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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.7/2005/1.



I. Introduction

1. Four meetings of the subsidiary bodies of the Commission on Narcotic Drugs were held in 2004: the thirty-ninth session of the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East, held in Beirut from 26 to 29 October; the Fourteenth Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Africa, held in Cairo from 30 May to 3 June; the Fourteenth Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, held in Mexico City from 11 to 15 October; and the Twenty-eighth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, held in Bangkok from 29 November to 3 December.

2. Following a review of trends in drug trafficking and regional and subregional cooperation, each of the subsidiary bodies addressed drug law enforcement issues of priority in its region. Consideration of those issues was facilitated by the discussions that had been held during informal meetings of the working groups established for that purpose. In addition, the implementation of previous recommendations was reviewed by all subsidiary bodies.

3. At its thirty-ninth session, the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East considered the following issues: (a) trafficking in opiates and the heightened need for coordination between States and law enforcement agencies across the region; (b) current regional trends in the illicit manufacture of and trafficking in amphetamine-type stimulants (ATS); and (c) combating corruption through effective and uncompromising law enforcement. The Fourteenth Meeting of HONLEA, Africa, considered the following issues: (a) drug trafficking, conflict and violence: the challenge to law enforcement in conflict and post-conflict situations; (b) emerging trafficking challenges; and (c) cannabis: the African connection. The Fourteenth Meeting of HONLEA, Latin America and the Caribbean, examined the following issues: (a) Effective measures against cocaine manufacture and trafficking; (b) procedures to identify, seize and confiscate goods and assets derived from crime; and (c) drug trafficking by sea: a review of controls over the sea container traffic in Latin America and the Caribbean. The Twenty-eighth Meeting of HONLEA, Asia and the Pacific, considered the following topics: (a) detecting and dismantling clandestine drug laboratories; (b) effective measures to counter heroin trafficking; (c) effective procedures to identify, seize and confiscate goods and assets derived from crime; and (d) a regional approach to strategic planning to counter cross-border organized crime.

4. The recommendations of the subsidiary bodies at the above-mentioned meetings are contained in the reports of the meetings (UNODC/SUBCOM/2004/5, UNODC/HONLAF/2004/6, UNODC/HONLAC/2004/5 and UNODC/HONLAP/2004/5), which will be made available to the Commission in the working languages of the respective subsidiary bodies. Their recommendations are summarized in section II below.

II. Recommendations of the subsidiary bodies

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

1. Trafficking in opiates and the heightened need for coordination between States and law enforcement agencies across the region

5. To facilitate the effective dismantling of drug trafficking syndicates, the investigation of those involved and their successful prosecution, Governments of States in the Near and Middle East should be encouraged to harmonize their legislation and judicial procedures.

6. In order to enhance regional cooperation, participating member States of the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East should extend the resources available to law enforcement agencies to combat illicit drug trafficking and Governments should encourage the development and implementation of joint cross-border operations, the exchange of information, experiences and intelligence and the organization of training programmes among agencies.

7. In response to requests to undertake controlled delivery operations, Governments should ensure that their competent authorities are legally empowered and operationally able to respond.

8. Governments should be encouraged to share best practices in the area of drug demand reduction among States participating in the sessions of the Subcommittee.

9. Governments should be encouraged to tighten controls on parallel banking networks and companies operating in different countries, in order to ensure that they do not become involved or are used in money-laundering activities.

2. Current regional trends in the illicit manufacture of and trafficking in amphetamine-type stimulants

10. Governments of States in the Near and Middle East should encourage their relevant law enforcement agencies to establish lines of communication and to share information with respect to trafficking in fenetylline, sold under the brand name Captagon, both with each other and with their operational counterparts in Eastern Europe.

11. Governments of States of the region should consider the establishment of a regional database containing information about the physical appearance of seized ATS, including pictures, supported by detailed information about their components, signs and symbols, which should be accessible to all relevant law enforcement authorities.

12. Governments of States of the region should explore the possibility of sharing regional expertise in combating trafficking in ATS through initiatives such as increasing the exchange of information, the secondment of specialized operational staff and the provision of joint training in the detection, identification and investigation of drug trafficking syndicates.

