



Economic and Social Council

Distr.: General
4 January 2012

Original: English

Commission on Narcotic Drugs

Fifty-fifth session

Vienna, 12-16 March 2012

Item 7 of the provisional agenda*

World situation with regard to drug trafficking and recommendations of the subsidiary bodies of the Commission

Action taken by the subsidiary bodies of the Commission on Narcotic Drugs

Report of the Secretariat

I. Introduction

1. Five meetings of subsidiary bodies of the Commission on Narcotic Drugs were held in 2011: the Ninth Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Europe, held in Vienna from 28 June to 1 July; the Twenty-first Meeting of Heads of National Drug Law Enforcement Agencies, Africa, held in Addis Ababa from 5 to 9 September; the Twenty-first Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, held in Santiago from 3 to 7 October; the Thirty-fifth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, held in Agra, India, from 22 to 25 November; and the forty-sixth session of the Subcommittee on Illicit Drug Traffic and Related Matters in the Near and Middle East, held in Vienna from 19 to 22 December.

2. Following a review of trends in drug trafficking and regional and subregional cooperation, each of the subsidiary bodies addressed drug law enforcement issues of priority in its region. Consideration of those issues was facilitated by the discussions that had been held during informal meetings of the working groups established for that purpose. In addition, the implementation of previous recommendations was reviewed by each of the subsidiary bodies.

* E/CN.7/2012/1.



3. The recommendations of the subsidiary bodies at the above-mentioned meetings are reflected below. The reports of the Ninth Meeting of HONLEA, Europe (UNODC/HONEURO/9/6), the Twenty-first Meeting of HONLEA, Africa (UNODC/HONLAF/21/5), the Twenty-first Meeting of HONLEA, Latin America and the Caribbean (UNODC/HONLAC/21/5), the Thirty-fifth Meeting of HONLEA, Asia and the Pacific (UNODC/HONLAP/35/5) and the forty-sixth session of the Subcommission (UNODC/SUBCOM/46/5) will be made available to the Commission in the working languages of the respective subsidiary bodies. The reports are also available on the website of the United Nations Office on Drugs and Crime (UNODC).

II. Recommendations of the subsidiary bodies

4. The recommendations below were transmitted by the subsidiary bodies for consideration and action by the Commission at its fifty-fifth session.

A. Ninth Meeting of Heads of National Drug Law Enforcement Agencies, Europe

5. The recommendations below were made by the Ninth Meeting of HONLEA, Europe.

1. Regional cooperation in combating the illicit drug trade in Europe

6. The following recommendations were made with regard to the topic entitled “Regional cooperation in combating the illicit drug trade in Europe”:

(a) Member States should work to strengthen institutional ties between their drug law enforcement authorities, in order to build trust and closer operational cooperation in targeting, investigating and dismantling drug trafficking groups;

(b) Governments should ensure that their drug law enforcement agencies establish standard operating procedures that support fast decision-making and closer operational cooperation with counterpart authorities in joint investigations of traffickers operating across multiple jurisdictions;

(c) In response to a developing trend of increased use of maritime containerized freight to smuggle drugs, Governments should take steps to ensure that they support close inter-agency partnerships between the law enforcement agencies responsible for border management and drug law enforcement.

2. Licit trade in precursor chemicals: additional elements of effective control

7. The following recommendations were made with regard to the topic entitled “Licit trade in precursor chemicals: additional elements of effective control”:

(a) In accordance with relevant Economic and Social Council resolutions and Security Council resolution 1817 (2008), all Governments are urged to register with and actively use the Pre-Export Notification Online (PEN Online) system of the International Narcotics Control Board;

(b) If they have not already done so, Governments should take steps to ensure that their competent national authorities are not only monitoring the manufacture and sale of internationally controlled precursor chemicals but also maintaining special surveillance over chemicals that are susceptible to diversion as compatible chemical substitutes;

(c) To ensure proper compliance with international controls over chemicals used in illicit drug manufacture, Governments should ensure that information on end-user declarations and the registration of companies permitted to trade in those commodities is satisfactorily verified;

(d) In order to successfully identify attempts at the diversion of or trafficking in precursor chemicals, Governments should ensure that they maintain an accurate assessment of the legitimate chemical requirements of their national industries and communicate those assessments to the International Narcotics Control Board, for publication on its web page on legitimate annual requirements;

(e) Governments should ensure that their drug law enforcement authorities and competent national authorities establish standard operating procedures that support fast decision-making and closer cooperation with counterpart authorities in joint investigations of drug trafficking and the illicit trade in precursors.

