are taken into account when developing and implementing supply reduction strategies;

(b) Address the need for a comprehensive, multisectoral and balanced approach involving demand reduction and supply reduction, each reinforcing the other, together with the appropriate application of the principle of shared responsibility, while stressing the need for services responsible for prevention, including law enforcement agencies, and ensuring that those measures are mainstreamed in publicly and privately provided health, education, rural development, agriculture and social services.

5. Strengthening of anti-corruption measures and provision of technical assistance and capacity-building

Problem

29. Organized criminal groups, in order to facilitate and protect their illicit trade in drugs, often attempt to influence public officials, including law enforcement authorities. Efforts to reduce supply must be complemented by anti-corruption measures and must employ a comprehensive approach that involves the cooperation of both government and civil society. In this context, several developing countries, especially those on major drug trafficking routes, require technical assistance to further strengthen their law enforcement agencies.

Action

30. Member States should:

- (a) Consider ratifying or acceding to and strengthening their implementation of the Convention against Corruption, the 1988 Convention and the United Nations Convention against Transnational Organized Crime;⁹⁹
- (b) Ensure that proactive strategies are pursued by law enforcement agencies to prevent corruption, such as participating in multilateral and bilateral anti-corruption technical assistance programmes, preparing anti-corruption action plans and instituting integrity programmes for law enforcement officials;
- (c) Further develop and improve domestic and international training and awareness-raising efforts for law enforcement and judicial capacity-building, while ensuring the coordination of international training and awareness-raising efforts in order to avoid duplication;
- (d) Further develop and support the use of controlled delivery, consistent with the 1988 Convention, and other special investigative techniques, both nationally and internationally, consistent with their national legislation;
- (e) Enhance efforts to acquire knowledge of the modus operandi of drug traffickers, including through regional and international mapping exercises;
- (f) Harness the resources of existing international police structures and institutions to address the issue of trafficking in narcotic drugs and psychotropic substances in a coordinated manner and to ensure a greater degree of efficiency and efficacy;
- (g) Provide adequate resources and equipment to border management agencies and provide technical assistance to requesting States in this regard;
- (h) Strengthen and integrate law enforcement capabilities to enable them to better investigate organized criminal groups engaged in trafficking in narcotic drugs and psychotropic substances;
- (i) Encourage the development and introduction of sustainable and comprehensive programmes in judicial and law enforcement institutions, which should address conditions of service, remuneration, training and awareness-raising so as to attract and retain the best personnel;
- (j) Ensure that commercial port operations are supported by drug law enforcement authorities with adequate resources, equipment, training and legal powers to effectively screen, evaluate and examine commercial freight and sea-bound containers and also ensure that relevant international agencies provide technical assistance to requesting States in this regard.

⁹⁹ Ibid., vol. 2225, No. 39574.

C. Control of precursors and of amphetamine-type stimulants

1. Improving understanding of the phenomenon of amphetamine-type stimulants

Problem

31. Because of the absence of a systematic global mechanism for monitoring the illicit manufacture, prevalence patterns and abuse of and trafficking in amphetamine-type stimulants¹⁰⁰ and of a global approach to controlling illicit synthetic drugs and the manufacturing and diversion of and trafficking in precursor chemicals, it is still not possible to fully understand the illicit market for synthetic drugs and its characteristics. Many Member States have not yet implemented measures to detect and monitor this part of the illicit drug market and evaluate the responses to it, have limited data on which to base the planning and programming of actions and consequently have limitations with respect to scientific evidence in formulating programmes to tackle it more effectively. In addition, some countries lack the financial and human resources and the know-how to tackle this problem.

Action

32. Member States should:

- (a) Take measures to advance the monitoring of illicit synthetic drugs, where it does not already exist, linking existing activities related to amphetamine-type stimulants around the world, and take measures to further the development of monitoring capacity, including for the early identification of emerging trends and to generate prevalence data on amphetamine-type stimulants;
- (b) Emphasize the critical importance of forensic and scientific laboratory and treatment centre data and qualitative information in understanding the problem of illicit synthetic drugs and the range of products available on the illicit market and systematically integrate such data and information into their monitoring and investigation activities;
- (c) Promote consultative mechanisms between the International Narcotics Control Board, the United Nations Office on Drugs and Crime and other relevant international and regional bodies in order to enhance the quality and consistency of reported data on amphetamine-type stimulants and other synthetic drugs and their precursors;
- (d) Take further measures to advance international information-sharing (i.e. the electronic linking, through the Internet, of national, regional and international documentation centres) to ensure the global dissemination of accurate and timely information, in a standardized manner, on various aspects of the problem of amphetamine-type stimulants (including interdictions, prevalence rates and analysis of policies, legislation and operational responses to inform best practices);
- (e) Continue to complement monitoring activities by conducting more systematic research into the problem of amphetamine-type stimulants, including more detailed examinations of the complex interplay between the demand for and the supply of amphetamine-type stimulants in different contexts, and by conducting

¹⁰⁰ The Synthetics Monitoring: Analysis, Report and Trends (SMART) programme, set up in September 2008, is already in the early stage of development in some regions.

and making available the results of studies to establish the prevalence and identify the risks of the use of amphetamine-type stimulants.

