

for international cooperation in combating such criminal activities as illicit trafficking in protected species of wild flora and fauna, in furtherance of the principles of the Convention on International Trade in Endangered Species of Wild Fauna and Flora,

1. *Urges* Member States to adopt, in accordance with the Convention on International Trade in Endangered Species of Wild Fauna and Flora,<sup>43</sup> the legislative or other measures necessary for establishing illicit trafficking in protected species of wild flora and fauna as a criminal offence in their domestic legislation;

2. *Encourages* Member States to explore possible means of promoting law enforcement cooperation and information exchange aimed at preventing, combating and eradicating illicit trafficking in protected species of wild flora and fauna;

3. *Requests* the Secretary-General to prepare, within existing resources or drawing upon extrabudgetary contributions, in coordination with other competent entities of the United Nations system, a report analysing domestic, bilateral, regional and multilateral legal provisions and other relevant documents, resolutions and recommendations dealing with the prevention, combating and eradication of illicit trafficking in protected species of wild flora and fauna by organized criminal groups and to present its report to the Commission on Crime Prevention and Criminal Justice at its eleventh session;

4. *Also requests* the Secretary-General to prepare, within existing resources or drawing upon extrabudgetary contributions, in coordination with other competent entities of the United Nations system, a report analysing the domestic, bilateral, regional and multilateral legal provisions and other relevant documents, resolutions and recommendations dealing with illicit access to genetic resources and also the extent to which organized criminal groups are involved therein and to present its report to the Commission on Crime Prevention and Criminal Justice at its eleventh session.

*40th plenary meeting  
24 July 2001*

**2001/13. Strengthening international cooperation in preventing and combating the transfer of funds of illicit origin, derived from acts of corruption, including the laundering of funds, and in returning such funds**

*The Economic and Social Council,*

*Recalling* General Assembly resolutions 51/191 of 16 December 1996 on the United Nations Declaration against Corruption and Bribery in International Commercial Transactions, 53/176 of 15 December 1998 on action against corruption and bribery in international commercial transactions, 54/205 of 22 December 1999 on the prevention of corrupt practices and illegal transfer of funds, 55/25 of 15 November

2000 on the United Nations Convention against Transnational Organized Crime, 55/61 of 4 December 2000 on an effective international legal instrument against corruption and 55/188 of 20 December 2000 on preventing and combating corrupt practices and illegal transfer of funds and repatriation of such funds to the countries of origin,

*Concerned* about the seriousness of problems posed by corruption, which may endanger the stability and security of societies, undermine the values of democracy and morality and jeopardize social, economic and political development,

*Concerned also* that funds of illicit origin derived from acts of corruption include public funds, whose diversion may seriously threaten economic and political progress, in particular in developing countries,

*Alarmed* at the fact that such funds are often being transferred from their countries of origin to international banking centres and financial havens,

*Recognizing* that the authorities of those countries wishing to recover funds of illicit origin, including funds obtained through acts of corruption and financial fraud, have a legitimate wish to obtain information on the whereabouts of those funds and that confidentiality, the right to privacy and bank secrecy cannot guarantee impunity,

*Recognizing also* the importance of strengthening international cooperation in combating the transfer of funds of illicit origin and in returning such funds,

*Viewing* with deep concern the increasing link between money-laundering and corruption, making it essential to promote national and international efforts in areas such as preventing and combating the transfer of funds of illicit origin and returning such funds,

1. *Requests* the intergovernmental open-ended expert group referred to in resolution 55/61 to consider, within the context of its mandates, the following issues, inter alia, as possible items of work to be included in the draft terms of reference for the negotiation of a future legal instrument against corruption:

(a) Strengthening international cooperation in preventing and combating the transfer of funds of illicit origin, including the laundering of funds derived from acts of corruption, and promoting ways and means of enabling the return of such funds;

(b) Developing the measures necessary to ensure that those working in banking systems and other financial institutions contribute to the prevention of the transfer of funds of illicit origin derived from acts of corruption, for example, by recording transactions in a transparent manner, and to facilitate the return of those funds;

