

1997/39. Baku Accord on Regional Cooperation against Illicit Cultivation, Production, Trafficking, Distribution and Consumption of Narcotic Drugs and Psychotropic Substances and Their Precursors

The Economic and Social Council,

Convinced that the Baku Accord on Regional Cooperation against Illicit Cultivation, Production, Trafficking, Distribution and Consumption of Narcotic Drugs and Psychotropic Substances and Their Precursors will contribute to the enhancement of the struggle against illicit trafficking in drugs,

1. *Takes note* of the Baku Accord on Regional Cooperation against Illicit Cultivation, Production, Trafficking, Distribution and Consumption of Narcotic Drugs and Psychotropic Substances and Their Precursors, the text of which is annexed to the present resolution;

2. *Urges* Member States, in accordance with the provisions of the Baku Accord, to take all appropriate measures at the national and international levels to continue to combat the illicit traffic in narcotic drugs and psychotropic substances in all its forms;

3. *Invites* the Secretary-General to inform all Member States, relevant specialized agencies and entities of the United Nations system and other intergovernmental organizations of the adoption of the Baku Accord;

4. *Urges* Member States to take, as appropriate, all necessary measures to implement the Baku Accord in accordance with their national legislation;

5. *Invites* Member States to promote public campaigns, including the use of the mass media, to enhance public awareness of drug abuse and drug prevention programmes.

*36th plenary meeting
21 July 1997*

ANNEX

Baku Accord on Regional Cooperation against Illicit Cultivation, Production, Trafficking, Distribution and Consumption of Narcotic Drugs and Psychotropic Substances and Their Precursors

A. NATURE AND EXTENT OF THE PROBLEM

1. The Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East opened its thirty-second session at Baku on 17 February 1997 with an expanded membership, better representing the diverse character of the region as a whole and of its subregions, and affording greater possibilities for more in-depth discussion of the illicit drug-trafficking situation and its impact on the region and of new cooperative modalities for effective counteraction. The new composition of the Subcommittee is indicative of global developments in illicit drug trafficking, which are reflected in conditions in some States in the Near and Middle East.

2. The expanding and complex system of global organized drug crime, involving cultivation, production, trafficking, distribution and consumption activities, which penetrate various sectors, has already left its mark on the region. Associated criminal activities, especially narcotics-related terrorism and the arms trade, have assumed alarming proportions in spite of law enforcement efforts.

3. The consequences of illicit drug trafficking in the Near and Middle East are a mirror image of developments at the global level, characterized by the erosion of the hard-won benefits of development, the diversion of some countries from their developmental path, the destabilization of the socio-economic order, the destruction of the moral and social fabric of society and the undermining of the quality of life of the peoples of the region.

4. As the illicit traffic in and abuse of narcotic drugs and psychotropic substances are serious and growing concerns in the region, the development of an accurate annual estimate of the situation and trends is essential to the successful development and implementation of regional strategies and subregional programmes. An accurate assessment of the magnitude and dimensions of the illicit drug problem in the region is the necessary starting point for both rational policy-making and the promotion of public awareness. In the absence of a reliable and comprehensive intelligence assessment, substantial misconceptions might arise and resources might be misallocated. Moreover, early detection and subsequent action aimed at controlling emerging problems might become extremely difficult.

B. DECLARATION

We, representatives of the States members of the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East,

Having gathered at the thirty-second session of the Subcommittee, held at Baku from 17 to 21 February 1997, to consider the Baku Accord on Regional Cooperation against Illicit Cultivation, Production, Trafficking, Distribution and Consumption of Narcotic Drugs and Psychotropic Substances and Their Precursors,

Deeply concerned about the spread of drug abuse in the region and its effects on youth and on future generations,

Deeply concerned also about the rising illicit cultivation of narcotic crops and the illicit production of and trafficking in drugs, which pose the main threat to the political, economic, social and cultural structure and stability of the region,

Reaffirming our commitment to combat the multidimensional problems involving illicit drugs,

Convinced that concerted action and comprehensive, well-coordinated programmes are the only means by which to fight problems involving illicit drugs,

Have agreed on the following:

1. Nationally and regionally coordinated strategies should be developed for the implementation of the mandates and recommendations contained in the Global Programme of Action adopted by the General Assembly at its seventeenth

special session, on 23 February 1990,¹⁹⁰ the Tehran Declaration adopted by the Ministerial-level Conference at the twenty-ninth session of the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East, held at Tehran from 24 to 28 October 1992,²⁰⁰ and other relevant international drug control instruments;

2. Training in the field of drug law enforcement is a priority for many States of the region, and interested national authorities should seek the assistance of competent intergovernmental bodies in the development of inter-agency multidisciplinary training courses for law enforcement officials of the region, taking into account socio-economic differences, as well as evaluating on an ongoing basis the relevance and impact of all training material and programmes in their respective national circumstances;

3. Efforts should be made by the international community and intergovernmental bodies and organizations to establish cooperative relations with the authorities in Afghanistan in order to assist in the eradication of illicit cultivation, production and trafficking of narcotic drugs, especially in the drug-producing areas of the country, and to provide them with packages of aid and the means of economic reform, such as human development and capacity-building, mobilization of resources and industrial development, to enable them to resort to alternative sources of income, which would provide better economic possibilities for future generations;