3. Coercion to cohesion: alternative models of demand reduction

8. The following recommendations were made with regard to the topic entitled “Coercion to cohesion: alternative models of demand reduction”:

(a) Governments should take steps to ensure that they have factual, reliable and comprehensive information concerning the illicit drug situation with respect to both drug trafficking and drug use within their countries, so as to be able to develop and implement effective strategies to combat illicit drug problems and reduce the impact of those problems;

(b) Governments should be encouraged to develop social assistance and social reintegration programmes, including for individuals who have been able to benefit from drug addiction treatment, instead of the usual penal measures;

(c) Governments should work towards broader coverage and offer a variety of treatment and prevention approaches to persons affected by illicit drug use and dependence.

B. Twenty-first Meeting of Heads of National Drug Law Enforcement Agencies, Africa

9. The recommendations below were made by the Twenty-first Meeting of HONLEA, Africa.

1. Controlled delivery operations

10. The following recommendations were made with regard to controlled delivery operations in Africa:

(a) Governments are invited to re-examine their policies and procedures regarding controlled delivery to ensure that measures are in place to ensure that they are compliant with their obligations under the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

(b) Governments that do not have in place legislation to support the undertaking of controlled delivery operations are encouraged to establish legal frameworks and to provide the necessary equipment, resources and training to staff to ensure that such operations can be carried out effectively;

(c) To expedite the authorization of requests to undertake controlled deliveries, Governments should be encouraged to include controlled delivery procedures in bilateral agreements concluded with neighbouring States and trade partners;

(d) Governments of countries in Africa should be encouraged to create a reference manual of contact points to support controlled deliveries.

2. Being proactive in operations to counter drug trafficking

11. The following recommendations were made with regard to being proactive in operations to counter drug trafficking:

(a) Governments should support their law enforcement authorities in developing new and innovative ways to gain lawful access to reliable information for analysis on the activities of those engaged in drug trafficking, so as to reduce the impact and harm caused by those illegal activities and increase the risks involved in engaging in criminal operations;

(b) Governments are encouraged to promote a multi-agency approach led by law enforcement, working with key partners in the private sector, to develop operational intelligence on which effective action can be taken against drug trafficking and related forms of organized crime;

(c) Governments should be encouraged to establish an inter-agency response for container control at national ports and container terminals through the establishment of units specialized in reviewing, selecting and searching suspicious containers.

3. Precursor control: Africa's developing challenge

12. The following recommendations were made with regard to precursor control — Africa's developing challenge:

(a) Governments should ensure that there is coordination between their national authorities responsible for the control of precursor chemicals, in order to prevent the diversion of such chemicals for use in the illicit manufacture of drugs;

(b) Governments should be encouraged to invoke article 12, paragraph 10 (a), of the 1988 Convention to receive pre-export notifications on substances under international control;

(c) Governments should be encouraged to register with Pre-Export Notification Online (PEN Online) to monitor licit trade in precursor chemicals under international control, so as to prevent their diversion into illicit channels.