2. Targeting the clandestine manufacture of amphetamine-type stimulants

Problem

33. Synthetic drugs pose a special problem, as they can be illicitly manufactured in a variety of forms using precursor chemicals, many of which can be easily substituted. In addition, the clandestine and potentially mobile nature of their manufacture requires a global approach in order to understand and prevent the diversion of synthetic drugs and their precursors into illicit channels in all manufacturing, transit and consumer countries.

Action

34. Member States should:

- (a) Develop or strengthen their national capacity for the safe investigation and handling of seized clandestine laboratories for amphetamine-type stimulants, chemical warehouses and precursor chemicals, while building on existing forensic laboratory resources;
- (b) Identify best practices for systematically conducting inventories of clandestine laboratory sites, including the laboratory equipment, clandestine manufacturing methods, starting materials, chemicals and reagents used, and improve the exchange of such information in a timely and standardized way;
- (c) Monitor on a voluntary basis, to the extent possible, the sale of laboratory and other equipment, such as tablet presses, in compliance with article 13 of the 1988 Convention.

3. Preventing illegal sale and diversion

Problem

35. The diversion of pharmaceutical preparations, the manufacture and marketing of mixtures of amphetamine-type stimulants and other synthetic drugs, the use of non-controlled chemicals and/or substitute chemicals as new precursors for the illicit synthesis of drugs and the use and distribution of pharmaceutical products with a view to circumventing appropriate controls on manufacture are crucial challenges for Member States in tackling the problem of amphetamine-type stimulants.

Action

36. Member States should:

- (a) Address through concerted action the illegal sale of preparations containing amphetamine-type stimulants via the Internet and the misuse of postal and courier services for smuggling such preparations;
- (b) Take measures to advance cooperation in the detection and investigation of diversion cases and for the sharing of experiences and information among competent national bodies on specific types of diversion;

(c) Strengthen controls, including through the Pre-Export Notification Online system, where required, for the import and export of preparations containing precursor chemicals, such as ephedrine and pseudoephedrine, which could be used in the manufacture of amphetamine-type stimulants;

(d) Advance the systematic collection of data on the abuse of amphetamine-type stimulants and the diversion of precursors and preparations containing amphetamine-type stimulants and use the data to take appropriate countermeasures;

(e) Provide technical assistance, as appropriate, for the development and implementation of adequate controls over the manufacture, sale, diversion and abuse of amphetamine-type stimulants, including legislative, administrative and operational responses, particularly in regions where there is an absence of such controls.

4. Raising awareness and reducing demand

Problem

37. Despite the potentially serious risks associated with the use of amphetamine-type stimulants and other synthetic drugs, they are nevertheless incorrectly believed to be compatible with healthy lifestyles. It is therefore important to raise greater awareness about the potential risks associated with the use of these substances.

Action

38. Member States should:

(a) Raise awareness of amphetamine-type stimulants and their precursors with law enforcement, health and regulatory authorities and educate vulnerable population groups as to the dangers associated with the use of amphetamine-type stimulants;

(b) Encourage access to comprehensive services, such as treatment, rehabilitation and social reintegration, to address substance abuse, including the abuse of amphetamine-type stimulants, under the supervision of health-care and other appropriate providers, for individuals with problems related to amphetamine-type stimulants, in view of the widespread availability and illicit use of amphetamine-type stimulants by a wide range of population groups;

(c) Develop prevention and treatment programmes tailored to the specific characteristics of the phenomenon of amphetamine-type stimulants as key elements in any relevant strategy to reduce demand and minimize health risks.

5. Emerging issues in precursor control

Problem

39. While legislative and regulatory controls have prevented the diversion of precursor¹⁰¹ chemicals into illicit channels, such chemicals still reach clandestine

¹⁰¹ The term “precursor” is used to indicate any of the substances listed in Table I or Table II of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, except where the context requires a different expression. Such substances are often described as precursors or essential chemicals, depending on their principal chemical properties.

drug laboratories. Precursor chemicals are often diverted from domestic distribution channels in the countries that manufactured or imported them and are smuggled across borders. Countries not previously targeted by traffickers are now used as areas of diversion. Non-controlled precursor chemicals and/or substitute chemicals, as well as pharmaceutical preparations containing precursors, have been used in the illicit synthesis of drugs. In addition, scientific and forensic support in the identification and safe disposal of precursors is still inadequate in many countries.

40. The absence of a global mechanism for the exchange of laboratory information and law enforcement findings between drug control agencies, customs officials and police remains a global challenge in the control of amphetamine-type stimulants and their precursors.

