



# BULLETIN ON NARCOTICS

CR-Sent  
01-26-89  
mf

umber-1988

... or an analysis of the campaign against...

119778  
119789

UNITED NATIONS

DIVISION OF NARCOTIC DRUGS  
Vienna

# BULLETIN ON NARCOTICS

Volume XXXV, No. 4  
October—December 1983

***Special issue on an analysis of the campaign  
against drug trafficking***

119778-  
119789

U.S. Department of Justice  
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

United Nations  
(New York)

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

**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.

The *Bulletin on Narcotics* is published quarterly in English, French and Spanish. Selected articles are subsequently published in Russian, and a summary of each volume is issued in Chinese every year.

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.

Opinions expressed in articles published in the *Bulletin on Narcotics* are the responsibility of the respective authors and do not necessarily reflect those of the United Nations. The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or its authorities, or concerning the delimitation of any frontiers or boundaries.

Material published in the *Bulletin on Narcotics* is the property of the United Nations and enjoys copyright protection, in accordance with the provisions of Protocol 2 annexed to the Universal Copyright Convention concerning the application of that Convention to the works of certain international organizations. Permission to reproduce signed material must be obtained from the *Bulletin on Narcotics*, Division of Narcotic Drugs, United Nations, Vienna International Centre, P.O. Box 500, A-1400 Vienna, Austria.

Manuscripts not accepted are returned to the authors; however, the United Nations cannot be held responsible for loss.

Requests for subscription (\$US 20.00 per annum) and all correspondence relating thereto should be addressed as follows:

for North America, South America, Asia and Oceania:  
United Nations Sales Section  
New York, N. Y. 10017  
United States of America

for Europe, Africa and the Middle East:  
United Nations Sales Section  
CH-1211 Geneva 10  
Switzerland

## CONTENTS

	<i>Page</i>
Editor's note .....	1
The monitoring of trade in and control of psychotropic substances to guard against their diversion by <i>I. Bayer</i> .....	119778 3
The technique of controlled delivery as a weapon in dealing with illicit traffic in narcotic drugs and psychotropic substances by <i>P. D. Cutting</i> .....	119779 15
Recent trends in illicit drug trafficking from the Canadian perspective by <i>R. T. Stamler, R. C. Fahlman and S. A. Keele</i> .....	119780 23
International illicit drug traffic: the United States response by <i>R. S. Williamson</i> .....	119781 33
Drugs of Dependence Monitoring System: an effective check of the movements of certain drugs in Australia by <i>D. W. Murdoch</i> .....	119782 47
International co-operation through the Interpol system to counter illicit drug trafficking by <i>W. J. Leamy</i> .....	119783 55
The role of the Commonwealth Secretariat in the fight against illicit drug traffic by <i>B. A. K. Rider</i> .....	119784 61
The role of the Drug Advisory Programme of the Colombo Plan Bureau in the fight against illicit drug traffic by <i>P. A. Abarro</i> .....	119785 67
The role of the Pompidou Group of the Council of Europe in combating drug abuse and illicit drug trafficking by <i>C. Brulé</i> .....	119786 73
Action by the Customs Co-operation Council to combat illicit drug trafficking by <i>G. D. Gotschlich</i> .....	119787 79

The role of the South American Agreement on Narcotic Drugs and Psychotropic Substances in the fight against illicit drug trafficking  
by C. N. Cagliotti ..... 119788 ..... 83

The role of the Association of South-East Asian Nations in fighting illicit drug traffic  
by Chavalit Yodmani ..... 119789 ..... 97

## 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 technique of controlled delivery as a weapon in dealing with illicit traffic in narcotic drugs and psychotropic substances

P. D. CUTTING

*Chief, Investigation Officer, H. M. Customs and Excise, London, United Kingdom of Great Britain and Northern Ireland*

## ABSTRACT

The technique of controlled delivery is used when a consignment of illicit drugs is detected and allowed to go forward under the control and surveillance of law enforcement officers in order to secure evidence against the organizers of such illicit drug traffic. This technique has been proved effective in some countries in identifying and bringing to justice principals, organizers and financiers of the illicit drug traffic. The controlled delivery technique is compatible with the requirements of the Single Convention on Narcotic Drugs, 1961, but its application depends on the particular legal and administrative provisions in the countries concerned. The technique merits wider use, and it does not involve any element of entrapment. It has been used most effectively when illicit drugs are discovered in unaccompanied freight consignments or in the post. Controlled deliveries involving a courier present special difficulties and should be treated with caution. In a controlled delivery, security of information is of paramount importance as is the appropriate knowledge and co-operation of the law enforcement authorities. Such co-operation is essential between the country in which the initial detection of drugs has occurred, transit countries and the country of final destination. A number of important detections have been made as a result of speedy international co-operation of this type between law enforcement authorities.