C. Twenty-first Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean

13. The recommendations below were made by the Twenty-first Meeting of HONLEA, Latin America and the Caribbean.

1. Building partnerships with the chemical industry to strengthen precursor control

14. With regard to issue 1, “Building partnerships with the chemical industry to strengthen precursor control”, the following recommendations were made:

(a) Governments should encourage their national authorities to develop for the chemical industry voluntary codes of conduct that support the effective implementation of national legislation and regulations and promote corporate responsibility and effective cooperation between the public and private sectors with regard to transactions involving precursor chemicals;

(b) Governments should consider the formation of inter-agency task forces comprising ministries that have the appropriate mandates to regulate and oversee the import and export, national manufacture, trade and distribution of precursor chemicals;

(c) Interested States of the region should explore with the United Nations Office on Drugs and Crime (UNODC) and the International Narcotics Control Board the development of a system to facilitate the exchange of information on cocaine seizures and their chemical composition, as well as on seized precursors and those recovered from clandestine laboratories, so as to support the periodic dissemination of analysis on new trends in emerging substances to the competent authorities of the region;

(d) In order to better target attempts at illicit diversion of precursor chemicals, Governments of the region should review the information they share on cocaine analysis and seized chemical precursors with the regional “Prevention of the diversion of drug precursors in the Latin American and Caribbean region” initiative so as to ensure that such information supports trend analysis, and should consider participating in the pilot of the International Narcotics Control Board’s precursor incident communication system when the opportunity arises in the near future;

(e) UNODC should explore, in consultation with the International Narcotics Control Board, the expansion of the Pre-Export Notification Online (PEN Online) system to provide a platform for exchange of information on the import and export of precursor chemicals controlled by some States of the region, but not under international control in accordance with Tables I and II of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

2. Implementing effective border controls

15. With regard to issue 2, “Implementing effective border controls”, the following recommendations were made:

(a) Where national strategies are not already established, Governments of States of the region should be encouraged to develop and implement a national strategy that encourages close interaction between their drug law enforcement services in matters of cooperation and support in operations against illicit drug trafficking;

(b) Governments of the region should be encouraged to utilize their investment in training, technology and manpower to establish an inter-agency response for container control at national ports and container terminals through the establishment of specialist units dedicated to the review, selection and search of suspect containers of interest;

(c) Governments of the region should be encouraged to: (i) review their current strategies on border control and consider, among other options, the joint manning of land border stations and the undertaking, subject to their national legal frameworks, of joint mobile patrols, joint operations or combined or simultaneous operations so as to expand operational capacities; (ii) adopt measures to enhance communications and the exchange of information; and (iii) strengthen joint drug law enforcement controls at land, sea and air borders between neighbouring States through such confidence-building measures as joint training, officer exchanges and jointly planned operations. In the case of countries that face internal obstacles of a normative nature in the implementation of the recommendation, Governments should consider the possibility of undertaking simultaneous operations as a step towards the development of joint controls.

3. Addressing the proceeds of drug trafficking

16. With regard to issue 3, “Addressing the proceeds of drug trafficking”, the following recommendations were made:

(a) Governments should be encouraged to introduce comprehensive legislation in the matter of asset forfeiture in its various forms to support authorities in the recovery of the proceeds of crime;

(b) Governments should review their domestic legislation on asset forfeiture in order to identify legal mechanisms aimed at optimizing the application of forfeiture of property derived from illicit drug trafficking;

(c) Governments should consider the possibility of establishing specialized units in police and prosecution services for investigation of the crime of money-laundering;

(d) Governments should, in a flexible and timely manner, provide the broadest possible international cooperation to combat money-laundering and support the recovery of assets that were the proceeds of crime through information exchange, the sharing of information on money-laundering typologies and the identification and location of assets and property.

D. Thirty-fifth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific

17. The recommendations below were made by the Thirty-fifth Meeting of HONLEA, Asia and the Pacific.

1. Precursor chemicals: developing industry partnerships and meeting the challenges of substitute chemicals

18. The following recommendations were made with regard to the issue entitled “Precursor chemicals: developing industry partnerships and meeting the challenges of substitute chemicals”:

(a) Governments issuing end-user certificates to clear the sale of controlled precursor chemicals for export should take steps to ensure that the declared consignees are the final destination and not transit or intermediary countries;

(b) Governments should commit their authorities to register, support and participate actively in the Pre-Export Notification Online (PEN Online) system supported by the International Narcotics Control Board so as to be able to confirm the legitimacy of commercial parties involved in international transactions of precursor chemicals;

(c) Governments are encouraged to adopt a proactive approach to raising awareness and building the capacity of chemical regulatory authorities and drug law enforcement agencies so as to enhance their knowledge of scheduled and non-scheduled precursors, substances that may be diverted for use in the illicit manufacture of drugs;

(d) National precursor control authorities should be encouraged by their Governments to engage with the chemical industry and to develop voluntary codes of conduct that support the effective implementation of national legislation and regulations and promote good cooperation and corporate responsibility between the public and private sectors concerned with transactions involving precursor chemicals.

