

No. 27627

MULTILATERAL

**United Nations Convention against Illicit Traffic in Narcotic
Drugs and Psychotropic Substances (with annex). Con-
cluded at Vienna on 20 December 1988**

Authentic texts: Arabic, Chinese, English, French, Russian and Spanish.

Registered ex officio on 11 November 1990.

MULTILATÉRAL

**Convention des Nations Unies contre le trafic illicite de stupé-
fiants et de substances psychotropes (avec annexe). Con-
clue à Vienne le 20 décembre 1988**

Textes authentiques : arabe, chinois, anglais, français, russe, et espagnol.

Enregistrée d'office le 11 novembre 1990.

UNITED NATIONS CONVENTION¹ AGAINST ILLICIT TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

Adopted by the Conference at its 6th plenary meeting,
on 19 December 1988

The Parties to this Convention,

Deeply concerned by the magnitude of and rising trend in the illicit
production of, demand for and traffic in narcotic drugs and psychotropic

¹ Came into force on 11 November 1990, i.e., the ninetieth day following the date of the deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification, acceptance, approval or accession, in accordance with article 29 (1):

<i>State</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>
Bahamas	30 January 1989
Bahrain**	7 February 1990
Canada	5 July 1990
Chile	13 March 1990
China**	25 October 1989
Cyprus**	25 May 1990
Ecuador	23 March 1990
German Democratic Republic*, **	21 February 1990
Ghana	10 April 1990
India	27 March 1990 <i>a</i>
Jordan	16 April 1990
Mexico	11 April 1990
Nicaragua	4 May 1990
Nigeria	1 November 1989
Qatar	4 May 1990 <i>a</i>
Senegal	27 November 1989
Spain	13 August 1990
Togo	1 August 1990
United Arab Emirates	12 April 1990 <i>a</i>
United States of America**	20 February 1990

* Prior to the coming into effect of the ratification, which should have taken place on 11 November 1990, the German Democratic Republic acceded to the Federal Republic of Germany with effect from 3 October 1990.

In addition and prior to the entry into force of the Convention, the following States deposited instruments of ratification or accession:

<i>State</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>
Bangladesh	11 October 1990
(With effect from 9 January 1991.)	
Bhutan	27 August 1990 <i>a</i>
(With effect from 25 November 1990.)	
Bolivia**	20 August 1990
(With effect from 18 November 1990.)	
Byelorussian Soviet Socialist Republic	15 October 1990
(With effect from 13 January 1991.)	
Paraguay	23 August 1990
(With effect from 21 November 1990.)	
Tunisia	20 September 1990
(With effect from 19 December 1990.)	
Uganda	20 August 1990 <i>a</i>
(With effect from 18 November 1990.)	

** See p. 404 of this volume for the text of the reservations and declarations made upon ratification.

substances, which pose a serious threat to the health and welfare of human beings and adversely affect the economic, cultural and political foundations of society,

Deeply concerned also by the steadily increasing inroads into various social groups made by illicit traffic in narcotic drugs and psychotropic substances, and particularly by the fact that children are used in many parts of the world as an illicit drug consumers market and for purposes of illicit production, distribution and trade in narcotic drugs and psychotropic substances, which entails a danger of incalculable gravity,

Recognizing the links between illicit traffic and other related organized criminal activities which undermine the legitimate economies and threaten the stability, security and sovereignty of States,

Recognizing also that illicit traffic is an international criminal activity, the suppression of which demands urgent attention and the highest priority,

Aware that illicit traffic generates large financial profits and wealth enabling transnational criminal organizations to penetrate, contaminate and corrupt the structures of government, legitimate commercial and financial business, and society at all its levels,

Determined to deprive persons engaged in illicit traffic of the proceeds of their criminal activities and thereby eliminate their main incentive for so doing,

Desiring to eliminate the root causes of the problem of abuse of narcotic drugs and psychotropic substances, including the illicit demand for such drugs and substances and the enormous profits derived from illicit traffic,

Considering that measures are necessary to monitor certain substances, including precursors, chemicals and solvents, which are used in the manufacture of narcotic drugs and psychotropic substances, the ready availability of which has led to an increase in the clandestine manufacture of such drugs and substances,

Determined to improve international co-operation in the suppression of illicit traffic by sea,

Recognizing that eradication of illicit traffic is a collective responsibility of all States and that, to that end, co-ordinated action within the framework of international co-operation is necessary,

Acknowledging the competence of the United Nations in the field of control of narcotic drugs and psychotropic substances and desirous that the international organs concerned with such control should be within the framework of that Organization,

Reaffirming the guiding principles of existing treaties in the field of narcotic drugs and psychotropic substances and the system of control which they embody,

Recognizing the need to reinforce and supplement the measures provided in the Single Convention on Narcotic Drugs, 1961,¹ that Convention as amended by the 1972² Protocol Amending the Single Convention on Narcotic Drugs, 1961, and the 1971³ Convention on Psychotropic Substances, in order to counter the magnitude and extent of illicit traffic and its grave consequences,

Recognizing also the importance of strengthening and enhancing effective legal means for international co-operation in criminal matters for suppressing the international criminal activities of illicit traffic,

Desiring to conclude a comprehensive, effective and operative international convention that is directed specifically against illicit traffic and that considers the various aspects of the problem as a whole, in particular those aspects not envisaged in the existing treaties in the field of narcotic drugs and psychotropic substances,

Hereby agree as follows:

Article 1

DEFINITIONS

Except where otherwise expressly indicated or where the context otherwise requires, the following definitions shall apply throughout this Convention:

¹ United Nations, *Treaty Series*, vol. 520, p. 151.

² *Ibid.*, vol. 976, p. 105.

³ *Ibid.*, vol. 1019, p. 175.

(a) "Board" means the International Narcotics Control Board established by the Single Convention on Narcotic Drugs, 1961, and that Convention as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961;

(b) "Cannabis plant" means any plant of the genus *Cannabis*;

(c) "Coca bush" means the plant of any species of the genus *Erythroxylon*;

(d) "Commercial carrier" means any person or any public, private or other entity engaged in transporting persons, goods or mails for remuneration, hire or any other benefit;

(e) "Commission" means the Commission on Narcotic Drugs of the Economic and Social Council of the United Nations;

(f) "Confiscation", which includes forfeiture where applicable, means the permanent deprivation of property by order of a court or other competent authority;

(g) "Controlled delivery" means the technique of allowing illicit or suspect consignments of narcotic drugs, psychotropic substances, substances in Table I and Table II annexed to this Convention, or substances substituted for them, to pass out of, through or into the territory of one or more countries, with the knowledge and under the supervision of their competent authorities, with a view to identifying persons involved in the commission of offences established in accordance with article 3, paragraph 1 of the Convention;

(h) "1961 Convention" means the Single Convention on Narcotic Drugs, 1961;

(i) "1961 Convention as amended" means the Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961;

(j) "1971 Convention" means the Convention on Psychotropic Substances, 1971;

(k) "Council" means the Economic and Social Council of the United Nations;