3. Combating corruption through effective and uncompromising law enforcement

13. In order to support the effectiveness and integrity of their law enforcement agencies, Governments should be encouraged to review their current operating conditions in order to ensure that they are adequately prepared, resourced and funded to fulfil their duties.

14. Governments should encourage their law enforcement agencies to develop an organizational culture and introduce measures that strengthen their integrity and public confidence in their operations, with a view to preventing, limiting and controlling corrupt practices and the misuse of official authority.

15. Governments should be encouraged to develop national anti-corruption strategies that include public information and awareness-raising campaigns in order to foster an environment where corrupt practices and misuse of authority cannot be sustained.

16. Governments of States of the region that have not already done so should take the measures necessary to promote their prompt adherence to the United Nations Convention against Corruption (General Assembly resolution 58/4, annex).

B. Fourteenth Meeting of Heads of National Drug Law Enforcement Agencies, Africa

Issue 1. Drug trafficking, conflict and violence: the challenge to law enforcement in conflict and post-conflict situations

17. Countries emerging from conflict should adopt drug control strategies as part of their reconstruction efforts and draw upon the experiences of countries in the African region, such as Sierra Leone.

18. The United Nations Office on Drugs and Crime should consider specific strategies to assist countries emerging from conflict in their drug control and related crime prevention efforts, pursuant to Economic and Social Council resolution 2004/39 of 21 July 2004, entitled "Drug control and related crime prevention assistance for countries emerging from conflict".

19. Countries emerging from conflict should be called upon to pay particular attention to the rehabilitation and social reintegration of children, in particular child soldiers, who have often been the victims of drug abuse and conflict.

20. Governments of States emerging from conflict should make use of the training facilities available to African countries, such as the facilities of the Anti-Narcotics General Administration of Egypt, in establishing their drug control authorities; the international community should support the provision of training to law enforcement agencies of countries emerging from conflict.

Issue 2. Emerging trafficking challenges

21. To prevent the abuse of illicit drugs, Governments should take steps to ensure effective controls over the manufacture, sale and distribution of licit pharmaceutical medicines.

22. Even though the illicit manufacture of ATS is not widespread in Africa, Governments of States of the region should nevertheless take steps to ensure that they have in place the effective regulatory controls for precursor chemicals essential to the manufacture of such stimulants and that such controls are well coordinated with a law enforcement response.

23. Governments should encourage the establishment, among their drug law enforcement authorities, of agency focal points responsible for coordinating and facilitating the exchange of operational information between services and supporting requests in matters relating to current investigations.

Issue 3. Cannabis: the African connection

24. Governments should call on the African Union to give greater priority to the control of cannabis in Africa and to develop a common strategy to combat illicit cannabis cultivation, production, trafficking and abuse.

25. The Drug Control and Crime Prevention Unit of the African Union should, in collaboration with subregional organizations in Africa, step up its advocacy role among African heads of State and Government to strengthen political will and ensure resource allocation for drug control on the continent, in particular with regard to cannabis.

26. With the support of the United Nations Office on Drugs and Crime, Governments should contribute to the establishment of regional drug laboratories to develop supervised scientific research into cannabis, its properties, chemical profiling and testing, and possible medical applications.

27. Governments should develop a multifaceted strategy for control over the production of, trafficking in and abuse of cannabis, with particular emphasis on support for rural areas at risk to illicit cannabis cultivation.

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

Issue 1. Effective measures against cocaine manufacture and trafficking

28. In the development of their national response to the control of precursor chemicals, Governments should be encouraged to undertake a thorough assessment of their national chemical industry, so as to devise effective strategies that are readily supported by both control authorities and the private sector.

29. Governments should be encouraged to identify or detect the use of chemicals that are common substitutes for those under international control and to share that information promptly with the Governments of other States of the region and also with the competent international bodies.

30. Governments of States in the region currently engaged in alternative development programmes in illicit crop-growing areas should continue to develop those initiatives and actively seek international support to sustain and expand alternative development and illicit crop eradication programmes.