2. The response of Asia and the Pacific to increased heroin production

19. The following recommendations were made with regard to the issue entitled “The response of Asia and the Pacific to increased heroin production”:

(a) To be effective against groups engaged in drug trafficking and other cross-border criminal activities, Governments should review their existing bilateral agreements to ensure they are still meeting the needs of their law enforcement agencies and judiciary in the investigation, arrest and prosecution of offenders;

(b) Governments should encourage their authorities to increase cooperation in the exchange of information on the sale and movement of precursor chemicals and actively support them in the use of special investigation techniques such as controlled delivery and joint agency operations to target, monitor and track attempts at their illegal diversion;

(c) Governments, together with international financial institutions and the broader development community, should be encouraged to support alternative

development programmes for rural communities whose livelihood depends upon the cultivation of illicit crops.

3. Meeting the challenge of effective border controls

20. The following recommendations were made with regard to the issue entitled “Meeting the challenge of effective border controls”:

(a) Governments should be encouraged to develop an integrated agency response to border management through the adoption of national strategies that build confidence, trust and cooperation between their national law enforcement agencies;

(b) In response to the rapid growth of international trade by sea and to maintain the security of their primary ports, Governments should be encouraged to utilize their investment in training, technologies and manpower to establish an inter-agency response to container control at national ports and container terminals by establishing specialist units dedicated to the review, selection and search of suspect containers of interest;

(c) Governments should support the development of closer cooperation, communication and operational networking between the rising number of international airports in the region so as to be better placed to identify traffickers using those international gateways as entry points for drug distribution.

E. Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East at its forty-sixth session

21. The recommendations below were made by the Subcommission at its forty-sixth session.

1. Ongoing impact of illicit drug production in Afghanistan

22. The following recommendations were made with regard to the ongoing impact of illicit drug production in Afghanistan:

(a) Where no legal framework exists for special investigative techniques, including controlled deliveries under the international drug control treaties and the United Nations Convention against Transnational Organized Crime,¹ the countries of the Near and Middle East are encouraged to develop and enact related legislation as soon as possible;

(b) In order to facilitate cross-border operations, such as controlled deliveries, Governments need to ensure that their agencies have established single national focal points and developed and introduced standard operating procedures, including fast clearance mechanisms, templates for documentation, model requests and debriefing procedures;

(c) Law enforcement authorities should be encouraged by their Governments to make best use of the capacities of regional law enforcement entities such as the

¹ United Nations, *Treaty Series*, vol. 2225, No. 39574.

Central Asian Regional Information and Coordination Centre (CARICC), the joint planning cell and others, which facilitate and provide platforms for the coordination of multilateral investigations and operations and the collection, analysis and sharing of information needed for operations targeted against suspects or criminal groups engaged in the smuggling of drugs and precursors through the countries of the Near and Middle East;

(d) Governments should encourage their law enforcement agencies to develop coordinated investigations and joint operations with a view to dismantling the entire chain of criminal actors, including the highest levels of criminal organizations;

(e) In order to test and adjust standard operating procedures for multilateral operations and to make them practically functional, Governments should encourage their law enforcement agencies to conduct multilateral table-top and field exercises using the network of liaison officers and the platform and coordination capacities of international and regional law enforcement entities.