## Introduction

The technique of controlled delivery has been used in some countries for more than a decade as an aid in identifying and bringing to justice organizers and principals in the illicit drug traffic, rather than merely arresting couriers or effecting "unowned" seizures of consignments of illicit drugs. Until relatively recently, however, the technique has also been the subject of misunderstandings and controversy. This article is intended to resolve and remove the residual misunderstandings or doubts. More important, it describes the technique and the various forms and circumstances in which it can be used. The article also indicates some of the matters to which law



enforcement officers and administrators should give consideration when contemplating the use of the technique of controlled delivery. It is hoped that this article will contribute to the better understanding of this important weapon in the fight against illicit drug traffic. It is also hoped that the technique will be more widely applied with benefit to the international community.

### **The status of the controlled delivery technique**

It should be clearly understood at the outset that controlled delivery is not a euphemism for "letting drugs run". It is equally important to make it clear that a properly conducted controlled delivery has no element of *agent provocateur* or entrapment. Indeed, the circumstances which make use of the technique appropriate is that at least some drug offences have already been committed, prohibitions have already been breached and the crimes are still in progress. Finally, but of great importance, it has now been firmly established by the United Nations Commission on Narcotic Drugs that the controlled delivery technique does not conflict in any way with any of the provisions or obligations created by the Single Convention on Narcotic Drugs, 1953 [1, 2, 3].

### **Definitions**

A controlled delivery occurs when a consignment of illicit drugs is detected, usually concealed in some other goods, in circumstances making it possible for those goods to go forward under the control and surveillance of law enforcement officers with a view to identifying and securing evidence against the persons responsible for organizing the smuggling. If the final destination of the consignment is within the frontiers of the country in which the initial detection occurred, "internal controlled delivery" is possible. If the intended final destination of the consignment is in a country other than that where the initial detection was made, there is potential for an "external controlled delivery". If the circumstances of the detection and concealment are such that it is possible to remove all or most of the illicit drugs before allowing the consignment to proceed, a "clean controlled delivery" can be made.

### **Opportunities for controlled delivery**

By far the best opportunities for controlled delivery occur when customs officials detect drugs concealed in consignments of goods that are moving unaccompanied by a "courier", for example in freight consignments, unaccompanied baggage, unaccompanied motor vehicles and the parcel

post. Without the use of controlled delivery such detections would normally result in the seizure of the goods only; those responsible for the smuggling would not be discovered, and the smuggling organization would lose only the drugs.

The practical steps to be taken by law enforcement officers in exploiting detections of this type by means of controlled delivery have many features in common, whether the detection is in freight or in the post and whether the controlled delivery is to be internal or external, clean or otherwise. The main actions to be taken or points to be considered in making a controlled delivery are described below in detail.

### *Internal controlled delivery of drugs detected in freight*

Many of the actions to be taken or points to be considered require simultaneous attention. Of paramount importance is the security of information. Premature publicity of a drug detection could render any attempt at controlled delivery useless. Equally, the security of the drugs found is vital. Those controlling the operation should be aware that the smugglers' plan might be to abstract the drugs before delivery and must, therefore, be ready to forestall this.

Whenever possible, the unpacking of the consignment, removal of the drugs, substitution and repacking should be carried out in a secure customs environment and attention must be paid to preserving any forensic evidence such as fingerprints, which might later prove valuable. The aim should be to remove and substitute the drugs with a harmless substance but to return the consignment to its exact original appearance. It must be remembered that a "clean controlled delivery" is always to be preferred, since it not only eliminates any risk of the drugs being lost but also gives greater freedom in organizing the surveillance of the consignment and reduces the risk of alarming the criminals who may have arranged counter-surveillance.