4. Focal points should be established in the capital cities of States members of the Subcommittee in order to improve cooperation and coordination at the national and regional levels, and their titles and addresses should be communicated to their counterparts in the region to enable them to undertake the following action:

(a) To discuss with one another, as frequently as necessary, operational drug control matters and other *modi operandi*;

(b) To develop drug intelligence networks to ensure the rapid and secure exchange of information on all illicit drug-trafficking operations;

(c) To share expertise and knowledge in drug law enforcement;

(d) To promote field visits for drug control officers in the region in order to build up mutual confidence and trust, which are conducive to smooth operations;

(e) To exchange information on drug-trafficking trends and trend indicators, as well as intelligence information on the movement of narcotic drugs, psychotropic substances, precursors and methods of concealing assets, bearing in mind the fact that criminal organizations employ a wide range of sophisticated financial mechanisms, including corporate entities and offshore financial havens, to conceal the origin of their funds;

(f) To exchange skills and techniques used in the detection, investigation and suppression of offences involving illicit drug trafficking and the collection of evidence;

(g) To cooperate and coordinate efforts towards the use of controlled delivery in cases relating to trafficking in narcotic drugs, psychotropic substances and precursors and to money laundering;

(h) To harmonize drug legislation, in particular with regard to the application of adequate penalties for drug offences;

(i) To facilitate mutual cooperation regarding the identification, seizure, forfeiture and sharing of proceeds proved to be derived from drug-related criminality;

5. All States should be urged to take effective action to control and prevent the diversion of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, as well as the materials and equipment used in their manufacture. In particular, States of the region should:

(a) Consider notifying the Secretary-General, under the provisions of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,⁸⁵ article 12, paragraph 10 (a), that any country exporting to them a substance in table I of the Convention should supply them with advance notification of such export, and request that such notification be extended to cover substances in table II as well;

(b) Accede, if they are exporters of substances in table I or table II of the 1988 Convention, to the request of the International Narcotics Control Board to provide such pre-export notifications voluntarily to importing countries, even in the absence of a specific request for such notification;

6. States of the region should require import authorizations for all substances in schedules III and IV of the Convention on Psychotropic Substances of 1971;⁸⁴

7. All States in the region should be urged to adopt further legislative and administrative measures to prevent and sanction money laundering;

8. All States members of the Subcommittee should be urged to make every effort to ensure that the present Accord becomes generally known and is observed and implemented in full in accordance with their domestic laws;

9. The international community should be requested to assist and cooperate in the development of illicit crop eradication programmes and to promote alternative development programmes;

10. As proposed in the international drug control treaties, the international community, including intergovernmental bodies, should assist transit countries in enhancing their capabilities to suppress illicit drug trafficking;

11. The international community, including intergovernmental bodies, should provide financial assistance to States of the region that lack technical equipment and in which the Government exercises control over licit drugs and combats illicit trafficking;

12. To stem the flow of illicit drugs, reducing illicit drug demand is as important as reducing illicit drug supply and

²⁰⁰ See E/CN.7/1993/2, chap. I, sect. D.

trafficking. Significant progress in drug control cannot be made without that balanced approach. Prevention and demand reduction must be intensified and accorded the high priority that they deserve;

13. Comprehensive preventive programmes must be designed to emphasize a multisectoral and intersectoral approach as an integral part of national development planning. They should focus on protecting young people, who are at risk of becoming consumers and traffickers, and should safeguard their well-being and quality of life, thereby maintaining a drug-free society. Using all preventive, educational, medical and legal information available, such programmes should raise the awareness of youth of the negative consequences of drug abuse and should be tailored individually to target specific groups of potential young abusers;

14. In order to maintain the traditional privacy of the family recognized in most States in the region, States members of the Subcommittee should consider ensuring anonymity to any abuser who undergoes medical examination, treatment and rehabilitation;

15. All States should be called upon to strengthen their national legal and judicial systems in conformity with the existing international drug control treaties, in order to improve and carry out effective drug control activities in cooperation with other States;

16. States in the region should consider facilitating the extradition of persons accused of drug-trafficking offences and refrain from granting political asylum or other forms of protection to such persons;

17. All States should recognize the negative impact on anti-trafficking activities by customs, border-control and law enforcement authorities created by the absence or loss of effective exercise of sovereignty in any part of a State because of internal strife, foreign occupation or other causes, which may give rise to illicit transit traffic in drugs, and should condemn any violation of national borders and territorial integrity;

18. The Subcommittee should continue to meet on an annual basis in a capital city of the region;

19. The Secretary-General is invited to consider, upon request by interested Governments, how the various elements contained in the present Accord might be carried out and to examine with them the most suitable modalities for following up appropriate activities at the national, regional and international levels;

20. The Secretary-General is also invited to transmit the text of the present Accord to all States Members of the United Nations to serve as a background document for the special session of the General Assembly devoted to the fight against the illicit production, sale, demand, traffic and distribution of narcotic drugs and psychotropic substances and related activities, to be held in June 1998.