Action

41. Member States should:

- (a) Further strengthen mechanisms, as appropriate, for the timely identification, collection and exchange of information on non-scheduled substances, including derivatives specifically designed to circumvent existing controls, especially by making use of the updated international special surveillance list of non-scheduled substances;
- (b) Further strengthen legislation, as appropriate, on the control of precursors and the criminalization of their diversion;
- (c) Ensure that measures to control precursors and amphetamine-type stimulants are carried out in full conformity with the purposes and the principles of the Charter of the United Nations and international law, the international drug control conventions and, in particular, with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States and all human rights and fundamental freedoms;
- (d) Conduct further research on precursors to understand emerging trends, such as the use of substitute chemicals and the splitting of the production process, including proactive studies on the potential use of such substances, and share the results of such research;
- (e) Further advance working relations with the relevant industries to promote the formulation of a universal code of conduct for industry and appropriate national and international legislation on the supply of and trafficking in precursors, including those not yet under international control, and invite the International Narcotics Control Board to provide guidelines on how to establish cooperation between competent national authorities and operators;

The plenipotentiary conference that adopted the 1988 Convention did not use any one term to describe such substances. Instead, the expression “substances frequently used in the illicit manufacture of narcotic drugs or psychotropic substances” was introduced in the 1988 Convention. It has become common practice, however, to refer to all such substances simply as “precursors”; although that term is not technically correct, it is used in this text for the sake of brevity.

- (f) Focus greater attention on the use of non-scheduled substances and substitute chemicals for the manufacture of traditional precursors used in the manufacture of heroin and cocaine;
- (g) Cope with the multiple challenges faced by the drug control agencies of developing countries, especially in view of the emergence of new synthetic drugs and amphetamine-type stimulants in those markets, through capacity-building and technical assistance involving, inter alia, the provision of advanced detection equipment, scanners, testing kits, forensic laboratories and training;
- (h) Ensure that international and regional agencies working on the control of precursors and amphetamine-type stimulants engage in dialogue to strengthen inter-agency cooperation for a more effective response while respecting each agency's role and mandate;
- (i) Support efforts by the United Nations Office on Drugs and Crime and the International Narcotics Control Board to assist in the implementation of actions taken within the framework of national and regional cooperation mechanisms;
- (j) Support the United Nations Office on Drugs and Crime and the International Narcotics Control Board in conducting, coordinating and disseminating research on precursors in collaboration with the international scientific community to understand emerging trends;
- (k) Emphasize the importance of the instruments provided for in article 12 of the 1988 Convention and promote and further enhance their effective implementation,¹⁰² and also maintain secure means of communication, including secure e-mail addresses;
- (l) Endeavour to compile national lists of companies authorized to manufacture, distribute and/or trade in precursors, with a view to enhancing means of verification;
- (m) Strengthen national capacity to provide forensic support to law enforcement and the criminal justice authorities in investigating offences involving precursor chemicals, including their trafficking, diversion and use in clandestine laboratories, and assist law enforcement authorities in the detection of precursors on the ground and the early identification of new trends;
- (n) Enhance frameworks for the exchange of high-quality and reliable forensic information among drug control agencies, customs authorities and police authorities, including, when appropriate, through the United Nations Office on Drugs and Crime forensic laboratory;
- (o) Determine estimates of their legitimate national requirements for ephedrine, pseudoephedrine, 3,4-methylenedioxymethyl-2-propanone and 1-phenyl-2-propanone, as endorsed by the Commission on Narcotic Drugs in its resolution 49/3, and provide that information to the International Narcotics Control Board, which, in consultation with Member States, should seek to promote

¹⁰² The use of the Pre-Export Notification Online system, including the provision of a timely response, is a key issue in this respect. On a voluntary basis, that system may be used for reporting, to the extent possible and in accordance with national authorities, non-scheduled substances, including pharmaceutical preparations, prior to export, and transit countries should be notified.

standardized methodologies to assist with those estimates to the fullest extent possible;

(p) Strengthen national and regional cooperation among drug control agencies, customs authorities, police authorities, forensic laboratories, relevant industries and operators along the supply chain with a view to preventing the diversion of precursor chemicals;

(q) Make better use of international collaborative and cooperative mechanisms and new and developing technologies to support effective national and international control measures, including the production of strategic data on precursor trends (including information on diversions, as well as on clandestine manufacturing methods and starting materials currently being used in clandestine laboratories);

(r) Develop systems (for example, shared online recording systems) to prevent precursor chemicals from being diverted into illicit channels from community pharmacies;

(s) Increase efforts, beyond international trade controls, to prevent the diversion of precursors, and pharmaceutical preparations containing the precursors ephedrine and pseudoephedrine, from domestic channels to be smuggled across borders, while stressing that the increased involvement of border control authorities in this respect is essential;

(t) Develop practical procedures for the safe handling and disposal of seized precursors in cooperation with competent international and regional bodies and share experiences in that area, as well as training and related activities;

(u) Consider “marking” certain chemical shipments for possible future use if scientific advances ensure the appropriate use of such tools, taking into account the potential burden this would place on authorities and industry;

(v) Continue to support the successes achieved under Project Prism and Project Cohesion, which underline the importance of such activities, including the vital and indispensable role of the International Narcotics Control Board as the global focal point.

