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DIVISION OF NARCOTIC DRUGS
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***Special issue on an analysis of the campaign
against drug trafficking***

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UNITED NATIONS
New York, 1983

SPECIAL REQUEST

As indicated in recent issues of the *Bulletin on Narcotics*, the Division of Narcotic Drugs plans to focus forthcoming issues of the *Bulletin* on particular subjects of general interest.

For this purpose, the following topics have been identified for future issues:

1. Role of narcotics laboratories in combating the illicit drug traffic.
2. Illicit supply of, and traffic in, coca leaves, coca paste and cocaine: problems and countermeasures.
3. Sentencing policies for offenders convicted of drug-related infractions.
4. Recent research on the harmful effects of cannabis.
5. Drugs and youth.
6. Extradition of persons accused of illicit drug traffic—studies on existing international instruments and on judicial implementation at the national level.
7. Drug-related problems in Africa.
8. Developments relating to control of psychotropic substances.

Interested readers are accordingly invited to submit manuscripts related to the topics listed above in sufficient time to be considered for possible publication in the *Bulletin*.

For more detailed information concerning submission of manuscripts, readers may refer to the "Note" on page v.

NOTE

The *Bulletin on Narcotics* seeks to cover current information on experience gained in national and international drug control programmes with particular attention to results obtained in a given country that may be of interest and value to other countries.

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Articles for publication in the *Bulletin* should be addressed to the *Bulletin on Narcotics*, Division of Narcotic Drugs, United Nations, Vienna International Centre, P.O. Box 500, A-1400 Vienna, Austria, accompanied by an abstract of approximately 200 words and a short *curriculum vitae* of the authors. They should be submitted in original and two copies. Illustrations consisting of all material that cannot be set in type, such as photographs, line drawings, graphs, charts and tracings may be included with the manuscript. Tables should be self-explanatory and should supplement, not duplicate the text. Each table must have a title. References should follow numerical order. The bibliography should be presented in alphabetical order.

A transmittal letter should designate one author as correspondent and include his complete address and telephone number.

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Editor's note

This special issue of the *Bulletin on Narcotics* is concerned with the campaign against drug traffic and is published in accordance with the General Assembly resolution 37/198 adopted on 18 December 1982. The continuing rapid increase in total quantities of many drugs being moved in the illicit traffic in most parts of the world is well recognized. It is also universally accepted that the most successful measures to counter this traffic must operate from a firm base of co-ordinated activity at the national level. On this basis it is possible to establish regional and interregional co-ordination mechanisms to counter the drug traffic which is itself an international phenomenon. The International Drug Control Strategy, adopted by the General Assembly in resolution 36/168 of 16 December 1981, indicates the parameters within which co-ordinated action can most usefully be undertaken. This Strategy identified activities which could be undertaken by regional organizations and this special issue contains a number of articles describing the work of such organizations. Other articles describe national and international action against the drug traffic.

The United Nations Division of Narcotic Drugs, in accordance with decisions and resolutions of the Commission on Narcotic Drugs, the Economic and Social Council and the General Assembly, continues, within resources available, to encourage mutual assistance between States to counter the drug traffic and associated phenomena. Special attention has recently been directed to measures designed to alleviate the particular problems of transit States, the number of which is increasing exponentially. There is also concentration on supporting regional and interregional meetings, seminars and workshops designed to develop and promote more rapid, secure and accurate exchanges of information and intelligence. These measures at national, regional and international level have accounted for at least some part of the greater quantities of many drugs seized from the traffic. However, much remains to be done, especially in improving communication networks both within and between national territories.

The role of the Commonwealth Secretariat in the fight against illicit drug traffic

B. A. K. RIDER

Commonwealth Fraud Officer, Assistant Director, Legal Division, Commonwealth Secretariat, Marlborough House, London, United Kingdom of Great Britain and Northern Ireland

ABSTRACT

The Commonwealth Secretariat is an international diplomatic agency servicing the Commonwealth, an association of some 47 independent countries that derive a common heritage from the former British Empire. Although the Commonwealth Secretariat's role in combating the illicit traffic in drugs has developed pragmatically in response to specific needs, it reflects a deep concern on the part of member countries to do everything within their power to further the fight against this serious criminal activity. To this end the various divisions of the Secretariat have commissioned studies, facilitated training, prepared model legislation, promoted the exchange of information, participated at international forums and made a determined effort to concentrate enforcement at an international level against the resources and property of those engaged in this illicit traffic.