The import documentation must be examined to establish the persons connected with the transaction, and their backgrounds must be checked. Whenever possible, the consignee's address should be observed to establish the identities of persons using the premises and to discover their associates.

The import agents concerned should be approached and requested to follow their normal procedures (for example, telephoning importers for delivery instructions or advising them of clearance). Experience has shown that the drug smugglers may have completed a clean "trial run" to learn the procedures and would regard any deviation from normal as an alarm signal.

The ultimate delivery of the consignment should be made with the co-operation of the firm that would normally deliver. A customs officer posing as the driver's assistant should travel with the delivery vehicle which should be followed by one or more support vehicles.

Throughout this period, the consignee's premises should be kept under observation and, at the time of delivery, care should be taken to establish, by means of photographs or other evidence, the identity of the persons accepting delivery.

When the delivery has been made, observations should be continued. Choosing the right moment for subsequent overt entry and search of the premises is always difficult but crucial. Instances have been encountered where, on arrival of the goods at the delivery point, the delivery driver is diverted to some other destination or, after the departure of the driver, the goods are removed to other premises in their intact state. The officer in charge of the operation must be prepared for these possibilities and have contingency plans ready.

Although a clean controlled delivery is always preferable, the nature of the concealment or the size of consignment can sometimes make the removal and substitution of the drugs impossible. In such cases, while a controlled delivery may still be attempted, it must be against the background of even closer surveillance and control, even at the risk of alarming the organizers. In such cases, the policy must be to effect overt seizure rather than risk loss of control of the consignment, even if it means that the seizure has to be made at an otherwise premature stage.

It will be appreciated that most of these points are also valid, albeit with slight adjustments in some cases, to the conduct of an internal controlled delivery arising from the detection of drugs in unaccompanied baggage or unaccompanied motor vehicles. The documentation and background information available will differ to some extent, but the principles remain the same.

### *Controlled deliveries of postal consignments*

The organization of a controlled delivery when illicit drugs are detected in the post has much in common with the freight situation. Security of information and the removal and substitution of the drugs are, however, usually much easier.

It is essential that the package is returned to its exact original external appearance. The delivery should be made in collaboration with the postal authorities, and care should be taken to adhere to the normal delivery times and methods for the area concerned. Speed is essential in making the necessary background inquiries and setting up the surveillance, since most smugglers employing the postal method would regard any undue delay in the delivery of a parcel that they are expecting as a warning signal, justifying the refusal of the parcel and thus leaving the authorities with only an "unowned" seizure of illicit drugs.

It is normal in postal smuggling for the name of the addressee shown on the package to be different from — but at the same time sufficiently similar

to — the true name of the occupant of the premises, so as to justify either acceptance or refusal of the package. The dusting of the interior contents of the reconstituted package with a tracing element such as gentian violet should be considered.

Choosing the right moment after the delivery to make an overt entry and inquiries on the premises is particularly difficult with postal smuggling. A frequent tactic of the illicit traffickers is to leave the package unopened for at least some hours after delivery, merely to see whether there is any follow-up inquiry.

### *External controlled deliveries of unaccompanied consignments*

In launching an external controlled delivery, there are additional matters requiring attention. By far the most important is the earliest possible dialogue between the authorities of the country where the detection is made and the appropriate authorities in the country of destination and any transit country involved.

Factors to be considered include:

(a) Any relevant legal provisions in force in any of the countries involved;

(b) Whether there is sufficient time to develop a fully agreed and acceptable plan of action between the appropriate authorities in all the countries involved;

(c) Whether adequate control and surveillance of the consignment can be maintained throughout its journey;

(d) Whether the prospect of identifying principals or organizers in the country of destination is sufficient to justify the resources to be deployed;

(e) Whether communication facilities are good enough to ensure adequate contact between the authorities concerned throughout the ongoing operation.

Because of prevailing time constraints when a detection is made, it is most desirable that there should be a preliminary dialogue to formulate contingency plans for dealing with an external controlled delivery between all the countries where their position on international freight routes makes their involvement in such operations likely. Thereafter, each potential controlled delivery situation must be separately and urgently considered in relation to all the known relevant facts and the prevailing circumstances.