D. International cooperation on eradicating the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances and on alternative development¹⁰³

1. Strengthening research, data-collection and assessment tools

Problem

42. The generation, distribution, sharing and use of credible information on alternative development, including, where appropriate, preventive alternative development, are essential to support the drafting, implementation, monitoring and evaluation of alternative development interventions. However, there continues to be

¹⁰³ In accordance with Economic and Social Council resolutions 2006/33, 2007/12, annex, and 2008/26, the concept of alternative development includes preventive alternative development.

a lack of reliable and up-to-date data on illicit drug crop cultivation, including on, *inter alia*, the drivers of illicit crop cultivation, no increase in and ineffective utilization of data on human development and socio-economic aspects and insufficient sharing of best practices and lessons learned among the members of the international community engaged in alternative development.

Action

43. Member States should:

- (a) Undertake further research, strengthen data collection and guide better alternative development programmes;
- (b) Conduct research to assess the factors leading to the illicit cultivation of drug crops used for the production of narcotic drugs and psychotropic substances;
- (c) Provide the necessary financial and political support, to the extent possible, to survey, monitor and verify the extent of coca bush, opium poppy and cannabis cultivation, both in indoor and outdoor cultivation sites, consistent with international drug control conventions, and share this information with relevant international agencies and other Governments with a view to increasing cooperation on drug crop eradication and on alternative development, including, where appropriate, on preventive alternative development, in accordance with the specificities of each country or region;
- (d) Ensure that States with the necessary expertise, the United Nations Office on Drugs and Crime and other relevant United Nations organizations assist affected States in designing and improving systems to monitor and assess the qualitative and quantitative impact of alternative development and drug crop eradication programmes with respect to the sustainability of illicit crop reduction and socio-economic development; such assessment should include the use of human development indicators that reflect the Millennium Development Goals;
- (e) Ensure that affected States, the United Nations Office on Drugs and Crime and other relevant key actors strengthen efforts to share the results of alternative development programmes with the broader development community; in that regard, increased efforts should be made to highlight the work accomplished and the benefits provided to affected communities, and best practices and lessons learned should be identified and shared, failures evaluated and conclusions disseminated to the broader development community.

2. International cooperation on development-oriented drug control

Problem

44. Despite considerable advances over the past 10 years in strengthening international cooperation to address illicit drug crop cultivation through alternative development, the problem of ensuring increased and sustained financial, technical and political assistance by States and the international community continues to hinder the full applicability of alternative development. As such, increased cooperation among States and the international community, under the principle of shared responsibility, a balanced approach and the framework of sustainable development, with a specific focus on preventing, reducing and eliminating the illicit cultivation of crops used for the production of narcotic drugs and

psychotropic substances, is necessary to achieve effective and sustainable programmes.

Action

45. Member States should:

- (a) Foster and strengthen international cooperation based on the principle of shared responsibility in sustainable alternative development, including, where appropriate, preventive alternative development;¹⁰⁴
- (b) Reinforce international assistance in addressing the eradication of illicit drug crop cultivation and illicit drug production through integrated and sustainable alternative development; in this connection, long-term political and financial commitments on the part of Governments and the international community should be promoted to the extent possible;
- (c) Establish, where possible, sustainable alternative development programmes, in particular in drug-producing regions, including those with high levels of poverty, as they are more vulnerable to exploitation by traffickers and more likely to be affected by the illicit cultivation of drug crops and the illicit production of and trafficking in narcotic drugs and psychotropic substances;
- (d) Consider, where appropriate, including in their national development strategies, integrated and sustainable alternative development programmes, recognizing that poverty and vulnerability are some of the factors behind illicit drug crop cultivation and that poverty eradication is a principal objective of the Millennium Development Goals; and request development organizations and international financial institutions to ensure that alternative development strategies, including, when appropriate, preventive alternative development programmes, are incorporated into poverty reduction strategy papers and country assistance strategies for States affected by the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances;
- (e) Support the United Nations Office on Drugs and Crime so that it can continue to exercise its catalytic role with a view to mobilizing technical, financial and political support from international financial institutions, non-governmental organizations, relevant United Nations organizations, the private sector and civil society and so that it can also continue its work in supporting States in the design, implementation, monitoring and evaluation of alternative development programmes;
- (f) Ensure that the design and implementation of alternative development programmes, including, when appropriate, a preventive approach, involve all stakeholders, take into account the specific characteristics of the target area and incorporate grass-roots communities in project formulation, implementation and monitoring;
- (g) Ensure that international and regional agencies working on alternative development engage in dialogue in order to strengthen inter-agency cooperation while respecting each organization's role and mandate;

¹⁰⁴ Economic and Social Council resolution 2007/12, annex, para. 18 (c).

