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**Illicit drug traffic and supply: world situation with regard
to drug trafficking and action taken by the subsidiary
bodies of the Commission**

Action taken by subsidiary bodies of the Commission on Narcotic Drugs

Report of the Secretariat

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* E/CN.7/2003/1.



I. Introduction

1. Four meetings of the subsidiary bodies of the Commission on Narcotic Drugs were held in 2002: the Twelfth Meeting of Heads of National Drug Law Enforcement Agencies, Africa, was held in Nairobi from 9 to 13 September 2002; the thirty-seventh session of the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East, was held in Tehran from 14 to 18 October 2002; the Twelfth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, was held in Lima from 15 to 18 October 2002; and the Twenty-sixth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, was held in Bangkok from 11 to 15 November 2002.

2. Following a review of trafficking trends and regional and subregional cooperation, each meeting addressed drug law enforcement issues of priority concern to its region. Consideration of these issues was facilitated by the discussions that took place during informal meetings of the working groups established for that purpose. In addition, it is the practice of subsidiary bodies to review the implementation of previous recommendations on a biennial basis, with the exception of the Heads of National Drug Law Enforcement Agencies, Europe, which is convened on a triennial basis.

3. The Twelfth Meeting of Heads of National Drug Law Enforcement Agencies, Africa, considered the following issues: (a) removing impediments to effective law enforcement; (b) inter-agency cooperation: a unified response to drug trafficking; (c) strengthening land border controls; and (d) the criminal justice system and drug abusers. The thirty-seventh session of the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East considered the following topics: (a) inter-agency cooperation: a unified response to drug trafficking; (b) strengthening land border controls; (c) criminal justice system and drug abusers; and (d) demand reduction. The Twelfth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, examined the following issues: (a) effective law enforcement without compromise; (b) inter-agency cooperation: the need for a unified response to combating drug traffickers; and (c) challenges to law enforcement in precursor control. The Twenty-sixth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, considered the following topics: (a) effective law enforcement without compromise; (b) methylenedioxymethamphetamine (MDMA, commonly known as Ecstasy) as an emerging threat to the region; (c) inter-agency cooperation: the need for a unified response to combating drug traffickers; and (d) challenges to law enforcement in precursor control.

4. The recommendations of the meetings of the subsidiary bodies are contained in the reports of those meetings (UNDCP/HONLAF/2002/5, UNDCP/SUBCOM/2002/5, UNDCP/HONLAC/2002/5, UNDCP/HONLAP/2002/5), which are before the Commission, for its consideration, in the languages of the respective meetings. The draft resolutions recommended by the subsidiary bodies for approval by the Commission for adoption by the Economic and Social Council are reproduced in section II below. The recommendations of the subsidiary bodies are summarized in section III below.

II. Draft resolutions to be recommended by the Commission for adoption by the Economic and Social Council

A. Twelfth Meeting of Heads of National Drug Law Enforcement Agencies, Africa

5. The Twelfth Meeting of Heads of National Drug Law Enforcement Agencies, Africa, recommended to the Commission on Narcotic Drugs the approval of the following draft resolution for adoption by the Economic and Social Council:

Funding of travel for participants of meetings of heads of national drug law enforcement agencies

The Economic and Social Council,

Recalling General Assembly resolutions 53/115 of 9 December 1998, 54/132 of 17 December 1999, 55/65 of 4 December 2000 and 56/124 of 19 December 2001, in which the Assembly stressed the importance of the meetings of Heads of National Drug Law Enforcement Agencies, in all regions of the world, and the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East of the Commission on Narcotic Drugs, and encouraged them to continue to contribute to the strengthening of regional and international cooperation, taking into account the outcome of the twentieth special session of the General Assembly,

Recalling also its resolution 1985/11 of 28 May 1985, in which it requested the Secretary-General to convene regular meetings of the operational heads of the national drug control and law enforcement agencies of States in the African region to study questions related to illicit drug traffic in the region and to establish more effective mechanisms for cooperation and mutual assistance in the suppression of illicit drug traffic within, from and into the region,

Recalling further its resolution 1987/34 of 26 May 1987, in which the Council decided to grant to the Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, the status of a subsidiary organ of the Commission on Narcotic Drugs, similar to that accorded the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East and the Meetings of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, and Africa,

