



## Economic and Social Council

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### Commission on Narcotic Drugs

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Item 9 (d) of the provisional agenda\*

**Implementation of the international drug control  
treaties: other matters arising from the international  
drug control treaties**

**Spain:\*\* draft resolution**

### **International cooperation in countering sexual assault and other criminal acts related to the covert administration of psychoactive substances**

*The Commission on Narcotic Drugs,*

*Recalling* the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime,<sup>1</sup> in which it was noted that trend analysis is essential to highlighting problems and that improved national capacity to collect data is needed to enhance the international community's responses to crime and illicit drugs,

*Reaffirming* the strategy for the period 2008-2011 for the United Nations Office on Drugs and Crime, which provides for strengthening the capacity of Member States to implement victim assistance programmes for the most vulnerable segments of society, including women and children,

*Noting* that in 2003 the World Health Organization issued its *Guidelines for Medico-Legal Care for Victims of Sexual Violence*,<sup>2</sup> providing practical guidance for the assessment and detection of sexual violence, including drug-facilitated sexual assault, and for the treatment and care of victims of such violence,

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\* E/CN.7/2010/1.

\*\* On behalf of the States Members of the United Nations that are members of the European Union.

<sup>1</sup> Economic and Social Council resolution 2007/12, annex.

<sup>2</sup> World Health Organization, *Guidelines for Medico-Legal Care for Victims of Sexual Violence* (Geneva, 2003).



*Concerned* that, in the *Report of the International Narcotics Control Board for 2008*,<sup>3</sup> several countries in South America reported an increase in the non-medical use of psychotropic medicines, in particular sedatives and tranquillizers, and that those countries expressed concern about the increased abuse of so-called “date rape drugs”, which are in some cases administered by criminals to their victims before committing sexual assault or other types of crime,

*Noting* that the European Monitoring Centre for Drugs and Drug Addiction, in its 2008 report entitled “Sexual assaults facilitated by drugs or alcohol”, noted that the full scale of drug-facilitated sexual assault remained unknown and that better monitoring of drug-facilitated sexual assault was an essential first step in addressing the problem,

*Recalling* that in its resolution 52/8 the Commission urged Member States to adopt measures to enhance public awareness and invited industries concerned to cooperate in developing formulations with safety features, such as dyes and flavourings, to alert potential victims to the contamination of their drinks, without affecting the bioavailability of the active ingredients in legitimate drugs,

*Mindful* of the concern about the use in sexual assaults or other crimes of psychoactive substances, whether under international control or not, such as central nervous system depressants, benzodiazepines, ketamine, *gamma*-hydroxybutyric acid (GHB) and, to a lesser extent, cannabis, cocaine, “ecstasy” and amphetamines, whether or not in association with alcohol, which may alter the victim’s degree of consciousness, state of awareness and judgement,

*Acknowledging* that the International Narcotics Control Board, in its annual report for 2008, assessed the measures taken by Member States to control ketamine in accordance with Commission resolution 49/6, entitled “Listing of ketamine as a controlled substance”, and resolution 50/3, entitled “Responding to the threat posed by the abuse and diversion of ketamine,

*Welcoming* the fact that the World Health Organization has decided to carry out a critical examination of ketamine and GHB and its precursors *gamma*-butyrolactone (GBL) and 1,4-butanediol, which may include an assessment of the health and social risks of those substances in various social settings,

*Recognizing* that it is important to invest in the capacity of forensic laboratories and the development of high-quality methodologies for analysing sexual assault or other criminal acts in which the administration of psychoactive substances is suspected so as to understand the full magnitude and scope of the phenomenon and to respond to it, in terms of both the judicial system and preventive health care,

*Recognizing* the importance of integrating laboratories and providing scientific support to drug control frameworks, and the importance of treating analytical data as a primary source of information worldwide, for example in early warning systems on new drug trends, in accordance with Commission resolution 50/4, entitled “Improving the quality and performance of drug analysis laboratories”,

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<sup>3</sup> United Nations publication, Sales No. E.09.XI.1.

*Mindful* of the need to provide victims of sexual assault or other criminal acts with adequate and professional assistance, and of supporting and encouraging victims to make use of such assistance,

1. *Urges* States to combat this new phenomenon by taking steps to raise public awareness, in particular among the most vulnerable segments of society, health professionals and law enforcement agencies, of the *modi operandi* of assailants and of the means of recourse available to victims, and encourages them to submit any relevant experience, information and research findings to the United Nations Office on Drugs and Crime;

2. *Also urges* States to establish awareness and sensitivity training programmes for, *inter alia*, social, medical and law enforcement professionals who assist victims, in order to ensure the provision of adequate and professional assistance;

3. *Urges* the relevant international organizations, including the International Narcotics Control Board, the United Nations Office on Drugs and Crime and the World Health Organization, to gather information and further analyse the phenomenon of drug-facilitated sexual assault or other criminal acts, with a view to developing common definitions and standards, in particular international guidelines for forensic analyses to identify the presence of psychoactive substances used in connection with sexual assault or other criminal acts, with due regard for States' initiatives and legal provisions;

4. *Urges* States to consider making recommendations about formulations to the pharmaceutical industries concerned with a view to preventing the covert administration of medicines by alerting the potential victim and by making it more complicated for the assailant, without affecting the availability of the medicines or their active ingredients, and encourages Member States to exchange any relevant experience, information and research;

5. *Invites* States and regional organizations to promote research into the administration of psychoactive substances for sexual assault or other criminal purposes with a view to measuring the extent of the phenomenon, ascertaining the *modi operandi* of assailants and identifying the psychoactive substances used, whether under international control or not;

6. *Draws* the attention of States to the possibility that national legislation or relevant guidelines may take into account aggravating circumstances in cases where psychoactive substances are covertly administered to commit sexual assault;

7. *Requests* the Secretary-General to report to it, at its fifty-fifth session, on the implementation of the present resolution.