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- (h) Promote plans, strategies and guiding principles among members of the development community, in particular international financial institutions, to integrate measures to address the causes of the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances and to incorporate alternative development strategies into their wider development agendas where such strategies do not already exist;
 - (i) Ensure, in collaboration with multilateral agencies and international and regional financial institutions, that short-, medium- and long-term planning allows for the continuous financial support of integrated and sustainable alternative development programmes, including preventive alternative development programmes where appropriate, particularly in vulnerable areas;
 - (j) Take into account, where appropriate, governance and security concerns when implementing alternative development programmes, highlight, where appropriate, the status of national drug control strategies and programmes, including the eradication of illicitly cultivated crops used for the production of narcotic drugs and psychotropic substances and ensure that a balanced approach to national drug control and alternative development strategies is adequately applied;
 - (k) Reach out to States not affected by illicit drug crop cultivation and to the private sector with a view to providing greater access to markets for alternative development products, consistent with national and international obligations and taking into account applicable multilateral trade rules;
 - (l) Make use of existing cooperation mechanisms and develop regional cooperation mechanisms to exchange experiences in the areas of alternative development and eradication of illicitly cultivated crops used for the production of narcotic drugs and psychotropic substances;
 - (m) Assist States affected by illicit drug crop cultivation to strengthen cross-border, subregional and regional technical assistance and cooperation, including South-South cooperation; and request the United Nations Office on Drugs and Crime, the international development community and other key stakeholders to promote and support relevant cooperation in this regard;
 - (n) Cooperate with development partners to harmonize, align and manage international development assistance provided to the States affected by illicit drug crop cultivation in accordance with the principles of the 2005 Paris Declaration on Aid Effectiveness: Ownership, Harmonization, Alignment, Results and Mutual Accountability;
 - (o) Encourage relevant international financial institutions, United Nations organizations, non-governmental organizations and the private sector to increase their rural development support for regions and populations affected by illicit drug crop cultivation through long-term and flexible funding, and, to the extent possible, affected States should make a stronger commitment to financing alternative development programmes.

3. A balanced, long-term approach to addressing the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances

Problem

46. Despite some significant progress made in certain areas, efforts have not led to a significant overall decrease in the global illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances. The lack of understanding of demand/supply drug market dynamics and the lack of a long-term balanced approach, combined with ill-sequenced policy interventions, corruption and inadequate international development assistance to address the causes driving illicit crop cultivation, have impeded the ability of Governments to sustain the gains achieved locally.

Action

47. Member States should:

- (a) Tackle alternative development in a larger development context through a holistic and integrated approach, taking into account the Millennium Development Goals, with the priority of eradicating poverty;
- (b) Develop alternative development programmes and eradication measures while fully respecting relevant international instruments, including human rights instruments, and, when designing alternative development interventions, taking into consideration the cultural and social traditions of participating communities;
- (c) Ensure that development assistance provided to communities in areas affected by illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances takes into account the overall aims of human rights protection and poverty eradication;
- (d) Ensure that the implementation of alternative development and preventive alternative development, as appropriate, enhances synergy and trust among the national Government, local administrations and communities in building local ownership;
- (e) Integrate communities in marginalized regions into the economic and political mainstream in order to further drug control efforts and security; if appropriate, such integration should include the possibility of supporting access to roads, schools, primary health-care services, electricity and other services and infrastructure;
- (f) Ensure the proper and coordinated sequencing of development interventions when designing alternative development programmes; and, in this connection, the issues of the establishment of agreements and viable partnerships with small producers, favourable climatic conditions, strong political support and adequate market access should be taken into account;
- (g) Ensure, when considering taking eradication measures, that small-farmer households have adopted viable and sustainable livelihoods so that the measures may be properly sequenced in a sustainable fashion and appropriately coordinated;
- (h) Support, in particular in collaboration with development partners, international financial institutions and the United Nations Office on Drugs and

Crime, within its mandate, States engaged in alternative development by carrying out preventive alternative development activities, where appropriate, or proactive development measures to prevent the expansion of the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances and the migration of workers to areas affected by illicit drug crop cultivation and illicit drug production zones;

- (i) Ensure that development partners, international financial institutions and the United Nations Office on Drugs and Crime support States in addressing the illicit cultivation of coca bush, opium poppy and cannabis through sequenced activities, such as conducting further research to assess the extent of cultivation, identifying the social and economic drivers of cultivation and, ultimately, designing appropriate interventions to tackle the problem;
- (j) Address the need to enhance international cooperation and increase comprehensively the effectiveness of strategies aimed at strengthening the capacity of States to counter illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances and at promoting the realization of alternative development programmes;
- (k) Develop market infrastructure in support of alternative development programmes, sharing best practices among Governments and regions, as appropriate;
- (l) Promote a coordinated response to alternative development and eradication;
- (m) Implement, where there is illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances, comprehensive multisectoral interventions that take into account social, cultural, economic, political, educational and environmental aspects while incorporating, where appropriate, demand reduction measures;
- (n) Mainstream drug control and alternative development approaches into the broader development agenda, while encouraging the development community, in particular the international financial institutions, to incorporate drug control approaches into their wider development agendas.