Recalling its resolution 1988/15 of 25 May 1988, in which the Council requested the Secretary-General to take the necessary measures to convene annually the Meetings of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, Africa, and Latin America and the Caribbean and to provide the financial resources required from available resources and, if necessary, to seek additional extrabudgetary resources,

Recalling also its resolution 1992/28 of 30 July 1992, on improvement of the functioning of the subsidiary bodies of the Commission on Narcotic Drugs, in which it requested the Commission to examine further, on a regular basis, the functioning of the subsidiary bodies of the Commission,

Recalling further Commission on Narcotic Drugs resolution 45/2 of 15 March 2002, in which the Commission reiterated its request to the Secretary-General to provide the regional meetings of Heads of National Drug Law Enforcement Agencies with the financial resources to assist those States which could not otherwise be represented, by defraying the travel expenses for one participant from each of those States,

1. *Confirms* that the meetings of Heads of National Drug Law Enforcement Agencies, as subsidiary bodies of the Commission on Narcotic Drugs, have the same status as the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East;

2. *Recognizes* that the annual meetings of Heads of National Drug Law Enforcement Agencies relate to the programme of work of the United Nations International Drug Control Programme, which is funded from the regular budget of the United Nations;

3. *Requests* the Secretary-General to provide, from within available resources of the regular budget of the United Nations, the meetings of Heads of National Drug Law Enforcement Agencies with the financial resources to assist those States which could not otherwise be represented, by defraying the travel expenses for one participant from each of those States, as is done for the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East.

B. Twelfth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean

6. The Twelfth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, recommended to the Commission on Narcotic Drugs approval of the following draft resolution for adoption by the Economic and Social Council:

Funding of travel for participants of meetings of heads of national drug law enforcement agencies

The Economic and Social Council,

Recalling General Assembly resolutions 53/115 of 9 December 1998, 54/132 of 17 December 1999, 55/65 of 4 December 2000 and 56/124 of 19 December 2001, in which the Assembly stressed the importance of the meetings of Heads of National Drug Law Enforcement Agencies, in all regions of the world, and the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East of the Commission on Narcotic Drugs, and encouraged them to continue to contribute to the strengthening of regional and international cooperation, taking into account the outcome of the twentieth special session of the General Assembly,

Recalling that, in its resolution 1987/34 of 26 May 1987, the Economic and Social Council invited the Governments of the Latin American and the Caribbean countries and other interested Governments to participate in the regional meeting of the heads of national drug law enforcement agencies with

a view to establishing the Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, and requested the Secretary-General to adopt the necessary measures and to provide the financial resources required for holding the regional meeting,

Recalling also that, in its resolution 1987/34, the Council decided to grant to the Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, the status of a subsidiary organ of the Commission on Narcotic Drugs, similar to that accorded the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East and the Meetings of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, and Africa,

Recalling further its resolution 1988/15 of 25 May 1988, in which the Council requested the Secretary-General to take the necessary measures to convene annually the Meetings of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, Africa, and Latin America and the Caribbean and to provide the financial resources required from available resources and, if necessary, to seek additional extrabudgetary resources,

Recalling its resolution 1992/28 of 30 July 1992, on improvement of the functioning of the subsidiary bodies of the Commission on Narcotic Drugs, in which it requested the Commission to examine further, on a regular basis, the functioning of the subsidiary bodies of the Commission,

Recalling also Commission on Narcotic Drugs resolution 45/2, in which the Commission reiterated its request to the Secretary-General to provide the meetings of Heads of National Drug Law Enforcement Agencies with the financial resources to assist those States which could not otherwise be represented, by defraying the travel expenses for one participant from each of those States,

1. *Confirms* that the meetings of Heads of National Drug Law Enforcement Agencies, as subsidiary bodies of the Commission on Narcotic Drugs, have the same status as the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East;

2. *Recognizes* that the annual meetings of Heads of National Drug Law Enforcement Agencies relate to the programme of work of the United Nations International Drug Control Programme, which is funded from the regular budget of the United Nations;

3. *Requests* the Secretary-General to provide, from within available resources of the regular budget of the United Nations, the meetings of Heads of National Drug Law Enforcement Agencies with the financial resources to assist those States which could not otherwise be represented by defraying the travel expenses for one participant from each of those States, as is done for the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East.