2. Illicit manufacture of and trafficking in amphetamine-type stimulants in the region

23. The following recommendations were made with regard to illicit manufacture of and trafficking in amphetamine-type stimulants in the region:

(a) Member States of the Subcommission are encouraged to strengthen their efforts to monitor the situation regarding amphetamine-type stimulants in the region in cooperation with the global Synthetics Monitoring: Analysis, Reporting and Trends (SMART) programme of the United Nations Office on Drugs and Crime (UNODC), which, subject to funding made available for that purpose, will continue to support Member States in gaining better insight into trends in the supply of and demand for such stimulants and designing effective policy interventions;

(b) Governments are encouraged to strengthen their efforts to ensure that their law enforcement agencies are aware of the important role played by forensic analysis of seized amphetamine-type stimulants so as to increase regional knowledge about active ingredients, common sources of manufacture and patterns in trafficking, and to share that information among law enforcement authorities in order to strengthen international efforts to counter illicit activity involving amphetamine-type stimulants;

(c) Law enforcement authorities in the region need to be adequately trained and equipped to counter the threat posed by illicit synthetic drugs, especially amphetamine-type stimulants, and their illicit manufacture, having previously focused their activities on cannabis and heroin;

(d) Drawing on the expertise of the International Narcotics Control Board (INCB) on the issue of precursor control, Governments should undertake regular reviews of their domestic precursor chemical requirements and report the data to the Board to ensure that they are in line with actual requirements and thus hinder potential diversion of precursors into the illicit manufacture of amphetamine-type stimulants.

3. Supporting models of drug demand reduction

24. The following recommendations were made with regard to supporting models of drug demand reduction:

(a) Governments are encouraged to adopt prevention, treatment, care, rehabilitation and reintegration interventions that are based on scientific research;

(b) Governments are encouraged to offer opportunities for treatment and reintegration while continuing to fight drug trafficking at all levels;

(c) Governments are encouraged to develop joint training courses for law enforcement and drug demand reduction professionals;

(d) Governments are encouraged to create coordinating bodies at all levels (national, regional and municipal), including both the law enforcement and the drug demand reduction sectors, to plan interventions and policies together.

III. Follow-up to the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem

25. Participants in the Ninth Meeting of HONLEA, Europe, the Twenty-first Meeting of HONLEA, Africa, the Twenty-first Meeting of HONLEA, Latin America and the Caribbean, the Thirty-fifth Meeting of HONLEA, Asia and the Pacific and the forty-sixth session of the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East considered the item on their agendas entitled "Follow-up to the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem". For their consideration of the item, they had before them the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, contained in the report of the Commission on Narcotic Drugs on the outcome of the high-level segment of the fifty-second session of the Commission on progress achieved in meeting the goals and targets set out in the Political Declaration adopted by the General Assembly at its twentieth special session (A/64/92-E/2009/98, sect.II. A).

26. Attention was drawn to the subsections of part II of the Plan of Action on enhancing cooperation, coordination and law enforcement operations to reduce supply, addressing new trafficking trends and addressing supply and demand reduction together. It was also emphasized that the General Assembly, in its resolution 64/182, had encouraged the meetings of heads of national drug law enforcement agencies and the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East to continue to contribute to the strengthening of regional and international cooperation.

27. At the Ninth Meeting of HONLEA, Europe, reference was made to the Group of Eight Plus (G-8+) ministerial meeting held in Paris in May 2011 on the international fight against transatlantic cocaine trafficking, with the participation of producing, transit and consumer countries and 10 regional and international organizations. It was noted that trafficking routes had diversified and that trafficking was generating instability and insecurity. Furthermore, groups engaged in

transnational organized crime had developed full-scale technical and logistical capacities. The ministerial meeting adopted a plan of action to counter transatlantic trafficking, which included measures aimed at reinforcing international cooperation, collecting and sharing intelligence, intensifying maritime cooperation, enhancing mechanisms for the identification and confiscation of the proceeds of crime, strengthening the capacity of States and financing activities to combat drug trafficking. A follow-up to the ministerial meeting was planned.

28. At the Twenty-first Meeting of HONLEA, Africa, participants took note of the negative consequences of drug trafficking and drug-related crime, which constituted a growing security risk in the African region. Africa, which was used mainly as a transit area for drug trafficking, was becoming a market for all types of drugs.