Issue 2. Procedures to identify, seize and confiscate goods and assets derived from crime

31. To dismantle criminal organizations and further deprive those involved of the benefit of their illegally acquired wealth, Governments should consider the proposal by Colombia to examine the possibility of sharing the proceeds from the forfeiture of illegally acquired assets upon the conclusion of investigations in multiple jurisdictions.

32. In response to illicit drug trafficking and other serious forms of organized crime involving more than one jurisdiction, Governments should consider posting judicial liaison officers at their diplomatic missions to ensure proper adherence to required legal procedures and the speedy gathering of prosecution evidence.

33. States that have not already done so should, as a matter of urgency, take steps to ratify the United Nations Convention against Corruption, thereby strengthening the integrity and effectiveness of their public service.

Issue 3. Drug trafficking by sea: a review of controls over the sea container traffic in Latin America and the Caribbean

34. Those Governments of States of the region which have not already done so should be encouraged to take steps to strengthen security at ports and container facilities as a first step towards deterring the use of ports and container facilities by traffickers in transporting illicit drugs.

35. In response to the growing volume of trade, and the extensive use made of sea containers as a means of transport, Governments should ensure that their border protection authorities are well prepared and equipped to meet the control and inspection responsibilities placed upon them.

36. Governments should encourage their drug law enforcement authorities to take a more proactive approach to the exchange of information between competent authorities on the movement through the region of persons and vessels suspected of being involved in illicit drug trafficking by sea.

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

Issue 1. Detecting and dismantling clandestine drug laboratories

37. Consideration should be given to the establishment of an information-sharing mechanism for the region of Asia and the Pacific to collate and disseminate intelligence on, inter alia, suspected persons, convicted offenders, types of equipment used in the manufacture of ATS and known illicit sources of precursor chemicals.

38. In response to the need for advanced expertise in methods of effectively dismantling clandestine drug laboratories, Governments should ensure that their law enforcement agencies are able to share such information with countries that currently lack such capacity. Information exchange could take the form of informal dialogue between counterparts or more formal mechanisms such as country-to-country study trips or regional workshops.

39. Considering that substances such as ketamine should be brought under international control, Governments should take steps to notify the appropriate United Nations authorities, in particular the World Health Organization.

40. Governments should encourage their law enforcement agencies to develop strong working relationships with the chemical industry within their jurisdiction, ensuring the effective supply of critical intelligence and engaging the support of that critical industry in chemical control.

Issue 2. Effective measures to counter heroin trafficking

41. Where they have not already done so, Governments should ensure that there are mechanisms and procedures in place to support the timely and secure exchange of information between their national drug law enforcement agencies and cross-border counterparts.

42. Governments of States of the region should actively support the development of cross-border cooperation initiatives, such as the border liaison office programme, that promote a coordinated operational response to combat illicit drug trafficking and the diversion of precursor chemicals.

43. To be effective against trafficking in precursor chemicals used in the manufacture of illicit drugs, Governments must ensure that their administrative procedures and national legislation support the enforcement of precursor control and the successful prosecution of those engaged in such illicit trafficking.

Issue 3. Effective procedures to identify, seize and confiscate goods and assets derived from crime

44. Those States in the region which currently lack an effective domestic legislative framework to deal adequately with money-laundering attempts should review and, when necessary, strengthen domestic legislation.

45. States that have yet to become parties to or implement the relevant international conventions dealing with money-laundering should be encouraged to do so.

46. Governments of States of the region should be encouraged to establish financial intelligence units where they have not already done so.

Issue 4. A regional approach to strategic planning to counter cross-border organized crime

47. The Twenty-ninth Meeting of HONLEA, Asia and the Pacific, should explore further the concept of regional strategic plans, which may be developed in response to the priority drug law enforcement issues within the region.

48. Governments should identify the key issues of concern in the region that affect their ability to act effectively against illicit drug trafficking and transmit their findings and conclusions to the designated focal point (New Zealand), to be collated and reported to the Twenty-ninth Meeting of HONLEA, Asia and the Pacific.