

Recognizing the need constantly to improve the capacity of law enforcement agencies to target and intercept illicit drug trafficking, without hindering the free movement of innocent persons and legitimate international trade,

Welcoming the Declaration on the Further National Development of Memoranda of Understanding between Customs and the Trading Community aimed at Cooperation to prevent Drug Smuggling, which was adopted by the Customs Cooperation Council at Brussels in June 1992, and which recognizes and supports the principle of achieving cooperation between customs and other competent authorities and the international trading community, including commercial carriers, through memoranda of understanding,

Recognizing the significance of the use of memoranda of understanding concluded between the Customs Cooperation Council and international trade and transport organizations for the improvement of cooperation to combat illicit trafficking,

Convinced that such an international initiative needs to be enhanced by agreements at the national level, where the joint development and implementation of cooperative agreements can be most effective,

Believing that manufacturers, traders, shippers, carriers, port and airport authorities and others involved in the international supply chain can significantly cooperate with customs and other competent authorities in the gathering of information for risk assessment and targeting purposes,

Believing also that such a partnership should lead to the improvement of physical security, the streamlined clearance of persons and goods and the specialized training of both official and trade personnel,

Recognizing that the cooperation arising from memoranda of understanding may facilitate the use of controlled delivery, to the extent permitted by the basic principles and legal systems of the parties concerned,

Noting that a number of States have already implemented memoranda of understanding at national and local levels,

Convinced of the urgent need to accelerate the process of concluding memoranda of understanding,

1. *Urges* all States which have not already done so to implement fully article 15 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, by taking appropriate measures to prevent the use of commercial means of transport for illicit traffic;

2. *Commends* the Customs Cooperation Council for the progress that it has made in developing the programme of memoranda of understanding, and for the memoranda that it has already concluded with major transport and trading organizations;

3. *Commends also* those Governments which have introduced national programmes of memoranda of understanding, and invites them to share their experiences with other Governments within regional drug cooperation groups and with the Customs Cooperation Council, the United Nations International Drug Control Programme and other appropriate international bodies;

4. *Invites* the Programme, in consultation with the Customs Cooperation Council and other appropriate international bodies, to monitor the effectiveness of programmes

of memoranda of understanding developed at the national, regional and international levels in combating illicit traffic;

5. *Also invites* the Programme to promulgate details of memoranda of understanding or measures which have been taken at the international or regional level to implement article 15 of the Convention, and which have been particularly effective;

6. *Requests* the Secretary-General to draw up model texts to assist those countries which require legislation in order to cooperate in controlled deliveries;

7. *Also requests* the Secretary-General to transmit the present resolution to all Governments for consideration and implementation as appropriate;

8. *Further requests* the Secretary-General to report to the Commission on Narcotic Drugs, at its thirty-eighth session, on the progress made in the implementation of the present resolution.

43rd plenary meeting
27 July 1993

1993/42. Measures to assist in the implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988

The Economic and Social Council,

Recalling that the *Commentary on the Single Convention on Narcotic Drugs of 1961*,¹² the *Commentary on the Protocol Amending the Single Convention on Narcotic Drugs, 1961*¹³ and the *Commentary on the Convention on Psychotropic Substances*¹⁴ were of considerable value to a number of Governments as a guide in framing legislative and administrative measures for the application of those Conventions in their territories,

Bearing in mind that the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988¹¹ is a comprehensive document embracing many and varied aspects of combating illicit trafficking in and demand for narcotic drugs and psychotropic substances,

Noting the continuing calls on States that have not already done so to ratify or accede to the 1988 Convention and, to the widest possible extent, to apply its provisions on an interim basis, pending its entry into force for each of them,

Convinced of the great need for and the value of a uniform interpretation and application of the 1988 Convention,

Requests the Secretary-General, within existing regular budgetary resources, to prepare a commentary on the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, drawing upon the official records of the Conference for the adoption of the Convention¹⁵ and other relevant materials that may be of assistance to States in their interpretation and effective implementation of the Convention.

43rd plenary meeting
27 July 1993