### *Controlled delivery when the illicit drugs are accompanied by a courier*

Opportunities of this sort occur when drugs are detected in the "hold baggage" of transit air passengers. If the customs staff at international airports develop a routine, in relation to transit passengers from high risk

countries, of checking the hold baggage (which is not normally destined to pass through the customs controls at the airport of departure) as it is being sorted for dispatch to the connecting flights, useful detections can be made. Customs officers can develop considerable skill in identifying false-bottomed suitcases from an external physical check merely by the feel and balance of the baggage. The use of drug-detecting dogs at the transshipment point can also be effective.

When drugs are detected in transit baggage, co-operation with the airlines can identify the passengers concerned without making them aware of the customs officer's interest. The counterfoil of the baggage tag number is normally attached to the passenger's ticket and covert checks can be made when the passengers present their tickets to the airline transit desk before continuing their journey.

The selection of flights for this type of activity is important, as resources would not allow blanket coverage of all transit hold baggage and, even if they would, such coverage could be counter-productive. Regular checks by knowledgeable customs staff or airline reservation computer records prior to the arrival of flights from drug-producing countries can establish the names of transit passengers. A check of the reservation print-out can enable the officers to select transit passengers of potential interest and flights that should receive attention.

Once such a detection and identification is made, urgent liaison with the appropriate authorities in the country of destination is vital. With this type of detection it is rarely possible to arrange a clean controlled delivery. The decision by the detecting authorities, either to seize the drugs at that stage and arrest the courier or to seek to arrange an external controlled delivery, depends on a number of factors including:

- (a) The legal provisions in force in the detecting country and the country of destination;
- (b) Whether there is sufficient time to develop a fully agreed and acceptable plan of action between the appropriate authorities in the detecting country and the country of destination;
- (c) The degree of security that can be guaranteed while the baggage is in transit;
- (d) Whether the authorities in the country of destination are able to mount an operation giving a reasonable prospect of the identification and detection of principals.

There is little point in deploying the resources needed for an external controlled delivery if the only result is the seizure of the drugs and the arrest of the courier in the country of destination instead of in the country where

the original detection was made. Thus, each such detection must be considered on its own merits.

When it is agreed that such a controlled delivery shall be undertaken, the fullest possible details of the passenger's identity and description, description of the baggage and its stowage position in the aircraft hold, flight number and estimated time of arrival must be relayed to the overseas authorities as soon as the aircraft departs.

A variant of this basic type of transit smuggling by air passengers is for the smuggler to book his flight only as far as the international airport of first arrival. The baggage will, therefore, be taken to the customs baggage hall for clearance in the normal way. At that stage, however, and before clearing customs, the smuggler presents a separate onward flight ticket to an airline representative and requests that the baggage be sent direct to the departing flight. From the smuggler's point of view this method has the advantage that, on arrival at the final destination, the baggage will bear tags that show direct arrival from the intermediate airport and there will be no indication of transit from a drug-producing country. Fortunately, this procedure is relatively unusual. If airline staff are made aware of the smuggling possibilities, they can be encouraged to draw such requests urgently to the attention of customs officials. This creates the possibility of arranging a controlled delivery type operation with the country of destination, although it had not been possible to establish for certain whether or not drugs are carried in the baggage at that time. A number of important drug detections have been made as a result of speedy international co-operation of this type between customs authorities.

### **The future**

The operations and methods of those smuggling and dealing in illicit drugs are becoming progressively more determined, complex and sophisticated. Fortunately, the law enforcement response is also in a constant state of refinement and development. The progress made in the application of the controlled delivery technique is but one example. At the Customs Co-operation Council Training Seminar on Action against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, held at Brussels in March 1983 with the assistance and co-operation of the United Nations Fund for Drug Abuse Control and the United Nations Division of Narcotic Drugs, much was done to ensure that the expertise developed in some countries in the fight against illicit drugs was available to all. On that occasion, some delegations from the developing countries suggested a further seminar to be held at which customs officers could study in detail and in depth the case histories of a number of typical controlled delivery operations.

**References**

1. *Single Convention on Narcotic Drugs, 1961* (United Nations Publication, Sales No. 62.XI.1), article 35, p. 31.
2. *Official Records of the Economic and Social Council, 1982, Supplement No. 3* (E/1982/13, E/CN/7/678), p. 60.
3. *Official Records of the Economic and Social Council, 1983, Supplement No. 5* (E/1983/15, E/CN/7/1983/18), p. 61.