III. Recommendations of the subsidiary bodies

A. Twelfth Meeting of Heads of National Drug Law Enforcement Agencies, Africa

1. Removing impediments to effective law enforcement

7. Governments should review the current state of preparation of their law enforcement agencies and others mandated to combat illicit drug trafficking in order to ensure that they are adequately funded, trained and equipped to fulfil their functions, and should take steps, such as the introduction of integrity programmes, to develop and support conditions within their law enforcement agencies that foster an organization-wide culture that does not tolerate or sustain corrupt practices among law enforcement officers. For example, procedures should be established to investigate allegations of corrupt practice and to encourage “whistle-blowing”. Governments should adopt a code of conduct applicable to senior public officials in sensitive positions in order to ensure a high level of integrity in drug law enforcement agencies.

2. Inter-agency cooperation: a unified response to drug trafficking

8. Governments drafting national drug control master plans should ensure that such plans take into account the importance of inter-agency cooperation to the achievement of effective results and include references to the development of practical agreements to support cooperation within drug control strategies. Governments should ensure that training for key agencies responsible for drug law enforcement is integrated, so as to foster mutual understanding of the requirements and operational needs of the respective services. To ensure well-coordinated and focused national policies to suppress illicit drug trafficking, Governments should consider the establishment of a national body or agency to oversee and coordinate the drug law enforcement activities of the police, customs and other national agencies empowered to enforce drug control legislation.

3. Strengthening land border controls

9. To meet the challenges posed by long and porous borders, Governments of the States in the region should encourage their drug law enforcement agencies to develop closer ties with their counterparts in neighbouring States through initiatives such as organizing joint training for officers working at border controls and providing mutual support in operations at checkpoints. In response to the increasing trend involving drug traffickers operating out of several countries, Governments should accelerate their efforts to harmonize their national legislation and to support mutual legal assistance, extradition and the transfer of proceedings. Governments of neighbouring States and international entities, such as the Office on Drugs and Crime* of the Secretariat, are invited to provide urgent support aimed at institution-building and political stability to those States in the region emerging from periods of disruption following war or civil conflict.

* The Office for Drug Control and Crime Prevention became the Office on Drugs and Crime on 1 October 2002.

4. The criminal justice system and drug abusers

10. Governments should ensure that training on the principles of reduction of drug demand is integrated into the training programmes of all law enforcement agencies for officials who are responsible for the enforcement of legislation to combat drug abuse and trafficking. Governments of the region should, as a matter of urgency, take steps to introduce, within their criminal justice systems, appropriate procedures to enable drug abusers to be provided treatment, education and rehabilitation as a supplement to prison sentences. Governments should ensure the full implementation of the international drug control treaties, as called for by the Commission on Narcotic Drugs in its resolution 45/15 of 15 March 2002.

B. Thirty-seventh session of the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East

1. Inter-agency cooperation: a unified response to combating drug trafficking

11. Drug law enforcement agencies should be proactive in establishing formal contacts with the media so as to ensure balanced and informed reporting of initiatives to counter the drug problem. If they have not already done so, the law enforcement agencies of the region should take steps to establish a mechanism for the regular exchange of information between national agencies and cross-border counterparts on current trends in the modus operandi used in smuggling and on drug-trafficking organizations. To facilitate cross-border investigations into and enquiries about the activities of traffickers, Governments should clearly establish the mandate of their national law enforcement focal points, making them responsible for dealing with international requests for assistance and providing feedback to the investigating agency. Governments of the region should also adopt measures to promote closer coordination between drug law enforcement agencies of neighbouring States, such as through joint training and the sharing of operational experience to facilitate the identification and arrest of traffickers and the dismantling of criminal groups. Governments should take steps to improve cooperation between the States of the region, the United Nations International Drug Control Programme (UNDCP), the Economic Cooperation Organization, the International Criminal Police Organization (Interpol) and the Customs Cooperation Council (also known as the World Customs Organization) in order to ensure easy access of those States to related databanks, such as those of the Customs Enforcement Network and the Regional Intelligence Liaison Offices, and to avoid overlapping of functions. States members of the Subcommittee should actively participate in the implementation of alternative development plans and crop substitution programmes in Afghanistan.