4. Innovative strategies to support alternative development

Problem

48. Emerging threats and new challenges competing for global attention have led to a significant reduction in the means available to support the implementation of alternative development programmes, including preventive alternative development programmes, where appropriate. There is an increasing need to identify new and innovative funding mechanisms and to ensure that alternative development programmes are complementary to and incorporated into programmes aimed at addressing environmental issues. Likewise, the identification of market-driven products must be undertaken with the private sector, and market access must be assured in order to effectively implement alternative development strategies.

Action

49. Member States should:

- (a) Encourage all Member States and multilateral, international and regional financial institutions, in conformity with the principle of shared responsibility, to redouble their efforts to enhance international cooperation, aimed at utilizing the expertise of developing countries and the financial support of developed countries in assisting developing countries, to reduce the illicit cultivation of drug crops through alternative development and preventive alternative development, as appropriate;
- (b) Develop strategies consistent with domestic legal frameworks, including the utilization of local expertise, capacity-building and entrepreneurship, to develop products through alternative development programmes identified on the basis of market demand and value-added production chains, as well as secure and stable markets with fair prices for producers, in accordance with international trade rules, including the required infrastructure and a conducive environment, including roads, the establishment of farmer associations and the use of special marketing regimes, for example those based on fair-trade principles and commerce in organic products;
- (c) Consider supporting public information campaigns to raise awareness about the concept of shared responsibility and about the added social value of alternative development products;
- (d) Assist States affected by the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances to take advantage of existing mechanisms, such as debt swaps, and existing trade arrangements, and to explore the possibility of increasing national financing for alternative development programmes;
- (e) Ensure that development partners, affected States and other relevant key development actors examine innovative ways to promote alternative development programmes, including preventive alternative development programmes, where appropriate, that are environmentally friendly;
- (f) Continue to promote gender equality in alternative development interventions, ensuring that equal conditions exist for full participation in the design, implementation and evaluation of alternative development programmes;
- (g) Encourage participatory approaches from all stakeholders, including groups at risk of starting to illicitly cultivate crops used for the production of narcotic drugs and psychotropic substances, in the identification, preparation, implementation, monitoring and evaluation of alternative development;
- (h) Support, together with development partners, affected States and other relevant development agencies, the institutional strengthening of key national line agencies involved in alternative development, particularly national drug control coordinating bodies, recognizing that the sustainability of programmes depends on strengthened national institutions and their ability to bring together Government agencies and to coordinate with the international community;
- (i) Examine the possibility of supporting regional mechanisms and promoting bilateral agreements between States in order to address the problem of geographical displacement.

Countering money-laundering and promoting judicial cooperation to enhance international cooperation

E. Countering money-laundering

Problem

50. The laundering of money derived from illicit drug trafficking and other serious crimes continues to be a global problem that threatens the security and stability of financial institutions and systems, undermines economic prosperity and weakens governance systems.

Action

51. Member States should continue to foster international cooperation by implementing the provisions against money-laundering contained in all relevant international and multilateral instruments, such as the 1988 Convention, the Organized Crime Convention and the Convention against Corruption and, in accordance with national legislation, the Financial Action Task Force Recommendations on Money Laundering, and also by:

- (a) Establishing new or strengthening existing domestic legislative frameworks to criminalize the laundering of money derived from drug trafficking, precursor diversion and other serious crimes of a transnational nature in order to provide for the prevention, detection, investigation and prosecution of money-laundering by, inter alia:
 - (i) Widening the scope of predicate crimes for money-laundering to include all serious crimes, giving due consideration to crimes related to the misuse of new technologies, cyberspace and electronic money transfer systems and to transnational cash smuggling;
 - (ii) Adopting or strengthening legal measures providing for the identification, freezing, seizure and confiscation of the proceeds of crime and considering, where compatible with fundamental principle of domestic law, non-conviction-based confiscation;
 - (iii) Promoting the use of internationally accepted asset-sharing procedures in international confiscation cases, such as the Model Bilateral Agreement on the Sharing of Confiscated Proceeds of Crime or Property, adopted by the Economic and Social Council in its resolution 2005/14;
 - (iv) Ensuring that legal provisions in compliance with due process of law, such as banking secrecy laws, do not unnecessarily impede the effectiveness of their systems for countering money-laundering and do not constitute grounds for the refusal of mutual legal assistance;
 - (v) Granting the widest range of mutual legal assistance in investigations, prosecutions and other judicial proceedings related to money-laundering and confiscation cases;
 - (vi) Ensuring that the crime of money-laundering is covered by mutual legal assistance agreements for the purpose of ensuring judicial assistance in

investigations, court cases and other judicial proceedings relating to that crime;

(vii) Making money-laundering an extraditable offence, in accordance with national legislation;

(b) Establishing new or strengthening existing financial and regulatory regimes for banks and non-bank financial institutions, including natural and legal persons providing formal or informal financial services, thus preserving the integrity, reliability and stability of financial and trade systems through, inter alia:

(i) Customer identification and verification requirements, namely, application of the “know-your-customer” principle in order to have available for competent authorities the necessary information on the identity of clients and their financial transactions;

(ii) Requirements for the submission of meaningful beneficial ownership information for legal persons;

(iii) Financial record-keeping;

(iv) The mandatory reporting of suspicious transactions;

(v) Mechanisms to detect and monitor the cross-border transport of cash and other negotiable bearer instruments;

(vi) Consideration of establishing partnerships with the private sector, including financial businesses, with a view to ensuring sound and effective due-diligence procedures to counter money-laundering;

(vii) The introduction of measures to keep centralized statistical data on legal action taken to counter money-laundering;

(c) Implementing effective detection, investigation, prosecution and conviction measures, including:

(i) The establishment of dedicated financial intelligence units to serve as national centres for the collection, analysis and dissemination of suspicious transaction reports and the consideration of existing and affordable information technology solutions to assist financial intelligence units in the analysis of suspicious transaction reports;

(ii) The development of specialized law enforcement techniques, consistent with national legislative frameworks, to support efforts to counter money-laundering;

(iii) The encouragement of specialized training for law enforcement and judicial personnel in techniques for countering money-laundering;

(iv) The consideration, in conformity with domestic legislation, of utilizing confiscated funds to support law enforcement activities, demand reduction programmes and efforts to counter money-laundering;

(v) The development and use of instruments to detect and counter, in a timely manner, emerging methods and techniques for laundering money, including money derived from drug trafficking, from the diversion of precursors and from the abuse of cyberspace, money transfer systems and

payment cards; and the provision of technical assistance for building the capacity of developing countries in this regard, including the development of national detection instruments;

- (d) Promoting effective cooperation in strategies for countering money-laundering and in money-laundering cases by, inter alia:
 - (i) Strengthening mechanisms for domestic inter-agency coordination and information-sharing;
 - (ii) Strengthening regional and international networks for the exchange of operational information among competent authorities, in particular financial intelligence units;
 - (iii) Avoiding, to the extent possible, the duplication of data-collection tools related to Member States' obligations with respect to countering money-laundering, as set out in relevant United Nations instruments.

F. Judicial cooperation

1. Extradition

Problem

52. Legal impediments to extradition and practical difficulties remain, even though most States have laws in place and have entered into bilateral and multilateral treaties on the extradition of drug offenders, and many States have revised their legislation since the twentieth special session of the General Assembly. Concerning the non-extradition of nationals, several States maintain the position that they will not consider extraditing their nationals.

53. Much progress has been achieved through the adoption of relevant bilateral, regional and international agreements, especially at the regional level. While the low number of reported refusals is encouraging, there remain many difficulties with regard to differences between legal systems, delays and procedural and language problems.

Action

54. Member States should:

- (a) Make full use of multilateral treaties, notably, the 1988 Convention, the Organized Crime Convention and the Convention against Corruption, subject to their constitutional and judicial provisions and consistent with relevant international law, as a legal basis for requesting and granting extradition as a supplement to bilateral and regional treaties on judicial cooperation;
- (b) Make use of the 1988 Convention, the Organized Crime Convention and the Convention against Corruption, as appropriate, for the purpose of providing a basis for establishing dual criminality required for drug offences, in accordance with their national legislation;
- (c) Establish mechanisms to facilitate extradition in line with the international drug control conventions, subject to their national legislation,

specifically by considering further simplification of requirements in such areas as dual criminality, the application of political offences, consent surrender and conditional surrender;

(d) Ensure that when, on grounds of nationality, they do not extradite a person, they submit, in conformity with their domestic legislation, as appropriate, the case to their competent national authorities for prosecution;

(e) Advance cooperation in the areas of extradition, mutual legal assistance and law enforcement, as well as the effective use of tools and programmes to enhance cooperation efforts, consistent with relevant and applicable international human rights obligations and in accordance with their national legislation;

(f) Adopt measures to expedite extradition procedures and simplify evidentiary requirements in conformity with their domestic laws.

2. Mutual legal assistance

Problem

55. While most States have adopted legislation and entered into bilateral and multilateral treaties on mutual legal assistance in drug trafficking cases, and many have revised their procedures since the twentieth special session of the General Assembly, it is difficult to assess the rate of implementation of those provisions. While some progress has been made in this area, problems remain, particularly in relation to differences in procedural requirements, the protection of bank secrecy, the protection of national interests, translation requirements and delays. Statistics on requests for mutual legal assistance are also lacking.