29. Participants expressed their support for the revised African Union Plan of Action on Drug Control and Crime Prevention (2007-2012) and its objectives, which included the reversal of current trends in drug abuse, drug trafficking, organized crime and related challenges to socio-economic development and human security in the region. It was noted that closer cooperation between UNODC and the African Union should be sought for the joint launch of a fund-raising strategy for implementing the African Union Plan of Action, including a donor round table. Attention was drawn to the efforts made and the difficulties encountered by Governments in implementing the African Union Plan of Action, and it was noted that more attention and resources needed to be devoted by donors and member States to, *inter alia*, the establishment of rehabilitation centres to facilitate the treatment of drug-dependent persons, capacity-building for the judiciary and support for alternative development programmes. The need to ensure the provision of technical assistance to States to facilitate the implementation of those targets in accordance with the principle of shared responsibility was also emphasized.

30. At the Twenty-first Meeting of HONLEA, Latin America and the Caribbean, the representative of Colombia drew attention to Commission on Narcotic Drugs resolution 54/12, entitled "Revitalization of the principle of common and shared responsibility in countering the world drug problem". The concept of shared responsibility and the need to ensure the implementation of actions that promoted and were in line with that concept were emphasized.

31. At the Thirty-fifth Meeting of HONLEA, Asia and the Pacific, the representative of Thailand informed the Meeting about the International Workshop on Alternative Development that had been organized by Thailand, in cooperation with Peru and in accordance with Commission on Narcotic Drugs resolutions 53/6 and 54/4, and held in the Chiang Rai and Chiang Mai provinces of Thailand from 6 to 11 November 2011. Participants in the Workshop had agreed on inputs for draft international guiding principles on alternative development to be further considered at the international conference on alternative development to be convened in accordance with resolution 54/4.

32. Participants discussed the effectiveness of alternative development policies and programmes in the Golden Triangle area. The importance of long-term commitment to alternative development goals, combined with law enforcement efforts to reduce supply, was emphasized.

33. At the forty-sixth session of the Subcommission on Illicit Drug Traffic and Related Matters in the Near and Middle East, several speakers reported on measures

taken by their Governments to implement the Political Declaration and Plan of Action. A number of States had adopted national laws, policies, strategies and action plans to address the drug problem. Several States had also established relevant institutions and ensured coordination among all competent authorities.

34. Speakers also reported on specific measures to prevent the spread of drug abuse and to provide treatment to drug abusers. Preventive measures included projects in multiple sectors aimed at specific groups, such as young people, and the promotion, in schools and sport centres, of a culture of zero tolerance of drugs. With regard to treatment facilities, some speakers stressed the benefits of public-private partnerships and the involvement of civil society.

35. Several speakers recalled the importance of international cooperation and technical assistance in addressing the world drug problem. The need to enhance national capacities was also stressed. A number of speakers highlighted the role of international institutions and referred to successful cooperation initiatives and projects, such as surveys and assessment studies on drug abuse, carried out with the support of UNODC and other partners.

IV. Organization of future meetings of the subsidiary bodies

36. The Twenty-first Meeting of HONLEA, Africa, welcomed the offer by the Government of Ghana to host the Twenty-second Meeting in 2012. With regard to the other subsidiary bodies of the Commission, arrangements for the hosting of meetings are to be made by interested Member States in consultation with the Secretariat. Possible topics for the meetings of the subsidiary bodies to take place in 2012 and for the meeting of HONLEA, Europe, in 2013 were identified at the respective meetings.

37. The attention of the Commission and the members of its subsidiary bodies is drawn to Economic and Social Council resolution 1988/15, entitled “Meetings of Heads of National Drug Law Enforcement Agencies: Asia and the Pacific, Africa, and Latin America and the Caribbean”, in which the Council requested the Secretary-General to convene those three regional meetings at the capitals of States in the respective regions that might wish to act as host or at the headquarters of the regional commission concerned, annually, beginning in 1988. Accordingly, the Commission should encourage member States in the different regions to consider hosting forthcoming meetings of heads of national drug law enforcement agencies where no host has yet been identified and to coordinate with the Secretariat as soon as possible to allow sufficient time for the organizational arrangements to be made.