2. Strengthening land border controls

12. Governments should consider the following options: common manning of border stations and joint mobile patrols to expand operational capacities; the adoption of measures to enhance communications and the exchange of information; and the strengthening of joint drug law enforcement controls by land and sea between neighbouring States. Governments should actively encourage and support regular meetings of their drug law enforcement agencies with their cross-border and

regional counterparts to develop valuable operational contacts and to strengthen the effectiveness of their border control. States members of the Subcommission should tighten controls over the manufacture, movement and use of precursor chemicals essential for the production of heroin and fully support the international initiative called Operation Topaz to prevent the diversion of acetic anhydride. In that connection, a meeting on the smuggling of precursors should be convened with the assistance of UNDCP. The venue and date of the meeting should be decided by UNDCP before the thirty-eighth session of the Subcommission. Governments should increase their cooperation in the exchange of information on precursors, and UNDCP should be requested to advise Governments on the most appropriate border control equipment.

3. Criminal justice system and drug abusers

13. Governments should examine how drug abusers are dealt with and, where necessary, amend their legislation to encourage the rehabilitation of abusers through, for example, the introduction of drug courts, police referral to voluntary treatment programmes or other recognized alternative approaches to treatment. In response to the increasing incidence of injecting drug abuse in the region, States members of the Subcommission should increase their efforts at raising public awareness about the health dangers from the human immunodeficiency virus (HIV), acquired immunodeficiency syndrome (AIDS) and other communicable diseases associated with such high-risk activity. If they have not already done so, Governments of the region should implement article 7, relating to mutual legal assistance, and article 8, relating to transfer of proceedings, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances. To promote legal assistance among the countries of the region and among those along the drug-trafficking routes, the Governments concerned, with the assistance of UNDCP and in cooperation with their judicial authorities, should promote the regular exchange of judicial experience among the countries of the region through educational programmes and workshops. A regional database containing information about persons convicted of criminal drug offences should be established. States members of the Subcommission should strive to achieve greater harmonization of their criminal justice systems and national drug control legislation in order to expedite action taken against drug offenders and traffickers. Governments should adopt new or amend existing legislation to establish alternative penalties for drug abusers. Owing to the increasing incidence of intravenous drug abuse in the region, greater emphasis should be given to the sharing of information on the issue and to promoting public awareness, especially among the groups most at risk; to identifying patients affected by epidemic and contagious diseases; and to providing the facilities required to assist those affected and to prevent intravenous drug abuse.

4. Demand reduction

14. Governments should put greater emphasis on raising public awareness to the dangers of drug abuse, using all the advocacy techniques available to them and engaging the support of the mass media to target the most vulnerable groups. Governments should allocate more resources to demand reduction programmes, especially community-based prevention, treatment and rehabilitation, as well as programmes for the prevention of HIV/AIDS and hepatitis B. A working group consisting of members of the Subcommission should be convened to address drug

demand issues in the region, with the participation of experts from the region and from relevant intergovernmental and non-governmental organizations. In view of the importance of demand reduction and in order to pursue a balanced approach to drug control, the various aspects of demand reduction should be appropriately addressed by the Subcommission. Accordingly, the agenda of the Subcommission should, in future, include an agenda item on demand reduction, and delegations attending future meetings should include experts in demand reduction.

C. Twelfth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean

1. Effective law enforcement without compromise—How corrupt practices within law enforcement agencies can compromise their effectiveness, and consideration of the introduction of effective measures to prevent abuses of authority

15. Governments should review existing safeguards and mechanisms with a view to strengthening or introducing relevant anti-corruption and money-laundering legislation and to enhancing the capacity to ensure the effective investigation and prosecution of such cases. Governments should consider introducing appropriate and effective measures to minimize the potential for corruption. Careful selection of public sector employees should be accompanied by the monitoring of professional standards and the promotion of a professional code of conduct and ethics that should be reviewed and signed annually by each employee, who should also provide a sworn declaration of income and assets. Where a law enforcement officer is identified as having been involved in an offence of corruption, consideration should be given to making this information available to other agencies in the public sector.

2. Inter-agency cooperation: the need for a unified response to combating drug traffickers—How legal or operational restrictions may limit full inter-agency cooperation in law enforcement; identification of common benefits from cooperative operations; approaches to building trust between different agencies; and new approaches to countering cooperation between trafficking groups

16. Governments should promote cooperation between agencies at the international level. Such cooperation could assist in building trust and mutual understanding, thereby contributing to the improved exchange of information and greater operational effectiveness. To improve overall law enforcement effectiveness, Governments should ensure the establishment of national coordination centres, support multi-agency operations and the concept of a joint task force, and enable prosecutors to support and strengthen the investigation process. Proven examples of effective international cooperation, such as precursor control initiatives to combat the production of synthetic drugs, notably Operation Purple and Operation Topaz (the international tracking programmes for, respectively, potassium permanganate and acetic anhydride), soon to be complemented by Project Prism, focusing on precursors of amphetamine-type stimulants, should be fully supported. Measures should be considered to promote and strengthen international cooperation at the judicial level.