Action

56. Member States should:

(a) Make full use of multilateral treaties, notably the 1988 Convention, the Organized Crime Convention and the Convention against Corruption, subject to their constitutional provisions, as a legal basis for requesting and granting mutual legal assistance and as a supplement to bilateral and regional treaties on judicial cooperation;

(b) Consider the adoption of a more flexible approach to judicial cooperation in order to facilitate the provision of the widest possible range of mutual legal assistance, in particular in the area of non-coercive measures;

(c) Maintain timely and clear communication among all central authorities, with particular attention to regular consultations with States that have a high volume of requests for assistance, and undertake prior consultations in complex or time-sensitive cases;

(d) Ensure that procedures and practices in relation to mutual legal assistance, extradition and controlled delivery capacity between States take account of different legal systems; and consider, where appropriate, the posting of criminal justice liaison personnel abroad;

(e) Request the United Nations Office on Drugs and Crime, in cooperation with Member States, to consider the advisability and feasibility of establishing a

virtual network of central authorities for mutual legal assistance and competent authorities for extradition requests, pursuant to the 1988 Convention and the Organized Crime Convention, in order to facilitate communication and problem solving among such authorities.

3. Transfer of proceedings

Problem

57. A limited number of States have entered into bilateral and multilateral agreements or revised their legislation to facilitate the transfer of proceedings. The availability of data was lower than in other areas.

Action

58. Member States should:

- (a) Consider adopting legislation or procedures to enable the transfer of proceedings, where appropriate, in particular where extradition is not possible;
- (b) Make available information on their experiences in the transfer of proceedings to interested States if they have had such experiences;
- (c) Consider entering into agreements with other States to transfer or receive proceedings in criminal matters, particularly with those States which do not extradite their nationals and, in that connection, refer to the Model Treaty on the Transfer of Proceedings in Criminal Matters¹⁰⁵ as a basis for negotiation.

4. Controlled delivery

Problem

59. Practical difficulties remain in the implementation of controlled delivery. Some of the difficulties relate to differences in legal provisions and authorities responsible for conducting controlled deliveries in different States, as well as to identifying the links between local and international criminal groups.

Action

60. Member States should:

- (a) Ensure, if permitted under the basic principles of their legal systems, that legislation, procedures and practices allow for the use of controlled delivery at the national and international levels and, to that end, enter into necessary agreements, arrangements and understandings;
- (b) Enhance cooperation in the areas of controlled delivery requirements, national capacities and sharing of information pertaining to controlled delivery, in conformity with domestic law;
- (c) Improve and consider institutionalizing the exchange of information among source, transit and destination countries and among intergovernmental organizations in the area of law enforcement cooperation; States, in particular those situated along major drug trafficking routes, should, in conformity with their

¹⁰⁵ General Assembly resolution 45/118, annex.

national legislation, consider establishing joint investigations and teams of law enforcement officers dealing with drug trafficking and organized crime.

5. Witness protection

Problem

61. Disparities remain among States with respect to legislative provisions, rules, procedures and capacities for the protection of witnesses.

Action

62. Member States should take appropriate measures, within their means, including adopting, where they have not yet done so, legislation, rules and practical measures that provide for the protection of witnesses before, during and after trial and that allow, where appropriate, the implementation of measures consistent with those set out in the Organized Crime Convention, which should be used to the fullest extent possible, as it includes state-of-the-art measures in this area.

6. Complementary measures

Problem

63. Although legal and procedural frameworks exist in many States, numerous difficulties remain in the implementation of all the measures, in particular the legal, procedural and technical aspects with respect to the execution of requests for judicial cooperation.

Action

64. Member States should:

(a) Identify areas of synergy between the work of the United Nations Office on Drugs and Crime on judicial cooperation in the area of drug trafficking in the context of the 1988 Convention and the work carried out to implement the Organized Crime Convention and the Convention against Corruption, recognizing that gathering information on the implementation of those instruments must be complementary and mutually supportive;

(b) Assist the United Nations Office on Drugs and Crime in expanding online tools, such as the directory of designated authorities, to enable the sharing of judicial cooperation tools, including model forms, guidelines and manuals for extradition, mutual legal assistance, transfer of proceedings and other types of judicial cooperation or include links to websites containing such information;

(c) Enable the United Nations Office on Drugs and Crime to assist them, upon request, in collecting data for international cooperation and, where appropriate, in establishing databases to maintain such information;

(d) Use, in conformity with national legislation, existing tools and programmes to enhance extradition and mutual legal assistance through information-gathering, judicial assistance resources, including online resources such as directories, model forms, guidelines and manuals;

- (e) Promote training and workshops to help acquaint States with different legal systems and strengthen working relationships among counterparts in order to facilitate the execution of requests for assistance and build trust among central authorities;
- (f) Strengthen the role of the United Nations Office on Drugs and Crime in providing training and in facilitating problem-solving forums in recognition of the need for States to familiarize themselves with different legal systems and to establish new or strengthen existing working relationships with counterparts;
- (g) Review national legislation, as appropriate, to ensure compliance with the legal requirements of the 1988 Convention, as well as to promote the exchange of information among competent authorities regarding drug trafficking by sea, through regional and subregional cooperation;
- (h) Define the liability and responsibilities of various shipping structures and strengthen cooperation with professional trade associations, consistent with existing international mechanisms and in accordance with their national legislation.