The Commonwealth

When discussing the role of the Commonwealth Secretariat in the fight against illicit drug trafficking it is appropriate to first describe the Commonwealth. It is a voluntary association of some 47 independent countries. These countries, with their various dependencies, contain more than one quarter of the world's population. Although independent, each member of the Commonwealth is bound within the association by common ties. While these bonds are complete and numerous, perhaps the most noticeable are the common language—English—and the sharing of a common heritage derived in large measure from the old British Empire from which the association has grown. The Commonwealth's strength is in its members' enthusiastic desire to approach problems in a spirit of co-operation and mutual understanding.

Playing a pivotal role in servicing this association, and its members, is the Commonwealth Secretariat. The Secretariat, which is based in London, is an intergovernmental organization with full diplomatic rights and immunities within the Commonwealth.

Recognition of the problems

The problems related to drug abuse have been discussed at all levels within the Commonwealth association and in many contexts. However, no single organ of the Commonwealth or division of the Secretariat is charged with special, let alone exclusive, responsibility for these matters. At first glance it may be difficult to identify a constructive contribution to the solution or mitigation of these problems on the part of the Secretariat. A more careful examination of the concern expressed within the Commonwealth family and the positive steps taken, especially in the last few years, would show this first impression to be misguided.

Heads of Government, ministers and senior officials hold regular meetings within the Commonwealth. On a number of occasions the problems associated with drug abuse and in particular the control of illicit supply have been discussed. For example, at the regional meeting for Asia and the Pacific of the Commonwealth Heads of Government at Sydney in February 1978, it was acknowledged that illicit drug traffic was a growing problem for a number of Commonwealth jurisdictions in the region. The meeting called for the establishment of a special working group on illicit drugs to facilitate co-operation. More recently, the Commonwealth law ministers, meeting in Sri Lanka in February 1983, resolved that the Commonwealth Secretariat should continue its work in encouraging countries to attack international organized crime, especially where drug trafficking is involved, through the seizure and forfeiture of assets and property related to criminal activity. A meeting of senior law officers of small Commonwealth jurisdictions, held in the Isle of Man in July 1983, expressed concern that off-shore financial centres should not be used to facilitate commercial and financial transactions related to drug trafficking and other types of serious crime. The meeting of Commonwealth Finance Ministers in September 1982 in London received a paper from the Commonwealth Secretariat making the same point.

Therefore, it is clear that the problems have been recognized in the Commonwealth, at all levels, and there is a desire within the Commonwealth to foster co-operation, both inside the association and on a world-wide basis, to combat illicit traffic and mitigate the level of abuse.

Activities of the Commonwealth Secretariat

Activities at the divisional level

Within the Commonwealth Secretariat a number of divisions and offices have responded to this desire and are now actively engaged in facilitating co-operation and especially the exchange of information in their various areas. For example, the Medical Division is concerned with the problem of abuse

specifically in the context of overall health promotion and care. The Youth Division is especially mindful of the appalling consequences that illicit trafficking may have on the most precious natural resource of each nation—the youth. The Office of the Special Adviser on Women and Development has been concerned with the special aspects of the problem relating to women and their role in society. Of course, within the Commonwealth Secretariat and the various other organs and arms of the Commonwealth there is a high degree of co-operation, and it would be wrong to assume that these various programmes and areas of concern are exclusively the preserve of one particular division or office.

It is perhaps the Legal Division that has become most actively involved in the fight against illicit traffic. The Legal Division has co-operated closely in the programmes of the other sections of the Secretariat, but in a number of areas it has proceeded in close association with international organizations. For example, the Legal Division has maintained a close relationship with the Special Working Party of the World Health Organization (WHO) in the preparation of the Guidelines in the Context of the International Treaties for the Control of Narcotics and Psychoactive Substances. The Division has also co-operated with the General Secretariat of ICPO/Interpol in the preparation of a study on the development of provisions in the law to facilitate the seizure and forfeiture of property associated with criminal activity and in particular illicit drug trafficking. Similar co-operation has also existed in regard to the refinement of the Commonwealth Scheme for the Rendition of Fugitive Offenders.