3. Challenges to law enforcement in precursor control—Status of national controls and enforcement procedures for the substances scheduled in Tables I and II of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988; national contributions to international cooperation in that area; and recent trends in the diversion of precursors used in the manufacture of amphetamine-type stimulants

17. The Office on Drugs and Crime of the Secretariat, the International Narcotics Control Board, the Inter-American Drug Abuse Control Commission of the Organization of American States and other competent international bodies should hold discussions to review the current pre-export notification and control systems, to identify weaknesses in them, and to determine any appropriate action that might be required for their improvement. Governments should ensure that effective national drug control bodies are in place to administer precursor controls. The International Narcotics Control Board should encourage the chemical producing and exporting countries to continue their efforts to ensure that export pre-notifications are dispatched to countries of destination in a timely manner. Government control bodies should ensure appropriate follow-up and feedback. Governments should develop partnerships, build confidence, facilitate the sharing of information and actively engage the chemical industry in contributing to effective systems of control of precursor chemicals. Governments and their drug control agencies should ensure that appropriate sanctions and penalties are available in legislation to deal with illicit diversion of precursor chemicals.

D. Twenty-sixth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific

1. Effective law enforcement without compromise

18. Governments should consider the introduction of measures such as the requirement of a declaration of assets by senior law enforcement staff; the establishment of internal investigation units to respond to complaints and allegations made against officers; recognition and acceptance of the need to monitor and make ongoing changes to agency operating procedures in response to identified weaknesses; and a robust and transparent complaints and review process as a response to combat inappropriate and illegal actions by law enforcement agencies and their staff. Governments should examine the contributory causes of corruption within their law enforcement agencies, such as low salaries, inadequate training, under-resourced response units, weak legislation and poorly supervised agency procedures, and take immediate action to make them stronger and more resistant to corruption. Governments should encourage and support the adoption of measures that build the confidence of the public in law enforcement authorities, by limiting the potential for abuse of powers by their staff and the loss of their effectiveness in combating crime.

2. Methylenedioxymethamphetamine (MDMA, commonly known as Ecstasy) as an emerging threat to the region

19. Governments in the region should take appropriate measures to enhance the cooperation and coordination of investigations related to production of and

trafficking in MDMA. Because trafficking in MDMA is very profitable and generates large quantities of cash, Governments should take measures to enact legislation to combat money-laundering, to establish systems, such as financial intelligence units designed to combat money-laundering, and to cooperate closely to implement the relevant laws. Governments should raise awareness among young people of the dangers to health caused by abuse of MDMA and support specific demand reduction initiatives by law enforcement agencies to reduce the abuse of MDMA among young people.

3. Inter-agency cooperation: the need for a unified response to combating drug traffickers

20. Cross-border cooperation between countries in the region should be further enhanced, for example, by setting up border liaison offices and concluding agreements on action plans for cross-border cooperation, as established by the UNDCP-sponsored project on cross-border cooperation in East Asia. Governments should take steps to ensure that they are able to respond quickly to requests from foreign counterparts in the region regarding assistance in the investigation of drug-trafficking offenders. Countries should intensify their national efforts to facilitate the sharing of information and resources between government agencies. Governments should be encouraged to establish a technical system for sharing information, which should provide a secure communication network. Assistance should be sought from Interpol and the Office on Drugs and Crime of the Secretariat.

4. Challenges to law enforcement in precursor control

21. Because the range of precursors suitable for diversion to illicit drug manufacture extends beyond those scheduled for control under the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, Governments should take steps to ensure that their drug law enforcement authorities are aware of those alternative precursors that are commonly trafficked within the region and take appropriate steps to prevent their diversion. To maintain effective control over the diverse range of precursor chemicals where responsibility for their monitoring and regulation is shared by several ministries, Governments should take steps to ensure that the efforts of those agencies are coordinated. Noting that the source of most precursors used by clandestine drug laboratories operating in the region may have originated from chemical plants also within the region, UNDCP should consider the feasibility of implementing a project aimed at tracing seized precursors in order to conduct signature analysis of chemical types.