(c) Defining funds derived from acts of corruption as proceeds of crime and establishing that an act of corruption may be a predicate offence in relation to money-laundering;

(d) Establishing criteria for the determination of countries to which funds, referred to above, should be returned and the appropriate procedures for such return;

2. *Requests* the Office for Drug Control and Crime Prevention of the Secretariat to support Governments that request technical assistance in combating the transfer of funds of illicit origin and in returning such funds, including by providing the names of experts to assist such Governments;

3. *Urges* Governments, through voluntary contributions, and invites multilateral financial institutions and regional development banks, as appropriate, to support the Office for Drug Control and Crime Prevention in its efforts to assist Governments that request technical cooperation in combating the transfer of funds of illicit origin and in returning such funds, including by providing the names of the experts available to assist the Office;

4. *Requests* the Secretary-General, further to his analytical report on progress made in the implementation of resolution 55/188, to prepare, within existing resources or drawing upon through extrabudgetary contributions, for the ad hoc committee referred to in resolution 55/61, a global study on the transfer of funds of illicit origin, especially funds derived from acts of corruption, and its impact on economic, social and political progress, in particular in developing countries, and to include in his study innovative ideas regarding appropriate ways and means of enabling the States concerned to obtain access to information on the whereabouts of funds belonging to them and to recover such funds.

40th plenary meeting  
24 July 2001

**2001/14. Prevention of diversion of precursors used in the illicit manufacture of synthetic drugs**

*The Economic and Social Council,*

*Reaffirming* that the control of precursor chemicals is a key component in the prevention of diversion of such chemicals to the illicit manufacture of drugs,

*Alarmed* by the continued spread of the illicit manufacture of synthetic drugs, including amphetamine, methamphetamine and Ecstasy-type drugs, and by the health hazards associated with their abuse,

*Noting* that the global nature of both the problem of synthetic drugs and the trade in chemicals makes cooperation at all levels, with all relevant agencies and with the chemical industry and trade, essential in preventing diversion,

*Recognizing* that the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of

1988<sup>46</sup> provides the foundation and framework for such cooperation,

*Recalling* the provisions of the Action Plan against Illicit Manufacture, Trafficking and Abuse of Amphetamine-type Stimulants and Their Precursors and the measures to control precursors adopted by the General Assembly at its twentieth special session, devoted to countering the world drug problem together, in resolutions S-20/4 A and B of 10 June 1998, including the application of the principle “know your customer”,

*Recognizing* that further information is required about the identity of chemicals used in the illicit manufacture of synthetic drugs,

*Recognizing also* that many of the chemicals used in the illicit manufacture of synthetic drugs are also used in the licit industry and trade,

*Bearing in mind* the use of non-controlled and easily substitutable chemicals in the illicit manufacture of synthetic drugs,

*Recognizing* the importance of drug characterization and impurity profiling and of the results of forensic analysis of drugs in obtaining information on trends in, and on the chemicals used for, the illicit manufacture of synthetic drugs,

*Recognizing also* that large quantities of 3,4-methylenedioxyphenyl -2 -propanone, also known as PMK (piperonyl methyl ketone), a controlled chemical included in table I of the 1988 Convention and an important precursor used in the illicit manufacture of Ecstasy-type drugs, are being seized, and that there is little legitimate trade in that chemical,

1. *Recommends* that concerned Governments and international and regional organizations make every effort to establish closer contact to facilitate the exchange of information between countries used as a source of key chemicals and those in which synthetic drugs are illicitly manufactured;

2. *Urges* Governments and international and regional organizations to make every effort to enhance cooperation at all levels, with all relevant agencies and with the chemical industry and trade, to ensure the rapid exchange of information, in particular relating to stopped shipments, suspicious transactions and new chemicals identified as being used in the illicit manufacture of drugs;

3. *Also urges* Governments to implement operating procedures for chemical control that would give effect, as a minimum, to the measures to control precursors, in particular

<sup>46</sup> *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November–20 December 1988*, vol. I (United Nations publication, Sales No. E.94.XI.5).