In November 1981 the Commonwealth Fraud Liaison Service became operational. This office within the Legal Division of the Commonwealth Secretariat enjoys a wide mandate to *inter alia* co-ordinate and facilitate the fight against international commercial and organized crime within the Commonwealth. Its terms of reference were extended at the meeting of Commonwealth law ministers in Sri Lanka in February 1983 to the development of commercial criminal intelligence. The Service works with police and law enforcement agencies throughout the world, not only in the Commonwealth. Although its primary concern is serious commercial crime, given the relationship between this type of criminal activity and other forms of organized crime—especially illicit traffic in drugs—the Office has not taken an over-restrictive attitude to the scope of its mandate. Money laundering and other financial transactions whereby organized crime's operations are facilitated or obscured are within its purview.

Studies

The Commonwealth Secretariat has commissioned studies on various topics related to illicit trafficking in drugs. For example, studies have been prepared on the relationship between illicit trafficking and other serious crimes; the seizure and forfeiture of property associated with serious

criminal activity; the use of intelligence and money tracing techniques in combating serious organized international crime; and the abuse of children and young persons in regard to illicit trafficking. Perhaps the most significant initiative in this respect is the preparation of a detailed report on the position of Commonwealth jurisdictions in regard to their obligations under the various treaties relating to the control and suppression of illicit traffic in drugs. A "model bill" for the accession to these treaties and the enactment of their obligations has been prepared and appended to the report. This "accession kit" will be particularly useful for the smaller jurisdictions where legal resources are not as plentiful as they are in the larger and more developed member countries.

Regional co-operation

It would be wrong to create the impression that the Commonwealth Secretariat has itself been solely responsible for these initiatives. In some cases the impetus has come from member countries and regional assemblies. Reference has already been made to the meeting of Commonwealth Heads of Government of Asia and the Pacific in February 1978 and the Special Working Group of officials that was consequently set up to facilitate international co-operation in the fight against illicit traffic of drugs on a regional basis. This Special Working Group met on several occasions and was served by a special consultant supplied by the Commonwealth Secretariat. At these meetings observers were invited from a number of non-Commonwealth countries in the region and interested international agencies such as ICPO/Interpol, the Colombo Plan Bureau and the United Nations Division of Narcotic Drugs.

The Special Working Group on Illicit Drugs was concerned that the regional initiative should complement and strengthen the co-operation that already existed in the region and particularly through and with the relevant international agencies. It was accepted that the main contribution of the Special Working Group was in the identification of major policy issues. At the First Meeting of the Group in June 1979 at Kuala Lumpur, which was attended by a representative of the United Nations Division of Narcotic Drugs, it was resolved that a series of country status reports would be prepared on matters ranging from demand reduction to intelligence. These reports were received and reviewed at a meeting at New Delhi in September 1980. The Working Group made a series of recommendations which included the fostering of a basic common attitude in legislative and judicial action against drug trafficking within the region; improvement in the flow of intelligence and the maximization of its use through the establishment of a central data base; and the use of legal provisions to attack the financial assets of traffickers. The constructive deliberations of this Working Group has provided a basis for other initiatives in different regions of the Commonwealth.

Training

Finally, the Commonwealth Secretariat and other agencies and organs of the Commonwealth, such as the Commonwealth Fund for Technical Co-operation and the Commonwealth Foundation, stand ready to assist in training persons in various skills and procedures that might facilitate the fight against illicit trafficking and in certain cases there is the possibility of providing expertise and advice directly.

Conclusions

It cannot be said that the Commonwealth Secretariat's role in combating illicit trafficking in drugs is based on a decided and refined programme of action; in truth, its various initiatives appear pragmatic according to the special exigencies. Nevertheless, its concern in assisting others in resolving or at least minimizing the impact of the problem is clearly manifest. The Commonwealth Secretariat stands ready to assist any Commonwealth Government in this important battle and is prepared to co-operate as fully as it can with any other international agency in this endeavour.